



KIAC IMMIGRATION LEGAL SERVICES 2019 SUMMARY

ABSTRACT

KIAC Immigration Legal Services began in November of 2014. Since that time we have grown from two Accredited Representatives to eleven providing a wide range of immigration legal services, including removal defense, in Kitsap, Clallam, Jefferson and north Mason Counties. The following is a reflection on the past year and a look at our plans for 2020.

Ray

The State of KIAC Immigration Legal Services 2019

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A Look Back

The Numbers

Our Clients

In 2019 we served 204 new clients. We opened 192 new matters for legal clients and 167 new cases for tax and business clients for a total of 359 new cases. We ended the year with 295 open cases.

Our clients came from 31 different countries. 52% of our clients had household incomes below the poverty level, and 64% were below 150% of poverty level. The average family size was 2.9 people.

Each client brought a unique set of situations, but they were all seeking a better life here in the US and in some cases were fleeing life threatening conditions in their home country. In 2019 the government continued to make it more difficult for this to happen.

Our Volunteers

All of our direct legal, tax, and business services are provided by volunteers. We continue to encourage people to become accredited representatives and currently have five additional people in training. There is also a large group of people who support our work by staffing the front desk, doing data entry, translating and interpreting, and driving clients to appointments. We couldn't provide these services without the support of our paid staff, our Legal Services Coordinator, Paralegal and Administrative Assistant. This family of professionals makes sure our clients get high quality service. Here is a breakdown of volunteer hours.

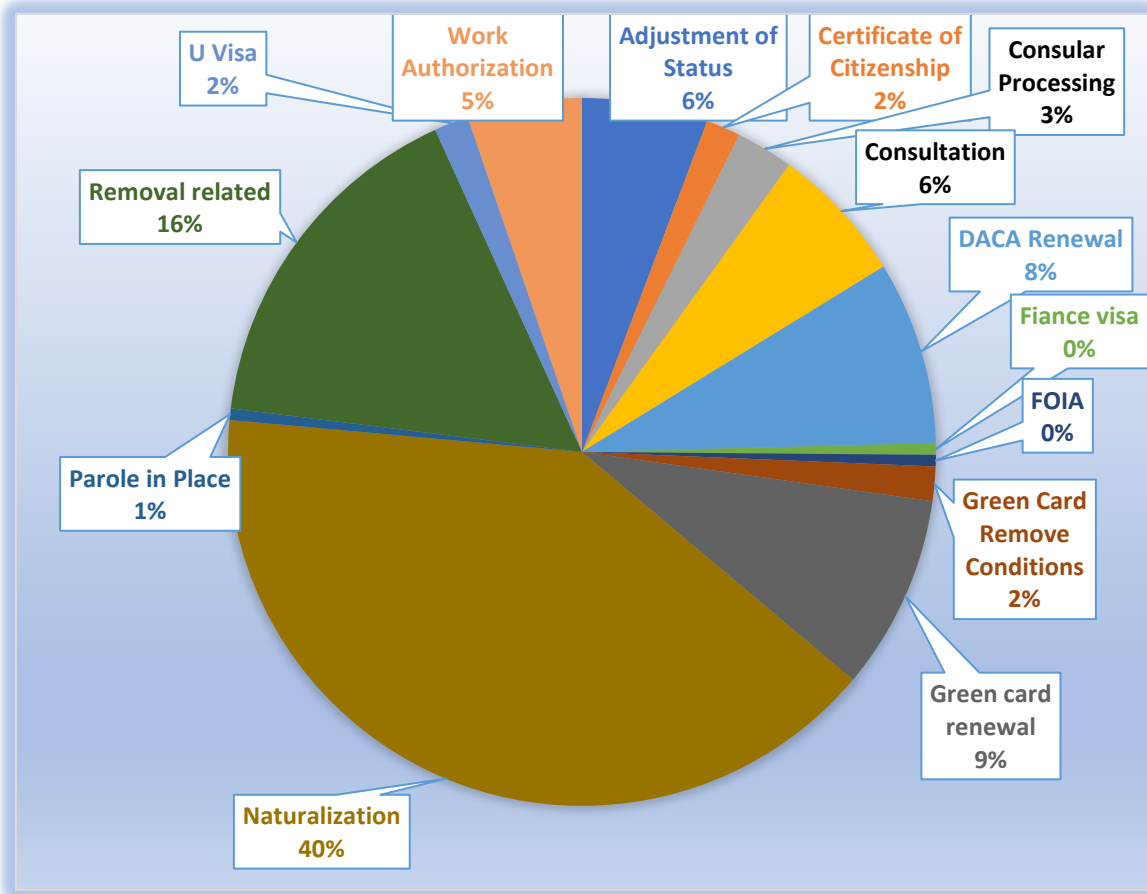
2019		
Volunteer Type	Volunteer Hours	# of Volunteers
Legal - Accredited Representatives	9,312	12
Tax & Business	938	3
Training - Accredited Representatives	532	5
Attorney Volunteers	140	3
Legal Support Volunteers	1,966	30
Totals	12,888	53

Legal Overview

During 2019 we saw a dramatic increase in efforts by the Trump regime to deport as many immigrants as possible, to restrict people from immigrating to the United States, and to increase the difficulty for those who are here legally to apply for status.

