

BANNAN GRANT PROPOSAL COVER PAGE				Date:	October 3, 2010
1.	Proposal Title	Detention Dialogues			
2.	Name of Applicant	Christina Fialho			
3.	Phone	805-440-4375	E-Mail	CFialho@scu.edu	
	Fax	---			
4.	Type of Grant (check one)	<input checked="" type="checkbox"/> Bannan Grant		<input type="checkbox"/> Dialog & Design Grant	
5.	Required: Provide your 4-6 letter department or program ID. This is not a fund number. (i.e. ECON for Economics Department; LACLNC for Law Clinic)				
	Department/Program ID				N/A although the Supervisor is a Staff Attorney of LACLNC
	Contact Person	Christina Fialho or Lynette Parker		Extension	N/A
6.	If your department does not provide administrative assistance to manage grants, we will provide assistance. Will you be in need of assistance to manage your grant? <i>Yes, although the Law Center may be able to assist if needed.</i>			<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
7.	Total cost of proposed project:			\$	\$8,463.00
8.	Amount requested from the Ignatian Center:			\$	\$5,000
9.	Amount requested from other sources, if any (please list):			\$	\$0
10.	Please briefly explain what will happen to this project if you do not receive funding from the Ignatian Center:				
<p>If we do not receive funding from the Ignatian Center, our ability to establish this program will be severely limited. The Law Center will not be able to provide any financial support to this project; so, Christina Fialho would try to implement it herself with Lynette Parker acting as a faculty advisor. However, as Christina is a law student with federal loans for her studies, she will not be able to provide students with transportation or with educational programming that offers students the opportunity to hear from world-renowned experts in the field of immigration detention and migrants' rights. Also, lack of resources will severely limit the number of student volunteers we will be able to work with in the first year.</p>					
Department Chair or Supervisor Approval		Lynette Parker	<i>See Separate Email from Lynette Parker</i>		10/15/10
		Name (type/print)	Signature		Date

Submit all proposals to: Theresa Ladrigan-Whelpley, Ignatian Center for Jesuit Education, Sobrato Hall, Room 34, Santa Clara University, 500 El Camino Real, Santa Clara, CA 95053-0454. tladriganwhelpley@scu.edu Electronic **copies** of proposals via email are encouraged.

BANNAN GRANT PROPOSED ITEMIZED BUDGET & EXPLANATION		Date:	October 3, 2010
Proposal Title	Detention Dialogues		
Name of Applicant	Christina Fialho		
I estimate that I will spend the requested funds as follows:			
<u>Primary Account</u>	<u>Description</u>	<u>Amount Requested / Total Budgetary Needs</u>	
SUPPLY	Program Supplies, including Volunteer Student Visitor Training Material	\$	\$650.00 / \$1250.00
PHONE	Telephone Charges (Monthly Training Calls Offered by Detention Watch Network will be offered to students)	\$	\$0 / \$800.00
REPROD	Copying and printing fliers, training manuals, and train the trainer manuals	\$	\$500.00 / \$673.00
MAIL	Postage, mailing, fax charges	\$	\$0 / \$100.00
BSTRVL	Domestic Transport to and from SCU to Volunteer Cite with 2 Cars Twice a Month for 12 Months based on federal \$.50 reimbursement	\$	\$554.00 / \$554.00
INTRVL	Foreign transport, lodging, meals	\$	---
SPCEVT	Food Charges for Educational Programming (based on \$200 per month for 12 months)	\$	\$800 / 2,400.00
CONTRS	<p>Guest speaker honoraria for speakers, such as:</p> <ul style="list-style-type: none"> -Sarnata Reynolds, Advocacy and Policy Director for Refugee and Migrants' Rights at Amnesty International USA to discuss "Jailed Without Justice," a report detailing her investigation of Santa Clara County's Jail and its treatment of detained immigrants. (Requires travel expense reimbursement - 772) -Talk by Jacqueline Stevens on "Deporting U.S. Citizens." Stevens is a Professor of Political Science at Northwestern University. Purpose: To educate students on the flaws within the U.S. immigration system and offer ideas for reform. (100) -Jorge Bustamante, UN Special Rapporteur on Human Rights of Migrants (\$664) -2 Panel (with 4 at 100) -Training Leader (100 for 3 sessions) 	\$	\$2446.00 / \$2636.00
MISC	Membership Dues in Detention Watch Network	\$	\$50.00 / \$50.00
STFSAL	Staff salaries	\$	---
SWAGE	Student wages	\$	---
FACSAL	Faculty salary	\$	---
BENEXP	Benefit expenses	\$	---
	TOTAL	\$	5,000.00 / \$8,463.00

