



Pandemic Report: 2020 – May 2022

The Pepper Center for Public Service

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You may think that a global pandemic that sent everyone home for nearly two years would shutter an organization whose members, because of their age, were at higher risk from COVID-19, and who, because most are retired, had no financial incentive to continue working. But exactly the opposite happened at the Pepper Center for Public Service. With a huge assist from Zoom, the Pepper Center grew in size, projects, and the number of people we served. Equally important, we reinforced the bonds among our Fellows, and revealed the strength and the importance of the organization to the Fellows and those with whom we work.

For example, from the first days of the pandemic, the Center's members went into action on important and urgent needs. The Immigration Team worked to secure the release of individuals incarcerated solely because of their undocumented status, who were endangered by rampant prison outbreaks of COVID-19. Similarly, Fellows helped an organization working with families facing sudden unemployment figure out where and how they could get benefits to assist them.

The needs and the work continued unabated throughout the pandemic. As discussed in more detail below, the Center's three task forces—Immigration, Education, and Civics—all moved into action. The Immigration Task Force helped scores of clients during that period; and for this work, the Center was honored by the Pennsylvania Immigration Resource Center with its 2021 *Light of Liberty Law Firm of the Year Award*. The Education Task Force worked with the Philadelphia School District on significant initiatives, and the Civics Task Force catalyzed an important effort to improve the information voters were obtaining during the 2020 Election.

When many of the Fellows struggled in the aftermath of George Floyd's murder, the Center Fellows and other attorneys at Troutman Pepper used the Center as a vehicle to wrestle with racial issues in America. The Center committed to spend at least a year studying issues relating to race in the hope that we move forward with projects with greater insight and renewed purpose. That work continues today.

Perhaps most surprising is how Center Fellows, over frequent Zoom meetings, learned new ways to work with each other, deepen existing relationships, and develop new ones. The latter was certainly the case when Pepper Hamilton and Troutman Sanders merged in July 2020. The Center, a new entity to legacy Troutman lawyers, has, as of this writing, welcomed five retired Troutman partners as Fellows, and two legacy Troutman board members. And, since our last report in early 2020, the number of Fellows has nearly doubled to 36. During this period, the Center also invited a non-lawyer, a retired editor of a major Philadelphia newspaper, to be a Fellow, broadening the depth of Center knowledge and expertise.

The relationships that have flourished have not been limited to Center Fellows. Fellows work every day with current Troutman Pepper lawyers, often in teams, on cases or other matters. The Fellows also work with a cadre of University of Pennsylvania law students and all three Center task forces partner with many community organizations.

When the Pepper Center was created, we had no specific agenda other than to assist in bettering our communities, by relying not just on our legal

skills, but on the benefits of long careers—our experiences, contacts, and willingness to learn new things. The Center certainly has done just that, but we can do so much more. As we do this work, we have learned that each of us benefits from our time and efforts. The people we have come to know—from immigrants across the world, to educators, to a wide variety of experts, community leaders, and partners—have enriched our lives and opened our eyes. This has been a true gift.

“We make a living by what we get, but we make a life by what we give.”

– **Winston Churchill**

IMMIGRATION

The public debates about immigrants are loud, but often short on facts about the experiences that led to their migration. These experiences could include spousal abuse that forces a mother to leave her child behind while she seeks asylum and a better life for both of them; the infliction of multiple sexual assaults by gang members in a small village; a lifetime of enslavement of one human by another during the 21st century; the threat of an extended period in a Russian psychiatric institution for refusal to be conscripted; or an evacuation from Afghanistan with a compelling story of why the person left, and how he made it to Kabul airport and boarded a plane.

These are our clients’ stories, their trauma made all the more difficult by forced isolation during a pandemic, and the long-distance attorney-client relationships that we had to develop for more than two years. Pepper Center lawyers struggled to communicate with clients over cell phone, often through translators, while clients would cry or go

silent each time they discussed why they left home. As we worked to develop the clients’ trust, they were ever-preoccupied with the likelihood they would be returned to a life governed by fear of death every day.

These are just some of the challenges for lawyers in immigration cases. Layer on top of this the difficulty of working in an overburdened and complex system for adjudicating cases, where clients wait years just to get their matters scheduled – while the enforcement of the laws change with each administration. Against this background, Pepper Center Fellows (teaming with dozens of Troutman Pepper associates and partners, and staff members providing essential translation and other support services, and a similar number of law students) enjoyed the privilege of working with interesting, grateful—and fearful—clients from Europe, Asia, Africa, South America, and Central America. The pandemic-era accomplishments for these clients ranged from precedent-setting cases in the Third

Circuit to such “small” victories as release from ICE detention for someone held behind bars for eight months so that she can properly assist in the preparation of her case. Other interim wins may include the grant of work authorization (and the obligation to pay income taxes) or issuance of “temporary protected status” to enable clients to remain in the U.S. while war rages at home in Ukraine, or a society attempts to rebuild from earthquakes and political turmoil in Haiti.

