In recent months, Florence Project staff has worked to win release from detention for four individuals whose unusual cases were described as “the first of their kind for the Project” by Suzannah Maclay, Senior Staff Attorney.

Our first and second cases involved two North Koreans whose names cannot be publicized because of the risk of exposing their families in North Korea to repercussions. These individuals’ quest for freedom began when they defected from North Korea into China. Later, they were forced by North Korean patrols to cross the border into Russia, where they arranged for a smuggler to transport them to Mexico and then into the United States. In Southern Arizona, near the Mexico border, they were taken into custody by U.S. immigration authorities and placed in federal detention in Florence. Thanks to translation assistance from an Arizona State University Korean-language instructor, Florence Project staff learned the details of these freedom-seekers’ flight from starvation and a notoriously repressive regime. Their stories of life in North Korea, along with newly available documentation that was submitted as evidence at their hearing, established clearly that, if deported, these two individuals would be imprisoned in inhumane conditions, severely tortured, and possibly executed. The immigration judge granted the North Koreans asylum, finding that they had well-founded reasons to fear persecution if returned to their home country. Upon release, the two were welcomed into the thriving Korean community in Phoenix.

To the Florence Project’s knowledge, their cases represent the first time in the United States that INS-detained North Koreans have been granted asylum.

The third case concerned Alejandra Arias Garcia, a 19-year-old legal permanent resident. Although Ms. Garcia has lived in the United States since infancy, federal laws had her facing permanent deportation from the U.S. after being convicted on misdemeanor charges. To fight the implementation of this extreme deportation measure, Florence Project staff coordinated with her family members and friends, interested community groups, and law students to advocate for her release. Washington Square Legal Services of New York University, which represented Citizens and Immigrants for Equal Justice, lobbied and protested for Ms. Garcia’s cause. Editorials outlining the absurdity of her possible deportation appeared in local newspapers, including the Arizona Republic (Phoenix) and the Arizona Daily Star (Tucson). Ultimately, the Florence Project’s network of supporters persuaded an Arizona state legislator, Ed Pastor, to introduce private legislation in the U.S. House of Representatives, H.R. 393. Ms. Garcia is currently out of detention waiting for the results of the legislation that will determine whether she will remain in the U.S. or not. Her case reveals how draconian U.S. immigration policy has become—and underscores the need for prosecutorial and judicial discretion to allow reasonable rulings in cases like hers.

The fourth case involved Reza Baluchi, an Iranian who inadvertently crossed into the United States from Mexico while traveling around the world by bicycle on a
Another Struggle for a Special Immigrant Juvenile Visa!

The Special Immigrant Juvenile Status (SIJS) visa offers permanent residence in the U.S. for abused, abandoned or neglected children. However, applying for this visa from detention is a complicated and frustrating process that requires expert legal assistance. Historically, BICE officials have made it difficult for children and their lawyers to obtain the visa. For instance, officials have been known to delay making final decisions on a case, they have blocked attorneys’ efforts in federal court to secure access to the juvenile court process, and they have resorted to bureaucratic delays such as stalling the process for fingerprinting and medical examinations—both of which are needed before a final adjudication can be made. Meanwhile, the clock is ticking for these young applicants since they must be under 18 years old in order to receive the visa. Rodina Cave, Michael Clyde and Jessica Everett-Garcia (Brown & Bain, Phoenix) are three pro bono attorneys for the Florence Project who agreed to accept a recent SIJS visa case for a Honduran named Josefina.

SIJS Visa for Honduran Child
By Rodina Cave of Brown & Bain, Phoenix

The obstacles to getting the SIJS visa have made it seem out of reach for most children, but one child detained in the valley was granted the visa this past spring after a lengthy legal battle with the courts.

Josefina (not her real name) is originally from El Salvador. Her father died when she was a baby and her mother abandoned her to her grandparents’ care when she was two years old. She had been living on her own in El Salvador since her grandparents’ death when she was fourteen years old. Josefina drifted from place to place, spending some time in a convent school and with a neighbor. After several moves she knew that she had suffered. It also highlighted that she had suffered. It also highlighted that she had suffered.

Josefina’s attorneys went to federal court and successfully petitioned to allow her to the United States. Border patrol agents apprehended Josefina as she entered the US and ultimately placed her in a BICE juvenile detention facility in Phoenix, AZ.

The SIJS visa is specifically designed for children like Josefina. To begin the visa process, a detained juvenile must first obtain BICE consent in order to seek a dependency ruling from a state juvenile court. Josefina’s request was denied by BICE. Arguing that Josefina’s due process rights were violated by BICE’s denial, however, her attorneys went to federal court and made their case.

