

# the Common Path

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## MARCC Says Goodbye to Our Graduate Intern

What makes for an excellent team in any organization is one where each individual brings a different set of skills and talents. Here at the MARCC office after two years of an outstanding team, one of our members is leaving. Adria Whitlow, a graduate student from the Graduate School of Social Work of the University of Cincinnati, graduates on Friday, June 10<sup>th</sup>. Adria's work with the Metro Cincinnati Interfaith Youth has been outstanding. She is a sensitive communicator who is facile at engaging the youth and their parents. She continued to build the education and service programs, develop a how-to booklet for the next intern and collected data on the participants and programs for the last three years. She also conducted outreach to area high schools through class presentations and meetings with school counselors—all this while juggling two part-time jobs and a full-time graduate program. We are very happy for Adria, who has already been hired by Children's Hospital as a Mental Health Specialist. The staff, youth, parents and MCIY Coordinating Council will miss her and wish her well on a bright future that awaits her talents and goodness.

## immigration >>>

## Documenting the Undocumented: A Look at the Front Lines of Immigration

by Margaret A. Fox, MARCC Executive Director

I entered the offices of Su Casa in the town of Carthage to visit with two caseworkers, Jose Francisco Escheverria (an Archdiocese delegate to MARCC) and Margaret Singer. Su Casa ("Your House" in Spanish) is a non-profit corporation which serves Hispanic immigrants. I passed a line of individuals and families, mostly families, standing in line waiting for help to navigate through challenges regarding green cards, employment, housing, family separations, and visits from Immigration, Customs & Enforcement (ICE).

I sat down with the two caseworkers to listen and learn about some of the specific issues that come up when working with immigrant families. They began by talking about a family, Felipe, Maria and their young son Juan, who has Cerebral Palsy. The family shared that they were being questioned by federal ICE agents on a raid of their apartment complex when an agent pushed Felipe up against the wall so hard that it caused a 3 ft. long crack in the dry wall. They showed me a photo of the wall, which had a large indentation. The caseworkers' frustration was that when they spoke with legal counsel they were told that Felipe's wife Maria was not present in the room when her husband was pushed against the wall, and so her testimony was invalid. We concluded that Echeverria and Singer, who both speak fluent Spanish, needed to return to the apartment with the husband and wife and have them role play what happened in order to draw up a written record of it.

As I continued to listen and learn more about the difficulties experienced by immigrants who come to this country to make a better life for their family and who struggle with English, like the barriers to citizenship and confusion they and United States citizens experience in the absence of a clear and fair immigration policy, they gave another example: An ICE crackdown in Price Hill and other areas in metropolitan Cincinnati that rounded up approximately 40 people in one day in February, of which only a few had a record of any serious offenses.

Before I was about to leave Singer received an emergency call. A mother was waiting in her office. Singer asked me if I wanted to come

# Governors Start Saying 'No' to Secure Communities

*Some state lawmakers are challenging the claim made by ICE that Secure Communities is mandatory*

The first state to cut ties to the Secure Communities program was Illinois, when Gov. Pat Quinn announced late last month that he was withdrawing from the program. He cited a high number of complaints and his own concerns that the program has not lived up to its stated intention of targeting serious criminals for deportation. Although Illinois is not the first state to change its mind about

Secure Communities, an information sharing program between federal immigration enforcement and local police, they are the first to do so unilaterally. Other states and localities have tried to back out, but they've gone through the legal system, where they have faced legal and bureaucratic roadblocks.

Immigration & Customs Enforcement (ICE) had initially been unclear about whether or not the program was mandatory, but in April Janet Napolitano, Secretary of the Department of Homeland Security, which oversees ICE, an-

nounced that it was mandatory and that it would be in effect nationwide by 2013. This sparked tensions that have led some to question whether ICE has the authority to force states into the program.

After Illinois stepped out in defiance of the ICE mandate, the states of New York and Massachusetts followed. Also, the California General Assembly approved a law that, if it becomes law, would allow localities to opt out. It is currently pending approval in the state Senate.

## Front Lines of Immigration (cont. from p. 1)

to the "front line" and hear directly from the immigrants what they are going through. I went with her to her office, where a Hispanic mother, Juanita, was waiting with her child. She was pleading in Spanish to help bring her brother who is 17 years of age back from a holding cell in Chicago. He was one of the 40 people scheduled to be deported that day with no criminal record. His administrative hearing had been held in Chicago, and although it found that her brother would not be deported, he remained in a holding center with no way to return home.

Singer asked if MARCC could help. I thought back to April at our Judicatories' Delegates Council, when a panel of three immigration lawyers spoke about the barriers to becoming a United States citizen and what kind of immigration reform is needed to reduce or eliminate those barriers. One of the three lawyers who presented on the panel was Adolfo Olivas, Senior Attorney & Manager of the Immigration Law Team at The Legal Aid Society of Southwest Ohio. I called him and left a detailed message. Upon receiving the message he contacted Margaret Singer at Su Casa, and together they worked with the sister to try bring her brother back from Chicago.

