

Texas RioGrande Legal Aid

# JUSTICE REPORT

— 2021 —





*Alley in the historic Chihuahuita neighborhood of El Paso, just a few blocks from the US-Mexico border*



## DEFEND THE MOST VULNERABLE

Fighting injustice is at the center of TRLA's work. We fight to safeguard our clients' basic human rights against systemic inequities and violence. We work alongside our clients through a system that is often used to harm the most vulnerable among us. For decades, we've sustained a presence in many areas of Texas where we are still the only resource to those who cannot afford to pay for legal representation.

In 2021, we navigated a rapidly shifting landscape spurred by the pandemic to revamp how we deliver legal services. In our 52 years of existence, we continue to expand and adapt to the evolving needs of our growing and changing client base covering South, Central, West Texas, and the Coastal Bend region. As cities grow and diversify, so has our clients' legal problems. But no matter what comes their way, our clients advance with strength and courage. We aim to be as committed as our communities are resilient.

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## JUSTICE REPORT 2021

**Editor-in-Chief:** Hannah Allison

**Associate Editor:** Shelby Alexander

**Creative Director:** Chris Ledesma

**Editorial Advisory Board:** Robert Doggett, Nicole Rivera Maesse, Fabrizio Ricalde

*On Front Cover: Aerial shot of Texas Boulevard in Weslaco, location of TRLA's first office.*

# JUSTICE BEGINS HERE

"Every day at TRLA, we meet the most vulnerable among us, listen to their struggles, and try our best to help them obtain justice."

*Robert Doggett, Executive Director of TRLA*



*Texas RioGrande Legal Aid Office in 331A N. Washington St. Beeville, TX*

# MESSAGES FROM LEADERSHIP



Executive Director Robert Doggett (Left), Deputy Director Nicole Rivera Maesse (Right)

In this year's Justice Report we've got stories and statistics, charts, and graphs. It's what annual reports are supposed to include. It's pretty impressive, but I'm biased.

The one thing this report does not talk about is what happened to all the people whom we didn't help. All the people that we could have saved from eviction, family violence, deportation, and the unemployment line. All the people that we helped with charges by the state, but didn't help solve the underlying problem that got them there in the first place.

We have a website, brochures, and signage promoting our number and listing all the things we can help people with, but with our limited resources, we just can't help everyone who comes to us.

Sure, the stats, charts, and graphs explain what TRLA, the second largest legal aid organization in the US, has done with its substantial resources. We do a lot with 500-person staff every day to move the needle towards justice for some, but it is just hard to brag too loudly when there is so much left undone.

I mention all this to emphasize your support is extremely important in pushing that needle towards justice even further.

Someone who has jumped in to help us is our new Deputy Director Nicole Rivera Maesse. She has a vision of what TRLA can and should be. If you send her an email (NMaesse@trla.org) welcoming her as our new Deputy Director, I'll donate \$1 to TRLA in your name.

Thanks for your support.

