Overview of Achievements, 2020-2021

Despite enormous challenges over the past 12 months, Safe Passage Project continued to advocate for the rights of children facing deportation in New York. Over the course of this grant reporting period we:

- Screened 286 children
- Opened 177 new cases for full representation
- Closed 78 cases successfully (cases where our client has a path to citizenship via asylum, Special Immigrant Juvenile Status, U-Visa, T-Visa, or green card)

Safe Passage Project's mission is to ensure that every child in New York who is eligible for substantive immigration relief receives high-quality legal representation. We believe no child should face the immigration process alone. We work with unaccompanied refugee children under 21, in New York City and on Long Island. While the young people we work with typically come from Guatemala, Honduras, and El Salvador, we serve children from all over the world who traveled to the United States seeking refuge and are now living with an adult “sponsor.” The children we serve include children who are homeless, who are fleeing gang violence, who identify as LGBTQ+, and who are survivors of gender-based violence.

Securing legal status for our clients puts young people on a path to citizenship and makes them legally eligible for benefits including state-based college tuition, health insurance, and social security. The Robin Hood Foundation completed a detailed financial cost-benefit analysis and has determined that each child who receives citizenship due to Safe Passage Project’s efforts generates $70,000 in economic benefit to themselves and their communities over the course of their lives. Most crucially, it means refuge from the violence and persecution that they fled through a safe and stable future in the United States.

Population Served: Children Facing Deportation
Area Served: Nassau and Suffolk Counties
Total Funding: $4,598,300
Total IOLA Grant: $100,000

Staffing - Full Time Equivalents:
- Total Staff: 41.00
- Lawyers: 24.00
- Paralegals: 6.00
- Others: 11.00
Diego is an 18-year-old boy from an indigenous community in Guatemala. Diego suffered multiple traumas while in Guatemala. He was physically and psychologically abused by his mother, recruited by gang members and threatened with death for not joining, and was attacked by gang members because of his family. He currently resides in Brooklyn with his father and two brothers. He was placed in removal proceedings when he entered the U.S.

Diego’s case was referred to Safe Passage Project from another organization because of an ethical conflict of interest. Safe Passage Project took on his case in-house. His attorney filed both an asylum application for him as well as a guardianship petition for him in King’s County Family Court. While his family court proceedings were taking place, Diego appeared at the New York Asylum Office in Bethpage for an asylum interview. Thanks to the hard work of his attorney and support staff at Safe Passage, Diego was granted asylum, and his removal proceedings will now be terminated.

Due to the traumas that he suffered, Diego was diagnosed with PTSD. Safe Passage referred him to post asylum case management with a focus on his mental health services.

Milton was abandoned by both parents, and came to the United States at 8 so his only aunt could care for him. The government improperly and unjustly initiated his deportation case by violating several federal regulations. With Safe Passage Project’s support, his deportation case was dismissed.
Other Services

Significant Collaborations

Relationships with other organizations serving immigrant youth continue to be critical to the success of Safe Passage Project. We are a founding member of Immigrant Children Advocates’ Relief Effort (ICARE), a coalition of nonprofit organizations that collaborates to provide free legal services to immigrant children. ICARE includes key partners such as Catholic Charities, Central American Legal Assistance, The Door, Kids in Need of Defense, The Legal Aid Society, and Make the Road New York. Over the course of this grant, we continued to work together to provide direct legal representation, mental health and medical services, and advocate for child refugees.

On Long Island, we continued our collaboration with the Health and Welfare Council of Long Island and the New York Immigration Coalition as well as other immigration services providers including the Central American Refugee Center (CARECEN), the Immigrant Justice Corps (IJC), and Hofstra Law School’s Asylum Clinic. The Episcopal Diocese of Long Island hosts the Safe Passage Project Long Island team at its School of Theology. This local office enables us to coordinate service delivery for clients for whom regular travel to New York City to consult with us would be impossible.

Our social work team continues to maintain relationships with numerous educational, social, and health service providers in New York City and across Long Island. During this grant, we continued our longstanding relationship with HealthRight International and Terra Firma, a national medical-legal organization that specializes in direct health services for immigrant children.
Impact Cases

Ms. L:
Safe Passage Project continues to be involved in the ongoing litigation, Ms. L v. ICE, by sitting on a steering committee representing the interests of separated children. Together with others on the steering committee, we filed motions to enforce the original order against the government and have participated in ongoing discussions about the litigation, including how to facilitate information-sharing between the government and separated families, and who "counts" as a member of the class action in the Ms. L lawsuit.

The Ms. L litigation already covers nearly 5,400 children who were separated from their families in 2018. The government continued to conduct separations in 2019 and beyond, and all are due to some protections through this case.

Joshua M.:
In February 2019, a Safe Passage Project client “Joshua M.”, a young man with a pending I-360 Petition for Special Immigrant Juvenile Status (SIJS), was pulled over for speeding and driving without a license in Virginia. He paid a fine but was transferred to ICE custody. He was denied bond after an immigration judge deemed him a “danger to the community,” and denied his asylum claim in a rushed trial. The immigration judge did not consider Joshua’s pending SIJS claim and ordered him removed from the country.

Safe Passage convinced USCIS to issue an expedited decision on the SIJS petition, which was approved. We immediately filed a motion to reopen his removal case, which the same immigration judge promptly denied. We appealed to the BIA, and simultaneously filed a habeas petition in federal court, arguing that Joshua has a constitutional right to due process, and that removing him from the country when he’s been designated a Special Immigrant Juvenile would violate those rights. Safe Passage argued the case before the District Court for the Eastern District of Virginia in December 2010. In February 2020, the Court found that it had jurisdiction and denied the government's Motion to Dismiss. Safe Passage Project celebrated as Joshua was released after more than a year of detention.

Since Joshua’s release, several other young people around the country have relied on the good law his case created thus far. Federal judges in Michigan and Maryland found, relying on the decision, that two different young people were being unlawfully detained and at risk for removal. The judges halted their deportations and ordered the young people released.

The case outcome is pending, but a positive outcome for Joshua M. would also impact 20,000+ other Special Immigrant Juveniles in a similar position.
During this reporting period, Safe Passage Project continued to expand our pro bono network with new and existing pro bono partners. In direct response to client needs, we continue to place new cases with pro bono partners. We are currently working with 545 pro bono attorneys from more than 100 firms and organizations.

Partnerships with law firms and corporations have been important sources of pro bono attorneys for Safe Passage Project. Some law firms, including Simpson Thatcher, Fragomen, MetLife, Barclays, and Marsh & McLennan have provided office space, staff, and technology to support our legal screenings.

In addition to recruiting new pro bono attorneys, we have increased our efforts to retain and re-engage current and former pro bono attorneys who have already taken on cases with us. Continuing to hone this group of experienced pro bono attorneys will allow us to support our clients even more efficiently, as these excellent attorneys have important experience navigating these complex cases.

We recently launched North Star, a portal for Safe Passage Project pro bono attorneys. This website includes downloadable sample litigation documents, training videos, and other information intended to assist pro bono attorneys in their representation of immigration youth. Similarly, we have begun sending a pro bono email newsletter, Guide for Practitioner Success (GPS), which includes updates on our work, our new case bulletin, and event information.

Finally, over the summer Safe Passage Project welcomed students from law schools and colleges throughout the U.S. as interns. In the summer of 2020, we worked with 21 interns, providing real-world experience to law school students, college, and even a small number of high school students.

### Pro Bono Statistics

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### Sources Of Funding

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