In January 2003, Arizona’s Juvenile Court declared Josefina a ward of the state, which marked a significant step forward for Josefina. The judge specifically found that “returning her to her native country would further traumatize Josefina who already suffers from the effects of her tragic history of abandonment and abuse.” Immediately upon receiving the dependency order, Josefina’s attorneys applied for the SIJS visa, which was successfully granted in February 2003. One of the requirements, however, for

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Welcome New Staff

Lauren Beigel – Eloy Paralegal
Originally from Annapolis, Maryland, Lauren holds a bachelor of arts degree from Marlboro College in Vermont and a TESL certificate from the Vermont School of International Training. She has traveled in Cuba, Haiti, and the Dominican Republic, and during a five-month stay in Guatemala, she perfected her Spanish while studying Guatemalan culture and agri-forestry practices. Lauren says that the philosophy underlying the Florence Project’s Eloy Model closely resembles her own approach to teaching, in which she seeks to empower individuals to pursue their goals.

Shiu Ming Cheer – Children’s Staff Attorney
Shiu Ming, who is fluent in Spanish and Mandarin, majored in ethnic studies and English at U.C. Berkeley. While in college, she resisted the anti-immigrant national climate by working with immigrant garment workers, and after graduation, she became a full-time organizer in support of affirmative action. At the U.C.L.A. School of Law, she enrolled in the Program in Public Interest Law & Policy, after which she received a two-year Soros Justice Fellowship to represent youth and adults detained by the INS in the Los Angeles area. Having joined the Florence Project staff last October, Shiu Ming says she feels “privileged to be working with children and youth seeking a new life in this country.”

Michele Dando – Office Manager
Born and raised in Casa Grande, Arizona, Michele has called Florence her home for the past thirteen years. Prior to joining the Project last June, she was part of a team that started the Johnson Ranch Elementary School in Queen Creek. She also has eleven years’ experience working in the Arizona prison system. Aside from her active professional life, Michele and her husband Paul stay busy parenting their six children, J. J., Rico, Tito, Joseph, Meghan, and Morgan. Michele describes the Florence Project as a “dynamite place to work.”

Stacy Taeuber – Pro Bono Coordinator
Stacy, originally from Madison, Wisconsin, received a bachelor’s degree from Earlham College in Indiana and a law degree from Georgetown University. Stacy came to the Florence Project with extensive experience in human rights advocacy, including having worked for organizations such as Centro de Acción Legal para Derechos Humanos and CLINIC in Miami. She was a staff attorney at the Florence Project for a year and a half before leaving in July 2000 to take the Arizona bar exam and work as a public defender for the Cochise County Public Defender’s Office in Bisbee. Recently relocated to Tucson, Stacy started in her current position in February and says that she’s “really happy to be back at the Project!”

Dayna Anderson – Director of Development and Outreach
Dayna, originally from Alberta, Canada, received her BA in History from ASU and an MA from Georgetown University’s School of Foreign Service. She also received a certificate in International Migration and Human Rights from the Institute of the Study of International Migration in Washington DC. She has research and policy experience in intergovernmental organizations and government agencies. Dayna has travelled extensively throughout Western & Eastern Europe and parts of Mexico. She started at FIRRP as a volunteer and says she feels “privileged to work with such a dedicated group of people.”

SUS Visa
...continued from page 2
legal permanent residency is that the child must be fingerprinted at one of the BICE facilities. The deportation officer is responsible for arranging these fingerprints when a child is in custody. Unfortunately, Josefin’s deportation officer delayed the fingerprinting process by first denying that it was her responsibility to have Josefin fingerprinted. Then once this was resolved, the deportation officer refused to organize the fingerprints for Josefin even though it was her responsibility. Consequently it took another petition and a federal court order to have Josefin fingerprinted and approved before she turned eighteen and was no longer able to remain in the country on her SIJS visa.

Josefin now has lawful permanent residency in the US and lives in foster care thanks to her three pro bono attorneys.

INS Services Transferred to Department of Homeland Security

BICE – Bureau of Immigration and Customs Enforcement
On March 1, 2003, the Immigration and Naturalization Service (INS), previously within the U.S. Department of Justice, became part of the new U.S. Department of Homeland Security (DHS). Concurrently, the name “Immigration and Naturalization Service” was discontinued because the functions and responsibilities associated with the INS have been reorganized and divided among various new bureaus within DHS.

In addition, federal services for unaccompanied migrant children who formerly would have been held in INS custody have been transferred to the new Division of Unaccompanied Children’s Services, a department of the Office of Refugee Resettlement, which is within the U.S. Department of Health and Human Services. This new division is designed to take responsibility for unaccompanied minors who are in federal custody for immigration removal hearings.

