



## COMMUNITY SUPPORT WINS ASYLUM-SEEKER'S RELEASE!

After a very long and harrowing journey from the Ivory Coast, Oumar finally reached the United States in the summer of 2007 seeking asylum from the unspeakable horrors that he and his family had endured in his home country. He was quickly apprehended by Immigration and Customs Enforcement (ICE) and placed in detention at the Eloy Detention Center. Oumar passed his credible fear interview - the first step to obtaining asylee status - but remained detained.

Around that time, Jessica Hanawalt, Esq., a graduate of the University of Arizona James E. Rogers College of Law, contacted the Florence Project seeking pro bono opportunities, and quickly agreed to take on Oumar's case. Throughout the course of the next year, Jessica worked tirelessly on his case. A year and a half later, the Immigration Judge issued a nearly 20 page written decision granting asylum on four separate grounds: race, religion, nationality, and political opinion!



*Oumar enjoying ice cream with Staff Attorney Tally Kingsnorth, Executive Director Lindsay Marshall.*

ICE appealed that decision, and Oumar was facing at least another six to eight months of detention. Tally Kingsnorth, Eloy Staff Attorney, stepped in and successfully represented him at a bond hearing and obtained the minimum bond of \$1,500.

Because Oumar had no money or support to pay his bond, the Florence Project commenced a national fundraising effort on his behalf. In response to a poignant plea from Tally, nearly 30 of our supporters sent in checks to help obtain Oumar's release. With the proceeds from this campaign, Oumar was freed and we were able to start a small expense account to cover refugee and asylee client expenses in the future. Meanwhile, our Social Services Coordinator, Deborah Bergman, located various social services for Oumar including transitional housing and job placement services.

Oumar's case is on appeal and Hanson Bridget LLP., a California-based law firm with a strong commitment to pro bono legal service, specifically selected his case for pro bono representation. The legal team from Hanson Bridget, consisting of Megan Oliver Thompson, Alexandra V. Atencio, and Michele Trausch devoted nearly 150 pro bono hours to developing a stellar legal brief defending the asylum grant, which they filed with the Board of Immigration Appeals in March. Oumar is presently working in Tucson and taking classes to learn English, while eagerly awaiting the outcome of the appeal. The Florence Project and Oumar THANK the volunteer attorneys and all of the generous donors to his bond fund!

## FLORENCE PROJECT COMPLETES STRATEGIC PLAN

In November 2008, after a year of planning with staff and outside consultants, the Florence Project Board of Directors approved the organization's first formal Strategic Plan. Through the process, we identified our customers, revised our mission, and articulated organizational strengths and weaknesses identified through the planning process. We also set forth a set of objectives and action items to accomplish the following five goals, which will guide our work over the next several years:

1. To provide or coordinate through volunteers free legal services to indigent adults and unaccompanied children detained in Arizona for immigration removal proceedings.
2. To provide or coordinate through volunteers or other organizations social service support to the most vulnerable adults and unaccompanied children detained in Arizona for immigration removal proceedings.
3. To provide information about immigration removal proceedings to immigrants in the Arizona criminal and juvenile justice system and their legal advocates.
4. To advocate for the human rights of detained immigrants in Arizona and raise public awareness about their experiences in a manner that does not impair our ability to accomplish our other goals.
5. To develop innovative models and methods, raise funds, and allocate our limited resources strategically to accomplish our other goals.

The Florence Project is grateful to the Hispanics in Philanthropy Funders' Collaborative For Strong Latino Communities for the financial support and training that made our Strategic Plan possible.

## ALSO IN THIS ISSUE:

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# VOICES FROM DETENTION

The following story comes directly from a former Florence Project client who was detained for over 10 months and came to the United States as a baby. After a long legal fight, "Armando" was ordered deported to his native Honduras. My New World is Part II of Armando's story (Part I appeared in our Fall 2008 newsletter).



## My New World

I wasn't expecting to be told to get ready for my actual deportation for at least another week, and was shooting hoops at about 9:30 PM when it finally happened. I felt a sudden rush of emotion. I felt nervous, as well as anxious, as well as joyous all at once! A rare combination of emotions. In what really felt like seconds, I packed all of my belongings in the detention center, mostly legal paperwork, and I was on a bus being transferred to a nearby facility, the Florence Service Processing Center, to be shipped out.