Below is a breakdown of the kinds of legal cases we opened in 2019.

LEGAL CASES 2019



Affirmative Legal Cases

During 2019, 21 of our clients became US citizens. We filed 51 new applications for citizenship and we have 41 additional applications pending.

Another 4 of our clients became Legal Permanent Residents (green card holders) and began their journey to become citizens.

As you can see from the chart above, we provide a wide range of services for our clients. During 2019 the government took steps to make gaining a green card or citizenship more difficult. In August USCIS announced that naturalization interviews for our clients that used to be done in Tukwila would be transferred to Portland, Oregon and some to Yakima, creating hardship and expense for our clients and our program. Accredited Representatives represent their clients in these interviews and had to make arrangements to get themselves and their clients to Portland and in some cases find lodging accommodations when the interview was scheduled for early in the morning. In the past clients who had their interviews in the morning would usually be able to attend their naturalization ceremony on the same afternoon. Now these ceremonies are usually scheduled for a different day, causing the client to make an additional trip to Tacoma, Olympia or Lacey. The excuse for this change was that there was not enough capacity in Tukwila to process all the naturalization applications they received. In past years they would transfer additional naturalization interviewers to Tukwila to address the backlog. This time the immigrants pay the price for USCIS' inefficiency. Along with partners throughout the state, we vigorously opposed this change but our opposition fell on deaf ears at USCIS. Despite this, one of our Accredited Representatives stepped up to manage the situation. She has done much to

make a difficult process as easy as possible for our clients. This is just one example of the dedication our team has to get our clients the best service possible.

USCIS has also proposed a new Public Charge rule that will potentially block applicants who have legally accessed benefits from being able to get a green card. Several federal courts enjoined the rule from taking effect but that stay was recently overturned. Litigation of the issue continues, and it looms over our clients as another indicator of the government’s desire to keep them from staying in the US and ever adjusting status.

Adding insult to injury, USCIS announced a new rule that would increase fees and eliminate the ability to get a fee waiver for many kinds of applications. Among other things this new rule will:

Impose a de facto wealth tax on naturalization and impose a fee for asylum.

It would also raise fees on those that afford them the least:

- 83% increase for Naturalization, an increase of \$530
- 79% increase for Adjustment of Status (Green card), an increase of \$970
- 55% increase for DACA renewals, an increase of \$270

USCIS charges fees for almost all applications. Many of our clients qualify for and need waivers of their application fees. This new rule will eliminate fee waivers for Naturalization, Green Cards, and Work Authorization. We encouraged our supporters to express their opposition to this proposed change.

Defensive Legal Cases

Immigration Court Hearings Attended		Relief Granted
Master Calendar Hearings	17	
Asylum	4	4
Bond	7	6
Voluntary Departure	2	2
Negative Credible Fear Interview review	1	1
		Success rate for defensive cases closed in 2019
Total hearings attended	31	93%

Other Results	
Detained and Paroled (by ICE)	3
SIJS approved (by USCIS)	3

2019 was a very bad year for people attempting to enter the US to join their families or gain safety and for people who were already here without legal documents. The so-called Migrant Protection Protocols (*which should be called the We Don’t Want You Protocols*) forced thousand to remain in Mexico while they tried to apply for asylum in the US. Women, men and children live in deplorable and dangerous conditions along the border because of the refusal of our government to allow them to enter the US to apply for asylum.