As of yet, it is too early to tell how this transition affects both FIRRP and the clients we serve. While we have some estimates on how this may play out, we will reserve comment for our next newsletter where we will provide you with more detail on this new transition.
Reflections of an Interpreter
By Young Kyun Oh

It was a lazy, hazy summer day last year. I was at my office. The semester had just finished, and the whole campus was calm and peaceful again. An e-mail was coming through on my computer, from someone looking for a Korean translator. Normally, I would have forwarded it to some of the Korean students here - so that they could earn some extra cash - or just ignored it. I couldn’t do so this time, though, not just because it was a non-paying volunteer job, but because something in it caught my eye. It said that there were two North Korean men at the INS detention center in Florence who had been arrested crossing the US-Mexican border along with other illegal entrants, and they wanted to apply for political asylum in the US. I suddenly realized that I had never met a North Korean in my life. I was born and raised in Seoul, South Korea, and the country had been divided long before I was born. Growing up in a country that was at the most sensitive end of the Cold War tension, I learned very early that North Korea was something not to be spoken of. I still remember the mandatory "workshop" that I was given in Korea by the government back in 1985, when I was about to travel in Europe, in which we had to learn what to do in case we "accidentally" ran into North Korean people outside the country.

Both men in detention were named Mr. Lee - they are not related, but 15% of the Korean population have the family name ‘Lee’- and they each escaped from North Korea to China when they were very young, along with their families. More than anything, their fathers decided to flee North Korea to save their families from starving to death. They had lived in remote mountain villages in China for ten years, hiding from the North Korean security police and from bounty hunters, as well as from the Chinese authorities. As their pursuers got closer and closer, the two Mr. Lees finally went to Russia, from where they eventually found ways to smuggle themselves into the US. Interestingly, they didn’t know each other until they met right before they crossed the US border.

Translating for them was a touching and astonishing experience. I was saddened by the hardship they had had to face, yet fascinated by how strong and unyielding the human spirit can be. They told stories about how they had to avoid everything and everyone for ten years, including even school, for fear of getting caught, and described how some North Korean defectors had been kept in custody with metal wires skewered through their flesh, all of which made me appreciate how fortunate I was to have been born on the other side of Korea. In fact, their stories touched me quite personally. During the Korean War, my father, a 17-year-old boy at the time, was drafted by the South Korean army to fight North Koreans. He felt he couldn’t shoot at his fellow Koreans, so he went AWOL, only to be captured by North Koreans and sent right back into battle as a North Korean soldier. He went AWOL again, and was then captured by US soldiers. After having spent a year at the POW camp, he was given a choice of where to be released: to the North, the South, or to a third country. It wasn’t an easy choice for him to make because he was already disappointed in both Koreas, but he finally chose the South. Had he chosen the North, it could have been me sitting at the detention center in Florence. Later, I wrote a letter to my father about how much I appreciated the decision he made 50 years ago and all the opportunities it provided me thereafter, which, of course, got him all teary and emotional.

While I was assisting Suzannah Maclay, the FIRRP attorney who represented the North Koreans, I saw how dedicated she was to helping them, treating them as if they were her own family. She was quite the opposite of what they say about lawyers. She wanted to make sure that the two would have at least some means of financial support when they were released. She listened carefully to everything they said, and also collected a thick pile of materials about the human-rights situation in North Korea, so that she could better represent their cases in court. The whole time, I couldn’t help wondering about one question: "Why does this organization help immigrants and refugees? Not only are they not paying clients, they are not even Americans." Although I knew what FIRRP does and was aware of their mission, I still couldn’t really understand why they do it. After the Lees were released with asylum status, they became the center of attention in Korean communities both in the US and in Korea. This was at the time when North Korean defectors in China started breaking into foreign embassies in Beijing to escape pursuit by North Korean authorities. The treatment of North Korean defectors was becoming an international issue, so quite a few newspapers in Korea sent reporters here to Arizona to interview the Lees. The local Korean community in Arizona celebrated their release, some people with monetary donations to help them settle down, and others with welcoming ceremonies for them. They were all very grateful and moved to hear about how FIRRP had helped the two Koreans. At one welcoming party, many Koreans expressed the same question that I had about FIRRP: "Who are these people, and why are they helping these immigrants and refugees?"

An old Korean-American gentleman, who had lived in the US for over 35 years, gave me one good answer: "That’s what makes America great. You don’t get to see that kind of thing happening anywhere else!"

