

## Gateway Community Services: Supporting immigrants in Maine

Session One: Asylum Training on Advocacy

April 24<sup>th</sup> 2018

5:30-7pm

Location: Gateway Community Services

Notes: By Rachel Andreassen MSW intern at Gateway Community services

### Order of Events:

1. Welcome: Lacey Gale
2. Introductions of presenters
3. Presentation of Dan Perilla
4. Presentation of Cynthia Arn
5. Presentation of Saeek Frazee
6. Questions
7. Closing

### Presenters:

- **Skeek Frazee:** is a constituent services representative of Chelie Pingree's office
- **Dan Perilla:** is an Immigration officer for United States Citizenship and Immigration Services
- **Cynthia Arn:** attorney specializing in immigration law.

### Welcome:

### Lecture: Dan Perilla (DP)

**Email:** [Daniel.A.Perilla@Uscis.DHS.gov](mailto:Daniel.A.Perilla@Uscis.DHS.gov) (PLEASE DON'T GIVE OUT!!!!!!)

- **Background:**
  - I come from the advocacy community. I use to volunteer teaching citizenship classes in New York City. I was an accredited representative, not an attorney.

### Key Points:

- **Talk with an expert, Don't give legal advice!**
  - You will all be faced with questions from your clients and friends, and there will be a point when you need to talk to attorney
  - Don't cross the line, and try to get legal advice.
  - Talk with USCIS office about any questions, also consult the website, it has a lot of helpful information
  - All asylum court cases are done in Boston.
- **The difference between the Immigration agencies**
  - Homeland has over 25 agencies. The main three agencies that deal with immigration are:
    - **Border Patrol:** people at the airport
    - **Immigration and Customs Enforcement: ICE:** People who enforce the immigration laws

- **United States Citizenship and Immigration Services:** and then there is us: Immigration services in which we help people become permanent residents.

**Lecture: Cynthia Arn: (CA)**

- **Background:**
  - Law office of Landis Arn & Jaynes
  - . An attorney office that specializes in immigrant services:
    - **Employment cases:** getting credentials transferred
    - **Family cases:** bringing relatives over
    - **Residence cases**
    - **Deportation Defense cases:** Helping with people who are risk of deportation
    - **Asylum cases:** Helping people applying for asylum and in court
- **Key Points: Asylum cases and challenges**
  - **Clients:** Most cases that they work with are from the
    - Congo,
    - Burundi,
    - and other African countries.
  - **Eligibility for Asylum:**
    - It takes a long time 3-5 years at most (could be longer or shorter with the new implementation)
    - In order to be eligible: you have to have a well **ground fear of persecution by the government (no gangs):** such as by torture, imprisonment, and death.
  - **Persecution has to be based on a few factors**
    - Race
    - Religion
    - National origin
    - Political organization
    - Sexual orientation
  - **How do they apply?**
    - **Refugees:** are already determined abroad for asylum, services through Catholic Charities
    - **Asylum Seekers:** are people in the United states looking to apply for asylum.
      - Can come to the border: Have to have credible fear, or you could be removed (**Does not recommend this unless desperate with no other options**).
      - Travel visa
      - Student visa
      - Over the border
    - **Bars to asylum:**
      - If you have lived in the United states for over a year, it is near impossible to get it.
      - If you can be moved to a safe country like Canada, you could get returned there

- If you are a persecutor of others
- If you have been in any sort of crime
- If they live in another country: If they are dual citizens
- Involved in terrorist activities: aiding or part of them
- **Applying for asylum**
  - Applying for yourself: asking someone a lawyer
  - Deportation/ removal proceedings: representatives
- **Backlog**
  - 300,000 asylum cases waiting
  - It was taking 3-5 years to get your interview
  - New implementation in January 2018: Now people who are applying now are getting seen first. Should be getting an interview in 21 days.
  - People who were on the top are now at the bottom of the list because of a new policy.
- **Application and Time it takes:**
  - skeleton story: takes a long time to gather their story, everything about what happens to them.
  - Have to be very detailed, internally consistent, especially with the outside details
  - The story: has to be very detailed and it has to be proved by legal aspects. The entire story: everything, document everything. For example, staying at the hospital (get a date) Has to be consistent to prove.
  - NOTHING IN THEIR STORY FROM WRITTEN TO VERBAL SHOULD HAVE ANY INCONSISTENTS.
  - People are told by friends: say this! DON'T DO THAT!!! Has to be truthful and relevant.

**Lecture: Skeek Frazee (SF)**

**Email: [Skeek.frazee@mail.house.gov](mailto:Skeek.frazee@mail.house.gov)**

**OFFICE: 2 Portland Fish Pier: Marine Trade center 3<sup>rd</sup> floor**

- **What we do at Chelie Pingree's Office**
- we have caseworkers who specialize in social security, immigration, Medicare, and etc. It is rare to see this
- The immigration system is complex, as well as the presidential executive orders that get thrown in.
- **Day in the life of case-management in Chelie's Office**
  - Work authorization, as well as renewals. Especially if they have moved and the letter gets lost.
  - Individual: petition status who traveled with her family
  - Woman who has brain tumor, trying to get daughter over to help her
  - Needed medical reports to get her green card
  - Bringing back a body back from abroad

- Someone who lost their passport
- People calling about their families getting picked up by ICE
- green card help
- **What we do**
  - We can explain the process
  - We can cut through Red tape: but not for everyone
  - We can get real time information for people.
  - We are able to call the state Department, USCIS, and others and ask the status.
  - We can give comfort to people on their status.
- **What we don't do**
  - We can't advocate for people
  - We have no authority who can get a VISA
- Important thing to note about their Work authorization, Green cards, or petition, if they get returned to USCIS they get destroyed after 16 days. Track the status online.
  - Common problem: people living in units.
- Fees are expense

### **Questions**

- **When people apply for asylum they get an "A" number**
  - The A number is the same number throughout their process. It is the same number that is used for their green card
- Cost for a lawyer?
  - CA: we charge Pro bono or low bono.
  - The asylum case is very complex. 20-25 hours of work on story 10-12 preparing for an interview, 20 hours for a court or hearing
  - Spread over a number of years
  - 3-5 years for a hearing.
  - \$20,000 would be the actually cost for each person – but of course this isn't what we actually charge
- **What does it take to be an Accredited Representative?**
  - **Through the Board of immigration appeal:** that helps someone prepare their story, but have to be supervised by an attorney.
  - Takes several months
  - Have to take classes: ILAP and Catholic Charities in Maine.
  - **What you can do now:** You can help them type, but don't give advice.
- **Does their application for their work permit stop when they are waiting for court?**
  - As long as they go to all their appointments the clock keeps going for the amount of time before they get their work permit
- **How many Asylum seekers in Maine?**
  - No asylum office in Maine, represented by countries
  - There is no exact number right now.

### **Are the people who are applying for asylum right now getting hearings?**

- It is uneven - but it the office is saying should be 21 days

