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We envision a world where the fundamental right to move is respected and appreciated by all. Our view is that all human beings are entitled to respect, documents, and a process through which to move, settle, and resettle in the world.



Special Newsletter | December 2020

Happy Human Rights Day!

Pangea is happy to report that we've been defending human rights all year with great success! This was a significant year of precedent-setting and nationwide wins for Pangea and our immigrant community, especially in our appellate, habeas, and impact litigation work, which are featured in this newsletter.

Here is a snapshot:

- **6 impact litigation cases:** we sued the federal government in 6 impact litigation cases to protect classes of immigrants nationwide (and have been successful at each stage so far)
- **85 appellate cases:** we filed or received decisions in 85 appeals for individuals at USCIS, DHS, Federal District Court, the BIA, and Ninth Circuit courts of appeal
- We won release by bringing a **novel habeas claim** for an immigrant client, lifting up his **rights as a person with a disability under the Rehabilitation Act of 1973** (see Marco's story below)
- We filed one of the **first COVID-19 habeas petitions**, which won freedom for a client who had been unfairly imprisoned by ICE for over 3 years (see Lucas' story below)

Of course, we also continued all our other incredible client representation, education and empowerment, and policy advocacy work – stay tuned for more updates next year!



"COVID out of the Courts" car rally, with Pangea staff and partners presenting a list of demands to protect ourselves and our communities during the pandemic. San Francisco, April 2020.

[Please give a tax deductible donation before the end of this year to help us grow our impact for our immigrant community in 2021!](#)

And thanks to the many of you who already donated or are giving monthly. [Through monthly support](#), you really help make our work sustainable in the long term.

THANK YOU!

SUPPORT OUR WORK

Federal Impact Litigation Highlights

Pangea protects asylum seekers' rights in *Pangea Legal Services, et al. v. DHS*

Last month, we sued DHS in [one of the most important federal lawsuits to protect asylum seekers](#) filed against the Trump Administration this year, and **we won!** In its efforts to falsely tie asylum-seekers and other immigrants of color to criminality, the Administration proposed a terrible new rule that would have prevented thousands of immigrants who fear persecution from applying for asylum, based solely on low-level crimes or even false and wrongful accusations of crimes for which they were not charged. After we joined with other organizations to file suit, a federal judge found the government's actions illegal and issued a preliminary injunction prohibiting DHS from implementing this rule!

The injunction in the lawsuit, [Pangea Legal Services v. DHS](#), applies nationwide so that asylum seekers across the country who fear persecution can continue to have their claims heard!



Community gathering in front of the federal district court after a successful pack-the-court hearing for one of our clients, Floricel. San Francisco, 2018.

Pangea protects work permits for immigrants in *Casa de Maryland, et al. v. Wolf*

Pangea and our partners [successfully sued DHS in a federal lawsuit to protect the rights of asylum seekers' right to work](#) in the United States. The federal government introduced a discriminatory rule which would prohibit hundreds of thousands of asylum seekers from obtaining work permits and delay the work authorization process. After we sued in federal district court in Maryland, a judge issued a preliminary order preventing DHS from implementing portions of the new rules as applied to many immigrants, including those which would have doubled the waiting period for a work permit, delayed processing, and barred work authorization for applicants who file an asylum application more than a year after arrival to the U.S., or who did not ask for asylum at a port of entry. The judge found in part that the Acting Secretary of DHS, Chad Wolf, is illegally in his role and lacked the legal authority to impose these harmful rules. We look forward to a final court order which we hope will block the entire rule, [ensuring that asylum seekers can work to provide for their families and afford basic necessities as their asylum proceedings continue](#).



This is Brian*, a Pangea client and plumber with a company where he received 7 monetary bonuses, a promotion to the role of a project manager, and a salary raise from \$18/hour to \$30/hour in less than two years.

**Pangea forces release of immigration memo hid from the public in
*Pangea Legal Services v. USCIS***

Pangea and our partners successfully filed suit against USCIS under the Freedom of Information Act (FOIA) in federal district court, prompting the agency to release thousands of pages of documents on the process of adjudicating petitions for relatives of asylees (I-730 petitions). Over the past several years, Pangea noticed that [some I-730 petitions seemed stuck in a black hole](#), where they sat waiting for adjudication. Through litigation, we compelled USCIS to release a 2019 policy memo that was held secret from the public. The memo showed that this Administration had changed how USCIS treated certain I-730 petitions, and increased coordination with ICE to put people who had applied for benefits on the track to deportation. With this new information made public, attorneys throughout the country can [better advise relatives of asylees and challenge USCIS policies that unfairly prevent family reunification](#).



