

**FAITH
IN ACTION
BAY AREA**



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ABOUT FAITH IN ACTION

Faith In Action's Accompaniment Project is a solidarity group dedicated to defending safe spaces for migrants and other targeted communities in San Francisco and San Mateo areas. Learn more about our work and how to get involved at <https://www.facebook.com/FaithInActionBayArea/>

Faith In Action's Accompaniment Project connects interfaith volunteers and other allies with members of our communities who have to report to ICE, appear in immigration court, or request accompaniment for other civil or criminal encounters. We see accompaniment as a political response to the violence inflicted on immigrant and refugee communities by decades of oppressive policies.

Our "compas" – compañeros and compañeras, our partners – are our equals in the struggle for justice. Throughout this manual, we refer to migrants and refugees we are accompanying through encounters with law enforcement as "compas" in an effort to recognize their dignity, power, and centrality to the movement.

INTRODUCTION

In the last few years, millions of people – parents, children, friends, lovers, students, and neighbors – have been forcibly removed from the US and from their communities. Under the previous presidential administration, nearly 3 million individuals were deported, a number that does not include those who were turned away at the border, chose to leave, or died trying to cross. Since the 1980s, the detention system has expanded – in large part due to government contracts with private prison companies – to incarcerate 400,000 immigrants every year.

Sometimes, immigrants are released from detention while their legal case proceeds through the immigration courts (a system plagued by years-long backlogs), and must wear ankle shackles with electronic tracking devices and/or report periodically to ICE. In the US, immigrants are not guaranteed legal counsel or legal representation in “civil” proceedings that have dramatic, punitive consequences in their lives.

Immigrants caught up in the detention system include those with and without legal status, those who have lived in the US for years and those who have just arrived. Torture survivors, asylum-seekers, transgender and non-gender conforming folks, and other vulnerable groups are also subject to detention, surveillance, and deportation at high rates

Most recently, the executive branch has indicated that anyone “apprehended on suspicion of violating Federal or State law, including Federal immigration law” may be subject to detention and deportation in an attempt to give broader discretion to individual border agents and other law enforcement officers to engage in administrative deportations, rather than provide the due process protections to which all should be entitled, including immigrants and refugees.

This detention-deportation-surveillance web is a multi-billion dollar industry that criminalizes migrants, restricts their freedom, and endangers the health and well-being of all families and communities it touches by sustaining a regime of fear and isolation. In the words of author Junot Diaz: “All of us must be free, or none.” Our hope is that by accompanying members of our community as they interact with this violent immigration system, we will begin to take steps together towards collective liberation.

What happens when an immigrant is arrested by ICE?

She is placed in removal proceedings, meaning she will appear before an Immigration Judge.

- ICE will issue a **Notice to Appear (NTA)** that outlines the legal basis for deportation.
- The ICE officer can release the person on their own recognizance (ROR);
- The ICE officer can in some cases issue a bond;
- ICE can deny bond and detain the person, transferring them to long-term immigration detention.

When someone is taken into detention, s/he has a right to request a bond hearing in front of an immigration judge if s/he is not subject to mandatory detention.

Everyone in immigration proceedings will have a **master calendar hearing** at which

- The immigrant will submit his or her requests for relief/waivers or present reasons that they should be allowed to stay in the US.

- The government attorney will also submit reasons why the immigrant should be removed.
- The judge can make a decision at this point if the person has no options for relief, and can order the immigrant deported.
- In most cases, this is the first of multiple hearings that can stretch over many months or years.

Then, during an **individual hearing**, the judge will go over all documents submitted, hear from any witnesses, and review evidence from both sides. This is when the judge will make a decision whether the person will be deported or can remain in the United States.

If the judge has issued an order of deportation (called a final order), everyone has 30 days to file a notice of appeal to the Board of Immigration Appeals (BIA). When the BIA issues a decision, a person has 30 days to notify the Federal Circuit Court that she will appeal. Lastly, if the Circuit Court appeal is denied, an individual has 90 days to appeal to the US Supreme Court.

This appeals process can take anywhere from months to years. If detained, the person will be fighting their case from immigration detention – essentially, prison. The US Supreme Court has said that a person cannot be detained indefinitely but that ICE can detain an immigrant for “a reasonable time” of six months (180 days) in order to try to deport them.

An immigrant can be ordered deported and still be in the US. ICE may release someone from detention under an Order of Supervision but s/he will still have to report to ICE regularly. ICE has been subcontracting the supervision of immigrants almost exclusively to BI Incorporated, a private contracting company owned by the GEO Group Company.

