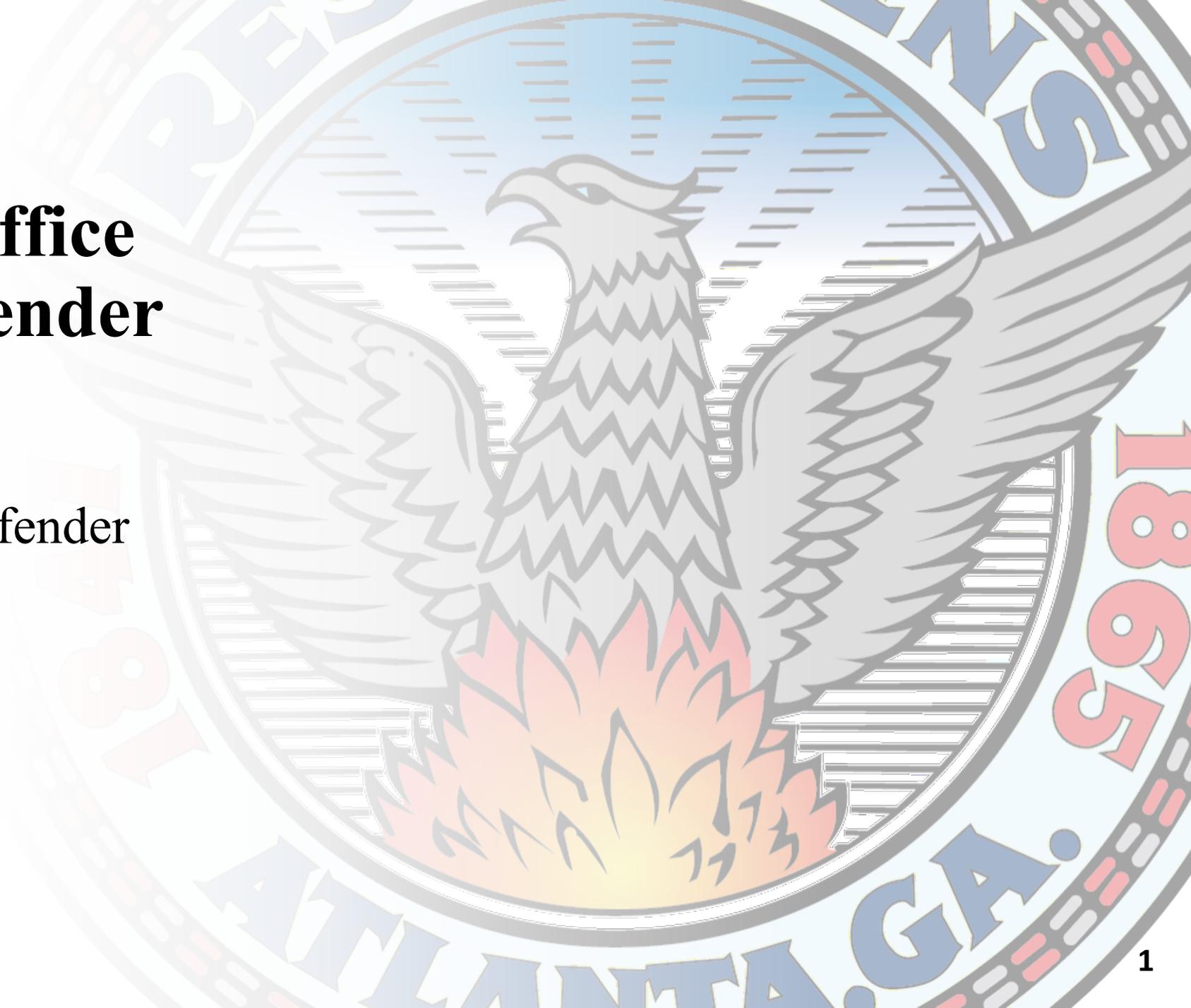




City of Atlanta Office of the Public Defender

Kenneth Days, III

Director/Chief Public Defender



City of Atlanta Office of the Public Defender

Mission:
Defend and Serve

To zealously protect and defend the rights of our clients through compassionate and inspired legal representation of the highest quality, in pursuit of a fair and unbiased system of justice for all.

Mandated Services: The Public Defender is the primary defense attorney for indigent individuals facing potential incarceration or loss of liberty.

As Mandated by:

- U.S. Constitution
- State of Georgia Constitution
- City of Atlanta Charter

Major Service Areas:

- State Misdemeanors
- Traffic Misdemeanors
- City Ordinance Criminal Offenses
- DUI Defense
- Housing and Code Enforcement Defense
- Appeals and Litigation
- Record Restriction Assistance
- License Restoration Program
- Crim-Immigration “Padilla” Advisories
- Immigration Removal Defense
- Social Work Intervention
- Client Social Services Advocacy
- Defense Investigations





- Zealous and Caring Legal representation

- Advocating and Partnering with Community to serve and mentor.

