

## **Draft Proposal for Funding: Contra Costa County Immigrant Legal and Education Partnership**

### **I. Summary of Request**

Given the anti-immigrant rhetoric and stated detention and deportation policies of President Trump, we are requesting that the County of Contra Costa join us in an immediate showing of solidarity in support of immigrant communities and families. Our group of legal services and community based organizations are coming together to provide critical legal and support services to Contra Costa families facing the immediate threat of separation due to deportation. We will serve all immigrants and families throughout Contra Costa County to provide services to protect those impacted by Executive Orders and/or additional actions or policies that infringe on due process rights, divide communities, increase the use of detention, and/or result in the disparate treatment of individuals based on factors that include nationality, religion, country of origin, and sexual orientation.

Together, this diverse group of organizations requests that the County of Contra Costa contribute to help us reach a total budget of \$1,002,750 annually for rapid response coordination, a rapid response hotline, community responders, know your rights education, family preparedness planning, and legal services. A detailed budget is provided in Section V below. If Contra Costa County makes an investment in these critically needed services, several local and regional foundations that currently support immigration legal and educational services in the East Bay are prepared to consider additional matching investments in this Contra Costa Immigrant Legal and Education Partnership.

### **II. Overview of Need**

More than ever, immigrants will need experienced and qualified attorneys to ensure that immigrants and their families in Contra Costa County receive due process given the expected surge of deportation and detention. In addition, we simultaneously need resources to create a meaningful rapid response network to make sure the community is aware of their rights and can access counsel as soon as they are detained by ICE. A report by the Stanford Law School Immigrants' Rights Clinic, on behalf of the Northern California Collaborative for Immigrant Justice (NCCIJ) explains the already dire need for removal defense representation in the Bay Area.<sup>i</sup> The report found that over 50% of the represented detained individuals had lived in the United States for over a decade; 77% were separated from family members as a result of their detention (approximately half of them were separated from children); and 65% had been gainfully employed prior to their detention.<sup>ii</sup> Research shows that the removal of these (often) primary breadwinners from the family unit pushes families toward the brink of poverty and homelessness, and can leave U.S. citizen children without parents to care for them.<sup>iii</sup> Public health insurance programs, foster care services, and other city and county social assistance programs suffer increased costs as a consequence.<sup>iv</sup> In addition to the deleterious economic impacts of losing a family member to detention, studies have found that children whose parents

were detained and facing the threat of deportation exhibited significant negative behavioral and emotional changes.<sup>v</sup> As such, not only do families in our local communities experience economic hardship, they also endure psychological turmoil when a family member is detained and/or deported.<sup>vi</sup>

The NCCIJ report examined two specific data sets and analyzed the impact of having a lawyer on a detained individual's ability to remain in the United States and avoid deportation. The first data set was provided directly from the Department of Justice, Executive Office for Immigration Review (the San Francisco Immigration Court). The second data set was a result of a survey of all of the Bay Area nonprofit immigration legal services providers who were engaged in removal defense for detained individuals. Notably, the DOJ EOIR report showed that only 11% of detained and unrepresented immigrants were successful in challenging their deportation.<sup>vii</sup> By contrast, the detained individuals who were represented by Bay Area non-profits were successful 83% of the time.<sup>viii</sup> The impact of these statistics goes well beyond the actual number of individuals who are actually expelled from the United States. This is because the detained individual's family and community are also significantly impacted.

The ability of non-profit organizations serving Contra Costa County residents to effectively represent immigrants who are threatened with permanent banishment from the United States and their families is at a cross roads due to current limited resources, which will only be further stretched going forward. In order to keep families together, Contra Costa residents need to be educated about their legal rights and when faced with the threat of imminent deportation, be immediately connected to and provided with legal counsel.

### **III. Local Impact**

According to the most recent census (2010), nearly *a quarter* of Contra Costa County residents were foreign-born (23.9%).<sup>ix</sup> By any estimation, the number of immigrants has continued to grow since the last census - and much of this growth has been amongst persons without documented status. In addition, over 34% of Contra Costa County residents speak a language other than English at home.<sup>x</sup> Such diverse immigrant populations exist throughout our region and have long made Contra Costa County their home. As of the most recently available data from 2014, within Contra Costa County, over 47% of children live with one or more foreign-born parents.<sup>xi</sup> Recent studies show the extremely damaging psychological and physical impact on children if their parents are apprehended detained and/or deported.<sup>xii</sup> In addition to the severe psychological impact of depression, inability to focus in or attend school, children also are physically impacted in that they engaged in self-harm.<sup>xiii</sup>

### **IV. Proposed Services and Deliverable Outcomes**

The Partnership will provide a rapid response to the legal needs of Contra Costa residents and families facing imminent deportation or other adverse action as a result of immigration enforcement activities like raids in homes, workplaces, schools, and other sensitive locations. The network will house four (4) attorneys at legal services organizations, a Rapid Response and

Know Your Rights Coordinator at an established community organization and four (4) Community Responders at community based organizations.

