

The *Doe* Plaintiffs Public Interest Law Fellowship

The *Doe* Plaintiffs are eight immigrant women who fled their home countries to seek asylum in the United States. They fled for different reasons – one to evade her husband’s murderers, another because she was being raped by a military official with impunity, and several to escape partners who raped and beat them and threatened or tried to kill them. They came from countries around the world to the United States with the same hope: that here, they would be safe and free from the violence they experienced in their home countries. Instead, each of the eight *Doe* Plaintiffs, along with at least two other women, were sexually assaulted by a guard as he transported them from the T. Don Hutto Residential Center to the Austin airport or bus station after they had bonded out of detention.

Sexual assault in prisons and detention facilities is a well-known, well-documented and pervasive problem, and immigrant women are particularly vulnerable. They often do not speak English, they may not have any friends or family members in the United States to whom they could report the abuse, and they are so desperate to stay in the United States, far from the violence perpetrated against them in their home countries, that they are unlikely to report crimes perpetrated against them. Individuals who abuse immigrants exploit these vulnerabilities.

The contract between the federal government, Williamson County, and the private company that runs the Hutto facility, Corrections Corporation of America, specifically required at least one officer of the same sex escort detainees during transport. Notwithstanding this contractual requirement, a single male officer transported a female detainee on at least 46 occasions during an eight month period while these assaults were taking place. The assaults finally stopped not because any of the authorities responsible for the enforcement of the contract audited the transportation logs or observed and reported the regular violations, but because one of the *Doe* Plaintiffs had the courage to report what had just happened to her to officials at the Austin Bergstrom Airport, and they in turn notified the police. Without her action, the perpetrator might still be assaulting women today.

Based on the affidavits of several of the *Doe* Plaintiffs, the guard was subsequently charged with state and federal crimes and pled to a number of the charges. The *Doe* Plaintiffs were never told that they might be eligible for U visas (a special form of immigration relief available to immigrants who provide information that assists in the prosecution of a crime), were never offered immigration assistance, and were never even told that the perpetrator was arrested, charged, and ultimately convicted. Indeed, some of the *Doe* Plaintiffs remained afraid that the perpetrator would hunt them down and retaliate against them for speaking the truth about what he did to them.

The *Doe* Plaintiffs have filed a federal lawsuit seeking to hold ICE employees, CCA, and Williamson County responsible for failing to protect them and all women similarly situated from these foreseeable and preventable assaults. These brave women are:

- Raquel Doe, a 36 year old mother of four from Guatemala;
- Sarah Doe, a 25 year old woman from Eritrea who traveled through 9 countries to reach the U.S.;
- Kimberly Doe, a 39 year old mother of three from Brazil;
- Anna Roe, a 27 year old mother of three from El Salvador;
- Beth Roe, a 33 year old woman from Honduras who was raped by the coyote who brought her to the U.S.;
- Constance Roe, a 36 year old Brazilian woman with two U.S. born children;
- Georgina Roe, a 32 year old mother of four from Honduras;
- Emily Roe, a 30 year old mother of three from El Salvador.

The *Doe* Plaintiffs Public Interest Law Fellowship is awarded in hopes that the recipient will, as a part of their career, represent clients like them, whose only chance at vindicating their constitutional rights is with the assistance of dedicated public interest and pro bono lawyers.

The Lisa Graybill Public Interest Law Fellowship

Lisa Graybill is a native Texan and an honors graduate of the University of Texas School of Law ('99). She grew up in San Antonio, attended Smith College in Northampton, MA, and then spent five years working in public health to prevent the spread of HIV/AIDS among youth, homeless people, prostitutes, and LGBT individuals. During law school, with the support of Texas Law Fellowships and other summer fellowship funding, Lisa interned at public interest organizations on the East and West Coast, including the Center for Reproductive Rights, the Center for Constitutional Rights, and the American Civil Liberties Union (ACLU) in New York and Snohomish County Legal Services and Northwest Justice Project in Washington State. She spent a semester working on a legislative modernization program implementing the 1996 Peace Accords in Guatemala City, Guatemala.

