Communication from Public

Name:	Cindy Liou
Date Submitted:	08/24/2020 02:44 PM
Council File No:	17-0046-S2
Comments for Public Posting:	Attached, please find public comment from Kids in Need of Defense (KIND) and Bet Tzedek Legal Services. We respectfully request that you renew and extend the Los Angeles Justice Fund (LAJF), with the inclusion of continuing to provide legal services for unaccompanied children. Providing legal assistance unaccompanied children has been a priority for the City of Los Angeles, and should remain so in any iteration of renewal of LAJF.

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August 24, 2020

City of Los Angeles
Budget and Finance Committee
Councilmember Paul Krekorian, Chair
Councilmember Curren D. Price. Jr.
Councilmember Paul Koretz
Councilmember Bob Blumenfield
Councilmember Mike Bonin

Re: Support of Council File 17-0046-S2 Renewal of Los Angeles Justice Fund (LAJF) to Support Provisions of Ongoing Legal Representation of Unaccompanied Children in Removal Proceedings

Dear Honorable Councilmembers,

Bet Tzedek Legal Services and Kids in Need of Defense (KIND) submit the following to the City of Los Angeles, Budget and Finance Committee, in advance of the August 24, 2020 hearing regarding the importance of renewing the Los Angeles Justice Fund (LAJF) and to include the provision of legal representation for immigrant and unaccompanied children (UC) with the LAJF. Our agencies were the two main LAJF grantees originally designated to provide legal representation for immigrant and unaccompanied children (UC); the majority of our combined cases have been on behalf of UC. We appreciate and thank the Councilmembers for your support in the creation of the LAJF and ongoing championing of the needs of UC and immigrants in the City of Los Angeles.

We respectfully request that you approve Item No. 26, Council File 17-0046-S2, to renew and extend the LAJF, with the inclusion of continuing to provide legal services for unaccompanied children, most whom are removal proceedings. Providing legal assistance to those most vulnerable—children—has been a priority for the City of Los Angeles, and should remain so in any iteration of renewal of LAJF.

1. **About Bet Tzedek and Kids in Need of Defense (KIND)**

- Bet Tzedek Legal Services: Founded in 1974, Bet Tzedek is a nonprofit law firm providing free, expert legal advice and representation to low-income residents of Los Angeles County. Each year Bet Tzedek's attorneys, advocates, and staff work with more than one thousand pro bono attorneys and other volunteers to provide free, comprehensive legal assistance and representation, volunteer and court-based self-help services, and legal education to more than 50,000 people each year, regardless of race, religion, ethnicity, immigrant status, or gender identity. Bet Tzedek's practice area expertise include Elder/Caregiver Law, Employment Rights, Guardianships, Human Trafficking, Health, Holocaust Reparations, Housing, Public Benefits and more.

- Kids in Need of Defense (KIND): Established in 2008, Kids in Need of Defense (KIND) is a nonprofit organization dedicated solely to the protection of unaccompanied immigrant and refugee children, who arrive as children to the U.S. alone without a parent or legal guardian. KIND protects UC by providing legal representation in immigration court, social services coordination, and strategic public outreach and education designed to build support for access to justice. KIND also works to preserve

existing safeguards under U.S. law and promotes assistance to address the root causes of child migration. KIND's Los Angeles office has been serving UC since 2008, as one of the original KIND offices. KIND's Los Angeles office works with UC released to the Southern California area; most KIND clients served by the Los Angeles field office reside in the County of Los Angeles.

2. Unaccompanied children are not guaranteed counsel and are extremely vulnerable

- Definition of UC and their vulnerabilities: A child is considered an "unaccompanied immigrant child" (UC) if they enter the U.S. before the age of 18 without a parent or a legal guardian and without any lawful status. Most have left their home countries fleeing violence, persecution, neglect or abandonment. While some UC remain detained by the federal government, most are released to adult sponsors, but without much support or coordinated services upon release. Many UC have also experienced high levels of trauma and violence.

- LA has one of the largest UC populations both nationally and in California: Since 2014, Los Angeles County and Harris County, Texas are the two counties in the U.S. with the highest number of released UC. Los Angeles County accounts for almost 45% of the UC released in California. From October 2014 through June 30, 2020, 17,131 UC were released to LA County.

- No guarantee of counsel in immigration court, and no guaranteed counsel for released UC: UC are not guaranteed counsel in immigration court. Bet Tzedek and KIND's Los Angeles office serve UC who are released to sponsors in the Los Angeles area. Detained UC are provided counsel when they are in federal custody. While there are some efforts to coordinate representation, released UC are not guaranteed counsel, and many continue to go unrepresented.

- Most of our UC clients are in removal proceedings who require both affirmative legal work and removal defense representation: The large majority of UC clients that we are serving through LAJF, regardless of whether they are detained or not, are in removal proceedings. This means that Bet Tzedek and KIND attorneys typically assist UC with both their affirmative applications as well as in removal proceedings before immigration court. Affirmative applications include but are not limited to asylum, U visa, T visa, and Special Immigrant Juvenile Status (SIJS).

- Our agencies as legal services providers must abide by ethical duties and professional responsibilities of representation to clients: For SIJS cases, our attorneys must first appear before state court proceedings before an immigration application can be submitted. As the attorneys of record before both state court and the Los Angeles Immigration Court, as well as before U.S. Citizenship and Immigration Services (USCIS), Bet Tzedek, KIND, and pro bono attorneys that we mentor must abide by ongoing ethical duties and professional responsibilities of representation to clients.

- Systematic, targeted attacks on UC by the current federal administration, where the damage will have long-lasting impacts on UC and those with pending cases: U.S. immigration law has changed significantly since the inception of the LAJF. Recent polices and changes have made obtaining lawful status much more difficult, and UC are being especially targeted by the current Administration. Attached, KIND includes a timeline tracking the many deliberate steps the federal government has taken in the last few year to roll back protections for UC. These calculated decimation to due process protections and trauma to UC and immigrant communities will have long-standing impacts

to the rights of UC and for those with pending cases. With LAJF funding, our agencies have accomplished grant objectives with great cost efficiency while safeguarding the due process rights and well-being of UC.

- Our agencies believe in keeping communities and families together: UC released to their sponsors are especially vulnerable and lack guaranteed counsel. They are reliant on their adult caregivers. Especially now during the COVID-19 pandemic, vulnerable UC greatly rely on adults for almost all of their economic and emotional support, including food, housing, legal services, and transportation to court and their attorney's offices. Immigrants and UC needing immigration legal services and removal defense are also community members and part of the City of Los Angeles. UC caregivers and parents may also require removal defense representation by other LAJF grantees who provide legal representation for the adult population.

