MODELS OF THE RESISTANCE

2018 was a year of radical growth for the Innovation Law Lab, and as our team grew, so too did our impact. **With increased capacity, we were able to strategically intervene at new points of the immigration journey.**

Before a person attempts to cross the U.S. border, there is an opportunity to inform them of their rights and capture their data and important documents. In collaboration with partners at the border, we are designing systems to orient and support asylum seekers even before they enter the country.

After entering the country, most migrants are detained. BorderX, our novel approach to advocating for the release of those in detention, has expanded to more sites. And when asylum seekers were transferred to a federal prison in Sheridan, Oregon, we drew on BorderX principles to successfully represent and advocate for the timely release of 96% of our clients.

Upon release from detention, the majority of asylum seekers still have a lengthy immigration court battle ahead of them. We are powering programs that connect asylum seekers with pro bono legal representation and defend due process.

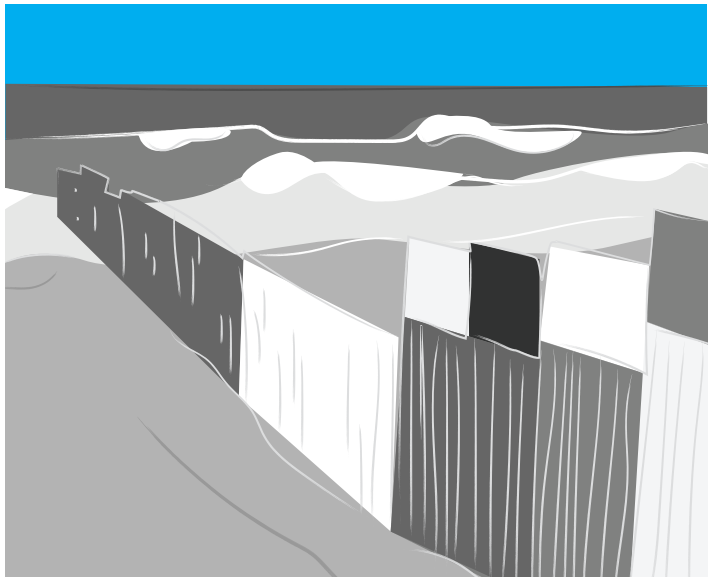
2018 will forever be remembered for the federal government's unrelenting attacks on the rights of immigrants and refugees—from separating parents and children at the border, to detaining asylum seekers in federal prisons, to reversing legal precedents that protected victims of gender-fueled violence, to attempting to close the border to those seeking asylum.

In spite of the Trump Administration's actions and propaganda, organizations and people across the country came together to fight back with every tool at our disposal. We bring this resistance with us into 2019. **We will continue to fight for a future where immigrant detention no longer exists, where the right to asylum is respected, and where to the immigrant we can say, "welcome, you have come to the place where you belong."**

DESIGNING FOR DUE PROCESS

BORDER → DETENTION → BOND/POST-DETENTION → NAVIGATING THE LEGAL SYSTEM → CHALLENGING IN COURT

DEPLOYING TECH AT THE BORDER



As news of the Central American caravan of late 2018 broke, the Innovation Law Lab, Al Otro Lado, and the Catholic Legal Immigration Network (CLINIC) came together to design systems to provide legal support to asylum seekers before they entered the United States. The key needs identified were legal orientation, document safety plans, and case tracking.

There are thousands of people temporarily living in Tijuana, Mexico, waiting for the opportunity to approach a port of entry and request asylum. Legally, asylum seekers have the right to present themselves at a port of entry any time, but there is a long-documented practice of U.S. Border Patrol officers turning asylum seekers away, claiming "capacity" has been reached. Determined to present themselves at a port of entry, hundreds write their names on a ledger that has become known as "the list."

Legal volunteers are trained by Al Otro Lado to provide orientations, credible fear interview preps, and advocacy.

800+

volunteers trained and deployed

Asylum seekers attend legal orientations delivered by volunteers.

2000+

individuals reached by legal orientations

Asylum seekers enter information into the LawLab Intake Tool, a mobile application that securely stores personal information and documents.

1200+

records created

As capacity is available, asylum seekers receive individual legal assessments from trained legal volunteers.

1000+

legal assessments completed

Data collected is used by Al Otro Lado's Border Rights Project to track case outcomes on a large scale and facilitate future case placements.

BUILDING A DETENTION-BASED RAPID RESPONSE

In early June 2018, ICE transferred around 1,600 immigrants to federal prisons, including 124 recently-arrived immigrants who were moved to a facility in Sheridan, Oregon. The move was a part of the Trump administration's "zero tolerance" policy that included separating children from their families at the border.