"They had lived in remote mountain villages in China for ten years, hiding from the North Korean security police and from bounty hunters."
The two Mr. Lees were released in August, 2002. We arranged for some volunteers from the Korean community to help them start their new lives in Arizona. One then went to California and, with the help of a Korean-American sponsor, found a job as a driver making deliveries for Korean stores. The other Mr. Lee had impressed us by saying that he wanted to learn ‘drawing and painting’ (his words for ‘fine art’) if he got released. He had never been in a school, let alone an art class, but had cherished a love for art all his life. (In fact, while at the detention center, he had made $40 by drawing portraits for other detainees there at $5 apiece, and that was all the money he had in his pocket when he got out.) He found a job at a cake shop in Phoenix, using his artistic talent to ice cakes. He is presently taking a drawing class at a community college, where he was immediately moved up to the most advanced level. With the help of a friend, he was invited to exhibit two pastel works at the Glendale Juried Fine Arts Show, and another one at an exhibition by the Arizona Artists Guild. Both Mr. Lees still say that they don’t know what would have happened to them if not for the help of FIRRP.

I agree with what the old gentleman said. America is great because of people like the ones at FIRRP. There, I saw people helping other people; human beings caring about fellow human beings. When the judge finally decided to grant political asylum to the Lees, Suzannah looked so happy - even happier than the Lees themselves - that she had tears in her eyes. It was one of the most beautiful things I have ever seen. Having lived in this country for some years, I sometimes forget why I love living here, but working with FIRRP reminded me: It is because America is about all human beings, and that is what makes America great—well, that and The Simpsons, maybe...

Young Kyun Oh is an Instructor of Korean at Arizona State University

VOICES FROM DETENTION

A Youth’s Aspirations

Ricardo is a 17-year-old Honduran who was held for 10 months at Southwest Key, a children’s detention center in Phoenix. Abandoned by his mother at the age of 6, then on his own at the age of 8 after his grandmother died, he worked and traveled alone through Honduras, Belize, Guatemala, and Mexico. As a street child, he was targeted and threatened by the police in Honduras, so as a teen, he headed to the United States to seek a better life. After being apprehended in the U.S. for illegal entry, he remained in detention for 10 months before being granted asylum—having received counsel and legal representation from the Florence Project and pro bono attorneys. BICE appealed the asylum decision, but the Board of Immigration Appeals affirmed the immigration judge’s decision. Ricardo is now starting life anew in the United States. He wrote this letter as part of his application for release.

I am staying in this Southwest Key Program. I have been detained for nine months. I feel so upset when I see that many of my companions have families that are helping them. I have not had the opportunity to know my family since the age of 6. I only remember my grandmother, but she died when I was 8 years old. After all that had happened, I started wandering the streets in many countries in Central America. But when I realized that I had my mother here, in the United States…but as I have never known her, and as I do not have the opportunity for anybody from my family to help me, I came here, to the United States, with the idea of a better life and the possibility of studying the subject of my interest, which is industrial mechanisms. I hope that somebody could help me.

Here, in this country, I would like to leave this Program soon in order to learn how people live in this country so that I will not have difficulties with any of this country’s different things when I am an 18-year-old adult.

Apart from all these things I would like to know if, in my case, you could help me in a little bit different way. I would like to be released from this Program in order to enjoy my youth freely and to start studies in an appropriate time, because I have met many people who want to study something, but they are older. So I thought that being here, in this Program, has been of great use to me, because when I just arrived, I did not know how to read or write perfectly. Thanks to this Program and the personnel that God put in front of me, I have learned a lot: to read and write, and even though everybody speaks Spanish to me, I have also learned, although not perfectly, some English. I have also learned to respect children who are younger or older than me, as well as to live together with different people from different countries.

I wish you could now give me the opportunity to make good use of the time I have until the end of my case by letting me fight my case from the outside. Honestly, when I think about how long I have been here, and knowing how much longer I may have to stay in this Program, you can imagine that I am not asking you for much. I only ask you the favor of understanding that I did not do anything bad; I am not a delinquent that you should have to detain for such a long time. The crime I committed was to enter the country illegally, without any kind of permission. Forgive me for what I did.

If I lose this case and I am deported—if God wants me to stay safe in my country—honestly, I will give up for the first time in my life, and I will not return to this country ever again, because this long journey nearly cost me my life. That is all I will tell you about my life and about what I feel. I hope you will lend me a helping hand. Thank you.

—Ricardo
“I would like to thank Florence Project for all the legal advice and help they are providing. Not only to me but to all the inmates in Eloy. I also would like to thank Florence members for paying $700 for my affidavit and for hiring a pro bono attorney for my last case. Florence Project is the family we never had. They visit us three time a week. They help us with our legal paper, present us in court and they will do what it takes to protect our rights.”

