



COURTS

### Mattice is stepping down

U.S. district judge for Eastern District sets March departure date.

P2

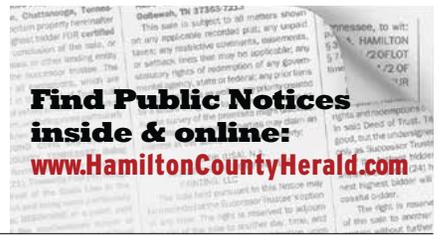


REAL ESTATE

### Parents were right all along

Sean Smith finds right fit in real estate. If he had just listened earlier ...

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CHATTANOOGA, HAMILTON COUNTY, TENNESSEE

October 11–17, 2019

# HAMILTON COUNTY HERALD



## Immigration policy shift gives Lester a national voice

*Expert advice sought in military citizenship issue*

By David Laprad

**P**art of Martin Lester's practice as an immigration attorney involves fighting for people's rights to live lawfully in the U.S. So when national media outlets began contacting him to speak about a policy change that could leave the children of some members of the U.S. military stranded overseas, he was eager to join the discussion.

The conversation began when Ken Cuc-

cinelli, acting director of U.S. Citizenship and Immigration Services, announced a change effective this month that would make it more difficult for some children born to U.S. service members stationed abroad to obtain U.S. citizenship.

Lester explained the impact of the change to The Washington Post: "Children born overseas to U.S. parents can usually automatically claim citizenship as long as their parents lived in the United States for five years, including for two years after they turned 14."

In the past, federal immigration officials made exceptions for military members and government employees who did not meet that standard because they had left the U.S. to serve their country overseas, Lester told the newspaper.

"The new rule creates second-class citizenship for those parents who left before the five-year mark to serve the

See **LESTER**, page 4

Photo by David Laprad | Hamilton County Herald



What was going on in Chattanooga in 1969?

### Friday, Oct. 10:

The Metropolitan Charter Commission was sworn in Thursday by Chancellor Ray Brock in the commission's new office at Memorial Auditorium. W.O. (Bill) Hubbuch, who has been serving as temporary chairman, was confirmed as chairman, Gus D. Hatfeld was named vice chairman and Mrs.

Azelle Caballero, secretary.

The Board of Outdoor Recreation, U.S. Department of the Interior, has allocated \$75,000 for development of Red Bank's 30-acre municipal park. Harrison Gill Sr. of Harrison Gill and Associates, architects for the project, was notified of the allocation by the Tennessee Department of

Conservation which acts as agents for the Interior Department in such developments.

Chattanooga and Electric Power Board officials are evaluating a variety of lighting tests in a 12-square-block area of East Lake for guidance in the residential street lighting program for the city. Commissioner Conrad and his staff

conferred earlier this year with C.B. Johnson, W.A. Campbell, E.R. Dodson and Wendell Childrey of the EPB on plans for residential street lighting in the most economical and effective way.

### Saturday, Oct. 11:

Mayor A.L. Bender, deplor-

See **50 YEARS AGO**, page 11

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735 Broad Street Suite 406  
Chattanooga, TN 37402

– CHATTANOOGA –

**David Laprad**  
Editor

dlaprad@hamiltoncountyherald.com

**Dianna Chambers**  
Display Advertising  
dchambers@tnledger.com  
615-254-5522

**Meagan Robinson**  
Foreclosures, Public Notices  
legals@hamiltoncountyherald.com  
901-521-1196

**Donna Gosnell**

Circulation, Online Subscriptions  
customerservice@  
hamiltoncountyherald.com  
615-254-5522

– CORPORATE OFFICES –

193 Jefferson Ave.  
Memphis, TN 38103

**Eric Barnes**  
Publisher, CEO  
ebarnes@memphisdailynews.com

**Lyle Graves**  
Associate Publisher,  
Executive Editor  
lgraves@tnledger.com

**Pam Mallett**  
Chief Financial Officer  
pmallett@memphisdailynews.com

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Any explanation of these items, as well as correction of any erroneous information, will be published upon timely notification by proper correspondence.

The editors are responsible for the writing and display of the news, data and features in this newspaper. If you have a question or suggestion, you may call during normal business hours.