**Robert Doggett**

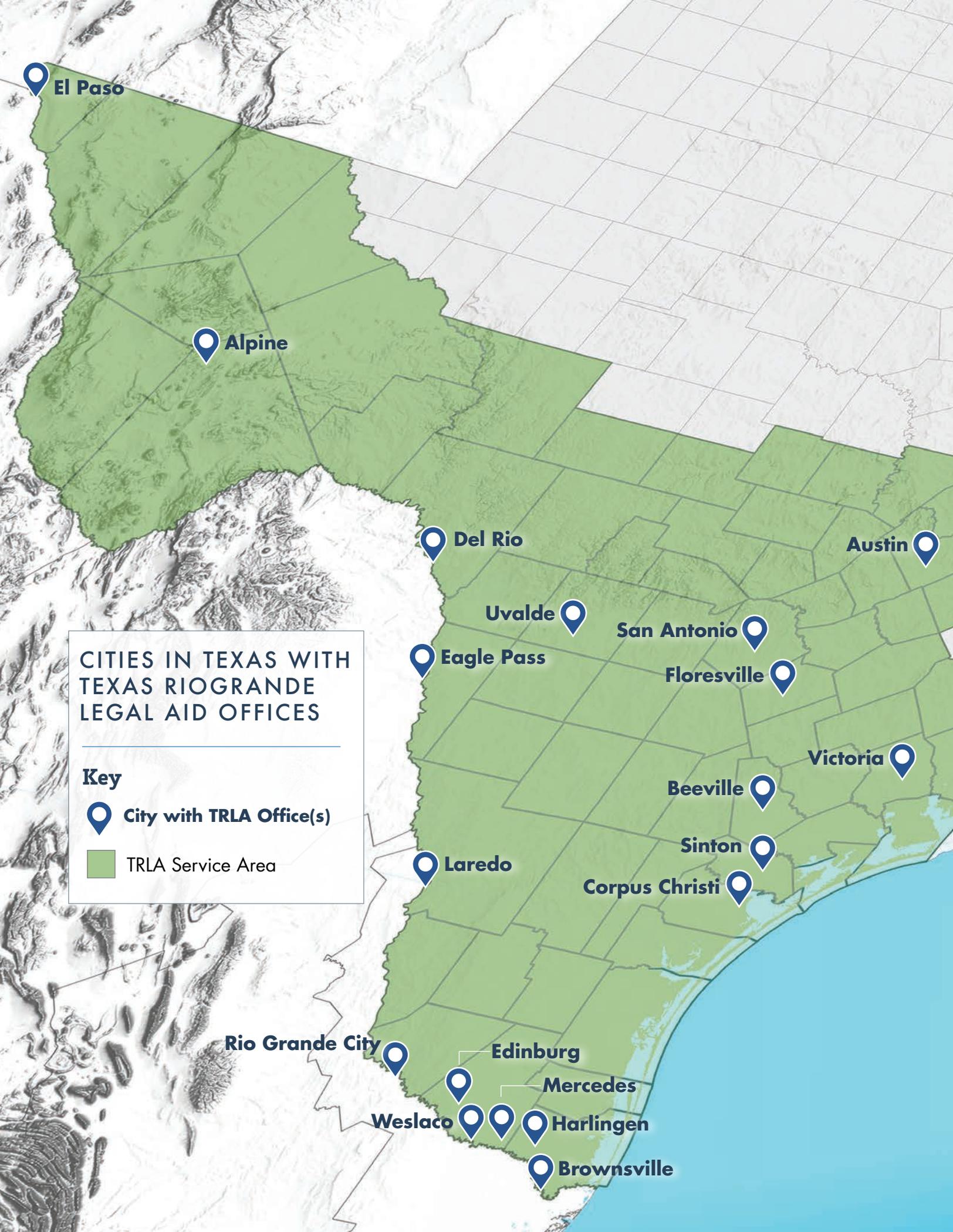
In reflecting on the path that led me to becoming a public interest attorney, I go back to my childhood memories of my late grandfather. Sitting at his kitchen table, enjoying coffee and his favorite pan dulce, I spent countless hours listening to him share his war stories of struggles growing up in Segundo Barrio of El Paso, Texas. He was a fighter born from the challenges of poverty in the neighborhood he grew up in. He later spent his life dedicated to activism and philanthropy through his participation in organizations like LULAC, and helping create the GI forum of White Sands, which fought for equal treatment and opportunities for Mexicans employed as federal civil servants.

It brings me great joy to know that I am part of an organization that embodies all the principles my grandfather dedicated his life to. I found a place where I can continue in his footsteps in La Lucha. It's an honor to serve and support our amazing staff as they heroically support and defend our clients against a system designed to perpetuate the dehumanization of our most marginalized.

Our success and ability to expand our reach to Texas' most vulnerable is dependent on dedicated assistance from people like you. It is not enough to simply address the specific legal problems of our clients. We aim to combat the social and economic problems that prohibit our clients from living stable and meaningful lives.

Our grant funding for direct legal services alone cannot achieve this. Looking towards 2023, your financial support helps us build a better future and make client-centered, community-oriented services a reality. Thank you for being with us in this fight.

