

For 'Father Bob', special calling for immigrants in trouble

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Published in *Newsday* (New York)

August 10, 2005

There are some who might not agree with the Rev. Bob Vitaglione's sympathy for immigrants who break the law after coming to this country.

After 22 years of helping "criminal aliens" fight for a second chance – a task Vitaglione says has gotten more challenging and controversial since Sept. 11, 2001 – he offers those detractors the following suggestion:

"Take it up with the head of 'the firm,'" the priest intoned, jabbing a finger at the heavens.

From 7 to 9 p.m., Tuesdays through Fridays, foreign languages abound in the rectory of his massive Catholic church, St. Joseph's, which takes up nearly an entire city block in Prospect Heights.

On a temperate weekday evening, more than 30 people showed up – Mexican garment workers in paint-streaked jeans and baseball caps, Bangladeshis wearing flowery silk dresses, Arab women under no-nonsense headscarves with straining and giddy toddlers firmly in tow.

They all came to ask "Father Bob" for help in reunifying their family, securing a long-delayed green card or surviving a deportation proceeding. While the caseloads of organizations that provide legal aid to immigrants in New York have mushroomed since 9/11 – from stalwart Catholic Services and the Legal Aid Society, to "Desis Rising Up and Moving," a dedicated but shoestring nonprofit group in Jackson Heights – Vitagliano is unique. An accredited immigration law adviser, he won't charge a cent and says he never turns anyone away.

"Padre Roberto, he has an open heart," said Eduardo, 28, a day laborer hoping to bring over a wife and two children from Colombia.

"He listens to you, he makes you calm," said Eduardo, who did not want his last name published for fear of immigration officials. "You can trust him to do good for you."

Vitagliano, the only priest for his entire parish, goes into immigration court on a regular basis, including for convicts undergoing deportation hearings in the Fishkill Downstate Correction Facility.

"I've seen monstrous stuff," Vitagliano, 56, said, but added he does not ever shrink from trying to win somebody a second chance at the American dream.

"No one should be left alone in our society, undefended. Otherwise we drift backwards to fascism – easily," he said. "We spilled a lot of blood in World War II to put an end to that."

Father Bob is an unflappable bear of a man, usually wearing dungarees fraying at the ankles and a green and black lumberjack shirt open to a T-shirt at the collar, his hair a white crewcut. He looks a bit like Raymond Burr, the star of the 1970s TV detective series "Ironside," but with a lumbering gait instead of the fictional gumshoe's signature wheelchair.

The spiritual anchor of the largest Catholic structure in the city – a titanic building erected in

the historic Brooklyn neighborhood the year the Titanic sank – Vitagliano delivers prayers at his daily Masses in Haitian–Creole, Italian and Spanish. Well-traveled due to his calling, he can speak all three languages.

He calls the New York Yankees a preoccupation – not counting his senior partner, Jesus of Nazareth, of course. He also calls the ordeals of the latest wave of immigrant New Yorkers – the "legalized, sanitized equivalent of the slave of 1857" since they often shoulder menial jobs and long hours.

And yes, sometimes the immigrants mess it up.

"If you're an indigent immigrant with a criminal history, it's almost Father Bob or nobody in this town," said Kerry Bretz, a Manhattan immigration lawyer who tried cases against Vitaglione when Bretz was a federal immigration service prosecutor.

"Is he perfect at his representation? Probably not," said Bretz. "But he knows more about immigration law than most of the immigration lawyers here on Broadway."

Vitaglione is assisted by a small staff of volunteers. He works on his own time, without even a stipend from the Brooklyn diocese.

Up two steep sets of stairs in the Pacific Street rectory are the voluminous records of his clients – decades' worth of paperwork spilling out of cardboard boxes stacked floor-to-ceiling on the landing and throughout two rooms.

Vitaglione said he can put his finger on just about any document except when one of his parishioners has removed it without letting him know – a reliable irritant.

His path to the clergy began with a great uncle who was a priest. Vitaglione grew up in an extended family in Astoria. As a young man, he was further inspired by the community activism of the Rev. John Powis, a storied voice of the poor in Brooklyn.

Helping St. Joseph's parishioners brought him into the Byzantine realm of immigration. His legal caseload, never small, grew after Congress changed the immigration laws in 1996, he said.

The changes made it tougher for immigration judges to factor in a defendant's work and family history against the severity of the offenses. More families have been torn asunder due to visa technicalities or criminal misdemeanors as a result, he said.

"A disgrace," Vitaglione said of Bill Clinton's failure to veto the 1996 laws, adding that Congress' view that immigration judges were too lenient was "a bunch of crap."

As the 1996 amendments narrowed the possibility of a second chance for criminal offenders facing a judge, the carnage of Sept. 11, 2001 spurred heightened enforcement of immigration laws, he said.

"Yes, the U.S. has the right to throw people out," Vitaglione said, "but that guy you deport probably has a wife, children, parents and grandparents who will perhaps be destroyed because he was their breadwinner. Please, please be careful."

He removes his thick, black-rimmed glasses and rubs his eyes, a gauzy sun and florescent light illuminating his office and the telephone ringing without answer. He ignores that

interruption – another dependable irritant on a predictably busy day.

"Our democracy," he said before rushing off to a church meeting, "only works if the worst have somebody to speak up for them - or the fascists will be licking their chops."