- UC negatively affected by the COVID-19 pandemic, and quality legal services key to an inclusive recovery: The COVID-19 pandemic has exacerbated existing vulnerabilities for UC and the disparities in eligibility and accessibility for local, state, and federal services and benefits. Our clients and their caregivers have also been rendered even more vulnerable from the pandemic and shut out of inclusive federal recovery efforts. Our agencies have been able to pivot its services during the pandemic to continue assisting clients. Bet Tzedek's and KIND's staff, at the risk of their own health, continue to file paperwork, meet deadlines, and prevent the aging out of immigrant children from certain forms of immigration relief. We also do this because we know that quality, free legal services will be key to protecting our community and Los Angeles' recovery.

Bet Tzedek and KIND respectfully ask the County of Los Angeles to approve an extension of the LAJF that continues to support the legal representation of UC living in the community of Los Angeles. Bet Tzedek and KIND will continue to support LAJF and are optimistic about LAJF's ability to improve the lives of UC in the City of Los Angeles. Please contact us if you have any questions. Thank you.

Sincerely,

/s/

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A Timeline: How the Trump Administration is Rolling Back Protections for Children

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Government Agency Color Code

President (Executive Order)	Department of Justice (DOJ)
Department of Homeland Security (DHS)	Department of Health and Human Services (HHS)

Targeting of Children Starts

January 2017

President Trump takes office on January 20th and issues Executive Order 13767 which categorizes unaccompanied children in need of protection as opportunistic and laws designed to give the children a fair chance to have their stories heard by our legal system as loopholes.

Representation Project Ends

June 2017

The Department of Justice (DOJ) terminates the justice AmeriCorps (jAC) program that provided counsel for unaccompanied children. The program aimed to improve court efficiency in a cost-effective manner and to identify children who had been victims of human trafficking or abuse and, as appropriate, refer them to others to assist in the investigation and prosecution of those who perpetrate such crimes.

Targeting of Sponsors

June 2017

U.S. Immigration and Customs Enforcement (ICE) begins targeting the parents and relatives of unaccompanied immigrant children for deportation and, in some cases, criminal prosecution. Described as an effort to disrupt smuggling networks and protect children, this targeted enforcement instead only endangers and re-traumatizes children by separating them from loved ones who stepped forward to care for them as they go through the court process.

Courts Re-defining UAC

September 2017

The Executive Office for Immigration Review (EOIR) issues a memo stating it is no longer legally bound by DHS's determinations regarding whether a child meets the definition of an "unaccompanied alien child (UAC). This memo invites immigration judges to re-evaluate a child's unaccompanied status and significantly changes the way a child's case is processed mid-way through the child's legal case, which would strip the child of more child-appropriate procedures and protections.

Less Child-Friendly Courts

December 2017

EOIR issues memo to its immigration judges with changes in how to proceed with cases in court involving children. The revised guidance weakens the use of child-friendly practices for unaccompanied children and makes courts that are naturally adversarial even more so. It also instructs judges to be more skeptical of these particularly vulnerable children as they try to explain the harrowing experiences at the core of their claims for U.S. protection.

Family Separation Begins at Border

March 2017

The Department of Homeland Security (DHS) first publicly contemplates the separation of parents and children as a means of deterring future asylum-seeking children and families from asking for protection.

Child Releases Slowed

June 2017

The Office of Refugee Resettlement (ORR)'s Director of Children's Services is now required to personally approve the release of children who are placed in, or who have ever been placed in, a staff secure or secure facility for safety concerns for themselves or others - even though ORR bases its release decisions on the expert opinions of its staff and thorough background checks. Children likely will be held longer in detention as a result of this policy change, including children who pose no risk to themselves or to the communities in which they would be released.

New Hurdles to Asylum

August 2017

U.S. Citizenship and Immigration Services (USCIS) modifies its review of affirmative asylum applications by requesting that adjudicators refer certain proposed grants of relief to the agency's asylum headquarters for review. This practice, which is typically used in novel or high-profile cases or those with national security concerns, is now required for cases in which an adjudicator proposes to grant asylum to an adult or child with alleged past or current gang affiliation, or to someone previously detained in secure or staff secure facilities. These allegations are often based on unreliable evidence such as a child's clothing or the neighborhood in which the child lives.

Child Refugee Program Terminated

March 2017

The Administration terminates a lifesaving refugee program designed to protect children in danger living in Central America. The Central American Minors (CAM) Program had been in existence since 2014 and allowed children to apply for refugee status from their countries of origin. This enabled children to make their claims for protection without having to undergo the dangerous journey to the U.S. border. The abrupt termination of the program left **more than 4,000** children who applied without even the chance to have an interview.

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Critical Decisions Reconsidered

March 2018

Attorney General Jeff Sessions certifies a number of cases to himself for review. These referrals effectively allow him to reconsider old decisions and make binding authority in cases previously decided by the Board of Immigration Appeals (BIA). These cases address issues of critical importance to the adjudication of children's claims, including the ability of immigration judges to grant continuances or administrative closure, the availability of asylum to those seeking protection based on membership in a "particular social group," and the ability of asylum applicants to provide oral testimony in support of their applications.

Family Separations Mount

April 2018

More than 700 children are reported to have been taken away from their parents from October 2017 - April 2018, according to the **New York Times**, including 100 children under the age of 4.

Family Separation as U.S. Policy

May 2018

Attorney General Sessions announces "zero tolerance" policy requiring DHS to refer all immigrants apprehended crossing the U.S. border for criminal charges, which means that if an adult crosses with a child, the child will be taken from the adult, even if the adult is the child's parent, and placed in detention, rendering the child unaccompanied. The adult will be placed in adult detention to await criminal proceedings. This will result in children being detained alone, which is not only traumatic, but places an enormous strain on the ORR care and custody system, which otherwise would not have to house children arriving to the U.S. with their parents.

Asylum Definition Narrows

June 2018

Attorney General Sessions rules on Matter A-B and narrows the ability of victims of severe violence, including domestic and gang violence and human trafficking, to access asylum in the U.S. The decision casts aside years of settled case law on what constitutes a "particular social group" – the category that forms the basis of many children's asylum claims, and when persecution by non-governmental actors gives rise to eligibility for asylum. In July 2018, USCIS issues guidance to asylum officers on implementation of this decision, which limits protections for the most vulnerable.

