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**City of Worcester
Human Rights Commission**

Members:
Lilian Chukwurah
Robyn Kennedy
Jose Medina Santos
Luis Portillo Reyes
Edward G. Robinson
Jacqueline Yang

**Monthly Meeting Summary – Monday, March 5th, 2018, 6pm
Worcester City Hall, 4th Floor, 455 Main St., Worcester, MA**

Members Present: Aaron Richman, Robyn Kennedy, Ed Robinson, Elizabeth O'Callahan, Jose Medina Santos, Luis Portillo Reyes, Lilian Chukwurah

Members Absent: Cara Berg Powers, Jacqueline Yang

Staff Present: Jayna Turchek

1. Call to order and introductions

A quorum was established and Chairperson Richman called the meeting to order at 6:10pm. Commissioners introduced themselves. The Chairperson welcomed the Commissioners and those present.

2. Approval of February 5th, 2018 meeting minutes

Commissioner Robinson motioned to approve the minutes as written. Commissioner Portillo Reyes seconded. Unanimously approved.

3. New Business

A. Informational presentation- Immigration updates related to DACA and TPS recipients

Alex Mooradian, immigration attorney from Glickman, Sugarman, Kneeland and Gribouski provided an informational session on recent immigration updates.

- Resources not available in amount or number in level of detail as people need to make informed decisions about their Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA) status
- There is risk involved every time a case is presented to United States Citizenship and Immigration Services (USCIS),
 - Especially if there is derogatory history on record
 - There is no such case where the risk is zero



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- Anytime someone presents immigration documentation to judge - they need to be informed of risks and benefits of applying or not applying
- If you miss any deadline it's virtually impossible to get the case heard, reopened or appealed

Agency partners can help us better understand concerns of various communities. List of local organizations that can be trusted in Worcester area include:

- Ascentria Care Alliance
 - Refugee resettlement
 - Citizenship clinic
- Central West Justice Center
- Friendly House
 - Can assist with filing forms for applications
- Latino Education Institute (LEI)
 - English language program
 - Can help provide quasi-family support for unaccompanied minors
- Southeast Asian Coalition
 - Building competency around mental health issues
- Worcester Public Library
 - Work around citizenship outreach
 - Citizenship and English preparation classes

Advice for agency partners:

- Don't ask for unnecessary information
- Be mindful of the way information is presented to families
 - Talk about urgency and gravity of issues, avoid scaring people into not going out in the community or seeking out help
- Information shared with an attorney or mental health worker will remain confidential and will only be used in their best interest; This concept of confidentiality should be shared with clients
- Families must be honest so information can be dealt with in appropriate way

Pitfalls mostly because of lack of information and financial resources

- People with green card with very minor brush with the law can still be subject to deportation
- Citizenship applications linger due to financial cost
- Delayed or lapse due to personal circumstances

DACA

- Executive program put in place in 2012
- 2 years work authorization
- 700,000 applied for DACA; in reality 1.8 million people likely DACA-eligible
- Controversy most clients are college students, parents of US Citizen children; having them subject to deportation has caused a lot of upset
- DACA has been rescinded; no new applications are being accepted
- March 5th or 6th deadline has been nullified**
- Court decisions saying USCIS must continue to process DACA applications
 - An attorney must look at an application before sending if:
 - If there are any derogatory issues
 - If a person has left and come back