“Since all the inmates in Eloy are foreigners most of us don’t know how to read or write and some of us don’t even speak the language, but there is always Florence Project to turn to. So I can’t thank enough Florence Project for every thing they have done for us.”

“Special thank to Virginia Carstens for being the best attorney on my case, Brooke Hammond the best social worker, counselor, and for caring. Andrea Black for approving to pay $700 for my affidavit. Elizabeth I know you did something to help on my case. I love you any ways.”

Sincerely
Tesfai Fessehaye

“From my perspective as a psychologist, it is a distinct honor to work with the attorneys at the Florence Project. Their work is humanitarian and they function as a necessary gadfly in our democratic society of liberty and justice. Two unforgettable cases demonstrated the value of the Florence Project. The first was an elderly gentleman who was imprisoned and tortured by Castro in the 1960s, and was facing deportation following a conviction for practicing law without a license in a California court. This man was suffering from major depression, and he hardly represented a threat to his home community in Houston, and he has a journalistic record of denouncing Cuban communism in his many published books and articles of the past 20 years.”

“The second example was of an adolescent boy who ran away from his physically abusive father in Guatemala, and he did not stop running until he crossed the US border. While in detention in Phoenix he became known as the artist, and he diligently applied himself to the study of English and computers. He also had posttraumatic stress disorder, and cried himself to sleep most nights, worried about his mother and siblings.”

“These are the types of cases that exemplify the purpose of the Florence Project. My life has been blessed with opportunity, and it was enormously gratifying to help these individuals gain their freedom so they may pursue their opportunities.”

Warren R. Littleford, PhD
Behavioral Health Care Manager

Florence Project Services

In 2002, the Florence Project provided:

• Legal orientation presentations to 5,891 men, women, and children in detention.
• In-depth case assessment and follow-up services to 2,043 detained people.
• Direct representation for 70 people.
• Representation at bond hearings and release interviews for 202 individuals.
• Pro-se preparation assistance to 510 people.
• Assistance to 30 long-term detainees for supervised release.

Additionally:

• 19 appeals were tackled by Florence Project attorneys and staff.
• 43 cases were referred to, and accepted by, pro bono attorneys.

230 of the Florence Project’s represented and pro-se clients won their cases with our assistance—and avoided removal from the United States!
Release from Detention
...continued from page 1

personal mission to promote world peace. When found on U.S. soil in Southern Arizona without the necessary papers, Mr. Baluchi was apprehended by immigration authorities and placed in detention. With the volunteer services of a local Farsi speaker, Florence Project staff learned the cyclist’s remarkable story. Once a member of an Iranian cycling team, Mr. Baluchi had covered an estimated 40,000 miles by bicycle to talk about his deeply felt belief in the importance of world peace. As awareness of Mr. Baluchi’s detention grew, the Florence Project was inundated with interview requests from the media, including the New York Times, which sent a reporter and photographer to Florence to prepare a story. Because of the unprecedented level of media attention, Reza Baluchi rapidly became a high-profile public figure. For many, the prospect of this energetic idealist being forcibly returned to Iran—a country where he had previously been imprisoned and beaten for not adhering to certain religious practices—made no sense. Aside from FIRRP’s intensive legal work, community support for Mr. Baluchi came from many quarters, including the Arizona Alliance for Peaceful Justice, which collected over one hundred letters requesting his release. An immigration judge granted asylum to Reza Baluchi because of not only his past suffering, but also the likelihood of future persecution due to his international visibility for advocating world peace. Mr. Baluchi is currently completing his bicycle journey to New York City. You can find out where he is by visiting http://www.run4peace.com

Although these cases may be a “first for the project,” all four of them are in some ways typical of the Florence Project’s work. The individuals involved were apprehended at or near the U.S.-Mexico border, and all were ultimately detained in Florence, Arizona, by BICE (see page 3). Daily, the Florence Project works with 1,900 other individuals who have found themselves in similar circumstances.

These four cases also reflect the geographic diversity of the detained population served by the Florence Project. These four individuals came from Southeast Asia, North America, and the Middle East. Others served by the Project are from Africa, South America, Central America, Asia, India, and Europe.

Another commonality is that legal representation by the Florence Project was key to these individuals’ release from detention. As the Florence Project continues to expand its legal and social services, it seeks to represent an increasing number of people in immigration court proceedings in Arizona. And because many thousands of other individuals in detention centers across the United States lack access to legal counsel and legal representation, the Florence Project also hopes to increase its national advocacy efforts to ensure that more and more of those who have legitimate legal cases are provided with the information and representation they deserve.

