



ILAP

The Immigrant BEACON

IMMIGRANT LEGAL ADVOCACY PROJECT

FALL 2017

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Our Mission:

The **Immigrant Legal Advocacy Project** helps low-income immigrants improve their legal status and works for more just and humane laws and policies affecting immigrants.



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A Search for Peace and Safety

“Francine” and her husband landed in New York in 2011. **Francine was suffering severe injuries, the result of torture in her native Burundi.** She and her husband met someone in New York who helped them get onto a bus to Portland.

“The person in New York said she couldn’t help me because of my health,” Francine said recently, speaking methodically through an interpreter in ILAP’s Portland offices. “She said I should go to Maine. We didn’t know anything about Maine, but people said many good things. They put us on a bus and gave us a map to Portland, and we got help.”

Francine had owned a restaurant and shop in Burundi, a small country on Rwanda’s southern border. She traveled regularly to Dubai to purchase cell phones and brought them back to sell. She paid the import tariffs—and officials hounded her for bribes. “If you gave a bribe to one of them he or she would tell another person,” Francine said. “If you refuse, they kill you or put you in jail.” She was beaten, imprisoned and tortured.

The couple had to escape, so they secured tourist visas to the United States. “I had heard that America is a place where there’s no discrimination, where there’s peace and safety,” she recalled. “I needed that.” But to get away quickly they had to leave their five sons, ages eight through 16, and their six-year-old daughter.

War erupted in Burundi soon after their departure, and the children fled to Rwanda. “This was so hard, for them and for me,” Francine recalled. “I was afraid the people who had hurt me would find them in Rwanda and kill them. I had no hope of seeing them alive again.”

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A barrage of new immigration policies and ICE enforcement actions continue to threaten our most vulnerable communities, including children and refugees.



SUE ROCHE
Executive Director

Staff at ILAP and organizations around the country are using the law to assist clients who are impacted, and to challenge these harmful policies.

At ILAP we continue to provide immigration consultations, legal assistance, and

representation to immigrants throughout Maine who have nowhere else to turn. We also advocate for systemic change. This year, we have submitted declarations in support of two federal lawsuits challenging the administration’s actions; we have joined numerous sign-on letters; and staff and board members have spoken at rallies, to the press, and at events across the state to educate people on what these new policies mean and how they will impact immigrants in Maine.

Most recently, the target has been children. Since the administration announced the end of the DACA program, we have seen heartbroken clients who are fearful and confused. Many have told us they trusted the government. They followed the legal process and submitted their applications, paid the fees, with the belief that they would be able to work and live freely in their communities. They now fear that they and their families may be at risk of deportation, and of losing everything they have been working towards.

When we first started to help DACA clients in 2012, they told us how grateful and hopeful they were about the opportunities

that work authorization would bring. Many explained how difficult it was to be living in fear of deportation. Those nearing high school graduation described how they were unable to make plans for college or a career like their friends, because they lacked legal status. Getting DACA changed everything for them.

Many of our DACA clients are now in college, graduate school, or working in Maine. They have started career paths that will end if they lose work authorization. Those who are in college need work authorization so they can work to pay for their education because they do not qualify for federal loans. Many are worried about the impact on their families. They are supporting their parents and U.S.-citizen siblings: buying school supplies, driving their siblings to school, and helping to pay for the family’s basic necessities. If they lose work authorization, their families may face homelessness and food insecurity.

ILAP staff are providing free legal consultations to DACA recipients, and traveling around the state to conduct outreach with immigrant communities. We will continue to help our clients on an individual level, while we also advocate for maintaining DACA protections and providing a path towards permanent legal status through the DREAM Act. Thank you for supporting our work and for your role in fighting back against these injustices!

SUE ROCHE
Executive Director

A Search for Peace and Safety

Continued from Cover

The couple worked with Meg Moran, now an ILAP staff attorney. She secured asylum status for them quickly, but attempts to bring over the children initially met with little success. “Meg put so much energy into this,” said Francine. “She did everything she could. When I cried, she cried as well and tried to comfort me.”

The dedication and persistence ultimately paid off. The two youngest sons were granted asylum in 2013, two more children arrived last year, and the oldest followed in July, 2017.