After law school, Lisa clerked for a federal district judge in New Jersey, then joined the United States Department of Justice through the Attorney General's Honors Program. Lisa was assigned to the Special Litigation Section of the Civil Rights Division, where she litigated police misconduct and prison and jail conditions cases.

In 2005, Lisa returned to Texas to serve as the ACLU of Texas' first legal director in a decade. At the ACLU, Lisa litigated cases across the spectrum of constitutional rights, from freedom of speech and religion to prison conditions to LGBT rights. In response to the tide of xenophobia that swept through the United States in the last decade, some of the most meaningful and impactful cases Lisa litigated were on behalf of immigrants. With Professor Barbara Hines, Director of the Immigration Clinic at UT Law, Lisa litigated *In Re Hutto Family Detention Center*, a case challenging the conditions of confinement for immigrant children and their families at a detention center outside Austin. Lisa also co-counseled a challenge to an anti-immigrant housing ordinance in a Dallas suburb with colleagues at the Mexican American Legal Defense and Education Foundation (MALDEF), *Villas at Parkside Partners v. Farmers Branch*, and a challenge to the Department of State's refusal to adjudicate the passport applications of Mexican Americans delivered by midwives along the border, *Castelano v. Clinton*.

In 2012, Lisa joined the faculty at the University of Denver Sturm College of Law as a Law-Lecturer, teaching in the law school's Civil Rights Clinic. She is currently supervising students representing inmates challenging conditions of confinement in state and federal prisons in Colorado, including the federal government's infamous ADX facility where individuals convicted of terror offenses are incarcerated.

The last case Lisa filed at the ACLU of Texas remains on her docket, as cooperating counsel with the ACLU of Texas. *Doe v. Neveleff* is a class action damages case against individual federal employees, the Corrections Corporation of America, Williamson County, and a guard who sexually assaulted at least ten immigrant women at the Hutto detention facility between December 2009 and May 2010.

Throughout her career, Lisa has been inspired by the courage and resilience of the individuals she has represented, who have braved threats ranging from retaliation to deportation to death to stand up for their rights and the rights of others, and none more so than the eight immigrant women who are her clients in *Doe v. Neveleff*.

The Lisa Graybill Public Interest Law Fellowship is awarded in hopes that the recipient will seek out and represent vulnerable people and unpopular causes during his or her career because the integrity of our justice system depends on it.

The Sean E. Pevsner Public Interest Law Fellowship

Sean Pevsner is a University of Texas Law graduate with severe cerebral palsy who operates a motorized wheelchair by the use of head movements. Due to his quadriplegia, he cannot write but must rely on an interpreter or a specialized computer to do his work. People underestimated him from the moment that he was born to the present.

These people said that he could not go to a regular school, much less take mainstream classes such as Latin, English literature and calculus. Again, he proved them wrong. His grades were A's and B's in these mainstream classes. At the end of his high school in 1990, the Arlington Independent School District officials projected that he would graduate ahead of their initial plan for his graduation. Originally, they believed that he would graduate at the age of 22. He graduated at the age of 19 in the top 20% of his high school class. Despite all of these achievements, people did not believe that he could attend a major university like the University of Texas at Austin. At this point, his self advocacy skills automatically went into overdrive whenever someone even mentioned the word "can't" in the same sentence as his name.

He went on to major in Greek and Latin at UT, while making significant contributions to the university's community. The UT Classics Department bestowed on him the WJ Battle Award for excellence in Greek and Latin translation. He graduated in 1998, receiving several awards for his advocacy and contributions to the university. Yet, despite these accomplishments, people did not believe that he could go to law school and become a practicing attorney. Once again, Sean proved these people wrong by graduating from UT Law School and gaining admittance to Texas State Bar.

Sean worked with Disability Rights Texas, which is a non-profit organization that protects the civil and human rights of Texans with disabilities through a fellowship sponsored by Equal Justice Works. He assisted people with disabilities in obtaining equal access to education, employment and community services. Sean complemented Advocacy's services, not only by providing legal assistance to these individuals, but also by teaching them self-advocacy skills.