After Innovation Law Lab staff were repeatedly denied entry to visit those detained, we filed a lawsuit with the ACLU of Oregon and Stoll Berne to gain access and won. Our goal: to offer pro bono legal services to every person detained in Sheridan and to put a stop to the inhumane imprisonment of immigrants and refugees in Oregon.



Our team put out a call for volunteer support and received an incredible response from over 1,000 people, including more than 200 attorneys. Hundreds of others showed their support for the men detained in Sheridan by calling their representatives, attending vigils, and contributing to the efforts of the Innovation Law Law and other organizations.

THE SHERIDAN RESPONSE

1. KNOW YOUR RIGHTS

Staff and volunteers led trainings for individuals held inside Sheridan in nine languages.

2. CASE CONSULTATION

One-on-one consultations provided to determine appropriate legal strategy.

3. CREDIBLE FEAR INTERVIEWS

100% of the Sheridan cohort passed their interviews and established a credible fear of persecution or torture.

4. RELEASE PACKETS

Collected documents from around the world and submitted bond and parole requests with the help of over 25 committed volunteers and an innovative templating system.

5. RELEASE

96% of Law Lab clients were released, with an average bond of $4,571.

6. POST-DETENTION RESPITE NETWORK

Churches, volunteers, and advocates united to transport and provide temporary housing, meals, clothes, phones, and travel assistance for released individuals.

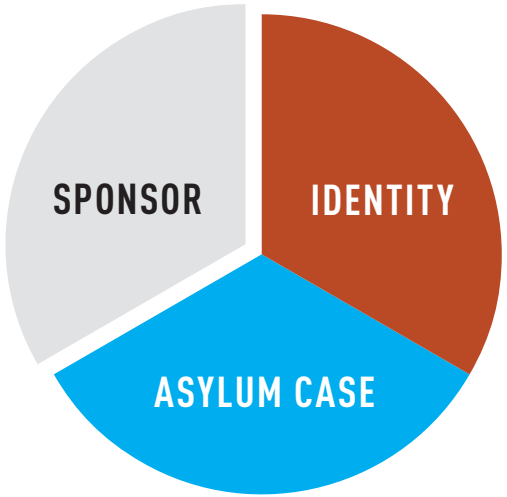
CONNECTING ASYLUM SEEKERS WITH SPONSORS

For individuals without ties to the United States, winning release from detention can be incredibly hard. Over time, demonstrating you have a place to stay, at least temporarily, has become a key factor considered by ICE and immigration judges when determining whether to grant bond or parole. As we furthered our collaborative efforts to win release for individuals in detention, we found ourselves in the position of being unable to assist individuals without so-called "sponsors."

That changed when grassroots groups across the country committed to help meet this need. The Innovation Law Lab BorderX team, which implements collaborative detention-release projects at various sites across the country, partnered with Showing Up for Racial Justice (SURJ), Diversidad Sin Fronteras, and the Santa Fe Dreamers Project to form the Asylum Seeker Sponsorship Project, which aimed to connect individuals in detention with sponsors.

THREE KEY COMPONENTS

When considering offering bond or parole, ICE and the immigration court look closely at three things: Has the applicant's identity been proven? Does the applicant have a case for relief? Does the applicant have community ties?



600+

people interested in sponsoring

150+

asylum seekers placed with sponsors

"I didn't expect to be released. I thought I was going to be detained forever fighting my case. My physical and mental state while imprisoned would have not allowed me to do any of that. I cannot return to my country but I didn't know if I would stay alive in detention."
—Andrea, asylum seeker

ANDREA'S STORY

When Andrea*, a queer asylum seeker, arrived in the U.S. and was detained in the notorious Cibola County Detention Center—where earlier that year, a woman had died after neglect and apparent physical abuse—she wondered if she would ever find a way out. Finding sponsorship can be particularly difficult for queer migrants—sometimes even if they have family in the U.S., they are not welcome to stay with them.

The newly-formed Asylum Seeker Sponsorship Program connected Andrea with Amor y Solidaridad, a group willing to sponsor her. With their help, Andrea's petition for parole was successful. "I still remember the moment," Andrea shared.

