



**OFFICE OF THE LIEUTENANT GOVERNOR**

Vermont State House  
115 State Street  
Montpelier, VT 05602

November 14, 2022

The Honorable Tae. D. Johnson  
Acting Director  
U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> Street, SW  
Washington, DC 20024

Dear Director Johnson,

I write to urgently add my voice and support to the Application for a Stay of Deportation or Removal for Vermont resident, Mr. Steven Tendo ("Pastor Tendo") of Colchester.

It is my understanding that Pastor Tendo is scheduled to appear before Immigration and Customs Enforcement Tuesday, November 15, 2022 (tomorrow). In light of the unique facts and circumstances of his case and the contributions he has made to Vermont, I urge you to exercise prosecutorial discretion in Pastor Tendo's case, granting him a stay of removal.

As you will read in the attached article published last week by VTDigger, Mr. Tendo is a treasured member of the community here in Vermont, where he has worked full-time for The Dream Program. He has committed his career to political activism and human rights and is the exact type of individual our immigration laws are intended to protect.

Furthermore, Pastor Tendo does not pose a public safety or security threat and he is financially self-sufficient. For these reasons, I urgently ask that you exercise your discretionary authority and grant Pastor Tendo a Stay of Deportation or Removal.

Such a positive exercise of discretion would put an end to Pastor Tendo's painstaking path to safety for his activism and allow him to continue building his life in Vermont.

In offering this letter, I echo the concerns of Vermonters who have contacted my office in support of Pastor Tendo. Thank you for your consideration

Very respectfully,

A handwritten signature in black ink that reads "Molly R. Gray". The signature is written in a cursive, flowing style.

