Lou Barsky, long time board member, is moving on, and the Florence Project is losing the important contribution of a wise brother. His counsel, for the more than ten years he served on the board, always delivered sotto voce, never self-inflating or grandiose, was always incisive and practical, with concentration on solving the problem at hand.

Born in New York to poor, eastern European Jewish immigrants, Lou's observations of the environment he grew up in set him on the path of activism for social justice early in life. As a young lawyer he became legal counsel to CORE in Long Island, struggling to overcome the resistance of a majority reluctant to accept social change in conditions that were testy and sometimes violent.

Even during the years of trying to establish a law practice, seeking business opportunities and raising a family, Lou's activism remained a vital part of his life. His success permitted him to retire from active business in 1985. One of the first things he did in “retirement” was to volunteer for an agricultural work brigade; picking cotton in contra-menaced Nicaragua. He went again two years later as a volunteer for Witness for Peace. He studied Spanish in Antigua and drove in a convoy to Chiapas for Pueblo Por la Paz to deliver much needed supplies.

Lou Barsky with generous supporter and son Neil Barksy

Lou came to live in Tucson in 1994 and became involved with CASA. As a surrogate parent for a young Guatemalan immigrant, Lou became outraged when he was denied a visit with his young charge, then held in Eloy. He was introduced to the Project through Andrea Black, our then Executive Director, who was leading us into involvement with the prison at Eloy. Lou joined our board shortly thereafter. While always realistic about the practical problems we faced, his was a consistent voice in encouraging us to expand our reach. And, with his and his family's financial generosity and his gentle prodding, he stimulated others to dare more for the Project.

Many in Lou's circumstances would see a horizon bounded by a golf course and languorous lunches. Instead, he has plunged into his next chapter of social activism, this time involving helping students from poor families stay in school. Single-handedly, he has developed an organization and secured funding for cash stipends for hundreds of Tucson students, at risk because of their poverty. Modeled after a successful program in England, Lou envisions his effort as a pilot, that when proven successful, will spread widely with public funding.

We say goodbye to our brother, Lou, and thank him for all he has done for the Project, and with un fuerte abrazo, wish him well in the future.

—Submitted by Saul Diskin, Board Member

Music, nearly 300 works of art, dance performances and refreshments livened up the Arizona State University College of Public Programs at the new ASU Downtown Phoenix campus on Friday, November 3 when the College opened its doors to the public as part of the First Friday art walk celebration.

“For our Eyes” is a unique display of more than 100 pieces depicting the work of Arizona nonprofits and community organizations. Pieces will be displayed in the hallways of the Downtown campus throughout the school year.

The artwork of some of the children detained by ICE in Phoenix is showcased in the exhibit. The Detained Immigrant & Refugee Children's Initiative of the Florence Project is the only free legal service provider to all 160 children in immigration detention in Arizona and has worked with the five young artists whose work is on display. Through their artwork these children are able to share their life stories, talents and their dreams.

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Ric Tobin: Advocate for Immigrant Children

Immigration law is complex and an overwhelming administrative system to navigate. The majority of the children served by the Florence Project have overcome tremendous obstacles to reach the United States. Their life stories are quite often difficult to hear and their legal cases are challenging even for the best immigration lawyer. Mr. Tobin bravely stepped into an area of law that is not his specialization and has been an instrumental voice in the Children’s Initiative and in the cases he has represented.

One such example is the case of a young indigenous Guatemalan boy. Beginning in January 2006, Mr. Tobin expressed his interest in volunteering with the Children’s Initiative. In February 2006, the Children’s Attorney identified a 17-year-old Guatemalan boy who was eligible for a Special Immigrant Juvenile (SIJ) visa. The boy had survived years of abuse at the hands of his father. His mother had died when he was about two years old and his only sister died when she was six months old. Primarily his paternal grandmother raised him; his father resided in the home and abused both of them extensively.

Over the course of two weeks in early May 2006, Mr. Tobin worked furiously with the Children’s Attorney to ensure that the boy’s case was heard. Not only did Mr. Tobin secure emergency hearing dates with the state and immigration courts, he worked with the Guatemalan consulate to obtain the child’s original birth certificate, completed the required service of process on the boy’s abusive father in Guatemala and even donated funds to pay for an application fee.

A strong bond was formed between attorney and client as the child relied on Mr. Tobin not only for legal assistance, but also emotional and spiritual strength. Mr. Tobin stood his ground despite obstacles in the administrative quagmire of the immigration office. Together with the boy, they waited in line at the immigration office for hours until they were allowed in for fingerprints and an interview. All the while Mr. Tobin maintained his sense of fairness and justice for the boy who had experienced so much in his short life.

Finally, on May 12, 2006, the boy was granted his lawful permanent resident card—just two days before his eighteenth birthday.