– David Laprad, Editor  
423-602-9270  
dlaprad@hamiltoncountyherald.com

**HALL OF FAME** From page 3

potential burglar in the backyard and rising water from a flooded creek.

Sounds like a particularly star-crossed owner. Thank goodness for Mindy.

And so it's gone over the years, with new categories sometimes appearing and others disappearing.

Cats, I must say, have been somewhat underrepresented among the honorees. I attribute this partly to their general aversion to the spotlight; many have probably requested that their owners not put them up for consideration.

A notable exception among the honorees is Cleopatra.

A 2-year-old gray tabby, Cleopatra "lost her life as a result of heartless acts perpetuated against her by a human," reads information the association passed on. Accounts of her story led a state representative to file legislation increasing the punishment for animal cruelty. "Cleopatra's abuser was prosecuted, received the harshest penalty for animal cruelty ever handed down in Tennessee and was denied a request for suspension of his sentence."

Cleopatra was named the 1997 President's Award of Honor, "for her spirit and courage as she fought to live."

If you're still reading, and can see through the tears, here's maybe my favorite winner: Aron, a Metro Nashville K-9 police officer. Aron and his partner were both shot by an armed-robbery suspect.

"Aron, though hurt, crawled over and [lay] on top of his partner to protect him from further injury," the association notes. The partner survived; Aron did not.

"Aron was buried with full honors, befitting an officer who died in the line of duty." He also received the 1999 President's Award of Honor.

Not all the information I got on the hall inductees was so complete. As a result, I can't help wondering what Harvey, a Dutch dwarf rabbit, did to win his Professional honor in 2001. Or how Snowball, a domestic long-hair cat, copped the Hero honor in 2003. Or why there seems to be no information available for any winners in 2000.

The folks at the Veterinary Association did a good thing in



Photograph by Jed Dekalb provided

Henry Amore, the 2019 inductee into the Tennessee Animal Hall of Fame, is surrounded by Dr. Frankie Locklar, left, of Maury County Veterinary Hospital, Jim Beardslee, who Henry "rescued," and Jean Amore.

deciding to honor animals. It would be an even better thing if they would devote the resources necessary to collect the stories on all the winners, and make it available to the public. I think Cleopatra, Aron and the other winners deserve it.

Don't you?

*Joe Rogers is a former writer for The Tennessean and editor for The New York Times. He is retired and living in Nashville. He can be reached at jrogink@gmail.com*

**LESTER** From page 1

United States aboard. I don't understand how changing this policy makes America safer by telling its servicemen and women that it's going to make it harder for their children to be Americans."

Lester entered the discussion when Caitlin Dickson from Yahoo News asked the American Immigration Lawyers Association if someone would be willing to talk with her about the policy change.

As chair of the committee for AILA's Military Assistance Program, which connects service members who need help with immigration issues with attorneys who provide it free of charge, Lester fielded Dickson's request.

When word spread on Twitter that Lester would answer questions, his small practice in Hixson was inundated with calls from The New York Times, The Associated Press, Bloomberg and others.

"It drew a lot of attention because of the impact on military families," Lester explains. "If even one baby can't obtain cit-

izenship because of this policy, it's a bad policy."

Lester's media tour culminated with an appearance on CNN's "The Lead with Jake Tapper." Cuccinelli was on the same broadcast.

"It was good to have a lot of interest in this issue," Lester adds. "The last thing we want is a government policy that makes it harder for the children of men and women in uniform to be U.S. citizens."

Lester didn't become an immigration attorney to appear on television or be quoted in print. Rather, his experiences serving clients in Fort Walton Beach, Florida, which has a large number of international residents, kindled his interest in immigration law.

Lester's interest has developed into a passion, and today he devotes nearly all of his practice to immigration issues. "Immigration law is complex, so you need to be either all in or you should leave it alone," he says.

A Yale-educated attorney, Lester also volunteers time beyond his work and his legal expertise to nonprofits that

**The more people we help with their immigration issues, the better it is for the country in general and Chattanooga, in particular....Our clients create jobs, start businesses and buy houses."**

Martin Lester

assist people battling immigration issues. This includes the AILA as well as Bridge Refugee Services, where he's serving as board chair.

"The more people we help with their immigration issues, the better it is for the country in general and Chattanooga, in particular," Lester says. "My wife and I love this city. It has an entrepreneurial spirit and an attitude of growth. It also has a community that wants to move to the next level.

