CALIFORNIA IMMIGRANT POLICY CENTER

September 5, 2017

RESOURCE GUIDE: Defending Immigrant Youth Post DACA

Today, Department of Homeland Security (DHS) Acting Secretary Elaine Duke issued a memo formally initiating a phase-out of the Deferred Action for Childhood Arrivals (DACA) program. This challenging moment calls for clear information, useful tools, unwavering solidarity and powerful organizing. CIPC denounces Trump's unconscionable cruel actions against DACA. We are actively monitoring actions impacting DACA grantees and assessing how California lawmakers can best serve the needs of immigrant youth and all undocumented community members impacted by this announcement. In the days ahead, we will release deeper analysis of the implications for DACA grantees living in California. For now, we are urging everyone in the community to:

1. Get informed;
2. Get involved; and
3. Take care of yourself

To that end, we have compiled information and resources that contain all of the following:

1. information on the key policy issues impacting the lives of DACA grantees, including drivers' licenses, employment and travel abroad;
2. upcoming events, rallies and actions to join the movement to prevent the deportation of grantees; and
3. mental health and other resources available to current grantees.

We are committed to working alongside our communities and grassroots partners to organize, fight for and defend young immigrants that call California home.

WHAT WE KNOW TODAY

After today, September 5, DHS will no longer accept or review *new* DACA applications. The Department will honor the status of *current* DACA grantees until their status expires, and currently pending applications will continue to be reviewed and processed accordingly. This means that individuals who have **recently received or renewed their DACA status can expect the administration to honor their current status** for the duration of the two-year period.

Please note: *Current DACA grantees whose status is set to expire between now and March 5, 2018 can apply to renew their status;* ***applications must be received and accepted by October 5, 2017.***

LEGAL ASSISTANCE

There are steps immigrants can take now to prepare and to protect themselves. Every individual with current DACA status or undocumented status should consult with a qualified immigration attorney or accredited legal assistance organization to determine whether they are eligible for another form of immigration relief, and check if any of their family members have an opportunity to adjust their status or apply for citizenship. Immigrants should only go to trusted, qualified legal service providers, and ask for translation assistance if they need it.

For legal assistance near you please visit the links below to find contact information for organizations that offer *free or low cost* legal screenings in your community:

Immigration Legal Help Directory: Please click here

"One CA" State-funded legal services providers: Please click here for a complete list

ADVANCE PAROLE

Based on the memorandum issued by DHS, **we recommend DACA grantees avoid travel outside of the country at this time**, as the Department has been explicit that Customs and Border Patrol (CBP) agents can determine eligibility for individuals seeking to be paroled back into the country. Remaining inside the country is the only way to *guarantee* that a DACA grantee will not be barred from re-entry.

DHS will no longer approve applications for advance parole but will generally honor pre-approved applications. ***DACA grantees who are currently outside the U.S. on advance parole should return to the U.S. before March 5, 2018.***

GET INFORMED: Policy Issues Impacting the Health and Safety of DACA Grantees

DRIVERS' LICENSES

CA affords eligibility for driving privileges to all residents, regardless of immigration status. However, non-AB 60 drivers' licenses expire upon expiration of work authorization. Accordingly, CA drivers with DACA status should plan to transition to an AB 60 drivers' license by the time their DACA status expires. Click here to learn how to apply for an AB 60 drivers' license.

Determining whether to apply for a AB 60 license depends on your individual situation and needs. For example, if you fall under one of the prioritized categories for deportation, (e.g. certain criminal convictions, past deportations, etc.), you should exercise caution and consult an attorney before applying.

EMPLOYMENT AUTHORIZATION & PROTECTIONS

If you are a DACA grantee, **your work authorization continues to be valid** until the expiration date indicated on your individual Employment Authorization Document (EAD). If your EAD is set to expire by March 5, 2018, your **application for renewal of DACA status and employment authorization must be submitted with enough time for USCIS to receive and accept it by October 5, 2017** to renew your DACA status (*please see* "*What We Know Today" above*).

Employers are prohibited, under federal and state law, from re-verifying an individual's employment authorization until it expires, including through the use of E-Verify. Your existing employer **may not** ask your for new or different documents to establish your authorization to work in the US while your employment authorization remains valid. You **do not have** to inform your employer of the circumstances of your employment or respond to any questions from your employer regarding the DACA announcement or your ability to work in the US. While your work authorization is valid, your employer does not have the right to fire you or adjust your employment based on today's announcement or the circumstances of your employment. Once an individual's work authorization expires, the employer is required by law to re-submit the individual's employment documents for verification of work authorization.

Social Security Number (SSN): If your employment authorization expires and you have applied for and received a social security number (SSN) through your DACA status, **you may continue to use your SSN for non-employment purposes, such as establishing identity, applying for housing or financial aid and banking purposes**, among others. If you are a current DACA grantee and you have not yet applied for a SSN, **we recommend applying for a SSN by March 5, 2018** for the non-employment purposes previously mentioned.

Note: If your currently valid EAD is lost, stolen or otherwise damaged, you may request a replacement by filing a new form I-765. For further information or if you believe you have

experienced a labor violation related to employment verification or retaliation please consult the below resources.

Employment Resources:

Legal Aid at Work: Legal Clinics & Helplines: Click Here

I**LRC Know Your Rights & Best Practices for Employers** (and employees) Click Here

National Immigration Law Center, United We Dream, Advancing Justice-ALC: Click Here

CIPC E-Verify Factsheet English / Spanish p1+Spanish p2 / Chinese p1+Chinese p2

CIPC Know Your Rights: If Your Employer Uses E-Verify English / Spanish / Chinese

Immigrants Rising was created by Educators for Fair Consideration (E4FC) to encourage all immigrants, regardless of legal status, to create their own opportunities, earn a living and thrive through entrepreneurship.