**Nicole Rivera Maesse**



El Paso

Alpine

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Austin

Uvalde

San Antonio

Eagle Pass

Floresville

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Beeville

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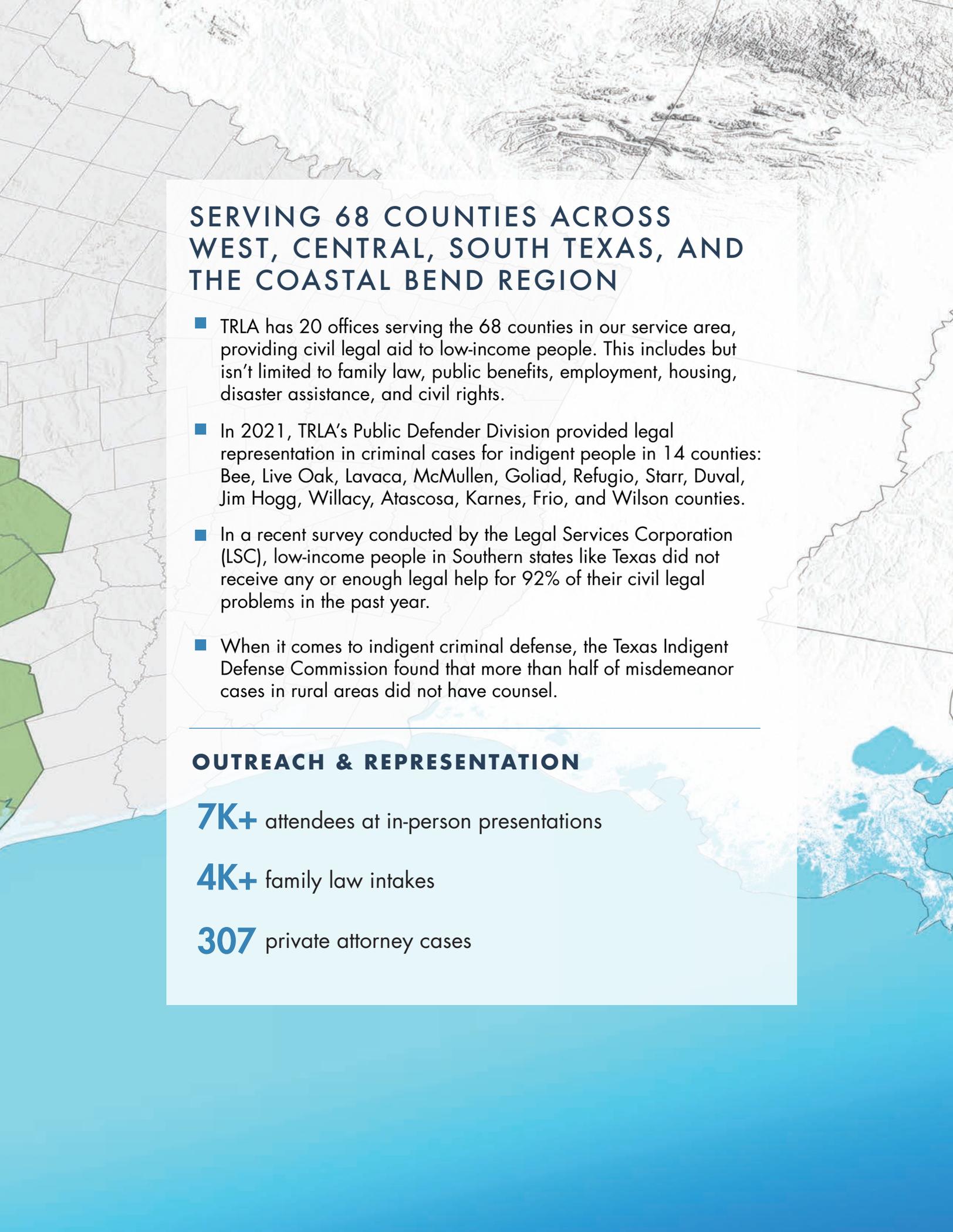
Brownsville

### CITIES IN TEXAS WITH TEXAS RIOGRANDE LEGAL AID OFFICES

#### Key

 City with TRLA Office(s)

 TRLA Service Area



## SERVING 68 COUNTIES ACROSS WEST, CENTRAL, SOUTH TEXAS, AND THE COASTAL BEND REGION

- TRLA has 20 offices serving the 68 counties in our service area, providing civil legal aid to low-income people. This includes but isn't limited to family law, public benefits, employment, housing, disaster assistance, and civil rights.
- In 2021, TRLA's Public Defender Division provided legal representation in criminal cases for indigent people in 14 counties: Bee, Live Oak, Lavaca, McMullen, Goliad, Refugio, Starr, Duval, Jim Hogg, Willacy, Atascosa, Karnes, Frio, and Wilson counties.
- In a recent survey conducted by the Legal Services Corporation (LSC), low-income people in Southern states like Texas did not receive any or enough legal help for 92% of their civil legal problems in the past year.
- When it comes to indigent criminal defense, the Texas Indigent Defense Commission found that more than half of misdemeanor cases in rural areas did not have counsel.