- Connect clients to needed social services and address collateral legal civil issues.

- Attorneys, Investigators, Social Workers, Client Advocates, All Staff

City of Atlanta Office of the Public Defender
HOLISTIC DEFENSE
REPRESENTATION

Safety & Fairness for Everyone (SAFE) Network: Atlanta

In 2017, Atlanta was selected to join the Vera Institute of Justice’s Safety and Fairness for Everyone (SAFE) Network—a growing group of jurisdictions around the U.S. that are **committed to keeping families together and communities safe and strong** by protecting due process and providing legal representation to immigrants facing deportation. SAFE Network Members have dedicated public funding to deportation defense, focusing on serving individuals who are detained. The Atlanta Public Defender’s Office received \$200,000 in funding to begin representation in December of 2019. The Atlanta Public Defender’s Office is the first Public Defender office with an immigration unit in the State of Georgia.



Why representation matters

Because immigrants facing deportation do not have the guarantee of an attorney to represent them, 70 percent of detained immigrants face deportation alone.¹ Amid the current public health crisis, the stakes for immigrants in detention could not be higher. Representation promotes due process and dignity, helps secure release from detention, and results in better outcomes—represented immigrants are **up to ten times more likely to establish a right to remain in the United States.**²

SAFE Program Description: Atlanta, Georgia

Legal Service Providers:	City of Atlanta Public Defender’s Office
Populations Served:	Detained Atlanta residents in removal proceedings
Detention Centers Served:	Irwin County Detention Center
Method of Identifying Clients:	Catholic Charities Atlanta’s Immigration Legal Services Program.

Sources

1. Transactional Records Access Clearinghouse (TRAC): “Details on Deportation Proceedings in Immigration Court,” accessed September 19, 2019, <https://trac.syr.edu/phptools/immigration/nta/>
2. Ingrid V. Eagly and Steven Shafer, “A National Study of Access to Counsel in Immigration Court,” *University of Pennsylvania Law Review*, 164, no. 1 (2015), 1-91, <https://perma.cc/82F5-WE2D>.

Making an Impact in Atlanta

The City of Atlanta created the Immigration Defense Unit in the Public Defender’s Office to ensure that it is prepared to address the crisis that its immigrant residents face—navigating one of the nation’s toughest immigration courts with little access to representation. During the COVID-19 crisis, the Immigration Defense Unit’s work has been critical, as they tirelessly advocate to get people out of dangerous detention centers and reunited with their families.

- Three of the first four clients accepted under the program were mothers of U.S. citizen children and each had lived in the United States for a decade or longer.
- All of the women represented had been victimized in the past and all had a path to legal status available to them that they would not have been able to access without the Immigration Defense Unit’s advocacy.

The Need for Representation in Atlanta



There are currently 1,121 people with pending cases in the Atlanta Immigration Court, of which 589 (53 percent) lack legal representation.³



65 percent of detained people in fiscal year 2019 lacked legal representation in the Atlanta Immigration Court.³



The vast majority of children with at least one immigrant parent in Atlanta are U.S. citizens. 89 percent were born in the United States.⁴

Client Stories

Jenifer* is a 38-year-old mother of three US citizen children. She has lived in the US for over 15 years and made her living working in the Southern Georgia fields and poultry processing plants in Northern Georgia. Despite her regular employment, Jenifer struggled financially. A non-violent misdemeanor resulted in her detention by ICE for over one year, the potential loss of her parental rights to her children, and the fear of contracting COVID-19, with an underlying medical condition. The City of Atlanta Immigration Defense Unit took Jenifer’s case and advocated for her urgent release and on March 25th, 2020 Jenifer was released from detention. Just one week after being released from detention, Jenifer had again secured a job and an apartment. She now has a significant opportunity to work toward reunification with her children, and gain lawful status, thanks to the efforts of the Immigration Defense Unit.

Gloria* came to the US with her mother as a young adult. She is the survivor of years of domestic abuse by the father of her children and also has suffered cognitive delays since childhood; she has always been dependent on her family. The most important thing to her in life is her 5 US-born children, the youngest of whom is just 1 year old. Gloria was arrested in 2019 by local law enforcement and then transferred to ICE detention. But for a 2018 battery conviction (which occurred under circumstances in which she herself called the police under threat of her life), she would otherwise have been eligible to request lawful permanent residence. The City of Atlanta Immigration Defense Unit accepted her case and achieved dismissal of the charge that resulted in her 2019 arrest and won a habeas against the State for ineffective assistance of counsel in her battery case. These wins achieved a further success: she was released on recognizance from ICE detention on March 27, 2020 – a crucial win amidst the COVID-19 epidemic, as she suffers an underlying medical condition. The Immigration Defense Unit continues to represent her on her request for lawful permanent residence, and in the meantime, Gloria is overjoyed to be living again with her five children.

