

ABLE IMMIGRATION ADVOCACY PROJECT REPORT TO THE COMMUNITY



The Immigration Advocacy Project at Advocates for Basic Legal Equality, Inc. (ABLE) provides quality legal services to immigrants and refugees in Ohio. We also share critical information and updates with community partners who serve these same communities. ABLE's advocacy focuses on keeping families together, protecting victims of crime, and building a stronger community.

Our local work is made possible by the commitment of our funders, including Borealis Philanthropy, Columbus City Council, Consulate of Mexico in Detroit, Consulate of Mexico in Indianapolis, Dayton Police Department, Greater Toledo Community Foundation, Justice for Migrant Women, Ohio Access to Justice Foundation, Ohio Department of Mental Health and Addiction Services, United Way of Greater Toledo, and many supportive individuals.

The challenges and difficulties of 2020 carried into 2021 as we continued to brave the pandemic. Outreach initiatives, client meetings, court hearings, community education events, and gatherings of any kind typically done in person, had to be adjusted to address continuing Covid-19 safety concerns. Once again, ABLÉ staff rose to the occasion and found unique ways to serve our clients and advance racial and immigrant justice.

For years, images of vulnerable people, including young children, seeking safety in the United States saturated the news and social media. At the invitation of an interfaith group of clergy members, ABLÉ organized and led a virtual community conversation about the situation at the southern border—helping distinguish fact from fiction and learning how southern border policies impact us in Ohio. We partnered with an immigration attorney who practices on the southern border and has first-hand experience with the situation.



To help build local capacity around immigration and civil rights issues, ABLÉ conducted a four-part “Train the Trainers” series for a group of Latinx Northwest Ohio residents. In partnership with the organization, the sessions provided members with legal information on various topics ranging from tax issues to DACA updates, to their rights and obligations in encounters with law enforcement. This information empowers the organization leadership to, in turn, disseminate and apply the knowledge among their community as necessary, particularly when strategizing on campaigns, causes, and projects. This approach builds confidence among the leadership and strengthens trust in the community where these leaders live and serve.

Despite the pandemic, we followed through on our annual commitment to visit as many registered agricultural labor camps as possible. In response to Covid-19, we updated and distributed Spanish-English plastic outreach bags for agricultural workers and immigrant communities. These bags allow ABLÉ staff members to continue reaching these communities with critical information while practicing social distancing. In 2021, we visited more than 100 agricultural labor camps throughout Ohio.



During these periods of physical isolation, we have learned how important it is that we emphasize to agricultural workers, immigrants, and refugees their right to access mental and physical health services, including Covid-19 vaccinations, testing, and treatment. Because of their race, ethnicity, language ability, immigration status or perceived status, our clients regularly experience hostility, racism, and other barriers. Policies and laws change regularly. News sources and social media frequently add confusion and uncertainty. All these factors lead our clients to question whether it’s safe or wise to access services. For example, we have seen client communities express unnecessary worry about “public charge” issues related to accessing mental health and physical health services, including Covid-19 vaccinations. Thus, ongoing clear, accurate communication with our client communities is vital.

ABLÉ continued to reach thousands of workers and their family members throughout the year and educate our community partners and leaders, within an array of creative formatting.

ABLE has continued to respond to the persistent problem of racial profiling faced by our clients throughout the state at the hands of federal, state, and local law enforcement agencies. Over the past few years, ABLE has led the way in litigation and advocacy against racially discriminatory law enforcement agencies, including the Ohio State Highway Patrol and the Ohio Department of Natural Resources. ABLE has sued officers of both agencies for stopping and questioning Latinos in a racially discriminatory manner and for illegal cooperation with the U.S. Border Patrol. In partnership with the American Immigration Council, ABLE has also undertaken long-range transparency work through Freedom of Information Act (FOIA) requests meant to expose racially discriminating enforcement practices by the Border Patrol, Immigration and Customs Enforcement, and state and local law enforcement agencies. This work is ongoing but will likely yield valuable data and further understanding about the practices of these agencies that will be useful in future advocacy efforts.

In addition to litigation and FOIA advocacy, ABLE attorneys also presented at a statewide conference designed specifically for legal aid attorneys and advocates seeking to expand their knowledge about civil rights litigation. Our attorneys shared their insight and practice tips from their own experiences with racial profiling litigation and other civil rights work. Although these cases are difficult to win given the current state of the law, we look forward to continuing to partner with community organizations to advance racial justice and challenge discriminatory policing using a variety of advocacy strategies.

We have also increased our pro bono capacity serving local immigrants. In May 2021, a partner at a private law firm served as lead counsel with ABLE's co-counseling support and guidance. The client applied for asylum claiming persecution on the basis of his religion, nationality, political opinion, and membership in a particular social group, after being raped and facing police brutality abroad. The pro bono attorney assembled and filed an asylum application and more than 350 pages of supporting documentation with U.S. Citizenship and Immigration Services on behalf of this client seeking safety in the United States.