"And we think every time we give somebody the ability to live and work here lawfully, we add to that. Our clients create jobs, start businesses and buy houses."

Lester says his welcoming stance on immigration stems from his belief in what he calls the American experiment, which he describes as the process of creating a society that could "bring in people from various parts of the world and

mold it into something better and stronger."

"I'm not saying this country is perfect, but there's a reason why people leave their homes to come here," he adds.

Lester has filled a mental filing cabinet with stories of people he's helped with an immigration issue, either through his practice or his work with the AILA. Many of the latter were service members who live in the U.S. but still needed assistance.

"I worked with a young airman who needed help obtaining a green card for his spouse. They had met overseas while he was on a mission trip for his church before joining the Air Force," Lester recalls.

"We were able to help him with that, and then he received orders for Italy. So, it then turned into expediting her citizenship so she could go with him."

Lester was successful, and the couple are now living in Italy. Stories like this, he says, make practicing immigration law worth the fight.

"Although the practice of immigration law has become more difficult and stressful over the past few years, it's still gratifying when you have an opportunity to make noticeable, positive differences in people's lives," he points out.

"Whether we're assisting military members, or people who walk in off the street, or businesses with foreign workers, it's all about helping

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## Grant to help with firefighter training

A federal grant will allow the Chattanooga Fire Department to prepare firefighters for situations in which their personal safety is at risk.

The CFD has been awarded the 2018 Assistance to Firefighters Grant through the Federal Emergency Management Agency. The annual grant opportunity gives fire departments across the U.S. the ability to apply for a grant to purchase equipment and training.

The CFD applied to purchase the International Association of Fire Fighters' Fire Ground Survival Program. This program is designed to save firefighters through the prevention of and management of situations in which they may become lost, disoriented, injured, low on air or trapped.

The program applies lessons learned through firefighter fatality investigations conducted by

the National Institute for Occupational Safety and Health and has been developed by a committee of experts from the IAFF, the International Association of Fire Chiefs and NIOSH.

Locally, this grant will allow the fire department to purchase training props as well as provide specific survival training for fire department instructors.

The plan is to purchase the trailer and training props first, then select personnel to be trained as instructors.

Though most of the instructors will be from the CFD, firefighters from other departments within the Tri-State Mutual Aid region will also undergo the training.

The cost of the training program, including props and facilitator instruction, is \$77,000. The AFG pays for 90% of the program, with the fire department providing a 10% match.

Source: CFD



Photo by David Laprad

The lobby of Lester's office showcases this painting by Tyty Nkongolo, a Congolese refugee now settled in Knoxville. Lester purchased the picture, titled "Resting Women Coming from Bush," from the artist during World Refugee Day last year in Knoxville, where he was speaking in his capacity as board chair of Bridge Refugee Services.

### LESTER From page 4

people bring their talents to the United States and live here lawfully."

Lester's mental filing cabinet also contains stories about clients who have not yet achieved a happy ending. A current asylum case is weighing especially heavy on his mind as it winds through the appeals process.

The case involves a family seeking refuge in the U.S. to

avoid violence in their home country, Lester says.

"They faced extreme violence in their country from criminal elements. The husband had been physically assaulted and robbed, and they felt like they were going to be killed if they didn't leave," Lester explains.

Lester tried the case before a judge at the Memphis Immigration Court. While the judge found that the husband and wife were telling the truth,

he ruled against their plea for asylum since they were unable to prove why the violence was directed against them.

"Under U.S. asylum law, it's typically not enough to show that your home country is dangerous; you have to prove that things are directed against you and why," Lester says. "If the judge feels you haven't done that, he's going to rule against you."

See **LESTER**, page 12

### 50 YEARS AGO From page 1

ing recent irresponsible acts growing out of the controversial use of the Confederate Flag and playing "Dixie" at Brainerd High School, called for calm and reason in the community and pledged the law will be firmly and fairly enforced.

An estimated 10,069 to 20,000 junior and senior high school students from Tennessee, Georgia and Alabama, attended the two-day Southeast Tennessee Health Careers Fair Friday and Saturday at Eastgate Mall.