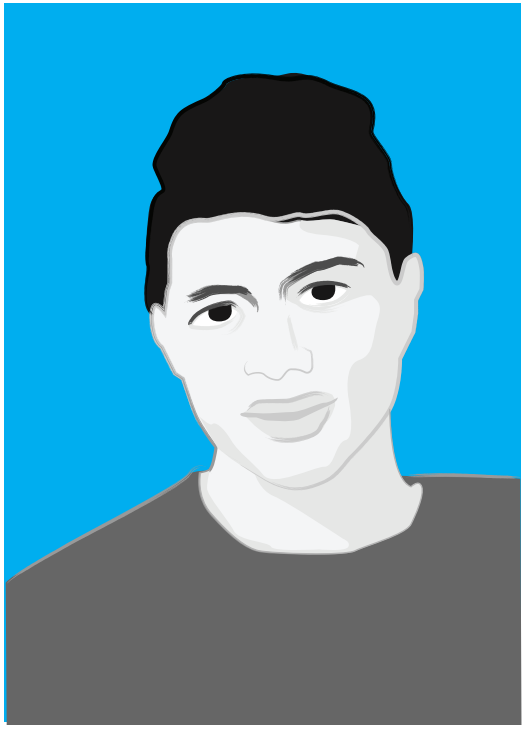
Now, Andrea is thriving. She is studying English, gaining professional training, and learning to crochet, bake, and make sculptures. Even with an ongoing asylum case, Andrea feels safe and empowered in her community. She is committed to making sure other migrants can receive the support she has received.

**Name has been changed.*

WINNING FREEDOM FROM DETENTION

Detention should *not* be the norm for asylum seekers and immigrants pursuing forms of relief. Unfortunately, without legal orientation and representation, it can be difficult for those detained to find their way out. In the Greater Kansas City region, there has been an increase in the number of immigrants arrested by ICE and then detained in rural county jails throughout Missouri and Kansas. Once detained, it is difficult for individuals to secure legal counsel, let alone communicate with family and friends on the outside.

The Innovation Law Lab partnered with local organizations to design the **Deportation Defense Legal Network (DDLN)**. Drawing from other successful pro bono projects, we created a simple, scalable solution to prepare and represent detained individuals eligible for bond or parole. Key to the success of DDLN has been the support of big law firms, which have donated pro bono hours, conference space, and other resources, enabling the project to represent a dozen bond cases since launching in May 2018.



*Name has been changed.

FRANCISCO'S STORY

After receiving repeated threats from a notorious gang in Honduras, 18-year-old Francisco* fled to the United States to seek asylum. While he was initially placed in a shelter for unaccompanied minors, he was soon transferred to an all-adult facility in Kingston, Missouri.

Francisco's bond case was one of the first placed by DDLN. A collaborative representation effort between volunteer interpreters, remote legal assistants, and an attorney yielded a successful outcome—Francisco won bond!

Through DDLN, Francisco was then connected to a local bond fund that covered the cost of his bond. Francisco now lives with his extended family, where he looks forward to continuing his schooling.

91.6% (DDLN)
30.5% (NATIONAL)
cases granted bond

PROCESS: VOLUNTEERS + LAWYERS + TECH

LEGAL ORIENTATION
Know Your Rights presentation and information on DDLN.

HOTLINE
Individuals detained and eligible for bond can request legal assistance by calling a hotline.

CASE PLACEMENT
Cases are screened and placed with trained pro bono attorneys for representation.

CASE PREPARATION
Attorneys visit clients and gather case information, which is then organized with the aid of a template.

BOND HEARINGS
Attorneys advocate for clients before a judge.

$3,428 (DDLN)
$7,500 (NATIONAL)
average bond

EMPOWERING ASYLUM SEEKERS

In many parts of the country, finding legal representation can be challenging for asylum seekers. Shifting court dockets, changing case law, and a lack of attorneys experienced in removal defense, mean that not only do many individuals face immigration proceedings alone, but they often miss important opportunities and deadlines to apply for deportation relief.

Passing a credible fear interview or being granted release from detention are important first steps in an asylum case, but to ultimately receive a final hearing in court, a formal asylum application, called an I-589, must be submitted within one year of the applicant's entry into the United States. Without legal orientation or representation, many who might be eligible for asylum lose the ability to attain it.

In Atlanta, Georgia, we are addressing this issue by rolling out a pro se I-589 program. Pro se means "for one's self;" in other words, we do not provide formal legal representation at this phase in an asylum seeker's case, simply guidance in properly completing and filing what is often a complex application.

PROCESS

1

TRAIN VOLUNTEERS

Volunteers assist with I-589 completion.

2

HOST WORKSHOPS

Pair volunteer attorneys with asylum seekers.

3

REVIEW FORMS

Law Lab staff review and upload forms for future case placement.

