



An Open Letter to California's Elected Officials Calling for Accountability and Action to Protect Black Immigrants

At a time when issues of Black disenfranchisement, systematic violence, and political repression are at the forefront of national consciousness, we feel compelled to speak out on behalf of one of the most vulnerable and marginalized segments of this population, Black immigrants.

In recognizing the societal shift that is taking place under the demand that “Black Lives Matter”, our goal is to highlight the importance of this movement not only with respect to police brutality, but expose the [ongoing incarceration](#), [subjugation and dehumanization](#) of Black people by the immigration and deportation apparatus in this country.

Black immigrants face “[double punishment](#)” in America, experiencing intense racism and xenophobia, while also being targeted by the systematic violence and repression directed towards the Black community. This combination is deadly. Despite Black immigrants making up only an estimated 7% of the immigrant population in this country, [three out of the last thirteen deaths](#) in ICE detention have been Black immigrants.

Too long have Black immigrants and the Black community contributed to the cultural and economic wealth and vibrance of this country, while being [denied the most basic rights](#), dignity and equal protection under the law.

Just as the death of George Floyd was caused by systematic failures and a lack of political leadership and accountability, the current situation as it pertains to Black immigrants is the result of a similar failure at both the state and federal levels. Elected officials at both levels have failed to take action, [despite the pleas of advocates](#) and detained immigrants to protect the health, safety and dignity of those in detention.

Our organizations call for accountability and action from elected officials. This includes Senator Kamala Harris, who has spoken publicly on these issues, and yet failed to address the specific concerns related to immigrant detention that have been [shared repeatedly with her office](#). She has instead opted to seize these issues as a platform to promote her own political aspirations, while failing to protect Black immigrant lives in detention.

Similarly, many advocates have [demanded action](#) from State leadership including [Governor Gavin Newsom](#) and Attorney General Xavier Becerra, both of whom have given lip service to this issue, yet have failed to exercise meaningful action to protect the lives and well being of

immigrants in detention. This includes using their power of AB 103 under California law to inspect immigrant detention facilities and hold private operators liable for their mistreatment of immigrants.

Their inaction is taking place at a time in which COVID-19 is [spreading throughout immigrant detention facilities](#), and has been shown to disproportionately affect [Black people and other people of color](#). This failure of accountability is setting the stage for needless deaths in detention, and a humanitarian tragedy.

Despite having their images and stories objectified and sold by non-profits and human rights organizations, Black immigrants continue to receive [fewer resources](#) to fight their deportation, including lower rates of legal representation, [higher amounts for bonds](#), and fewer nonprofits dedicated to assist them through removal proceedings.

In our fight for change we call for action on five strategic goals with respect to the issue of Black immigrants. They include:

- 1.) [Abolish institutions](#) which perpetuate violence against the Black community.
- 2.) Recognize the demands of immigrants in detention, including [Black-led hunger strikers](#).
- 3.) Immediately [Free all detainees](#) who are held in detention, [end deportations](#), halt the transfer of immigrants into ICE custody and develop a pathway to documentation and citizenship for all immigrants, regardless of background.
- 4.) Dedicate additional resources to support legal assistance, [financial assistance](#), sponsorship and community-based post-release services for Black immigrants.
- 5.) Take appropriate legal action to hold ICE [and private operators accountable](#) for the abuse, negligence and deaths that have taken place in detention.

Background

- The forced migration of Black migrants is fueled by US foreign policies and religious influences that lead to political instability, decimated economies, criminalization of LGBTQ+ people, and worsening conditions for women in Black majority countries.
- [The ongoing criminalization](#) of the Black community is reflected by the statistics showing that although only 7 percent of immigrants in the U.S. are Black, they account for 20 percent of those facing deportation on criminal grounds.

