DISCLAIMER

I AM NOT A LAWYER AND THE FOLLOWING INFORMATION IS NOT LEGAL ADVICE.
PRESENTATION OVERVIEW

1. IMMIGRATION STATUS
2. POPULATION ESTIMATES
3. BARRIERS & OPPORTUNITIES
4. RIGHTS
5. IMPACTFUL LEGISLATION
1. IMMIGRATION STATUS

ALIEN (IMMIGRANT): Although controversial, this term has been used to describe any person who is not a citizen or national of the United States. This includes immigrants and nonimmigrants.

NONIMMIGRANT: Nonimmigrant visas are issued to the citizens of other countries coming to the United States temporarily.

EXAMPLES OF IMMIGRATION STATUS:

• Undocumented/Unauthorized Immigrants - not authorized by the U.S. government
• DACA Recipients - a government program that does not change immigration status
• Visa holder - there are immigrant & nonimmigrant visas such as work, student and tourist visas
• Refugees
• Asylees
• Lawful Permanent Residents (LPR) - green card holders
• U.S. Citizens - by birth and naturalization

Source: http://www.e4fc.org/legalservices/glossaryoflegalterms.html#alien
Image: http://www.jr-art.net/
1. IMMIGRATION STATUS

ENTRANCE EXAMPLES

These are some examples of how the government has recorded entrance to the U.S. by undocumented immigrants:

• Entered the U.S. with fraudulent documents

• Entered the U.S. without inspection (crossed one of the many borders the U.S. has)

• Were admitted temporarily (with a Visa or other status) and stayed past the date they were suppose to leave (referred as an overstay)


Image: http://www.jr-art.net/
2. NATIONAL POPULATION ESTIMATE

The Department of Homeland Security estimated the population of unauthorized immigrants in January 2012 to be 11.4 million.

U.S. TOTAL POPULATION
314 MILLION

UNDOCUMENTED POPULATION
11.4 MILLION

= 3.5%

Icon: https://thenounproject.com/
## 2. NATIONAL POPULATION ESTIMATE

The Department of Homeland Security estimated the largest population of unauthorized immigrants to be from **México** with 6.7 million.

### Top Countries of Origin

<table>
<thead>
<tr>
<th>Country</th>
<th>Estimated Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>México</td>
<td>6.7 million</td>
</tr>
<tr>
<td>El Salvador</td>
<td>690,000</td>
</tr>
<tr>
<td>Guatemala</td>
<td>560,000</td>
</tr>
<tr>
<td>Honduras</td>
<td>360,000</td>
</tr>
<tr>
<td>Philippines</td>
<td>310,000</td>
</tr>
<tr>
<td>India</td>
<td>260,000</td>
</tr>
<tr>
<td>Korea</td>
<td>230,000</td>
</tr>
<tr>
<td>China</td>
<td>210,000</td>
</tr>
<tr>
<td>Ecuador</td>
<td>170,000</td>
</tr>
<tr>
<td>Vietnam</td>
<td>160,000</td>
</tr>
</tbody>
</table>


Map: [https://mapchart.net/](https://mapchart.net/)
2. NATIONAL POPULATION ESTIMATE

THE DEPARTMENT OF HOMELAND SECURITY ESTIMATED THE POPULATION OF UNAUTHORIZED IMMIGRANTS TO BE THE LARGEST IN CALIFORNIA WITH 2.8 MILLION

TOP STATES

<table>
<thead>
<tr>
<th>State</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>CALIFORNIA</td>
<td>2.8 MILLION</td>
</tr>
<tr>
<td>TEXAS</td>
<td>1.8 MILLION</td>
</tr>
<tr>
<td>FLORIDA</td>
<td>730,000</td>
</tr>
<tr>
<td>NEW YORK</td>
<td>580,000</td>
</tr>
<tr>
<td>ILLINOIS</td>
<td>540,000</td>
</tr>
<tr>
<td>NEW JERSEY</td>
<td>430,000</td>
</tr>
<tr>
<td>GEORGIA</td>
<td>400,000</td>
</tr>
<tr>
<td>NORTH CAROLINA</td>
<td>360,000</td>
</tr>
<tr>
<td>ARIZONA</td>
<td>350,000</td>
</tr>
<tr>
<td>WASHINGTON</td>
<td>270,000</td>
</tr>
</tbody>
</table>