As we got off the bus at the processing center, I noticed the look of monotony on the officer's faces, probably from doing the same thing every night. About fifty of us were put in a holding cell that had a sign on the door that read, "maximum capacity= 20". Some of us, including myself, had our feet and hands shackled, which had nothing to do with our classification levels.

We were commanded to strip down to our underwear, and it was not until about thirty minutes later that we were brought a change of clothes. We stayed in the overcrowded holding cell for 5 hours while we were processed out. At about 4:30 AM, still not having had a chance to sleep, we were put back on a bus and taken to the airport in Phoenix. Still in shackles, we waited for hours to be boarded onto the aircraft. We never entered the actual airport terminal and saw no civilians, nor did they see us. There were approximately 100 detainees being boarded with me, and at this point ICE agents turned us over to the 'j-pats' which was the flight crew. There was no way to sleep in the small holding cell, particularly while shackled.

This glorified flight crew barked orders in such a manner that really irritated me. We had been treated like scum of the earth the entire time we were in custody, and even now on our way out it gets worse! The flight was extremely uncomfortable for those of us who were shackled. We had to eat and even use the restroom on a plane in cuffs.

I also couldn't help asking myself questions like: Are these j-pats guys the last Americans I will see for a while? Will I even like my country of birth? Will I hate it? Will I be labeled a deportee, or looked at as American trash? Am I going to have to go through some kind of interrogation?

I prepared answers to the possible questions I would be asked, and after about a dozen horrible pseudo-naps we finally landed. Our shackles were finally removed after about 9 hours of restraint, and we were ordered to remain seated and to shut the window shades for some reason. Over the speaker came a female voice welcoming us to our country and she called us off the plane one by one.

After I had received my property and been interviewed by Honduran immigration officials, I was let out the front door. I called my uncle from a corner internet shop to pick me up. On the way to his home we chatted about my trip, local life, and the fact that the majority of the population lives in poverty in Honduras.

In the first hour of sight seeing, I was visually intoxicated after such dullness and misery for so long. At my uncle's home, I was warmly greeted by some of my extended family. Soon after, I called my family in the states. My mother was elated to hear that I arrived safely and that I was no longer a prisoner, but she told me I seemed like I didn't want to talk. I explained that it all hadn't really sunk in yet.

I've been here a little while now and I am finally starting to come out of what seemed like a trance. The difficult part won't be finding an occupation or fitting in socially though...it's gonna be living my life in a new world without what life is really all about... my family. I have extended family in Honduras who have really been generous, but try losing your entire immediate family all at once - not too easy.

I am a firm believer in the saying, "all we have in this world is each other," and I feel like the people in this world that I would refer to as "all I have", I don't really

have anymore. I'm also a firm believer in the idea that everything happens for a reason and is part of God's plan. For now, I guess I have to just keep my faith and wait for this plan to unfold while I hustle to make a living and make the very best of what I have been given.

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# VOLUNTEER RECOGNITION 2007

*We thank those listed below for their work as a volunteers between September 2007 and September 2008. Detained immigrants facing removal in Arizona suffer extreme hardships in trying to fight their legal cases. Approximately 90% of detained immigrants go pro se before an immigration judge because they can not afford to hire legal counsel. They are detained in remote locations far from support networks. In giving their time to help an immigrant detained in Arizona they personally addressed this crisis and impacted an individual's life tremendously.*

*The Florence Project is extremely grateful to our wonderful network of dedicated volunteers and their support of our mission.*

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Brea Burgie, Catholic Social Services of Southern Arizona

## UNIVERSITY OF ARIZONA RELEASES REPORT ON DETENTION CONDITIONS

In January, the University of Arizona Southwest Institute for Research on Women released *Unseen Prisoners: A Report on Women in Immigration Detention Facilities in Arizona*. The report, the first of its kind in Arizona and one of only a handful in the country on immigration detention, provides a chilling account of the wide-ranging hardships on women in detention and makes concrete recommendations at the local and national levels for improving conditions in Arizona detention facilities. "Without the Florence Project's assistance, this report would not have been possible," said the report's author, Nina Rabin, JD. "The staff provided a crucial means of reaching out to detainees interested in participating in the study, and also contributed their invaluable insights about the detention facilities to this research effort." The full report is available to download at <http://sirow.arizona.edu/files/UnseenPrisoners.pdf>.

