



Annapolis Immigration Justice Network

Walking Alongside Our Immigrant Neighbors

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TESTIMONY IN SUPPORT OF SB317/HB750

Office of the Attorney General - Right to Counsel in Immigration Proceedings
Coordinator

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial
Proceedings Committee

FROM: Suzanne Martin

My name is Suzanne Martin and I have lived in Annapolis, Maryland for 17 years in District #30A. I am the founder and President of the Annapolis Immigration Justice Network (AIJN), a grass roots, all volunteer organization serving residents of Anne Arundel County. I share this testimony on behalf of the Annapolis Immigration Justice Network.

Our non-profit organization formed in 2017 and over that time, AIJN has served over 300 residents in Anne Arundel County. Since mid 2018, we have provided financial assistance totaling over \$180,000 in legal fees. AIJN has served non-detained as well as detained immigrants. In addition to financial assistance, we also have a case management team that has helped people in pro se situations to fill out asylum applications, work permit applications, and any other paperwork needed as part of their immigration process. Through my work over the last few years, I strongly support SB317. I believe our state should provide our detained immigrants with access to legal counsel for their immigration cases - it's a fundamental right to due process.

In our early work supporting our neighbors, we quickly noticed a critical gap in community resources. Low-income adults and children faced two overwhelming challenges: finding quality legal representation for their immigration cases and obtaining the funding needed to retain a lawyer. Many faced the threat of deportation and needed to apply for some form of relief through the federal immigration system. We quickly learned that area organizations, even effective, established groups like Catholic Charities Esperanza Center in Baltimore, were unable to accept additional pro bono cases.

Asylum seekers have no access to public defenders and often face the threat of deportation back to the danger they tried to escape. Because deportation proceedings are not criminal cases, no public defender program exists in the federal immigration courts under the Department of Justice. According to the MD Access to Justice Commission, while 63% of immigrants with lawyers are granted legal pathways to remain in the U.S., only 13% of those without lawyers are successful. Legal fees for asylum representation, depending on the complexity of the case, are typically \$2,000-\$10,000. Our vulnerable immigrant neighbors could not afford such fees without support. Our organization has tried to come up with a solution.

We learned the best way we could serve vulnerable families and individuals in our community was to provide connections to affordable legal representation. AIJN started a legal fund in May 2018 to offer financial assistance to county neighbors to retain a quality immigration attorney. To date, we have funded over \$180,000 for over one-hundred people in Anne Arundel County. AIJN assists these clients to protect their right to due process and the stakes could not be higher.

The stakes are even higher for those people incarcerated under ICE custody as compared to those that are not detained. It is extremely difficult for detained immigrants under ICE custody to retain legal counsel for their cases. This is why SB317 is so critical to those being detained under ICE custody. Often, the financial cost and inability to work creates a situation where our immigrant neighbors can't obtain legal representation. The obstacles to the right to due process are simply too great to overcome. We, volunteers at AIJN, have visited ICE detainees in ICE custody and have been truly shocked at the harsh conditions and lack of resources available to fight their cases.

I have a story which still haunts me today about a detained man, "Julio", at the Worcester Detention Center who I had lined up with the UMD Carey Immigration Clinic for help in requesting bond back in early 2018. Julio had a preliminary hearing the next morning and due to the logistics of the detention center, it was impossible for me to reach him before the hearing. That morning, I drove to the Baltimore immigration court. I intended to notify Julio's judge that I had found legal representation for a bond hearing but as I approached, the judge dismissed me. Since I was unable to explain, Julio had no idea that I had found legal counsel for him. I watched in shock and disbelief as he told the judge he wanted to be deported immediately instead of

seeking a continuance. His girlfriend told me that he was facing death threats in his country of origin but he lied about it when the judge asked him if he still feared returning to his home country. I was dumbfounded when he waived his right to appeal. It still haunts me - it all could have stopped if Julio had legal counsel that day. He gave up too quickly because he assumed he had no chance to ever hire or retain an attorney. I don't know what happened to Julio.

As a resident of Anne Arundel County, I have spent the last 4 years dedicated to helping our clients obtain legal representation for their immigration cases. I fully support a statewide program to give immigrants the right to legal counsel for those detained by ICE. While AIJN has had success in funding over \$180,000 in legal fees, it is nowhere near enough to help our immigrant neighbors. Often, we have to turn people away because they are outside of Anne Arundel County. AIJN doesn't even need to advertise our program because the need is so great. We are no substitute for a statewide system. We believe that providing legal services to our immigrant neighbors improves not only the well-being of our immigrant neighbors, but it also impacts the well-being of our entire county. The immigration system is incredibly complicated and having legal counsel helps the courts run smoothly and efficiently. It gives our clients the best chance at finding a form of relief to stay in the United States and keeps our families unified. For all of these reasons, I ask you to reach a favorable report on SB317/HB750.