Sources

3. Transactional Records Access Clearinghouse (TRAC): “Details on Deportation Proceedings in Immigration Court,” accessed April 24, 2020, <https://trac.syr.edu/phptools/immigration/nta/>

4. U.S. Census Bureau: “Age and Nativity of Own Children under 18 Years in Families and Subfamilies by Nativity of Parents,” accessed April 1, 2020, 2017 American

L.I.F.T.S

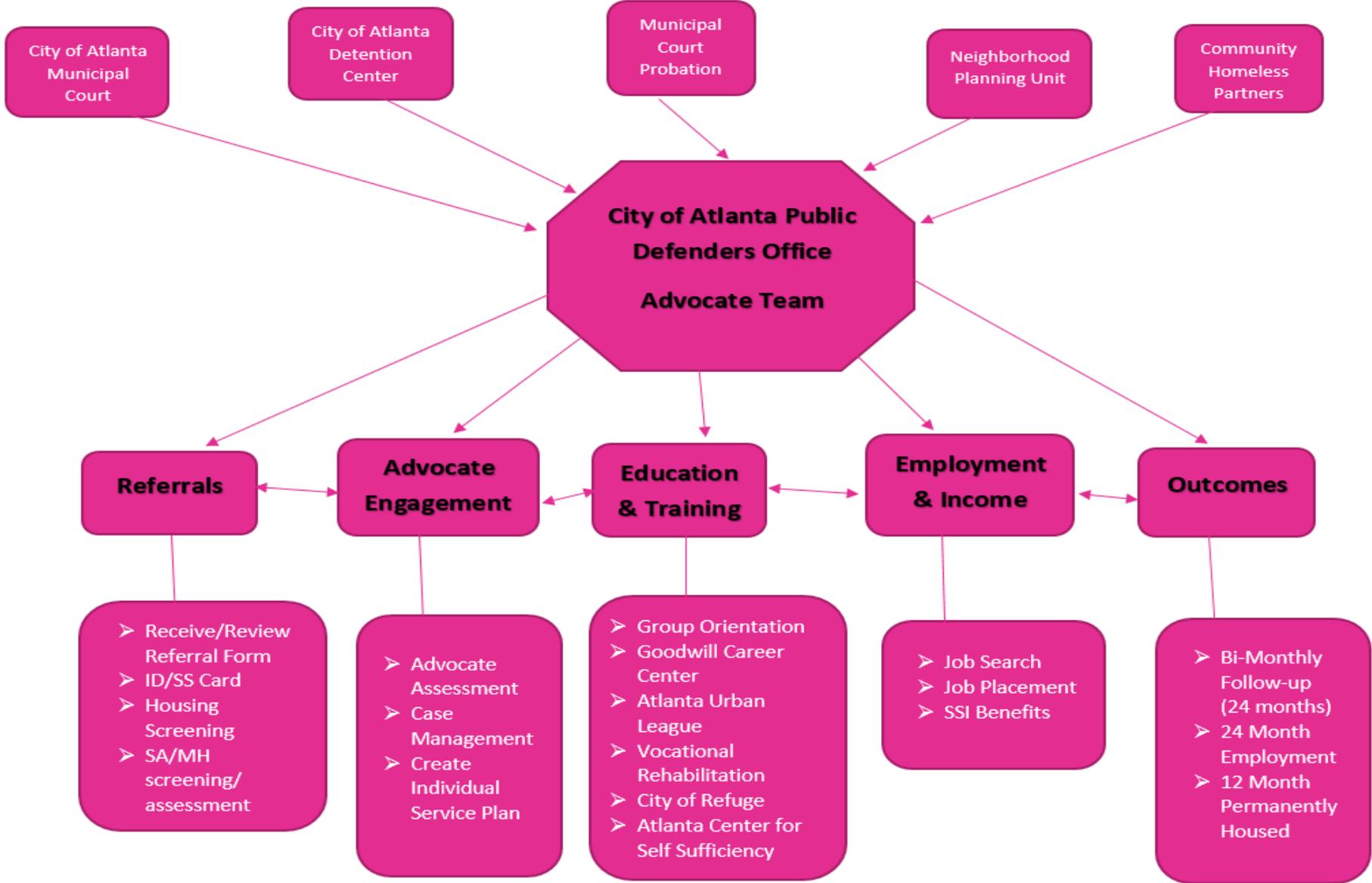
Lawyers Initiative for Transforming Society

L.I.F.T.S is a warrant program designed by our office to assist homeless/unhoused individuals as they face the legal obstacles preventing them from obtaining shelter, housing, or employment.



L.I.F.T.S actively works with the Fulton County Courts to assist with any City warrants that are preventing them from getting inmates out of jail and into treatment.

Public Defender Advocates Making an Impact in Atlanta



Public Defender Advocates Making an Impact in Atlanta

