



million
ONE JAIL AT A TIME.
story

E4S3 How the Asylum Process Became Another Carceral Matrix

The Trump administration has issued numerous policies to systematically dismantle asylum as a legal right. They're also locking up asylum seekers for months or years, until they either win their case, are returned to their home countries, or self deport. Reporters Valeria Fernández and Jude Joffe-Block follow two asylum seekers as they endure detention, legal cases, and family separation in the US, where they sought refuge.

A PODCAST BY



MacArthur
Foundation

70 Million is made possible by a grant from the Safety and Justice Challenge at the John D. and Catherine T. MacArthur Foundation.



The Story

Asylum seekers battle
overwhelming odds to reach safety



María learned how to read in detention, and now she is teaching her niece in Guatemala. Photo: Grecia Ortiz

"They know detention has a coercive effect. I mean being in jail... puts a lot of pressure on people, um, to give up their asylum claims even if they know in their hearts that they have real fears of being sent back to their home countries that their lives and their safety are in danger."

-Michael Tan, ACLU

After members of her family were killed, Maria fled Guatemala with her niece, and presented at a U.S. port of entry in 2019, hopeful they had reached safety at last. But that turned out to be just the beginning of a long struggle to find relief. At the time Maria entered the United States, President Donald Trump was in the midst of turning the asylum system on its head. After being separated from her niece, arguing her case and languishing in detention, Maria eventually decided to return to Guatemala, despite the risks she faces there.

Maria's case illustrates the odds of winning an asylum case under the Trump administration. But the advocates who worked on her behalf, from pro-bono attorneys to volunteers, are trying to make sure cases like hers have the best possible chance, and that asylum-seekers have access to vital supplies and medical care.

The Mission

Ensure that asylum-seekers are safe while they wait for cases to be heard and hold the legal system accountable

“This administration is shutting the asylum process down. It’s like moving chairs around on the Titanic.”

-Suzannah Maclay, The Florence Project

Since this story was reported, fewer and fewer asylum seekers are being allowed to cross into the United States to make their claims due to a policy of metering, in which only a few people are allowed in each day. Once asylum claims are filed, claimants are made to return to Mexico and wait there while their cases make their way through the court system. This is the result of President Trump’s “Remain in Mexico” policy, which has all but dismantled the previous U.S. asylum system. Advocates say that conditions in Mexico are unsafe for vulnerable migrants, who may be subject to extortion and lack access to medical care.

Advocates say that there is little they can do under the current protocols to directly help asylum seekers like Maria. With few avenues for relief, the mission has become to bring about a change in political leadership, electing leaders who will defend the rights of asylum-seekers to find safe-haven in the United States and be allowed to remain in the country while their petitions are reviewed.



The Lukeville/Sonoyta border crossing, pictured here in March 2020, is where María asked for asylum one year earlier. Photo: Jude Joffe-Block

The Strategy

Elect officials who will restore the U.S. asylum system. Provide resources to asylum-seekers waiting in Mexico.



Alexa Tamar Smith, a volunteer who helped María print documents at this cybercafe in Sonoyta, Mexico before she asked for asylum at the US border. Photo: Jude Joffe-Block

“The first step is building relationships. Then being invited inside and trusted.”

- Alexa Tamar Smith, volunteer

To help asylum seekers, there are two primary routes advocates urge: influence the political will of elected officials to change the asylum system (including electing new representatives) and create safer conditions for asylum-seekers currently waiting under the Remain in Mexico policy, along with those in immigration detention inside U.S. borders. Here’s where to start:

Vote and let your voice on the issue be heard:

Election day is November 3rd, but if you choose to vote by mail, you can send in your ballot immediately. Visit [Vote.org](https://www.vote.org) to request an absentee ballot. Check your voter [registration status](#). Pass this information on to friends and family, and remember to vote early, especially given recent postal service delays. Know where candidates and your current elected officials stand, and let them know this issue matters to you and that you want the Remain in Mexico policy changed.