4

FILING SUPPORT

Instructions and assistance for complicated filing processes.

SUCCESS STORIES

Jorge* and his young son fled to the U.S. after they became targets of a wealthy mogul who had assembled a private militia to threaten and assassinate politically-active community members. As the family's one-year asylum application deadline neared, Jorge worried—he had called every number he could find in search of an attorney, but without any success. By chance, he learned about the Innovation Law Lab from a neighbor. With pro se assistance, Jorge was able to complete and file his application before the deadline—even navigating the challenges of filing with the immigration court during a federal government shutdown.

Briana* was referred to us through the Asylum Seeker Advocacy Program (ASAP)'s online support community, and within one day of her asylum application deadline, filed the necessary paperwork. Briana, who was pregnant when she arrived in the U.S., had been overcome by feelings of worthlessness, stemming from years of domestic abuse. She was afraid to seek legal help and believed that nobody would want to help her because she lacked the means to pay. Because of this new pro se program, Briana's asylum case will continue to move forward.

**Names have been changed.*

PROVIDING REPRESENTATION FOR ALL

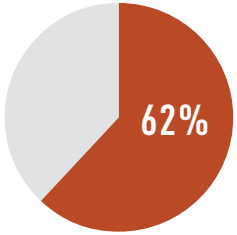
Though the outcome of an immigration case can be the difference between life and death, immigrants in proceedings are not guaranteed representation by an attorney. Cities and states across the country have independently created universal representation programs to address this inequity.

In Oregon, a group of legal nonprofits came together to design the Equity Corps of Oregon, the first universal representation program in the state. With Innovation Law Lab technology and Massive Collaborative Representation principles at its core, the Equity Corps was designed to scale and provide the highest quality of representation for Oregonians without the financial means to secure a private attorney.

An investment from the City of Portland and Multnomah County made the first iteration of the program a reality in the fall of 2018, and funding for an expansion has been earmarked in the Oregon governor's budget. Since the Equity Corps' inception, over 100 individuals have been deemed eligible for representation by the program—including asylum-seeking families affected by the Trump Administration's policy of family separation. Many individuals have benefited from pro se workshops and appointments with attorneys, in which individuals are assisted in preparing paperwork for venue changes and formal asylum applications in advance of their actual court hearings.

EQUITY CORPS OF OREGON: AN INNOVATIVE UNIVERSAL REPRESENTATION PROGRAM

Legal representation is an important factor in whether or not someone will prevail against an unjust deportation.



Respondents from Multnomah County, Oregon who appear unrepresented in immigration proceedings.

WITH LEGAL REPRESENTATION, AN INDIVIDUAL IS

15X

more likely to seek relief

5X

more likely to win relief

A SCALABLE & INNOVATIVE SOLUTION

NAVIGATE → SCREEN → SUPPORT → PLACE → DEFEND

CHALLENGING ANTI-IMMIGRANT POLICY IN COURT

"The ill-conceived and unconstitutional 'asylum ban' is an illegal attempt by the Trump Administration to suspend the rule of law. The Innovation Law Lab's technology and program design are critical to protecting the rights of everyone and securing fair and just treatment for children and families fleeing persecution."

—Ian Philabaum, Program Director, Innovation Law Lab

ASYLUM BAN *East Bay Sanctuary Covenant v. Trump*

In early November, the Innovation Law Lab joined three other legal services organizations to challenge a rule unilaterally issued by President Donald Trump that would make those who crossed the southern border without inspection ineligible for asylum. Trump's policy is often referred to as an "asylum ban"—given the profound harm it could have on the lives of thousands of asylum seekers.

A federal judge sided with the Innovation Law Lab and fellow plaintiffs, halting the implementation of the asylum ban. The Trump Administration urged the Ninth Circuit Court of Appeals and the Supreme Court to overrule this decision, but both courts refused to do so.

THE PLAINTIFFS:

Innovation Law Lab, East Bay Sanctuary Covenant, Al Otro Lado, Central American Resource Center (CARECEN LA)

LEGAL REPRESENTATION:

American Civil Liberties Union, Southern Poverty Law Center, Center for Constitutional Rights



NORCOR: *"I see this morning we are down to 26 detainees. Can you please see if you can get these numbers up. We have been keeping the county numbers low to make room..."*
ICE: *"Tacoma is working on vetting more detainees to go to NORCOR. I will keep hounding them for more."*

(Email between ICE and NORCOR staff)

UNLAWFUL COOPERATION WITH ICE *Stovall v. NORCOR*

Oregon's decades-old disentanglement statute—sometimes referred to as a "sanctuary law"—prohibits local law enforcement from carrying out federal immigration directives. Yet, the NORCOR county jail has a history of cooperating with and aiding ICE in arresting and detaining immigrants.