Mr. Tobin has been an innovator in developing the legal template for children seeking special immigrant juvenile status. He worked extensively with the Children’s Attorney, the Attorney General’s office, the Department of Economic Security and other experienced family law attorneys. Mr. Tobin’s work in this case will now serve as an example to other volunteer attorneys for the Children’s Initiative. Mr. Tobin has agreed to serve as a mentor, and provide training to others.

Mr. Tobin also encountered obstacles in the special immigrant juvenile status visa process. For example, some of the children would win legal protection, but would still be without homes. Mr. Tobin reached out to community based religious organizations for support and has been moving forward a relationship that he hopes will lead to community support for more immigrant and refugee children who receive legal protection in the United States. In the process, not only is he looking to new solutions for these children, but he is also raising awareness about the plight of these children to the community.

Mr. Tobin’s experience, legal skills and perseverance made the first SIJ case in several years at the Florence Project successful. The young man, now a lawful permanent resident of the U.S., will forever remember Mr. Tobin and the Children’s Attorney for their commitment to his case. Now living with a community sponsor, this young man was able to enter JobCorps and began working part-time at Walmart. He saves his earnings, studies English, and enjoys writing poems and short stories, although his ambition is to be an engineer. Mr. Tobin has positively impacted the lives of many children and has demonstrated the true American spirit of service to these highly vulnerable refugee and immigrant children.
Most people know that a baby born in the United States is a United States citizen. Most people also know that a legal immigrant to the United States may apply to naturalize as a United States citizen after a certain number of years of residence in the country. What many do not realize, however, is that a non-naturalized person who was born in another country could still be a United States citizen. What even fewer realize is how many such United States citizens are currently in ICE detention and in removal proceedings. Florence Project staff meets people weekly detained in Immigration and Customs Enforcement (ICE) custody who are United States citizens, most of whom without even knowing it. In 2006, the staff helped 28 people win their citizenship cases.

For example, Amir was born in Sudan to Sudanese parents. When Amir was a child, he and his parents immigrated legally to the United States. Just months before Amir eighteenth birthday, both of his parents were sworn in as naturalized United States citizens. Without knowing it, Amir derived his parents’ new citizenship at the time they were sworn in, and is now a United States citizen. Amir has been detained in Eloy for a year and a half. The Immigration Judge misread the date on Amir’s translated birth certificate and ordered him removed. After the Florence Project submitted a motion to reconsider on Amir’s behalf, the Immigration Judge terminated proceedings. However, as ICE indicated that it will appeal the judge’s decision, Amir remains in custody.

Gilberto was born in México to Rose, a native United States citizen. Rose returned to the United States after Gilberto was born and he was raised in México by his Mexican grandmother. When Gilberto reached adulthood, Rose filed a petition for him, and he immigrated as a lawful permanent resident. After being convicted of drug possession, Gilberto was put in removal proceedings detained for several months awaiting hearings. After discussing his case with the Florence Project, he learned that, at the time of his birth in México, he acquired the nationality of his mother. José Luis was born a United States citizen. The Florence Project convinced the Immigration Judge to release Gilberto on his own recognizance, and convinced ICE to change its position and dismiss removal proceedings against him.

Orlando was pulled over in Tucson for a traffic violation. When the officer asked Orlando where he was from, Orlando explained that he was born in the United States and showed the officer his birth certificate, issued by the state of Arizona, along with his photo identification. The officer did not believe Orlando and arrested him. Eventually Orlando was placed in removal proceedings. Orlando was detained for two months while the Immigration Judge gave ICE more and more time to discredit the birth certificate. The Immigration Judge finally terminated proceedings against Orlando, but not before he had lost his job and his apartment as a result of his time in detention.

These are just three of the many stories that Florence Project staff hear on a weekly basis. In addition to our work in the detention centers, the Project will soon begin working with local community organizations to reach out to foreign-born people who may have valid claims to United States citizenship. By helping people pursue their citizenship claims before they are placed in removal proceedings, we hope to avoid the needless detention that Gilberto, Amir, Orlando, and countless others have had to endure.

2006 FIRRP VOLUNTEERS

The Florence Project held its 5th Annual Volunteer Recognition Event on November 16, 2006 at Lewis & Roca in Phoenix, Arizona.

ASU Immigration Law Clinic receives special recognition for commitment to Pro Bono representation

Our sincere thanks to all of the volunteer interpreters, lawyers, doctors, students and others who assist the Florence Project and support the thousands of detained immigrant men, women and children in Arizona. On behalf of the immigrants, refugees and asylum seekers we serve, thank you!

Special thanks to all at Lewis & Roca for hosting the event!