## PRO BONO TRAINING SAVE THE DATE!

You are invited to attend a CLE training session hosted by Greenberg Traurig on April 29, 2009 from 9-11 a.m. This CLE will cover the basics on representing a client in both affirmative and defensive asylum, withholding of removal, and convention against torture cases.

Contact Nancy at [nacedo@firrp.org](mailto:nacedo@firrp.org) for more information and to RSVP.

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# MENTALLY ILL CLIENTS IN REMOVAL PROCEEDINGS

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*Written by Staff Attorney Christina Powers*

My client “Jacob” loves to tell me stories about using his superpowers between Wisconsin and Thailand. He thinks that he’s in detention because of the gangsters or because jealous people want to steal his powers, and he hopes I can get him out soon because he wants to go home. According to paperwork issued by the Department of Homeland Security (DHS), Jacob was born in a refugee camp in Thailand, but he can’t tell me what country his parents are from or even if they are still alive today. He has been diagnosed with severe schizophrenia, but even when he takes his medication he is unable to comprehend what is happening in his case. Jacob was recently transferred to a private facility in South Carolina where he is receiving more intense treatment. I am able to make appointments to speak with him on the phone occasionally, but cannot even get his medical records.

We were fortunate enough to find a dedicated and compassionate pro bono attorney to take “Adam’s” case. Adam, also a refugee, had been sent to the same facility in South Carolina that Jacob is being held at. His case was heard by a judge in Florence via video conferencing equipment. Adam’s pro bono attorney had to prepare him for his hearing through extensive phone conversations since she never got the chance to see her client in person. With his attorney’s help, Adam won his case, but the attorney struggled to find an organization that would take him in since he isn’t ready to live on his own.

“John” is a refugee who began developing symptoms of mental illness after he was resettled in the

United States. The Immigration Judge handling his case became very frustrated when John would not respond to questions or other events in Court. The judge did not know that John would not speak or respond to other people for days at a time. Eventually, John’s family came to court to testify on his behalf. Unfortunately, they asked the judge to deport John despite the dangers in his native country. They believed that John’s illness was related to living in the United States and that deportation would be the best form of treatment. Even after speaking with the Florence Project’s social service coordinator, they remained unconvinced that John’s problems were anything more than teenage rebellion.

Unfortunately, Jacob, Adam and John are only three of the severely mentally ill clients we have met in the detention centers this past year. These heartbreaking cases present particular difficulties for our staff. Choosing to represent a mentally ill person is ethically complicated, since there are often serious concerns about whether an individual can truly consent to having a lawyer take particular actions. These clients are sometimes transferred from facility to facility in a vain attempt to find adequate care, which makes it difficult to maintain legal relationships. Often, these clients cannot give us sufficient information about their lives and cases in order for us to effectively advocate on their behalf. They often have lost contact with family members, or if family can be located, they may not understand the nature of mental illness, like John’s family. Many of the clients used illegal drugs prior to coming to detention in an attempt to medicate themselves.

This means that they may have convictions that will complicate their legal case. Finally, even if a mentally ill person wins their case, planning for their release and reintegration into society can be challenging.

Florence Project attorneys have begun collaborating with other practitioners around the nation to develop new strategies for dealing with mentally ill clients. One tactic is to try to convince the DHS to end removal proceedings against individuals who are so ill that they cannot comprehend why they are being threatened with deportation. Another strategy is to ask the immigration judge to appoint neutral guardian ad litem so that the client has a proper voice in court. Presently, DHS sometimes appoints the officer in charge of a detention center as the person’s guardian, which poses a severe conflict of interest. Getting competency evaluations from volunteer doctors is another important tool, as is working with our social services coordinator. We hope our efforts will soon pay off in obtaining justice for this particularly vulnerable segment of the immigrant population.