BI Incorporated runs the “Intensive Supervision Appearance Program” (ISAP), which is considered an “alternative” to detention. This supervision may take many forms, including: being strapped with a GPS monitor in the form of an ankle shackle; having to abide by a curfew requiring her to be home no later than 9PM and leave home no earlier than 7AM; requiring her to visit the ICE offices three times a week; or having to write and turn in a schedule of activities for that week. In certain cases, check-ins may diminish to weekly visits, the curfew may be lifted or made more flexible, and the ankle shackle may be removed. However, because the person is still being monitored, her life is difficult, stressful, and restricted.

How does accompaniment help?

When someone is not detained but has to report to ICE or any of its private subcontractors, it can be a very stressful time. Our compas who must interact with a law enforcement system designed to exclude them are never sure if they will be detained or deported and taken away from their families and communities. The post-9/11 security measures in government buildings can add to the time and anxiety involved in complying with check-in requirements.

Check-ins are risky for those in the immigration system. Check-ins are located in the offices of the very agency that deports people, so many of our compas are afraid that they might be taken away when they report for a routine check-in, something that happens without notice to the compa or her family. A compa detained in an ICE check may not have a right to see a judge, and therefore may be expeditiously deported from the United States.

Family and close friends are often reluctant to go to check-ins for fear that they too will be drawn into the detention-deportation system. Our compas can seldom tell employers why they need to take time off; they have to give other explanations, forego income for the work time lost, and potentially risk their employment to comply with rules that are fundamentally unjust.

Some cases may be elevated to public campaigns in collaboration with Faith In Action and our partners if the compa and her advocates believe that public attention will help her arrive at a more positive outcome in her case. However, in general, the acompañante's role is to stand in solidarity with those facing the immediate threat of deportation by witnessing the encounter with law enforcement, appealing to the humanity of the ICE officials reviewing their cases, and supporting our compas and their families in the event of a detention.

ROLES, RESPONSIBILITIES & EXPECTATIONS

Acompañante (accompanier)	Compañero/a (partner)
<ul style="list-style-type: none"> • Maintain a respectful relationship at all times • No judgments should be placed on yours or your compa's history, appearance, or situation • Do not give legal advice whether solicited or not • If your compa has a lawyer with her, respect the need for private conversation • You are not a social worker, job counselor, ESL teacher, and you are not expected to lend or give money, etc. • Information about your compa is confidential unless she has decided to publicly escalate her case • Do not ask for information that she is reluctant to give • You are responsible for following Faith In Action's protocol in the event that your compa is detained • Use good judgment; we can't anticipate every situation that might arise • Ask the Compa to fill out the emergency contact sheet. ALL INFORMATION MUST BE KEPT CONFIDENTIAL • You are always welcome and encouraged to attend Faith In Action meetings and events 	<ul style="list-style-type: none"> • Maintain a respectful relationship at all times • No judgments should be placed on yours or your acompañante's history, appearance, or situation • Faith In Action and your acompañante do not provide legal advice, counsel, or representation, and we cannot guarantee a positive outcome for your case • Volunteers are not job counselors, ESL teachers or social workers, and are not expected to lend or give money, etc. • You do not need to share any information about yourself or your case with your acompañante. S/he is here to be with you through your court/ICE encounter • Please fill out the emergency contact sheet so that your acompañante has essential information in case you are arrested <ul style="list-style-type: none"> ○ Information on this sheet will be kept confidential ○ You will fill out the sheet and give it to volunteers to hold onto while you are in your check-in ○ You will get the sheet back after the check-in is over • You are always welcome and encouraged to attend Faith In Action meetings and events

OVERVIEW OF THE DAY

Before the accompaniment

Attend a training session to learn about Faith In Action's Accompaniment Project and the roles and expectations of all members. Make sure you have filled out the registration form so we know where you live (which jurisdiction), what language(s) you speak, and if you can provide transportation.

Assess your ability to participate in direct accompaniment. Does your schedule allow you to arrive early with your compa, wait until the appointment is over, and follow an additional protocol in case your compa is detained? Depending on the type of appointment, it may take 2-6 hours to finish the process

You will receive an email with information concerning compas looking for accompaniment and the dates and locations of each appointment. If you can make these commitments, feel free to volunteer by responding to the email.

