



2022



ANNUAL REPORT

Refuge + Resilience

ABOUT US

OUR MISSION

RMIAN is a nonprofit organization that serves low-income adults and children in immigration proceedings. RMIAN promotes knowledge of legal rights, provides effective representation to ensure due process, works to improve detention conditions, and promotes a more humane immigration system, including alternatives to detention.

OUR VALUES

We believe that justice for immigrants means justice for all. We respect the needs and celebrate the contributions of the individuals and communities that we serve. We believe our clients are equal partners in accessing justice. We value respect for all human beings, regardless of race, gender, ethnicity, sexual orientation, or legal status. We believe in valuing and respecting the contributions of our board, staff, and volunteers. We believe in a working environment that fosters personal and professional growth and strives for excellence.



Reflecting and looking back, 2022 was a year of regrowth and resolve for RMIAN. Strengthened by the fortitude and resilience of our clients and the Colorado immigrant community, RMIAN moved back to in-person legal and social services, added invaluable new staff members to every team, conducted strategic planning, and continued to advance advocacy and litigation work.

RMIAN's work in 2022 continued to show the power of free legal representation and social work support for individuals in immigration proceedings. RMIAN attorneys directly represented over 700 clients from over 89 countries. RMIAN's social workers provided innovative, wrap-around support to 196 clients. In addition, RMIAN represented clients in several influential cases before the U.S. District Court and the Tenth Circuit Court of Appeals, creating important legal precedent for many others.

RMIAN also worked on larger advocacy and policy initiatives, working towards its north star to help the US welcome and celebrate immigrants, to ensure universal legal representation for everyone in immigration proceedings, to provide protections for children and families, and to end immigration detention.

Internally, RMIAN's staff and board members came together to evaluate our work and future direction. Together, we created a three-year strategic plan, prioritizing the advancement of Justice, Equity, Diversity and Inclusion (JEDI); investing in our organizational infrastructure to better support staff and clients; diversifying and growing funding streams; expanding legal and social services; impacting immigration policies; and advancing universal representation for all.

RMIAN continues to be a leader in Colorado advancing justice for immigrants. We are pleased to present this year in review, exhibiting the impact of our collective work and the amazing story of resilience and growth that RMIAN and our clients experienced this year.



DETENTION PROGRAM

A Year in Review

RMIAN's Detention Program works to empower individuals who are unjustly detained at the ICE facility in Aurora, CO due to the prevalence of discrimination and racism within the U.S. immigration system— often in inhumane conditions of confinement. Our attorneys and legal staff fight alongside individuals for their freedom and for immigration relief.

In 2022, RMIAN continued to provide full representation to as many detained noncitizens as possible, despite several challenges, including: ongoing pandemic-related protocols posing a challenge to the Detention Program's ability to meet with and directly represent clients; a massive data breach; and an unprecedented rise in detained individuals who spoke languages other than English and Spanish with limited interpretation assistance available in additional languages. Through our universal representation program, which utilizes a merits-blind model, and other program integrations that focus on populations furthest from opportunity, such as the National Qualified Representative Program, RMIAN staff rose to the challenges presented in 2022 to:

- ▶ **Represent 151 clients in their claims for relief, for release from detention, and with advocacy to ensure their medical and other needs were met in the facility.**
- ▶ **Team up with RMIAN's unparalleled Social Services Project to provide holistic support to 196 detained individuals.**

The universal representation program has grown, due to increased funding provided by the Colorado Immigrant Legal Defense Fund, so that many of the clients are represented in all facets of their immigration cases and without regard to the perceived strength of their cases. Through this increased funding, RMIAN continues to expand the number of attorneys who can provide this type of representation to even more clients.

RMIAN has built a robust network of pro bono attorneys who can provide representation for release, so that individuals can return to their communities and families while they fight removal. Where RMIAN-provided direct representation on the merits is not possible, RMIAN's Detention Program also refers cases to its growing network of pro bono attorneys and provides robust support to ensure high quality representation. In 2022, 230 detained individuals were referred to pro bono attorneys for representation on the merits of their cases and release.

