

HB 114– SUPPORT
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"Access to Counsel in Immigration Proceedings Program"
House Judicial Proceedings Committee
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Dear Chair Clippinger and members of the House Judiciary Committee:

My name is Ellen Watlington and I am an attorney at Capital Area Immigrants' Rights (CAIR) Coalition. I am also a resident of Maryland living in Baltimore City. As an attorney working with Maryland residents in immigration detention, I am writing to express my support for HB 114: **"Access to Counsel in Immigration Proceedings Program."**

I support this bill because it is integral that people in immigration proceedings have counsel. People in immigration proceedings confront an obscenely complicated area of law. It is unjust that we ask them to navigate this foreign, convoluted system by themselves – and in detention no less – when the outcome of their case often means life and death.

I have been working with immigrant communities for eight years. I was first a public school teacher in a largely immigrant community before attending law school at Georgetown University. Upon graduation from Georgetown, I earned an Immigrant Justice Corps Justice Fellowship, which is funding my two-year position at CAIR Coalition where I work on the Prince George's County Universal Representation Team. In this position, I have the privilege of seeing the immense difference that guaranteed representation makes for noncitizen individuals and their community.

This bill is especially critical for the subset of clients that CAIR Coalition works with – detained clients. Clients in detention are isolated from information, resources, and family support, all things that they need in order to win an immigration case. One of my clients has been in administrative segregation for over three months through no fault of his own. He gets 15 minutes a day to shower and use the phone. Sometimes, I can request private calls with him, but the frequency and duration of those calls are limited depending on the volume of other call requests that day. Sometimes we only get 30 minutes once a week.

The immigration judge granted this client asylum, and he now sits in detention because the government appealed the judge's decision. If he had not had counsel for his asylum hearing, I fear to think what would have happened to him. He would have had to learn immigration law in a foreign language, gather official documentation from his home country of his persecution, and research the conditions of his home country to corroborate his personal story, all while in solitary confinement. He would have to do it all within the 15-minute window of time he has a day to communicate with the outside world. An asylum case takes me a minimum of one full-time month to put together. That is a minimum of 160 hours of work with no institutional barriers and a working knowledge of the law. How – with the immense barriers he faces – would he have been able to do that himself?

This client is not unique. The combined challenge of navigating a foreign court system under foreign laws while also detained is a nearly insuperable one. Even those detained persons who undoubtedly merit

asylum or other immigration relief are almost always unable to complete the confusing procedures necessary to prove their case is meritorious. The data is there – detained clients are 10.5 x more likely to lose their cases when they do not have a lawyer.¹

Once my client's appeal is settled, he hopes to leave detention and start a new life, one where police officers do not torture him daily as they did in his home country. Thanks to his courage that got him here and the good fortune of securing legal representation, he has a much brighter future ahead. All people deserve that chance, which is why I urge a favorable report on HB 114.