The executive committee of the Hamilton County Democratic Party has opened office party headquarters on Fountain Square next to the Southern Inn. Squire Luke Wilson is executive director of the organization.

The Hamilton National Bank has asked Chancery Court to approve sale of the 77-year-old Dome Building, former home of the Chattanooga Times at Eighth and George, to Gordon Street for \$80,000. The building was sold to Mr. and Mrs. Max Hasden for \$250,000 in 1959 but they later defaulted on the note and it was foreclosed. The historic building was constructed by The Times and occupied in 1892. It was the first large office building in Chattanooga and was considered then the

South's finest publishing plant. The Times published there for 50 years before moving to its present location at 117 E. 10th Street.

### Sunday, Oct. 12:

Dr. LeRoy A. Martin has been appointed chairman for the United Nations Day in Chattanooga by Mayor A.L. Bender. The observance will be held Sunday, Oct. 26, 3-5 p.m. at Guerry Student Center on the UTC campus.

The state has approved Chattanooga's highway safety plan and earmarked \$59,300 on a matching basis to finance it. The projects may include motor vehicle inspections, motorcycle safety, driver education, alcohol in relations to highway safety, traffic control devices, etc.

Gen. Edwin A. Walker, 30-year veteran of the U.S. Army, will address a "United States Day" observance at the American Legion Post 14, Oct. 23. John Standing of the American First Committee said the observance is being held "in opposition to announcement of a United Nations Day" here. Gen. Walker will be at the Post luncheon (\$5 a plate) in a question and answer session, and later, will appear at a rally at Hotel Patten, 8 p.m. the same day. Tickets to the rally are \$2.50. Walker's evening

address will be: "My Country and Our Enemies."

### Monday, Oct. 13:

The annual meeting of the Tennessee Valley Medical Assembly, one of the nation's most prestigious medical groups, opened at Memorial Auditorium and will continue thorough Tuesday. A number of nationally and internationally known physicians and surgeons are attending the assembly.

The 15th annual Chattanooga-Tri States Band Festival ended at Rossville's Hutcheon Memorial Field Saturday with the naming of five superior Class A and Class B high school bands, one of which was Rossville High. More than 10,000 spectators and 7,000 band members, representing 65 junior and senior high schools jammed the field for the event.

### Tuesday, Oct. 14:

Mayor A.L. Bender imposed a curfew Monday to apply to all persons younger than 21 for the hours between 7 p.m.-a.m. The curfew is to remain in effect until future notice. Also, restrictions were placed on the sale of gasoline, beer and liquors, guns and ammunition.

About 150 boats will carry 300 to 500 persons on Sunday's Grand Canyon of the Ten-

nessee Autumn Color Cruise, sponsored by the Chattanooga Convention and Visitors Bureau. Hubert O. Fry, president of the bureau said the scenic cruise may become an annual event with participants from all over the Southeast. All local boat clubs and the Coast Guard will be represented in this first local color cruise.

### Wednesday, Oct. 15:

The Hamilton County Juvenile Court Commission has authorized a sweeping study of building and program needs at the Juvenile Detention Unit and the Chambliss Home. The action followed a report by Bill Heron, superintendent at the

See **50 YEARS AGO**, page 12



## Civil Litigation Associate Needed

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**LESTER** From page 11

Despite the fierce blow in the first round of the fight, Lester is not giving up on the family. “We know the day might come when the judge orders them to leave the U.S., and I can’t imagine what it’s like not just for them but for the thousands of others who are here not because they thought they could get a better job but because they knew if they didn’t leave their home, they were going to die.”

Lester says losses like this hurt because he’s working with people he knows and cares about. “You know their family members and children; you know their history and what led them to come to the United States; and you know about the danger they face if they have to leave.”

