

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/i-was-sure-i-would-be-deported-until-an-attorney-informed-me-of-my-rights>

Public Facing Advocacy Writing

People facing deportation have no right to legal counsel and must face the federal government alone in court if they cannot afford a lawyer. Many immigrants who are eligible to remain in the United States are expelled from the country simply because they lack an attorney to help them navigate their complicated path to legal residency. Jonathan, who fled El Salvador as a teenager, was eligible to remain in the United States under the Nicaraguan Adjustment and Central American Relief Act (NACARA), a 1997 law passed to help tens of thousands of Central Americans who had fled political instability and violence in the 1980s. To access protection under this law, applicants lives are put on trial: they must establish seven years of "good moral character as defined by immigration law. Shaleen Morales, a Safety and Fairness for Everyone (SAFE) Initiative attorney at the [Rocky Mountain Immigrant Advocacy Network](#), helped Jonathan understand his rights and claim this legal benefit, securing his release from detention and return to his family and community. SAFE is a group of diverse local jurisdictions working in collaboration with Vera and legal service providers to build a movement for universal representationa public defender system for immigrants, like Jonathan, who are facing detention and deportation. Here is his story.

I had never heard of the Nicaraguan Adjustment and Central American Relief Act, the law that allowed me to stay in the United States. When Shaleen of the Rocky Mountain Immigrant Advocacy Network showed up and offered to be my attorney, I was sitting in detention, scared and with no hope. I had never been to any place like that, where I could only see my family through glass. Occasionally, they take you somewhere to walk, but all you can see is a glimpse of a piece of the sky.

ICE kept telling me that I was not welcome in the United States, and I should leave. Every so often, they would put me in a room and tell me to just sign the deportation papers. Many people in detention did not have lawyers. When they felt the pressure, they would give up, sign the papers, and be deported. Every Monday, the government would take them away, to countries all over the world even people who had been in the United States most of their lives. I was so sad for them because we were all in the same situation.

I was certain that I was going to be deported eventually. I lost my landscaping job when they detained me, and I had no money for a lawyer. I was desperate to get out of detention, but I did not sign the voluntary deportation papers because I had nowhere to go in El Salvador.

I came to this country when I was 19. My mother died when I was a baby. My father left me with my grandmother and went to the United States where he could earn more money to support us. It was okay when I was young, but as I got older, gangs wanted me to be involved with their activities. I resisted them, and so they attacked me in San Salvador. Fearing for my life, I fled to the United States to be with my father.

My first job was at the Baja Fresh restaurant near my fathers home. Then I went to work at a cleaning company cleaning floors and then to a company that fixed air conditioners. I worked in construction, food service, and landscaping. This allowed me to support my son back in El Salvador. I could send him about \$200 a month. My father would send money for me, and now I send money for my son. He is 17 now, almost the same age I was when I came to the United States.

My father had applied for me to have asylum, but that did not work. He eventually received his legal residency because of NACARA.

I lived in the United States for about 10 years with no problem. I worked and played soccer and went to church. Then one day, I was at a birthday party and had too much to drink. I pled guilty to driving under the influence. It was a mistake, and I regret this behavior.

After I was detained, I thought that this conviction would hurt my chances of staying in the United States. When Shaleen showed up and offered to be my attorney, I was without hope and was sure my future was damaged.

Shaleen figured out that I should be eligible for my green card because I was less than 21 years old when my dad became a legal resident through NACARA. I didnt even know this law existed. I am so grateful for her help.

Inside detention, there was not much I could do to prepare my case, but my lawyer collected testimony from my family, friends, and employers. She told me that the law required me to prove good moral character and wrote in the court papers that even though I moved to a new country as a teenager and did not speak the language, I had achieved a lot in the 17 years I had been here and was a valued member of my community.

I was so shocked and happy when the court canceled my order of deportation. I had been certain that I would have to return to El Salvador.

About a week after I got out of detention, I started to feel like myself again. After about 20 days, Shaleen brought me my green card, and I was so grateful. I saw so many people give up because they didnt have lawyers and had no hope. I wish there were more attorneys to help people like us.

Information about Rocky Mountain Immigrant Advocacy Network can be found at www.rmian.org; www.facebook.com/rmianco; and https://twitter.com/RMIAN_org.

NEWS

NEWS

NEWS

Transformative change, sent to your inbox.

Vera Institute of Justice. All rights reserved.