Together with RMIAN's new Director of Advocacy and Litigation, RMIAN's detention staff has also expanded its practice to include

filing habeas lawsuits in federal district court to challenge the unlawful prolonged detention of clients. In several of these cases, our clients have been released after federal judges ordered immediate bond hearings at which the DHS had the burden to prove a need for continued incarceration.

In addition, the Detention Program remained diligent in providing critical legal information and guidance through RMIAN's know-your-rights presentations and robust pro se support, where detained individuals learn how to represent themselves. In 2022, our team:

- ▶ **Reached more than 2000 non-citizens detained at the facility in Aurora with know-your-rights presentations.**
- ▶ **Conducted individualized intakes and provided brief advice for nearly 1000 detained people.**

RMIAN's Legal Orientation Program returned to providing orientation services in person gradually throughout the second half of 2022, enabling a return to full in-person services in 2023. The positive impact of RMIAN's return to in-person orientation services again is hard to overstate. RMIAN presenters can view participants' paperwork and therefore provide more targeted information than is possible by phone. In addition, RMIAN presenters spend more time providing information and advice without the frequent interruptions caused by telephone disconnections.

Many of the individuals RMIAN encountered in the Aurora facility in 2022 were recent arrivals from the border, having only recently fled their home countries and endured a difficult journey to reach safety. These migrants were in much the same position as those who began arriving in Denver by bus and who are greeted by the city and its volunteers, are provided housing and information, and are assisted in reaching their final destinations. The only difference is that someone picked these unlucky individuals for detention. While the media has spent hours covering the migrants who arrive by bus, those who are incarcerated have received much less attention. Immigration proceedings are made much more difficult in myriad ways when someone is detained—it is much harder to obtain an attorney, and even with representation, it is several times harder to prevail on a claim for immigration relief from inside a detention center. RMIAN strives to represent as many people in this position as possible to mitigate the effects of these difficulties.

Our detained clients provide immeasurable inspiration and purpose for our detention program staff to continue their work. The resilience they show in withstanding the unconscionable conditions and the very fact of being held separate from support systems and family encourages our resolve to provide a place

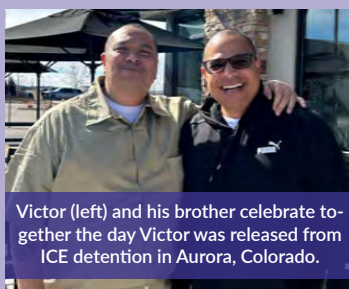


of refuge amid each person’s individual storm. Sadly, the resilience of clients and our team was unnecessarily tested in late 2022, when Melvin Calero Mendoza, a man seeking asylum from Nicaragua, passed away in the Aurora facility. He requested medical attention multiple times and ultimately experienced a related medical emergency in full view of his dormmates. Mr. Calero was not a RMIAN client, but several of RMIAN’s clients witnessed his passing. Our team plugged in, providing referrals for additional attention to their emotional, mental, and physical health needs and advocating with ICE and GEO to ensure services were available to anyone who witnessed this tragedy. This tragedy illuminated the danger and unjust character of civil immigration detention—and the importance of the fight for universal representation for all who are in removal proceedings. We are also reminded that the service we provide is often a life and death matter and our hope is that every individual lives to see themselves free of fear and harm when coming to the U.S. to seek refuge. Our Detention Program continues to support further advocacy to reform and ultimately end the practice of immigration detention.

Client and Case Spotlights

Victor

One of the Detention Program’s many victories in 2022 happened when representation on the merits from inside detention was required. RMIAN’s experienced attorneys provided expert level representation in Victor’s case to ensure that he could remain in his home, the United States.¹



Victor (left) and his brother celebrate together the day Victor was released from ICE detention in Aurora, Colorado.

Victor is a Legal Permanent Resident who has lived in the United States since he was a one-year-old baby, for 52 years. He does not have any family in the country of his birth and does not even speak the language. When RMIAN staff met Victor, he shared that during his last court appearance (at which he represented himself, like most individuals detained at the facility), the judge had informed him that he was ineligible for any form of relief and ordered him deported. Victor felt defeated and scared; he thought he had no choice but to accept this result.