Raise Awareness:

Talk about the issue with friends and family. Speak with your neighbors and your community to raise awareness and keep it front of mind, even when the news stops covering it.

Offer Legal Expertise:

If you’re an attorney, get involved in pro bono work to help asylum-seekers navigate the system. Learn more about opportunities from the [Immigration Advocates Network](#).

The Strategy

“We thought it was outrageous — un-American even — that Ansly had been locked up for, at that point 14 months. He had no contact with his family, no way to exercise, nothing really to do in this big dormitory room with no windows.

- Gary Benjamin, Ansly Damus’s sponsor

Volunteer:

Volunteers who live near the border, like Alexa Tamar Smith, say asylum seekers waiting in Mexico need access to both medical and legal services. Because of COVID, it’s far more complicated to volunteer in-person, but you can donate to organizations that are working to build flush-toilets, help asylum seekers access healthcare clinics, learn their rights from pro-bono legal services, and get clothing and other supplies.

You can also learn more about how to donate supplies to asylum seekers through the [Catholic Charities](#), which are actively involved in providing shelter, food, clothing and medical supplies.

Advocate:

For asylum-seekers like Ansly Damus, it took an extraordinary community effort to achieve his release from ICE detention. Despite facing tremendous obstacles, groups like the Detention Watch Network, the Florence Project, ProBAR, Trans Queer Pueblo continue to work to provide free legal counsel, supplies, and organize efforts to find relief for people like Ansly. At Detention Watch Network, you can download a toolkit to demand release of ICE prisoners, including guidance to act on the state and local level, with templates of letters you can send to officials. You can also learn more about requesting a tour of a detention center to maintain oversight of the conditions inside the system.



Ansly Damus, center, is an asylum-seeker from Haiti, sitting with his hosts Gary Benjamin and Melody Hart in Ohio after he was released from jail in late 2018. Photo courtesy of Gary Benjamin.

Resources

There are a number of local organizations along the border working to support asylum seekers. You can connect with or donate to Trans Queer Pueblo <https://www.tqpueblo.org/> which is run by LGBTQ migrants of color. Also, check out ProBAR, the South Texas Pro Bono Asylum Representation Project and donate [here](#). You can contribute to the Arizona-based Florence Immigrant and Refugee Rights Project [here](#). You can also subscribe to their [newsletter](#) to learn more about opportunities to add your voice to their collective mission.

The ACLU is also a great source of information to further educate yourself on the history of asylum in the United States, as well as collective actions to push back against recent policy changes.

<https://www.aclu.org/other/aclu-history-refugee-protection-right-apply-asylum>

You can also learn more about what's happening to asylum-seekers who are being held in detention through the national Detention Watch Network, and become a member:

<https://www.detentionwatchnetwork.org/>

Clergy and lawmakers, including state representative Kelli Butler, at podium, held a press conference at the Arizona State Capitol in December 2019 to call on ICE to reconsider its decision denying María parole. Photo: Jude Joffe-Block



70 Million Team

Editors: Phyllis Fletcher, Laura Flynn

Episode Reporter: Jude Joffe-Block and Valeria Fernandez

Host: Mitzi Miller

Sound Designer: Cedric Wilson

Managing Producer: Virginia Lora

Photo Editor: Michelle Baker

Marketing Lead: Leslie Datsis

Staff Writer: Laura Tillman

Design Director: Kenia D. Serrette

Fact Checkers: Sarah McClure, Ryan Katz

Episode Photographer: Grecia Ortiz

Assistant Producer: Emma Forbes

Creator/Executive Producer: Juleyka Lantigua-Williams

70MillionPod.com

@70MillionPod // Hello@70Millionpod.com



A PODCAST BY



MacArthur
Foundation

70 Million is made possible by a grant from the Safety and Justice Challenge at the John D. and Catherine T. MacArthur Foundation.