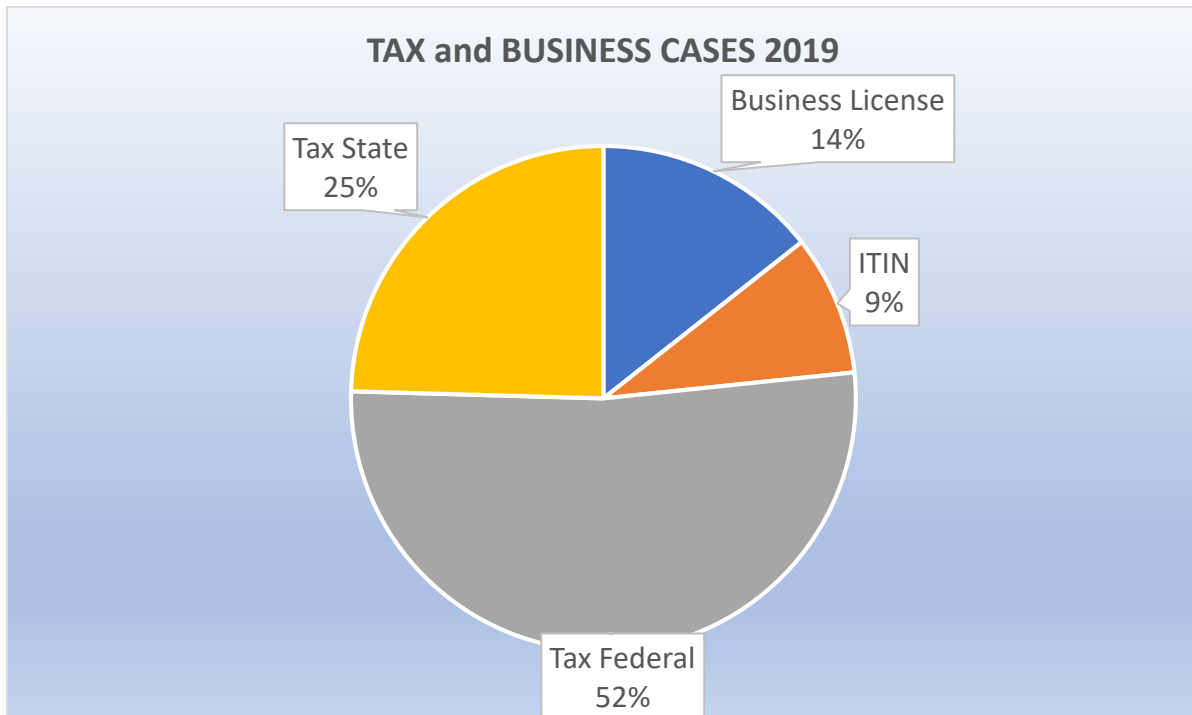
In several cases before the Board of Immigration Appeals (BIA), the Attorney General has issued decisions greatly reducing the availability of asylum for thousands of applicants. We have directly experienced immigration judges citing these decisions in our client's cases. To date we have prevailed, but the bar has been raised and winning these cases in the future will be more difficulty.

Toward the end of the year the government issued another rule limiting asylum. This one requires people who travel through another country to apply for and be denied asylum before they can apply in the US. In its first application of this rule, asylum seekers from El Salvador are being sent back to Guatemala to apply for asylum there. Never mind that there is barely an asylum process available in Guatemala and that there are only four asylum officers in the whole country. The most disturbing part of this is that there are thousands of people from Guatemala seeking asylum in the US. In fact, 90% of KIAC's asylum clients are from Guatemala.

Despite all this we continue to fight for justice for our clients and seek ways to increase our capacity to help more. We have a long waiting list of both affirmative and defensive cases.

Taxes and Business Services

We also provide non-legal support by helping our clients file their taxes, get Individual Taxpayer Identification Numbers (ITIN), and register their businesses. Through these services we help them comply with the law to the extent possible. These services may also help them meet future comprehensive immigration reform requirements.



Looking Ahead

Our Ongoing Plan

We continue to stay aware of changes that effect our clients and their community. Along with our day-to-day affirmative and defense work, we have identified areas that enrich our work. The key elements are:

1. Increase outreach to enable all eligible immigrants to attain legal status

Along with speaking wherever we were invited, we partner with the Jefferson County Immigrant Rights Advocates (JCIRA) to serve clients at the legal office extension in Port Townsend. Three JCIRA members became accredited representatives and provide expanded service to the Olympic Peninsula.

2. Educate vulnerable populations about their rights and resources

We spoke and gave workshops at numerous schools, churches, and community gatherings from Forks to Shelton to help people understand their rights and get resources to protect their families. Over 780 people have attended these workshops.

3. Help vulnerable people develop readiness plans

On many occasions when ICE detains a parent, their kids can be left without someone who can act legally for them. With the help of a local family attorney, we developed a package that people can use to designate someone to care for their child and have power of attorney for them.

4. Increase resources to defend immigrants, especially minors, in immigration court

As the policies of the administration continue to target as many people as possible for deportation, we took steps to expand our legal resources. In 2017 we begin providing defensive legal representation to people in deportation proceedings. By the end of 2019 we had taken on 95 removal cases. In 2019 we received a grant from the Grousemont Foundation to fund a paralegal. This position has helped increase the ability to take defensive cases as well as improving the operation of our workflow. We were notified late in 2019 that the Foundation has extended this funding for another year.