A RMIAN attorney took Victor’s case, investigated the facts, and determined that Victor was not barred from applying for all forms of relief. In fact, there were multiple arguments that Victor could make against his deportation to a foreign country. Victor’s RMIAN attorney worked around the clock for several days to

gather evidence and perfect motions for an emergency stay of deportation and for the court to reconsider the deportation order. Time was of the essence because Victor could have been deported at any time. Before deportation orders were processed, the court granted the motions, allowing Victor to continue fighting his case with an attorney by his side.

After spending more than six months in detention, Victor won his case. He returned home to be reunited with his extensive family network—which consists entirely of citizens and green card holders. Without representation, the Department of Homeland Security would have deported Victor, permanently separating him from his family and community in the United States.

Manuel

RMIAN’s team represented several individuals who experienced the gut-wrenching realization that after they fled their home countries, the U.S. government inadvertently posted on the internet their names, home countries, locations, and the fact that



RMIAN attorney Shaleen Morales and Manuel outside of ICE’s Aurora Contract Detention Facility the day he won his case.

they had requested asylum. Manuel fled to the United States after he experienced persecution at the hands of government officials and others in his home country on account of his sexual orientation. A RMIAN attorney worked up his case quickly, but while his case was pending at the Aurora court, he learned that his personal information, along with thousands of other detained asylum-seekers’ information, was leaked by ICE. This development resulted in a weeks-long delay of his case, the very day he was to present his evidence. Through a network of advocates, RMIAN learned that Ecuador was one of the countries from which there had been reports of this information being viewed and used by gangs, governments, or individuals to retaliate against individuals or their families who reported incidents to the United States authorities. To mitigate this risk, a federal regulation generally forbids the release of personal information of people seeking asylum and other protections without approval by top Homeland Security officials.

After months of waiting in detention and getting himself prepared for his hearing twice, Manuel was finally granted asylum in February and was released from detention that same day after his RMIAN attorney’s persistent advocacy.

¹ Clients are identified by pseudonyms throughout.

CHILDREN'S PROGRAM

In 2022, the
RMIAN Children's
Program provided free
legal representation to
556
individuals from across
the state of Colorado.

The majority of these clients were unaccompanied children who made the journey to the United States alone to seek refuge from child abuse, neglect, and violence. This included children like Isaac who suffered severe child abuse by his uncles after both of his parents passed away. When he escaped from his village to a nearby city, he was attacked and beaten by a gang. A kind stranger found him alone, injured and afraid and helped him make a long journey from West Africa to the United States. He was detained by the Office of Refugee Resettlement for several months before being released to a foster home in Colorado. RMIAN represented him in his applications for asylum, Special Immigrant Juvenile Status and lawful permanent residency. We joyfully celebrated with him when his green card was granted and he knew he would be safe in the United States for the rest of his life.

RMIAN also provided free representation to many families escaping abuse and violence. Families like Clara, her sister Juana and their five children who escaped death threats and violence from gangs in Honduras. Along the journey to the United States they were kidnapped and forced to work in a house where migrants were held captive and extorted for money. RMIAN represented the family in their applications for asylum and T visas—a special visa for survivors of human trafficking. RMIAN and the family did not give up when the T visa applications were initially denied. After multiple motions to reconsider and appeals, the entire family was finally granted T visas in 2022.



Isaac





In addition to providing direct legal representation, RMIAN's Children's Program referred an additional 203 individuals to pro bono attorneys for free representation.

This included over 40 unaccompanied children from Afghanistan who were evacuated from Kabul in 2021 who needed representation to apply for asylum and work authorization. RMIAN's Children's Program also provided legal consultations, information, resources, referrals and support to an additional **3,500 individuals**—most of whom were asylum seeking families forced to move forward with their cases in removal proceedings without an attorney.

Finally, the RMIAN Children's Program also led and participated in advocacy efforts to benefit immigrant children and families on a more systemic level. Specifically, RMIAN led successful legislative efforts at the state capitol to increase access to protective state court proceedings for unaccompanied children and foster children. RMIAN also participated in national advocacy efforts against expedited removal proceedings for families and to eliminate a national backlog which causes abused, neglected, and abandoned children to wait several years to be eligible to apply for green cards. RMIAN Children's Program stands in solidarity with the immigrant children and families we serve.



