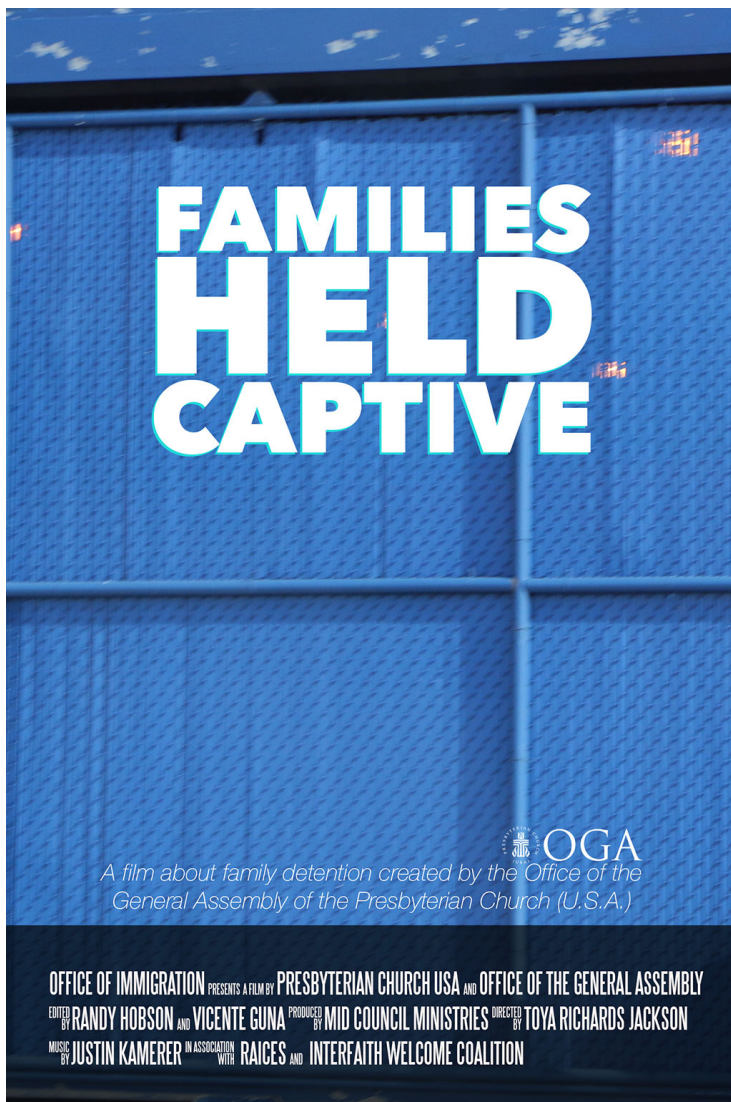


# **FAMILIES HELD CAPTIVE**

Attendee guide



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***Families Held Captive***, a film about family detention

Our nation is imprisoning asylum-seeking families.

The law does not require imprisonment. The law favors release.

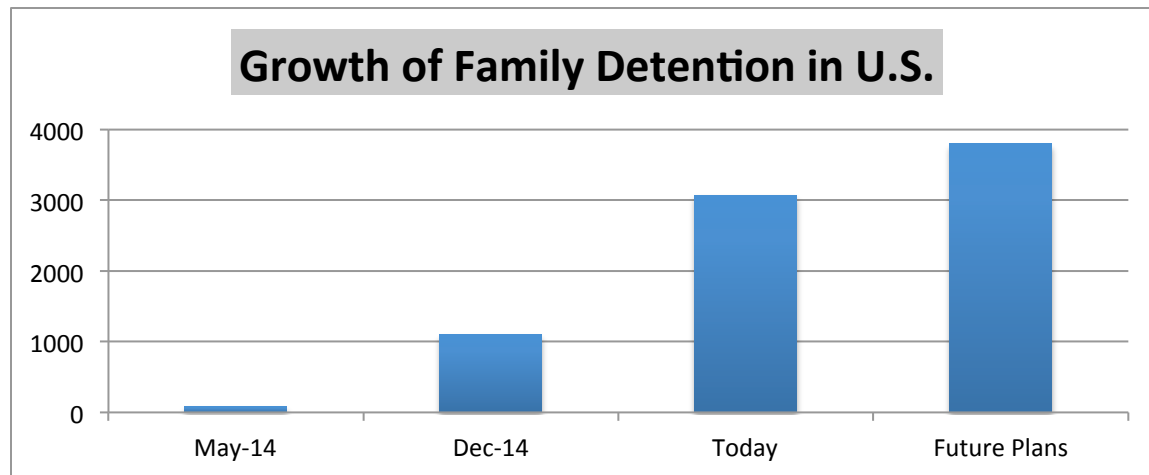
Persons of faith and persons of conscience are organizing to #EndFamilyDetention

