

Lobbying Sacramento for Survivors of Torture

Manatt Phelps Team Seeks Help for Victims in Transition To Life in California

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SACRAMENTO — Everyday, hundreds of thousands of survivors of foreign political torture quietly struggle in the United States to maintain their composure while engaging in routine daily tasks.

Simple trips to the doctor can leave them cowering in a corner of an examining room. Yet their plight is virtually unknown.

Manatt, Phelps & Phillips is out to change that. The law firm's Sacramento lobbyists have been walking the hallways of the state Capitol, introducing directors of nonprofit torture treatment centers in California to legislators who may be able to help them.

In getting the survivors' stories out, the lobbyists are laying the groundwork for future funding requests from the Legislature.

"We're helping to educate people about the plight of folks in the country who have escaped torture and what it takes for them to transition into a new culture," Thomas McMorrow, Manatt's managing partner in the Sacramento office, said.

"Our efforts in Sacramento range from seeking recognition of the plight of survivors among opinion leaders to pursuing grants and other funds for services that help survivors recover from their experience and build a life in California," McMorrow said.

Kathi Anderson, executive director of Survivors of Torture International in San Diego, said survivors typically suffer from nightmares and night terrors and are often sleep deprived. Loud, pounding noises, men in uniform and surveillance cameras can trigger their fears, Anderson said.

She said there is an acute need for funding to educate health-care workers so they can recognize the signs of torture and provide different, more effective treatment.

"We can set some standards for the rest of the country," she said.



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Michael Martinez, left, Thomas McMorrow and McKay Tanner of Manatt, Phelps & Phillips are lobbying pro bono in the state Capitol for immigrants who are victims of politically motivated torture.

To increase their likelihood of success at the Capitol, the torture treatment centers are compiling data to demonstrate to lawmakers that there are a lot of victims among their constituents.

"They've been invisible," Anderson said. "Torturers have told survivors no one is going to believe you."

The federal government has estimated there are 500,000 foreign survivors of politically motivated torture living in the United States, but Anderson said the centers believe there may be many more. Separate research has shown there are 10,000 torture survivors living in the San Diego area alone, she said.

Dr. David Gangsei, a psychologist and clinical director of Survivors of Torture International, said California has the largest number of immigrants and refugees in the country. Gangsei said the United States is among several developed countries, including Australia, Canada and those in Western Europe, that have historically opened their doors to refugees.

Manatt helped the treatment centers get a grant from The California Endowment,

a private health foundation, to conduct research through University of the Pacific in Stockton on just how many victims there are in California and how many in each county.

"The statistics will be compiled at the end of this year and released early next year," said Cheri Kramer, a student research assistant.

To avoid traumatizing survivors by asking probing questions, Kramer and Jean Marie Strategos, a visiting professor at the University of the Pacific, are collecting data on the total number of immigrants who entered the country beginning in 1961 and came from nations where torture was practiced.

They are sorting the data by nationality and country to come up with a statistically sound number of survivors who likely moved to California.

"To have the credibility we need, we need numbers, we need data," Anderson said. "This has never been done before."

Manatt is providing pro-bono advocacy for the consortium of torture treatment centers and has enlisted the help of the Center for Justice & Accountability in San Francisco.

Firm Lobbies for Torture Survivors at Capitol

The consortium includes the Program for Torture Victims in Los Angeles, Survivors International in San Francisco, the Center for Survivors of Torture within the Asian Americans for Community Involvement in San Jose and Anderson's Survivors of Torture International in San Diego.

Last month, Manatt persuaded 13 legislators to sign an Assembly resolution recognizing the 10th anniversary of the United Nations "International Day in Support of Victims of Torture." The resolution was presented to each member of the consortium on the Assembly floor.

McMorrow has enlisted the aid of non-lawyers Michael Martinez and McKay Tanner, who like McMorrow, are registered lobbyists.

"Manatt got involved because of our long history representing survivors of politically motivated torture and providing counsel to those seeking asylum in the United States," Martinez said.

According to figures provided by the law firm, Manatt ranked 45th in the nation in the number of pro bono hours its lawyers recorded. The latest figures compiled in 2006 showed 55 percent of Manatt's lawyers gave at least 20 hours of pro bono service compared with the national average of 34 percent.

Anderson said that most of the survivors seeking treatment are highly educated. Sometimes they are journalists who reported wrongdoing or people persecuted because of their religion, she said.

For one torture survivor, Carlos Mauricio of San Francisco, it took 15 years of treatment to reach the point where he could even talk about what happened to him.

Mauricio said he was working as a pro-

fessor at the University of El Salvador when he was abducted and taken to the National Police Headquarters. For two weeks he was held there and tortured because, he suspects, he had spoken out repeatedly against the government and civil war in El Salvador.

After he was released, Mauricio said, he planned to go to Europe to continue his education and heal, but his sister invited him to come to the United States first. He made the journey with broken ribs, an injured eye and persistent pain in his upper body. Later, in 2002, Mauricio said he and two other Salvadorans sued two Salvadoran generals living in Florida and won a \$54 million jury verdict for the abuses the generals inflicted on them.

"Even lawyers who work with survivors of torture can experience trauma," said Gerald Gray, co-director of the Institute for Redress and Recovery at Santa Clara University. The institute collaborates with lawyers and clinicians to support plaintiffs and witnesses in civil suits brought against suspected torturers.

"We clinicians get it," Gray said. "So a number of us are working with lawyers to strengthen them and help them last longer to do their work. It extends to judges, police, forensic doctors and juries."

Gray founded the Center for Justice and Accountability, which tracks down perpetrators of torture in the United States.

Anderson said torture survivors feel vulnerable when turning to clinics for help, and she said simple changes can help accommodate them.

For example, she said, a survivor who came in for treatment related how difficult it was to make a trip to the public health center for treatment of a minor health problem.

It started with the long wait in the waiting room that reminded the survivor of waiting to be called by the torturer. Then the cries of children being inoculated reminded the survivor of the screams he heard of fellow inmates being tortured in his home country.

By the time the nurse or doctor arrived to strap on blood pressure gauges and poke him with unfamiliar medical tools, the victim had broken into a sweat and crawled into a corner begging not to be hurt. "The medical staff was completely perplexed," Anderson said. After a while, they were able to calm down their patient.

Anderson said she hopes to present ways of dealing with traumatized survivors that lawmakers will take seriously. She was encouraged by the reception she received at the Capitol.

"We got a lot of bipartisan support," Anderson said. "Many of them have asked what can we do to help?"

One supporter, Assemblyman Jim Beall Jr., D-San Jose, said he has worked with Americans for Community Involvement's Center for Survivors of Torture and is concerned by recent cutbacks in federal assistance programs for refugees relocating to the United States. Beall said he fears the cuts will impede torture survivors' ability to contribute fully to American society.

"In California we have a real need to keep programs viable for those who have had traumatic experiences in other parts of the world," he said. "If we don't have those programs funded, people are going to have traumatic, emotionally devastating experiences untreated and the consequences will just get worse and worse. That's why I support the torture survivor programs."