We receive support from the Catholic Legal Immigration Network (CLINIC), the Northwest Immigrant Rights Project, and the Center for Gender and Refugee Studies for many of our removal cases. We are currently representing 63 people in removal proceedings. Of those, 33 are children, and the youngest is three years old. There are many more people in removal proceedings, including kids, who don't have representation. In 2019 we added a second fully accredited representative to take on removal cases and we expect to add a third in 2020. It's still not enough but better than nothing.

5. Maintain or increase accredited representative resources to continue our high rate of affirmative applications

By the end of 2019 we had eleven accredited representatives providing direct immigration legal services to clients. These folks will help us serve all those who are striving to become citizens or gain legal status in our country. We have four additional people in training who we expect to become partially accredited in 2020. This makes us the largest nonprofit providing legal services to immigrants in Kitsap County.

6. Support city and county law enforcement to limit their cooperation with ICE

On May 21, 2019 Washington State Governor Jay Inslee signed the Keep Washington Working Act that enhances public safety, promotes fairness to immigrants, and protects the privacy and civil rights of all Washington residents. This new law prohibits local law enforcement from routinely questioning individuals about immigration status, notifying ICE that a noncitizen is in custody, or detaining someone for civil immigration enforcement. This act further supports similar policies of law enforcement agencies in our communities. We had conversations with several law enforcement agencies to find out what their policies were regarding detaining and turning people they had apprehended over to ICE. We will stay vigilant to ensure that this law is adhered to.

7. Help immigrant business owners register their businesses, file/pay taxes, and improve their business skills

We continued providing tax and business registration services to families and business owners. We hope to do more in the area of helping business owners gain financial literacy and find ways to improve their businesses.

8. Participate in encouraging immigrant-friendly state legislation

As members of the Washington Immigrant Solidarity Network, we support immigrant-friendly legislation like the Keep Washington Working Act. We have held discussions with our state and national representatives about the need for correcting the inequities in our current immigration laws. In addition, we joined with organization throughout the country to encourage Congress to pass legislation that makes Immigration Courts independent and removes the political pressures they currently operate under.

9. Work with other agencies to support the alert network

We continue to participate with Washington Immigrant Solidarity Network (WAISN) to use the hotline that alerts advocates and others about ICE activity in their areas.

10. Maintain a high level of competency to ensure our clients get the best service possible

Our accredited representatives stay current on immigration issues through training and mentoring throughout the year. We follow the Washington State Bar guidelines for continuing legal education and in many cases exceed those guidelines. In 2020 we will start a partnering program that has ARs partnering to support each other and expand their knowledge and practice capabilities.

Conclusion

The Trump regime will make 2020 the toughest year for immigrants yet. The administration continues to roll out decisions and policies attacking immigrants. They are giving us all kinds of reasons to be strong and active.

The Public Charge rule will challenge us to ensure clients understand this rule and we work with them to file applications that meet the new requirements.

DACA's fate will be decided by the US Supreme Court in June. And when I say "DACA's fate" what I really mean is the fate of thousands of young people who have depended on that program. If DACA is ended thousands of people will be in danger of being put in removal proceedings.

Ice continues to arrest and detain more and more people who have tried to do nothing more than save their lives by coming to a country where they thought they would be safe. We experienced increased activity in Kitsap County in 2019 and expect that to continue.

We will be working with the Washington Defenders Association (WDA) Immigration Project to support legislation banning ICE from arresting people in and around courthouses. We are also participating in the Washington State Attorney General's lawsuit against ICE for arresting people in and around courthouses.

We look forward to continued and growing partnerships with the Northwest Immigrant Rights Project (NWIRP), One America, Jefferson County Immigrant Rights Advocates (JCIRA), the Catholic Legal Immigration Network (CLINIC), and the Center for Gender and Refugee Studies (CGRS). I encourage you to support these organizations as much as you can.

The threats can be dismaying, yet we have created a program that gives hope and, I dare say, results to people who may not have any other resource. We've grown in numbers, expanded our services and learned a great deal this year. It wasn't always smooth but we've kept at it and helped a lot of people along the way.

I haven't been a big fan of some of Justice Antonin Scalia's positions, but I find this quote from him sums up the truth:

"One of the strengths of this great country, one of the reasons we really are a symbol of light and of hope for the world, is the way in which people of different faiths, different races, different national origins, have come together and learned – not merely to tolerate one another, because I think that is too stingy a word for what we have achieved – but to respect and love one another."

Antonin Scalia

Ray Garrido

January 2020