New Barriers for Abused Children

Winter 2018

DHS starts narrowing longstanding legal protections for children. These changes include a more limited interpretation of who can qualify for Special Immigrant Juvenile Status (SIJS) by denying recent applications for relief for children between the ages of 18-21 and rescinding previous approvals for children in that age group. Rescinding previously granted protection is devastating to these children and young people who are child survivors of abuse, abandonment, neglect, and for whom it was not in their best interest to return to their country.

ICE Detention After 18th Birthday

March 2018

ICE begins to transfer children to ICE custody shortly after they turn 18, and in some cases, on their 18th birthday This despite the Trafficking Victims Protection Reauthorization Act of 2013 which states that when children in ORR custody turn 18, ICE shall consider placement in the least restrictive setting available after taking into account the child's danger to self, the community, and risk of flight. Congress mandated that ORR and ICE consider alternatives to detention for these teens, instead of automatically locking them up in adult prisons.

ORR Collaborates with ICE

April 2018 – Dec 2018

ORR finalizes a written memorandum of agreement with ICE outlining policies and procedures for conducting background checks on potential sponsors for children that will result in many undocumented sponsors, including parents, either not being eligible for sponsorship or discouraged from applying out of fear of deportation. ORR has traditionally considered the safety of the home paramount in considering the release of a child. As in many other examples, immigration enforcement prevails over child protection. In the face of unprecedented numbers of unaccompanied children in ORR custody, ORR issues a new operational directive in **December 2018** modifying fingerprinting procedures for vetting potential sponsors of unaccompanied children.

New Restrictions for Judges

May 2018

Attorney General Sessions ends the ability of immigration judges to temporarily close cases. Judges now cannot administratively close a case, and are required to meet case completion guidelines that tie their hands in allowing fair adjudications of applications for humanitarian protection. Judges will not be able to allow their government colleagues an opportunity to review a child's case to determine if that child would be in danger if returned to their home country. Children may now be ordered deported even though they may have a valid claim for protection that is still in process.

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Expanding Authority to Initiate Removal Proceedings

July 2018

USCIS issues **guidance** substantially expanding its authority to place applicants for a visa, green card, or citizenship in removal proceedings. USCIS will be more likely to issue a Notice to Appear (NTA) when the agency denies a person's claim to obtain lawful status. The NTA is the first step in immigration removal proceedings. As a result, immigrants without permanent status will be less likely to apply to regularize their status, and deportations could increase significantly.

Forcing Judges into Rushed Decisions

April 2018

For the second time this year, Attorney General Sessions removes discretion for judges to manage their own case dockets by curtailing judges' ability to grant continuances. In **Matter of L-A-B-R-**, Sessions ruled that immigration judges may only grant continuances in very limited situations. As a result, children now may be deported before they are able to fully pursue other forms of immigration relief. The hasty trials further erode due process protections for families in immigration courts.

Restrictions to Fee Waivers

October 2018

USCIS proposes revisions to the form for requesting waivers of filing fees associated with many applications for immigration benefits and relief. The proposed revisions would impose new documentation requirements that would make it more difficult for vulnerable populations, including unaccompanied children, to obtain fee waivers. These changes would exacerbate the vulnerability of survivors of violence, trafficking, and abuse, and deter children from applying for measures that can provide critical stability and safety, such as adjustments to their immigration status and authorization to work.

Removing Protections for Turning 18

October 2018

In **Matter of M-A-C-O-**, the Board of Immigration Appeals (BIA) rules that an unaccompanied child who turns 18 before filing her asylum application may have to face an adversarial hearing in immigration court instead of being allowed to make her claim in a non-adversarial interview before an asylum officer. Allowing children who come alone to the U.S. to present their case one-on-one in a private setting makes it easier for these uniquely vulnerable children to share their experiences of persecution and trauma with a stranger. Without this procedural protection, children are less likely to fully explain their reasons for flight. Their case will not then be fairly adjudicated.

"Ending" Family Separation & Increasing Detetion

June 2018

President Trump's Executive Order on the family separation policy does not end separations. Instead, it leaves the "zero tolerance" policy intact, resulting in parents seeking asylum still being criminally prosecuted at the border, and provides for the expanded use of family detention. The Order also announces the government's intent to eliminate standards governing DHS's holding of immigrant children in custody. DHS's own internal watchdog has since **released a report** that identifies the systematic failures that exacerbated the harm to children from this separation policy.

Denials for Minor Mistakes

July 2018

USCIS issues **guidance** authorizing dismissal of claims if immigrants do not file all their paperwork correctly and on time. Previously, USCIS would issue Requests for Evidence or Notices of Intent to Deny that would allow immigrants to amend their case if information was insufficient or missing. Now, even a minor mistake in the complex immigration filing system can result in an outright denial. This policy is especially harmful for children, who often may not have access to all the documentation needed to support their applications.

Attacking *Flores* Protections

September 2018 - Sept 2019

DHS and HHS propose **new regulations** that would provide only minimal protections for children in federal immigration detention and would decimate the protections provided by the Flores Settlement Agreement. The proposed rules would lower the minimum standards the government must meet when detaining children with their parents and for children who arrive unaccompanied. They would also strip children of critical and long-standing protections and greatly curtail their access to both due process and humanitarian protection. In **August 2019**, the Trump Administration finalizes these regulations largely as proposed. In **September 2019**, a federal judge blocks implementation of the final regulations through a permanent injunction and orders the government to continue to comply with the Flores settlement. The final regulations, which would drastically alter Flores protections, remain the subject of litigation.

Pressuring Judges to Expedite Case Closures

October 2018

As a result of Attorney General Sessions' new performance **criteria** for immigration judges, judges now must clear 700 cases a year to receive a "satisfactory" performance rating – the first time performance will be measured by sheer volume of cases moved through the system. Judges are penalized for scheduling hearing dates too far apart or taking more than a day to decide a case. The blanket case completion metrics are unprecedented. The rushed, one-size-fits-all approach to justice endangers children's opportunities for full and fair hearings. In addition, cases could be closed by DOJ before USCIS has a chance to adjudicate the claims, denying children's full access to the U.S. immigration system and the protections provided by law.

Government Agency Color Code

President (Executive Order)	Department of Justice (DOJ)
Department of Homeland Security (DHS)	Department of Health and Human Services (HHS)

Limiting Asylum Claims

November 2018

In tandem with a Presidential Proclamation, DHS and DOJ issue a **new rule** barring eligibility for asylum for anyone who enters the U.S. outside of an official port of entry. Under longstanding law that is a bedrock of our asylum system, anyone on U.S. soil has been able to apply for asylum, regardless of how they entered the U.S. By only allowing asylum seekers to request protection at already overburdened ports of entry, the new rule erects unlawful barriers to protection in violation of both U.S. and international law. The rule, which has been enjoined by a federal court, poses particular impacts for unaccompanied children, who often have little to no control over where they enter the U.S.

