The Labyrinth of Seeking Asylum

Through this virtual walk through, the participant is able to see how difficult the asylum process is to understand, through a metaphorical approach of a labyrinth. The hope is to create more awareness and empathy for asylum seekers with us in our communities, to better support the efforts of Save the Children.

Asylum seekers are able to legally seek asylum through an affirmative or defensive process which includes:

- Entering the country with a legal document like a visa or permit, at which point there is a 1 yr deadline to apply for affirmative asylum.
- Upon applying for asylum, a credible fear interview will be scheduled with an asylum officer. If the credible fear interview is granted the case will proceed with U.S. Citizenship and Immigration Services who will decide their asylum claim.
- Requesting asylum upon arriving at a legal port of entry, at which time it is up to the CBP officers’ discretion to either (1) detain; or (2) process and release the individual while they wait for their credible fear interview by an asylum officer. If the credible fear interview is granted the case will proceed with an immigration judge who will decide their defensive asylum claim.
- Entering the country without legal inspection at which point they will either be (1) detected and detained while waiting for a credible fear interview and proceed with a defensive claim; (2) processed and released to wait for a credible fear interview and proceed with a defensive claim or (3) will enter undetected at which time they must apply for affirmative asylum within a year upon arriving. Upon applying for asylum, a credible fear interview will be scheduled with an asylum officer. If the credible fear interview is granted the case will proceed with U.S. Citizenship and Immigration Services who will decide their asylum claim.

Asylum Seeker from Venezuela

Asylum Seeker from El Salvador

Asylum Seeker from Sudan

Asylum Seeker from Guatemala

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Asylum seekers are able to legally seek asylum through an *affirmative* or *defensive* process which includes:

**Entering the country with a legal document like a visa or permit, at which point there is a 1yr deadline to apply for *affirmative* asylum.** Upon applying for asylum, a credible fear interview will be scheduled with an asylum officer. If the credible fear interview is granted the case will proceed with U.S. Citizenship and Immigration Services who will decide their asylum claim.

**Asylum Seeker from Venezuela**

Asylum Seeker: "I am pregnant and came from an area that was extremely violent in the northern part of Venezuela. I fled my home with my husband and two children to seek safety in the United States because it is considered a safer place where my children will be well taken care of. I have been at my third trimester for two months. I have found out that my husband has been arrested and the family is in danger. He is held in a prison. I was also told that I would have to pay a lawyer to help me with the asylum application even after being granted the credible fear interview. I do not speak English and I cannot understand how to pay the lawyer and take care of my children at the same time."

**Asylum Seeker from Sudan**

Asylum Seeker: "I am a Christian due to religious persecution, as I believe as Christians in a village surrounded by an indigenous tribe who reject the beliefs. "I made a migration decision to Texas, TX, while receiving a credible fear interview. I left three years ago from Ethiopia. TX, the border city to help access an immigration attorney and to enable me to return legal representation." Title 42 Expulsions due to Covid-19 health concerns effective since March 21, 2020 to current date. Title 42 ensures that those who are not U.S. citizens or Legal Permanent Residents be immediately expelled to the last country of transit.

**Asylum Seeker from El Salvador**

Asylum Seeker: "I am a single mother and my child is sick. I am a survivor of violence and sexual assault. My husband was a gang member and I was raped by the gang. He battered me and killed our daughter. I have had multiple surgeries to remove bullet fragments from my body. I had to flee my country with my child to seek safety in the United States. I was granted credible fear and then a lawyer was appointed to help me with the asylum application. I have been detained for some time."

**Asylum Seeker from Guatemala**

Asylum Seeker: "I am a domestic violence survivor who fled my home in Guatemala. My husband had been physically and emotionally abusive to me and my child for years. I was pregnant and my husband forced me to continue a pregnancy and then threw me out of the house. I went to the local police station, but they did not do anything. I fled to my family in the United States. I was detained in a federal prison for some time while the immigration judge decided my case. I was able to secure legal representation through a non-profit organization."
Asylum Seeker from Sudan

- Asylum seeker "S" flees Sudan due to religious persecution, as he identifies as Christian in a village dominated by an indigenous tribe who supports muslim beliefs.
- "S" is in immigration detention in Sierra Blanca, TX while awaiting a credible fear interview.
- "S" is over an hour away from El Paso, TX, the closest city to help access an immigration attorney and is unable to obtain legal representation.
The credible fear interview for "S" is DENIED and he is DEPORTED. "S" continues to live in hiding from his persecutors in a neighboring country of Sudan.

