

Dear Friends of The Legal Clinic,

While the Whitehouse declared June 2023 as Immigrant Heritage Month, the current U.S. administration is issuing head-spinning immigration policies that have a direct impact on TLC clients in Hawai'i. Following the much-anticipated end of the Title 42 public health order which was applied to reject many asylum-seekers throughout the pandemic, the Biden administration recently extended the temporary protected status for El Salvador, Honduras, Nepal, and Nicaragua; thus continuing to offer protection to those escaping political turmoil or war at home. Many are now able to work legally in the U.S. for at least two years, filling jobs in understaffed sectors such as construction and agriculture.

Meanwhile, according to the National Immigration Justice Center, a sudden drop (70% in May) in unlawful U.S. southern border entries may have to do with a new asylum transit ban which "appears designed to rush people through to deportation without legal advice or representation". Tens of thousands are forced to return to the untenable and often violent conditions from which they tried so desperately to escape without the opportunity to access the very system that is supposed to protect them.

The focus on the southern border is also requiring USCIS to shift a significant portion of its finite resources, resulting in longer processing times for other immigration applications, including for our Hawai'i based clients awaiting family-based petitions or asylum interviews. To stay apprised of the latest policies that impact our clients, TLC's legal team consults regularly with the U.S. Citizenship and Immigration Service and with our national and local affiliates.

As always, we are grateful to all those who contribute to this important human rights work in uncertain times.

In solidarity,

*Bettina Mok*  
Executive Director



**The Campaign for Universal Representation**

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The Legal Clinic actively supports the campaign for “Universal Representation” which would guarantee government-sponsored counsel and due process in federal immigration court for those facing removal (deportation). TLC executive director Bettina Mok recently spoke on this topic during a national webinar hosted by the National Partnership for New Americans (NPNA), highlighting the State of Hawaii's recent legislative decision to award more funding for civil legal services, including immigration legal representation for Hawai'i residents in need. We applaud U.S. Congressional Rep. Jill Tokuda (Hawai'i) for her support of the related “Fairness to Freedom Act”, a [bill](#) that would authorize Universal Representation funding and other important advances in immigrant justice.



<https://partnershipfornewamericans.org/fairness-to-freedom/>

### Brissa Flores Speaks at the Women's Fund of Hawai'i



*Credit: Joanna Salazar*

Former TLC Program Coordinator **Brissa Flores** was recently invited to be the featured speaker at the **Women's Fund of Hawai'i** (WFH) benefit event. Brissa, who was born in Mexico and raised in California, spoke about her journey to pursue a law degree at the William S. Richardson School of Law, which included being the first in her family to speak English fluently and the first to graduate from college. Mahalo to WFH for its funding support of TLC's work.

### Volunteer Spotlight: Agnes Malate, PhD

Since Dr. Agnes Malate joined the board of The Legal Clinic in 2019, she has served as an active TLC ambassador, tapping her resources and vast community network for the cause. Dr. Malate, Director of the Health Careers Opportunity Program at the University of Hawai'i at Mānoa, has logged countless hours on behalf of TLC's immigrant justice work. She has helped plan public events, including an educational DACA film event, TLC's annual benefit event, and ongoing COVID relief activities. Her ability to navigate technology has saved TLC's virtual events and meetings on more than one occasion! Proud of her Filipino heritage, she organized a TLC staff outing to visit Hawaii's Plantation Village and the Filipino Community Center, which provided a historical and cultural context to TLC's work with the Filipino client population. Dr. Malate's commitment and consistently positive outlook are infectious, and we are blessed to call her a colleague. Maraming salamat Dr. Malate!