A Rapid Response and Know Your Rights Coordinator will lead four Community Responders in managing a hotline where affected individuals and community members can call to report immigration enforcement actions. Community Responders will be deployed to those locations to document the enforcement activity, gather information about the affected individuals and report that information back to the Coordinator. The Coordinator and Responder will then contact the point person at a legal service agency who will send one of the four attorneys to immediately enter their appearance as the affected individual's attorney before ICE and advocate to prevent their immediate deportation. The attorney will then provide ongoing legal representation to the affected individual before the San Francisco Immigration Court. The Coordinator will connect the affected individuals' family with emergency support services.

The Coordinator will also work with the legal service providers and develop presentations to be conducted weekly at schools, places of worship, health clinics, and other trusted community locations. In addition to critical education regarding legal rights, during these presentations the Know Your Rights ("KYR") coordinator will provide Contra Costa residents with the hotline information and guidance on individual family emergency planning.

The weekly presentations will occur throughout Contra Costa County on a rotating basis to ensure geographic equity. The partnership organizations will continue and add additional formalized partnerships with community centers and faith based locations throughout the entirety of Contra Costa County.

The organizations will continue existing and will add additional formalized partnerships with unified school districts and individual schools throughout the county so that they have regular Know Your Rights presentations and a clear point of contact if any enforcement actions occur so that children and families have immigration legal and support services as needed.

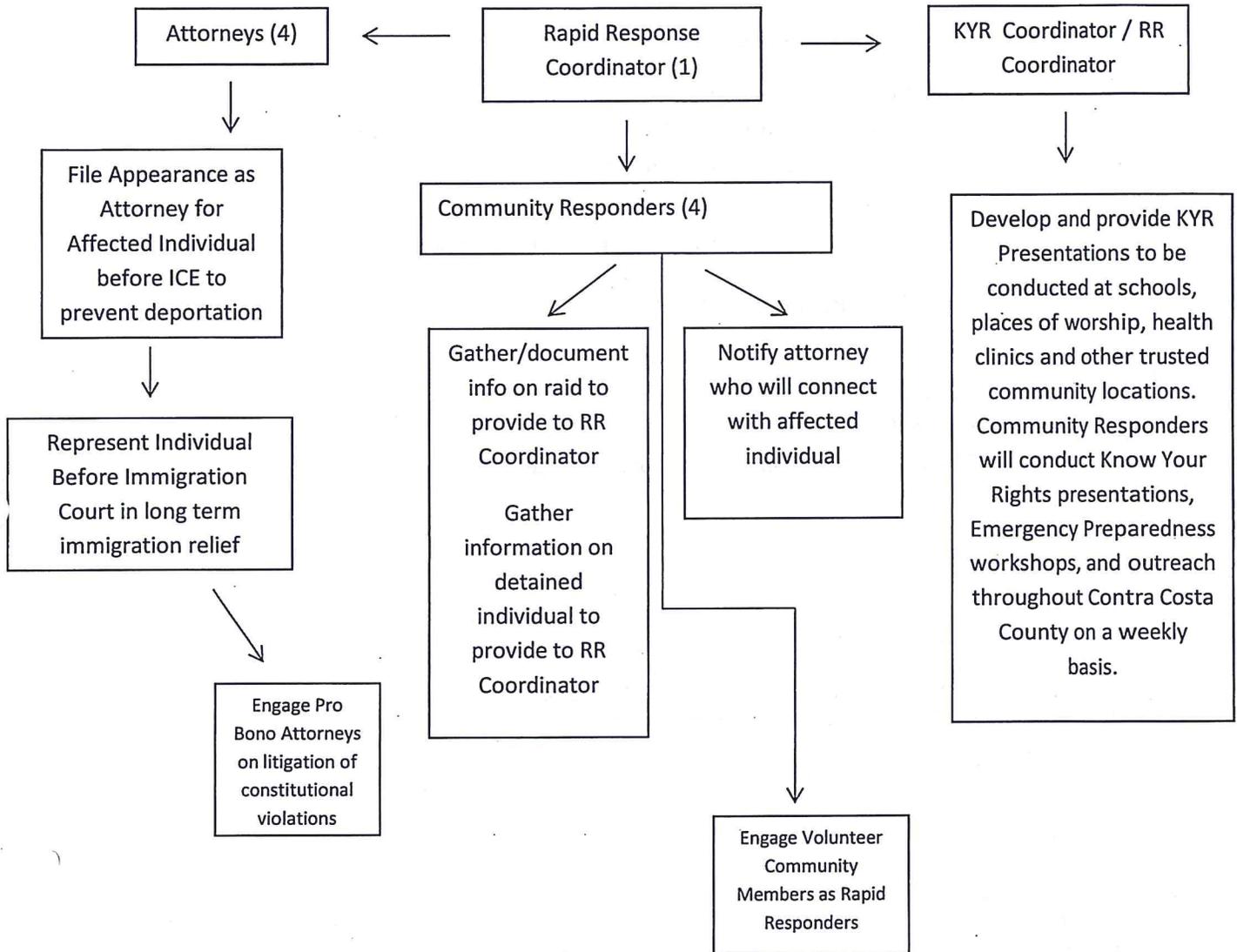
The organizations will continue existing and add additional formalized partnerships with community health clinics and other medical or mental health providers throughout the county so that they have regular Know Your Rights presentations and a clear point of contact for any Contra Costa County residents who need immigration legal and support services.