Denials can happen as a result of not understanding the process and properly due to lack of legal support, not being able to articulate a fear of returning to country of origin, not having proper interpretation or being able to hear the processes, suffering PTSD, among many other reasons.
Asylum Seeker from Guatemala

- Asylum seeker "G" is an indigenous Quiche woman who is forced to leave Guatemala as a result of the extreme domestic abuse by her husband, whose cousin is the municipal chief of police. "G"s husband brutally beat her, leaving her for dead which is when she escaped with her children.
- "G" presented at a U.S.-MX port of entry with her 2 infant children. CBP processed and released "G" and her children to an immigrant shelter in the U.S.
- "G" passes her credible fear interview and is living in El Paso, TX where she will continue her defensive asylum claim.
- "G" has no family or social support in El Paso and has been unable to reunite with family in New York, she continues to live in the shelter struggling to integrate and find much needed support.
- "G" is unable to hire an attorney due to lack of financial support where asylum representation can run from $1,100 - $20,000 per case due to how difficult asylum cases are in El Paso, TX.
"G" attends her *defensive* asylum hearing in immigration court with her children and is DENIED asylum due not having an attorney or legal representation to assist her in filling out the necessary forms and gathering evidence to formulate a legal argument. "G" and her children are detained in a family detention center in Dilley, TX and DEPORTED back to Guatemala. "G" has not been located since leaving and there are fears that she may have forced to return with her husband where her life and those of her children are in imminent danger.
Asylum Seeker from El Salvador

- Asylum seeker "E" is a trans woman who was forced to flee El Salvador after a violent sexual assault by members of MS 13 where she contracted HIV. "E" is repeatedly attacked for being a trans woman and has received multiple death threats threatening to kill her if she does not leave.
- "E" had applied for a student visa to come to the U.S., due to having a nursing degree and was approved. She planned to arrive with friends in Los Angeles, CA to attend English classes at the community college.
- Upon arriving at the LAX airport "E" was detained by CBP and accused of fraud due to how difficult it is to obtain student visas from El Salvador. She was questioned for many hours and pressured to self deport. In fear for her life, "E" tells the officer she is afraid to return to El Salvador and begins her defensive asylum process.
- "E" is transferred to an immigration detention center twice before arriving in Cibola, NM where she passes her credible fear interview.
- While detained for over 6 months, "E" begins to suffer from many medical complications as a result of not having her medication and now having AIDS.
- "E"'s attorney is unsuccessful in obtaining her release as a vulnerable trans woman and ICE has refused to give her all the necessary medication.
"E" dies in federal detention after not receiving her HIV medication for over 5 months.

- Since March of 2020 over 10 adult detained immigrants have died due to COVID-19 complications that were investigated. From 2013-2018 there were over 22 deaths of adult detained immigrants that were investigated. There have been many more who have died in federal detention including recent deaths of children which have not been fully investigated. There has been little training to change this and no accountability to date.
Asylum Seeker "V" is a pregnant woman who fled Venezuela due to the murder of her deceased husband as a result of their political involvement. "V" receives many death threats before deciding to leave Venezuela.

"V" is a professional and enters the country with a visitor visa and is received by her family in Miami who helps hire an immigration attorney for her.

"V"s attorney files her affirmative asylum application soon after arriving in the U.S.

"V" passes her credible fear interview with help from her attorney's preparation, proof of mental anguish from a psychological evaluation, and evidence she was able to locate of the murder of her deceased husband.
Asylum is GRANTED.

"V" is able to get her affirmative asylum case approved by an asylum officer with U.S. Citizenship and Immigration Services and will be eligible to adjust her status to legal permanent residency in 1 year.
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