BANNAN GRANT PROPOSAL EVALUATION FORM			Date:	October 3, 2010
Proposal Title	Detention Dialogues			
Name of Applicant	Christina Fialho			
Phone	805-440-4375	Email	CFialho@scu.edu	
Part I:	<i>(To be completed for submission along with your original grant proposal.)</i> List the intended outcomes for this project: (use additional pages if necessary)			
See addendum below.				
Pending approval of your grant, Parts II & III are to be completed at the end of your grant period				
Proposal Budget				
Account Number	Fund	Dept ID	Program	Activity
Part II:	Briefly describe the actual measurable outcomes of this project and the assessment tools you used: (use additional pages if necessary)			
Part III:	Describe any other outcomes of your project.			

Detention Dialogues

A Unique Education Opportunity for Santa Clara University Students to learn about Global Citizenship



Photo from "The Visitor"

INTRODUCTION

The concept of “global citizenship” provides an important framework for addressing the fundamental Jesuit questions: What brings me joy? What am I good at? Who does the world need me to be? This framework relies on three core elements. First, it is based on an ethical claim that all human beings are ultimately members of a single moral community, and as such, they have certain rights, responsibilities, and duties. Second, it involves a judgment that this single moral community faces a number of challenges that are increasingly global in character, but challenges that manifest themselves in distinctive ways in various local contexts. Finally, it entails a conviction that addressing these challenges will require both an acceptance of our global ethical responsibilities and a development of global leaders through which these responsibilities can be exercised at the local, national, and international levels.

Detention Dialogues will provide Santa Clara University undergraduate and graduate students with an integrated co-curricular pathway to global citizenship by providing them with opportunities to explore what it means to be an ethical global citizen on a local level. Detention Dialogues will be a faculty-guided, student-run immigration detention visitation program, offering community placement and reflection opportunities to Santa Clara University students. More particularly, Detention Dialogues will (1) create a range of multidisciplinary experiences that provide undergraduate and graduate students with an opportunity for dialogue on social issues and societal injustice relevant to migration with a focus on migration-related detention and (2) create opportunities for service oriented toward questions of social justice by matching student volunteers with immigration detainees who do not have family or friends in Northern California to visit them for a sustained, one-to-one relationship.

This Bannan Grant will provide funding for Detention Dialogues, including its free educational programs for students. Detention Dialogues, including its related educational programs, will complement and highlight Santa Clara University’s Jesuit Catholic character and will reflect the Ignatian and Jesuit vision through the ideas of practical spirituality, the commitment to faith that does justice in the world, and the focus of the education of the whole person.

Christina Fialho (J.D. Candidate, Class of 2012 and BA, Class of 2006) is Detention Dialogues’ student leader and Professor Lynette Parker of Santa Clara University School of Law’s Katherine and George Alexander Community Law Center is the project’s faculty advisor.

STATEMENT OF THE PROBLEM

About Immigration Detention:

The detention of immigrants is the fastest growing prison industry in the United States. Every day, approximately 33,000 immigrants are held in detention centers throughout the country. In 2009, approximately 380,000 persons were held in detention facilities. Detained immigrants include both individuals and whole families, including young children. They are detained for a variety of reasons. Some have crossed a U.S. border without the required documentation to seek a job that pays well enough to feed their family. Others in immigration detention are asylum seekers, fleeing persecution in their

homeland because of their race, religion, nationality, political opinion, or membership in a particular social group.

