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VETERANS AFFAIRS
SUBCOMMITTEE
BUDGET SUBCOMMITTEE NO. 3
ON HEALTH & HUMAN SERVICES

March 18, 2019

The Honorable Holly Mitchell
Chairwoman, Senate Budget Committee
California State Senate
State Capitol, Room 5050
Sacramento, CA 95814

The Honorable Philip Ting
Chair, Assembly Budget Committee
California State Assembly
State Capitol, Room 6026
Sacramento, CA 95814

The Honorable Richard Pan
Chairman, Budget Subcommittee 3
California State Senate
State Capitol, Room 5114
Sacramento, CA 95814

The Honorable Joaquin Arambula
Chair, Assembly Budget Committee
California State Assembly Subcommittee 1
State Capitol, Room 5155
Sacramento, CA 95814

RE: Letter of Support for the California Immigrant Justice Fellowship

Dear Chairs Mitchell, Pan, Ting and Arambula:

Please accept this letter of support for a onetime \$4,700,000.00 appropriation in the 2019 Budget Act for the California Immigrant Justice Fellowship. This is a one-time appropriation, to be distributed over two years, assuring sustainability through 2021. This appropriation of funds is a direct investment in a legal fellows program that leverages the legal expertise of established service providers as a training ground for new attorneys, before they are placed with organizations in the most underserved regions of our state, with ongoing mentorship and technical assistance.

The state of California is facing many challenges with regards to equity and access to justice. There is no community that is more vulnerable at this time in our state than immigrants living in rural regions. One of the most poignant example is the San Joaquin Valley, home to an estimated 885,700 immigrants as well as more than 500,000 children with at least one immigrant parent, but severely lacking immigration services. A 2017 mapping initiative found that of the 400 nonprofits providing immigration services in the state, only 28 were located in the San Joaquin Valley and of those only a handful were qualified to provide representation in deportation proceedings. This dearth of removal defense services plagues rural communities across the state from the Central Coast to the Inland Empire.

California has a backlog of nearly 150,000 immigration cases in court, with some individuals waiting more than three years before their hearings are scheduled. The number of deportation cases in California has increased 48% since 2017, and will likely continue to rise as a reflection of the demographic realities of the state. Because deportation is a civil proceeding, immigrants have no right to government appointed counsel, despite the fact that highly trained attorneys represent the government in proceedings to remove them from the United States. Given the highly complex nature of

immigration law, it is nearly impossible for individuals to represent themselves before the court. This lack of due process is particularly egregious given that deportation most often results in family separation, or in the worst cases, torture or death.

The lack of legal support and infrastructure in these regions reinforces the belief that ICE can violate due process with impunity. The solution to this justice gap is the development of community based legal infrastructure that is accessible for residents and sustainable in the long term. In recognition of this need, California lawmakers have approved nearly \$50 million in funding for legal services in our state, but the largest challenge has been developing organizational and training capacity for removal defense to take advantage of these funds. We simply do not have enough organizations that qualify to receive this funding for deportation defense, particularly in regions where the need is high, but resources are low.

There are examples where this is already taking place, including a partnership between Centro Legal de la Raza in Oakland, one of the premier deportation defense non-profits in the state, with the United Farm Workers Foundation immigration office in Kern County. The challenge of capacity building, mentorship and technical assistance cannot be shouldered by one single organization. Therefore, a collaborative structure is the most sustainable and structured approach to begin to address the challenges outlined above.

This partnership also solves the significant challenges facing service providers. Bay Area based organizations are able to coordinate remote detention visits and rural assistance through organizations based in the regions of need, while fledgling removal defense programs obtain the technical assistance and mentorship they need to grow and serve their community. This partnership ensures sustainability and structure to address the collective needs of our region, and allows a continuum of services to be established between organizations located near courts, organizations located near detention facilities and organizations removed from both but whose communities are suffering from unfettered immigration enforcement.

For these reasons, we request consideration for an appropriation of \$4.7 million in the Budget Act of 2019 for the California Immigrant Justice Fellowship.

Sincerely,

Melissa Hurtado
Senator, 14th District