THESE FOUR SUCCESS STORIES are the product of the coordinated and continuing efforts of the Florence Project to deepen its impact on individual lives—and to challenge U.S. immigration laws and policies. They reflect the Project’s maturity, and its ability to respond to new migration- and detention-related situations as they arise. Maclay said that “these success stories symbolize the Project’s growth.” After thirteen years of providing legal and social services to immigrants and refugees in detention, the Florence Project has earned a reputation for creativity, efficiency, and success. As a consequence, advocacy and legal victories are occurring with increasing regularity.

PRO BONO RECOGNITION EVENT
Hosted by Brown & Bain
October 2003

The Florence Project is pleased to report that it had its first annual Pro Bono Recognition event. Everyone had a great time sharing experiences. We were glad to be able to recognize those attorneys that dedicated their time to FIRRP.

Special thanks goes to Brown & Bain for hosting the event at their offices in Phoenix.

Pro Bono Reception at Brown & Bain - Photo by FIRRP
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**Children’s Initiative**  
The Florence Project welcomes Shiu Ming Cheer, the new Children’s Staff Attorney (see page 3). We are pleased to report that awareness of the Children’s Initiative is growing. In November 2002, the Initiative was highlighted in the Arizona Business Gazette, and recently, members of the community have stepped forward to create an advocacy committee to assist children in detention. The Children’s Initiative extends special thanks to Holly Cooper, former Children’s Staff Attorney, who now is a Senior Staff Attorney in Eloy.

**Women’s Project**  
In the past year and a half, Victoria Lopez, Florence Staff Attorney and an Equal Justice Works fellow, represented or provided pro se preparation to every detained woman in Florence who did not have legal representation. Victoria now has access to the women’s dorms in the detention center, enabling her to answer general questions, follow up with clients about their cases, and address issues pertaining to detention conditions. Twelve women registered for the first Women’s Project workshop in December 2002. The Women’s Project is also in the process of compiling a post-release resource packet that provides contact information for domestic violence organizations and women’s shelters in Arizona.

**Legal Orientation Program**  
As reported in last spring’s La Linea, the U.S. Congress has appropriated funds for legal orientation presentations to help prepare detained individuals for their immigration removal hearings. Eloy was chosen as one of six sites where this federal program will begin. At the end of April, in Tucson, the Florence Project hosted and conducted the national training for the six sites.

**Pro Bono Program**  
As part of the new federal Legal Orientation Program, the Florence Project is happy to announce the reinstatement of the Pro Bono Coordinator half-time position in Eloy. The coordinator will recruit pro bono attorneys, hold training sessions, and expand the Project’s panel of mentoring attorneys. In addition to FIRRP’s current mentoring of pro bono attorneys, the Pro Bono Program will also create a formal panel of mentors to assist new pro bonos with their immigration cases. We welcome the return of Florence Project veteran Stacy Taeuber, who was chosen to fill this position (see page 3).

**Survivors of Torture Legal Network**  
Now in the second year of a three-year program, the Florence Project is fully engaged in a process designed to systematically screen, identify, and offer some legal representation to survivors of torture. Through financial support from the U.S. Department of Health and Human Services’ Office of Refugee Resettlement, Eloy staff now incorporates into its work an increased awareness of, and sensitivity toward, torture-related issues. As a result, Eloy staff was able—for the first time—to represent three torture survivors in merits hearings. Moreover, Project staff are now able to provide comprehensive services to survivors of torture in Eloy, whether or not they have a case for relief from deportation. The Project also hosted a rights presentation training in February for colleagues in the Detained Survivor Legal Support Network.

**New technology added**  
Thanks to a grant from Lutheran Immigration and Refugee Service (LIRS) and Presbyterian Disaster Assistance (PDA), the Florence Project was able to purchase and install a server and four new computers in February 2003. Data can now be backed up and secured. Staff is thrilled to have Internet access and email at their desks rather than taking turns at a central office computer. It has revolutionized the way the office functions on a daily basis.

**New Board Members: Dan Bagatell and Milagros Cisneros**  
Dan Bagatell has been a lawyer with Brown & Bain in Phoenix since 1993. Dan’s special affinity for immigrants forced to leave their homelands—as had his forbears—led him to begin taking pro bono asylum cases for the Florence Project in 1995. His pro bono immigration legal work has continued to this day, both on behalf of the Project and independently. In recent years, he has mentored many junior lawyers in pro bono work for immigrants in detention. Dan said he wanted to be a board member because of his commitment to the Project’s mission—but also because he was struck by the energy, creativity, and commitment of Project staff. His goal is to help ensure that the Florence Project continues to expand its programs while remaining on sound financial footing.