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### OUTREACH & REPRESENTATION

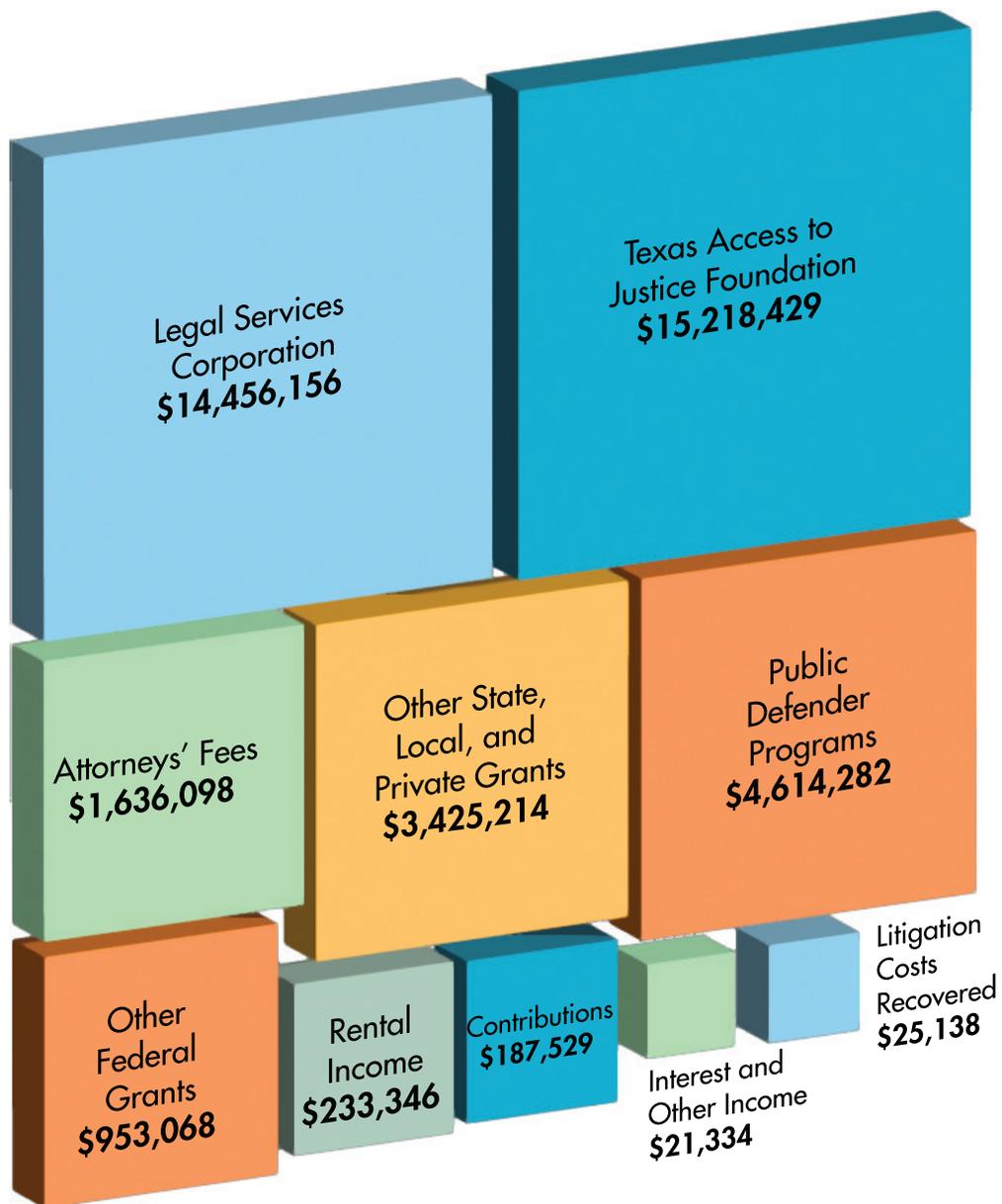
**7K+** attendees at in-person presentations