Today Francine and her husband are working and have green cards. Her health is stable. The children are catching up on schooling missed while fleeing violence. “We try to be with the kids most of the time,” Francine says. “After work I pick up my youngest one from school. At night we talk about the Gospel and pray together before we go to sleep.”

She continues: “It’s hard to say how I feel. Maybe if someone could look inside my heart they could see it. I am so happy and thankful in this moment, but I also cannot forget my situation in the past.

“I really thank America and everyone who helped me get where I am now. I thank ILAP and everyone who did anything for our case. I also thank Meg. I don’t know what I can do to thank her, but I pray God may bless her more.”

Finally, in careful English: “God bless you all.”



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Development Update

ILAP thrives because of our community and this year, that has been more important than ever before.

Thank you for being a partner in helping immigrants navigate the treacherous waters of immigration. Thanks for being there to support assistance for simple tasks, like work authorizations, which have a big impact on daily life, and for the big ones, like representing asylum seekers. Thank you for making Maine global in its view and local in its care of neighbors.

We have a long road ahead and hope to be able to meet more of the need into the future. When you see ILAP’s annual appeal, we hope you will return it, keeping in mind the very tangible effects of legal status it provides to a population among us who have been embattled this year, right here in our state. This is humanitarian work that furthers social justice in our communities. Thank you for your generosity to keep our work vital.



CeleSoirée 2018

Make a plan to join the fun at our annual celebration of immigration, CeleSoirée 2018! Mark **March 23** on the calendar now and join us for fantastic, locally-made international food, spectacular entertainment and an evening to celebrate at Ocean Gateway! Tickets go on sale in January!



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ILAP’s fiscal year ends December 31, 2017. Look for our annual appeal in the mail in November or donate online anytime.

Thank you!

How You Can Help ILAP

It’s never been more important to support justice for immigrants in Maine. To donate, use one of these options:

- Make a check out to ILAP and mail it to us in Portland
- Donate through our secure link online: www.ILAPmaine.org
- Make your online donation to ILAP recurring, by the month, quarter or year
- Transfer a gift of stock to ILAP; contact Olivia Orr at oorr@ilapmaine.org
- Call Loretta Prescott about an estate gift, at 207-699-4407

DACA Rescission Leaves 800,000 Young People in Fear of Deportation

On September 5th, President Trump rescinded the DACA Program - Deferred Action for Childhood Arrivals, giving a six-month sunset and a deadline of October 5th to submit final renewal applications. This action has sent a shock of anxiety through Maine's immigrant communities and across the country.

DACA was a program initiated by President Obama in 2012 to provide temporary work authorization and protection from deportation for children who entered the United States at a young age and who met other requirements. DACA was created through an exercise of prosecutorial discretion, which gives the President authority to set enforcement priorities and to grant "deferred action" to individuals the government does not plan to deport. The DACA program was created in response to Congress's continued failure to pass legislation, through the DREAM Act, that would have provided these children permanent legal status.

This action will impact 800,000 young people across the United States who will lose work authorization and face possible deportation. USCIS data shows that as of June 30, 2017, 98 individuals in Maine had been granted DACA and 422 renewal applications had been approved. ILAP has helped many clients

apply for DACA. We have seen our clients use this opportunity to go on to college, get jobs, and to begin to build their lives and give back to their communities. They are now fearful of losing their right to work, study, and remain in the United States. ILAP has offered free legal consultations to any DACA recipient in Maine and we have conducted outreach to affected communities across the state.

Maine's Attorney General Janet Mills has joined other states in a lawsuit filed by the State of California challenging the legality of DACA rescission. The complaint argues that the states and their residents will suffer an undue economic hardship if DACA is terminated. ILAP submitted a declaration in support of this case. Similar lawsuits have been filed by other states across the country.

DREAM Act Would Provide a Path to Permanent Legal Status for DACA Recipients

Since DACA was rescinded, pressure has mounted for Congress to provide a legal path for those who will lose DACA. This has increased interest in the DREAM Act of 2017 that was introduced in July by Senators Lindsey Graham (R-SC), Dick Durbin (D-IL), Jeff Flake (R-AZ), and Chuck Schumer (D-NY). This bipartisan bill would provide a path towards legal status, and eventually citizenship, for children who entered the United States without legal status and who meet specific requirements including graduating from high school and attending college, entering the workforce, or enlisting in the military.