Molly Gray

Lieutenant Governor  
State of Vermont

Cc: Todd Lyons, Field Director, Boston  
Immigration and Customs Enforcement

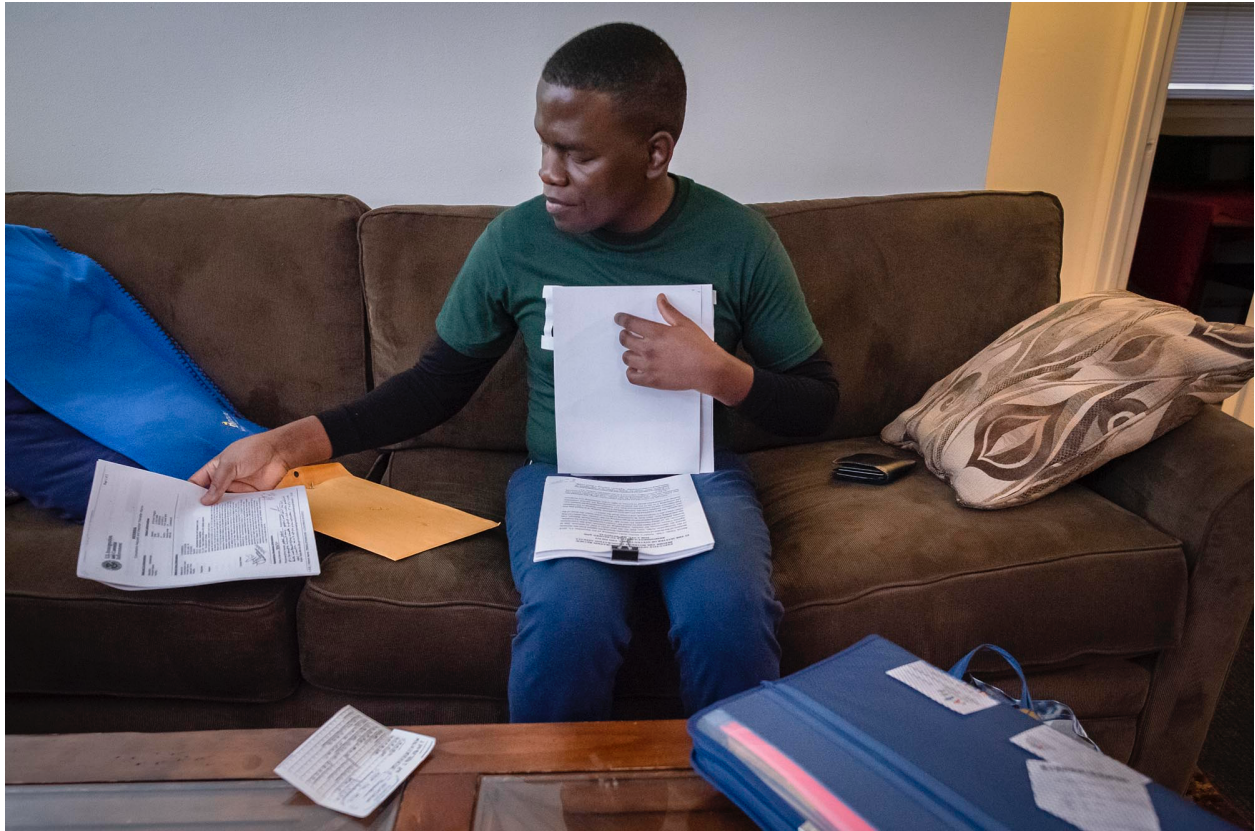
## VTDigger

PEOPLE & PLACES

# **‘A death sentence’: Deportation looms for Ugandan refugee living in Colchester**

By Shaun Robinson

Nov 11 2022



Steven Tendo, a Ugandan refugee seeking political asylum in the U.S., discusses his case at his apartment in Colchester on Wednesday, Nov. 2. Photo by Glenn Russell/VTDigger

COLCHESTER — By any measure, Steven Tendo has found his niche here. The 37-year-old lives in a quiet apartment near Malletts Bay and works at a local nonprofit. He takes walks in the woods and keeps a garden, in which he’s currently growing chard. “I am a Vermonter,” he

said proudly on a recent morning, sitting on a brown, corduroy couch in his apartment.

But the peacefulness of Tendo's life here belies the precipice upon which he finds himself. Four years ago, he fled his native Uganda and sought asylum in the U.S. He said government forces in the East African nation, who viewed an advocacy organization he founded as a political threat, brutally tortured him and killed members of his family.

Since June 2019, when a federal immigration judge in Texas denied his application for asylum, Tendo has been fighting an order for his deportation.

Last month, Tendo found out that his most recent appeal of the judge's decision had been denied. Next Tuesday, Nov. 15, he is scheduled to check in with U.S. Immigration and Customs Enforcement officials in St. Albans — and he thinks the agency could start the process of sending him to Uganda.

“Deporting me back to my country,” he said, “would be a death sentence.”

Now, advocates, including Tendo's friends and colleagues, are organizing an 11th-hour campaign to stop that from happening. This week, some help arrived on government letterhead: The three members of Vermont's congressional delegation wrote a letter to the acting director of U.S. Immigration and Customs Enforcement in Washington, D.C., asking that the agency give Tendo's case special consideration.

The question remains, though, whether it will be enough.

## **‘He was next’**

For better or worse, Tendo has been entangled with the highest echelons of power in Uganda since birth. He hails from the influential Buganda kingdom; his mother was a princess and his father was a local chief, Tendo said. He recalls a childhood characterized by “abundance,” with vacations at a country home where his family kept thousands of cows.

That all changed in 1998, when his parents died within about a month of each other. Tendo, who was 13 at the time, has long questioned the authorities’ explanation — that they died of AIDS — noting that both had fallen out of favor with Uganda’s president, Yoweri Museveni, who has held power since 1986.

Tendo is blunt in his criticism of the president, a man he said he’s met several times: “Museveni abuses human rights,” he said.

Ugandan security forces have for years unlawfully detained and tortured people, including journalists and opponents of Museveni’s government, in makeshift detention centers, according to a March [report](#) by Human Rights Watch.



Steven Tendo discusses his case at his apartment in Colchester. Photo by Glenn Russell/VTDigger

After his parents' death, Tendo said he and his six siblings moved into a shared room in Uganda's capital city of Kampala. He took on odd jobs at night to pay his school fees and went on to graduate from high school and later, in 2010, from college.

While still in school, he started a charitable organization called [Eternal Life Organization International Ministries](#) that began to grow rapidly. After graduating, Tendo was ordained as a Pentecostal minister and traveled around to preach.

The nonprofit organization works across the country's civil society supporting formerly incarcerated people, raising money for those living in poverty, building hospitals and schools and supporting voting rights, among other activities, Tendo said.

In 2010, Eternal Life Organization International Ministries signed an agreement with the Ugandan government to provide social services. But that relationship began to sour the following year, Tendo said, when the nonprofit started offering civic education programs focused on increasing voter turnout, especially among young people. (More than half the country's population is under the age of 18, according to [UNICEF](#).)

Tendo said those efforts hastened after Uganda's 2011 presidential election. Museveni won 68% of the vote, but international observers [questioned](#) the fairness of his victory.

After that election, Tendo said, he was called into a meeting with a government minister who told him to stop his organization's civic education work. Tendo and other volunteers began to receive threats, he said, but didn't take them seriously at the time.

One day the following April, that changed.

