



FLORENCE
IMMIGRANT
& REFUGEE
RIGHTS PROJECT

Annual Report 2009

Mission Statement

The Florence Project provides and coordinates free legal services and related social services to indigent men, women, and unaccompanied children detained in Arizona for immigration removal proceedings. The Project strives to ensure that detained individuals have access to counsel, understand their rights under immigration law, and are treated fairly and humanely by our judicial system.

A Message from the Executive Director

At the close of 2009, the Florence Project marked twenty years of work providing access to justice for immigrants detained in Arizona. As we recognize our accomplishments in this annual report and at events in the coming year to commemorate our anniversary, we also know there is much work to be done. This year we saw an administration change and welcomed announcements recognizing the need for detention reform. Yet as policy change is debated at the national level and in the public arena, on the ground we continue to confront an emergency need for legal and social service assistance for vulnerable individuals who face permanent exile from the U.S. or deportation to a country where they have fled abuse, persecution or torture. We also continue to witness the impact of detention on people who pose neither a flight risk nor a danger to the community, as they are forced to fight their cases from remote prison facilities separated from children, spouses, parents, siblings and whatever support networks they have or could form if released. 2009 also presented a continuing economic recession that impacted our staff greatly as we scaled back expenses and tightened our belts. Despite this hardship, we are proud to have emerged in good financial health and know this is a testament to our loyal and generous donors who also experienced hard times but still managed to give to others. We enter 2010 with renewed faith in our mission after reflecting on our twenty years of innovative work and thinking about what the Florence Project can accomplish in the coming years.

A Summary of our Services

The People We Serve

Our constituency consists of over 3,000 immigrant and refugee men, women and unaccompanied children detained by Immigration and Customs Enforcement (ICE) on any given day in facilities in Florence, Eloy and Phoenix, Arizona. The majority of our clients are monolingual Spanish speakers with limited to no formal educational background. While most are from Mexico and Central America, we served people from 91 different countries in 2009. Our clients include long term lawful permanent residents, asylum seekers, survivors of torture, individuals suffering from mental illness, victims of domestic violence, U.S. Citizens, unaccompanied minors and unadjusted refugees. Because there is no right to government appointed counsel in immigration proceedings, an estimated 90% of detainees appear alone in their immigration court hearing. The Florence Project's work seeks to address this inequity and provide due process to this vulnerable population.

Florence Project Services

The Florence Project provides a full range of legal services for our constituents including:

- ◆ **Live rights presentations** regarding people's rights and remedies in removal proceedings. In 2009 we provided rights presentations to 7,169 men, women, and unaccompanied children.
- ◆ **Individual case assessment** for all who request it. In 2009 we provided case assessment to 3,668 people.
- ◆ **Pro se assistance** for people fighting cases who cannot afford to hire private counsel. In 2009 we provided intensive pro se assistance to 3,240 people, assisted 267 people in their merits hearings for legal relief, and provided 38 workshops on the topic of cancellation of removal for 201 detained lawful permanent residents.
- ◆ **Direct representation**, as resources allow and **pro bono referrals**. In 2009, we provided direct representation to 130 adults and referred 71 cases to pro bono attorneys in the community. Our Children's Project successfully represented an additional 33 unaccompanied minors pursuing relief before the Immigration Judge.
- ◆ Assistance with raising **issues of deportability or eligibility for relief** before the immigration judge and the Board of Immigration Appeals either through pro se brief preparation or full representation.
- ◆ **Application preparation and documentation gathering** to support legal claims. We work with clients' families to prepare affidavits and supporting documentation.
- ◆ Pro se **bond assistance** and **assistance with supervised release, habeas corpus petitions** and requests for **humanitarian parole**. In 2009, we assisted 535 people with their bond cases and 48 people with other requests for release from custody.
- ◆ **Trainings and consultations to public defenders** on the overlap of criminal and immigration law through our Arizona Defending Immigrants Program. In 2009 we provided 7 trainings to 180 practitioners and provided 697 consultations to public defenders and defense attorneys.

Proceedings Terminated for U.S. Citizen Child

"Domingo" was born in Los Angeles in 1991 to Guatemalan parents. Before he turned one year old, his parents returned to Guatemala and separated. He and his mother continued to live in Guatemala, in his mother's home town. His mother told him from a very young age that he was born in the United States. When Domingo was 17 years old, he heard rumors that if he did not get his travel documents as a U.S. Citizen before he turned 18, he would lose his right to citizenship. Domingo took his birth certificate and social security card to the United States embassy in Guatemala City, but they told him that it was insufficient proof to give him travel documents. When Domingo was turned away, he decided to come to the United States on his own to sort out his citizenship. He went the only way he knew, crossing through the desert, and was subsequently caught by Border Patrol and taken to a shelter in Phoenix for unaccompanied minors. During his initial interview with his caseworker, Domingo divulged that he was born in the United States. Immigration officials came and interviewed him, questioning why he would enter into the United States illegally if he was in fact a U.S. citizen and alleging he had multiple birth certificates. Children's attorney Sara Lofland met Domingo and worked to obtain evidence of his U.S. citizenship. She then contacted government counsel and asked them to agree to terminate removal proceedings and release Domingo from custody. When the government opposed, she filed a motion to terminate in immigration court and the judge terminated proceedings. Domingo now lives with his uncle in Florida.



Significant Accomplishments in 2009

- ◆ **Legal Victories** - In addition to our core pro se services, we achieved numerous legal victories. We helped more than 34 people terminate their cases on U.S. Citizenship grounds and 32 unaccompanied immigrant children win lawful permanent residence through Special Immigrant Juvenile Status visas based on abandonment, abuse and neglect in their home countries.

