2020
YEAR IN REVIEW

National Immigration Project
of the National Lawyers Guild
The National Immigration Project is a national membership organization of lawyers, law students, legal workers, advocates, and jailhouse lawyers working to defend and extend the rights of all noncitizens in the United States, regardless of immigration status. We pursue all forms of legal advocacy on behalf of immigrants and provide technical assistance and support to legal practitioners, community-based immigrant organizations, and advocates working to advance the rights of noncitizens.

NIPNLG works to protect the rights of all immigrants, including noncitizens entangled within the criminal legal system, victims of government abuse and misconduct, and those facing summary removal. We develop cutting-edge strategies including advocacy and litigation to respond to unlawful immigration enforcement, government overreach, and efforts to erode immigrant rights.

NIPNLG pursues the tough cases, bringing sophisticated litigation skills and training to a core of advocates on the front lines. I like that they do a lot with a little. Especially these last few years, they seem to be the tip of the spear pushing back against cruel and illegal immigration policies.

–Michael J. Esposito (Austin, TX)
Dear Friends,

This year has been like no other. We have faced unprecedented challenges: a global pandemic, a rise in police violence and killings, and a steady stream of relentless assaults against immigrants. But despite all this, it has also been a year of transformative change. As I look back on what we have accomplished, I feel deeply inspired and hopeful.

The uprisings against racial injustice and police brutality this summer forced a new reckoning with the nation’s legacy of racism and anti-Blackness. They also brought our communities together, with renewed recognition that our struggles are one and the same. And in places like Arizona and Georgia, we saw the fruits of years of organizing and labor usher in a new beginning. As part of a community of advocates fighting for change, the past year has been uplifting in ways I could never have imagined.

The National Immigration Project went through a transition in 2019, with a period of time without staff leadership. But we have weathered the storm, with your support. We have recruited and hired a talented core of fierce lawyers who hit the ground running, ramping up the organization’s work like never before. We have increased our back-of-the-house capacity and put in place much-needed institutional systems to support our growth. Most importantly, we have done the hard work of repairing and rebuilding, and will continue to do so as we head into the coming year.

COVID-19 has posed significant challenges to every place of business, and ours is no exception. But at the National Immigration Project, we were able to adapt quickly, in part because we already had robust remote operations in place. With staff in California, Louisiana, New York, Massachusetts, and Washington, DC, we were able to expand our reach and amplify our impact, responding to the needs of local groups in each of these locations and punching well above our weight in response to the ever-growing need.

Our programmatic work this year has focused on four core areas:

1. **Decarceration during COVID-19 and beyond**: In partnership with community groups and national organizations, we achieved significant victories by filing litigation in hard-to-reach places.

2. **Decriminalizing migration**: We have continued to develop legal theories, provide technical assistance, file amicus briefs, convene working groups, and develop
litigation and advocacy to challenge laws that criminalize migration to the United States. We have also fought against interior enforcement efforts that target communities of color, and have put forward visionary proposals to disentangle the criminal and immigration legal systems.

3. **Defending against the criminalization of asylum seekers:** We have advocated against the Trump administration’s efforts to shut out and criminalize asylum seekers. We filed a lawsuit challenging the implementation of the Remain in Mexico program. And just as this report was going to press, we obtained an order from a federal judge stopping a new proposed asylum rule from going into effect that would have dramatically expanded the criminal bars to asylum.

4. **Defending the right to protest:** As an organization that arose out of the National Lawyers Guild, we have a longstanding tradition of supporting the right to protest, and this year was no different. In partnership with NLG chapters and other groups, we provided trainings, Know Your Rights resource materials, and guides for attorneys supporting noncitizens’ right to protest.

Over the past year, we have also revitalized the National Immigration Project’s role as connector and convenor. Through our membership meeting, litigation meeting, and a convening on decriminalizing migration, we brought together communities of progressive lawyers and advocates to coordinate strategies for our work. We significantly expanded our role as trainers and capacity builders for immigration attorneys in the trenches: during this year alone, we published over a dozen crim-imm practice advisories and organized four well-attended and favorably reviewed CLE seminars. We also continued to respond to requests for technical assistance from attorneys and community groups, and to strategically engage as co-counsel in petitions challenging adverse immigration appellate decisions.

In many ways, this year was a year of returning to our roots. Hearkening back to the origin story of the National Immigration Project and the critical role it played in asylum litigation at the border, our organization has returned to the model of nimble, progressive, community-centered legal advocacy to advance and defend the rights of migrants. We have continued to stand up for those who are marginalized, and to strategically focus our resources on building the capacity of the immigrant rights movement. I can truly say, looking back, that we have been able to play that role this year in an unprecedented way.