As part of his Equal Justice Works fellowship project, Sean created the Flexible Interactive Process Manual to assist both the employer and employee to have a constructive working relationship. This manual was a part of his Equal Justice Works Project to educate people with disabilities on their rights in the workplace and how they can self-advocate to protect their rights in the community.

Sean's project has broken new ground in that it focused each of its stages on educating students in those skills. His project also focused on ensuring the proper implementation of the Individuals with Disabilities Education Act (IDEA) and assisting students with disabilities in taking advantage of the full benefits of this federal law during their secondary education. This project also focused on higher education for people with disabilities. Sean has shown people with disabilities how to employ the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 to ensure their own access to an equal opportunity for higher education.

After leaving Disability Rights Texas, Sean continued to assist others with disabilities. He has assisted clients with cerebral palsy obtain IDEA services by representing them at school, meetings and negotiating with opposing counsel on their behalf. At Whitburn & Pevsner, PLLC, Sean has developed a vibrant special education practice and has worked on other aspects of education law, as well as guardianship and other probate proceedings.

The Sean E. Pevsner Public Interest Law Fellowship is awarded in hopes that the recipient will be inspired by what successful lawyers like Sean, despite severe physical disabilities, do in the public's interest as an essential part of their career, and will make the same commitment.

The Paul Riffe Public Interest Law Fellowship

Bringing his talents to Whitburn & Pevsner, PLLC, Paul Aaron Riffe is a lawyer whose experience advocating for himself and others strengthens his ability to represent his clients with diligence, discipline, and integrity. Born with cerebral palsy and confined to a wheelchair, Paul realized at a very young age that his mental ability would be what propelled him through his life and career. He graduated from public high school and began attending college before the enactment of the Americans with Disabilities Act (“ADA”). During this time in his academic and personal life, Paul faced many obstacles and hindrances when requesting accommodations he needed to forge ahead his educational development and career goals. He advocated for himself and the right to have the access and opportunities given to others similarly situated in the academic and professional arenas. Paul graduated from the University of Texas at Austin with a BA in Mathematics in 1995.

After college, the focus of Paul’s job was advocacy as well. Working for the Capital Metropolitan Transportation Authority in Austin, Texas, Paul sought to improve the standard of quality in services provided to individuals with disabilities who utilize public transportation. He researched and evaluated the Authority’s existing services to ensure ADA compliance. He routinely conducted and assisted with ADA training sessions with both new and existing bus operators. He also established and maintained networks between the Authority and organizations promoting disability awareness.

After leaving Capital Metropolitan Transportation Authority, Paul attended the University of Texas School of Law. During this period, he spent significant time refining his research skills as a member of the *Texas Journal on Civil Liberties and Civil Rights*. Immediately after receiving his J.D. in 2007, he got his first legal article published in *The Scholar: St. Mary’s Law Review on Minority Issues*.

Paul practices family law, criminal law, and litigates in federal and state trial courts. The firm also benefits from his knowledge of probate law, consumer fraud and personal injury. He also assists with an on going case on behalf of eight immigrant women suing for sexual assault while in a detention facility.

The Paul Riffe Public Interest Law Fellowship is awarded in hopes that the recipient will be inspired by what successful lawyers like Paul, despite severe physical disabilities, do in the public's interest as an essential part of their career, and will make the same commitment.

The Rebecca Robertson Public Interest Law Fellowship

Rebecca joined the ACLU in July 2011 after a 15-year career as a litigator. Rebecca was a partner in the international law firm Baker Botts, LLP. Her practice focused on complex commercial litigation, and she served as co-chair of the firm's securities litigation practice group and chair of the firm's LGBT affinity group. While at Baker Botts, Rebecca helped found the firm's pro bono committee and led the amicus team working on the landmark civil rights case challenging the Texas sodomy law, *Texas v. Lawrence*.