Juana and son

SOCIAL SERVICE PROJECT

RMIAN is proud to have one of few programs in the U.S. embedding social workers at an immigration legal services organization. In 2022, RMIAN's social workers provided invaluable support in the areas of immigration law and policy, behavioral health, and case management to clients, colleagues, and community partners. RMIAN's SSP team provided wrap-around supportive services to 196 clients this year.

2022 highlights include:

- ▶ **Expanding work with youth and families:** RMIAN's social workers expanded their work with children and families, collaborating further with RMIAN's Children's Program. The team helped parents advocate for themselves and their children, whether for accommodations for disabilities in school, for therapy to address trauma from family members killed, or from the ongoing trauma of living in the US without legal status.
- ▶ **Sharing expertise with the community:** In the Mountain West region, RMIAN's social workers' knowledge and skills in the intersection of immigration law and social work are unmatched. RMIAN's team provided critical training, mentorship, and shared learning to social work students, lawyers, service providers, and community members. The team educated attorneys on trauma-informed lawyering and service providers on best practices when working with immigrants; engaged with schools, shelters, clinics and hospitals; and worked with service providers to advocate for our clients, educate systems, and promote healthier and more welcoming communities.

“ The grave importance of listening to, trusting, and respecting our clients as human echoes in their experiences and their words. Many people tell us ‘I have never shared this with anyone.’; ‘Nobody believed me.’; When connecting people to community-based mental health providers, we’ve been asked, ‘Can’t you just be my therapist? It feels good to talk to you.’ ”

- CINDY SCHLOSSER, RMIAN SOCIAL WORKER

► **Providing support to people with serious and persistent mental illness:** Similar to criminal incarceration, people incarcerated by ICE are subjected to systemic discrimination based on race, economic status, mental health and disability, gender, and sexual orientation. RMIAN's social workers helped unpack individual and systemic harms that influence coping mechanisms (such as drug or alcohol use or exploitation), that funnel them into incarceration and legal systems.

► **Collaboration with RMIAN's clients and attorneys in federal litigation cases:** the social work team worked with RMIAN clients and attorneys to support the filing of habeas petitions for unlawful detention, as well as appeals before the Tenth Circuit Court of Appeals.



Our clients courageously confront horrifying events of their past (some of which are ongoing and exacerbated by incarceration) to find glimmers of hope, set goals, and take steps toward health, wholeness, and futures that align with their core nature and desires.

- CINDY SCHLOSSER, RMIAN SOCIAL WORKER



Kamila and Marko



ADVOCACY & LITIGATION

RMIAN staff members accompany people through their immigration cases, offering expert legal and social service guidance.

RMIAN supports thousands of people each year and through our daily work, we notice trends that highlight places where systemic reforms are necessary. RMIAN's broader advocacy and litigation efforts strive to alleviate the stresses that individual people face and ease the toll the system takes on the lives it impacts.

In 2021, RMIAN and its partners had tremendous legislative success. **House Bill 21-1194 created a statewide immigration legal defense fund that provides universal representation to people in Colorado.** Bills, such as this one, are necessary because unlike people in most criminal proceedings, noncitizens are not guaranteed access to free legal counsel as they fight against their deportation. The universal representation model is akin to that of a public defender, meaning that anyone who lacks the financial resources to hire private counsel can nevertheless obtain an attorney, and in turn, expanded access to due process and fairness.

Moreover, during the 2022 legislative session, RMIAN led successful legislative efforts at the state capitol to increase access to protective state court proceedings for unaccompanied children and foster children. RMIAN also participated in national advocacy efforts against expedited removal proceedings for families and to eliminate a national backlog which causes abused, neglected, and abandoned children to wait several years to be eligible to apply for green cards.

In 2022, RMIAN, in collaboration with community partners and immigrant rights organizations, successfully advocated for an expansion of resources allocated to the statewide immigrant legal defense fund, more than doubling the amount of public dollars directed toward no-cost legal representation in immigration proceedings. RMIAN celebrates these momentous strides forward in the immigrant rights movement in Colorado and remains

steadfast in its belief that everyone in immigration proceedings in this state should have access to counsel, regardless of their personal circumstances.

