**Family Detention is Big Business**

•  As of January 30, the Berks Family Residential Center had 249 Facility Book-ins during FY16.

•  As of January 30, the Karnes County Residential Center had 4,480 Facility Book-ins during FY16.

•  As of January 30, the South Texas Family Residential Center at Dilley had 7,961 Facility Book-ins during FY16.

Source: https://[www.ice.gov/sites/default/files/documents/Document/2016/acfrcBriefingMaterialsMar2016.pdf](http://www.ice.gov/sites/default/files/documents/Document/2016/acfrcBriefingMaterialsMar2016.pdf)

Karnes County Residential Center is run by GEO, a for-profit prison company.



**South Texas Family Residential Center, in Dilley is run by the Corrections Corporation of America (CCA), a for-profit prison company.**

**Who benefits?**

•  CCA earned $65.9 million in the second quarter of 2015, attributed to the opening of Dilley.

•  GEO has invested $36 million in Karnes to increase capacity to 1,158 people in order to generate annual revenue of $20 million.

•  Private prisons earn $100/day for a family of 3.

•  Tremendous lobbying power leading to bed space mandate 34,000 beds must be available each year.



**Karnes Decor**

**CONDITIONS OF DETENTION**

•  Substandard medical & dental care

•  Sexual assaults

•  Suicide attempts

•  Poor food and undrinkable water

•  Threats against parents

•  Re-traumatization and PTSD

•  Lack of adequate education

•  Problems facing indigenous language speakers

**Protecting Children Flores v. Johnson**

•  **1997 Settlement Agreement** protecting the rights of minors in immigration custody.

•  Preference for “least restrictive alternative” (non-secure, licensed facilities).

•  Release over detention except in cases of danger or extreme flight risk.

•  Preference of release to a parent.

•  Humane conditions of detention.

**After the Flores Decision**

•  Mothers released on ankle monitors with their children, after passing the credible fear interview (or reasonable fear interview).

**Profit Motive**

•  GEO purchased the company that manages alternatives to detention, including ankle monitor program

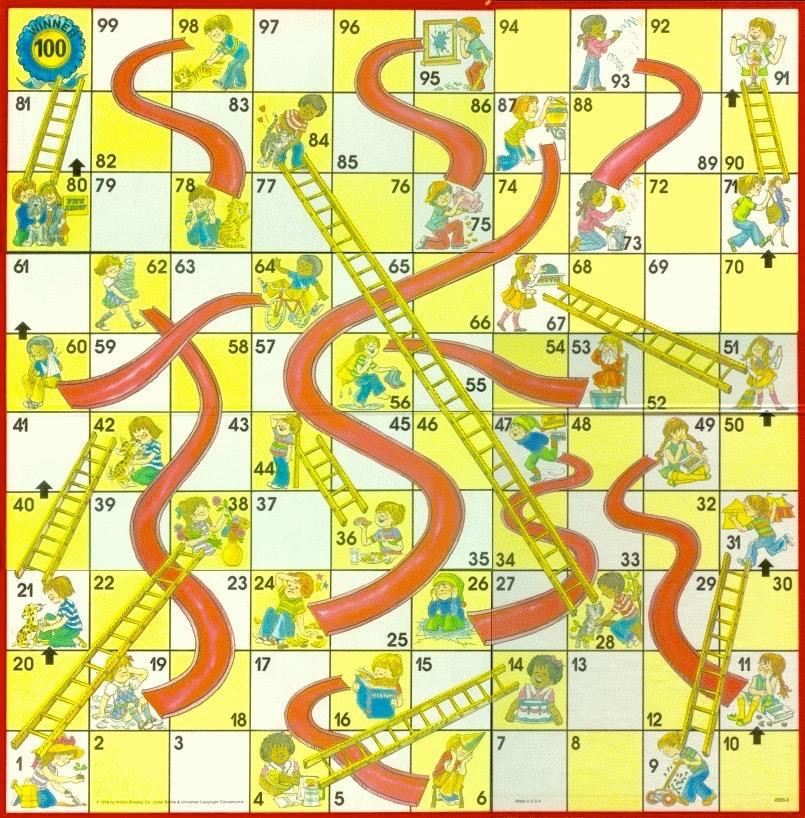
# Asking for Asylum

**at Karnes**

● Expedited Removal → Removal

● **Freedom from Detention**

● **Permission to begin formal asylum process (NTA)**



The Path to

Asylum

**Karnes Pro Bono Project**

A project of RAICES (Refugee and Immigrant Center for Education and Legal Services) in San Antonio, TX

● Staff attorneys and legal assistants

● Volunteer attorneys, law students, and legal assistants

● support of San Antonio office staff

***Ayuda Legal* at Karnes**

Intake

&

Preparation for Credible

**--**

Fear Interview Second meeting to draft written Declaration

**+**

& Representation at Immigration Judge Hearing

Release Charla

**What We Do (Part One)**

CFI Prep

•  20 minutes to 1 hour +

•  prepare the client for an

oral interview

•  familiarize her with format and what asylum officer is looking for

•  ask her to tell her story

•  advise her on content and presentation of her testimony

## THE CREDIBLE FEAR

**INTERVIEW**

RIGHTS OF THE DETAINED WOMAN

● asylum interview conducted in her native language

● to request a female asylum officer

● to decide whether or not her

children stay in the room

**Winning -- Getting a “Positiva”**

To be successful in her CFI the woman must demonstrate:

●  That she has suffered persecution, threats, or harm in her home country

●  That her government is unwilling or unable to protect her

●  That this persecution or harm can be

attributed to one of 5 protected grounds (the Nexus)

## Protected Grounds

1.Race 2.Religion 3.Nationality 4.Political Opinion

**5.Membership in a Particular Social**

**Group (PSG)**

**A Square Peg in a Round Hole**

Most negative CFI’s result from a lack of **NEXUS**

rather than a lack of credibility

The majority of women at Karnes are fleeing domestic violence and violence, or threats of violence, at the hands of criminal gangs.

**What We Do**

Declarations

•  2 hours or more

•  review transcript of negative CFI and identify problems

•  discuss her story in greater detail; much closer focus on **accuracy**, **chronology**, **cause and effect**

•  draft a first-person legal statement (3 or 4 pages) in English for the Immigration Judge

•  read statement back to the client in Spanish and ask her to sign it

## The Context of Narrative Production at Karnes

**Fear and Trauma**

○  experiences of violence and abuse in home countries

○  often harrowing journey north

**Prison Environment**

○  strict regulation of time and movement

○  constant surveillance

○  need to work with and around children

**Legal Framework**

○  **high stakes**

○  rigid narrative genres

**Part Two:**

**Constructing the Narrative**





Credible Fears:

Central American Asylum Seekers in a Texas Detention Center

Emily Socolov <[esocolov@gmail.com](mailto:esocolov@gmail.com)> Stephanie Aubry <[aubry.9@osu.edu](mailto:aubry.9@osu.edu)> Jessica Chapin <[jchapin@swbell.net](mailto:jchapin@swbell.net)>

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RAICES (Refugee and Immigrant Center for Education and Legal Services ) <https://[www.raicestexas.org](http://www.raicestexas.org/)>

GEO GROUP <https://[www.geogroup.com](http://www.geogroup.com/)>