- If a person has been accused or convicted of a crime
 - UCSIS is only required to continue to process DACA
 - Advanced parole -- number of people who benefited from DACA used to be able to get lawful entry on their record if they got married or otherwise become green-card-eligible, it would save a lot of hardship
- DACA is under inclusive of number of children who have sympathetic cases but do not fit strict criteria of DACA, which sometimes comes down to chance
- DACA Requirements for initial application (initial application is no longer available):
 - Under age of 31 6/15/12
 - Came to US before 16th birthday (You have to prove you were in US at that time)
 - Continuously resided in us since 6/15/2017; Physically present in 06/15/2012
 - No lawful status on that date - never in lawful immigration status on or before that date - if you had lawful status and lost it, people who had TPS, now about to lose it, and never applied for daca because they had TPS
 - Education:
 - In high school
 - Certificate of completion or GED
 - Lawful discharge from military
 - Not convicted of felony, significant misdemeanor, or 3 or more other misdemeanor
 - Do not otherwise pose a threat to public safety
 - Huge allegations of gang membership
 - Facebook pictures - hand gestures, clothing, skin color
- Must be more vigilant about what allegations could potentially be made
- Legislative fix still needed - DACA is underinclusive
 - More people are becoming eligible as they turn 16, but now they can't apply
 - Creates split-family situation, some are in status, some are out of status, some are ineligible, some are eligible but never applied
 - Legality can be cruel, cannot be argued from moral perspective
 - Lawsuits filed to make UCSIS to continue to process other types of applications
- Cost: \$495 dollars; no fee waiver; to submit DACA renewal application, connected more to work-authorization not so much around renewal
 - Some communities have set up clinics to pay filing fee for anyone who wants to renew DACA - if there are entites or municipalities to set up fund for someone who's in an immigration emergency
 - People literally become eligible for deportation over a few hundred dollars
 - Abuse situation - abuser withholding funds for renewal
 - Emergency fund can prevent strife from humanitarian and economic perspective
 - Family unity prevents reliance
- Timeframe for renewal: huge backlog; 6 months, but can be all over
- Because immigration cases are civil: No right to appointed counsel
 - "Like fighting death row case in traffic court"
 - Certain states - NY - made funds available for immigration counsel
- Need to make sure - a lot of DACA recipients don't want to be used as a bargaining chip
- Don't forget about 1.1 million for DACA-eligible who haven't applied
- Other types of immigrant juveniles - special immigrant juveniles who have been neglected or abandoned by one or more parent
- There are many kinds of immigrant kids besides DACA recipients

TPS

- When people cannot safely return to country of origin

- Can be established by government
- State Department
- Armed conflict
- Natural disaster

Period of 18 months - determination where they can extend status

Controversy of people who have been here for so long; temporary deferral of deportation

Nicaragua

Haiti - terminating in July 22, 2019

Syria

Nepal

Honduras

El Salvador - 09-09-19

Re-registration period to submit renewal application

Ending for Haiti - 03-19-2019**

El Salvador - 03-18-2018***

Community clinics or other forms of media- people need to be aware that if they have TPS, they may be eligible for other benefits. Do they have siblings, children 21 or older to petition?

Common question:

What will happen when my status expires?

- People will be subject to deportation, but a few things may prevent that, legislative or court fix
- 2 lawsuits that were filed around TPS relied on president's own remarks about certain countries to say there is animus toward certain groups of people based on their national origin
- Federal judge to possibly do injunction; if goes up to the supreme court, it will likely be rescinded
- People have a right to removal hearing -Courts are already giving dates as far as 2020 for initial hearings; 2-3 year backlog; It could be 2030 for some

Requirements for TPS

- Cannot have criminal history
- No derogatory information on record

What can be done?

- Clinics
- Emergency legal funds for renewals
- Community awareness
 - You can only be renewing TPS, cannot apply for first time
 - Someone with no legal status who submit TPS, can be referred for deportation
- Municipal ID's
 - Can allow some protection to individuals and greater freedom
 - Issue of cost and burden to maintain and renew ID's
 - Within jurisdiction of city; can prevent a lot of confusion;
- Driver's licenses: With increased ICE presence at Worcester court; something as simple as driving without license can result in being arrested and deported
- Emergency Legal Funds
 - No current legal fund in our community at the moment

- Discussion among community groups about creating a fund services for private attorneys to assist with cases of unaccompanied minors in a lo-bono way
- Rhode Island or City of Providence with DACA beneficiaries
- Some private companies are also covering expenses for DACA beneficiary who works for them
- Student Immigrant Movement has been working with individuals on a case-by-case basis

Tips for families

- Seek a qualified representative - an immigration attorney
- Do not just submit an application if there has been a status change, or any question on status
- If there has been no change in status, there may not be increased risk
- Failing to renew and falling out of lawful status increases risk
- With TPS and DACA ending - recipients should seek to protect assets to prepare for potential transition?