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Other proposals have been presented in Congress, but the DREAM Act is the most expansive. The BRIDGE (Bar Removal of Individuals who Dream and Grow our Economy) Act would protect DACA recipients temporarily, but would not provide them a path towards permanent legal status. The RAC (Recognizing America's Children) Act is similar to the DREAM Act in that it provides a path towards permanent legal status, but it has more restrictions.

On October 9th the administration released its "White House Immigration Principles & Policies" which lays out priorities for immigration law and policy. The administration has indicated that these priorities will need to be part of any legislation to protect Dreamers. The list contains many restrictive proposals including the elimination of important protections for unaccompanied minors and refugees, and significant increases in funding for immigration enforcement and building a wall at the southern border. ILAP and other advocacy organizations across the country strongly oppose these proposals, which would further erode due process and fairness in our immigration laws.

Travel Ban 3.0 Blocked by Federal Courts

In a third attempt to restrict the travel of individuals from Muslim majority countries into the United States, the administration announced a third travel ban on September 28th. The ban was partially blocked by federal court judges in Maryland and Hawaii one day before the ban was scheduled to go into effect on October 18th. The travel ban would have applied to eight countries, including: Chad, Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen. The restrictions were country-specific, impacting different types of visas for each country. This travel ban would impact individuals in Maine, including ILAP clients who are in the process of petitioning family members to join them in the United States.

The Supreme Court was scheduled to hear oral arguments on the second travel ban on October 10th. The Court cancelled arguments when the new travel ban was issued. For more details on the travel ban and other immigration news, ILAP Advisories are available at www.ilapmaine.org.

Sheriff Joyce Refuses to Honor ICE Detainers at the Cumberland County Jail

On September 14th, Cumberland County Sherriff Kevin Joyce sent a letter to ICE to inform them that he will no longer comply with detainer requests to hold individuals beyond their scheduled release dates, unless the detainer is accompanied by a judicial warrant. Sheriff Joyce explained in his letter that he would be violating the law to hold individuals in jail without probable cause. This decision followed several federal court cases across the country, which held that ICE detainers are unconstitutional. In one case, a U.S. Citizen was held unlawfully on an ICE detainer. York County Sheriff William King also announced that he would not comply with ICE detainer requests. Several other Maine sheriffs were reported to express similar concerns related to ICE detainers. Following this, Governor Paul LePage notified Maine's sheriffs that he would use his constitutional power to remove them from office if they refused to comply with ICE detainers. Since that time, Governor LePage was reported to have met with all 16 sheriffs to resolve the issue. They were reported to have discussed an agreement, but as of the time this newsletter is going to print there were no details available.

Immigration enforcement has increased across the country, and in Maine, since the beginning of the year. The administration has prioritized local law enforcement participation in the execution of federal immigration law priorities. This conflicts with local law enforcement agency priorities of building trusting relationships with immigrant communities and ensuring public safety. It also puts financial pressure on local law enforcement agencies that do not have the resources or expertise to enforce federal immigration laws.

PRO BONO PANEL UPDATE

ASYLUM PRO BONO PANEL STRONG AND GROWING

Maine attorneys, some motivated by the current anti-immigrant political climate, continue to offer their considerable legal talents to help and protect asylum seekers. **Our panel members now total more than 160 volunteer attorneys.**

These lawyers carry some 125 open asylum cases. Three quarters of our current cases are before the United States Citizenship and Immigration Services (USCIS) agency and the rest must be argued before the Immigration Court in Boston. Without legal counsel, most asylum cases fail.

ATTORNEY TRAININGS

ILAP held another training in September for new ILAP *pro bono* panel attorneys. ILAP staff attorneys Meg Moran and Jennifer Bailey presented on asylum law and procedure. Attendees at this training and our previous March

training have responded enthusiastically and in 2017 ILAP has been able to place all our screened and vetted asylum cases with volunteer legal counsel.