Narrowing Asylum Based on Family Ties

July 2019

In *Matter of L-E-A-*, Attorney General Barr undermines the ability of asylum seekers to seek protection based on fear of persecution on account of their family ties. Bucking long-standing precedent, the Attorney General's decision expresses skepticism that families will generally be able to meet the criteria for "membership in a particular social group," one of the five grounds for applying for asylum. Although the decision underscores that courts must review cases on an individual basis, it threatens to disproportionately affect access to protection by unaccompanied children, who are often targeted for violence and persecution by gangs and other criminal organizations on the basis of their family member's refusal to join a gang or comply with its demands. The decision remains the subject of litigation.

Delaying Access to Support and Stability

September 2019

USCIS proposes a rule to eliminate a 30-day deadline for issuing decisions on initial applications for employment authorization by asylum seekers, including unaccompanied children. If finalized, the proposed rule would allow the government to delay indefinitely children's access to lawful employment and increase the vulnerability of unaccompanied children by hindering their ability to support their basic needs. For many children, a work permit provides a critical form of government-issued identification that is necessary to access education, childcare, training programs, and other support services. In June 2020, DHS issues a final rule eliminating the 30-day processing requirement for initial work authorization applications, the rule becomes effective on August 21, 2020. DHS also issues a separate final rule that erects further hurdles for asylum seekers seeking work authorization. These rules are currently the subject of litigation.

Continuing to Expand Authority to Remove

November 2018

USCIS issues new **guidance** extending its July 2018 Notice to Appear (NTA) removal policy to a wide range of humanitarian visas. Although previously specifically exempted, humanitarian visas used most by children and crime victims are specifically targeted. These include trafficking (T) visas, U visas (for crime victims), and Special Immigrant Juvenile Status (for abused, abandoned, or neglected children). As a result, immigrant children may be less likely to apply for these critical humanitarian protections.

Stripping Children of UAC Protections

May 2019

USCIS issues a memo reversing prior agency policy on asylum applications made by UACs. The memo instructs USCIS to determine whether to exercise initial jurisdiction over an asylum application by determining whether the applicant met the statutory definition of "unaccompanied alien child" at the time of first filing of the asylum application. UACs who have subsequently turned 18 or reunified with a parent would lose important procedural protections and their asylum application would be adjudicated by an immigration judge in an adversarial hearing. In October 2019, a federal court preliminarily blocks implementation of the new procedures. The policy remains the subject of litigation.

Barring Asylum Claims

July 2019

DHS and DOJ issue an interim rule, known as the Third Country Transit Bar, that forecloses U.S. asylum protection for those who travel through another country in their journey to safety and do not claim asylum there first. The interim rule ignores the dangers that unaccompanied children face, including extortion, trafficking, and sexual violence, and run counters to both international and U.S. law. In September 2019, the Supreme Court permits the government to move forward with implementing the interim rule while litigation is ongoing. In July 2020, two federal courts find the rule unlawful. A federal district court vacates the rule due to the government's failure to provide sufficient notice and opportunity for the public to comment on the regulation, as federal law requires.

Undermining Protection for Abused & Neglected Children

May 2019

USCIS reopens for public comment a September 2011 proposed rule related to application and eligibility requirements for Special Immigrant Juvenile Status (SIJS). SIJS provides a path to legal status for children who cannot be reunited with one or both of their parents because of abuse, abandonment, neglect, or a similar basis and whose best interests are not served by being returned to their home country. While providing some clarity on earlier regulations, the proposed rule diverges from federal law and policy in ways that threaten to undermine access to this critical form of humanitarian protection.

Government Agency Color Code

President (Executive Order)	Department of Justice (DOJ)
Department of Homeland Security (DHS)	Department of Health and Human Services (HHS)

Increasing Fees for Work Permit & Asylum Applications

November 2019

USCIS proposes new and higher fees for various immigration-related applications, erecting significant barriers for unaccompanied children and others seeking to access protection, support, and stability. The proposed rule would require asylum seekers, including unaccompanied children, to pay $490 in order to receive work authorization while their asylum applications are pending and would eliminate the availability of fee waivers commonly granted to unaccompanied children. Work permits often provide children with a vital form of identification that may be necessary to access basic services such as housing, education, and health care. The proposed rule would also assess a $50 fee on applications for asylum.

Fingerprinting of Unaccompanied Youth

January 2020

ICE issues field guidance to its juvenile coordinators directing them to work with ORR to obtain fingerprints from unaccompanied children in ORR facilities who are 14 and older. This practice raises concerns that children may be intimidated by the presence of immigration officers in child care shelters and that fingerprinting could take place without notice to or the presence of children's attorneys.

Proposing High Fees that Block Access to Judicial Review

February 2020

EOIR proposes a new rule that would impose staggering fee increases on forms used to appeal or seek reconsideration of decisions by the immigration courts. For example, the form to appeal an immigration judge's decision would be hiked from $110 to $975. Forms to reopen or reconsider court decisions could be as high as $895. A fee would attach to asylum applications. The proposed increases, a dramatic departure from fees in place for more than 30 years, would undermine the ability of unaccompanied children to obtain review of erroneous or incomplete decisions and heighten the risk that children will be deported to harm.

Ongoing Family Separation

January 2020

In the years following a nationwide injunction blocking the government's policy of separating migrant and refugee children from their parents, the Administration separates more than **1,000** children, including more than **200** who are younger than five years old. Amid continuing litigation, the Administration continues to separate families, often providing little to no information about its reasons for doing so.

Accelerating Cases of Detained Children

January 2020

EOIR advises immigration judges that the cases of unaccompanied children in federal custody should be considered according to a 60-day completion goal. The 60-day deadline, which was included in a 2018 EOIR memorandum announcing case priorities and performance measures for immigration courts, dramatically increases the likelihood that children will face deportation as a result of being unable to secure counsel and adequately prepare and present their cases for protection.

Sharing Children's Confidential Information

February 2020

Media reports highlight ORR's practice of sharing clinical notes from unaccompanied children's confidential counseling sessions with ICE, which may use them against children in immigration removal proceedings. Mental health services are critically important for unaccompanied children, many of whom have survived horrific violence and trauma. In addition to presenting ethical concerns for therapists and providers, the sharing of confidential mental health information hinders children's access to therapeutic treatment and increases the risk that they will be deported to harm.