The stories of Felipe, Maria and Juan and Juanita's brother are familiar to the staff at Su Casa, but maybe not to you or me. Echeverria and Singer did return to visit with Felipe and Maria to go over the story again in Spanish. *It began on a February afternoon with a knock on their door. Felipe did not want to open the door because he thought it was the same little boy who would then run once he opened the door. Again there was a knock on the door. This time Felipe looked through the peep hole and did not see anyone. He then opened the door. There were three Caucasian men who entered his apartment. Once they entered they asked in English if they could come in.*

*The men flashed a photo of a Latino man and asked if Felipe knew him and if he resided in the same apartment complex as Felipe and his family. Felipe did not recognize the man in the photo nor did his wife Maria. Felipe gave the men permission to go through the other rooms and then joined his disabled son, Juan, on the couch.*

*The agents asked Felipe if he was a legal immigrant. He said "no". The agents spotted and took his Guatemalan Passport off the dining table. They also asked his wife Maria if she was a legal immigrant. She answered "no". Felipe asked the agents why they wanted to deport him since he was not the man they were looking for. His wife asked the same question. At that point Felipe asked his wife to call an attorney. One of the agents grabbed the telephone from Maria and threw it on the couch next to where their son was laying. Another agent forcefully picked up Felipe off the couch while another grabbed his hands behind his back and shoved Felipe into the wall, leaving a 3 ft. long crack (which since that time has been photographed as evidence). As Felipe hit the wall his wife and child began to cry. His wife again asked why they were going to deport her husband. One of the agents told her to "shut up". Felipe, Maria and Juan were scared of the agents because they carried guns. The agents never identified themselves.*

Eventually Felipe saw his attorney and was released. His wife Maria did bear witness to what happened and since then an affidavit has been drawn up and the case will be taken to court along with other similar cases as a class action suit. Also, Juanita's brother was released from the holding facility in Chicago and has returned to his sister in Cincinnati.

# IN Bills Pass Despite Protests; OH & KY Stalled

## Bills Targeting Immigrants Draw Protests from "DREAMers" & Class Action Lawsuit

Photo: latinoyouthcollective on Flickr.com photo by Steven Pavey



### Indiana

Amid protests and controversy, the Indiana General Assembly recently passed two bills that target undocumented immigrants. [S.B.590](#) is a laundry list of restrictions and enforcement measures that will criminalize hiring and extending housing or transportation to undocumented immigrants, prohibit the use of foreign consular IDs, restrict public benefits and allow police to arrest anyone who they suspect may be undocumented. H.B. 1402 is narrower in scope, prohibiting undocumented Indiana residents from receiving in-state tuition rates at public universities.

Governor Mitch Daniels signed both bills into law on May 10th, despite [protests](#) the day before by student activist groups Latino/a Youth Collective, DREAM IU and The Dream is Coming. The students, many of whom were undocumented and dressed in graduation robes, staged a protest at the statehouse and refused to leave

unless Daniels agreed to meet with them. The governor declined, and 6 students were arrested for criminal trespassing. Five of the six students are undocumented. Although they were initially slated to face deportation hearings, on May 11th a federal ICE spokesman announced that the holds would be lifted. No explanation was provided. Each of the "Indiana 5" were brought to the U.S. as young children and consider Indiana their only home.

The laws are scheduled to take effect on July 1st, but they are currently being challenged by a class action [lawsuit](#) filed by the National Immigration Law Center and the ACLU of Indiana.

### Ohio

Both [S.B. 98](#) and [S.B. 42](#) have stalled in committee, and there is no strong indication that they are likely to be

pushed further. S.B. 98 would require the OH Attorney General to pursue an arrangement with ICE to use state and local police to enforce federal immigration laws. S.B. 42 would increase the protections against racial profiling.

### Kentucky

After S.B. 6 was defeated in the General Assembly earlier this year, no new immigration legislation has been introduced.

## Homelessness / Affordable Housing >>>

### Update from the Housing Choice Voucher Program

For four days in April, the waiting list for the Housing Choice Voucher Program was opened to new applicants for the first time in five years. The application process had been given a complete overhaul and for the first time applications were accepted online. Also, applicants can now go online to [waitlistcheck.com](http://waitlistcheck.com) to check their status anytime; a huge improvement over the previous system that mailed notices to people when their name finally came up. Oftentimes people were no longer at that address or they no longer had their approval card. "Sometimes we'd get them back from the post office months later," said Lisa Isham, Acting Director of the Housing Choice Voucher Program and architect behind the overhaul. With the new online system, these problems have been eliminated.