Whatever their circumstances may be, individuals in detention have limited access to the outside world. According to Human Rights First, asylum seekers are often brought in handcuffs and sometimes shackles to these facilities, where they wear prison uniforms, are guarded by officers in prison attire, and visit with family and friends only at select hours through glass barriers.¹ Jack Gibbs, author of “Four Problem Areas of Pre-Trial Detention,” writes, “detained immigrants face an information deficit due in part to the system.”² In addition, many detained immigrants have previously experienced psychologically stressful conditions and in many cases may be recovering from torture, human trafficking, and other instances of trauma. Immigration statutes and regulations do not establish any limits to the period of time a non-citizen may be held in immigration detention, thus contributing to the mental anguish detainees experience. The Constitution Project reported that non-citizens are often detained for weeks or months, and some are even in detention for years before their final removal hearing.³

Under these circumstances, it is extremely important for individuals to have a positive person in their life and to establish a meaningful relationship.

The Obama administration has committed itself to reforming the United States’ expansive immigration detention system. In August of 2009, Department of Homeland Security (DHS) and SCU alumna Secretary Janet Napolitano announced that the agency would be taking steps towards the creation of a civil detention system tailored to the agency’s asserted needs and purposes. Immigration and Customs Enforcement (ICE)—the division under DHS responsible for administering the country’s detention infrastructure—has begun to move away from their “present decentralized, jail-oriented approach to a system wholly designed for and based on ICE’s civil detention authorities.”⁴ ICE hopes to no longer rely primarily on excess capacity in penal institutions and plans to design facilities located and operated for immigration detention purposes. However, this plan will take years to come into fruition.

In the meantime, as ICE works toward implementing its long-term plan, local county jails such as the Santa Clara County Main Jail, Elmwood Correctional Complex, and Elmwood Women’s Facility continue to hold immigrants in detention. The Santa Clara County Department of Correction is the fifth largest jail system in California, and among the 20 largest systems in the United States. The jail is among the 100 systems nationwide with an inmate population of more than 1,000. In 2008, Santa Clara County housed and cared for an average of 4,632 inmates a day, a custody population higher than in 10 state systems.⁵ The use of the Santa Clara County Main Jail for the temporary housing of federal immigration detainees was arranged through an intergovernmental service agreement (IGSA) under which payments by ICE to another governmental agency are made for housing federal detainees. During the most recent 12-month period for which data was available, a total of 2,554 immigrants were detained at the Main Jail.⁶

¹ Human Rights First. *Background Briefing Note: Detention of Asylum Seekers in the United States: Arbitrary Under the ICCPR*, at 6 (Jan. 2007), available at <http://www.humanrightsfirst.info/pdf/061206-asy-bac-un-arb-det-asy-us.pdf>.

² See “Visiting Immigrants in U.S. Detention Facilities” at 13, available at oga.pcusa.org/immigration/pdf/detention_visitation_manual.pdf.

³ The Constitution Project [CP]. *Recommendations for Reforming our Immigration Detention System and Promoting Access to Counsel in Immigration Proceedings*, at 13 (December 2009), available at <http://www.constitutionproject.org/newsdetail.asp?id=433>

⁴ U.S. Immigration and Customs Enforcement, Section on Press Releases, *ICE announces major reforms to immigration detention system*, Aug. 6, 2009, available at <http://www.ice.gov/pi/nr/0908/090806washington.htm>.

⁵ Santa Clara County Department of Correction, Section on About Us, available at [http://www.sccvote.org/portal/site/doc/agencychp?path=%2Fv7%2FCorrection%2C%20Department%20of%20\(DEP\)%2FAdministration](http://www.sccvote.org/portal/site/doc/agencychp?path=%2Fv7%2FCorrection%2C%20Department%20of%20(DEP)%2FAdministration).

⁶ Transactional Records Access Clearinghouse. *Transfers of ICE Detainees from the Santa Clara County Main Jail* (2009), available at <http://trac.syr.edu/immigration/detention/200803/SCNORCA/tran>.

Unlike criminal defendants, who are entitled to a free attorney in most cases if they cannot afford one, low-income immigrants usually have to depend on the willingness of pro-bono attorneys. The result is that 84 percent of immigration detainees lack a lawyer.⁷ Non-citizens without counsel are successful in only 10 percent of appeals, while their represented counterparts succeeded 40 percent of the time.⁸ In the Bay Area, immigration detainees looking for free attorneys depend on organizations such as the Katherine & George Alexander Community Law Clinic at SCU Law, the Asian Law Caucus in San Francisco, and the Immigration Law Clinic at the University of California-Davis School of Law. However, these groups cannot meet the needs of all detainees.