As we head into our 50th anniversary next year, we are getting ready to renew our fight in 2021, continuing to vigorously tackle systemic racism and injustice, and fighting to realize our vision of **a world where all people – no matter where they come from or what their struggles – are able to live freely and to flourish.**

In solidarity,

Sirine Shebaya, Executive Director
What. A. Year. For as many challenges as 2020 presented, I am proud to say that the National Immigration Project of the National Lawyers Guild responded strategically and imaginatively to the continuous attacks on members of our immigrant community, but did not quit (in South Texas we’d say, “no nos rajamos”), especially when our work is needed most.

In March, when the country was slowing down and businesses were closing as a result of the pandemic, NIPNLG staff kicked it into gear. Alongside our partners, we led the charge to free vulnerable people in ICE custody from immigration detention. The NIPNLG sued in Maryland, D.C., Louisiana, Virginia, Colorado, Mississippi, California, and Alabama. Our team fought hard, sometimes in places where others choose not to litigate, because of those courts’ anti-immigrant reputations.

As the chair of the Board, I was ecstatic to see the amazing work that the staff was undertaking. However, because I was privy to an inside view of the daily work, I admit that I was concerned about our resources being stretched thin and the strain upon the members of our team. Rest assured, not only did our staff deliver top-notch litigation, they also continued to work on projects ranging from FOIA lawsuits to fighting against denaturalization efforts to producing critical practice advisories in support of our members nationwide. (As a side note, many people are surprised to learn that our team is made up of only eight people.)

The work we are doing continues to change lives and impact communities. But we know that much more needs to be done. This year was also a time for reflection. Understanding how to better serve our members and how to best reflect the community that we represent remains a top priority. We continue to seek your input, advice, and suggestions. With your help we can continue to fight for justice and for what is right.

Sincerely yours,

Carlos Moctezuma García, Board Chair
McAllen, TX
### 2020 AT A GLANCE

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Talatu Helen Dada narrowly escaped attacks on her family in conflict-torn Nigeria, where she saw her neighbors burned alive in their homes. She arrived in the U.S., settled in Louisiana, and studied nursing at Grambling State University. In 2018, she was detained by ICE.

Ms. Dada suffers from Graves disease, an autoimmune hypothyroid condition, as well as severe asthma, hypertension, and a vision-impairing eye ailment. At the LaSalle ICE Processing Center in Jena, LA, the conditions are deplorable. As COVID-19 raged on, dorm bunkbeds were just two feet apart, there was no soap, three toilets were shared by 80 women, mask-wearing was erratic, rooms were overcrowded, and Ms. Dada became clinically malnourished. At one point she was kept in a solitary cell leading to anxiety, PTSD, and depression.

Despite numerous hospital visits and a series of life-threatening episodes, including fevers, difficulty breathing, and loss of vision, ICE denied Ms. Dada’s request for release.

In April 2020, Ms. Dada became our lead plaintiff in Dada v. Witte. Along with our partners, we sued ICE and the wardens of six Louisiana detention centers for putting medically vulnerable immigrants at grave risk if exposed to COVID-19. We alleged that keeping them locked up violates their constitutional right to safety in government custody.

On May 23, 2020, the District Court judge in Louisiana, adopting the recommendation of the magistrate judge, ordered Ms. Dada’s release. NIPNLG will continue to fight until all medically vulnerable immigrants detained by ICE are released.

Talatu Helen Dada now resides with her daughter and extended family, and continues to fight her immigration case.

Read Talatu Helen Dada’s op-ed in Common Dreams, A Mother in ICE Detention Pleads for Her Life at https://www.commondreams.org/views/2020/04/09/mother-ice-detention-pleads-her-life

Photo courtesy of Talatu Helen Dada
In the summer of 2020, Farmville Detention Center in Virginia became the site of the largest COVID-19 outbreak in any immigration detention center in the country. The outbreak was caused by ICE’s transfer of 74 people from detention centers in Florida and Arizona.

The primary reason for the transfer was for ICE to quickly bring DHS agents accompanying the transferees in order to suppress Black Lives Matter protests in Washington, D.C. Soon after arriving at Farmville, 51 of the 74 transferees tested positive for COVID-19, and in a matter of weeks, 88% of the detained population (339 people) was infected with the deadly disease.

Because of the harrowing conditions inside the detention center, with large numbers of people exhibiting symptoms of COVID-19 yet not being provided the most basic medical care, NIPNLG sued ICE and Farmville Detention Center on behalf of four detained immigrants seeking improved conditions and proper measures to protect them from COVID-19. As a result of our litigation, the court quickly ordered ICE to stop all transfers into the facility and ordered a health inspection of Farmville’s COVID-19 response.
While our litigation was ongoing, the judge presiding over our case received a letter from Frank Odin Souza Bauer who was detained at Farmville:

“I have been a resident of Alexandria since 1992, and even though I am not a United States Citizen, I will always carry at heart and consider the beautiful Old Town of Alexandria my home...I fear for my life being present in this facility because I have seen and felt in body, flesh and soul the negligence, and disrespect of the response from the staff in this facility and ICE...

