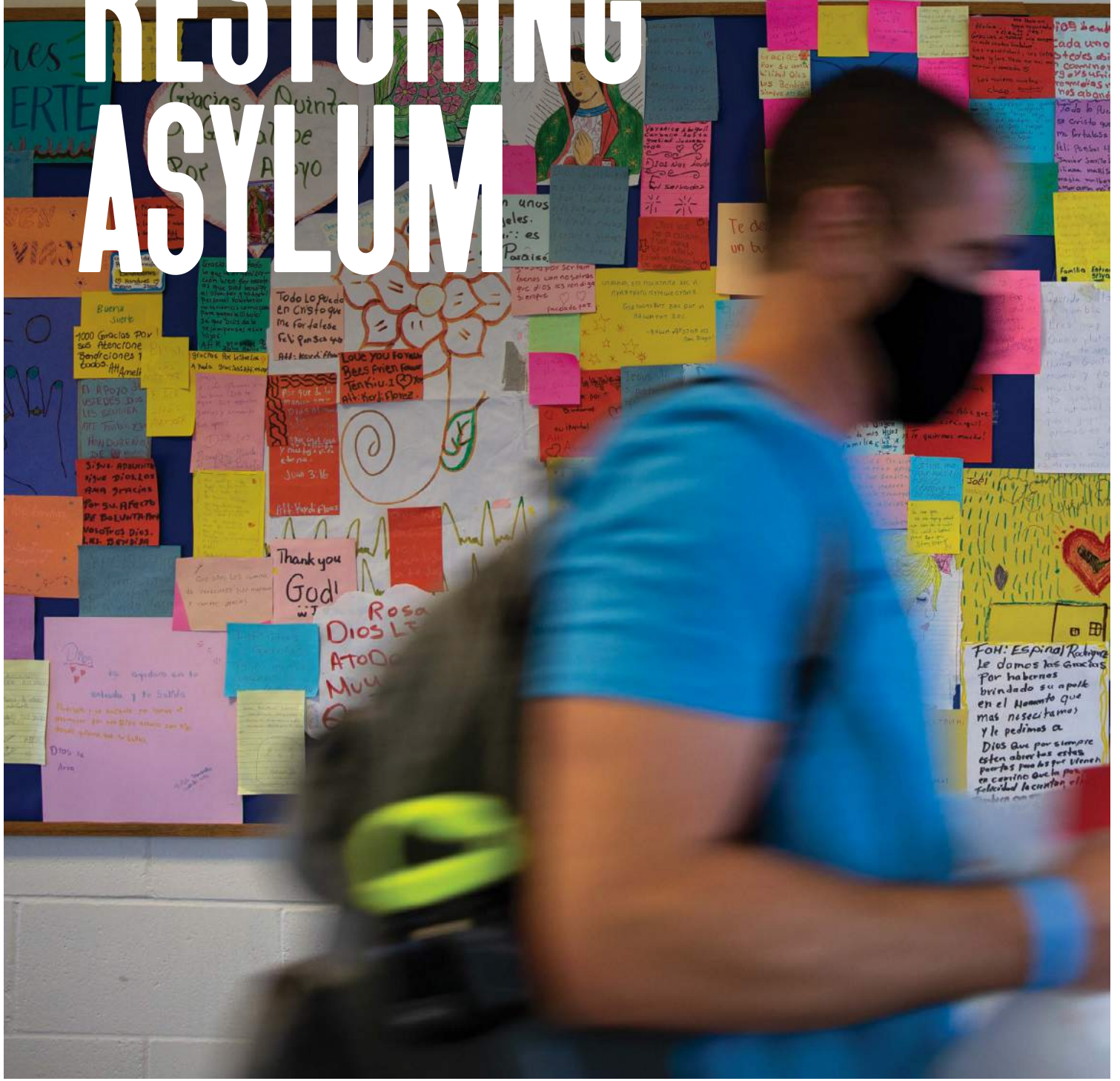


Shortly after the inauguration of Donald J. Trump, the ACLU of San Diego & Imperial Counties launched a network to provide humanitarian and legal aid to asylum seekers. The San Diego Rapid Response Network quickly became California's first responder for immigrants seeking safe haven. BY JAY A. FERNANDEZ

# RESTORING ASYLUM





The San Diego Rapid Response Network's core partners include Jewish Family Service (JFS), which runs a shelter for asylum-seeking families. Below, Eitan Peled, a JFS border services advocate, walks past a shelter wall of letters and drawings by immigrants assisted by the network. At right, Peled speaks to Yuris, an asylum seeker from Honduras.



