

# COLUMBUS FAMILIES TOGETHER FUND

## ANNUAL REPORT



Advocates for Basic  
Legal Equality, Inc.



**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; NEO Philanthropy Anti-Trafficking 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 rights of all people to access justice while facing deportation. Before we separate families, before we tear apart communities, and before we deport community members who might face persecution or torture, we must respect the constitutional guarantee of due process. 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 high stakes of permanent separations from their families, neighborhoods, and livelihoods resulting from deportation, many immigrants are unable to effectively present legal defenses available because they have no right to government-funded representation in immigration court. This lack of due process has dire consequences: in only 3 percent of cases do unrepresented respondents who appear against a trained government attorney win the right to remain in the United States. In contrast, immigrants who are represented in court are up to 10 times more likely to establish a right to remain in the country. As such, who wins and who loses in immigration court is determined not just by the merits of a case, but by whether or not an attorney is involved.<sup>1</sup>



There is a significant unmet need for representation and immigration advocacy for low-income immigrants in Ohio. There are more than 14,000 removal cases pending before the Cleveland Immigration Court, which has jurisdiction over all of Ohio. The importance of CFTF funding has been amply demonstrated in 2018 and 2019, when ICE (Immigration and Customs Enforcement) began detaining Mauritanian residents of Columbus at their routine ICE check-in appointments. Black Mauritians had been previously permitted to stay in the United States despite having decade-old removal orders because the U.S. government recognized that, if deported, these individuals would likely face imprisonment, enslavement, and torture. With the assistance of CFTF funding, ABLE represented Mauritians detained at three Ohio detention centers (in Hamilton, Mt. Gilead, and Youngstown) and advocated for their safety and release before the Board of Immigration Appeals, Circuit Courts of Appeals, and District Courts. In 2019, all detained Mauritians represented by ABLE were released after filing petitions for habeas corpus alleging unlawful detention. ABLE also partnered with community leaders and allied organizations to address the community members' risk of detention and deportation, assist them in formally requesting their immigration files, and help them identify possible pro bono legal counsel.

Through ABLE's partnership with the Our Lady of Guadalupe Center under the CFTF, ABLE **provided advice and counsel on 87 cases through four community legal clinics** in 2018 and 2019. The clinics focused on counseling people about immigration law and their rights and responsibilities, but also included sharing information about general safety planning and family, consumer, and employment law topics to immigrant communities.

**Immigrant clients and their families are part of the fabric of their communities. Legal representation brings due process and fairness to clients facing a system that is often unbalanced and unjust. Although representation cannot entirely repair the significant harms inflicted by these systems, it can play a key role in reducing these harms and delivering due process.**

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The CFTF positioned Columbus to be selected for participation in Vera’s SAFE Network, which aims to support locally funded deportation defense programs by providing catalyst funding and technical assistance. As a service for SAFE Network 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 104 Legal Orientation Programs (LOPs) reaching a total of 942 individuals** 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 Network, ABLÉ represented 33 individuals. As part of their commitment to the goals of the CFTF, ABLÉ represented an additional 66 Columbus and Franklin County clients under their own organizational funding. **Columbus City Council’s investment through CFTF was leveraged to represent a total of 99 individuals.**<sup>2</sup>

Similar to the trend seen nationwide in the SAFE Network, the 33 clients represented under the SAFE Network in Franklin County have had longstanding ties to the United States.<sup>3</sup> **On average, clients have lived in the United States for nine years**, with 33 percent of clients having resided in the country for 15 years or more. Many clients are parents, responsible for supporting themselves and their families, with **30 children under the age of 18 having a parent represented by SAFE in Franklin County.**

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, 36 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 Network, fourteen have already been completed in immigration court (42 percent). Of those completed cases, two clients have been granted relief from deportation and four have returned to their countries of origin under an order of voluntary departure. 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.<sup>5</sup>

<b>UNAUDITED FUNDS SPENT:</b> <b>TOTAL:</b> <b>\$274,441 OUT OF</b> <b>\$372,718 (74%)</b>	<b>COLUMBUS CITY COUNCIL:</b> <b>\$95,755 OUT OF</b> <b>\$157,500</b>	<b>VERA INSTITUTE OF JUSTICE:</b> <b>\$100,000 OUT OF</b> <b>\$100,000</b>	<b>ABLE MATCHING DOLLARS:</b> <b>\$78,685 OUT OF</b> <b>\$115,218</b>
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1 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>.

2 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 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 99 clients under funding from the CFTF, Vera, and ABLÉ’s matching dollars over the two years of funding, the statistics below reflect the 33 cases ABLÉ represented under Vera and CFTF (“SAFE Network cases”). In addition to the individuals represented, ABLÉ screened 39 individuals who were not ultimately eligible for services.

3 For nationwide statistics and success stories from the SAFE Network, 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>.

4 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>.

5 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.





**Eduardo and Francesca.** At our May 2019 clinic at the Our Lady of Guadalupe Center, Eduardo and Francesca came in seeking assistance with an immigration consumer fraud matter. Immigration authorities apprehended their son (a resident of Columbus) in North Dakota on his way to Montana for temporary work, and he was recently deported to Mexico. Before his deportation, the son was eligible for release on a \$9,000 bond. Because Eduardo and Francesca are undocumented, they were not able to post the bond for their son with ICE. Francesca and Eduardo therefore turned to a family “friend,” the only U.S. citizen the couple knew, and she said that she would post the bond for the couple so that their son would be released. She told the couple that she was familiar with the immigration process and how the system works. Instead of posting the bond with the \$9,300 the couple gave her (she charged \$300 for this “service”), however, the U.S. citizen stole the money. The couple was initially very hesitant to involve the police for fear their immigration status would be used against them.

**In less than a week following the Guadalupe Center clinic, the ABLÉ attorney arranged for an interview between the client-couple and a detective with the Columbus Police Department, Fraud and Forgery Unit. Soon after that, an arrest warrant was issued and a criminal complaint was filed against the consumer fraud scammer, alleging Theft by Deception, a fourth-degree felony. ABLÉ also worked with the Victims Assistance Notification Unit of the Franklin County Prosecuting Attorney’s Office to have all notifications of the case available in Spanish to the client-couple. The criminal case remains pending in the Franklin County Court of Common Pleas.**



**Pablo** attended a Know Your Rights presentation at the Butler County Jail, where he was able to speak with an attorney about his case and seek legal representation. Pablo is a 23-year-old man who fled Nigeria after he was kidnapped by Boko Haram when he was 16 years old due to his religion; during captivity, he was tortured because he refused to reject his Christian faith. Pablo came to the United States with a student visa, which he was not able to renew due to financial hardship and was forced to overstay his visa for fear of what would happen to him if he returned to Nigeria. After coming to the United States, Pablo realized he was gay and very slowly began to come out to people close to him in the United States. He was afraid of telling his family and friends in Nigeria for fear that they would reject him or report him to the authorities. Nigeria has some of the most restrictive and punitive anti-LGBTQ+ laws in the world. Pablo was terrified of returning to Nigeria, where he had already suffered so much and where he would not be safe. With counsel from ABLÉ, Pablo filed an application for asylum based on persecution due to his religion and because he is part of the LGBTQ+ community.

**After a tough hearing in front of the immigration judge, Pablo’s asylum was denied, and he was ordered deported to Nigeria. We continued to fight and filed an appeal to the Board of Immigration Appeals, which we partly won, and the case was remanded to the immigration court. After three more hearings in front of the immigration judge, Pablo was granted withholding of removal. Pablo was released from immigration detention after more than a year; he is now working and saving money so he can return to school.**