

Despite deadline on immigration cases, parts of Denver pilot project to carry on

[By Felisa Cardona](#)

[The Denver Post](#)

Today was to have been the deadline to end a [Department of Homeland Security](#) program reviewing cases of undocumented immigrants in Denver who pose no security risk to the country.

Despite that, government officials acknowledged Thursday they will continue to review 7,800 cases in Denver involving nonviolent immigrants who came to the U.S. as children or who have strong familial ties — including lesbians and gays — to decide whether they should be allowed to stay or officials should press forward with deportation proceedings.

The pilot program, launched six weeks ago in Denver's immigration courts, will continue until every case is reviewed, said U.S. Immigration and Customs Enforcement spokeswoman Barbara Gonzalez.

"Some of these cases are extremely voluminous, with thousands of pages, and it takes time for attorneys to review," Gonzalez said of the ongoing review. "It is not a sprint. It is about being careful. We know we are making an impact on human beings' lives."

The only thing that will change is that immigration judges will again begin hearing cases of immigrants who are not detained. Under the pilot program, the immigration judges were only concentrating on immigrants who were detained to make sure they dealt with the highest-priority cases.

In the meantime, Sujei Pando, a lesbian married to an American citizen, is waiting on the status of her immigration case and is nervous because she is aware of what she believes is a deadline and hasn't heard a word.

Pando, 34, is from Mexico and legally married her longtime partner Violeta Pando in Iowa in 2010. Sujei Pando was brought to the Denver area as a child by her mother, then kicked out of the family home at 16 after revealing she was gay.

In 2008, she was pulled over in Adams County for not using a turn signal. She didn't lie to the officer about her undocumented status. She has been fighting deportation since.

"She is not a danger to her community or national security, and she is not a high-priority case for removal," said her attorney, Lavi Soloway. "More than most people, she really does meet many of the guidelines and has some very compelling and sad facts that are part of her case that need to be weighed in this process. We are concerned that they are not reviewing the file or giving her the consideration for administrative closure."

On Aug. 18, Homeland Security Secretary Janet Napolitano announced the shift in policy and said it would free the courts to deal with violent offenders and true threats to national security.

Critics of the plan say it is a back door to amnesty.

On Aug. 19, a Denver immigration judge decided to delay a decision on whether to deport Pando, citing the policy changes announced by Napolitano the day before.

Pando, a restaurant service manager, submitted volumes of evidence of her abuse as a child and teenager coming to this country to the immigration court. She also provided affidavits from family and friends about her commitment to her marriage and the community.

When her case was delayed in August, Soloway advised her not to add more paperwork to the file but changed his mind last week and submitted another 76 pages of affidavits and evidence to support her case.

"I do think that this case meets the criteria for being closed and Sujey and Violeta should be able to go to sleep (tonight) knowing the threat of deportation is not hanging over them," Soloway said.

Julie Gonzales of the Colorado Immigrant Rights Coalition said despite cautious optimism of the pilot program, there has been a lack of information about the number of cases being reviewed and what the outcomes are.

Gonzales has heard of some immigrants having their deportation cases "administratively closed" — meaning they can stay in the country — but then they were not provided an opportunity to apply for work permits, leaving them in economic limbo.

"Hopefully there is good data that comes out of this, but without transparency and accountability embedded into the program, it is just good words but not good follow through," Gonzales said. "It becomes like another empty promise. There is a lack of clear directives and focus as to how the program was to be implemented, and it has thrown people into a lot of confusion and a lot of uncertainty."

But officials expect to release some data in the coming days about the pilot program that will shed some light on the progress made, ICE spokeswoman Gonzalez said.

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