**4K+** family law intakes

**307** private attorney cases

# BY THE NUMBERS

Total Revenue: **\$40,770,594**





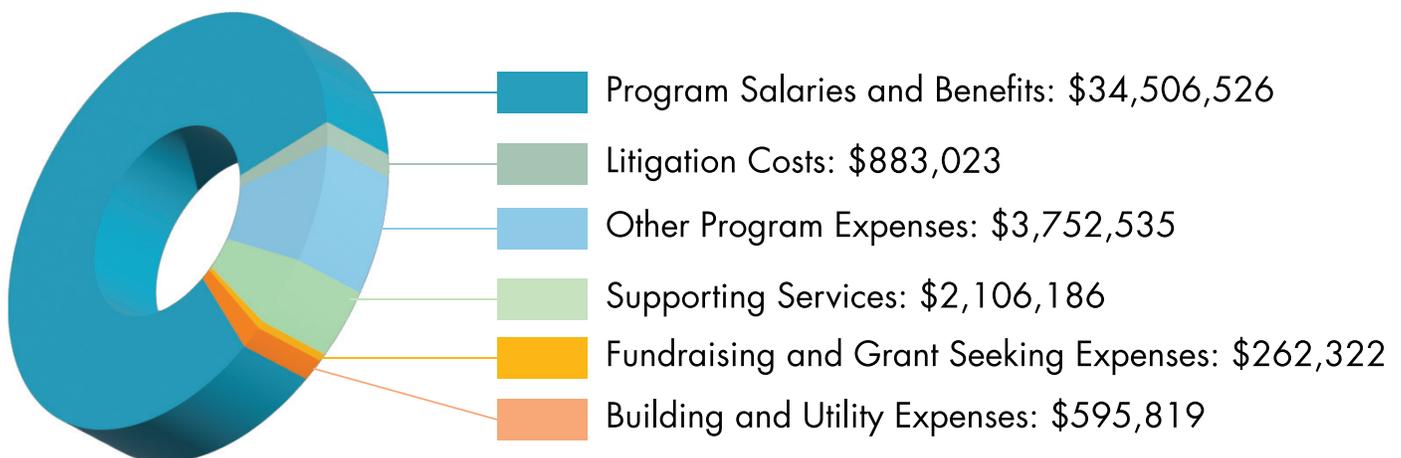
**45,439** clients & households served

**\$2.9M** received in lump-sum settlements

**\$94.7K** recovered in recurring monthly benefits

**\$174K** obtained on behalf of survivors of violent crime

Total Expenses: **\$42,106,411**



# OUR FIGHT

“We are humans with rights and these conditions are inhabitable. We have no idea when [the landlords] will respond to us when we need help. They do not care about us and we need someone to care about our well-being.”

*An Austin Tenant*



*Residents of Mueller Flats demonstrate against their landlord*

## SUPPORTING TENANTS THROUGH WINTER STORM URI

Winter Storm Uri was devastating to a large swath of TRLA's service area, with unprecedented cold weather, mass electricity outages, reduced transportation, and a lack of resources for many throughout Texas. Thousands were left with significant damage to their homes for months after the storm occurred.

Low-income renters were especially vulnerable in Austin. Many people already struggled to pay rising rents amidst the pandemic. Prompted by the storm damage, landlords spotted an opportunity to push out tenants who had thus far been protected from eviction by the federal CARES Act.

BASTA (Building And Strengthening Tenant Action), an Austin-based TRLA project which focuses on helping renters improve conditions in their communities, sprung to action during the storm to provide water and other aid to apartment complexes, but their relief efforts had just begun. After learning about BASTA from the aid distribution, residents at the Mueller Flats apartment complex formed a tenant's association in response to unlivable conditions at their homes caused by the storm.

Following the storm, Mueller Flats owners filed the single largest eviction filing in Travis County since the pandemic began. After enduring weeks of widespread damage and unsafe conditions in their homes that hadn't been repaired by the landlords, almost 50 tenants were threatened with eviction. If tenants did not leave within the weeks' notice, the landlord would remove their possessions.

Many tenants' apartments were barely livable due to the damage from the storm. Burst pipes ruined walls and carpets, causing mold to grow, and some had gone without hot water for weeks due to the infrastructure damage. After going more than a month without repairs, the landlords gave tenants only one week to move out and find a new place to live. In a city like Austin, where affordable, market-rate housing is increasingly rare, this simply added insult to injury for many tenants.

One tenant told a local Austin news station about the conditions at the apartment complex, speculating that apartment management wanted all the old residents out so they could bring in new residents who they could raise rents on and receive more profit: "They [the landlords] said forget about us...kick 'em out."

BASTA staff, in coordination with TRLA attorneys, worked with tenants at the apartment complex to host meetings and explore possible action. When apartment management threatened residents with lockouts, BASTA and the tenants created window signs for their units to inform management they had the right to a judicial process before their belongings could be legally removed.

The attorneys represented five of the tenants in the eviction proceedings. Attorneys were easily able to lay out to the Justice of the Peace that the property had not given the required 30-day notice to vacate as required by the federal CARES Act. The court ruled in favor of all tenants (not just TRLA's clients) who had eviction filings against them and the eviction filings were dismissed with prejudice.