For the past ten months, I have been suffering every night gasping for air for not having my breathing machine. I do not know the damage the Corona Virus has done to my weak lungs, but I can feel the pain on a daily basis, and the Medical Unit has not properly evaluated me...I am requesting that the Ban on transferring detainees continue until everyone who is here has left the facility; this is to prevent another tragedy and death, like the one we had here. Thank you so much for the Ban at Farmville Detention Center. God Bless You.”

In October, we added Frank and nine other people to our litigation, and added damages claims on behalf of all of our clients against the facility. As this litigation proceeds, we are fully committed to ensuring that ICE and the Farmville Detention Center protect people from COVID-19, provide adequate medical care to those who are detained, and compensate our clients for the harm that they have caused.
Under the Trump administration, asylum seekers fleeing unspeakable violence no longer find welcome or refuge at our border. Instead, the Remain in Mexico program has forced over 60,000 people into precarious, life-threatening circumstances along the US-Mexico border.

There, migrants have no access to legal support or the tools they need to present their asylum claims. They have already suffered grave harms and survived a harrowing journey to seek protection in the United States – only to be sent back to dangerous conditions in border towns in Mexico, desperately awaiting immigration court hearings that may never happen.

In October 2020, NIPNLG and its partners filed a class-action lawsuit challenging the Remain in Mexico program, on behalf of eight individual plaintiffs and two organizations that provide legal services to asylum seekers.

Our clients are facing horrific dangers while they are trapped in Mexico. Benjamin Doe and Jessica Doe* cannot send their son to school because he was threatened by cartel members. Jaqueline Doe* has been robbed, verbally abused, and physically assaulted because of her gender identity. Hannah Doe* has been the victim of assault and attempted rape. All are struggling daily for survival and have found it nearly impossible to meet even their most basic needs.

We filed suit because our clients’ lives are at risk. With hearings under the Remain in Mexico program indefinitely suspended, tens of thousands of women, men, and children are trapped in dangerous conditions in Mexico, without meaningful access to the asylum system, legal assistance, or their basic needs. Through this lawsuit, we hope to stop the implementation of this inhumane program, facilitate the return of asylum seekers so they can pursue their claims from within the United States, and remove obstacles facing legal service groups who want to represent asylum seekers in their immigration cases.

*Not our clients’ real names.
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Our staff is based in Boston, MA, Brooklyn, NY, Los Angeles, CA, New Orleans, LA, Oakland, CA, and Washington, DC.
THANK YOU for supporting our fight to advance and defend the rights of all immigrants and noncitizens living or seeking to live in the United States. We are especially grateful to our donors and philanthropic partners, our organizational allies, and our dues-paying members. You are truly at the heart of our work – you keep us going.

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I give because NIPNLG is on the frontlines of justice.
—Ginny McGrath (Burlington, VT)

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Income in 2019 derived from individual and foundation contributions, membership dues, book royalties, and seminar tuition. 2019 Expenses reflect an investment in management and institution-building following a major leadership transition as a result of the retirement of our executive director after 32 years.

The National Immigration Project is a non-profit charitable organization under Internal Revenue Services code 501(c)3. All contributions are fully tax-deductible to the extent of the law.

I have been a staunch supporter for decades because NIPNLG’s commitment to collaboration, education, and assistance has created a powerful voice in defense of immigrant communities. And the camaraderie between members provides sustenance to the ever difficult project of seeking justice for our clients.

–Vera A. Weisz (Los Angeles, CA)
I give monthly because NIPNLG not only advocates and litigates for individual immigrants – they also train and support other immigrant rights groups and lawyers, while marshaling support to overturn legal injustices all over the country. I also find it to be an exceptionally well-run organization with an extraordinary staff!

–Dion Frischer (Ann Arbor, MI)
National Immigration Project of the National Lawyers Guild

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Top: Women at the Irwin County Detention Center in Georgia hold signs asking for help. Screenshot: The Intercept
Right: “Women detained at Irwin County ICE Processing Center in Ocilla, Georgia, risk retaliation from guards to plea for their release from detention as cases of COVID19 have been confirmed at the jail.” (Rachel Taber) Screengrab / Rachel Taber / YouTube
Bottom: Women at the Irwin County Detention Center in Georgia plead for help. Credit: Rachel Taber

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