PHOTOGRAPHS BY JENNA SCHOENEFELD



nari Reyes\* was pregnant and full of hope when she arrived at the San Ysidro Land Port of Entry on the United States-Mexico border one morning in March. Along with her 10-year-old son and 7-year-old daughter, Reyes was nearing the end of a brutal, 2,900-mile journey. The family had fled violent circumstances in Honduras and made their way to temporary shelter in Tijuana, where they were permitted entry to the United States for urgent humanitarian reasons.

But when Reyes took her first steps onto U.S. soil, exhausted and on the cusp of labor, she had no way of knowing what awaited her family. The Trump administration had just spent four years demonizing and terrorizing immigrants and asylum seekers by prolonging detention, gutting due process rights, separating children from parents, and weakening protections for unaccompanied minors. Even as President Biden had begun to roll back anti-immigrant policies and process small numbers of asylum seekers, much of the hostile framework fostered by Trump remained in place. But instead of being detained like others before them, Reyes' family was escorted to a sally port at San Ysidro and delivered into the welcoming arms of the San Diego Rapid Response Network (SDRRN).

Created in December 2017 by the ACLU of San Diego & Imperial Counties with a handful of core partners, SDRRN is a unique ecosystem of immigrants' rights groups, social service organizations, and volunteers dedicated to supporting immigrants, asylum seekers, and their families. The extensive regional coalition involves more than 40 partners working to provide refuge and transitional support to tens of thousands of asylum seekers and immigrants, while minimizing the devastating effects of abusive immigration enforcement, family separation, and deportation.

Requesting asylum is a legal right in the United States, and the ACLU has long fought to protect the rights and civil liberties of immigrants against lack of due process, unlawful search and seizure, and human rights violations, while combating discrimination and unconstitutional enforcement tactics, regardless of who is in power. Still, Trump's malfeasance was a drastic departure from previous administrations, and forming the SDRRN

\*NAME HAS BEEN CHANGED TO PROTECT ANONYMITY.



became a natural extension of the ACLU’s mission to restore American ideals to a broken system.

In Reyes’ case, once cleared by border patrol the family boarded SDRRN’s “Welcome Bus” to a local hotel. SDRRN volunteers gave Reyes pre- and post-delivery rides to and from the hospital; provided the family with donated meals, clothes, infant supplies, and medical support; and eventually arranged for the family’s air travel to their stateside destination, where they await a court hearing for their asylum claim. Reyes’ story is not unusual, and without SDRRN her prospects would inevitably have been bleaker. Thanks to the network, she was given a warm welcome in line with the country’s principles. But the situation remains perilous for many others trapped in the gravely damaged system Trump left behind. In this way, the SDRRN serves as a powerful example of what a community invested in the humane treatment of asylum seekers can accomplish. But it’s also a glaring indictment of what local, state, and federal government have refused to do.

**“NOT A SINGLE ORGANIZATION  
IN THE REGION CAN  
DO THIS WORK ALONE.”**

**T**he San Diego Rapid Response Network was forged in the angry fire of the Trump administration’s virulent anti-immigrant policies and assault on the asylum system. Throughout the 2016 presidential campaign, Trump’s xenophobic rhetoric signaled that racism and cruelty would drive a raft of restrictive policies. For a border community like San Diego, the messaging was like a smoke alarm going off full blast. “We were preparing for a worst-case scenario,” says ACLU of San Diego & Imperial Counties Executive Director Norma Chávez-Peterson. “We knew that undocumented immigrants in particular were going to have a huge target on their back.”

At the time, San Diego & Imperial Counties, which comprise California’s border with Mexico, had approximately 200,000 undocumented residents worried that their mixed-status families were going to be separated at any moment by federal authorities. After Trump’s inauguration, Chávez-Peterson helped assemble 150 stakeholders from around the county for an emergency meeting in a church basement in National City to see how they could use each other’s strengths to better protect against unlawful mass deportations and other harassment. It was clear that the scope of the threat not just to the community but to fundamental American values meant no one group could do the work alone.