- Even if you are unable to provide physical accompaniment, you may still have a role to play as everyone on the listserv will be asked to take direct action to prevent deportation in the event that one of our compas is detained. This action may be a call to the local ICE field office or other target, or potentially a public mobilization.

Ideally, we will provide each compa with an accompaniment team of 2-5 people, at least one of whom speaks the appropriate language and at least one of whom has prior experience with accompaniment. The selected accompaniers will coordinate among themselves to designate a team leader. This team leader will call your compa the day or night before the appearance date to confirm when and where you will meet her. Make sure you have up-to-date contact information so you can communicate with her on the day of the accompaniment.

The day of the accompaniment

Reminders:

- Bring a state or federally issued picture ID
- Bring your cell phone and a charger
- Turn off your cell phone in a court room; silence your cell phone in any ICE office
- Do not bring pocket knives, scissors, or any weapons (you will have to go through a metal detector and security check)
- There is no reason to dress up; looking clean and neat is enough
- Never discuss your compa's case in the immigration offices
- Your compa's full name, identity, where she lives, and any details she may share with you about her case are confidential
- If you bring food, you may be asked to throw it away

Meeting up:

- The leader of the accompaniment team is responsible for setting a meeting time and

place with your compañero/a, in coordination with other accompaniers. Please be cognizant of his or her transportation needs and plan enough time to arrive early.

- Always meet outside the building or office where the appointment will take place: it is important for you to be together from the initial entry to help relieve anxiety for all parties.
- Make sure your compa has filled out the CONFIDENTIAL emergency contact form before you enter. That includes information such as:
 - Who to call if the person you are accompanying is detained
 - What to do with his or her personal belongings

Security:

- You will be required to go through security, take items out of your pockets, remove your jacket, shoes, etc. After passing through the security gate you can then retrieve everything.
- This is not a time or place to complain about or make a principled stand about the security measures.
- Going through security could produce anxiety for your compañero/a, perhaps complicated by language access issues, so help them navigate that if necessary.

Waiting:

- The time before your compa is called can last anywhere from a few minutes to several hours and can at times be held over until after lunch.
- If you cannot stay into the afternoon, be clear with the person you are accompanying that you cannot stay. If there are others accompanying her it should be no problem. If you are alone and MUST leave, then please call your Faith In Action contact person immediately.
- In courtrooms you must be silent; in check-in waiting rooms you can chat quietly. You should not speak on your cell phone inside the courtroom or the ICE waiting room. If necessary, step outside to the hallway for a moment to talk.
- Waiting time is full of anxiety and distress for everyone waiting for their check-in or court appointment. Sitting around can be boring, especially if you have things to do and it may feel a burden to hang around. Please feel free to bring cards, reading materials, coloring books, or other items to provide a quiet distraction to you and your compa. Waiting is integral to the success of the Accompaniment Project by demonstrating a commitment to supporting our immigrant & refugee compas.
- In general, we try to send 2-5 volunteers to each accompaniment. If there are several of you, there may be a tendency to speak among yourselves, especially if you already know each other. Please remember you are there to accompany someone who may be very nervous or afraid. Therefore, be sensitive to how much s/he wants to talk or be quiet, and be aware of power dynamics created by language.

Moment of Interaction:

ICE Check-in:

- An ICE officer will call the name of your compa.
- Your compa should hand her personal belongings to you to hold in case she is detained. She should go speak with the ICE officer with only her ID and her ICE check-in sheet in her hands. She will not have a later opportunity to hand over her property, therefore to prevent her property from being confiscated if she is detained, she must hand it to you at this point.

- While you wait, ask your compa if they would like for you to step into the meeting with the ICE officer to be with them or not.
- An ICE officer will check her ID and sign her check-in sheet, giving her a future reporting date.
 - She may be taken to a private room with the ICE officer. You can ask to accompany your compa and the ICE officer if she wants accompaniment, but do not be surprised if you are not allowed to be present during this aspect of the check-in.

Court Hearing:

- Your compa will be called to the front of the court by the last three digits of her A number and/or last name. The A number is the 9 digit number associated with your compa's immigration case.
- Your compa will be asked to sit at the counsel table on the right side when looking at the Immigration Judge and will put on headphones to receive simultaneous language interpretation.
- The Judge will ask your compa several questions and she will answer to the best of her ability. The Judge will then give your compa a date to return to court.