Expanding Remote Hearings for Children

March 2020

EOIR begins new pilot programs under which unaccompanied children in ORR custody must appear by video teleconference (VTC) before immigration judges. Thousands of children are affected, including extremely young children and those with known special needs. VTC hearings present troubling due process concerns and drastically undermine the fairness of proceedings for children. In addition to a host of technical problems, VTC hearings impede children's ability to understand and participate in proceedings as well as their access to counsel. Despite these concerns, the Administration increases its use of VTC and expands this practice across the country as mounting health risks and restrictions create additional barriers. These efforts are further steps toward the Administration's creation of a national VTC docket for all detained unaccompanied children.

Deporting Unaccompanied Children without Due Process

March 2020

As part of the Administration's Remain in Mexico policy (or Migrant Protection Protocols or "MPP"), announced in January 2019, the U.S. sends more than **60,000** asylum seekers, including at least **16,000** children, to Mexico to wait for proceedings in their U.S. asylum cases. Although the policy exempts unaccompanied children, widespread danger and violence in Mexican border towns renders hundreds of children unaccompanied after a parents' disappearance or threats to their lives. Contrary to federal law, many children are being ordered removed for failing to appear for hearings in their MPP cases while in federal immigration custody pursuing protection as unaccompanied children. DHS deports several unaccompanied children without full proceedings in their cases or efforts to ensure their safety and well-being, contrary to the Trafficking Victims Protection Reauthorization Act.

New Regulations Decimate Asylum System

June 2020

DHS and EOIR propose new regulations that would decimate the U.S. asylum system by creating insurmountably high standards for protection and depriving asylum seekers of due process. The rule would foreclose nearly all protection claims based on gender-based violence, domestic violence, or violence by gangs and criminal organizations—threatening to return thousands of unaccompanied children and others to grave danger. Among myriad concerns, it would provide judges and asylum officers broad authority to deny asylum applications or to find them frivolous without a full hearing or interview, undermining critical procedural safeguards for unaccompanied children that help them to tell their stories.

Government Agency Color Code

President (Executive Order)	Department of Justice (DOJ)
Department of Homeland Security (DHS)	Department of Health and Human Services (HHS)

Expelling Unaccompanied Children at the Border

March 2020

Amid the Covid-19 pandemic, the Centers for Disease Control and Prevention (CDC) issues a new rule permitting the agency to block certain individuals from entering the U.S. in a purported effort to curtail the spread of communicable disease. The rule and related orders exempt "essential" travel and entry of citizens and lawful permanent residents but fail to explicitly provide exceptions for unaccompanied children and asylum seekers, contrary to the Trafficking Victims Protection Reauthorization Act and other federal and international laws. DHS does not systematically consider unaccompanied children an exception to the order and unlawfully expels or turns back thousands of unaccompanied children at the border within hours of their arrival to countries in which they may face risk of harm. No health or protection screenings are conducted to safeguard children's wellbeing and ensure they are returned safely and protected from trafficking or harm.

Reviving Family Separation

May 2020

Two years after the Zero Tolerance Policy that forcibly separated thousands of migrant and refugee children from their parents the Administration revives family separation by forcing parents in family detention to make an impossible choice between allowing their child to be separated from them and released without them, or remaining indefinitely with the parent in ICE detention. DHS offers separation instead of choosing to release the families using an alternative to detention program.

Communication from Public

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Date Submitted: 08/24/2020 02:47 PM
Council File No: 17-0046-S2
Comments for Public Posting: Good afternoon. My name is Tania Sawczuk and I work at the Vera Institute of Justice, which works with diverse jurisdictions around the country that are dedicated to ensuring all members of their communities have access to due process and a fair day in court, a principle that is central to America's vision of justice. Vera was tasked with the data collection for the pilot period of LAJF as well as engaging in the implementation and impact evaluation of the program. The pilot period has shown the power of public-private partnership to expand the safety net to the one-third of Angelenos who identify as immigrants. Through this work, LAJF has built a critical deportation defense infrastructure across Los Angeles City and County communities, which has led the organizations to develop collaboration procedures and structures that have changed the landscape of legal services, as well as improved coordination with County and City agencies that serve immigrants. During the two years of the fund, LAJF not only did grantees surpass the case goal but also bolstered existing removal defense capacity of providers in the region and shifted the culture of advocacy in Los Angeles immigration courts. Having a lawyer makes a significant difference. Immigrants who are represented are 3.5 times more likely to be released from detention on bond and up to 10 times more likely to establish a right to remain in the United States. In the first two years of the LAJF program, 62 percent of completed LAJF cases have resulted in favorable outcomes, permitting clients to remain in the United States. Nationwide, only fewer than 5 percent of unrepresented immigrants in removal proceedings receive favorable outcomes. LAJF Attorneys have been in the front lines fighting through the pandemic to get Angelenos out of medically unsafe detention center that are denying sanitary conditions and medical assistance to immigrants in facilities with COVID 19 positive cases. As the County is looking at phase two of LAJF , we encourage the City to not limit the fund to "existing cases" but instead maximize the fund by allowing grantees the flexibility to decide for themselves, whether after careful review of their caseloads, they have the capacity to responsibly accept additional cases without adversely impacting their obligation to zealously represent their existing client. The proposed amendment to allow for new cases does not require the City's commitment of additional funds, but rather

simply permits LAJF organization on the ground to use the funds to be nimble and flexible and meet the greatest need as it arises. For example, lot of the LAJF organizations quickly shifted amidst the start of the pandemic to get Angelenos with serious health risks out of detention where their life was at grave risk. Allowing providers to take on new cases makes the LAJF more effective. It amplifies the City's investment in the safety net it has created by ensuring that providers meet the greatest need. It helps new families as they face the current crisis. Much of the LAJF work has already shifted to getting people with serious health risks out of detention. Detained cases usually complete much more quickly. The average detained case length in the last year we have data for, 2018, was 40 days, and the average detention stay for all ICE detainees last year was 34 days. Most detained cases will be over before next year or LAJF will get them out of detention during a pandemic and we all should be fighting for the right to do that. The "existing cases" restrictions currently in place has already inhibited LAJF organization from accepting referrals of people currently in detention that would be LAJF eligible if not limitation. The amendment is critical to ensuring that LAJF reaches as many people in need as is possible. It does not require the addition of new funds. It just allows grantees to continue doing the work "as is" right now.