RMIAN also championed the enactment of House Bill 21-1060, which created uniformity and fairness for U visa certifications across the State of Colorado. This law requires law enforcement to cooperate in a process that creates a pathway for people who survived certain crimes to access permanent immigration benefits. People who are the survivors of crime should now experience equal access to certification from law enforcement agencies, which is the first step in a process that allows them to qualify for visas. Yet, in 2022, RMIAN recognized that a lack of oversight and education meant that agencies were not necessarily adhering to the requirements of HB 21-1060. RMIAN staff members mobilized to provide learning opportunities and space for conversations with law enforcement agencies to ensure the spirit and intent of HB 21-1060 is upheld.

In 2022, RMIAN's advocacy and litigation efforts provided enhanced scrutiny and oversight of ICE's decisions about conditions of confinement and the length of detention. In October of 2022, Melvin Calero Mendoza passed away at age 39 while detained in the Aurora ICE facility. His death was caused by a pulmonary embolism that was likely avoidable had he accessed proper treatment. RMIAN submitted a Freedom of Information Act (FOIA) request to seek more information about the events and circumstances leading to Melvin's death. ICE never acknowledged nor responded. Through representation from pro bono counsel at Arnold & Porter, RMIAN filed FOIA litigation before the District Court for the District of Colorado in July 2023, seeking that ICE produce the requested documents, as required under the FOIA statute.

In 2022, RMIAN attorneys filed six petitions seeking clients' release from immigration detention pursuant to the habeas corpus statute. The petitions all challenged either the client's unconstitutionally prolonged detention or ICE's decision to illegally detain clients for more than six



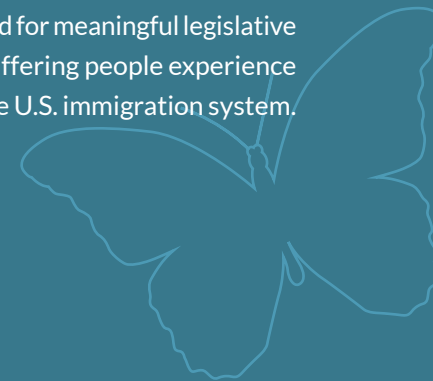


months after a final order of removal. RMIAN's brave and tenacious clients called into question oppressive detention policies, with heartening outcomes. ICE released each client from immigration detention, five of whom remain with family in the United States, and one was reunited with family in West Africa.

Finally, in 2022, RMIAN represented two clients before the Tenth Circuit Court of Appeals. The first is Mr. A.B., who fears return to Mali because he believes his family, militant Islamists, or the Malian government may harm or kill him. The Tenth Circuit previously dismissed his appeal, but he sought review of that decision before the Supreme Court. The Supreme Court's recent decision in *Santos-Zacaria v. Garland* came down in Mr. A.B.'s favor and resuscitated the viability of his claim. On remand before the Tenth Circuit, RMIAN, along with co-counsel at the National Immigrant Justice Center (NIJC) and the law firm of Jones Day continue to seek justice for Mr. A.B.

The second case is that of Denis Arostegui Maldonado, who was tortured by police officers in Costa Rica, but nevertheless an immigration judge denied his request for protection under the Convention Against Torture. RMIAN and co-counsel at the law firm of Davis, Graham, and Stubbs pursued an appeal on behalf of Mr. Arostegui Maldonado before the Tenth Circuit and engaged in oral argument before the Court on May 18, 2023. On August 1, 2023, the Tenth Circuit granted the case and sent it back to the agency, saying that the immigration judge committed legal error when he denied the claim for CAT protection.

RMIAN continues to expand its advocacy and litigation efforts to better meet the needs of people seeking immigration relief in the Rocky Mountain region. We strive to elevate their experiences and voices on a regional and national level to amplify the need for meaningful legislative reforms that will reduce the suffering people experience when forced to engage with the U.S. immigration system.



IMPACT BY THE NUMBERS

1,176



“KNOW-YOUR-RIGHTS”
PRESENTATIONS

4,745

PEOPLE WHO ATTENDED
PRESENTATIONS



1,782



INDIVIDUAL INTAKES
CONDUCTED

433

CLIENTS REFERRED
TO RMIAN PRO
BONO ATTORNEYS



707

CLIENTS DIRECTLY
REPRESENTED BY
RMIAN ATTORNEYS

IN 2022, RMIAN STAFF MEMBERS PROVIDED **64** COMMUNITY PRESENTATIONS TO TRAININGS TO MORE THAN **2,293** COMMUNITY MEMBERS.