Rebecca also helped the Houston Volunteer Lawyers Program run legal clinics for poor Houstonians living with HIV/AIDS. She has been recognized by both the Houston Bar Association and the State Bar of Texas for her pro bono service. Rebecca is a graduate of the Harvard Law School, where she served as Executive Editor of the Harvard Law Review, and Rice University, where she received her B.A. magna cum laude.

As the Legal and Policy Director, Rebecca leads the ACLU's legal and legislative teams in Texas, and she advocates on behalf of the ACLU's thousands of members for policies that protect and promote civil liberties at all levels of government. She frequently testifies as a constitutional expert before policymakers. Rebecca's representative matters include:

- Halting implementation of Texas's 2011 photo voter ID law
- Filing amicus brief urging that family of Mexican teenager shot by a border patrol agent should have constitutional remedies
- Settling class action to end discriminatory racial profiling and asset forfeiture scheme perpetrated by police in east Texas
- Defending the right of Native American kindergartner in Lubbock to wear long hair as expression of his religious beliefs
- Advocating before the Texas Attorney General for equal treatment of LGBT government employees
- Winning the right of atheist lawyers to take state bar oath without references to God
- Protecting the right of a pregnant woman against coerced cesarean

Rebecca is a member of the leadership team charged with managing and growing ACLU of Texas. She also supervises legal, policy and advocacy staff and establishes strategic priorities for legal, policy and advocacy programs. She regularly speaks and writes on constitutional issues.

The Rebecca Robertson Public Interest Law Fellowship is awarded in hopes that the recipient will be inspired by what successful lawyers like Rebecca do in the public's interest as an essential part of their career, and will make the same commitment.

The Mark Whitburn Public Interest Law Fellowship

Mark Whitburn graduated from Yale University with a BA in Philosophy in 1986. He then obtained his PhD in Philosophy from the University of Texas at Austin in 1998. While at UT, Mark won six teaching awards for his classes, including Philosophy of Law, Political Philosophy, and Philosophy of Art. He went on to earn his Doctor of Jurisprudence at the University of Chicago in 2003. At the University of Chicago, Mark was on Law Review and a member of the Order of the Coif.

After graduating from law school, Mark worked for Gibson, Dunn & Crutcher, LLP. During his tenure at Gibson Dunn, he worked on complex litigation such as class action and ERISA cases in both federal and state courts around the country. Mark also distinguished himself as an appellate litigator in the commercial litigation context. He also took pro bono cases involving civil rights. For example, in a case in which the State of Texas refused to provide life-sustaining services to an individual with multiple disabilities at his home, Mark won his summary judgment motion in federal court and a permanent injunction ordering the State to provide these necessary services after all. Mark received the firm's prestigious Frank Wheat Memorial Award for his victory in this case. Additionally, Mark drafted an amicus brief for the ACLU of Texas on behalf of a severely disabled individual sentenced to 100 years in prison, contending that the sentence violated the Eighth Amendment. The sentence was drastically reduced.

Mark left Gibson, Dunn & Crutcher in December of 2010 and went on to work with the American Civil Liberties Union (ACLU) Foundation of Texas, where he was a Senior Staff Attorney and managed the organization's Racial Justice docket. During his tenure at the ACLU, Mark initiated a lawsuit on behalf of immigrant women who were victims of sexual assault while in the federal government's custody. This case garnered considerable national media attention, and members of Congress cited it in the course of admonishing the federal government to improve its efforts in this area. Mark also took a lead role in a case against a Texas county for failing to conduct indigency hearings before imprisoning teenagers for unpaid fines associated with truancy, a Class C misdemeanor. Mark was responsible for investigating complaints concerning prison and jail conditions, police misconduct, and school-to-prison pipeline issues across the state of Texas.

At Whitburn & Pevsner, PLLC, Mark works in all practice areas with a focus on commercial litigation, ERISA, and civil rights matters. He established this firm with his best friend, Sean Pevsner, who he assisted through law school which Sean had undertaken despite severe cerebral palsy and quadriplegia.

The Mark Whitburn Public Interest Law Fellowship is awarded in hopes that the recipient will be inspired by what successful lawyers like Mark do in the public's interest as an essential part of their career, and will make the same commitment.