METHODS FOR THE SOLUTION

Integrated Education and Campus Collaboration:

Through this project, we hope to work with several faculty and classes to yield tangible benefits to the community as well as an integrated educational experience for students. Last year, through the support of Santa Clara University School of Law, we were able to provide a speaker series on U.S. Immigration Detention to the SCU community. Law students as well as undergraduate students from Professor Kristin Heyer's Immigration and Theology course learned about immigration detention from Alison Parker (Director of Human Rights Watch's U.S. Program), Raha Jorjani (Professor at UC Davis School of Law and Supervising Attorney at the Immigrant Rights Clinic), and Daniel Shanfield (Founder and Managing Attorney of the Law Office of Daniel Shanfield in San Jose).

We hope to continue similar work through this Bannan Grant by providing student volunteers with a monthly dialogue and reflections sessions, bringing in speakers to discuss issues related to immigration detention and providing students with an outlet to discuss concerns that have arisen during their visitation sessions.

The Commitment to Faith that Does Justice in the World:

We started Detention Dialogues in response to the growth nationally in immigration detention and the need locally to link detainees with the tools and resources that will facilitate justice for detainees, their families, and our community. Detention Dialogues, although part of a national effort through Detention Watch Network to provide companionship for immigrants in detention, will be the first program of its kind in California and only the second in the Western United States. Detention Dialogues was founded on the belief that personal interaction and cooperation between detainees and student volunteers is mutually empowering. It is through providing companionship to detainees that student volunteers will understand how best to serve and advocate on their behalf now and after graduation as global citizens.

Students from Santa Clara University and Santa Clara University School of Law will visit Elmwood Jail in Santa Clara County at times that do not conflict with family visits. Students will complete a 90-minute training, which covers basic terminology, detainees' needs and concerns, the role of the visitor, and procedures for entering the detention center. Attorneys with the Santa Clara Valley Chapter of American Immigration Lawyers Association will conduct the training sessions. Students participating in the program will submit their names and qualifying documents to the appropriate department at the Corrections facility prior to their first visit.

Detention Dialogues will require the student visitor to be consistent in their visits with detained immigrants, committing to at least two visits per month for a period of at least three months. We will

⁷ New York University School of Law Immigrant Rights Clinic. *Locked Up but Not Forgotten*, at 1 (April 2010), available at afsc.org/resource/locked-not-forgotten.

⁸ CP *supra* note 3, at 29.

provide transportation for graduate and undergraduate student visitors from Santa Clara University to the detention center on a bi-monthly basis.

Visitations will take place in those locations designated by Corrections administrators to ensure security of the student volunteers and of the facility. The formula that was successful in Middlesex County Adult Corrections Center (MCACC) in New Jersey involved up to five volunteers and up to ten immigration detainees per hour, meeting in a classroom. Guards were not present but could see through glass. Middlesex County First Friends were free to let the jail administration know if there were any detainees that they felt uncomfortable meeting with, though this did not occur. MCACC allowed 4 visiting hours per week.

Intended Short-term Outcomes of Project:

1. To create a range of multidisciplinary experiences (panel discussions, reflection sessions, etc.) to engage undergraduate and graduate faculty and students from every academic area as well as experts and leaders from the community in dialogue about the ethical dimensions of migration-related detention and the impact on the community
2. To encourage students and faculty to draw their own conclusions and meaning from their direct engagement with immigration detainees and with the facilities that house them in our community
3. To provide Santa Clara University with the opportunity to gain a national presence in this emerging field of social justice work

Intended Long-term Outcomes of Project:

1. Create opportunities for global conversation about Jesuit higher education and to share Detention Dialogues' best practices with other universities and organizations.

