

Immigration Lawyer Sentenced for Fake Asylum Claims



Summary: A disbarred immigration attorney was sentenced to 15 months in prison for lying on asylum applications.

A Chicago lawyer known for advocating for Syrian and Iraqi refugees was sentenced on Wednesday for falsifying paperwork for his clients. Last year, Robert DeKelaita, 54, was found guilty of conspiracy to commit asylum fraud – submitting a false statement to obtain asylum, suborning perjury from a client, and lying in an asylum application. The judge involved later reversed the verdicts except for the conspiracy count, and this week's sentence reflected that.

U.S. District Judge Matthew Kennelly sentenced ex-immigration attorney DeKelaita to 15 months in federal prison for falsifying paperwork in order to help his clients win United States asylum. According to *The Chicago Tribune*, DeKelaita filed bogus claims that stated things like his clients were tortured or victims of religious persecution. His fraud scheme lasted for almost a decade before he was caught in 2014.

In 2014, DeKelaita was charged for accepting fees to submit false information for his foreign clients seeking asylum. He coached them on what to say during interviews with the Department of Homeland Security's U.S. Citizenship and Immigration Services agency, and he allegedly encouraged them to lie.

As evidence of this type of illegal instruction, prosecutors played a tape of DeKelaita warning one client not to tell anyone that she had lied in her immigration interview or both of them would "get in big trouble."

When it came to paperwork, DeKelaita would write anything in order to get his clients' applications approved. He used fake names, religions, and dates, and he made up stories of rape, murder, and religious persecution from Islamic terrorists.

Assistant U.S. Attorneys Andrianna Kastenek and Lindsay Jenkins argued that DeKelaita was a manipulator who took advantage of a process that relied on honesty.

"He learned its loopholes and gamed them, fitting his carefully drafted lies into what he knew asylum officers to be looking for, matching those lies with media reports of real events in (his clients') home countries," Kastenek and Jenkins wrote in a court filing.

Prosecutors said that DeKelaita has shown no remorse for his actions, and after his conviction, he wrote a letter to his clients stating that he had "cheated no one."

DeKelaita, who is represented by Michael Nash, sought probation and Nash argued that it should be granted because DeKelaita has already faced shame from his conviction and the loss of his law license. However, Judge Kennelly said that he would not grant the request because the lawyer's actions had a "ripple effect" that eroded the public's already fragile trust in the country's immigration system.

"We're seeing it right now," Kennelly said, referring to the heated political climate involving Trump's recent ban of travelers from Muslim-majority countries. "When people don't have faith in a system, it's much easier ... to cut it back or do away with it."

Kennelly noted that while DeKelaita's actions were wrong, he did not appear to commit the fraud for selfish reasons such as money. Instead, the immigration attorney seemed to be motivated to help people using any means necessary because he had a personal connection to his clients.

DeKelaita emigrated to the United States from the Middle East when he was ten. In court filings, his lawyer Nash said that his family had fled the Baath regime after one of his uncles was murdered. DeKelaita went on to graduate from law school, and he dedicated his career to helping others find asylum.

Source: *The Chicago Tribune*

Photo courtesy of *The Chicago Tribune*

What do you think of DeKelaita? Let us know in the comments below.