Map: https://mapchart.net/
2. STATE POPULATION ESTIMATE

THE STATE OF WASHINGTON ESTIMATED THE POPULATION TO BE 7.1 MILLION AS OF 2016

- Representing an increase in population of more than 360,000 since 2012
- Population growth has been mainly due to migration
- 37% of in-movers were from California, Oregon, & Texas in 2016
- Population growth continues to be concentrated in large metropolitan counties. Seventy-eight percent of the growth occurred in the state’s five largest counties: King, Pierce, Snohomish, Spokane and Clark

2. STATE POPULATION ESTIMATE

THE ESTIMATED POPULATION OF UNAUTHORIZED IMMIGRANTS HAS CHANGED OVER THE YEARS

Department of Homeland Security estimated 270,000 in 2012

Pew Research Center’s analysis of the U.S. Census/ACS estimated 250,000 in 2014

Unauthorized immigrant populations can rise or fall for a number of reasons.

• Immigrants may cross the border into a country, decide to leave the country or move from one state to another, as well as natural death

• Population totals also can decline when unauthorized immigrants are deported or convert to legal status (or increase when there is an overstay of a temporary status/Visa)


Image: http://www.jr-art.net/
2. STATE POPULATION ESTIMATE

From the estimated population of unauthorized immigrants from the Pew Research Center of 250,000 in 2014 these are the estimate percentages by country of origin.

**TOP COUNTRIES OF ORIGIN**

- MÉXICO ....................... 52%
- INDIA .......................... 8%
- CHINA .......................... 5%

The Department of Homeland Security released the first report with estimates of overstays in 2016. The leading country of origin of overstays was reported to be Canada for 2015. See chart.


Note: Includes air or sea visitors for business or pleasure.
Source: Department of Homeland Security
PEW RESEARCH CENTER
According to 2014 U.S. census data, King County’s foreign-born population numbers around 441,000 — a 64% increase since 2000*

The foreign-born population has grown more than five times faster than the native-born population

Top Countries of Origin are Mexico, China, and Eastern Africa

*Foreign-born is not specific to undocumented/unauthorized populations

2. CITY POPULATION ESTIMATE

CITY OF SEATTLE

- Between 2000 and 2014, Seattle’s immigrant population grew 20%
- 18% of Seattle residents are foreign-born
- Washington is the 8th largest refugee receiving state
- Top Countries of Origin are China, Vietnam, and the Philippines

*Foreign-born is not specific to undocumented/authorized populations

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Top 10 Countries of Origin

<table>
<thead>
<tr>
<th>Country</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. China</td>
<td>11.76%</td>
</tr>
<tr>
<td>2. Vietnam</td>
<td>11.50%</td>
</tr>
<tr>
<td>3. Philippines</td>
<td>8.01%</td>
</tr>
<tr>
<td>4. Mexico</td>
<td>6.69%</td>
</tr>
<tr>
<td>5. Ethiopia</td>
<td>5.43%</td>
</tr>
<tr>
<td>6. Canada</td>
<td>5.15%</td>
</tr>
<tr>
<td>7. South Korea</td>
<td>4.31%</td>
</tr>
<tr>
<td>8. India</td>
<td>3.38%</td>
</tr>
<tr>
<td>9. Somalia</td>
<td>2.69%</td>
</tr>
<tr>
<td>10. Japan</td>
<td>2.62%</td>
</tr>
</tbody>
</table>

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Language

Seattle School District & ACS 2014

- 43% Speak English less than “very well”
- 129 languages spoken in Seattle schools
- 28% live in households that are linguistically isolated

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Education

ACS 2014

- 20% of foreign-born have less than a high school degree.
- 43% of foreign-born have a college or graduate degree.

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3. BARRIERS & OPPORTUNITIES

UNDOCUMENTED PERSONS ARE NOT ELIGIBLE FOR ANY OF THE FOLLOWING PROGRAMS -

• Financial Aid (FAFSA)
• Loans
• Employment Authorization - Work Study
• Cash Benefits - General Assistance
• Temporary Aid to Needy Families (TANF)
• Social Security Number & Benefits
• Affordable Care Act Health Insurance (Obamacare) - Apple Health in Washington State
• Food Stamps - Basic Food in Washington State
• Public Housing - Section 8, HUD Projects
• Unemployment Benefits
• Vote

Image: http://www.jr-art.net/
3. BARRIERS & OPPORTUNITIES

UNDOCUMENTED PERSONS ARE ELIGIBLE FOR THE FOLLOWING PROGRAMS -

FEDERAL
• K-12 Education
• Emergency Medical Insurance
• File taxes (ITIN)
• Independent Contract Work
• Own a business
• Workers compensation

WASHINGTON STATE
• In-State Tuition (HB 1079)
• Financial Aid (REAL Hope Act)
• Drivers License & ID

4. RIGHTS

CONSTITUTIONAL RIGHTS

Everyone has constitutional rights regardless of immigration status in the U.S.