### TLC Legal Team on Hawai'i Island March 6-7, 2023



In March 2023, TLC senior attorney Omar Vaquerano and paralegal Lia Nakao traveled to Hawai'i Island to expand outreach and establish relationships with community service providers on neighbor islands. In Hilo, Omar and Lia joined Tulpe Day of the Hawai'i County Office of Immigration Services and Linda Spencer of Catholic Charities-Hilo in leading a public presentation on family-based immigration issues and providing in-person consultations to attendees. In Kona, TLC's legal team met with community healthcare workers at West Hawai'i Community Health Center and provided legal counsel to Spanish-speaking patients in need of immigration services. The trip was successful in providing access to legal services to constituents beyond O'ahu, with TLC agreeing to represent eight new clients on Hawai'i Island.

### June 2023: Unifying Pride & Immigrant Heritage Month



TLC advocates for equity, justice, and inclusion, and recognizes the countless ways immigrant and LGBTQIA communities enrich our country. In honoring queer and international diversity and resilience, it is crucial to acknowledge and address the unique obstacles faced by LGBTQIA individuals within the US immigration system. Thousands of people each year are forced to leave their families, communities, and homelands due to persecution based on gender identity and/or sexual orientation.

It may surprise some that [same-sex consensual conduct is criminalized in 69 countries](#), 11 of which may legally impose the death penalty upon conviction. From 2002-2017, 11,400 LGBTQ+ asylum-based applications were filed with the US Citizenship and Immigration Services (USCIS).

Most countries do not provide legal protection to LGBTQ+ individuals who endure discrimination and may become victims of domestic violence, rape, death threats, and murder without recourse. The US has [legal obligations](#) to protect those who qualify as refugees from returning to threats of persecution, safety, and life. The Biden administration and the Department of State have [recognized and pledged](#) to protect vulnerable LGBTQ+ refugees and asylum seekers in the US. Unfortunately, human rights violations of undocumented immigrants in detention often go unreported. Most non-citizens are detained in privately-run facilities where federal safety regulations and standards of care are regularly disregarded without consequence due to a lack of government oversight. [Information provided by U.S. Immigration and Customs Enforcement \(ICE\)](#) shows that LGBTQ+ immigrants are detained twice as long as other immigrants and face extended periods in solitary confinement.

Reports of abuse disclose that [LGBTQ+ detainees are 97 times more likely](#) to suffer violence and assault in detention than others. The frequent practice of placing individuals into detention centers based on their biological sex rather than their gender identity or sexual orientation makes LGBTQ+ folk targets of violence and abuse by fellow detainees or by US border guards. Furthermore, HIV-positive or transgender persons requiring medical treatment are not provided necessary medicines for adequate care. The lack of accountability puts these precious lives at significant risk.

TLC understands the challenges of immigrants, particularly those who face grave danger in their home countries due to their sexual orientation and/or gender identity, and is proud to fulfill its mission to ensure justice for low-income immigrants and migrants in Hawai'i. Together, we stand against discrimination and work towards an inclusive and accepting world where everyone is celebrated.

### **Immigration Legal Services Internship**

Interested in an internship with TLC? We're looking for select individuals who have expressed interest in serving the immigrant community and learning more about immigration law practices. TLC is a small, collegial, fast-paced office offering a real-world opportunity for interns/externs looking to gain expertise in immigration law, work one-on-one with clients, and work in a collaborative environment. Applicants should be motivated, detail-oriented, able to work independently, and have a passion for immigration or human rights issues.

Internships are typically part-time, 6-8 weeks long, but can be adapted to a different schedule. In 2023, a few paid internships may be available. In the capacity of an intern, you agree to participate in readings and research and to assist the attorney and/or other legal team staff with tasks related to immigration-related legal matters.

Those interested in applying for an internship should send a cover letter and resume to [tlc@thelegalclinchawaii.org](mailto:tlc@thelegalclinchawaii.org) and also complete our online volunteer form at: [www.thelegalclinchawaii.org/volunteer-application](http://www.thelegalclinchawaii.org/volunteer-application).

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**Your Support:** Making [automatically recurring donations](#) - which go directly to support vital client services- is the most effective way to help vulnerable foreign residents get the legal counsel they need. Your ongoing contributions ensure that TLC has sufficient resources to continue fighting for immigrant rights.

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