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Dori Zavala, Esq., Zavala Law Offices LLC
Hector Zavleta
Phoenix radio station La Buena Onda 1190am and El Break morning show hosted a fundraiser at the Rio Sabor Brazil restaurant for formerly detained children now living in Phoenix. Through the hard work of the Children’s Initiative attorneys, five young adults are now free living in Phoenix and pursuing college degrees. At the event that took place on December 20th, community members generously donated $1,000 to help these young boys and girls pay for some of their education-related expenses. The evening was filled with music, dancing, food and friends. Special thanks to Luis Avila and Nuvia Enriquez of La Buena Onda for their efforts in coordinating this worthwhile and fun evening!

TORCH OF JUSTICE SOCIETY

FIRRP created the Torch of Justice Society to provide individuals with the opportunity to support FIRRP at higher financial levels and supply donors with certain benefits at all giving levels. All 2007 individual donations will be recognized with these levels.

FIRRP relies on the generous support of individuals, corporations, and foundations in order to provide its multitude of legal and social services. If you wish to make a tax-deductible donation, please visit our website www.firrp.org.

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Phoenix radio station La Buena Onda 1190am and El Break morning show hosted a fundraiser at the Rio Sabor Brazil restaurant for formerly detained children now living in Phoenix. Through the hard work of the Children’s Initiative attorneys, five young adults are now free living in Phoenix and pursuing college degrees. At the event that took place on December 20th, community members generously donated $1,000 to help these young boys and girls pay for some of their education-related expenses. The evening was filled with music, dancing, food and friends. Special thanks to Luis Avila and Nuvia Enriquez of La Buena Onda for their efforts in coordinating this worthwhile and fun evening!
Staff Corner

The Florence Project is pleased to announce the following staff additions:

MAX GARCIA, Social Service Coordinator
Max started with the Florence Project in March 2007. He graduated with a BA in Philosophy from the University of San Francisco. His work experience includes Case Manager for Youth Family and Enrichment Services, Family Advocate for Wu Yee Children’s Services and International Human Rights Accompanier in Guatemala.

RACHAEL KEAST, Eloy Staff Attorney
Rachael started in August 2006. She worked as an immigration paralegal before starting law school at UC Hastings. During law school, she interned at the SF Immigration Court, at the Center for Gender & Refugee Studies, and at Van Der Hout, Brigagliano & Nightingale. After law school, she returned to the SF Immigration Court as an attorney advisor.

ELISE MCCAFFREY, Children’s Legal Assistant
Elise started with the Florence Project in November 2006. She received her BA in Visual Arts from Brown University and Masters in Intercultural Service, Leadership and Management from the School of International Training. In between college experiences, she lived in Guatemala teaching English for 9 months.

LINDSAY MARSHALL, Pro Bono Coordinator
Lindsay started in September 2006. She received her BA in Political Science from the University of Michigan, JD from Northwestern University, and Masters in Criminal Justice Policy from the London School of Economics, where she studied global trends in immigration detention. She spent 3 years practicing general litigation in the DC office of Perkins Coie and working on immigration pro bono cases.

MELISSA MUNDT, Florence Legal Assistant
Melissa started with the Project in August 2006. She graduated from Macalester College with a BA in History with an emphasis in Latin American Studies. Since 2004, she has served as Field Coordinator at the Chiapas Peace House Project in Mexico.

LAURA POLSTEIN, Eloy Legal Assistant
Laura started in August 2006. She graduated from Grinnell College in 2004 and worked as an immigration paralegal for two years at Sanctuary for Families, an organization serving domestic violence victims in New York City.

CHRISTINA L. POWERS, Florence Staff Attorney
Christina started in August 2006. She received a BS in Political Science and BA in Philosophy from the University of Iowa and her JD from Georgetown University. In 2004, she interned with the United Nations High Commissioner for Refugees in Costa Rica. She recently united in marriage with Stentor Danielson in a small ceremony with the Justice of the Peace of Florence.

LIZ SWEET, Children’s Staff Attorney
Liz returned to the Project in September 2006, after previously interning with the Eloy team in 2004. She received her BA in International Studies from the School for International Training and a JD from Northeastern University. In addition to interning at FIRRP, Liz also did legal internships with Van Der Hout Brigagliano & Nightingale, the ACLU-Immigrant Rights Project and Greater Boston Legal Services Immigration Unit. She also has lived and worked in Mexico.
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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 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 work with the men, women, and children who are held in the U.S. as immigration detainees.

MISSION AND VISION
The Florence Immigrant and Refugee Rights Project, Inc., “Florence Project,” provides holistic, free legal and social services to immigrants, refugees, and U.S. citizens detained by the Immigration and Customs Enforcement (ICE) in Arizona for immigration processing. The Florence Project serves men, women, and children, including those with mental health and social service needs. The Project 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, working toward a more just and efficient judicial system for the rapidly increasing numbers of individuals in immigration detention.

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