COUNTRIES OF ORIGIN SERVED BY RMIAN in 2022:

THE DETENTION & CHILDREN'S PROGRAMS SERVED PERSONS FROM **89** COUNTRIES IN OVER **25** DIFFERENT LANGUAGES. CITIZENS OF COUNTRIES SERVED INCLUDE:

Afghanistan, Albania, Angola, Argentina, Armenia, Azerbaijan, Bangladesh, Belarus, Belize, Bolivia, Brazil, Bulgaria, Burma, Cameroon, Canada, Chad, Chile, China, Colombia, Congo - Brazzaville Congo - Kinshasa, Costa Rica, Cuba, Czech Republic, Democratic Republic of Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gabon, Georgia, Germany, Ghana, Guatemala, Guinea, Guyana, Haití, Honduras, India, Iran, Iraq, Israel, Ivory Coast, Jamaica, Jordan, Kazakhstan, Kenya, Laos, Lebanon, Liberia, Mali, México, Micronesia, Maldives, Morocco, Nepal, Nicaragua, Nigeria, Panamá, Pakistán, Perú, Philippines, Palestine, Portugal, Romania, Russia, Senegal, Sierra Leone, Somalia, South Sudan, South Korea, Sweden, Syria, Tajikistan, Thailand, Togo, Tunisia, Turkey, Uruguay, Ukraine, Uzbekistán, Venezuela, and Vietnam.

125

NEW CLIENTS

+

74

PRE-EXISTING CLIENTS

=

196

CLIENTS PROVIDED HOLISTIC
SUPPORT FROM RMIAN'S
SOCIAL SERVICE PROJECT.

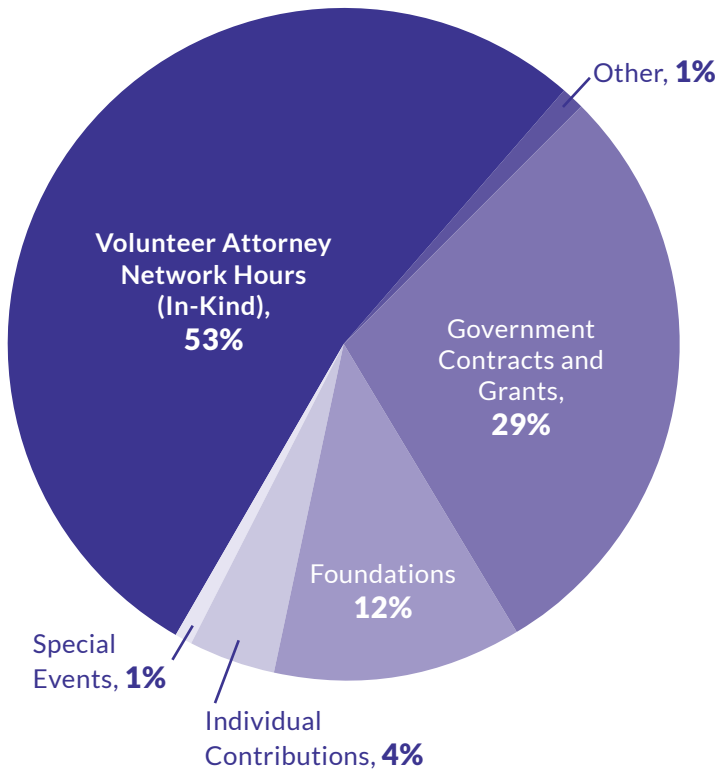
FINANCIAL SUMMARY

REVENUE	
Government Contracts and Grants	\$2,306,305
Foundations	\$934,101
Individual Contributions	\$324,333
Special Events	\$65,882
Volunteer Attorney Network Hours (In-Kind) (16,650 hours of pro-bono representation for Rocky Mountain Immigrant Advocacy Network referred cases in both the Detention Program and the Children's Program.)	\$4,162,500
Other	\$91,339
TOTAL REVENUE	\$7,884,460