- The double standard applied to Black immigrants is perhaps most aptly exemplified by the long standing immigration policies which discriminate against [Haitian immigrants](#). Today, the systematic violence against Haitian immigrants includes not only summary deportations without the ability to articulate an asylum claim, but also the deporting of immigrants who are [infected with COVID-19](#) to a country with a particularly underresourced medical infrastructure.
- Black immigrants have become particular targets for abuse and mistreatment under the Trump administration and its pursuit of anti-immigrant and white supremacist policies. The deportations for the top 10 African countries on ICE's removals list [jumped by 140 percent](#) in 2017. Somali Immigrants [had the highest immigration arrest rate](#) under the Trump Administration. Ninety-two Somali men and women sued ICE after they were shackled and beaten during a two day journey to deport them from the country.
- From the [2017](#) to the [2020](#) Department of Homeland Security (DHS) fiscal year budget brief we saw a budget request increase from \$40.6 billion to \$51.7 billion. The \$11 billion increase has not only separated Black migrant families and incarcerated/deported Black migrants, but foremost we saw an increase of contracts and collaboration of DHS with police and other local law enforcement agencies.
 - When budgets for deportation increase, ICE takes that money and pours it into local law enforcement. Police use this anti-immigrant money to target all Black people.
- The [mass incarceration](#) of Black people in America is also reflected in the Black immigrant experience, going through what is often referred to as the "[prison to deportation pipeline](#)." Research has demonstrated that just as Black people in the United States are more likely to be [stopped, arrested](#), and incarcerated, Black immigrants are disproportionately vulnerable to deportation.
- [76% of Black Immigrants](#) are deported because of over-policing and racial profiling in Black communities. Local police are some of the biggest feeders into the detention and deportation systems.
- Because of homophobia and transphobia layered with anti-Black racism, Black LGBTQ+ migrants are forced into homelessness and underground economy, which makes them vulnerable to interactions with police that subsequently result in arrests, detention and deportation.
- Black migrant transgender women are more likely to be profiled for "walking while trans," assumed to be sex workers. Even when someone is arrested and not convicted of anything, they are often turned over to ICE to be put in immigrant detention, where they are placed with men and are five times more likely to be sexually assaulted.

- In detention, Black immigrants are [6 times more likely](#) to be locked in solitary confinement, which is especially true for Black LGBTQ+ immigrants, who face additional levels of harassment, retaliation from guards, and violence due to homophobia and transphobia.

Signatories

African Advocacy Network (AAN)

Black LGBTQIA+ Migrant Project (BLMP)

Haitian Bridge Alliance

Advancing Justice - Asian Law Caucus

Advocates For Justice

American Friends Service Committee- US-Mexico Border Program

Asian Pacific Islander Legal Outreach

Asylum Sponsorship Project

BAJI

Bay Area Asylum Support Coalition (BAASC)

Buen Vecino

California Coalition for Women Prisoners

California Collaborative for Immigrant Justice (CCIJ)

California Immigrant Policy Center

California Immigrant Youth Justice Alliance (CIYJA)

CALMA - Collective Action for Laborers, Migrants & Asylum Seekers

Cameroon American Council

Central American Resource Center --CARECEN SF

Central American Resource Center of Northern California

Central American Resource Center- CARECEN- of California

Centro Legal de la Raza

Collective Action for Laborers, Migrants, & Asylum Seekers (CALMA)

Community Legal Services in East Palo Alto

CURB

Dolores Street Community Services

Dreamer Fund

Ella Baker Center

Espacio Migrante

Families United to End LWOP - Life Without Parole

Fresno Barrios Unidos

ICE Out of Marin

Immigrant Defense Advocates

Immigrant Legal Defense

Immigrant Legal Resource Center

Indivisible Conejo
Indivisible Sausalito
Initiate Justice
Inland Coalition for Immigrant Justice
Interfaith Movement for Human Integrity
La Raza Centro Legal - San Francisco
Lakin & Wille LLP
Latin Advocacy Network (LATINAN)
Latino Coalition for a Healthy CA
Law Office of Helen Lawrence
Law Office of Peggy J. Bristol
Maria Elena Terrazas
National Lawyers Guild - SF Bay Area Chapter, Immigration Committee
Never Again Action - Bay Area
NorCal Resist
North Bay Rapid Response Network: Napa, Solano and Sonoma Counties
Oasis Legal Services
Open Immigration Legal Services
Otay Mesa Detention Resistance
Pangea Legal Services
Public Law Center
Pueblo Sin Fronteras
Raizes Collective
San Bernardino Community Service Center
San Francisco Immigrant Legal & Education Network
San Francisco Rapid Response Network
South Bay People Power
Stand Together Contra Costa
SURJ Marin (Showing Up for Racial Justice)
Tahirih Justice Center San Francisco Bay Area Office
The Secure Families Collaborative of Sonoma County
University of San Francisco Immigration & Deportation Defense Clinic
VIDAS - Vital Immigrant Defense Advocacy and Services
Youth Justice Coalition