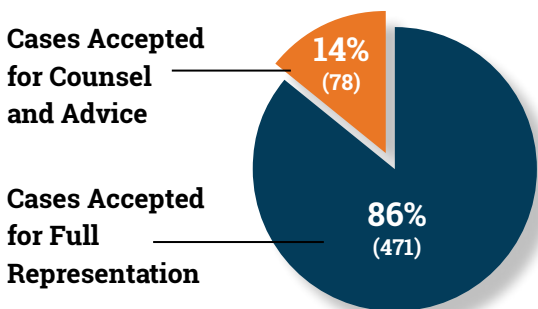
Despite our accomplishments, there remains a significant unmet need for legal representation and immigration advocacy for low-income immigrants. More than 15,500 removal cases are currently pending before the Cleveland Immigration Court, which has jurisdiction over all of Ohio. Even though the devastating effects of deportation and the complexity of immigration law are well established, there is no right to appointed counsel in immigration court. Immigrants are being denied a fair opportunity to assert their legal rights simply because they have no one to stand with them before a judge.

How ABLE's Immigration Advocacy Project makes a difference:

In 2021, in addition to our outreach, ABLE reached more than 950 people through 26 community presentations, including virtual and in-person sessions. We reached thousands more with written and online materials.

Results of Screening and Investigation

Because of ABLE's in-depth screening, the majority of individuals were eligible for immigration benefits and retained ABLE to represent them in their applications for relief.



	Northwest Ohio	Miami Valley	Rest of Ohio
Family Stability and Reunification (including Refugee Adjustment of Status)	135	20	31
DACA	38	15	3
VAWA, U Visa, T Visa	13	34	11
Naturalization and Citizenship	52	8	0
Immigrant Children	5	16	78
Asylum	11	6	29
Other	28	5	11

In addition to the case numbers above, ABLE represented 68 people in removal/deportation proceedings in 2021.



Karla fled her native Honduras with her younger sister after the vicious murders of her relatives—an aunt and two first cousins—and being subjected to physical assaults and death threats herself by Gang 18. Honduran gangs operate through violence and terror, and Karla had been targeted by Gang 18 for her political opinion. A university student, she relocated to another city to escape the gang members threatening and assaulting her. Despite the move, the same gang members who killed her family members and had continued to threaten and assault her, found her again. She and her sister fled to the United States where she was detained and later released after she passed a credible fear of persecution interview with the U.S. government.

ABLE is representing Karla in removal proceedings before the Cleveland Immigration Court, filing an asylum application for her, hiring an expert witness on country conditions in Honduras, and representing her at trial. We are currently awaiting a decision. Additionally, ABLE represented Karla in obtaining a work permit. She is currently working to help support her mother and sister. ABLE is also representing her sister in both Immigration Court and obtaining a Special Immigrant Juvenile Status visa.



Aung came to ABLE in 2015 seeking assistance reuniting permanently with his family. He originally came to the United States from Burma (now Myanmar) seeking asylum. He is a member of the Kachin ethnic group, a predominately Christian group who have been persecuted for their religious beliefs and ethnic identity for decades. Aung was jailed and beaten because of his identity. Before requesting services from ABLE, an immigration judge denied Aung's asylum case and entered an order of removal against him. Several years later, his wife and daughters came to the United States as refugees based on the exact same fears of persecution that the previous immigration judge had found insufficient to merit asylum. The family was reunited in Ohio, but Aung had no lawful status to ensure they could stay together.

ABLE assisted Aung's wife in filing a petition for her husband as an immediate family member of a refugee. In 2016, Aung was finally granted refugee status. Aung wanted to become a lawful permanent resident, but the law would not allow him to adjust his status while he had an outstanding removal order. In 2020, ABLE filed a motion asking the immigration court to exercise its authority to reopen Aung's case, vacate the deportation order, and terminate proceedings. In September 2021, the immigration judge granted Aung's motions and terminated proceedings. Now that Aung has no barriers to applying for his green card, ABLE has filed his application for lawful permanent residence with U.S. Citizenship and Immigration Services, where it remains pending.



Angela and **Roberto** are siblings who came to the United States as children. They are indigenous Guatemalan, and their first language is Akateko. Roberto was originally brought to the United States by his mother, who soon abandoned him after entering the country, and Angela traveled to the United States alone. Angela was detained at the southern border and then released to her father in Ohio; she was also placed in removal proceedings. Both children reunited with their father who had come to the United States years earlier to support his family in Guatemala. He is almost blind and could not find work there.

While ABLE was representing both Angela and Roberto in their Special Immigrant Juvenile Status (SIJS) applications, Angela was raped by a then-trusted family friend. Because of Angela's helpfulness to law enforcement concerning the rape, ABLE also filed a U-visa application for victims of certain crimes on her behalf. Fortunately, Angela and Roberto's applications for SIJS were quickly granted, and they obtained lawful permanent residence in 2021. Angela is no longer in removal proceedings, and both Angela and Roberto are grateful for ABLE's assistance in navigating our complex immigration laws. Angela and Roberto live and study in rural Ohio.