Another major benefit of the new system is in terms of cost. In the past, handling the data had to be outsourced to 3rd parties, which cost nearly \$600,000. The cost of the web server for this time was just \$15,000. Affordable housing advocate and MARCC Past-President Alice Skirtz commends the new system: "It not only saves enormous amounts of money but is giving much more humane treatment compared to before."

#### Statistics:

- 18,298 households applied
- 13,000 households were accepted
- 78% women and 22% men
- 82% African-American, 14% Caucasian and 4% All Others

- 2,062 disabled
- 8,441 one-person households\* (\*There may be some families included that did not provide information on other household members because it was unavailable.)
- 188 households currently in KY
- 210 Hispanic households

To qualify for the program an applicant's household income must be at or below 50% of the area median income. If approved, participants can pay up to 40% of their income for housing and the remainder is subsidized.

The website for checking on the status of an application is: [www.waitlistcheck.com](http://www.waitlistcheck.com)

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Archdiocese of Cincinnati  
Association of Unity Churches  
Baptist Ministers Conference  
of Cincinnati and Vicinity  
Cincinnati Conference  
(Evangelical Lutheran  
Church in America)  
Cincinnati Islamic Center  
Disciples of Christ – SW Ohio  
Episcopal Diocese of  
Southern Ohio  
Greek Orthodox Church of  
Holy Trinity-St. Nicholas  
Interdenominational  
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JCRC of The Jewish Federation  
Miami Association  
(American Baptists)  
Ohio River Valley District  
(United Methodist Church)  
Presbytery of Cincinnati  
Religious Society of Friends  
Southwest Ohio-Northeast  
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## Community-Based Mediation for Misdemeanors is a Win-Win

*A Pilot Program in Kennedy Heights Will Benefit Courts, Improve Public Safety & Reduce Barriers to Employment*

Processing criminal cases through the Hamilton County Courthouse is estimated to cost the taxpayer approximately \$44,000 per hour, and time spent by Cincinnati police officers attending court appearances cost approximately \$3 million in 2008. The majority of these cases are for minor, non-violent offenses. A successful community-based mediation program for nuisance-level misdemeanors would free the time of police officers to serve and protect the public on the street, would free over-worked public defenders to focus on smaller caseloads and better identify diversion and treatment alternatives for indigent defendants, and would free prosecutors and judges to focus on more serious offenses.

MARCC has been working for more than a year as part of an effort to establish a program in Hamilton County that will divert various misdemeanor criminal offenses away from the criminal justice system and into community-based mediation. This Hamilton County community-based mediation project is now moving toward establishing its first pilot program in the Kennedy Heights neighborhood and is actively involved in community outreach in Kennedy Heights to structure the details of the pilot program. The program will focus on resolving non-violent and non-sex/drug related misdemeanor offenses outside of the criminal justice system, allowing the court system to focus its resources on more critical public safety issues and preventing individuals from forming criminal records that will serve as barriers to employment, education, and housing.

This project is being formed under the umbrella of the Ohio Justice & Policy Center, and its advisory committee includes representatives from MARCC, the Hamilton County courts, the Hamilton County prosecutor's office, the Cincinnati Police Department, and the Cincinnati Bar Association, as well as several experienced and respected local mediation professionals. It has received funding to date from the generosity of the Ohio State Bar Founda-

tion and the Ford Foundation. Until 2008, Hamilton County had maintained a court-based mediation diversion program for misdemeanor offenses, but it has never had a community-based mediation program based in County neighborhoods. After the court-based program fell victim to budget cuts, the rate of citizen-filed misdemeanor complaints rose 23% between 2008 and mid-2009.

The advisory committee envisions creating a community-based and court-sanctioned mediation program that will promote a problem-solving culture in Hamilton County and increase the quality of justice for all members of the community. Currently, the County sees tens of thousands of new misdemeanor filings every year. This equates to one new misdemeanor charge annually for every 20 County residents. The collateral consequences of these charges and convictions are many. Approximately half of the County's misdemeanor cases plead to the top charge, resulting in convictions that block access to jobs, housing, and education. At the same time, resources devoted to the criminal justice system are drained by the costs of processing a large volume of lower level misdemeanor charges. Judges, prosecutors, public defenders, and police must focus resources on misdemeanor offenses that could be resolved by mediation, when those same resources are needed to solve more serious public safety issues.

The project is now moving from the planning stages and toward its first pilot project in the Kennedy Heights neighborhood. The goal is to house a mediation program within Kennedy Heights. Professional mediators will train and oversee volunteer mediators and provide low-cost/no-cost mediation services. The program will work with law enforcement, community groups, and faith-based organizations to promote conflict resolution strategies and divert cases away from the criminal justice system and toward private resolution of disputes and harmful behaviors. The project team is currently performing community outreach in Kennedy Heights to refine the details of the pilot program, and the MARCC office would welcome the opportunity to place any interested community members in contact with the project.