Milagros Cisneros is currently an assistant federal public defender with the Office of the Federal Public Defender for the District of Arizona. Prior to that she worked for the Phoenix office of Bryan Cave, an international law firm with 800 lawyers worldwide. She worked as a commercial litigator, focusing her practice on labor and employment law. While at Bryan Cave, Milagros dedicated a large part of her practice to pro bono services for indigent clients, including cases at the Florence Project. In 2002, she received recognition by the State Bar of Arizona as one of its “Top Fifty Pro Bono Attorneys.” Throughout the years, Milagros has carried out numerous civic activities. At present, she sits on a number of committees of the Arizona State Bar. She is the author of one book and several articles. She has been involved with the Florence Project first as an intern, then as a pro bono attorney, and now as a new board member.
“After my first year of law school, I was lucky enough to work at the Florence Immigrant & Refugee Rights Project for the summer. This was made possible by a generous scholarship from Roxana Bacon and Diane Dear, partners in the law firm of Bacon and Dear. Initially, I observed INS detainees in deportation proceedings in front of the Immigration Judge at Eloy Detention Center. Also, I conducted intake interviews and helped detainees fill out applications for relief from removal. These included Cancellation of Removal, Asylum, the Convention Against Torture, and Temporary Protected Status.

After receiving security clearance, I began to participate in Rights Presentations, which I considered to be the heart of our work, where we evaluated detainees’ cases individually and educated them about their rights and the possibility of remaining in this country. While this sometimes entailed nothing more than delivering bad news, many detainees did have a case and a chance to stay in the United States.

We then began to work together on their cases. This entailed collecting documents, writing letters, making phone calls, conducting research, translating documents, sending and receiving faxes, writing motions to the court, working with the BICE attorneys, talking to family members and much more.

Before finishing my summer with FIRRP, I represented three detainees in bond hearings and one detainee in his final merits hearing in front of the Immigration Judge. I found the detainees to be interesting and varied, the work to be incredibly important, and the attorneys devoted and helpful. My experience was intense and one I will never forget. Thanks for everything!”

Monsoon Dawn
Poem by Erin Minks
Vermont Law School

Sixty three days since the last rain,
it starts as a gusty, dusty devil,
swirling and twisting, tossing gravel,
litter,
plastic bags from safeway,
corrugated fiberglass roof panels.
Then the sound of machine gun drills
on the roof,

A wall of water descends and seeps
under loosely sealed door jams and
uninsulated walls,
Swells into torrents that channel down
main street,
Dredging the blacktop riverbed,
Explodes in the desert,
Pulls back and opens up
protective skin and wilted spines.

The desert breathes,
Releases pent up fragrances and sweat
Which drift across arroyos
And bathe in the light of hallogen lamps
illuminating parking lots, razor wire,
inner and outer prison yards
stripped of organic material

Quickly dashing through,
A lizard escapes the gate

2002 Interns

Eloy
Alex Carpio, ASU Law School – Summer Bacon & Dear Fellow
Pete Ford, ASU Law School – Summer Bacon & Dear Fellow
Luis Ramirez, ASU Law School - Fall Bacon and Dear Fellow

Florence
Erin Minks, Vermont Law School – Summer National Lawyers Guild Fellow
Robert “Lightening Bolt” Holt, Antioch College - Summer Intern

Phoenix/Children
Peter Isbister, Georgetown University Law School - Summer Law Clerk
Bozena Payak, Antioch College - Spring Intern
THANKS TO OUR PRO BONO ATTORNEYS!

Special thanks to the following attorneys who, since June 2002, have donated legal services and have completed their cases fighting hard for men, women, and children detained by BICE in Arizona.

Rodina Cave, Michael Clyde, and Jessica Everett-Garcia (Brown & Bain, Phoenix) obtained an SIJS visa for a Honduran girl, who is now in foster care while the case is on appeal in the federal courts.

Peter Culp (Squire, Sanders and Dempsey, Phoenix) represented a long-term detainee from Yemen on his habeas petition. Pete has accepted four additional habeas cases, and he has also created a pro-se habeas packet for use by other long-term detainees.

Otilia Diaz (a sole practitioner) successfully represented a Portuguese Angolan who was granted supervised release after being detained for more than three years.

Ben Hughes (Latham & Watkins, San Francisco) successfully represented a 17-year-old from Honduras in his appeal before the Board of Immigration Appeals. The youth’s mother had abandoned him at the age of 6, and his grandmother died when he was 8, leaving him homeless on the streets. The youth has recently been released to a foster family.

Amy Langenfeld (Riley Carlock & Applewhite, Phoenix) represented a Honduran youth eligible for asylum who ultimately decided not to pursue his case and accepted deportation to Honduras.