HEALTH CARE

All immigrants who are lawfully present in the U.S., including DACA grantees, are eligible for full-scope "comprehensive" Medi-Cal if they meet the income requirements. **DACA grantees whose status expires *may* continue to be eligible for full-scope Medi-Cal** as individuals who have Permanent Residence Under the Color of Law (PRUCOL). CIPC is working with the Department of Health Care Services to ensure appropriate eligibility determinations are made based on available information from the federal government on changes to the DACA program. *Please stay tuned for updates.*

Personal information provided to Covered California, Medi-Cal or the county safety-net is ***not*** shared with immigration enforcement entities, even if a member of the family is undocumented. These health programs can only use personal information to determine eligibility for health care coverage.

Health4All Kids Full-scope "comprehensive" Medi-Cal for all children and youth under the age of 19, regardless of immigration status, ensuring that undocumented children and youth have access to routine and preventive health care. DACA grantees who lose their deferred action status **will be eligible for full-scope Medi-Cal, if they meet the income requirement and are under the age of 19**.

County Safety-Net In California, some counties provide healthcare to undocumented residents. Visit your local county office for information regarding Medi-Cal and other health care options in your county.

Restricted-Scope "Emergency" Medi-Cal provides emergency care and other critical services to all low-income Californians who meet the income requirements, regardless of immigration status. Limited-scope Medi-Cal may also cover care and services related to an emergency medical condition (including dialysis services).

Pregnancy-Related Care Through Medi-Cal Women with households up to 213% of the federal poverty level (FPL) who receive pregnancy related care can receive comprehensive services provided through Medi-Cal, regardless of immigration status. This includes preventive care, speciality care, dental, mental health services and substance abuse treatment.

Find the CA health care program for which you are eligible: please click here.

Find a community clinic near you: please click here or call (855) 899-7587.

Health Resources:

Undocumented and Uninsured: A healthcare resource guide for undocumented and uninsured Californians. Includes directory for: Counseling/Mental Health, Urgent Care and Specialists.

Is It Safe to Apply for Health Insurance or Seek Health Care? A guide created by the National Immigration Law Center to provide immigrants with information on patient rights and protections.

GET INVOLVED: Join the Fight to Stop Deportations of Immigrant Youth

Undocumented immigrant youth won DACA in 2012. While today's announcement is a loss for our community, we must ground ourselves in the values of organizing and advocacy, with those most impacted at the forefront. We must continue to lay the groundwork for future victories, while protecting our communities as we go. We need to organize at the local level to protect and prevent deportations of those who have benefited from DACA. We must also fight to save TPS, which has also been threatened to be terminated by the Trump administration. We must fight against deportations of undocumented immigrants who have no lawful protection. We must fight against Police-ICE collaboration, and once and for all get ICE out of our communities and our local and state agencies.

Text "DACACall" to 877877
to receive calls to action from WeAreHereToStay

& visit their website for other ways to act

We urge everyone to join us out in the streets today; there are mobilizations happening in cities across California and the country today at 5 PM:

Today: Los Angeles action at 5 PM in Placita Olvera

Today: San Francisco action at 5 PM in front of the Federal Building

Today: San Diego action at 5 PM at San Diego County Waterfront Park

Today: Sacramento rally at 5 PM in front of the Federal Building

Today: Inland Empire action at 4 pm in Riverside

Thursday: California Values Act state mobilization to Sacramento

Directory of mobilizations taking place around the country: please click here and here

Remember, if you haven't yet, this is the time to get involved and make a difference to protect everyone in our communities from detention and deportations.

TAKE CARE OF YOURSELF: Mental Health Services for DACA Grantees

National Suicide Prevention Lifeline 1-800-273-8255

The Trevor Project Lifeline 1-866-488-7386

CRISIS Text Line Text "HOME" to 741741
to reach a trained crisis counselor 24/7

California Community College Students Text "COURAGE" to 741741
for 24-hours/7 days a week counseling service for mental health emergencies

WeAreHereToStay offers a mental health toolkit with resources compiled to assist current DACA grantees during this time, including mindfulness breathing and tips for self-care; they have also compiled a list of mental health resources, including suicide prevention and mental health services.

UndocuHealing A project aimed at contribute to a larger movement to return to what is sacred, which is being ushered in by the global collective resistance of people who have historically

lived on the margins. This unique way is exemplified by 3 core values: RECONCILIATION, BALANCE, & CONNECTION.

Pol[ICE] in my head Report on the mental health effects Police/ICE collaboration have on Immigrant youth.

Black Immigrant Network A national network of people and organizations serving black immigrant and African American communities who are focused on supporting fair and just immigration, as well as economic and social policies that benefit these communities and all communities of color in order to create a more just and equitable society.

UPLIFT, Los Angeles: An Undocumented Asian and Pacific Islander (API) Youth-led organization, based in Los Angeles. We raise awareness of various immigrant and civil right issues in the API community, advocate for equality and uplift the narratives of API undocumented youth in the immigrant rights movement.

ASPIRE, Bay Area: ASPIRE's work is grounded in our personal experience of being undocumented and Asian Pacific Islander. We are part of the 1.5 million undocumented Asian Pacific Islanders living in the United States who brings visibility to our unique issues through sharing our personal stories—stories that have gone invisible for too long.

For more information, please contact Layla Razavi, Policy Director at LRazavi@caimmigrant.org.