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## IMPACT: FLORENCE PROJECT SERVICES IN 2008

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- Live rights presentations regarding people’s rights and remedies in removal proceedings. In 2008 we provided rights presentations to 10,077 men, women, and unaccompanied children.
- Individual case assessment for all who request it. In 2008 we provided individual case assessment to 3,342 people.
- Direct representation, pro se assistance, and pro bono referrals, as resources allow. In 2008 we gave intensive pro se assistance to 3,568 people, assisted 278 people in their merits hearings for legal relief, provided 26 workshops on the topic of cancellation of removal for 145 detained lawful permanent residents, and referred 81 cases to pro bono counsel.
- Assistance with raising issues of deportability or eligibility for relief before the immigration judge and the Board of Immigration Appeals either through pro se brief preparation or full representation.
- Application preparation and documentation gathering to support legal claims.
- Pro se bond assistance with some limited representation in Florence and Eloy, and assistance with family reunification for children. In 2008 we provided direct bond representation to 23 people seeking release from custody.
- Assistance with supervised release and habeas corpus petitions in Florence and Eloy. In 2008 we helped 28 people in their custody review process or to file habeas petitions.
- Trainings and consultations to public defenders on the overlap of criminal and immigration law through our Arizona Defending Immigrants Program. In 2008 we provided 22 trainings to 723 practitioners and provided 519 consultations to public defenders and defense attorneys.

## STAFF CORNER

*Please help us welcome our newest staff members to the Florence Project:*

**MARCO ACEVEDO, ESQ.**, Florence Staff Attorney, began with the Project in December 2008 after volunteering on several cases. Marco received his JD in 2005 from the University of Oregon. Marco was a Deputy Prosecuting Attorney for King County Washington for 3 years before joining the Florence Project.

**LINDSEY DE PEW**, Children's Legal Assistant, began with the Project in November 2008. Lindsey received her BA in English from Kent State University in 2004. Before joining the Project, Lindsey spent the last three years living in Guatemala and working for BorderLinks, Samaritans, and No More Deaths.

**SARA LOFLAND, ESQ.**, Children's Staff Attorney, began with the Project in October 2008. Sara received her JD from the Sandra Day O'Connor College of Law at Arizona State University in May 2008. Sara participated in the Immigration Law and Policy Clinic at ASU and worked on several unaccompanied minors cases.

**ALEJANDRA VALDEZ, ESQ.**, Children's Staff Attorney, began with the Project in February 2009. Alejandra received her JD from the James E. Rogers College of Law at the University of Arizona in May 2007. Alejandra joined the Project after a year in private practice and volunteer work with the Florence Project and the Farmworker's Unit of Community Legal Services.



*Florence Project Staff March 2009. Not Pictured Christopher Stenken and Lindsey De Pew*

*We also bid good-bye to our colleagues:*

**LIZ SWEET**, former Children's staff attorney, left the Project in October. She is currently the director for the American Bar Association's Immigrant Justice Project of San Diego.

**ELOY GARCIA**, former Eloy staff attorney, left the Project in December, returning to his home state of New Mexico to continue his work in the immigrants' right movement.

**LAUREN BAKER**, former Children's legal representative, left the Project in February to join her new husband in France.



*Staff and Board members during our spring file clean-up week*

**Be sure to check out the Florence Project's new and improved website at [www.firrp.org](http://www.firrp.org)!** Our wealth of self-help materials and resources for pro se detainees, partner legal service organizations, pro bono attorneys and public defenders can all be found on the Publications link. We hope our supporters and partners will find our new site to be informative and easy to navigate. Your suggestions and feedback is always welcome at [firrp@firrp.org](mailto:firrp@firrp.org).