Mark Lazell (a sole practitioner) filed a habeas corpus petition challenging the indefinite detention of an individual from Vietnam.

Douglas Martin (Quarles & Brady Streich Lang, Phoenix) represented an asylum-seeker from Liberia before an immigration judge in Florence. The client had witnessed the rape and murder of his wife at the hands of Liberian security forces. Asylum was granted on April 21, 2003, and the client has resettled in Phoenix.

Anthony Matera (Latham & Watkins, San Diego) represented a Guatemalan youth who was granted asylum through an appeal to the Board of Immigration Appeals. The youth is now out of detention and in foster care.

Chris Pierson, Greg Como, and Pamela Titzer (Lewis and Roca, Phoenix) filed a habeas corpus petition in federal court challenging a child’s placement in a secure detention facility. His habeas was later withdrawn.

Anthony Pelino (Pelino and Terneiden, Florence) represented an HIV-positive, gay Colombian man in Eloy at his asylum hearing.

Alejandro Perez (Latham & Watkins, Newark, New Jersey) represented a 17-year-old Guatemalan in his appeal before the Board of Immigration Appeals. He had fled Guatemala after years of severe physical abuse at the hands of his stepfather, who also beat and verbally abused his mother. Ultimately, the youth decided to return to Guatemala to help his mother rather than wait to complete the appeal.

John Platt (Snell & Wilmer, Phoenix) represented a Guatemalan youth in federal litigation for an SIJS visa. BICE granted John permission to file state dependency proceedings for the child after the Bureau conducted an extensive investigation into the child’s case. It was the first time that the Bureau of Immigration and Customs Enforcement has permitted dependency proceedings without litigation.

Denise Quinterri, Lisa Davis, and Lisa Duran (Quarles & Brady Streich Lang, Phoenix) spent many hours on behalf of a Honduran girl to obtain a U visa; this is a special visa available to people who serve as witnesses in criminal cases. The girl has been released to a therapeutic program and her attorneys are now pursuing an SIJS visa.

Melissa Rawlinson and Emily Nyen Chang (Fennemore Craig, Phoenix) represented a youth from Honduras for his SIJS visa, which was withdrawn after he won his asylum appeal before the Board of Immigration Appeals.

Sandra K. Sanders (Steptoe & Johnson, Phoenix) represented the same Guatemalan youth aided by Alejandro Perez (see above) for his SIJS visa. The case was withdrawn after the youth chose to return to Guatemala to assist his mother.

Faraz Sanei (Snell & Wilmer, Phoenix) represented an Iraqi defector in an appeal that challenged on due-process grounds - the new streamlined “summary dismissals” from the Board of Immigration Appeals.

Jeremy R. Tarwater and Laura Hayward (Latham & Watkins, Costa Mesa, California) represented a Guatemalan youth who was granted asylum on appeal to the Board of Immigration Appeals (BIA).
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About the Florence Project Newsletter
Andrea Black - Executive Director
Dayna Anderson - Editor
Text by Florence Project staff unless noted

This Newsletter is produced by the Florence Immigrant & Refugee Rights Project
Florence, Arizona
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Additional copies are available upon request.
Mission Statement
The Florence Immigrant & Refugee Rights Project, Inc., “The Florence Project,” provides holistic, free legal services to immigrants, refugees, and U.S. citizens detained by the Bureau of Immigration and Customs Enforcement (BICE) in Arizona for immigration processing. The Project serves men, women, and children, including those with mental health and social service needs. The Project advocates for a more just and efficient judicial system for individuals in immigration detention, and believes that everyone should understand their rights and options under immigration law and have access to legal counsel. Although the government assists indigent criminal defendants and civil litigants through public defenders and legal aid attorneys, it does not provide attorneys for people facing deportation. The Project strives locally and nationally to address this inequity.

About the Florence Project
There are four main programs: the Florence “Justice and Efficiency” Model, the Eloy Pro Se Model, the Detained Immigrant and Refugee Children’s Initiative, and the Social Services Integration Model. A new women’s project is currently under development. Rooted in its direct legal services, the Project has created “Know Your Rights” videos and self-defense packets on rights and remedies as an educational resource for non-profit service providers and detained people nationwide. Nationally, the Florence Project advocates for positive change in BICE and EOIR policies and practices towards those detained and serves as a resource development and training center for detention program “best practices”. The Florence Project undertakes its national advocacy through its membership in the Detention Watch Network, a coalition of more than 100 nonprofit organizations working with this fastest growing U.S. incarcerated population of 200,000 immigration detainees annually.
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from June 2002 to April 2003

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