Meet Silvestre

Every weekday at 5:30 a.m., Silvestre takes a bus to a construction site and moves earth in a land he longs to call home. The 18-year-old works with an uncle doing ground excavation for new housing developments in Tucson, Arizona. After work, he commutes back home to take online classes from a charter high school, studying math, science, and English. He also plays with his aunt’s dogs if he has time. But looming over everything is the threat of deportation.

In February 2020, Silvestre lost his asylum case. Whether he can remain in the United States will depend on the result of an appeal filed by his Florence Project attorney. Silvestre connected with our Children’s Program at age 16 after he fled circumstances in El Salvador that no child should endure.

“I want to learn English very well and to learn a lot about construction too. I’m already using heavy equipment,” Silvestre says about his schooling. His education in his home country was cut off when his mother stopped paying tuition. Silvestre began working full time at a young age, doing ceiling work to support himself after his mother stopped feeding him as well.

Sadly, Silvestre’s favorite class, the one that helped him cope with past trauma, is not offered online and is not safe to practice in a pandemic. As a student previously at a high school in Tucson, Silvestre excelled in Mexican dance: Baile Folklórico. He even taught his instructor and fellow
students traditional Salvadorian dances and went on to perform with a celebrated group at mariachi concerts in Southern Arizona.

“I miss it a ton,” Silvestre says. “I like how beautiful we look when we do well together.” While the girls twirled their dresses, the boys would tap, spin, and smile. Silvestre’s stress seemed to float away.

“My teacher used to say, ‘When you dance you forget your problems,’” Silvestre recalls. “That’s what I like about dancing. I forget everything that happened in my country—the difficult things in my past. I focus on giving a good show to the people watching because they have a lot of fun. They take many videos and pictures. I loved how famous we were, representing Tucson.”

In almost three years of working with Florence Project legal advocates and social workers, Silvestre has grown quite a bit. He took time to open up about his past and has since made incredible progress overcoming the difficult events he fled.

In addition to fighting his asylum case, the Florence Project applied for Silvestre to receive a Special Immigrant Juvenile Status (SIJS) visa—a form of relief for minors who suffered abuse, abandonment, or neglect in their home countries. The application was approved shortly after the immigration judge issued Silvestre’s removal order. But because of a backlog, SIJS visas take years to become available, and Silvestre can still be deported while he is waiting.

Historically, judges have allowed a child to wait for the SIJS visa to become available by granting continuances in their court hearings. However, over the past four years, courts have increasingly ordered deportations of children without allowing for pending SIJS visa applications to resolve, which is what happened to Silvestre.

“I thought the immigration police were going to handcuff me and detain me right there in the court,” Silvestre recalls, his voice quivering. “Then I thought they would come for me in the street or at my aunt’s house. I had many bad thoughts.” If the Florence Project had not filed an appeal, Silvestre would have been deported. What haunts him now is a recurring fear of the violent gangs in his home country. He’s also disturbed by the “ugly things” he’s heard said about migrants like himself in the U.S. “If I’m allowed to stay in the United States I will be recognized as a good person.”

Silvestre has become active in the Tucson community. He likes to make pupusas, flat cornmeal cakes filled with meat or cheese, to share at cultural events, including at soccer tournaments between immigrants from Mexico, El Salvador, Honduras, and Guatemala.

The young man offers his thanks to the Florence Project and its supporters for their help getting enrolled in the charter school, which fits better with his work schedule, and for assistance in securing online learning supplies. He says he hopes earning a diploma convinces the immigration court of his potential. But his attorney Rebecca Curtiss assures him it’s not about that. He has nothing left to prove. She will fight for his relief.

“Congress created the Special Immigrant Juvenile status in 1990 as a form of humanitarian relief specifically for vulnerable young people like Silvestre,” says Rebecca. “We are simply fighting for him to be able to study, dance, work, and grow up with the safety that he deserves.” Thank you for making this possible.
The change in presidential administrations signals a close to a challenging chapter for immigrants in the U.S. and for those seeking safety here. However, change will not happen immediately, and will require sustained efforts by immigrant rights advocates and supporters like you. Having experienced how fundamental injustices in the immigration system can be weaponized, we now have an opportunity to advocate for a new era of immigration policies, rooted in human dignity, justice, fairness, and equality for all people.