Pangea client Jennifer and her small children, reunited after ICE tore them apart in the middle of her asylum proceedings. They are here to stay! May 2020.

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Precedent-Setting Individual Client Litigation Highlights

- **Lucas Maradona***, one of the first successful COVID-19 habeas petitions: Pangea client, Lucas, an asylum seeker from El Salvador, was imprisoned by ICE for over three years. Pangea filed one of the first COVID-19 habeas petitions, alleging that conditions in detention were dangerous for Lucas' health. The judge ordered Lucas' release in a strongly-worded decision that has been since cited by judges around the country. Above all, this lawsuit highlights the tremendous perseverance and resilience of clients like Lucas, and our Pangea attorneys, Etan Newman, Jehan Laner Romero, and Roxana Moussavian who have spent three years and hundreds of hours litigating this case.
- **Marco Sy***, a trailblazer in successfully obtaining release from ICE custody under the Rehabilitation Act: Pangea client, Marco, is an asylum seeker from the Philippines and was incarcerated by ICE for 14 months. We filed a habeas petition raising novel claims under the Rehabilitation Act, which protects those with disabilities, and elevated Marco's humanity, disabilities and bodily needs, and the system's failure to address them. Not only was Marco freed from prison, but he was finally able to enroll in services and programs that he desperately needed. Pangea attorney, Roxana Moussavian, has since been actively sharing her litigation strategies in California and nationwide to further lift up similar cases across the country. This case used a unique and new legal theory and could lead the way to freeing hundreds, if not thousands, of others detained by ICE!



- **Ronaldo Garcia***, a precedent-setting win for the freedom to move: Pangea client, Ronaldo, spent years in the 1980s and 90s crossing back and forth from Mexico to the United States to support his family. Although Ronaldo eventually decided to settle in Mexico, more than a decade later his son was tortured, and his family fled back to the United States, seeking asylum. Even though he was eligible for a green card through his daughter, USCIS denied his application, saying he should have applied for a

waiver of his past immigration violations *before* he arrived at the border, even though he was fleeing harm. We filed a federal lawsuit under the Administrative Procedures Act ("APA"). The judge found, **in the first decision of its kind, that the law allows filing this type of waiver from inside the US. Prior to this opinion, most immigration attorneys had previously just assumed getting permanent residency for people like Ronaldo was impossible.** In November, Ronaldo received his green card after 6 years of fighting!

- **Oumar Yaide**, a near-impossible journey of [forcing ICE to bring a deported immigrant back home](#): Pangea client and asylum seeker from Chad, Oumar Yaide, was wrongfully deported by ICE in December 2019. We filed a habeas petition to bring Oumar back. We had low hopes because getting a federal judge to order DHS to bring someone back from overseas is very rare. But in March, after months of litigation and hundreds of hours of advocacy and community support, we successfully forced ICE to bring Oumar back across 3 continents, 6 airports, and 3 days of travel



Team #BringOumarHome delivered over 31,000 signatures to U.S. Senator Dianne Feinstein urging the Department of Homeland Security to comply with the federal court, ordering them to bring Oumar home. San Francisco, January 2020.

*Names have been changed for confidentiality.

**Thank you to every partner organization who has worked alongside us in these crucial victories, Asylum Seeker Advocacy Project, CAIR Coalition, CASA, CLINIC, Centro Legal de la Raza, Dolores Street Community Services, the Harvard Immigration and Refugee Clinical Program, Immigrant Defense Project, International Refugee Assistance Project, National Immigration Litigation Alliance, National Immigration Project of the National Lawyers Guild, Oasis Legal Services, Gibson Dunn & Crutcher LLP, Sidley Austin LLP, and WilmerHale.

Please help us build on these successes and expand our human rights work in 2021!
We need your help to stay strong and keep on winning!

Much love,
The Pangea Team

SUPPORT OUR WORK



Pangea Legal Services is a registered 501(c)(3) organization, and donations are tax deductible. We will put every dollar of your generous contribution to work by providing direct legal services, policy advocacy, and legal empowerment for low income immigrant communities.

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