Tendo was at a gas station on his way to work when two men, one brandishing a gun, approached. The men put a sack over his head, forced him into the trunk of their car, then drove him around for the rest of the day, he recalled.

When the sack was pulled off, Tendo said, he was in a room that he would come to understand was in a makeshift prison dubbed, ironically, a "safe house." Two guards began to slap him, demanding that he tell them about his organization's work.

Speaking last week at his home in Colchester, Tendo held up his left hand to show two severed fingers. The guards cut them off with wire cutters, he explained, leaving him in too much pain to speak to them.



Tendo then stuck out another finger. “They smashed this finger and picked the fingernail out while I was watching,” he recalled. “I never thought that it would even come back.”

He recounted the ordeal matter-of-factly, betraying little emotion.

After being in custody for about a week, he said he recognized one of the guards as a commander of the “Black Mamba,” a Ugandan-government sponsored anti-terrorist [organization](#).

At one point, Tendo said, guards put him in a pit with a live python that whipped his body with its tail, leaving him badly bruised. He was released about three months later with a warning to “stop his political activities,” he told the federal immigration judge.

Tendo didn’t heed the warning, saying in an interview he wouldn’t have even known how to. “They kept asking me stupid questions that I did not have answers to,” he said.

When officers raided Tendo’s office the following year, he stated in an appeal of the immigration judge’s decision, they told Tendo that he was going to be investigated for “trying to take down the government.”

According to Tendo, his organization continued its civic education work for the next several years, and he continued to be arrested and tortured. At one point, officers hung him from a board with a brick tied to his genitals, he said, leaving him there until he bled. He was doused with cold water and pepper spray; he was shot in the leg.

By 2017, Tendo had finally gone into hiding. That year, a political movement in Uganda known as “People Power,” which Tendo said



many members of Eternal Life Organization International Ministries came to align themselves with, gained momentum.

Tendo said he is friends with the movement's leader — the pop star-turned-politician known as Bobi Wine, who challenged Museveni in last year's presidential election. Museveni was declared the winner amid claims of voter fraud. Both before and after the election, according to [Freedom House](#), authorities abducted opposition supporters, limited internet access, interfered with journalists and blocked neutral observers.

In August 2018, Tendo's brother was shot and killed while driving Wine to a campaign event; before that, his uncle had been shot and killed outside his home. Tendo said he came to suspect that his wife, with whom he has since separated, was secretly passing information about his whereabouts to government officials.

All this, Tendo said, led him to decide to flee to the U.S. The federal judge who presided over his asylum case wrote that Tendo “determined that he was next to be targeted for death.”

## **‘An egregious miscarriage of justice’**

Tendo arrived at the U.S. port of entry in Brownsville, Texas, in December 2018 and immediately applied for asylum. He was processed at the Port Isabel Detention Center in nearby Los Fresnos, Texas. The officer who interviewed him determined the story of how and why he got there to be “credible,” according to federal court documents.

Tendo would go on to spend more than two years at the Port Isabel facility. He testified before an immigration judge in May and June of

2019, answering repeated questions about the violence he experienced in Uganda — a process he described as traumatic.

“At night, I got all these hallucinations coming. I started seeing these tortures come back to me,” he said. “So that was such a hard time.”

In late June 2019, the judge ruled against Tendo’s asylum claim and ordered him to be deported back to Uganda, arguing there were inconsistencies in his testimony. Those included that Tendo provided evidence showing different years of birth; gave contrasting information about the number of times he had traveled to the United Arab Emirates; and didn’t adequately prove some family members’ identities, per court documents.

Tendo disputes the discrepancies that the judge found, and said they have nothing to do with the reason he needs asylum. He can’t understand, he said in an interview, how a judge could see the missing fingers on his hand, and the scar on his leg from a gunshot, and question whether he was telling the truth.

Federal legislation passed in 2005, called the REAL ID Act, [allows](#) judges to make decisions about an asylum seeker’s credibility based on “inaccuracies or falsehoods” in that person’s testimony regardless of whether they go “to the heart of the applicant's claim.” The law, which [has been controversial](#), also makes it so judges can consider a person’s “demeanor, candor, or responsiveness” when making a credibility decision.

Dinah Yessne, a retired attorney and Calais resident who’s among those advocating for Tendo to stay in Vermont, said the immigration judge in Tendo’s case may have taken issue with his demeanor while speaking in court. “Steven’s very proud of what he’s done, as he should be,”

Yessne said. “He can come on as someone who's very sure of himself ... and it sounds like the immigration judge may have taken that the wrong way, as just bluster.”

Tendo contested the judge's decision with the federal Board of Immigration Appeals, but the board rejected efforts to reopen his case. He then appealed to the 5th U.S. Circuit Court of Appeals, which in August and October this year also ruled against him.

