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**Catholic Legal Immigration Network (CLINIC) and Catholic Charities USA Launch Gulf of Mexico Immigration Project**

Catholic Charities USA has announced that it will award CLINIC \$500,000 for two years to expand the capacity of six diocesan immigration programs impacted by Hurricanes Katrina and Rita last year. The six programs are: New Orleans, Baton Rouge, Lafayette, Shreveport (Louisiana) and Jackson and Biloxi (Mississippi). These six programs were all significantly impacted by Hurricanes Katrina and Rita on a broad range of areas, including a massive influx of immigrant workers from Mexico and Central America, combined with labor and housing problems. The funding will enable the programs to hire additional attorneys and BIA accredited representatives to serve newcomers with immigration, labor and housing needs.

The Gulf of Mexico Immigration Project will help improve direct services to newcomers and diocesan capacity building within all six dioceses. The New Orleans and Baton Rouge programs will hire a new attorney to provide immigration services. The Lafayette, Shreveport and Jackson (Miss.) programs will each hire a case manager to provide immigration, labor and housing services. Biloxi will hire a caseworker to conduct immigration services.

The Project will be managed by CLINIC's Division of National Programs, led by its Division Director, Jeff Chenoweth. Hiroko Kusuda, CLINIC's New Orleans detention attorney, will be CLINIC's Project Coordinator for the Gulf of Mexico Project. Hiroko Kusuda knows well the pressing need for

immigrant services along the Gulf Coast, particularly in the areas most devastated by Hurricane Katrina. Ms. Kusuda has worked with immigrants in the New Orleans and rural Louisiana area for many years. She serves as a CLINIC attorney assisting immigrants in detention as well as clinical supervisor of Loyola University law students in its immigration clinic. “The CCUSA money will go a long way in alleviating some of the strain that the diocesan immigration programs feel when immigrants come to their doors with problems, but there are no attorneys or legal representatives on staff to help,” says Ms. Kusuda.

Hiroko noted a recent case on behalf of a woman named Karen C. Karen’s house was badly damaged by Hurricane Katrina, but she was also hit with immigration problems at the same time. She could find no one to represent her in her hometown of Gulfport, Mississippi. So she enlisted the assistance of Mississippi U.S. Senator Trent Lott’s office, where she was directed to Loyola Law Clinic even though it was out of state in New Orleans.

Karen was put into removal proceedings after her husband filed an I-130 and I—485 Adjustment of Status Application on her behalf. Karen lived most of her life in an undocumented status in the U.S. Her mother had abandoned her as an infant in Honduras, and her grandmother smuggled Karen into the United States when she was eight years old. She lived with her grandmother in New York until her grandmother died when Karen was only 14 years old. Karen then shuffled among an uncle and two aunts until she was 18 years old.

At 18, Karen dropped out of school when she became pregnant. She gave birth to her daughter, Melissa, and moved back to New York to live with her father. In the summer of 1999, Karen met, Denny, at the church she attended. Six months later, they were married.

Denny, a naturalized citizen from Bolivia, serves in the U.S. Navy and is an Iraq war veteran. He adopted Karen’s first child and the couple have two additional girls – both toddlers. He is to be re-deployed to Iraq in February. The couple filed their immigration paperwork to regularize Karen’s status, but her application was denied due to Karen’s illegal entry in 1989 and current lack of status. Karen was placed into removal proceedings.

Although Karen lives in Gulfport, Mississippi, she traveled all the way to Loyola’s law clinic to obtain assistance from CLINIC attorney Hiroko Kusuda. In April 2006, Hiroko presented Karen’s case before the New Orleans Executive Office of Immigration Review. She demonstrated that, if Karen were deported to Honduras, the children could not remain in the U.S. with their father, as Navy regulations would not permit Denny to remain sole custodian of three young children while on active status with the U.S. Navy.

Hiroko also demonstrated that the U.S. citizen husband and children would suffer exceptional and extremely unusual hardship if Karen were removed to Honduras. On August 24, 2006, the immigration judge granted Cancellation of Removal to a Non-Lawful Permanent Resident. The Government waived appeal. Karen is now a lawful permanent resident and staying at home to take care of her three young children while they prepare for her husband’s departure to Iraq.

Hiroko notes that with the additional CCUSA money, newcomers will not have to rely on luck and the ability to travel out of state or long distances to find legal assistance. Instead, the diocesan programs in New Orleans, Shreveport, Lafayette, Baton Rouge, Jackson, and Biloxi will all have legal representatives who can counsel and assist immigrants with their cases.