Once the network has been established, both legal service organizations and community based organizations will engage pro bono attorneys and non-legal volunteers for additional support. Pro bono attorneys will be leveraged to challenge constitutional violations of Contra Costa County residents who are detained by ICE and denied due process. Non-legal volunteers will be recruited to assist Community Responders and the Coordinator by immediately dispatching to locations where there have been raids or other immigration enforcement activity to assist in information gathering.

The Partnership will provide the following legal and rapid response services in a one-year period:

- 4 Community Responders will staff emergency hotline six hours a day, five days a week for Contra Costa county residents who are threatened with deportations or who are impacted by immigration enforcement activity;
- Rapid Response / Know Your Rights Coordinator and Community Responders will conduct weekly presentations at schools, places of worship, health clinics, and other trusted community locations and create relevant informational and referral materials in multiple languages;
- 2000 Contra Costa County residents will receive Know Your Rights presentations;
- 1000 Contra Costa County residents and families will receive free legal consultations;
- 200 Contra Costa County residents and families will receive free legal representation in removal proceedings;
- Coordinate with school districts and individual schools throughout Contra Costa County to have a dedicated partnerships and points of contact for legal and support services;
- Coordinate with health clinics and other medical and mental health service providers throughout Contra Costa County to have a dedicated partnership and points of contact for legal and support services;
- Coordinate with faith based leaders throughout Contra Costa County to have a dedicated partnership and points of contact for legal and support services;
- Engage Pro Bono Attorneys on litigation of constitutional violations;
- Engage Volunteer Community Members as Rapid Responders; and
- Community based organization partners will meet on a monthly basis to review services provided and ensure coordination of services.

**Partnership Structure**



## V. One Year Budget

Amounts include support for **salary, benefits, overhead, and supervision** for each employee

- 4 attorneys: \$495,000
  - i. 1 Senior Attorney: \$150,000
  - ii. 3 Staff Attorneys: \$345,000
- Litigation Expenses: \$50,000
- Rapid Response and Know Your Rights Coordinator and hotline costs: \$150,000
- 4 Community Responders: \$260,000
- **TOTAL: \$955,000**
- Administrative cost to partnership Fiscal Lead (5% of total): \$47,750

**TOTAL EXPENSE: \$1,002,750**

### FUNDING SOURCES:

Contra Costa County

Matching funds from Foundations and major donors

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i Northern California Collaborative for Immigrant Justice (NCCIJ), Access to Justice for Immigrant families and Communities (Oct. 2014) (Hereinafter referred to as "NCCIJ Report"), *available at* <https://media.law.stanford.edu/organizations/clinics/immigrant-rights-clinic/11-4-14-Access-to-Justice-Report-FINAL.pdf>. (last accessed May 25, 2016).

ii NCCIJ Report at 7, 23 n. 69, 70, 71, 72.

iii NCCIJ Report at 13 n. 43, 44, 45.

iv NCCIJ Report at 13 n. 46.

v NCCIJ Report at 13 n. 48, 49.

vi NCCIJ Report at 7 n. 9, 10.

vii NCCIJ Report at 9, 18.

viii NCCIJ Report at 9.

ix <https://www.census.gov/quickfacts/table/POP645215/06013,00>

x *Id.*

xi <http://www.kidsdata.org/topic/573/foreign-parents250/table#fmt=786&loc=2,127,331,171,345,357,324,369,362,360,337,364,356,217,328,354,320,339,334,365,343,367,344,366,368,265,349,361,4,273,59,370,326,341,338,350,342,359,363,340,335&tf=79>

xii <http://www.migrationpolicy.org/research/health-and-social-service-needs-us-citizen-children-detained-or-deported-immigrant-parents>

xiii *Id.*