During the campaign, President Biden committed to ending the Migrant Protection Protocols (“Remain in Mexico”), protecting DREAMers, and supporting a pathway to citizenship for all undocumented people in the United States. We applaud the Biden-Harris administration’s early efforts toward these goals and urge the administration to not only fulfill these promises, but to go even further. There are many other cruel, dangerous, and inhumane policies that the Biden-Harris administration must end, including the Title 42 border closure, Safe Third Country Agreements, the Third Country Transit Ban, Expedited Removal, and harmful regulations proposed and implemented by the Trump administration. The Florence Project is committed to continuing to fight for justice and for our client’s fundamental rights and dignity.

Please visit our website to subscribe to our email list and follow us on social media (Facebook, Twitter, and Instagram) for real-time updates and advocacy opportunities regarding these policies, as well as stories of Florence Project clients impacted by them.

Building a Better Future

For 30 years and through six presidential administrations, the Florence Project has provided free legal services to detained immigrants, so we know that a change in presidential administration does not automatically lead to on-the-ground changes in the conditions or challenges our clients face, nor in the outcomes they can obtain. The roots of racism, oppression, and violence run deep in our immigration system. Thus, as we emerge from a dark chapter in our immigration history, we have not only the opportunity, but the moral imperative to confront and dismantle those grave injustices at the heart of our system. The hard work is just beginning.

The Florence Project’s vision for a just, humane immigration system rooted in human dignity includes the following:

- An end to immigration detention, which is cruel and punitive.
- Establishing an independent immigration judiciary that is shielded from changes in administrations.
- The creation of a public defender system in immigration court proceedings.
- Increased access to social workers.
An end to immigration detention, which is cruel and punitive. Our clients often report abusive conditions, inedible food, and lack of access to medical and mental health care. This has only gotten worse during the COVID-19 pandemic. Being detained also makes it much more difficult to fight an immigration case, as it is next to impossible to access the necessary resources and gather documentation to support an application for legal protection in detention centers that are often remote, where phone calls are expensive, and where individuals do not have easy access to support systems.

Establishing an independent immigration judiciary that is shielded from changes in administrations. Currently, immigration judges are housed in the Department of Justice, part of the Executive Branch of government, meaning that the Attorney General, a political appointee, has broad authority to interpret immigration law and dictate how it is applied. This leads to undue influence from the executive branch on immigration laws. For instance, in a particularly egregious case, former Attorney General Jeff Sessions intervened on a case and ruled that asylum applicants who have been the victims of crimes by private actors generally do not qualify for asylum, including most victims of gang violence and domestic violence. With an independent immigration judiciary, the administration of immigration law would be free of ever-changing political pressures and influence.

The creation of a public defender system in immigration court proceedings. Public defenders are a cornerstone of our judicial system, and in many court proceedings, everyone has the right to an attorney at no cost, regardless of financial circumstances or immigration status. This is not the case in immigration proceedings. If someone facing deportation proceedings cannot afford to pay for an immigration attorney, they must either find a pro bono attorney or represent themselves against a trained government prosecutor. This is a grave injustice.

Increased access to social workers. As advocates, we are committed to meeting our clients where they are
and ensuring that they are treated with dignity and respect. Social workers, and access to holistic social services, are necessary to achieve this vision and ensure that clients’ needs, which may be ancillary to a client’s legal case but are nonetheless critical to the client’s health, welfare, or human dignity, are met. To this end, Florence Project social workers advocate for our clients to receive the medical and mental health care they need, as well as support with other transitions, such as enrolling in school, accessing benefits, or finding housing. Such supportive services are vital and should be provided broadly to all of those who need them in removal proceedings.