Here are some of the stories behind the many cases we have handled.

- J.A.B. is a Guatemalan woman who fled her hometown near the Mexican border after being invited to be a “girlfriend” of a gang leader, and threatened with a knife if she refused. She had two sisters who were raped, and the local police took no action. An immigration judge granted her relief under the Convention Against Torture, and she was allowed to stay in the United States. The Board of Immigration Appeals (BIA), however, reversed and ordered her deported. J.A.B.’s immigration lawyer asked us to appeal to the Third Circuit. In October 2021, the Third Circuit ruled in J.A.B.’s favor, and granted her asylum. The Third Circuit held that the BIA improperly failed to defer to the immigration judge’s factual findings in favor of J.A.B, and it returned the case to the immigration court for the entry of relief.
- G.M. is an Anglophone from western Cameroon who fled from political violence. An immigration judge rejected his asylum application, but we persuaded the BIA to grant a new hearing before an immigration judge, where he could present evidence that he was a minority English-speaker, that the Francophone government imprisoned him for attending a separatist rally, that his family’s home was burned by government troops, and that his father was killed.
- D.F., facing the possibility of a lifetime in a Russian psychiatric institution after refusing to join the army because he was a conscientious objector, arrived at the U.S. southern border with his wife in September 2019. Catholic Legal referred his case to us after the government appealed the decision of an immigration judge to grant him limited relief to stay in the U.S. Despite his

success in immigration court, he spent more than a year in a Louisiana prison. Our team first secured D.F.’s freedom after filing a habeas corpus petition and advocating for his release. The second victory came when the BIA affirmed his right to withholding of removal and instructed the immigration judge to grant asylum, which also extends to his wife.

D.F. and his wife were very grateful for our work, writing:

“It is not enough to just say ‘thank you.’ Work that you and your team did for us is beyond simple gratitude. Your help made my family happier, made us sure that tomorrow we will be safe and everything will be alright.”



D.F. (left), who fled Russia as a conscientious objector to military service, and his wife and child.

And our work continues. Examples of clients we currently represent include:

- M.E was born in Darfur and is a linguistics Ph.D. candidate who seeks asylum after being held as a political prisoner in Sudan, and suffering several xenophobic attacks after fleeing to South Africa.



The Pepper Center helped Haitian asylum seekers V.P. and J.F. secure employment authorization while they await an asylum hearing. Their child is a U.S. citizen. V.P. just received her associate's degree.

- M.S. fled Mauritania, which was the last country on the planet to abolish slavery. He nevertheless remained enslaved there for 20 years until he fled. His asylum case is pending.
- N.V.N.C is a Paraguayan citizen and a victim of domestic violence in the U.S. at the hands of her U.S. citizen husband. She seeks asylum and various forms of relief afforded to immigrants under the Violence Against Women Act.
- J.F. and V.P., a married couple from Haiti, seek asylum on the grounds of death threats made to them in the course of political and religious persecution.
- H.A.V.S., an LGBTQ citizen of El Salvador, asked for asylum after fleeing a lifetime of brutal physical and emotional abuse from his family, neighbors, local police and military, and the MS-13 gang on account of his sexual identity and association with members of the trans community.
- M.F., an asylum-seeker, is a woman from Cote D'Ivoire forced into marriage at age 15 to a 40-year-old who then visited unspeakable



H.A.V.S. (holding American flag), an LGBTQ asylum seeker from El Salvador, celebrates freedom in the United States with other LGBTQ activists.

violence upon her, including rape, torture, and forced genital mutilation on account of her identification as a lesbian.

We are also seeking the release of immigration detainees who by statute are not entitled to a bond hearing. We have filed habeas petitions on behalf of detainees from Congo, St. Lucia, Cameroon and the Dominican Republic.

Working with several Afghan-American clients and American clients serving as sponsors of Afghans, we have filed applications for humanitarian parole for family members and friends left behind after the U.S. evacuated from Afghanistan. These individuals are living in hiding from the Taliban following threats on their lives as a result of their ethnic minority status, advocacy work on behalf of women and minorities, or the work they performed with or for Americans during the war. We also represent several Afghan families and unaccompanied minors who were evacuated in August 2021 from Kabul airport. Although they are paroled into the U.S., they need to apply for permanent status here, usually through the asylum process.