“We convened everybody and their mother,” says Chávez-Peterson. “We invited every organization in San Diego that we knew wanted to protect or serve immigrants—other advocacy



**Clockwise from left: SDRRN collaborators (from left to right) Dinora Reyna-Gutierrez, Kate Clark, and Norma Chávez-Peterson convene at the shelter. Network volunteers prepare to load packed lunches. Our Lady of Guadalupe Church San Diego is the site of one of the network's first shelters.**



organizations, the teachers union, the school district, the community clinic, the legal service providers. We even invited the Aztec dance groups because they're a community, they have relationships, they're trusted."

In early 2018, SDRRN launched a 24-hour hotline where the community could get information about immigrants' rights, report illegal workplace raids and arrests, and get connected to legal resources and other emergency assistance. It was tested immediately. In March, on the eve of a visit to the area by President Trump, U.S. Immigration and Customs Enforcement (ICE) agents unlawfully swept up more than 100 undocumented immigrants on their way to work, and SDRRN was able to dispatch immigration attorneys to the scene immediately. In another case, a family was separated when ICE picked up the mother and stood in wait for the father at the family's home. An administrator at one of their children's schools called the SDRRN hotline, and volunteers were dispatched to pick up the father so he could make arrangements for his children before reporting to ICE. All told, the network saved hundreds of people from deportation.

"That was at the heart of the initial phase of rapid response," says Dinora Reyna-Gutierrez, executive director of the San Diego Organizing Project, a multifaith network representing 29 congregations. "To create our own community that would protect and prevent unlawful deportations and separations of family."

ICE was detaining and deporting record numbers of people using unconstitutional tactics that bypassed the right to a fair hearing in court and ignored individual circumstances. So as Chávez-Peterson created a platform for power building across the county, direct service providers would flag abuses they saw on the ground so the ACLU could explore potential litigation, communicate with lawmakers, and develop effective advocacy strategies. One example of this reporting resulted in the ACLU filing administrative complaints about the mistreatment of pregnant women in Customs and Border Protection (CBP) stations and ports of entry, which led to Speaker Nancy Pelosi calling for an investigation. It's just one of scores of legal actions the ACLU filed nationwide to protect immigrants' rights during the Trump years.

That spring, when the Department of Justice's unconscionable family separation policy moved into its "zero tolerance" phase—U.S. attorneys' offices along the southwest border were directed to prosecute 100 percent of cases involving entry without authorization, a step no previous administration of any party had ever taken—the ACLU ran point for triaging cases reported by SDRRN members that involved family separation. The ACLU brought a successful lawsuit, *Ms. L v. ICE*, against the barbaric practice and later convened a steering committee that has independently located many of the families. Of the more than 5,500 children separated from their parents since 2017, the ACLU has reunited all but 400 or so. The ACLU continues to pressure the Biden administration's family reunification task force to both repair the damage of family separation and ensure it never happens again.

"We were really building out a system where each organization can do what they do best," says Chávez-Peterson, "but do it collaboratively so we could maximize our impact and protect as many people as possible."

**B**y the fall of 2018, new policies and pressures forced SDRRN to pivot to the unfolding situation at the border. In late October, the Department of Homeland Security (DHS) abruptly ended the "safe release" policy by which it had traditionally helped asylum seekers contact family and reach their final destinations, where they waited for their claims to be heard. Less than 24 hours later, late on a Friday night, a local resident phoned the network



**When the Department of Homeland Security abruptly ended its “safe release” policy in 2018, asylum seekers were dropped at the Santa Fe Depot in downtown San Diego, above, with no money or support. SDRRN stepped in to house them.**

hotline to say that more than 40 people had been dropped at the Santa Fe Depot train station downtown with no money, support, or ability to travel. Jewish Family Service of San Diego, one of the network’s core partners, immediately set up an emergency shelter at Our Lady of Guadalupe Church in the Barrio Logan neighborhood to house them.

Over the next three months, SDRRN cared for 5,000 people at the respite shelter, which was designed for short-term care since 98 percent of those coming through the region have destinations outside San Diego County. The network had effectively become California’s first responder to the chaos unleashed by the Trump administration’s policies, which now involved dumping thousands of migrant families and individuals onto the sidewalks of the state’s border communities.

“We’re a large organization,” says Kate Clark, senior director of immigration services at Jewish Family Service and an immigration attorney, “and with the reputation of the network, there was confidence in the community that we were filling a critical gap. It inspired others to step in too.”