*P.S. To save on publishing costs in a tight year, we will only be publishing one issue of La Linea in 2009. Please keep an eye out for our Fall Update, which will be a short summary of our latest work and needs.*

## FINANCIAL SUPPORT IN CRITICAL TIMES – THANK YOU!

*A Message from Board President Noel Fidel and Executive Director Lindsay Marshall*

We on the Board and Staff of the Florence Project are deeply grateful for the extraordinary commitment of our supporters. We know it is not easy to make a donation and that in the current economy there are many claims on your generosity. Unfortunately nonprofit legal service organizations in Arizona, including ours, have suffered a substantial loss to our annual budgets by the sudden reduction in distributable "IOLTA" funds, a reduction resulting both from declining interest rates on lawyer trust accounts and a decline in legal transactions that place funds in those accounts. The Project is thus operating on a drastically scaled-back budget in 2009, even though the need for our services continues to steadily rise as more and more indigent immigrants and refugees are detained in Arizona with emergency legal needs. To the extent that the Project is able to continue to meet these needs, it does so primarily through the sacrifices of our dedicated and hardworking staff. We realize it is easier to donate when you know the stories of the people you are helping and where exactly your donation is going, as evidenced by the outpouring of support we received to pay for the bond of our recent Ivory Coast client (see front page story). Please know that every general donation made to the Florence Project makes a difference and enables us to continue each day to serve our clients. We are especially touched by the aid of our loyal donors during these trying economic times and will carefully and strategically use every dollar we receive to continue our mission when it is needed most. Here's hoping that you are as proud of the work of the Project as we are appreciative of your confidence and support.

# FLORENCE PROJECT SUPPORTERS 2008 *AS OF DECEMBER 31, 2008*

THE FLORENCE PROJECT RELIES ON THE GENEROUS SUPPORT OF INDIVIDUALS, CORPORATIONS, FAITH-BASED ORGANIZATIONS, FOUNDATIONS, AND LAW FIRMS IN ORDER TO PROVIDE ITS MULTITUDE OF LEGAL AND SOCIAL SERVICES.

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We have only listed Jan-Dec 2008 donations. Please let us know if you believe your name has been omitted in error so that we can correct any mistakes.

#### **Please remember the Florence Immigrant & Refugee Rights Project in your will!**

#### **Through a charitable bequest, you can:**

- Help us provide free legal services to immigrants, and refugees
- Possibly reduce the tax burden on your estate
- Leave a legacy to help future generations

## HOW TO DONATE

#### **TO DONATE TO THE FLORENCE PROJECT:**

##### **Mail a check or money order to:**

The Florence Project  
P.O. Box 654  
Florence, AZ 85232

##### **Visit our website and contribute via PayPal:**

[www.firrp.org](http://www.firrp.org)

#### **TO VOLUNTEER FOR THE FLORENCE PROJECT:**

##### **Call or email Jacquelyn Ahrenberg:**

[jahrenberg@firrp.org](mailto:jahrenberg@firrp.org)  
520.868.0191 x106

#### **TO CONTACT THE FLORENCE PROJECT OR TO SCHEDULE A VISIT:**

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[www.firrp.org](http://www.firrp.org)



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# *la línea* THE NEWSLETTER OF THE FLORENCE IMMIGRANT AND REFUGEE RIGHTS PROJECT

SPRING 2009

## **ABOUT THE FLORENCE PROJECT**

The Florence Project's work is carried out primarily through four programs: the Florence "Justice and Efficiency" Model, the Eloy Pro Se Model, the Detained Immigrant and Refugee Children's Initiative, and the Integrated Social Services Program. As part of its direct legal services, the Project has created "Know Your Rights" videos and self-representation packets as an educational resource for non-profit service providers and detained people nationwide. Nationally, the Florence Project advocates for positive change in federal policies and practices towards those detained and it serves as a resource-development and training center for detention program "best practices." The Florence Project undertakes its national advocacy through membership in the Detention Watch Network, a coalition of more than 100 nonprofit organizations that work with the 200,000 men, women, and children who are held in the U.S. annually as immigration detainees.

## **MISSION AND VISION**

The Florence Project provides and coordinates free legal services and related social services to indigent men, women, and unaccompanied children detained in Arizona for immigration removal proceedings. The Project strives to ensure that detained individuals have access to counsel, understand their rights under immigration law, and are treated fairly and humanely by our judicial system.

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