*Devastating damage that went unrepaired by Mueller Flats landlords after Winter Storm Uri*

### TRLA IN THE HOUSING STRUGGLE

**381** families saved from eviction

**10K+** hours spent on eviction prevention

## A MOTHER AIDS HER SICK TODDLER, BUT FINDS HERSELF AT RISK OF DEPORTATION

When Gisela's two-year-old son, a U.S. citizen, was hospitalized in McAllen, doctors recommended a transfer to San Antonio. The hospital reached out to Customs and Border Patrol (CBP) in hopes that Gisela, who was undocumented, could accompany her son. Although she was allowed to cross the checkpoint, CBP followed the ambulance from the Rio Grande Valley to San Antonio, interrogated and fingerprinted Gisela at the hospital, and discouraged her from seeking an attorney.

She was scheduled for an Immigration and Customs Enforcement check-in a week later, where she feared deportation. Fortunately, a doctor spoke out and connected Gisela with TRLA. Our attorneys' determined Gisela was eligible for a T-Visa as a survivor of human trafficking.

With the clock ticking, they filed Gisela's T-Visa application in a week. An attorney accompanied Gisela to the check-in with proof of filing and letters of support from service providers and medical professionals.

Gisela was allowed to remain in the U.S. while her application was pending.

After advocacy by the client and TRLA, the local police signed a certification in support of Gisela's visa and re-opened an investigation into her trafficking. In April, Gisela's T-Visa was granted. It allowed her to remain with her two U.S. citizen children, apply for a T-Visa for her spouse, and reunite with her daughter, who was in Honduras.



Gisela and her two-year-old son (Courtesy of the family)

When Gisela received her visa documents, she told her attorney:

*"I don't have words to describe what I felt. I will never be able to repay you for all you have done for me and my family...Just thinking about seeing my daughter again...I can't think about anything else. The world needs more people like you and everyone who helped with my case and who help so many others who live in the shadows, in uncertainty and frightened, just trying to survive. Mil gracias."*

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### ADVOCATING FOR SURVIVORS

**6,524** domestic violence cases

**112** protective orders granted

## PROTECTING AGAINST RETALIATION IN THE WORKPLACE

In 2021, the pandemic continued to exacerbate existing inequalities in the workplace, and health and safety risks mounted. Nationwide, the Occupational Safety and Health Administration (OSHA), received more than 4,600 whistleblower complaints in fiscal year 2021, more than double the average number of complaints made over the past five years. More than half of these complaints were related to COVID-19.

In states like Texas with weaker worker protections compared to many other states around the country, the enforcement of federal workplace protections, including those against retaliation, is key to working towards basic justice and dignity in the workplace.

In 2020, three factory workers in the San Antonio area were fired after reporting their COVID-related health and safety concerns to multiple government agencies. Shortly after the workers contacted TRLA for help, TRLA attorneys filed complaints with OSHA and the National Labor Relations Board (NLRB) alleging unlawful retaliation in violation of the OSH Act

and unfair labor practices under the National Labor Relations Act. The NLRB issued a merit complaint and set the case for trial in 2021.

After more than a year of aggressive defense, the employer agreed to a make-whole settlement on the eve of trial, including compensation for backpay, interest, lost benefits, excess tax liability, and substantial non-wage compensatory damages.

The backpay portion of the settlement compensated the workers for more than a year and a half of pay, including significant overtime. In addition, the employer was required to post a notice in its employee breakroom about the settlement and the right to organize under the National Labor Relations Act, amplifying the impact of the case on other workers. The settlement also obligated the employer to remove all references to the clients' unlawful terminations from its files. TRLA's clients were very happy that their employer was held accountable and that they were finally made whole.

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### TRLA STANDS WITH WORKERS

TRLA is one of the few legal aid organizations in the country that have attorneys dedicated to practicing Employment Law to assist low-income people. TRLA's Labor & Employment Group represents workers fired for exercising their rights at work and files claims for unpaid minimum and overtime wages, unlawful discrimination and harassment, workers' compensation, unemployment insurance appeals, human trafficking cases, and other claims under federal and state law.

**\$1.1M** recovered for low-wage workers

**\$406K** in employment judgements

**\$71.6K** in unemployment compensation



## PUBLIC DEFENDERS INTERVENE TO PROTECT MIGRANT YOUTH

David is a 16-year-old boy who has lived most of his young life in Nuevo Laredo, Mexico with his mother and younger siblings. At a very young age, he learned to drive a car so that he could get his mother to the hospital whenever she had one of her frequent seizures. His mother has diabetes and several other illnesses that require recurring visits to the hospital. She used to clean houses and take on other manual labor jobs but could no longer take on this work after falling ill.