PRO SE ASYLUM WORKSHOPS

Because there are hundreds more asylum seekers in the area than we can place with our *pro bono* panel, ILAP holds monthly workshops for unrepresented asylum seekers to provide an overview of asylum law, potential bars to asylum, and to orient people on the process of applying for asylum on their own. So far eight of these workshops have benefitted more than 100 people from countries such as Democratic Republic of Congo, Angola, Djibouti, Burundi and Rwanda. In conjunction with the U. Maine School of Law, we also offer workshops on preparing your asylum declaration and gathering supporting evidence.

Different Cities, One Letter Difference

Linnea Brandt was ILAP's Jesuit Volunteer for 2016-17. While living in community with other volunteers in Portland, Linnea assisted clients in citizenship, work authorizations and other Immigration Clinic cases, and was a familiar face at **ILAP's** front desk. Linnea brought a calm and intelligence to ILAP that belied her 22 years. We wish her the very best in her new position in Boston at **PAIR**, an organization doing similar work to ILAP.

BIENVENUE!

Wilkommen, Welcome!



Treva DeMaynadier joined ILAP as Legal Program Assistant in early summer. A recent graduate of Oberlin College, where she spent a semester in Guatemala, Treva spent the summer of 2015 conducting an ethnographic survey of the Maine Migrant and Seasonal Farmworker population in

Presque Isle and Milbridge, Maine. She has worked in a similar position at Ascentria Care Alliance in Worcester, MA, and is fluent in Spanish.



Nick Pangakis is our Jesuit Volunteer Corps Legal Support Associate for 2017-18. He recently graduated from Boston College and studied abroad in Greece, which sparked his interest in immigration. Nick brings experience as an intern with the Suffolk County District Attorney's Office in Boston and hopes to attend law school.

Forewell and Well Wishes!

ILAP is fortunate to host summer interns each year who help us serve more clients, and learn about immigration law while here for the brief Maine summer.

Victoria Lowrie was a summer fellow at ILAP through Bowdoin College's McKeen Center. Victoria assisted our clients with forms and supported work in the Immigration Forms Clinic for 10 weeks this summer. Victoria is in her senior year at Bowdoin.

Sean Turley was ILAP's Maine Law School intern this summer. He assisted with asylum work and supported the legal department. Sean is in his second year of law school.

ILAP hosted **Lily Woodward** in summer 2016 as a Bowdoin fellow and this summer Lily returned as a part-time development assistant after graduating Bowdoin in May and before starting law school at Maine Law School this fall.

Thanks to each of our summer staff who made our work a little lighter and our workplace a little brighter!



DONOR SPOTLIGHT Jean Smith



My husband and I are proud to be supporters of ILAP in Maine. We believe in the value of bringing immigrants into our country, and strongly oppose the current administration's attempts to curtail immigration and refugee resettlement.

America is a country of immigrants. The fabric of our democracy is richly woven with diversity. We believe that the future of our country is dependent upon encouraging and honoring diversity, just as our past success has been dependent upon that very theme.

We do believe that immigration should be orderly and regulated, which makes it dependent upon a navigable legal system. Current immigration policies and procedures create a maze of inconsistency and uncertainty. ILAP is uniquely positioned to provide information and assistance to the vulnerable immigrant community, and to influence the development of reasonable policies through advocacy and political action education.

Each immigrant arrives with a human story; most filled with hardships unknown in America. Most had no real option, risking everything with the hope of safety and opportunity. We need immigration policies based on fairness, openness, and humanitarian concern. Immigration policies based on fear and prejudice do not serve our country well. Becoming more isolated and insular only makes us narrow in thinking and action, and ultimately, in achievement. America First is a worthy goal when applied with humility—we should be first in freedom, first in opportunity, first in generosity. That is our history, and what made the country great.

Our family has been personally enriched by the diversity created by immigration. Two of our three sons are immigrants—adopted from foreign countries where they were abandoned in early childhood. They don't look like us (or each other), and they are beautiful. Most of their personal stories of early life are unknowable, and we bow to that painful mystery. Having them as part of our family has challenged and inspired us to live with more open hearts.

We hope America will continue to provide a "golden door" to people of all colors and faiths. We applaud ILAP for working diligently to that end, and invite you to join us in supporting the effort.