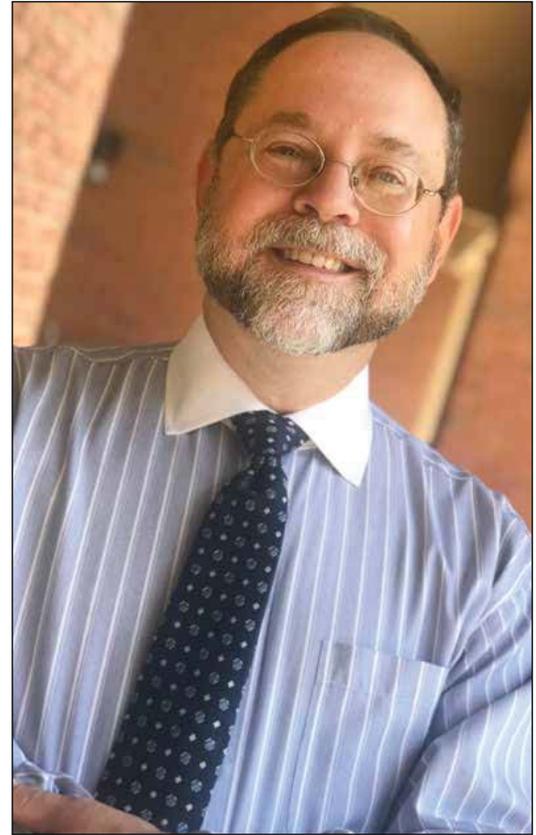
Lester has traced his family’s history to immigrants. His great-grandparents, Martin and Rose, left Eastern Europe with few possessions or money in the early 1900s and arrived in the U.S. through Ellis Island. Martin was a tailor who later worked in a grocery store, and Rose labored as a domestic servant and was an excellent baker, Lester says.

Mapping out his family’s history through the years, Lester says his grandmother went to college and became a science teacher, which allowed his dad to go to medical school and become a doctor, which enabled him to go to law school and become an attorney.

“Most immigration attorneys recognize their part in the greater American story and how their work opens a world of opportunity not just for the families they help but for our country,” Lester says. “Who knows what those people will become?”

Lester knows one attorney with a client who will be impacted when the policy change goes into effect Oct. 29. But even in the face of the difficulties he says service members will experience, Lester says he believes a solution will be found.

He’s especially hopeful that Congress will produce legislation that changes the asso-



Photos by David Laprad

“What we’re going through now will not last,” Lester says of political hostilities toward immigrants.

ciated statute. “It would be a simple fix,” he says.

In the meantime, Lester is warning anyone who will listen about the possible consequences of the change being enforced. “Worst-case scenario, a military service member is deployed overseas, potentially to a dangerous place, whose child is not going to have the protection of a U.S. passport,” he says. “And that child might be the child of a U.S. military member, or that service member might then be transferred back to the United States and have difficulty bringing their son or daughter with them.”

Applying for the child’s immigration through the normal process could take a year or more, Lester adds. During that time, the service member might have to find someone to care for the child in another

country, and will have to live with the worry about whether their child is safe.

History suggests Lester might end up slipping a story with a better ending into his mental filing cabinet.

“There have been periods in our country’s history when issues with immigration have been as bad or worse than they are now. But those periods were followed by periods where things were better,” he says.

“So, I know things are going to get better in the immigration world, not just because I’m an optimist but because I’m a student of history.

“What we’re going through now will not last. So, when you’re discouraged and it seems like the government keeps coming up with new and creative ways to change the rules and mess you up, remember – things will improve.”

**50 YEARS AGO** From page 11

detention unit, which listed overcrowded conditions there. Named to investigate and make recommendations were Bill Knowles, Tom O’Neal, Mrs. Bradley Curry and Mrs. Selma Cash Paty. Dr. David Dzik is commission chairman.

The official weekly meeting of the City Commission will be held at 2 p.m. Monday instead of the usual Tuesday date, Mayor A.L. Bender announced, because of the hearing on the City Water

Company’s petition for a water rate raise Tuesday in Nashville before the Public Service Commission. Mayor Bender and the commissioners will attend.

Vietnam Moratorium Day in Chattanooga drew only light participation by the general public and UTC students. Discussion took place, pro and con, on the UTC campus; a few downtown and a negligible number of citizens remembered to turn on their auto lights countering the observance.

Carlos C. Smith, partner in

the law firm of Strang, Fletcher, Carriger, Walker and Hodge, was named Wednesday as attorney for the newly elected Metropolitan Charter Commission.

The former Pan-O-Rama Club on the side of Lookout Mountain will be reopened as the Bellemont Club, Inc., in November, it was disclosed Wednesday when membership invitations were mailed to Chattanooga. The property was recently purchased by a group of businessmen operating as Lookout Properties, Inc.