In January 2019, the Innovation Law Lab was in state court on behalf of concerned residents who are suing NORCOR. The case is pending resolution.

ACKNOWLEDGEMENTS

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NATIONAL

American Immigration Council (AIC)
American Immigration Lawyers Association (AILA)
Asylum Seeker Advocacy Project (ASAP)
Catholic Legal Immigration Network, Inc. (CLINIC)
Freedom for Immigrants
Refugee and Immigrant Center for Education and Legal Services (RAICES)
Showing Up for Racial Justice (SURJ)
Southern Poverty Law Center (SPLC)
UC Hastings Center for Gender and Refugee Studies (CGRS)
Women's Refugee Commission (WRC)

THE PACIFIC NORTHWEST

Adelante Mujeres
American Civil Liberties Union of Oregon (ACLU OR)
American Immigration Lawyers Association (AILA) Oregon Chapter
Asian Pacific American Network of Oregon (APANO)
Catholic Charities of Oregon
Causa Oregon
City of Portland
Consulado de México en Portland
Dashmesh Darbar Sikh Temple
Ecumenical Ministries of Oregon (EMO)
El Programa Hispano Católico
Equality Lab
Federal Public Defender of Oregon
First Unitarian Church of Portland
Gorge ICE Resistance
Guru Ramdas Gurdwara
ICE out of Sheridan
Immigration Counseling Service (ICS)
Immigrant & Refugee Community Organization (IRCO)
Interfaith Movement for Immigrant Justice (IMIrJ)
Latino Network
Lewis & Clark Law School
Linn County Rapid Response Network
Metropolitan Public Defender (MPD)
Multnomah County
North Valley Friends Church
Oregon Law Center (OLC)
Oregon Ready Coalition
Perkins Coie
Portland Immigrant Rights Coalition (PIRC)
Pueblo Unido PDX
Rural Organizing Project (ROP)
SALDEF
Sikh Seva Foundation USA
St. Michael and All Angels
Stoel Rives
Stoll Berne
Unidos Bridging Community
Unite Oregon

THE WEST

ACLU of San Diego
American Civil Liberties Union of Southern California (ACLU SoCal)
Al Otro Lado
American Bar Association Immigration Justice Project (ABA IJP)
Immigrant Defenders Law Center
Jewish Family Service of San Diego
Justice and Diversity Center of the Bar Association of San Francisco
San Diego Immigrant Rights Consortium
San Diego Rapid Response Collaborative

THE SOUTHWEST

ACLU of Texas
Annunciation House
Border Immigration Council
Detained Migrant Solidarity Committee
Dilley Pro Bono Project
Diocesan Migrant and Refugee Services
Diversidad Sin Fronteras
Hope Border Institute
Las Americas Immigrant Advocacy Center
Miles Immigration Law
New Mexican Immigrant Law Center
Noble & Vrapi, PA
Santa Fe Dreamers Project

THE MIDWEST

Advocates for Immigrant Rights and Reconciliation (AIRR)
American Immigration Lawyers Association Missouri-Kansas (AILA MO-KAN)
Asylum Clinic KC
Cosecha KC
Deportation Defense Legal Network (DDLN)
Free Our Neighbors
Hoppock Law Firm
Martinez Immigration Law Group
McCrummen Immigration Law Group
Polsinelli
Sharma Crawford Attorneys at Law
Shook, Hardy & Bacon
Stinson Leonard Street
The Clinic at Sharma Crawford
VIA Immigration & Refugee Ministry, Diocese of Kansas City - St. Joseph

THE SOUTHEAST

Alston & Bird
A Tu Lado
American Psychological Association (APA)
Antonini and Cohen
Bradley LLP
Catholic Charities Atlanta
Center for Victims of Torture
Charlotte Center for Legal Advocacy
Evershed Sutherland
Fragomen
Georgia Asylum Immigration Network (GAIN)
Georgia Immigration Working Group
Justice In Motion
K&L Gates
Kids In Need of Defense (KIND)
Kilpatrick Townsend
King & Spalding
Latin American Association
Latin American Coalition
Mi Maletín
Owings MacNorlin Law
Southeast Immigrant Freedom Initiative (SIFI)
Troutman Sanders
Welcoming Atlanta

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And all those who unite to elevate humanity above fear.