Communication from Public

Name: Chelsea Bell
Date Submitted: 08/24/2020 02:55 PM
Council File No: 17-0046-S2
Comments for Public Posting: My name is Chelsea Bell, I use the pronouns she and hers, and I'm a Removal Defense attorney at the Immigrant Defenders Law Center, one of the LA Justice Fund legal service providers. I started at ImmDef in 2018 and have had an almost exclusively LAJF case load since then. I urge you to pass item #26 and continue funding the Los Angeles Justice Fund as one of the most important safety networks that LA City has ever and one of the most important programs the City has protecting its residents during this pandemic. The current incarnation of the Justice Fund motion allows for legal service providers to take new cases while continuing to represent their current LAJF cases. This does not mean an increase in funding and actually the language only gives legal service providers the opportunity to take new cases – not any additional requirement to take new cases or use funds exclusively for new cases, it's purely about the flexibility we need to continue running LAJF as an efficient and impactful program. What this means for me as an LAJF attorney, is that I would actually be able to start taking the calls that I personally receive on a weekly basis from people detained at Adelanto who are desperate for legal representation and eligible for LAJF – I would be able to take their cases instead of continue to put their names on an ever-growing wait list. As everyone before me has explained so well, LAJF is and has been successful. All we are asking is for the original program, which allowed for new cases, to be able to respond to the ever-growing changes in immigration law and with the global pandemic. It's hard to describe quite how important it is for someone in immigration removal proceedings to have legal representation. Only because LAJF had built an infrastructure that was already in place at the time that COVID hit, were we able to respond so quickly and meaningfully to the current pandemic. As my colleagues have already mentioned, being in ICE detention has become a death sentence for some and that is completely unacceptable. This is not news per se, Adelanto has been considered one of the worst ICE detention facilities in the nation for years. Several government agencies have investigated these claims and come to the same conclusion – currently DHS's own internal oversight agency, the Office of the Inspector General, the UN Special Rappetour on Human Rights, and the Environmental Protection Agency are all investigating

ICE and GEO's response to the COVID pandemic at the Adelanto ICE Processing Center. Literally the only way to ensure that LA residents who are detained in Adelanto are safe and not exposed and in turn transmitting COVID, is by getting them out of detention and that is what LAJF has allowed us to do for our current cases and what we would like to do for new cases. Before COVID, I had 9 detained clients but with extensive and consistent legal advocacy, myself and my colleagues have been able to get people out of Adelanto and as a result I only currently have one detained client still. My 8 other clients have been able to return to their families, their jobs, and their communities. It would be truly tragic if LAJF were funded with restrictrictions from taking cases during a global pandemic when it means no change in funding and no change in program requirements. I can't urge you strongly enough to support LAJF and allow it to take new cases as this global pandemic continues to spread and immigration law continues to change in ways we could never have foreseen.

Communication from Public

Name: Kuniko Vroman
Date Submitted: 08/23/2020 09:30 PM
Council File No: 17-0046-S2
Comments for Public Posting: Dear Honorable Committee Members, I am writing to express my full support for, and urge you to approve, item 26 to ensure the continued operation of the Los Angeles Justice Fund (LAJF) for current and new cases in the City of Los Angeles. We urge you to approve this item, including supporting language to ensure flexibility to serve new cases and new families trying to get through this crisis now. The fact is COVID has not stopped this Administration from attacking immigrant families. And it is painfully clear that ICE is failing to keep immigrant families safe from COVID 19 in California detention centers. It's time to pass the amendment and expand eligibility to include both current and new cases. We must allow LAJF to address the current COVID 19 crisis by helping families going through uncertainty right now. We need to allow (but not require) LAJF lawyers who have capacity to take on additional cases to do so with the bridge funding for this next year. We think this is critical to ensuring that LAJF reaches as many people in need as is possible in this time of crisis. It does not require the addition of new funds. It just allows lawyers to do the address our current reality. By giving legal service providers (LSPs) the flexibility to be responsive, the City will address a critical need that has been heightened by the pandemic. LAJF will get folks out of detention during a pandemic and we all should be fighting for the right to do that. With nearly 3.5 million immigrants living in Los Angeles and growing numbers of COVID 19 positive cases in California detention centers, including the Adelanto Detention Center where most LA residents are transferred to, it is imperative that the Los Angeles City Council approved funding today with no restrictions on taking on new cases. Among the many challenges that the immigrant community faces today as a result of the COVID 19, it is clear that the risk of being forced to remain in inhumane and medically unsafe detention centers has not ended but increased. Detention centers such as Adelanto are denying sanitary conditions and medical assistance to immigrants in facilities with COVID 19 positive cases. As COVID-19 rages on, City Council should not and must not deny legal representation to new cases. The Trump Administration has built an expanded deportation machine, as well as a culture of hate and racism in our community, that will last long after (and if) Trump is someday

gone. We need the city to take action now. Since 2017, Immigration and Customs Enforcement (ICE) has continued removal operations in Los Angeles. Unlike criminal proceedings, individuals in the immigration system are not provided court-appointed counsel to assist and represent them in their case. In Los Angeles County approximately 68% of detained individuals and 26% of non-detained individuals lacked legal counsel. Evidently detained and released immigrants in Los Angeles who had legal counsel were five times more likely to win their case than those without legal representation. Among non-detained immigrants who had access to legal representation were four times more likely to win their case than those who were unrepresented. It is important to note that the LAJF has been critical in responding and spearheading efforts to mitigate the draconian and inhumane policies of the Trump Administration. LAJF attorneys and advocates have provided and can continue to provide support and respite, as they are on the ground, in detention centers, and in immigration courts tracking cases, seeing the changing policies, and developing real-time solutions that can be best-practice models for others facing similar circumstances. Both the CLA and the independent evaluation team, VERA, report that not only has LAJF met expectations, but also exceeded them AND that there still remains a critical need for this program to protect immigrant Angelenos. We need the LAJF renewed at its full level of $1 million to ensure a just recovery for all Angelenos and to counter this administration's cruel detention and deportation machine. Today, in the middle of a pandemic, LAJF attorneys continue doing the work. Despite our call to the federal government to free all individuals from detention that has not been the case. In complete opposite, detention centers like Adelanto are still considering expanding their number of beds. As a result, we write to respectfully urge your support for the funding allocated for the LAJF to ensure the protection of non-citizen Angelenos caught in the deportation machine. We cannot stand by and watch our neighbors and families torn apart when we know that we have the ability to do something to protect them. Thank you.