The shelter has since moved to half a dozen locations, including an old highway patrol station for which the ACLU helped broker a lease from the state for a dollar. Right after moving into that space in early 2020, however, the coronavirus presented a new set of challenges and forced another major pivot for the network.

Pandemic protocols and the Trump administration’s invocation of Section 265 of U.S. Code Title 42—which gives CBP agents the authority to expel migrants and asylum seekers for public health reasons—meant volume at the shelter slowed to a trickle. President Biden has kept Title 42 in place despite an ACLU class action suit to end it, though

small adjustments have been made to cease the expulsion of unaccompanied minors and make transfers more humane. As of May, the ACLU had brokered a deal for several hundred immigrants like Reyes to enter the U.S. under humanitarian parole each day.

With state support, in June 2020 SDRRN shifted its shelter services to house asylum seekers and immigrants in individual hotel rooms. In collaboration with county health entities, the network continued to prioritize public health—shelter guests receive COVID-19 testing, get health screenings, and quarantine before being released for travel.

**W**ith the arrival of the Biden administration in January 2021, it was time for SDRRN to pivot yet again. Two years earlier, the Trump administration had implemented the Migrant Protection Protocols, aka the Remain in Mexico program, which resulted in approximately 68,000 asylum seekers being removed from the United States to Mexico to await their stateside court cases, a dramatic change in policy that forced many onto the streets of Tijuana, sometimes for years. The ACLU litigated the policy fiercely. In January 2021, President Biden halted the policy, and small groups of asylum seekers with active immigration court cases were once again allowed entry and limited processing. In June, MPP was finally rescinded altogether.

By then, the relationships and infrastructure created by SDRRN were integral to the safe arrival and sheltering of the first asylum seekers allowed to enter the country. Shelter numbers increased again, from 144 individuals in January 2021 to more than 2,000 in March. By mid-May, the shelter services were caring for more than 700 individuals a day, including hundreds of children, and providing 6,500 meals a week.

Without SDRRN’s services, these individuals and families would either be referred for long-term detention or abandoned on the street, adding to the city’s unhoused population. As it stands, the network’s sheltering services are now scaled enough to handle anyone released from any of the San Diego stations. The numbers will only increase as President Biden further restores more humane policies, and as vaccinations proliferate and pandemic restrictions ease.

While President Biden has curtailed immigration enforcement and DHS is reorienting staff and resources, the United States is still expelling far too many asylum seekers. Civil liberties and constitutional issues are perpetually at stake, but it’s about more than immigrants’ rights. The country remains in desperate need of a sustainable system that adheres to the



**Above, SDRRN arranges air travel for asylum seekers to reach their final destinations, where they await court hearings for their claims. At right, one family (from left to right), Fernando, Evelin, and Maritza, speaks with Peled at the San Diego International Airport.**

law and ensures dignity, safety, and respect. The success of SDRRN charts a path toward rebuilding a humane asylum and immigration system with custody-free processing. What is often labeled a “crisis” at the border is simply the stubborn refusal of local, state, and federal government to provide the necessary resources and coordination.

“The broader San Diego community has learned a lot about what it means to be a border town,” says Reyna-Gutierrez. “Not a single organization in the region can do this work alone.”

For the ACLU, forming SDRRN has highlighted the critical role it plays in the community beyond litigation. The ACLU has been instrumental in bridging community partnerships, leveraging relationships with state and county elected officials, and leading the political advocacy that resulted in the \$25 million Immigration Rapid Response Program Governor Gavin Newsom built into his 2019 budget—\$2.2 million of which helped build out the SDRRN shelter at a critical moment.

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“We’re continuing to play that role in terms of pushing the federal government, the county and state government to allocate adequate resources,” says Chávez-Peterson. “Because there’s no way that nonprofits are going to carry the weight of it. It’s not sustainable. This is a government responsibility.”

SDRRN’s leaders insist that the solutions they were forced to design on the fly must be adapted and extended for the realities of the future—conditions for those like Reyes and her family haven’t suddenly resolved just because Trump is no longer president. “There may have been a change of administration, but it’s going to take a significant amount of time to undo the horrific policies that were rolled out over the last administration—and prior administrations, frankly,” says Clark.

“We’re far from creating an immigration or asylum system that lives up to our ideals,” says Chávez-Peterson. “There’s still work that needs to be done to ensure that there are adequate public resources and partnerships. We need to rebuild this country’s asylum and immigration system so it lives up to our values.” ■