Tendo's attorneys argued during the appeal process that the immigration judge failed to weigh key evidence during his hearing. Another concern, said Hassan Elsouiri, a Washington D.C.-based attorney who's been advising Tendo, is that the immigration judge had contact with someone from the Ugandan government while hearing the case, which may have made the judge more skeptical of Tendo's testimony.

“There was an egregious miscarriage of justice at the trial level,” Elsouiri said.

Tendo, who speaks animatedly, gesturing with his hands, has a deep knowledge of his case — to the point where he can quickly page through binders of papers to find the right document. He is convinced there was some sort of conspiracy to get him deported.

In an appeal, Tendo's late attorney, Lisa Brodyaga of Texas, wrote that additional evidence of the danger Tendo would face in Uganda emerged after the judge's decision. Early on Christmas morning in 2019, Brodyaga stated in court filings, Tendo's twin sister “was brutally attacked” by government forces who were looking for Tendo.

But once an immigration judge makes an adverse determination of someone's credibility, it can be almost impossible to overturn through the appeal process, said Susan Dicklitch-Nelson, a professor at Franklin & Marshall College who has served as an expert witness in more than 100 asylum cases from Uganda and Cameroon.

Moreover, she said, asylum seekers' testimony can sometimes seem unbelievable to those who don't necessarily have expertise in a given country or part of the world.

"We don't want to believe that human beings can commit such horrific things on other human beings," Dicklitch-Nelson said, but, "it's amazing how creative human beings are in torturing one another. And I think that is a hurdle in and of itself."

The detention center where Tendo was held, Port Isabel, has been [criticized](#) for appearing and operating like a prison, even though most detainees there have never been charged with a crime. Tendo said he often felt like a prisoner, too.

In court documents, Tendo's lawyers describe how his diabetes spiraled out of control due to the inadequate medical care he received at Port Isabel: He went blind in one eye, began to lose vision in the other, suffered numbness and tingling in his extremities, and had recurring boils on his body. The disease also decimated his immune system, and his lawyers said he was denied many of the accommodations he would have needed to stay there safely, especially during the Covid-19 pandemic.

Still, Tendo said he regularly held church services inside the center that drew scores of attendees. He counseled other detainees and gave them advice for their own court proceedings. Security guards at the facility

— the same ones who Tendo alleged mistreated him — even came to him, in private, to get counseling as well, he said.

Steven Tendo, a Ugandan refugee seeking political asylum in the U.S., discusses his case at his apartment in Colchester on Wednesday. Photo by Glenn Russell/VTDigger

One day, Tendo recalled, a man asked him why he was spending time helping other people at the detention center when Tendo himself had been there for so long.

“That broke my heart,” he said in an interview. “I told him God wants me to be here to help as many people as possible. When my time comes, I will leave.”

Months later, Tendo did leave, though not in the way he would have expected.

## **‘I am here to stay’**

In 2020, Tendo’s plight became the subject of an Amnesty International campaign. In the leadup to his impending deportation, slated for early September that year, the group launched [appeals](#) for “urgent action” to help him, writing that he had been mistreated by the U.S. government while in detention in Texas.

(Through a spokesperson, the organization declined to comment.)

And in August of that year, 44 members of Congress, including U.S. Rep Peter Welch, D-Vt., [wrote a letter](#) urging the acting secretary of the U.S. Department of Homeland Security to halt Tendo’s deportation and release him from detention so he could get better treatment for the health issues he had developed.

“Pastor Steven became a target of grave governmental repression after advocating for and participating in nonviolent human rights and voting rights campaigns in Uganda,” the members of Congress wrote. “Many of his friends and relatives have been attacked and/or killed, ostensibly because of their connection to him and his work.”

In the first week of September, Tendo said, he was tackled to the ground at Port Isabel, restrained and forcefully taken to an airport, which he understood to mean that he was being deported. He was flown to a facility in Louisiana, then transferred to another in Arizona, where he was put in a room with other detainees set to leave for Uganda.

“The entire moment was just so scary,” Tendo said. He pleaded with guards not to send him back to his country, telling them he would all but certainly be killed.

But the interventions on his behalf appeared to work, or at least buy him time: He said Tony Pham, then the acting director of U.S. Immigration and Customs Enforcement, agreed to halt his deportation. Tendo was taken back to the Port Isabel facility in Texas. In February 2021, he was released on a condition called humanitarian parole to live with a sponsor, who was his lawyer at the time, while he appealed the judge's decision.

Tendo's lawyer recommended that he move to Vermont, he said, in part because she knew of another Ugandan refugee who had settled there. She also noted Vermont shares a border with Canada, which he could try to cross if he wanted.