Although he really enjoyed school and has a passion for learning, David was forced to drop out of school because his family could no longer afford the bus fare to attend the only school in his area on the other side of town. Instead, David got a job working at a nearby grocery store in the fruit and vegetable section. David continued to watch his mother suffer financially and felt a sense of responsibility to figure out a way to contribute to the well-being of his family.

Prior to March of 2021, David had never been involved with the justice system in Mexico or the US. He had no violent history or any record of being a problem in school. David deeply loves his family and wanted nothing more than to make his mother proud and do anything within his power to get her the medical services she needs to continue to be alive and in his life.

This is how David fell victim to being preyed upon by adults both in Mexico and the United States and got involved with transporting drugs and individuals from Mexico to the US.

McMullen County believed David deserved to spend the next two years institutionalized in the Texas Juvenile Justice Department. The Juvenile probation department and the prosecutors all felt that probation was not an option because there would be no way for him to be supervised in Mexico, and therefore, prison was his only option.

Specifically, County officials wanted to “send a message that human smuggling will not be tolerated ‘round here.” David remained in custody in Texas for four months pending the disposition of his case. He was locked away in a foreign country, unable to see his mother and his siblings in a facility where most people did not speak his language. David spent his sixteenth birthday in custody and was unable to celebrate with his family.

David was represented through TRLA’s Beeville County Regional Public Defender. TRLA has overseen public defense in this region since 2009. This program is one of four regional public defender offices TRLA operated in 2021, all in rural areas of Texas from Coastal Bend to South Texas.

Through relentless defense, after two victorious suppression hearings, and three days of jury trial, the Judge placed David on probation, allowing him to return to Mexico to be with his family.

## DEFENDING THOSE IMPACTED BY OPERATION LONE STAR (OLS)

As thousands of migrants continue to be arrested and jailed along the border, TRLA fights for those caught in an unjust process

In a few short weeks in the middle of the summer in 2021, TRLA began representing clients charged with trespassing on undeveloped and unfenced riverbank in Val Verde and Kinney County by state officials under a program known as “Operation Lone Star” (OLS).

TRLA responded to a request from the Texas Indigent Defense Commission to represent these refugees and migrants because few local defense attorneys were willing to take the cases.

These clients are charged with trespassing, mostly for walking on unfenced land adjoining the Rio Grande. Most of the defendants arrested qualify for asylum under federal and international law, and therefore have the right to enter the country to make an asylum request, even outside a standard port of entry. By arresting and detaining people, state law enforcement directly interrupts the due process our clients are entitled to under the law.

In 2021, we represented almost half of the people arrested under OLS. What began in just

two counties in Texas has now spread across several other counties in our service area, with the number of arrests increasing daily.

While TRLA is uniquely situated to assist these clients, their cases require far more time to investigate and prepare than a routine misdemeanor. Our efforts have been worth it as many of the trespass charges have been dismissed by prosecutors based on the asylum defense.

However, once our clients are released from prison – either because of a plea, bail, or dropped charges – federal immigration officials take it from there. And that landscape is just as complex.

