

## COLUMBUS FAMILIES TOGETHER FUND ANNUAL REPORT



**Columbus City Council established the Columbus Families Together Fund (CFTF) in 2017 to protect immigrant and refugee families from the financial and emotional devastation that results from aggressive immigration enforcement. CFTF provides funding to support legal education and representation for eligible immigrants in removal proceedings before the Cleveland Immigration Court.**

Advocates for Basic Legal Equality, Inc. (ABLE) is a non-profit law firm that provides high quality legal assistance in civil matters to help eligible low-income individuals and groups in Ohio achieve self-reliance, and equal justice and economic opportunity. Our work is made possible by the commitment of our funders, including Columbus City Council; NEO Philanthropy Four Freedoms Fund; Ohio Access to Justice Foundation; Ohio State Bar Foundation; The Supreme Court of Ohio Civil Justice Program Fund; and the Vera Institute of Justice.

THE CITY OF  
**COLUMBUS**  
CITY COUNCIL

**Vera**  
INSTITUTE OF JUSTICE

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**Advocates for Basic Legal Equality, Inc. (ABLE) is proud to partner with Columbus City Council and the Vera Institute of Justice in our collective effort to ensure the right of all people to access justice while facing deportation. The CFTF provides immigrants with a chance to have their fair day in court with a lawyer, someone to educate and counsel them about immigration law and relief requirements, and answer their questions about the detention and removal process. The program helps to restore dignity, humanity, fairness, and justice in the immigration system.**

Despite the devastating effects of detention and deportation and the complexity of immigration law, there is no right to appointed counsel in immigration court. As a result, most people—including an estimated 70 percent of people in detention—must fend for themselves while facing highly trained government attorneys. The consequences of this injustice are severe: in the past 20 years, 93 percent of people granted relief from deportation have been represented, meaning that it is nearly impossible to win in immigration court without an attorney. Hundreds of thousands have been denied a fair opportunity to exert their legal rights simply because they had no one to stand with them before a judge.

Legal advocacy is more critical than ever as the harms of the coronavirus pandemic fall disproportionately on people of color, immigrant communities, and people who are detained or incarcerated. Throughout the crisis, ABLE attorneys have fought tirelessly to secure humanitarian release from custody for at-risk clients. In May 2020, ABLE attorneys filed a petition for writ of habeas corpus and motion for a temporary restraining order in the Southern District of Ohio asking for the release of five individuals (including three Franklin County residents) detained in ICE custody at the Morrow County Jail. All five plaintiffs tested positive for Covid-19 in an outbreak that infected nearly 100% of the jail's population. Plaintiffs were denied basic medical care that exacerbated their symptoms, likely prolonged their infections, and resulted in the hospitalization of one client. Many of the Plaintiffs had final orders of removal and wanted to leave the United States, but ICE refused to deport them.



ABLE attorneys successfully obtained a discovery order from the Court, which allowed Plaintiffs and ABLE attorneys to obtain rare information about ICE detention conditions. While the judge ultimately denied the restraining order and request for release, ABLE's advocacy resulted in improved access to medical care for Plaintiffs, including doctor visits, lung X-rays, routine vitals checks, and improved social distancing protocols at the jail. Several of the Plaintiffs' removals were prioritized, which, while an atypical goal for ABLE clients, was an improvement to continued suffering in deplorable detention conditions. ABLE continues to monitor detention conditions and will use the information gained through the discovery process to inform further advocacy.

**Although representation alone is not enough to undo the systemic racism and criminalization facing immigrants in the United States, publicly funded deportation defense programs serve as a necessary check on an unjust system. As we work toward a better system, everyone facing deportation deserves representation.**

Portions of the above language were lifted from Vera Institute of Justice, *Rising to the Moment: Advancing the National Movement for Universal Representation*, Years 1-3 of the SAFE Initiative (New York: Vera Institute of Justice, December 2020), <https://www.vera.org/publications/rising-to-the-moment-for-universal-representation>.

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The CFTF positioned Columbus to be selected for participation in Vera’s SAFE Initiative, which aims to support locally funded deportation defense programs by providing catalyst funding and technical assistance. As a service for SAFE Initiative members, Vera also builds evidence to demonstrate the impact of detention and representation on clients, their families, and the local community by collecting data on cases funded by Vera and the CFTF.

Since the launch of this project, ABLÉ **has delivered legal information through 116 Legal Orientation Programs (LOPs) reaching a total of 1067 individuals**<sup>1</sup> detained primarily at the Butler County Jail—a facility that previously offered no regular access to attorneys. These presentations are often the only opportunity for detained immigrants to obtain information about their rights and the immigration court process. Additionally, these presentations allow detainees access to speak directly with an attorney as well as give ABLÉ the platform to identify individuals for representation under the CFTF.