■ ILAP sent four legal staff to the **American Immigration Lawyer Association (AILA) National Conference** in New Orleans in June. This conference took place over three days, during which participants learned from immigration law experts across the country. The AILA National Conference is the largest gathering of immigration attorneys in the country.

■ This fall, ILAP's outreach focus turned to **Deferred Action for Childhood Arrivals (DACA)**. In September, the Administration terminated the DACA program, which had provided protection and work authorization for young people who entered the country without legal status. ILAP staff reached out to clients we had assisted with their DACA applications to make sure they were informed about DACA rescission and that they understood the deadlines and their legal options. ILAP staff have been offering free legal consultations for anyone in Maine who has DACA.

■ **Project Citizenship** and ILAP have enjoyed a funding partnership since 2016. Project Citizenship provides funding and resources to support ILAP's citizenship applications assistance and citizenship workshops. This year, we have already exceeded our annual goal of 75 applications. In September, ILAP held a Citizenship Workshop at Pierce Atwood. ILAP staff provided a training to Pierce Atwood attorneys, and then those attorneys helped clients complete their citizenship applications.

■ ILAP has increased its presence in **Washington County**, through the **Milbridge Project**. The project began in 2016 with dedicated funding from Machias Savings Bank, the ESO Endowment Fund at the Maine Justice Foundation, and the Betterment Fund. ILAP staff travel to Milbridge every other month to provide legal services in donated space at Mano en Mano. Staff provide legal consultations, meet with clients, and provide education and outreach to immigrants in Washington County, so that they are aware of the new laws and policies and understand their legal rights.

■ ILAP's **Asylum Project in Lewiston** is now in its second year. We are grateful to the Lewiston Learning Center leadership and staff for providing meeting space and friendly support for ILAP's weekly Thursday appointments with asylum applicants seeking information and guidance.

During our first year, we assisted more than 175 people in individual consultations and approximately 200 people in workshops and outreach programs. We could not have helped so many people without the generosity of the **French Department at Bates College**, whose students have been providing us free French language interpreting for our consultations. We are so grateful for the dedication, professionalism, and excellent work these talented students contribute to our efforts.

Another key collaboration in Lewiston we are excited and thankful about has been the significant commitment the attorneys at **Berman & Simmons** have made to the work of ILAP's *Pro Bono* Panel. Berman & Simmons has responded in a big way to our call for *pro bono* legal representation of asylum seekers in Lewiston, and many asylum applicants are now benefitting from representation by these dedicated, experienced trial attorneys who are devoting their superior skills and resources to the cases they've taken on.



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ILAP Services

INTAKE for new clients, or former clients with new matters, takes place every Friday by appointment.

Appointments for Friday Intake can be made any weekday except Wednesday by calling the ILAP office at **207-780-1593** or by coming to the office between 9 and 5. Friday Intake appointments can be done in person or by phone. **Everyone must first have an Intake appointment** before consulting with an ILAP attorney or getting help in our Forms Clinic.

■ ILAP offers extended attorney consultations on immigration legal issues each month in Portland and Lewiston, as well as bi-monthly in Milbridge, for those who have gone through Intake. For those who cannot travel to those locations, we offer consultations by telephone or Skype. ILAP also offers emergency consultations for clients referred by other service providers and for those with pressing issues of safety. ILAP attorneys may also provide full representation to vulnerable clients with complex cases before Immigration hearing officers and courts.

■ ILAP's Forms Clinic helps people to understand, fill out, document, file and follow the progress of their immigration applications. The Clinic also assists applicants who must progress through additional complicated steps on their way to a final result.

■ ILAP assists asylum seekers to find lawyers through its asylum *pro bono* panel. ILAP also collaborates with the Justice for Our Neighbors program and the University of Maine School of Law to offer regular classes for asylum seekers who have no lawyer and are filing their own asylum applications.

■ ILAP offers education and outreach programs, by request, to organizations and service providers on a range of immigration topics. We take part in training programs for legal, medical, law enforcement or other personnel who work with immigrant communities. We also participate in advocacy to improve laws and policies that affect Maine's immigrants.

ILAP Office:

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