## 2 | FAMILIES HELD CAPTIVE

Attendee Guide

### Background:

Due to brutal violence in the Central American countries of Honduras, El Salvador, and Guatemala, thousands of women and children have sought asylum in the United States. In response, the Obama Administration has changed our country's family detention policy and is now detaining the families who arrive seeking protection. In May of 2014, our country had 85 family detention beds. Our country now has more than 3,000 family detention beds.



Families arrive at the southern border of the U.S. and approach U.S. Customs and Border Protection (CBP) officers and ask for asylum. Some are released to family in the U.S., but as our country's capacity to imprison families increases, more are imprisoned. Families spend a couple of months to a full year of incarceration. There are now three family detention centers in the U.S., one in Pennsylvania, and two in South Texas. The private prison companies, The GEO Group, Inc., and Corrections Corporation of America (CCA), run the two family detention centers in South Texas.

Persons of faith and persons of conscience have organized against family detention. In this film, you will meet the Reverend Kelly Allen and Elder Rosalinda Maldonado. These women are members of the Interfaith Welcome Coalition, a coalition that visits families in detention, raises money to pay bonds to free families, advocates for the end of family detention, and much more.

The difficulties these brave families face do not end upon release from detention. In this film, you will meet Yulisa Guerra who has just been released from detention. She and her child board a bus to travel and be with family. They still have to appear in court and defend themselves in removal hearings. It is important that every family has a competent lawyer to represent them and that the courts they appear in abide by fair processes so that every claim for protection can be heard. From the moment of detention to the grant of a family's asylum claim, there are so many ways you can engage this issue. Learn more at: [www.pcusa.org/familydetention](http://www.pcusa.org/familydetention).

## FAMILIES HELD CAPTIVE

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### Frequently Asked Questions

**Why are so many families arriving?** More than 60,000 individuals belonging to families migrating with children arrived at the U.S. southern border in 2014. The majority of these families were seeking asylum and were from the countries of Guatemala, Honduras, and El Salvador. Gang violence, recent civil wars, and a lack of infrastructure to provide services like witness protection and protection from family violence contribute to the need for families to flee these countries and seek protection and stability elsewhere. To learn more, please view the root causes section of our webpage: [www.pcusa.org/familydetention](http://www.pcusa.org/familydetention).

**How else could the government handle this?** Prior to June 2014, our government had less than 100 family detention beds in a government-run facility in Berks County, Pennsylvania. Families arrived in the U.S. and asked a Customs and Border Protection (CBP) officer for protection. CBP held asylum-seeking families a few hours while family members in the U.S. were located. If family members could not be located quickly, CBP transferred families to Immigration and Customs Enforcement (ICE) custody to the small detention center in Berks County. Most families stayed in Berks briefly until their family in the U.S. was located and then they would be released to defend their asylum claim from a place of healing and freedom. With far less infrastructure and far less cost than the new 2014 family detention system, our country could continue the practice of only holding arriving asylum-seekers briefly today.

**What does the law say?** While the media and politicians call the women and children fleeing Central America “Illegal,” it is important to note a few things about our country’s immigration law and our international agreements for the treatment of refugees. The Immigration and Nationality Act (INA) states that any person, “who is *physically present* in the United States ... *irrespective of such alien’s status*, may apply for asylum ...” [emphasis added].<sup>1</sup> A person can only apply for asylum from within the U.S. and the status under which one arrives in order to apply for asylum does not matter. You need not have status at all to apply. Further, the U.S. is a signatory to international agreements that govern the treatment of asylum seekers. These agreements forbid penalizing persons for their illegal entry or presence if they have come seeking protection.<sup>2</sup>

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<sup>1</sup> INA 208(a)(1) <http://www.uscis.gov/iframe/ilink/docView/SLB/HTML/SLB/act.html>.

