



## American Friends Service Committee

Central Regional Office

4211 Grand Avenue · Des Moines, IA 50312 · 515/274-4851 · fax 515/274-2003 · afscdesm@afsc.org · www.afsc.org

### Repatriation Guide

*A resource for individuals and families in the process of repatriation*

Repatriation is the process in which someone who has been living abroad, in the United States in this particular case, returns to his/her country of origin.

In the United States, and due to constant government changes regarding immigration law enforcement strategies, there are several programs that increase the risk of forced repatriation through either expedited removal or as a result of an immigration judge's decision, commonly known as deportation.

Programs such as "Secure Communities," 287g agreements between local police and Immigration and Customs Enforcement (ICE), as well as employers' audits have significantly increased the number of people and families forced into a repatriation process.

Also, there is an anti-immigrant environment forcing individuals and families to decide on their own to repatriate, given that their living conditions have become intolerable and the challenges to survive are numerous and difficult to overcome.

Any of these kinds of repatriation come from circumstances in which one or several members of a family lack a legal immigration status allowing them to live, study and/or work freely in the United States.

There are several important things you should know; if possible, you should plan ahead if you or your family is in repatriation process or at risk of being in repatriation.

**Force expedited repatriation (removal).** Generally, it takes place very fast! ICE deports the person within a timeframe no longer than 72 hours. In this case, an immigrant can do very little to plan for a safe repatriation. Especially if he/she is from Mexico, ICE will deport the individual within a short period of time to the border crossing point nearest to their facilities.

**Forced repatriation due to a decision by an immigration judge.** Usually this type of repatriation allows the people involved to prepare for the repatriation process because there is a longer period of time which may vary from several weeks to several months

before a final decision is made by the judge on their case. To make your repatriation safe and smoother, please follow the recommendations listed further down.

**Self-determined repatriation.** This is a decision made by an individual or the main caretakers of a family (usually the parents). In this instance, the persons responsible for the decision can carefully plan the repatriation process, making it safer and smoother.

## **Safe Repatriation**

### **Individual in repatriation (including a deportation order)**

- We recommend that any undocumented person (someone lacking a legal immigration status) consult an immigration expert before signing any document presented by immigration authorities, and also before they sign a power of attorney to a third party; that way, you will be able to make sure that what you are signing is best for you.
- Make sure you leave a power of attorney or a notarized letter (preferably a power of attorney) to someone you deeply trust so that this person can get your last check (wages), your rent deposit, sell or transfer the title of your car, and make other decisions on your behalf.
- Make sure your personal documents such as passport, identification card, property documents (home, car) etc., are in a safe place and are accessible to the person you chose to represent you so he/she can follow your instructions. Determine ahead of time where will you be residing once you get back to your home country; or provide this person with an address of a reliable family member who will be able to easily locate you in your home country.
- Inquire with your consulate regarding how much money and personal items ICE may allow you to take with you as you are repatriated (this may vary at times).

If you have children in this country, make sure you are clear about what to do regarding your relationship with your children and ensuring their wellbeing.

- Discuss and agree with the mother or father of your child about custody issues and make sure you leave the proper authorization document(s) to the parent that stays here with the child (if that's the case) so he/she can travel with the minor(s) as needed. Try to get your children's passports already having authorization to travel from both parents. If that's not possible, make sure you leave an authorization letter to the other parent. This letter should be specific and notarized.
- If you have no time to complete these processes and you or your family will need them, hire an attorney in the USA to represent you on this and other matters during your absence. This will protect your and your children's rights.
- Make sure that your children's documents are in order and up to date, especially if any of your children may have the right to dual nationality. Some children born

in the United States to immigrant parent(s) may have the right to dual nationality as USA citizens and citizens of their parent(s) country (such as in the case of Mexican parents). Contact your consulate to find out if your children have the right to dual nationality and how to apply for it. In some countries it is necessary to have the nationality of that country in order to have access to public education and other services provided by the state.

### **Family in repatriation process**

- If you have children with mixed nationalities, in other words, one or more of them were born in your country of origin and others were born in the United States, please:
  - Make sure your children's passport or consular identification document is current for your children born abroad
  - Make sure you have a birth certificate with apostil (i.e. proper verification for international documents) for each of your children born in the United States and if possible, complete the dual nationality application process while you are in the United States (consult your consulate if you have questions)
  - Get a passport for each of your children born in the United States.
- Have handy all the schools and immunization documents, as well as the medical history of your children, and take these documents with you to your country of origin (if your children are going with you). These documents will be necessary to enroll them in school and/or in the health care system of your home country.
- If some family members will leave first and others will join them later, make sure there is an authorization letter for the adult caregiver that will be traveling with your minor children (this letter shall provide specific names, approximate departure and final destination dates, and specific length of time for the duration of this authorization letter).
- If a teenager child born in the United States will remain here (he/she will not go with her/his parents to their country of origin) because of school, this teenager shall be under the custody of a tutor or responsible adult for the length of his/her stay or until he/she is 18 years old. Please consult with an attorney what would be the best way to address this particular case to avoid the risk that your teenager child may end up in the custody of the state or a juvenile court.
- If you have a current mortgage, before you leave to your country of origin transfer or sell the property so you can recover part of your investment.
- Ask your consulate about family housing items you may take with you without paying taxes (there are some tax exempted items that you may take with you if you travel by car/truck which may help you start all over in your country).

- Ask your consulate about motor vehicles authorized for entry into your country of origin. You won't be able to drive illegal vehicles if there is no way to legalize them in your country. If that's the case, you may want to sell your vehicle(s) before you leave the United States.
- If a family member has a chronic medical condition or a temporary condition that requires medication while traveling, make sure that the medication(s) have the name of the patient. Also, have the medical history handy in case your patient needs to get a refill or medical care while in transit. If the medical history is in English, try to have it translated into your native language before leaving the US. In rare cases, an immigration judge may approve a legal remedy for the immigrant (cancelation of removal or deferred departure) when a United States citizen who is his/her immediate relative has a serious medical condition for which care may not be available in your home country. Please ask an immigration expert to find out if you may qualify for such relief.
- Taking more than \$10,000 (in some cases more \$5,000) in cash or financial instruments from the United States into another country should be reported to the corresponding customs authorities, and you should be prepared to have proof of the legal origin of that money. It is better not to take with you high amounts of cash to avoid robbery while in transit. Try to take with you only the money you will need for travel.
- Before leaving the United States, take care of your finances. You can make funds transfers from the USA to a bank in your country of origin. This way you may avoid confusions, fraud or theft while traveling. Many banking institutions in the United States have agreements with banks in your home country that may help you make such transactions easily. Please avoid using entities that are not well known or manage only small transactions; sometimes they are not safe or able to process complex transactions.

This resource is simply an informational guide listing those issues that you may want to consider in case you are or will be in repatriation at any time, and it should not be considered to be legal advice. We strongly suggest you seek expert legal advice before taking any action. Consult a: civil attorney for family or property issues, an immigration attorney if you have a case with immigration, or a financial expert or attorney if you have real estate properties or investments.

*In the Immigrants Voice Program we hope that this guide will reduce the stress and risks associated with the repatriation process for you and/or your family. If you have questions about this guide, please ask at the community organization that provided you with this resource. Also, you can contact Sandra Sánchez, AFSC Immigrants' Voice Program Director via phone (515) 274-4851 ext. 11 or email: [ssanchez@afsc.org](mailto:ssanchez@afsc.org).*