The ACLU has various resources with information about Know Your Rights in a variety of languages. They also made immigrant rights videos with what to do if you are stopped.


Video: https://www.youtube.com/watch?v=3MrLNujpPEE
4. RIGHTS

IMMIGRATION SYSTEM

U.S. immigration law is very complex, and there is much confusion as to how it works. The Immigration and Naturalization Act (INA), the body of law governing current immigration policy, provides for an annual worldwide limit of 675,000 permanent immigrants, with certain exceptions. Some examples include -

- Family Based Immigration
- Employment Based Immigration
- Per-Country Ceilings
- Diversity Visa Program
- Other Forms of Humanitarian Relief: Refugees & Asylees
- U.S. Citizenship

https://www.americanimmigrationcouncil.org/sites/default/files/research/how_the_united_states_immigration_system_works.pdf
Image: http://www.jr-art.net/
4. RIGHTS

**IMMIGRATION SYSTEM**

The following chart explains some rights based on immigration status, since immigration law is managed at the federal level, they apply to all states.


<table>
<thead>
<tr>
<th></th>
<th>U.S. Citizen</th>
<th>Legal Permanent Resident</th>
<th>DACA Beneficiary</th>
<th>Undocumented</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CONSTITUTIONAL &amp; CIVIL RIGHTS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Able to Vote</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>Right to a Free Criminal Attorney If Can't Afford One</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Right to a Free Immigration Attorney If Can't Afford One</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td><strong>IMMIGRATION BENEFITS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Can Be Deported</td>
<td>NO, except if de-naturalized</td>
<td>MAYBE</td>
<td>MAYBE</td>
<td>YES *Rarest if entered after 01/01/2010</td>
</tr>
<tr>
<td>Able to Naturalize</td>
<td>N/A</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>Able to Petition for Family Members</td>
<td>YES</td>
<td>YES, but CANNOT petition for married children, siblings, or parents</td>
<td>NO</td>
<td>NO</td>
</tr>
</tbody>
</table>
4. RIGHTS

Immigration

The immigration system has many operational and support components - this chart is a brief overview of each agency and their role.

The State Department also provides information about Visa requests/applications. For more information visit - https://travel.state.gov/content/visas/en.html

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**THE GOVERNMENT OF THE UNITED STATES OF AMERICA**

**IMMIGRATION CHART**

**THE CONSTITUTION**

**LEGAL BRANCH**

**EXECUTIVE BRANCH**

**JUDICIAL BRANCH**

**DEPARTMENT OF HOMELAND SECURITY (DHS)**

<table>
<thead>
<tr>
<th>U.S. Citizenship and Immigration Services (USCIS)</th>
<th>U.S. Customs and Border Protection (CBP)</th>
<th>U.S. Coast Guard (USCG)</th>
<th>U.S. Immigration and Customs Enforcement (ICE)</th>
<th>Office of the General Counsel (OGC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States Citizenship and Immigration Services (USCIS) secures America's promise as a nation of immigrants by providing accurate and useful information to customers, granting immigration and citizenship benefits, promoting an awareness and understanding of citizenship, and ensuring the integrity of the immigration system.</td>
<td>United States Customs and Border Protection (CBP) is one of the largest and most complex components, with a priority mission of keeping terrorists and their weapons out of the U.S. It also has a responsibility for securing and facilitating trade and travel while enforcing hundreds of U.S. regulations, including immigration and drug laws.</td>
<td>The United States Coast Guard is one of the five armed forces of the United States and the only military organization in the Department of Homeland Security. The Coast Guard protects the maritime economy and the environment, defends our maritime borders, and saves those in peril.</td>
<td>The United States Immigration and Customs Enforcement (ICE) promotes homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration.</td>
<td>The Homeland Security Act defines the General Counsel as the 'chief legal officer of the Department.' In this role, the General Counsel is ultimately responsible for all of the Department's legal determinations and for overseeing all its attorneys. The General Counsel is also the Department's regulatory policy officer, managing the rulemaking process and ensuring that all Department of Homeland Security regulatory actions comply with relevant statutes and executive orders.</td>
</tr>
</tbody>
</table>

**Executive Office for Immigration Review (EOIR)**

The primary mission of the Executive Office for Immigration Review (EOIR) is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws. Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate reviews, and administrative hearings.