<sup>2</sup> Article 31, The Convention and Protocol Relating to the Status of Refugees.  
<http://www.unhcr.org/3b66c2aa10.html>

## 4 | FAMILIES HELD CAPTIVE

Attendee Guide

**Why is it significant that two of the detention centers are privately run?** Private prison corporations own more than 2,900 of the current 3,000 family detention beds in the United States. Holding women and children in these prisons costs approximately \$300 per person per day. Alternatives to detention cost between 30 cents and \$8.04 per person per day.<sup>3</sup> The private prison companies, The GEO Group, Inc. (GEO) and Corrections Corporation of America (CCA), are making significant profits for restricting the liberty of innocent women and children fleeing violence and persecution in their home countries. Having such significant corporate interests tied to the imprisonment of vulnerable asylum-seeking families is a dangerous policy.

**What will happen to Yulisa now that she is released?** Most families seeking asylum from Central America have family or friends already in the United States. They will go to be reunited with those persons but this is not the end of the struggle. When families like Yulisa's are released from detention, they are in the middle of removal proceedings. There is no guarantee to counsel in immigration court and the process can be very confusing. Families often have to appear before a judge who is on camera or sometimes travel to a town in another state to have their case heard. They need a lawyer and you can help a family find one here: <http://www.immigrationadvocates.org/nonprofit/legaldirectory/>.

**“Alicia” mentions “La Perrera” (the dog kennel). What is this place?** “La Perrera” is not an ICE family detention center. It is a temporary facility run by Customs and Border Protection (CBP) along the U.S. southern border. While people should only be held in these facilities for up to twelve hours, families report being held for days. “La Perrera” and others like it are the first place a family goes once they arrive in the United States asking for help. Families describe being made to sleep standing up with their children in crowded cells or sleep on the floor with only a thin aluminum blanket. The toilets are open and in the middle of the room. Trashcans are not provided because they are a “safety risk” so families stand in *and children crawl in* their trash and the trash of the other unrelated families in their cell.<sup>4</sup>

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<sup>3</sup> Lutheran Immigration and Refugee Services and Women's Refugee Commission (2014). Locking Up Family Values Again: A Report on the Inhumane Practice of Family Immigration Detention. <http://lirs.org/familyvalues/>.

<sup>4</sup> <http://www.legalactioncenter.org/litigation/former-detainees-describe-horrific-conditions-cbp-detention>

## **FAMILIES HELD CAPTIVE**

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### **Invitation to Action:**

In 2009, after a three-year grassroots movement, the United States government ended the practice of detaining asylum-seeking families. Many of the factors that were in place to end family detention then are in existence now. People are visiting families in detention. The issue is getting attention in news media and social media. Immigrant rights organizations are suing the government over this practice. We can end this policy today just as we ended family detention in 2009. Here is how you can help:

- **Show this film, *Families Held Captive***, to your friends, family, and church groups.  
[www.pcusa.org/familydetention](http://www.pcusa.org/familydetention)
- **Email the White House and the Department of Homeland Security Secretary, Jeh Johnson:** <http://capwiz.com/pcusa/issues/alert/?alertid=65491631>
- **Help release a family from detention with your donation** to the RAICES (Refugee and Immigrant Center for Education and Legal Services) family detention bond fund.  
<http://www.raicetexas.org/pages/bondfund>
- **Help prepare a recently released family for the bus journey** to reunite with family by sponsoring a refugee backpack for \$25 through RAICES.  
<http://www.raicetexas.org/pages/backpack>
- **Help the Interfaith Welcome Coalition** with a purchase of supplies from their registry:  
<http://www.myregistry.com/organization/Interfaith-Welcome-Coalition-San-Antonio-TX/850453>
- **Send Angel to Angel Cards of Care** to let families know that there are people in the U.S. who care about them.  
[http://oga.pcusa.org/site\\_media/media/uploads/oga/pdf/angels\\_o\\_angels\\_project\\_call\\_for\\_letters\\_english\\_.pdf](http://oga.pcusa.org/site_media/media/uploads/oga/pdf/angels_o_angels_project_call_for_letters_english_.pdf)

### **Learn more from the Office of Immigration Issues:**

- **Like us on Facebook:** Presbyterians for Just Immigration
- **Follow us on Twitter:** @PCUSAImmigrant
- **Find more resources on our Family Detention Webpage:**  
[www.pcusa.org/familydetention](http://www.pcusa.org/familydetention)
- **Email us:** [Laura.Polk@pcusa.org](mailto:Laura.Polk@pcusa.org) and [Teresa.Waggner@pcusa.org](mailto:Teresa.Waggner@pcusa.org)