Michael Ann Galliano Oropeza, the Program Director for the Catholic Charities, Inc. Immigration Clinic in Jackson, Mississippi, seconds Ms. Kusuda’s sentiments, “We are excited and grateful for the CCUSA funding. We have never been able to provide assistance to persons in detention and removal

proceedings. So this funding will allow us to respond to immigrants in a whole new area where there is a lot of need.”

“In addition, the Jackson Immigration CLINIC will be able to hire an outreach worker who will conduct remote clinics and workshops in South Mississippi focusing on many of the forgotten immigrants left behind in the wake of Hurricanes Katrina and Rita. This worker will expand our public outreach and education to immigrants on topics that affect their day-to-day lives such as immigration, public benefits, and labor rights. Many of these people currently have limited or no access to this type of information and service.”

CLINIC will help launch the Gulf Coast Project by hosting an October training on working with the media and a November training on resource development.

### **New Orleans Residents Fed Up With Lack of Housing**

The lack of affordable housing in New Orleans, combined with increasing rents has caused people to take action into their own hands in New Orleans. On August 29, 2006, a group of citizens led by the New Orleans Survivors Council broke into the former Six Flags Park in New Orleans East. The protestors intended to take some of the hundreds of FEMA trailers that sit there unused.

One of the protesters was a senior citizen named Curtis Mohammed who walks with a cane. Police arrested Mohammed, among others, for being on the Six Flags property illegally. Over two dozen law enforcement officers from the N.O. Police Department, Levee Board Police, and National Guard intervened to try to stop the protest.

The protesters have been waiting over six months or longer to get a FEMA trailer at the site of their homes. The protesters claimed that they were fed up with government inaction and decided to take action. The Six Flag Park site has had hundreds of new, FEMA trailers sitting unused and empty for months.

[source: [www.justiceforneworleans.org](http://www.justiceforneworleans.org), “Citizens Seize FEMA trailers”]

### **Rents in New Orleans Rise 39 Percent**

Billions in housing aid for New Orleans residents will flow mostly to homeowners, leaving many renters out in the cold. Rents continue to increase across New Orleans and are up an average of 39 percent since Hurricane Katrina. The city has announced that it plans to refurbish only a small fraction of its traditional public housing units.

Although a small portion of the billions in housing aid will go to landlords, many low income residents say they cannot return because rents are too high. Lionel Smith, a 46-year-old former resident of the Ninth Ward who was a driving school instructor, wants to return to New Orleans, but says, “Where are we supposed to live? Will they help rebuild apartment buildings?”

The communities that had the greatest concentration of rental properties before Hurricane Katrina are the same areas that remain in ruins a year later. The Louisiana Recovery Authority has set aside \$859 million to help landlords (compared with \$7.5 billion for homeowners). Officials estimate that at least 30,000 units will be improved with the Louisiana Recovery Authority money, but no direct subsidies to tenants are planned.

Critics argue that 30,000 units are not sufficient to meet the rental need. The Brookings Institution estimates that more than 48,000 rental units were destroyed or heavily damaged in the flood, about 40 percent of the total number of apartments and rental houses in New Orleans.

National Guard troops and state police will patrol New Orleans through the month of December, Governor Kathleen Blanco announced September 16, at a meeting of law enforcement officials convened to address the increase in killings hampering the recovery from Hurricane Katrina.

Federal Bureau of Alcohol, Tobacco, Firearms and Explosives agent Robert Browning said that New Orleans Police are on track to confiscate as many illegal firearms in 2006 as police did in the two prior years – even though the population has been reduced by half. Court and prison repairs are on schedule to be completed by the end of October. Currently, the New Orleans criminal justice system is crippled by the lack of prison and jail space, but, a city official claims, New Orleans will be able to process its influx of suspects when the jail and prison repairs are complete next month.

[source: New York Times (Sept. 17, 2006)]

### **National and Local Katrina Relief Workers Remain Overwhelmed, Report Finds**

National relief workers, overwhelmed by the task of providing relief to hundreds of thousands of Hurricane Katrina victims, shifted a large piece of that burden onto smaller, locally based relief agencies, a new report by the Nonprofit Sector and Philanthropy Program at the Aspen Institute finds.

According to “Weathering the Storm: The Role of Local Nonprofits in the Hurricane Katrina Relief Effort,” local relief groups received limited support from the Federal Emergency Management Agency (FEMA) and the American Red Cross. With more than one million people displaced by Hurricane Katrina, homeless shelters appeared throughout the Gulf Coast region, mostly at the hands of churches and human service providers. Little of the federal assistance or charitable support that flooded in after Hurricane Katrina made its way down to the local organizations, however. As a result, many of the local relief outlets had to reduce services or close their doors.