Resources, common misconceptions, rights

- ACLU's Know-Your-Rights Guide
- Noncitizens have lots of same rights as citizens have - Misconceptions around this are being taken advantage of by people trying to enforce immigration law
- Immigration status should not dissuade people from seeking help for housing issues, medical issues, or the ability to contact Worcester Police department
- The Worcester Police Department will not ask about citizen status
 - If any member of WPD ever asks about immigration status, this should be reported to office of human rights or the WPD Bureau of Professional Standards
- Victims of crimes, domestic violence - have the right to seek help from police, government
 - They also may have the right to seek legal status because of this (for example possible U visa)
- School: Any child - regardless of citizenship status has a right to equal education
- Mental health professionals are available as a resource and are bound by client confidentiality
 - Anyone who has been smuggled or trafficked may not be aware of how they may have been impacted by trauma, and should be made aware of mental health resources

ICE Agents

- Uptick in courthouse arrests - there have been several recent arrests right outside courthouse
- Some question of authority/jurisdiction
- Potential consequences:
 - Will lead to witnesses being unwilling to testify
 - Parents who are undocumented not wanting to pursue custody of their children
 - So many people there who do not have a criminal allegation against them could be present on other business in the courthouse
- People who maybe have an old deportation hearing from 10-15 years ago, who haven't committed a crime, with minor infractions with an old order being targeted
 - Minimal legal remedies available to them.
 - In many cases they can't even get before a judge for a hearing before being deported

4. Old Business:

A. Planning for May 7th meeting on police community relations

Chairman Richman gave a brief recap of last month's discussion from February meeting minutes. May meeting meant to give WPD opportunity to express where they are today on important, difficult issues as well as where

they're going. Commissioner Kennedy summarized outcomes from the subcommittee, race dialogues and the development of the logic model:

- How would we know if there was an improvement, how would we measure
- Where can we as HRC support this effort- where are their gaps that we can help provide that training, connect them with that training, can we advise on a policy
- Look at parts of the race-dialogue that are public-safety and city-related
- Other piece for the forum should come from the community
- Follow-up: Focus groups in the community

- BOPS: Can we ask for a narrative / analysis?
 - There is a person in WPD whose main role is analysis and statistics
 - There is an annual analysis for crime watch meetings

- Update on Neighborhood Watch Meetings:
 - Goal to get each of 52 meetings surveyed by end of the month
 - Joelle working on preliminary analysis before meeting in April

Director Turchek summarized the topic areas as previously discussed:

- Definition of hate crimes; reporting of 2017 hate crimes statistics reported
- A summary of 2017 BOPS completed cases
 - What do they think is the best way to deliver the BOPS information?
- WPD Social media protocol on effective communication for positive and negative news
- How can we bring in neighborhood meetings so we can present recommendations?
- Body camera pilot program policy

Other proposals:

- Diversity Officer and Training
 - What is the description of the position? What are the Chief's goals for that position? How are they measuring their outcomes?
 - What trainings do you provide and at what intervals?

- Update Goals within WPD Community Policing Initiative

Document <http://www.worcesterma.gov/uploads/97/ef/97efc227b43efd6bb212da1fd32d60e4/policing-initiative.pdf>

- Ask WPD to tell us:
 - What are areas of significant improvement? How did they make them?
 - What challenges are they continuing to face? How are they targeting them?
 - How can the Human Rights Commission help?

- Reiterate position on non-cooperation with ICE for enforcement of federal immigration laws

5. Notice: Upcoming Citizen Advisory Council meeting to discuss HRC recommendations related to threshold question for applicants to boards and commissions: Monday March 12th, 6:30pm Esther Howland Chamber

Chairperson Richman will be in attendance at the meeting to speak again to the Citizen Advisory Council and invited other Commissioners to join.

6. Reminder: HRC marches in the St. Patrick's Day Parade Sunday March 11th

7. Location of next meeting (April 2nd, 2018): City Hall, Esther Howland Chamber

8. Adjournment at 8:20 PM