EDUCATION

Working to improve the opportunities for students in underserved schools has been a longstanding goal of Pepper Center Fellows. Meeting with educators and other experts has been critical to understanding issues and potential strategies. During this process, the Fellows have been fortunate to develop meaningful relationships with educators and advocates.

In our last report, we discussed a Baltimore organization, [Thread](#), which has achieved extraordinary results working with high school students in that city's public schools. Partnering with leaders in the Philadelphia School District and in the Philadelphia educational community, the Center has continued to explore opportunities to bring Thread or a Thread-inspired program to Philadelphia and other cities. In addition, we have worked in other ways with Thread. For example, during the pandemic, the Center helped Thread with several issues, including assessing what benefits would be available to its students' families to help them through the pandemic. The relationship with Thread continues today.

The relationships formed with the Philadelphia School District led to an exciting project being piloted this spring. The school district asked the Center to help create a Law and Justice Mentoring Program, which the district had conceived but needed assistance in launching. Center Fellows interviewed experts and others about the potential program, reporting that information to the district; worked with the district to involve a retired high school teacher, who also was a lawyer, who helped shape the program; recruited and prepared guest speakers who discussed with the students important issues such as criminal justice, immigration and education; and, helped to develop a summer internship program, which will be followed by a mentorship opportunity. This [program](#) involves a team of Fellows working collaboratively with the school district and the educators to achieve a common goal, and relying on relationships we made earlier in our careers to bring to these students a terrific group of [speakers](#), including a Third Circuit judge, a present and a former Philadelphia city solicitor, and a former city public defender. The project continues as we work together to scale the program and find a permanent sponsor.



Participants in the Philadelphia School District's inaugural Law and Justice Mentoring Program, including students and their teacher, guest speakers from the criminal justice system, Philadelphia School District leadership, and Pepper Center Fellows

CIVICS

In late 2015, the Center's first speaker, then Philadelphia Mayor Michael Nutter, urged Fellows to become involved both in promoting voting and protecting the right to vote. The Fellows agreed and, even before the pandemic, had been working with the Philadelphia School District to provide voter education to students, and after the schools closed in March 2020, Fellows participated in a virtual voter education conference for high school seniors.

In the spring and summer of 2020, it became clear that because of the pandemic, many Pennsylvanians would cast their ballots by mail. This would be particularly challenging as these were the first Pennsylvania elections where voting by mail took place. To determine how our Fellows could be most useful, we met with various voting rights' organizations. Eventually, we determined that we should assist the Election Protection Hotline of the Lawyers' Committee for Civil Rights by helping to create a Pennsylvania-specific hotline to answer questions during October and through Election Day. Working with a terrific team of Troutman Pepper and



Amy Ginensky handling voter questions remotely on Election Day 2020

Blank Rome partners, over a period of just a few weeks, 350 volunteers from Troutman Pepper, Blank Rome, the Center, and other organizations, were enlisted and trained in Pennsylvania law to answer thousands of voters calls. This non-partisan group effort, which continues today, gave countless voters the information to successfully cast their ballots by mail or in person.

“DURABLE” FORUM ON RACE IN AMERICA

In response to the murder of George Floyd and the national response, the Fellows decided to have a “durable” forum for listening, learning and growing related to racial issues. By durable, we mean we committed to at least a year of study and reflection, including reading, engaging in discussions (including with experts) to deepen our understanding of race in America. The goal was to gain knowledge to enrich ourselves and help us develop projects and efforts going forward; to build partnerships with others; and work together to help fight racial injustice.

In the first year, we formed two study groups, one related to policing, and the other to understanding

the cases for and against reparations. Every month, these groups met, and shared readings and sometimes speakers. As we learned more, we realized how much more we have to learn. Also, as a result, we formed a book discussion group that has been operating in the past year, working our way through a long list of books to enhance our knowledge of the history of race in America.

In the next year, we look to take this learning and, again with partners, take action that will be useful in addressing the history and inequities that we understand better as a result of study.

CONCLUSION

The past two years have been both challenging and rewarding. As we move ahead, we look forward to working with purpose, together and with others, to make our communities even just a little bit better.