After the Accompaniment

Documentation with Faith In Action's Accompaniment Project:

- Maintaining good records is essential for the upkeep and expansion of a good program. Volunteers will need to fill out the recording page to ensure that future appointment dates are accurately recorded.
- It is also very important to record the interaction with ICE and the officers so that it can be reviewed and assessed.
- If you notice what you believe may be a civil rights violation, document exactly what happened, and the name and badge number of the officer involved.
 - It is unlikely that any violation will be corrected at the moment. Therefore we recommend that rather than focus on demanding correction, which may cause ICE officers to act defensively and may prejudice your compa, you focus on documenting all the details that occur to help your compa in future proceedings.

Ending the Accompaniment with your Compa:

- **Give the emergency contact sheet back to your compa – you may not copy, take photos, or otherwise replicate personal information about him or her for any reason.**
- Ensure that whatever personal property your compa has given you to hold is returned.
- The team leader should fill out the accompaniment record sheet and send it to your Faith In Action contact person. You may send photos of your documentation record for submission via text, email, or Signal.
- The team leader should check in with your Faith In Action contact person about how the appointment went, the next appearance date is and if you think you can attend the next appointment or not.
 - Even if you are confident you can do the next accompaniment, the date/time should be recorded on the Volunteer Record Sheet so you can be reminded or a substitute can be found if need be.

- If your compa would like to sit over a cup of coffee and process the experience, and you have the time to do so, feel free to talk with them about how they are feeling. Friends or relatives may also be waiting for our compas even if they cannot accompany them into the courts or waiting rooms; be sensitive to the situation.

IF YOUR COMPA IS DETAINED

We will do everything possible to “know” ahead of time if there is a possibility of detention during a Check In, and will strategize accordingly. BUT in the case that your Compa is detained (this could happen)

Your compa is at a higher risk of detention at an ICE check-in. A compa detained in an ICE check-in might not have a right to see a judge and may be removed from the United States quickly. Therefore, this is among the most important parts of the Accompaniment Project. These responsibilities must be acted upon immediately. The accompaniment team leader is responsible for ensuring that the following steps are taken:

1. Call the number(s) listed on the CONFIDENTIAL emergency contact list
2. Call your Faith In Action contact person
 - With the permission of the family, Faith In Action’s Accompaniment Team members will make a call to action to our network to immediately call the ICE office and ask for your compa’s release.
3. Try to find out which detention center your compa is being sent to, and if deportation is imminent by asking the ICE officers
4. Ask each ICE officer who has interacted with your compa for his or her name and contact information and that of his or her supervisor
 - It is appropriate for volunteers to demand this information, understanding that you may not receive it. **However do not be rude or lose patience as this will not help your compa.**
5. Ensure that whatever personal property your compa has given you to hold is passed on to the appropriate family members or friends according to the emergency contact sheet

Sample Call-In Script

Hi, my name is _____, and I live in San Mateo / SF County. I would like to speak to Field Office Director _____.

I’m calling on behalf of _____, A# _____ who was just detained. These indiscriminate detentions are breaking up families and destroying communities.

_____ is my friend and a valuable member of the community. We ask that you release _____ immediately.

VOLUNTEER RECORD SHEET

First and Last Name name of Compa: _____

Name of Volunteer: _____

Date of accompaniment: ___/___/___

What time was the check-in scheduled? _____

How long did you wait to interact with ICE/ the Immigration Judge? _____

Date of next check-in or appointment: ___/___/___

Please share your observations about the interactions with ICE/court staff during the accompaniment.

- Was ICE surprised that acompañantes were present?
- Were you asked to wait outside? Was there space for all acompañantes to sit and wait?
- Were others who arrived after you seen before you and your compa?

Is there anything from your experience that you think future volunteers should take into consideration when accompanying a compa, either about the process in general or about a particular ICE office, court, officer, judge or other individual with whom you interacted or space you visited.

What was the outcome of the check-in? For example, release with new date, asked to bring additional documents, or detained.

Is there any other follow-up information we should know about the compa's case?

COMPA TESTIMONIAL SHEET

We'd like to hear feedback from compas! If it seems appropriate, please take a minute and ask the following questions.

Why is accompaniment important to you?

Do you have any advice for future accompaniment volunteers or for Sanctuary DMV?

Do we have your permission to share your comments anonymously on materials to get the word out about this program?

Are you interested in getting involved in Sanctuary DMV? If so, please provide your contact information (phone or email address).

Would you be willing to share your personal story with a member of Sanctuary DMV at a later time? If so, we will contact you to set up an interview.

EMERGENCY CONTACT FORM