“Weathering the Storm,” recommends the creation of a high level coordinating body that includes a range of private support agencies that are better positioned to respond to major disasters. The report also recommends that Congress mandate that the American Red Cross contribute 5 percent of the funds it raises during exceptional crises to locally based agencies. The Report also urges greater flexibility in the reimbursement and grant-making policies of both FEMA and private foundations to award money for general operating functions of local organizations.

“With a disaster of this scale, every nonprofit becomes a disaster responder,” said Melissa Fournoy, president and CEO of the Louisiana Association of Nonprofit Organizations. “It’s the smaller organizations that are so vital but that also need the most help.”

[source: [www.katrinalegalaid.org](http://www.katrinalegalaid.org) (Sept. 4, 2006) from “Aspen Institute Report Highlights Role of Grassroots Nonprofits in Disaster Relief,” Aspen Institute Press Release, Tony Pina (8-29-06)]

### **Migrant Workers Doing Katrina Cleanup Work Win Unpaid Wages**

A major Hurricane Katrina contractor agreed in early September to pay more than \$200,000 to migrant workers who were denied overtime pay. In a federal lawsuit brought by the Southern Poverty Law Center, the workers alleged that Belfor, USA, Inc., and its subcontractors, systematically denied the workers overtime pay, despite the fact that they were often working 12-hour days, seven days a week, to remove mud, mold, and other toxic contamination from flooded buildings.

The case, *Xavier v. Belfor USA Group Inc.*, was brought on behalf of potentially thousands of workers who were employed by Belfor USA Group, Inc., a major natural disaster reconstruction firm, and its subcontractors. The lawsuit alleged that Belfor unlawfully used a subcontractor system to avoid paying any overtime wages to up to 1000 workers on its massive reconstruction projects. Federal law makes employers like Belfor jointly responsible for ensuring that their workers earn basic minimum wage and overtime.

Although Belfor received no federal contracts, it won a mix of private and state contracts to clean and open 60 Wal- Marts, restore public records for Jackson County, Mississippi, rebuild a casino in Biloxi and clean up Tulane University.  
[source: [www.SPLCenter.org](http://www.SPLCenter.org)]

### **Latino Guest Worker Fired by New Orleans Hotel Chain After Filing Labor Complaint**

The Southern Poverty Law Center charged, on August 24th, that New Orleans hotel chain Decatur Hotels violated federal labor standards by firing the lead plaintiff in a lawsuit alleging the exploitation of Latin American guest workers who were recruited to fill jobs vacated by Hurricane Katrina evacuees.

Daniel Castellanos Contreros, who traveled from Peru to work for Decatur Hotels LLC, was fired two days after he and 81 other guest workers sued the hotel chain and its president , J. Patrick Quinn III.

The Center filed an unfair labor practices charge with the National Labor Relations Board on his behalf and amended its federal lawsuit to include the charge of illegal retaliation.

The lawsuit alleges that Decatur Hotels and Quinn violated the Fair Labor Standards Act by failing to reimburse workers for the exorbitant fees they paid to aggressive labor recruiters working as agents for the hotel chain. Decatur owns about a dozen hotels in New Orleans and is one of the largest locally owned hotel chains in Louisiana.

To pay labor recruiters in their home countries, the workers and their families from Peru, Bolivia and the Dominican Republic took on enormous debts and are unable to repay the debts with the low incomes paid by the hotel. Recruiters charged workers \$3,500 to \$5,000 to take them to New Orleans under the federal government's H-2B guest worker program. Workers say they were promised 40 hours of work per week and significant overtime work. Instead, workers were given 25 hours of work per week and often far less. Under current immigration law, guest workers are bound to their sponsoring employers and may not work for anyone else.

Guest workers gathered outside Quinn's corporate offices and demanded Castellanos' immediate reinstatement. Castellanos was elected by the workers to represent them in the lawsuit.  
[source: [www.SPLCenter.org](http://www.SPLCenter.org)]

### **EMPLOYMENT PROBLEMS ADVOCACY MANUAL AVAILABLE IN HARD COPY**

CLINIC's recently released advocacy manual – *Employment Problems in Louisiana and Mississippi* – is available on CLINIC's website at : <http://www.cliniclegal.org/Katrina/Materials/advocatesmanual.pdf>

There are also a limited number of hard copies available. If you would like a copy, please e-mail [Mirna Torres](mailto:MirnaTorres@cliniclegal.org) ([mtorres@cliniclegal.org](mailto:mtorres@cliniclegal.org) ).

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