Communication from Public

Name:	kate ryan
Date Submitted:	08/23/2020 11:59 PM
Council File No:	17-0046-S2
Comments for Public Posting:	I am writing to express my full support for, and urge you to approve, item 26 to ensure the continued operation of the Los Angeles Justice Fund (LAJF) for current and new cases in the City of Los Angeles. We urge you to approve this item, including supporting language to ensure flexibility to serve new cases and new families trying to get through this crisis now. The fact is COVID has not stopped this Administration from attacking immigrant families. And it is painfully clear that ICE is failing to keep immigrant families safe from COVID 19 in California detention centers.

Communication from Public

Name:	Rose
Date Submitted:	08/24/2020 07:35 AM
Council File No:	17-0046-S2
Comments for Public Posting:	I am a Los Angeles constituent and urge the passage of Gil Cedillo's Los Angeles Justice Fund amendment allowing the funding of new cases as well. I strongly urge for the support of the amendment--which a) does not require legal service providers to take on new cases, but just gives them the flexibility to do so if they have the capacity; b) does not involve a long-term financial commitment, but just keeps the program going as is for another year; c) critically, allows these amazing attorneys to keep working on getting detainees released from Adelanto on medical grounds. Los Angeles needs to continue support our immigrant community through the LAJF, which has proven its value!

Communication from Public

Name:	Amelia Gray
Date Submitted:	08/24/2020 08:02 AM
Council File No:	17-0046-S2
Comments for Public Posting:	In terms of the amendment, I wanted to comment just three things: 1. LAJF attorneys have had great success in getting clients released from Adelanto for medical and other reasons. In the middle of a pandemic, and given the very poor health conditions at Adelanto and other detention centers, this can be a matter of life and death. 2. The amendment does not require legal service providers to take on new clients--it only gives them the flexibility to do so if they have the capacity. In its allocation to the LAJF, the County of LA has already included this flexibility--the City of LA needs to follow suit. 3. The amendment does not commit the City of LA to future funding--it only allows the program to continue "as is" until next year, when the City and County can develop a long-term plan for the program. Thank you!

Communication from Public

Name: Scott Doyle
Date Submitted: 08/24/2020 08:41 AM
Council File No: 17-0046-S2
Comments for Public Posting: I am writing to urge the Committee to approve the full $1 million for the life-saving work of the LA Justice Fund, without delay, and also approve the amendment allowing legal service providers to take on new clients when they feel they have the capacity to do so. Since the LA Justice Fund first began issuing progress reports, there has been concern amongst Councilmembers and others about the high rate of unresolved cases. I realize that, as public officials, you want to see public money spent well, and it is natural to turn to numbers as a measure of a program's effectiveness. A misunderstanding about the life cycle of deportation cases unfortunately led the CLA to introduce language in the initial report recommending that funding be restricted to existing cases. This was based on the assumption that taking on new cases would dilute efforts and lead to further delays in resolving existing cases. What was not understood at the time was that, after an attorney has won a client's release from detention (which is often the initial focus in such a case), it may be months or even years before the actual deportation case is heard in immigration court--and that time will only increase under the pandemic. So paradoxically, that initial victory (which is significant and should be celebrated) actually delays the final resolution of the case. In the meantime, there is little the attorney can do to advance the case. Legal service providers should have the flexibility to take on new cases if they feel they have the capacity. Again, under a pandemic and given the atrocious conditions at Adelanto, this initial intervention of an attorney can be a matter of life and death. The City of Los Angeles should not contribute to people being turned away as such a moment. I participated in a meeting earlier this year involving the CLA, LAJF service providers, and CM Cedillo's staff. I believe the CLA now has a better appreciation for the stop-and-start nature of deportation cases, and how long it takes them to run their course. As does CM Cedillo, which is why he introduced that amendment. I have also had the chance to get to know some of the attorneys involved. It is not an exaggeration to say they are doing heroic work. The City should be thankful for that work and celebrate it--and trust in the professionalism of the legal service providers. They are not going to take on new cases if it in any way compromises their work on existing cases. To hamstring them in

the midst of a global health crisis and compel them to turn down new referrals is unacceptable.

Communication from Public

Name:	Mariana Magana
Date Submitted:	08/24/2020 09:13 AM
Council File No:	17-0046-S2
Comments for Public Posting:	Please view letter attached.

CHIRLA
Coalition for Humane Immigrant Rights

2533 W. Third Street, Suite 101
Los Angeles, California 90057
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www.chirla.org

August 24, 2020

Budget and Finance Committee
200 N Spring Street
Los Angeles, CA, 90012

RE: Council File 17-0046-S2
Los Angeles Justice Fund / Status / Evaluation / Immigration / Legal Representation / California Community Foundation (CCF)

Dear Chairman Krekorian,

On behalf of the Coalition for Humane Immigrant Rights (CHIRLA), I am writing to express our **full support** for Council File 17-0046-S2, to ensure the continued operation of the Los Angeles Justice Fund (LAJF). We urge you to support this item, including the amendments introduced by Councilmember Cedillo to increase flexibility to serve all eligible cases, current and new, and ensure greater efficiency to maximize the benefit to our immigrant communities.

Founded in 1986 CHIRLA is a California leader, with national impact, made up of diverse immigrant families and individuals who act as agents of social change to achieve a world with freedom of mobility, full human rights, and true participatory democracy, fully inclusive of refugees and immigrants. CHIRLA prides itself in its work to serve the immigrant community through civic engagement, community education, organizing, the provision of legal immigration services, and advocacy at the forefronts of local, state, and federal government.

CHIRLA
Coalition for Humane Immigrant Rights

With nearly 3.5 million immigrants living in Los Angeles and growing numbers of COVID 19 positive cases in California detention centers, including the Adelanto Detention Center where most LA residents are transferred to, it is imperative that the Los Angeles City Council approved funding today with no restrictions on taking on new cases.

This requested amendment is simply to provide legal service providers with the *flexibility* to be responsive to the ongoing critical need that has been heightened by the pandemic, as a lot of the LAJF work has shifted to getting people with serious health risks out of detention. This amendment to expand eligibility to both current and new cases, would allow (but not require) LAJF providers the flexibility to take on additional cases with the bridge funding for this next year. It does not require the addition of new funds. It just allows us to continue doing the work "as is" right now. In the middle of a pandemic, and with the Trump Administration continuing its assault on the rights of immigrants, refugees, and asylum seekers, sticking to this restriction is unacceptable. Therefore, we urge the committee to approve the presented language to truly serve the best interest of the immigrant community.