Under delegated authority from the Attorney General, the EOIR has its own judges and proceedings different from civil procedures.

There are 57 courts in 27 states and two U.S. commonwealths.

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For more information, visit:

5. IMPACTFUL LEGISLATION

**FEDERAL**

1790 **Naturalization Act**: Allowed only free white people from becoming citizens

1882 **Chinese Exclusion Act**: Banned Chinese Laborers
- Prohibited Chinese naturalization and were seen as undesirable

1906 **Naturalization Act**: Department of Commerce and Labor transferred to Bureau of Immigration and Naturalization
- Allowed for English speaking immigrants only

1917 **World War 1**

1924 **Immigration Act**: Limited the number of immigrants allowed entry into the U.S through a national origins quota but did not include Western Hemisphere countries

Image: [http://www.jr-art.net/](http://www.jr-art.net/)
5. IMPACTFUL LEGISLATION

FEDERAL

1940s  World War 2: Immigration began to be seen as a national security rather than an economic issue
  • Immigration agencies organized and operated internment camps and detention facilities for enemy aliens

1943  Bracero Program: Allowed agricultural workers from Mexico

1986  Immigration Reform and Control Act (IRCA): Employer sanctions to not employ undocumented people
  • Granted amnesty (with green card) to undocumented people who entered prior to 1982

2002  The Homeland Security Act: Created the Department of Homeland Security and shifted immigration into a border security issue

2006  Secure Fence Act: allowed a border fence along the U.S. - Mexico border

2012  Executive Order: Deferred Action for Childhood Arrivals (DACA)

Image: http://www.jr-art.net/
## 5. Impactful Legislation

<table>
<thead>
<tr>
<th>Year</th>
<th>State</th>
<th>Legislation Details</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>South Carolina</td>
<td>HB 4400: banned undocumented students from higher education</td>
<td>still in effect</td>
</tr>
<tr>
<td>2008</td>
<td>Alabama</td>
<td>HB 56: banned undocumented students from higher education</td>
<td>still in effect</td>
</tr>
<tr>
<td>2010</td>
<td>Arizona</td>
<td>SB 1070: allows immigration enforcement by local law enforcement</td>
<td>struck down</td>
</tr>
<tr>
<td>2011</td>
<td>Georgia</td>
<td>HB 87: allows immigration enforcement</td>
<td>struck down</td>
</tr>
<tr>
<td>2011</td>
<td>Alabama</td>
<td>HB 56: allows immigration enforcement</td>
<td>went into effect, a call for revisions was made</td>
</tr>
<tr>
<td>2011</td>
<td>Indiana</td>
<td>Senate Enrolled Act 590: made it illegal to have/use consulates of foreign countries and other documents</td>
<td>struck down</td>
</tr>
<tr>
<td>2012</td>
<td>Mississippi</td>
<td>HB 488: allows immigration enforcement</td>
<td>did not go into effect</td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td>Changes in various state policies to allow DACA recipients and other undocumented people to attain drivers licenses &amp; IDs</td>
<td></td>
</tr>
<tr>
<td>2017</td>
<td>Texas</td>
<td>SB4: would allow for immigration enforcement</td>
<td>currently in the state senate</td>
</tr>
</tbody>
</table>

Arizona (Proposition 300), Colorado (HB 1023, later changed), Georgia (SB 492) and Indiana (HB1402, later changed) have banned undocumented students from receiving in-state tuition.

Source: American Civil Liberties Union (ACLU), Immigrant Rights, https://www.aclu.org/issues/immigrants-rights
5. IMPACTFUL LEGISLATION

LOCAL

WELCOMING CITIES
It is a coalition of cities, municipalities, organizations, and others focused on inclusion and creating environments in which everyone can contribute to their greatest potential. Seattle’s Executive Order as a Welcoming City was signed in 2016 and more than 100 cities and counties have joined the coalition.

STATES

1987 Oregon HB 2314: prohibits immigration enforcement by local law enforcement, with exceptions (still in effect)

2017 California SB 54: prohibits immigration enforcement by local law enforcement, with exceptions (just passed)

2017 Washington SB 5852: would prohibit immigration enforcement (introduced)

- 16 states allow for in-state tuition for certain undocumented students: California, Colorado, Connecticut, Florida, Illinois, Kansas, Maryland, Minnesota, Nebraska, New Jersey, New Mexico, New York, Oregon, Texas, Utah and Washington

- States like California and Washington allow for in-state financial aid to certain undocumented students along with other states