To that end and upon completion of the first year of the program, Detention Dialogues plans to submit an article on its work to Oxford University's *Forced Migration Review*, a widely read publication on refugee and internal displacement issues. Additionally, Detention Dialogues plans on working with the Detention Watch Network in D.C. and the network of other visitation programs throughout the country to put together a workshop for presentation at the 16th Annual Metropolis Conference, an annual international conference hosted by International Cities of Migration.

2. Establish a sustainable model to grow Detention Dialogues from a project into a 501(c)(3) nonprofit organization that can either remain affiliated with Santa Clara University or branch off on its own.

METHODS AND ASSESSMENT

In implementing Detention Dialogues and its accompanying educational programs, we will work closely with other departments, such as the Religious Studies Department, in order to enhance the applications of the visitation program for the entire SCU community. Professor Kristin Heyer, whose work has focused on Catholic social teaching and the ethics of immigration, is interested in collaborating on this project.

In order to assess the impact of Detention Dialogues, we will perform a few key evaluative tasks. First, we will distribute and collect feedback forms each month to students who have been trained and who have completed at least two visitation sessions. We also will encourage students attending the educational

programs to submit surveys we have created on-line to assess the relevance of the programs to their lives. Feedback from these forms will determine if the educational programs enhanced student visitors' understanding or appreciation of the social justice concerns relevant to migration and will determine if Detention Dialogues met its intended objectives of teaching students what it means to be a global citizen within their community. Second, we will encourage faculty who make use of the educational programs for their classes to provide feedback. Third, Detention Dialogues will encourage immigration detainees to share anonymously their comments about the visitation program and its impact on them.

TIMETABLE

September - November: Continue to build ties with the greater Santa Clara Community, informing students and faculty of the upcoming opportunity to engage in Detention Dialogues

December – January: Conduct Student Visitation Trainings (90-minute trainings)

January – March: Begin Detention Visitation and implement Dialogue/Reflection Component

March: Review Evaluation Forms to Assess Progress and Conduct Second Volunteer Training

April and Beyond: Continue Detention Visitation and Dialogue/Reflections

RELEVANCE TO PAST AND FUTURE RESEARCH OR TEACHING OF APPLICANT

Christina Fialho - Applicant

Currently, Christina is pursuing her Juris Doctor at Santa Clara University School of Law with a focus on immigration and refugee law. She is an Associate Editor of the Santa Clara Law Review and President/Founder of the first law school student group in the country affiliated with the national bar association for immigration attorneys, AILA. She also will begin serving this year as a Graduate Student Representative on the Santa Clara University Policy Committee. In 2006, Christina graduated *summa cum laude* with Phi Beta Kappa honors from SCU with a B.A. in English and Philosophy. As an undergrad, Christina studied at Oxford University on the SCU Honors Program Oxford Scholarship (2004-2005), volunteered as a member of SCAAP and through an Arrupe Placement at Julian Street Inn (2002-2004), interned at Catholic Charities Refugee Resettlement Program on a DISCOVER Ministry internship through the Ignatian Center (Summer 2005), and established and taught a 2-unit university course called Ethics and Globalization through a Markkula Center Hackworth Fellowship (2005-2006).

Before rejoining the SCU community as a law student, Christina dedicated her time, talents, and resources to serving immigrants and refugees through direct service roles at Upwardly Global and a deportation defense law office in San Francisco. This past summer, she served as a Research Fellow (on a SCU Law Public Interest and Social Justice Law Board Grant) at the Global Detention Project in Geneva, Switzerland, where she investigated the role detention plays in countries' responses to migration. Specifically, she analyzed treaties and protocols to determine their relevance to migration-related detention and created a comprehensive chart against which nations' detention practices can be compared. Additionally, Christina co-authored with Isabel Ricupero (former Assistant to the United Nations Special Rapporteur on the Human Rights of Migrants) a report, "Immigration Detention and the Law: U.S. Policy and Legal Framework."

Lynette Parker - Supervisor

Lynette is the Supervising Attorney for the Immigration Program of the Katherine and George Alexander Community Law Center (KGACLC) at SCU Law. She joined KGACLC in March 2000, and she has been representing immigrants—including those in immigration detention—in their legal immigration matters for twenty-five years. Lynette can be reached at (408) 288-7030 and at lparker@scu.edu.

Thank you for your time!