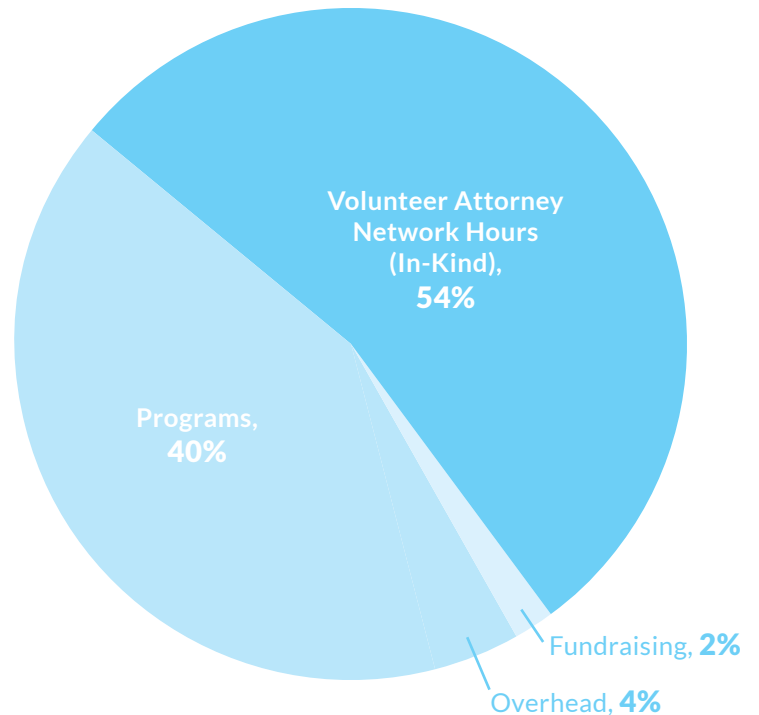
EXPENSES	
Programs	\$3,064,071
Volunteer Attorney Network House (In-Kind) (16,650 hours of pro-bono representation for Rocky Mountain Immigrant Advocacy Network referred cases in both the Detention Program and the Children's Program.)	\$4,162,500
Fundraising	\$149,566
Overhead	\$308,448
TOTAL EXPENSES	\$7,684,585

94% OF THE BUDGET GOES DIRECTLY TO FIGHTING FOR JUSTICE FOR IMMIGRANTS

REVENUE



EXPENSES



LOOKING AHEAD

Strategic Plan 2022-2025

Mission Statement

RMIAN is a nonprofit organization that serves low-income men, women, and children in immigration proceedings. RMIAN promotes knowledge of legal rights, provides effective representation to ensure due process, works to improve detention conditions, and promotes a more humane immigration system, including alternatives to detention.

Values

We believe that justice for immigrants means justice for all. We respect the needs and celebrate the contributions of the individuals and communities that we serve. We believe our clients are equal partners in accessing justice. We value respect for all human beings, regardless of race, gender, ethnicity, sexual orientation, or legal status. We believe in valuing and respecting the contributions of our board, staff, and volunteers. We believe in a working environment that fosters personal and professional growth and strives for excellence.

North Star

RMIAN envisions a future where the U.S. welcomes and celebrates immigrants. Guided by this north star, the board and staff are striving to build toward a future where:

- ▶ There is universal representation for all immigrants in Colorado and across the country;
- ▶ ICE and immigration detention are abolished;
- ▶ The U.S has a fluid and equitable border system and widely available protections for all immigrants; and
- ▶ Immigration law is transformed so that future generations have a vastly different experience with immigration than their parents, including opportunities to move into leadership roles within the U.S.

Strategic Priorities

- 1 RMIAN is committed to justice, equity, diversity and inclusion (JEDI) across all aspects of its work.
- 2 RMIAN invests in the organizational infrastructure necessary to support staff wellness and retention.
- 3 RMIAN has diversified, sustainable and long-range funding streams to effectively pursue opportunities and scale impact in communities.
- 4 RMIAN provides critical legal and social services and uses its first-hand experience and expertise to impact policies in immigration law.
- 5 RMIAN is leading the charge toward universal access to legal representation.

— THANK YOU SUPPORTERS!

The work to provide free wrap-around legal and social services and ensure justice for Colorado's immigrant community does not happen without the generosity of our supporters. We want to thank the individuals, law firms, faith-based communities, businesses and foundations that supported RMIAN's work in 2022.





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