- ◆ **Advocacy and Outreach** – We participated in more advocacy and outreach initiatives than ever before. Advocacy work included meeting with President Elect Obama’s Transition Team on Immigration and addressing visiting delegates from the Inter American Commission on Human Rights, Congressional staff members, the Latino Caucus of the Arizona Legislature and Department of Homeland Security officials including Dr. Dora Schriro, Assistant Secretary for Immigration & Customs Enforcement John Morton and Border Czar Allen Bersin. Additional advocacy work was undertaken through collaborating on reports by Human Rights Watch, issuing an independent report on conditions for unaccompanied minors in Border Patrol custody in Arizona, authoring or signing onto 8 letters recommending policy changes, writing an amicus brief to the Supreme Court, and filing habeas petitions for all unadjusted refugees detained in Florence and Eloy challenging the legality of their detention. Florence Project staff also trained or spoke as experts at 28 different events in 2009 in Arizona and across the country. We also accomplished internal strategic planning relating to advocacy by convening our board level advocacy committee, establishing an advocacy and outreach plan and participating in a media training.

- ◆ **Collaborations** – We continued to collaborate with organizations on a national level by, for example, serving on the steering committee of the Detention Watch Network and working with partner legal service organizations in national networks including the Legal Orientation Program, the Detained Torture Survivor network and the Access to Legal Services for Unaccompanied Children program. In Arizona, we continued to collaborate with the University of Arizona’s Southwest Institute for Research on Women providing targeted social service support to detained women and formed new partnerships with the Arizona Center for Disability Law and the Tumbleweed Center for Youth Development to provide support to detainees with serious mental illness and newly legal immigrant youth released from custody in Arizona.

- ◆ **Volunteers** – We leveraged our limited resources with the help of approximately 121 volunteers, including pro bono attorneys, physicians and mental health professionals, interpreters, and country conditions researchers. We worked to recruit volunteers by hosting 5 continuing legal education trainings for attorneys, a training for volunteer physicians and mental health professionals with HealthRight International, and a volunteer recruitment reception at a local art gallery. We also relied on the help of 20 law student interns throughout the year from Boston College, the University of Minnesota, Northeastern University, Arizona State University, the University of Arizona, the University of California - Davis, the University of Utah, American University, Georgetown University, Harvard University and Vassar College.



Pro Se Victory for Haitian Lawful Permanent Resident

“Peter” fled Haiti as a young child and after being apprehended in route to the US was held in Guantanamo Bay where he was determined to be an unaccompanied minor. Because Peter suffered neglect and had no family either in Haiti or the United States to care for him, he was provided a special immigrant juvenile status visa and eventually adjusted his status to lawful permanent resident. Growing up in the U.S., Peter moved from foster home to foster home and got into trouble with drugs. He was convicted on two occasions for possession of marijuana, which triggered removal proceedings and his detention in Florence. The Florence Project identified Peter as eligible for cancellation of removal, a form of relief that would allow him to keep his green card. Florence staff attorney Katie Ruhl organized volunteer law students visiting the Project from the University of Minnesota to work on Peter’s case and the team prepped him extensively and put together a compelling case in his defense, locating his former social worker and sponsor with a big brother, big sister program and preparing country conditions detailing what would happen to Peter if deported to Haiti. With these materials, Peter represented himself pro se in his final merits hearing and was granted cancellation of removal by the immigration judge. The government agreed not to appeal the judge’s decision and he was immediately released from custody.

Goals for 2010

- ◆ **Supporting our Programs** – We will focus our efforts in 2010 on continuing to navigate the economic recession and will prioritize researching new funding sources, educating prospective donors about the Florence Project, expanding our individual donor base, and exploring opportunities to collaborate with other organizations to pool staff and funding resources. Specifically, we will host several small fundraising events throughout the year to commemorate our 20th anniversary and introduce our work to new potential funders.
- ◆ **Improving our Services** – We will continue to evaluate our core pro se services in 2010 and explore ways to leverage our limited resources to meet the emergency needs of our clients. When necessary, we will target specialized services to highly vulnerable detainees including the mentally ill, survivors of torture, unaccompanied children and parents with emergency child custody issues. We will also continue to take advantage of opportunities for advanced legal training for our staff, trainings in areas that impact our work such as mental health evaluations and social service resources, and opportunities to provide trainings as experts. Internally, we will continue to strengthen our training of new staff and develop ongoing opportunities to teach and learn from each other.
- ◆ **Expanded Advocacy & Community Outreach** – We will continue to lead and participate in advocacy projects throughout the year on a local and national level, provided they do not impede our ability to provide services to our clients and directly relate to access to justice for detainees. We will also continue to increase our participation in community outreach initiatives to raise awareness about the immigration detention system and the work of the Florence Project. Specifically, we plan to host a panel discussion and community forum in 2010 in connection with the release of a radio and book story project funded by the Arizona Humanities Council.



2009 Major Public Donors

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 Arizona Humanities Council
 Arizona Public Service Foundation
 AZ Foundation for Legal Services & Education
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 Steve J. Miller Foundation
 SunCor Development Company
 Valley Presbyterian Church of Green Valley
 Westminster Presbyterian Church
 William S. & Ina Levine Foundation

Financial Information Year End December 31, 2009*

Government Contracts	54%
Foundation Grants	28%
Individual Contributions	11%
Religious Organization Contributions	3%
Corporate Contributions	2%
Other	2%
Total Revenue	\$882,610.30
Florence Service Model	21.5%
Eloy Service Model	21.5%
Children's Initiative	21.5%
Defending Immigrants Program	10%
Social Services Program	8%
General Management	10.5%
Fundraising	7%
Total Exepenses	\$853,237.82

*unaudited



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