While detained, Tendo also was contacted by members of the Central Vermont Refugee Action Network, a Montpelier-based nonprofit. He landed at Burlington International Airport in March 2021, said Dian

Kahn, a member of the refugee network. He stayed at an apartment in Calais to quarantine in case of Covid-19, Kahn said, before moving to a place in East Montpelier.

“When I met him, he remembered getting my cards in detention,” she said. “And he said something struck him about the kindness of the words that he was getting from people in Vermont.”

Eager to become self-sufficient, Tendo learned what Craigslist was and used it to find his apartment in Colchester. He moved in last October and has decorated it with cards and mementoes of his Christian faith.

His landlord, Lynn Gardner, who lives upstairs, said she’d heard of Tendo’s case previously and was happy to rent to him.

“This man is a smart, well-educated, skilled, wonderful human being,” Gardner said, speaking after she came downstairs to check on how Tendo was doing during a reporter’s visit. “He should be at the top of the list for getting into this country.”

Tendo, who otherwise remained composed while detailing his ordeal, teared up at Gardner’s words. He views her as a mother figure, he said.

Tendo also got a job, and then another one. During the day, he works as the donor impact and relationship manager for the DREAM Program, a Winooski-based organization that provides free programming for children in low-income communities. At night, he works at a baby formula plant in Georgia, Vermont, as a machine operator.

He said he uses the money he makes from his day job largely to support himself, and the money he makes at night to support several other refugees, some of whom he met at Port Isabel. For instance, he said he



recently helped a 22-year-old man living in New York City pay rent and legal fees related to his immigration case.

Tendo has also registered a branch of Eternal Life Organization International Ministries in Vermont and wants to help connect people with substance use disorder — an issue he said he learned about while living in central Vermont — with treatment options.

Michael Foote, the DREAM Program's founder, contacted the office of U.S. Sen. Bernie Sanders, I-Vt., in recent weeks to ask for help, now that Tendo's appeal in the 5th circuit has been denied and there's a chance he could face deportation again.

"There's no pathway for him to survive in Uganda right now," Foote said.

In their letter this week to the director of U.S. Immigration and Customs Enforcement, Sanders, Welch and U.S. Sen. Patrick Leahy, D-Vt., wrote that they'd heard from "more than 50 of our constituents" about Tendo's situation, which they said showed that he was a valued member of his community.

"We ask that you exercise your discretionary authority and give all due and proper consideration to Mr. Tendo's Application," the members of the delegation wrote. "Such consideration is consistent with your own internal policies, our communities' best interests, and justice within our immigration system."

In addition, more than 50 Vermonters have signed a letter drafted last month by Rachel Cogbill — the refugee action network's president — urging the director of U.S. Immigration and Customs Enforcement's Boston field office to halt Tendo's deportation. Amnesty International,

too, has been helping collect further testimony from people about Tendo's character.

"Steven plays a critical leadership role in raising revenue to support our operating budget," Foote wrote in his contribution. "I do not know what I would do without him here. He has also been a key liaison to many of the New American families we serve, particularly in Chittenden County."

Tendo has checked in with U.S. Immigration and Customs Enforcement in St. Albans several times since 2021, though he worries that since his latest appeal has been denied, this time could be different. His attorneys have applied for an order that would stop the federal government from deporting him, though it remains to be seen whether officials will grant it.

He said the thought of fleeing across the border to Canada has crossed his mind, but above all, he does not want to break the law. That's also why he plans to go to the St. Albans check-in, despite the risks involved. Tendo has also played out that scenario in his mind — how can he be sure he'd find work in Canada to support himself, and others who are relying on him?

"When I was applying at the Mexico-U.S. border, they told me, when you enter America, it's going to be like two or three weeks of processing, and really easy. It turned out to be 26 months," Tendo said. "How sure am I that if I go across to Canada, it's not going to be three years, right?"

Kahn said she and a small group of other advocates will accompany Tendo to his check-in in St. Albans. An attorney with Amnesty International told them it's unlikely the federal agency will

immediately detain Tendo as a flight risk, even if Tendo's deportation is not put on hold.

"Immediate deportation may be ordered or a stay may be granted ... We shall see," Kahn wrote in an email.

Back in Colchester, sitting on his couch, Tendo also said he doesn't know what's going to happen next week. But he's confident, he said, that he's done all he can to make Vermont his home — and thinks the government would be wrong to tell him otherwise.

"I am here to stay — actually, I'm looking for a wife to marry in Vermont," Tendo said with a chuckle. "Maybe I'll have Vermonter kids, you know?"