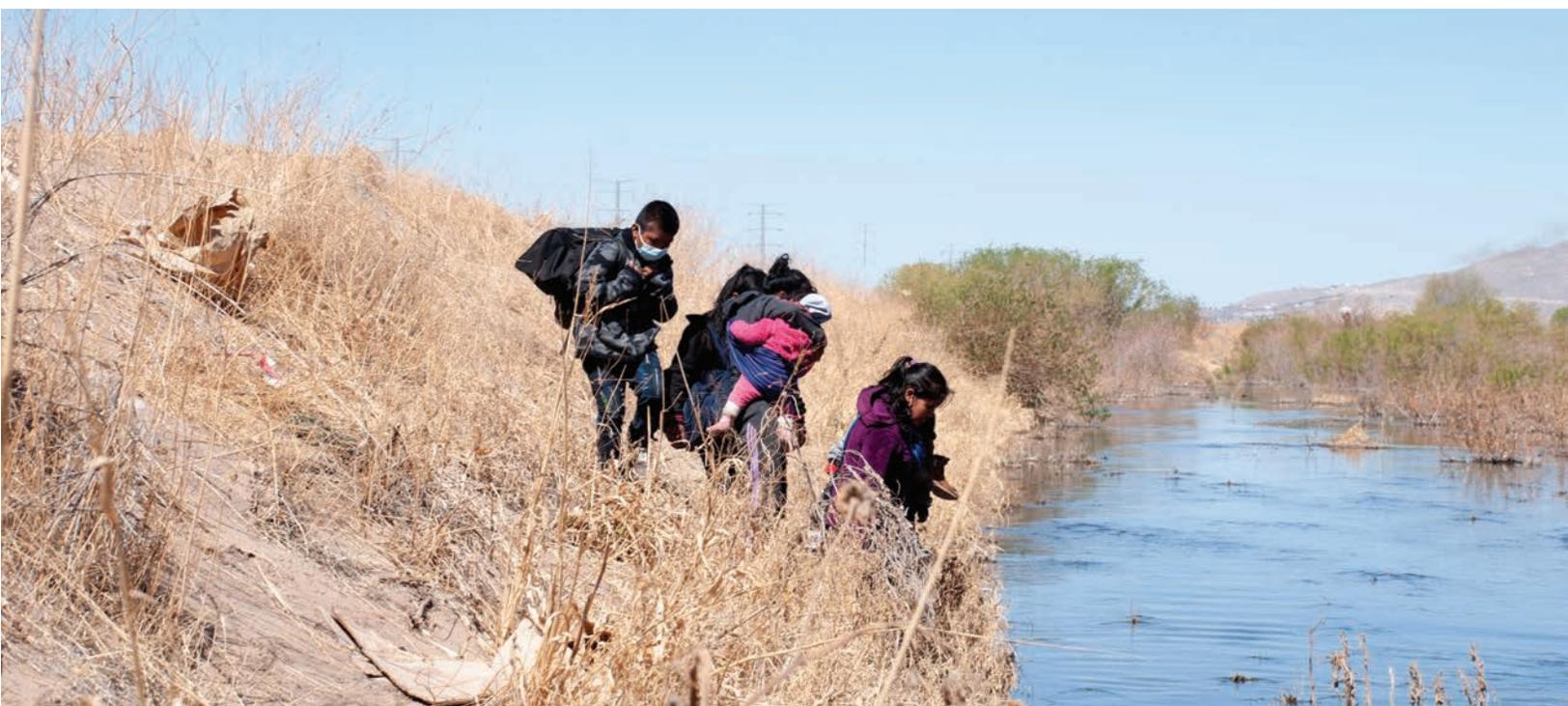
There is no end in sight for Operation Lone Star as it spreads across our service area. TRLA remains on the front lines, committed to providing zealous representation to this growing population of clients.

**750+** OLS clients served

**15,017** writs of habeas corpus filed to validate the reason for detaining OLS clients

**570+** OLS clients released from detention

**\$19,038** raised to bond out OLS clients for the holidays





# FIND YOUR PLACE

## Visit Us

Stop by one of our 20 offices or introduce yourself at a community event.

## Share Your Time

If you're an attorney or other professional interested in **providing pro bono services**, we need your assistance! More than 2.6 million residents of Southwest and Central Texas are considered eligible for TRLA services, a ratio of almost 21,000 potential clients per legal aid lawyer.

More info: [www.trla.org/probono](http://www.trla.org/probono)

## Become a Petitioner of Justice

Consider **making your donation recurring** to become a **petitioner of justice** – recurring gifts are an essential part of keeping our mission afloat.

## Become a Corporate Partner

We will work with you to find the best opportunity for your group, whether it's to sponsor our annual **Evening of Gratitude**, to **become a matching partner** during a local day of giving, or to set up an **annual transformational gift**.

## Follow us on Social Media

We are on **Facebook**, **LinkedIn**, and **Instagram**. You'll be the first to see updates about all the fantastic things happening.



Photo: Texas RioGrande Legal Aid Office in 123 N. 6th Street Alpine, TX

## Some of Our Leading Supporters

*\*Petitioner of Justice*

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*continued on next page*

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Hardships and loss will continue to impact our vulnerable client communities the hardest. We don't know what the future holds, but what we do know is that the number of clients that TRLA supports will continue to grow.

Your donation secures justice for hard-working minimum-wage earners, survivors of domestic violence, children with disabilities, abused seniors, homeless Texans, veterans not receiving their benefits, and victims in crisis - who would otherwise never be able to afford legal assistance.

Please consider making a donation to Texas RioGrande Legal Aid today.

[www.trla.org/donate](http://www.trla.org/donate)



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