As part of the SAFE Initiative, ABLÉ represented 40 individuals. As part of our commitment to the goals of the CFTF, ABLÉ represented an additional 74 Columbus and Franklin County clients under our own organizational funding. **Columbus City Council’s investment through CFTF was leveraged to represent a total of 114 individuals.**<sup>2</sup>

Similar to the trend seen nationwide in the SAFE Initiative, the 40 clients represented under the SAFE Initiative in Franklin County have had longstanding ties to the United States.<sup>3</sup> **On average, clients have lived in the United States for eight years**, with 15 percent of clients having resided in the country for 20 years or more. Many clients are parents, responsible for supporting themselves and their families, with **35 children under the age of 18 having a parent represented by SAFE in Franklin County**. All clients were people of color, with 52% originally from sub-Saharan Africa and 48% from Latin America and the Caribbean.

After securing representation, one of the first priorities of detained clients is to seek release from detention. Release allows clients to fight their case while living in the community, free from the restrictions that make it so challenging to prepare a legal defense from detention, such as difficulty obtaining documents and other evidence from abroad.<sup>4</sup> Release further allows clients an opportunity to reunify with their children and other family members in their community, potentially alleviating the financial and emotional disruption associated with prolonged detention. To date, 16 percent of detained clients have been released on account of bond, parole, habeas petition, or being granted relief.

Of the cases represented by ABLÉ in the SAFE Initiative, fourteen have already been completed in immigration court or the Board of Immigration Appeals. Of those completed cases, two clients have been granted relief from deportation and five were granted voluntary departure.<sup>5</sup> Regardless of the ultimate outcome of the case, the attorney’s presence is necessary to ensure due process for their client—justice that they would have otherwise been denied without competent counsel.

<b>Unaudited Funds Spent:</b> <b>\$379,380 out of \$372,718</b>	<b>Columbus City Council:</b> <b>\$163,368 out of \$157,500</b>	<b>Vera Institute of Justice:</b> <b>\$100,000 out of \$100,000</b>	<b>ABLÉ matching dollars:</b> <b>\$116,012 out of \$115,218</b>
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<sup>1</sup> LOPs did not take place for most of 2020 due to Covid-19; ABLÉ’s last in-person LOP occurred on March 11, 2020.

<sup>2</sup> Vera analyzes only the portion of cases represented that are publicly funded or selected under a “merits-blind” or “universal representation” case selection model — that is, the only criteria for representation are geographical residency and the inability to pay for a lawyer, without review of the likelihood of a “successful” outcome for the case. Though ABLÉ provided representation to 114 clients under funding from the CFTF, Vera, and ABLÉ’s matching dollars over the three years of funding, the statistics below represent the 40 cases ABLÉ represented under Vera and CFTF (“SAFE Initiative cases”). In addition to the individuals represented, ABLÉ screened 45 individuals who were not ultimately eligible for services.

<sup>3</sup> For nationwide statistics and success stories from the SAFE Initiative, see Vera Institute of Justice, *Due Process for All: Evidence from Year 2 of the SAFE Network* (New York: Vera Institute of Justice, 2019), <https://www.vera.org/publications/due-process-for-all-year-2-safe-network>.

<sup>4</sup> Karen Berberich, Annie Chen, Corey Lazar, and Emily Tucker, *Advancing Universal Representation: The Case for Universal Representation* (New York: Vera Institute of Justice, National Immigration Law Center, and Center for Popular Democracy 2018), <https://www.vera.org/advancing-universal-representation-toolkit/the-case-for-universal-representation-1>.

<sup>5</sup> Although voluntary departure results in the client’s departure from the United States, it is a more favorable outcome than receiving a removal order because it does not carry the same penalties and leaves opportunities for the client to more easily return to the United States lawfully in the future.

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**Lucy** and **Elizabeth** are sisters from Cameroon who fled government persecution because of their political beliefs and because they are from the English-speaking minority. After attending political rallies to ask the government to provide fair resources to both English and French-speaking communities, they were targeted for illegal arrests. They remained in jail for weeks, where they were beaten and regularly deprived of food and water. They eventually escaped but had to go into hiding with their families. Soon after, government forces violently attacked their community and burned down their homes. They and their families had to flee into the jungle for months before they made it to the city. Two of Lucy's young children died in the jungle. Elizabeth's husband got separated from her, and she never heard from him again. Lucy and Elizabeth were able to flee Cameroon to the United States with help from relatives and friends. Their trip to the United States was long and dangerous, traveling through eight countries and spending months in Mexico waiting for their opportunity to seek asylum at the southern U.S. border.



**ABLE is representing Lucy and Elizabeth, who are now living in Columbus awaiting immigration court hearings on their asylum applications after spending four months in ICE detention.**

**Eddie** fled Guinea with his 14-year-old daughter, **Anna**, to protect her from female genital mutilation (FGM), which is a very prevalent practice in the West African nation. Despite his objections to this practice, Eddie feared his extended family, and even other members of the community, would force his daughter to undergo FGM against her will and marry her to someone of their choosing. His family threatened to take his daughter from his care if he refused to let her undergo the "procedure" and give permission for her to be married right away. Eddie and his wife decided that Anna was not safe, and they needed to flee the country. He was not able to secure the money or travel documents for the whole family, so Eddie and Anna fled alone.



**With counsel from ABLE, Eddie and Anna have filed for asylum protections and hope they will be reunited with the rest of the family if their applications are granted, as Eddie's wife and young sons remain in Guinea.**



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