This is a bold vision, and we know that it will take hard work to achieve it. We also know that it likely won’t happen overnight and even may not happen under this administration. Yet, as we see every day with our work, the stakes are high; the consequences of these destructive, cruel systems and policies can be deadly. It is as important now as ever to keep advocating for these key changes as we strive towards justice and humanity in immigration.

How can you help achieve this vision? Speak up in your communities and to your legislators. Share your talent and treasure with the Florence Project and our clients. The road to undoing the damage of the last four years and building a better immigration system is a long one. Together we can make change. Thank you for walking along with us and our clients.
Standing by Our Clients: Social Work from Six Feet Apart

One year ago, on the week that the World Health Organization declared COVID-19 a global pandemic, our Social Services Team canceled an annual client appreciation event at our Phoenix office. They divided a buffet of Central American food into to-go boxes and updated the gift bags to include hand sanitizer, for those who didn’t have any. The team, along with the entire Florence Project staff, shifted to remote work then for the foreseeable future—and they didn’t miss a beat.

To highlight just one case, our social workers continued to assist Rodrigo, a Mexican immigrant, during his detention and after his release. Rodrigo has diabetes. While detained, he told Mayra Alvarado, Managing Social Worker for the Florence Project, that Eloy Detention Center failed to provide his medication. Mayra sent Rodrigo’s medical records to Eloy in a letter spelling out his needs. Soon, he received the medicine. Mayra also advocated that Rodrigo’s kosher diet be accommodated in accordance with his Jewish faith.

Suddenly in November, ICE told Rodrigo he was being released. For seven months, the agency had not complied with a court order to free people at risk of severe cases of COVID-19. Then, on Election Day, it adhered to the judge’s ruling—with zero planning. Rodrigo didn’t have time to figure out where he would stay.

“They took me in a vehicle and dropped me off in downtown Phoenix and I didn’t know what to do,” Rodrigo says. “It was 7 or 8 p.m., pretty dark. They dropped me off at the Greyhound bus station, and Mayra was there! I was so surprised.”

Florence Project client Rodrigo.
Our social workers scrambled to assist people released that day, figuring out where each client was dropped off and arranging housing or transportation, all the while maintaining safety parameters.

“It took the whole team,” recalls program manager, Kaitlin Porter. “We were relaying people between four or five different locations, and we had attorneys texting and calling us with information of when and where clients were getting released, which made it feel very Apollo 13 Command Center.”

Each client received a backpack with food and water, facemasks, hygiene products, informational pamphlets, and a cell phone. Rodrigo says, “It’s a wonderful thing you guys do for us. Not just me, but all the people I know who were helped by the Florence Project are so happy.”

“Our social workers will continue to safely respond to client crises and detention releases, providing resources for COVID-19 tests and locations for people to quarantine when possible. The team delivers emergency food, hygiene products, and baby supplies to released clients struggling to meet their basic needs. It also keeps clients informed of the latest public health guidance. All of this is in addition to the advocacy our social workers do every day to help clients successfully adjust to life in this country.

“I always appreciate my team because of how adaptable they are,” Kaitlin says. “When new situations arise for our work, they quickly problem solve and adjust to it.”
This spring marks the third anniversary of the height of the tragic family separation crisis. In 2018, thousands of children were torn away from their parents or guardians at the U.S. Mexico border and detained in stark conditions, causing severe trauma.

Delmy and her 10-year-old son Carlos (portrayed here) were among the hundreds of families the Florence Project served during this months-long crisis. Their story must be heard, and never forgotten.

In May, the Florence Project will publish a booklet chronicling our clients’ visceral experiences and our staff’s valiant response. The vivid history includes reflections on the route from Central America to the U.S., passing through Border Patrol holding cells, courtrooms, ICE detention centers, and of course the children’s shelters where kids spent weeks or months distraught and asking for their parents. Thankfully, Delmy and Carlos were reunified. However, hundreds of families remain separated to this day.

This booklet will be free to download at firrp.org/familyseparation and can be previewed now. Thank you for your support, which enabled the Florence Project to respond to this heartbreaking crisis and advocate against cruel policies.