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** Not an attorney; nor affiliated with Troutman Pepper.*

Center Administrator: Catherine Haeffner

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Donna Fisher	Gregory Narsh	Thomas Schmidt
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Community Partners

- University of Pennsylvania Carey Law School and its students
- American Civil Liberties Union
- Catholic Legal Immigration Network
- DC Volunteer Lawyers Project
- HIAS Pennsylvania
- Kids In Need of Defense
- Nationalities Services Center
- Pennsylvania Immigration Resource Center
- Southern Poverty Law Center
- Tahirih Justice Center
- Villanova University Law School and its students

* *Co-chairs*

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Lisanne Crowley	Robert Ludolph	Michael Reed	Joseph Sullivan
Michael Days	James Murray	David Richman*	Anthony Vale
Amy Ginensky*	Mark Newman	Andrew Rogoff	Erik Videlock*

LAW AND JUSTICE TEAM

Fellows

Julie Corelli	Cary Levinson	Michael Reed	Joseph Sullivan
Amy Ginensky	Janet Perry	David Richman	Erik Videlock
Murray Levin	Lisa Petkun	Rebecca Ross	

Community Partners

- Philadelphia School District, Office of Strategic Partnerships, Ayana Lewis, Director, and Helen Lauterbach, AmeriCorps VISTA Fellow, Partnerships Coordinator
 - Anne Kringel, J.D., retired educator, University of Pennsylvania Law School and Philadelphia School District, Academy at Palumbo
 - Kensington Health Sciences Academy, Principal Nimet Eren and teacher Kristian Ogungbemi
 - Troutman Pepper, Director of Diversity and Inclusion Tiffany Southerland, and Diversity and Inclusion Manager Kate Haeffner
-

THREAD TEAM

Fellows

Amy Ginensky	Lisa Petkun	Joseph Sullivan
Murray Levin	Michael Reed	Erik Videlock

Community Partners

- Thread, Sarah Hemminger, President/CEO and Nikhil Gupta, then Managing Director
- PSD Office of Strategic Partnerships, Vicki Ellis and Ayana Lewis
- Philadelphia Higher Education Network for Neighborhood Development (PHENND), Hillary Kane, Executive Director

* *Co-chairs*

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Lisanne Crowley	Murray Levin	Lisa Petkun	Thomas Wilczak
Michael Days	Cary Levinson	Michael Reed	
Donna Fisher	James Murray	Rebecca Ross	
Amy Ginensky*	Mark Newman	Thomas Schmidt*	

VOTER EDUCATION AND ELECTION PROTECTION TEAMS

Fellows

Michael Days	Amy Ginensky	Janet Perry	Thomas Schmidt
Donna Fisher	Murray Levin	Michael Reed	

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Community Partners

- Lawyers Committee for Civil Rights
- ACLU PA
- Common Cause PA
- Committee of 70
- Resolve Philly
- Philadelphia School District, Social Studies Specialist Shaquita Smith and others in Social Studies department
- Blank Rome
- O'Melveny & Myers
- Nanoramic Laboratories
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TASK FORCE MEMBERS AND COMMUNITY PARTNERS

DURABLE FORUM ON RACE IN AMERICA

POLICING STUDY GROUP

Fellows and Other Participants

Leader: David Richman

Samuel Abate	M. Duncan Grant	Pam Palmer	Thomas Wilczak
Donna Fisher	Cary Levinson	Michael Reed	
Amy Ginensky	Robert Ludolph	Thomas Schmidt	

REPARATIONS — THE CASE FOR AND AGAINST

Fellows and Other Participants

Leader: George Lehner

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Alan Choate	Cary Levinson	Paul Porretta	Joseph Sullivan
Lisanne Crowley	Kassem Lucas	Michael Reed	Anthony Vale
Michael Days	Robert Ludolph	David Richman	Thomas Wilczak
Amy Ginensky	James Murray	Andy Rogoff	Thomas Zemaitis
Nina Gussack	Mark Newman	Rebecca Ross	Kenneth Zucker
Lisa Kabnick	Pamela Palmer	Thomas Schmidt	

RACE IN AMERICA BOOK DISCUSSION GROUP

Samuel Abate	Amy Ginensky	Gregory Narsh	Rebecca Ross
Timothy Anderson	M. Duncan Grant	Mark Newman	Thomas Schmidt
Margaret Ann Brown	Nina Gussack	Pamela Palmer	Joseph Serritella
Alan Choate	Lisa Kabnick	Janet Perry	Joseph Sullivan
Julie Corelli	George Lehner	Lisa Petkun	Anthony Vale
Lisanne Crowley	Murray Levin	Paul Porretta	Thomas Wilczak
Michael Days	Cary Levinson	Michael Reed	Thomas Zemaitis
Barbara Etkind	Robert Ludolph	David Richman	Kenneth Zucker
Donna Fisher	James Murray	Andrew Rogoff	