

Against the Odds, Finding Refuge in El Paso

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EL PASO — In a seafood restaurant where most of the wait staff and clientele preferred Spanish to English, Dekha Hassan-Mohamed mustered some dry wit that reflected how she was slowly adapting to her surroundings on the Texas-Mexico border.

“I am becoming Mexican, no more Somalia,” she said, prompting a chuckle from her lawyer, Linda Corchado.

Ms. Hassan-Mohamed’s grasp of basic Spanish and border culture is a result of a harrowing journey that began in her native Somalia. It ended when an immigration judge granted her asylum in El Paso last month, bucking a national trend in which a majority of applicants do not receive asylum.

Ms. Hassan-Mohamed, 27, fled Mogadishu to Ethiopia, went to Brazil and then trekked through South and Central America — sometimes walking for more than 15 hours — before landing in an El Paso immigration detention center after crossing the border through Ciudad Juárez.

In 2010, a member of [Al Shabaab](#) — a radical group that the United States [designated](#) as an official terrorist organization in 2008 — demanded that Ms. Hassan-Mohamed become one of his wives. “They wanted to get more wives to get more children to raise an army,” she said.

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But once Ms. Hassan-Mohamed spurned him, she and Ms. Corchado said, the man was intent on revenge.

“The police told me they can’t do anything about Al Shabaab.” Ms. Hassan-Mohamed said. “He attacked me, he killed my brother, he broke my mother’s arm.”

Against her mother’s wishes, Ms. Hassan-Mohamed fled her home in September 2010 and crossed the border into neighboring Ethiopia. She lived there until November 2013, though she said her life did not improve. She was sexually assaulted. When she was employed, she was often shortchanged or not paid at all. Because of her undocumented status, she did not go to the authorities. She used a fake passport to flee to Brazil. Days later, smugglers began taking her through the rest of the Americas, and she arrived in El Paso in February.

Before seeking asylum in the United States, Ms. Hassan-Mohamed sought protection from the Panamanian and Mexican governments. Both times she was detained and given deportation orders.

Ms. Corchado's ability to secure legal status for her client in the United States beat the odds.

In 2011, 189 of the 240 asylum requests from Somali natives were approved, about 79 percent. That fell to 43 percent, or 86 of the 202 requests, in 2013. The overall rate of approved asylum claims in the United States is about 25 percent.

Ms. Hassan-Mohamed's case was based on several factors, Ms. Corchado said. Fleeing violence is not usually regarded as reason enough to be granted asylum. Applicants from Honduras, considered the world's most violent country, fare far worse than Somalis. In 2013, about 4 percent of claims from Honduras — 92 out of 2,354 — were approved. (Applicants from Mexico were approved in 1.8 percent of cases in 2013.)

To qualify for asylum, applicants must have suffered persecution at the hands of a group that the government cannot or is not willing to control. Applicants must also show they are [being targeted](#) because of their race, religion, nationality, membership in a political group or political opinion.

Dana Leigh Marks, a San Francisco-based immigration judge and the president of the National Association of Immigration Judges, said asylum cases cannot be looked at in a vacuum, even though some have similar dynamics.

“It's difficult to look at any given case from the outside and be able to predict what the outcome will be because the law is so complicated and there are so many different pieces that have to be met,” she said. “And judges, we're human beings. We do look at these things with a margin of variation that's not mathematical.”

Ms. Corchado said her client's case hinged, in part, on Ms. Hasan-Mohamed's opposition to what the terrorist group represented.

“Her refusal to marry a terrorist wasn't just ‘I don't love you.’ It was because she had profound beliefs against the Al Shabaab,” Ms. Corchado said. “And she would carry that anywhere she went in Somalia.”

A decision rendered almost 20 years ago could have also played a large role in Ms. Hassan-Mohamed's case. In June 1996, the federal government [recognized](#) that [female genital mutilation](#) was a form of official persecution. The World Health Organization [stated](#) in February that the cultural ritual has no medical benefits for females and estimated that at least 125 million women had been affected by the practice in 29 countries.

“It would allow her to be eligible for humanitarian asylum as well,” Ms. Corchado said.

Another client of Ms. Corchado's hopes to be afforded the same protection. The woman, who asked not to be identified because she fears for her safety, fled Nigeria in June 2013 to get away from Boko Haram, another group [designated](#) a terrorist organization by the United States. The woman, a Baptist preacher, said she feared for her life when the Islamist group began killing Christians in her village.

She went to Philadelphia on what she thought was a two-year tourist visa. She began a journey in April to meet a friend in California but found out in El Paso that her visa was only valid for six months. She was taken into custody by the United States Border Patrol and was placed in detention in April, when she began her bid for asylum.

The woman was eventually released last month and is in the initial stages of her asylum claim.

Ms. Corchado, whose Nigerian client has a hearing next month, is hoping for enough time to gather evidence that proves her client has a right to stay. She added that her client's release from detention was a significant step toward that goal.

"She can reach out to folks from Nigeria, witnesses that were actually there when the attack happened, to help present the case in the best way possible," she said. Ms. Corchado can also seek prosecutorial discretion, which would close the case on the condition that a judge may reopen it.

"She was a minister in Nigeria, she's very devout, she's very committed here in El Paso," Ms. Corchado said. "She's of good moral character and has no criminal record. She's also sustained a lot of trauma."

As she waits, Ms. Corchado's Nigerian client has not lost faith and says her time here is part of her journey.

"It is written that these things will be, there will always be persecution," she said.

Ms. Hassan-Mohamed, meanwhile, is settling in with El Paso's small but growing Muslim community.

She has established a friendship with Dr. Yara Tovar, a Mexican doctor who converted to Islam and now lives in El Paso. Dr. Tovar visited Ms. Hassan-Mohamed when she was detained after Ms. Corchado reached out to the Islamic Center of El Paso.

"I think she can do a lot of things here," Dr. Tovar said. "She has a community that can support her. I think she will do O.K."

<http://www.nytimes.com/2014/09/19/us/against-the-odds-finding-refuge-in-el-paso.html>