Since 2017, Immigration and Customs Enforcement (ICE) has continued removal operations in Los Angeles. Unlike criminal proceedings, individuals in the immigration system are not provided court-appointed counsel to assist and represent them in their case. In Los Angeles County approximately 68% of detained individuals and 26% of non-detained individuals lacked legal counsel. Evidently detained and released immigrants in Los Angeles who had legal counsel were five times more likely to win their case than those without legal representation. Among non-detained immigrants who had access to legal representation were four times more likely to win their case than those who were unrepresented.

CHIRLA
Coalition for Humane Immigrant Rights

It is important to note that the LAJF has been critical in responding and spearheading efforts to mitigate the draconian and inhumane policies of the Trump Administration. LAJF attorneys and advocates have provided and can continue to provide support and respite, as they are on the ground, in detention centers, and in immigration courts tracking cases, seeing the changing policies, and developing real-time solutions that can be best-practice models for others facing similar circumstances. **Both the CAO and the independent evaluation team, VERA, report that not only has LAJF met expectations, but also exceeded them AND that there still remains a critical need for this program to protect immigrant Angelenos. We need the LAJF renewed at its full level of $1 million to ensure a just recovery for all Angelenos and to counter this administration's cruel detention and deportation machine.**

Today, in the middle of a pandemic, LAJF attorneys continue doing the work. Despite our call to the federal government to free all individuals from detention that has not been the case. In complete opposite, detention centers like Adelanto are still considering expanding their number of beds. As a result, we write to respectfully urge your support for the funding allocated for the LAJF to ensure the protection of non-citizen Angelenos caught in the deportation machine. **We cannot stand by and watch our neighbors and families torn apart when we know that we have the ability to do something to protect them.**

Respectfully,

Mariana Magana
CHIRLA Policy Advocate

Joseph Villela
CHIRLA Policy and Advocacy Director

Communication from Public

Name: Daniel Gaines
Date Submitted: 08/24/2020 12:55 PM
Council File No: 17-0046-S2
Comments for Public Posting: Dear Honorable Committee Members, On behalf of Homeless Health Care Los Angeles, I, Daniel Gaines, am writing to express my full support for, and urge you to approve, item 26 to ensure the continued operation of the Los Angeles Justice Fund (LAJF) for current and new cases in the City of Los Angeles. We urge you to approve this item, including supporting language to ensure flexibility to serve new cases and new families trying to get through this crisis now. The fact is COVID has not stopped this Administration from attacking immigrant families. And it is painfully clear that ICE is failing to keep immigrant families safe from COVID 19 in California detention centers. It's time to pass the amendment and expand eligibility to include both current and new cases. This is about the immediate need! We must allow LAJF to address the current COVID 19 crisis by helping families going through uncertainty right now. We need to allow (but not require) LAJF lawyers who have capacity to take on additional cases to do so with the bridge funding for this next year. We think this is critical to ensuring that LAJF reaches as many people in need as is possible in this time of crisis. It does not require the addition of new funds. It just allows lawyers to do the address our current reality, especially during this pandemic. By giving legal service providers (LSPs) the flexibility to be responsive, the City will address a critical need that has been heightened by the pandemic. LAJF will get folks out of detention during a pandemic and we all should be fighting for the right to do that. As an organization we serve many undocumented immigrants and are advocating for their ability to remain here with their families. With nearly 3.5 million immigrants living in Los Angeles and growing numbers of COVID 19 positive cases in California detention centers, including the Adelanto Detention Center where most LA residents are transferred to, it is imperative that the Los Angeles City Council approved funding today with no restrictions on taking on new cases. Among the many challenges that the immigrant community faces today as a result of the COVID 19, it is clear that the risk of being forced to remain in inhumane and medically unsafe detention centers has not ended but increased. Detention centers such as Adelanto are denying sanitary conditions and medical assistance to immigrants in facilities with COVID 19 positive cases. As COVID-19 rages on, City Council

should not and must not deny legal representation to new cases. The Trump Administration has built an expanded deportation machine, as well as a culture of hate and racism in our community, that will last long after (and if) Trump is someday gone. We need the city to take action now. Since 2017, Immigration and Customs Enforcement (ICE) has continued removal operations in Los Angeles. Unlike criminal proceedings, individuals in the immigration system are not provided court-appointed counsel to assist and represent them in their case. In Los Angeles County approximately 68% of detained individuals and 26% of non-detained individuals lacked legal counsel. Evidently detained and released immigrants in Los Angeles who had legal counsel were five times more likely to win their case than those without legal representation. Among non-detained immigrants who had access to legal representation were four times more likely to win their case than those who were unrepresented. It is important to note that the LAJF has been critical in responding and spearheading efforts to mitigate the draconian and inhumane policies of the Trump Administration. LAJF attorneys and advocates have provided and can continue to provide support and respite, as they are on the ground, in detention centers, and in immigration courts tracking cases, seeing the changing policies, and developing real-time solutions that can be best-practice models for others facing similar circumstances. Both the CLA and the independent evaluation team, VERA, report that not only has LAJF met expectations, but also exceeded them AND that there still remains a critical need for this program to protect immigrant Angelenos. We need the LAJF renewed at its full level of $1 million to ensure a just recovery for all Angelenos and to counter this administration's cruel detention and deportation machine. Today, in the middle of a pandemic, LAJF attorneys continue doing the work. Despite our call to the federal government to free all individuals from detention that has not been the case. In complete opposite, detention centers like Adelanto are still considering expanding their number of beds. As a result, we write to respectfully urge your support for the funding allocated for the LAJF to ensure the protection of non-citizen Angelenos caught in the deportation machine. We cannot stand by and watch our neighbors and families torn apart when we know that we have the ability to do something to protect them. Thank you.

Communication from Public

Name: tami takezawa
Date Submitted: 08/24/2020 01:02 PM
Council File No: 17-0046-S2
Comments for Public Posting: Dear Honorable Committee Members, I am writing to express my full support for, and urge you to approve, item 26 to ensure the continued operation of the Los Angeles Justice Fund (LAJF) for current and new cases in the City of Los Angeles. We urge you to approve this item, including supporting language to ensure flexibility to serve new cases and new families trying to get through this crisis now. The fact is COVID has not stopped this Administration from attacking immigrant families. And it is painfully clear that ICE is failing to keep immigrant families safe from COVID 19 in California detention centers. It's time to pass the amendment and expand eligibility to include both current and new cases. This is about the immediate need! We must allow LAJF to address the current COVID 19 crisis by helping families going through uncertainty right now. We need to allow (but not require) LAJF lawyers who have capacity to take on additional cases to do so with the bridge funding for this next year. We think this is critical to ensuring that LAJF reaches as many people in need as is possible in this time of crisis. It does not require the addition of new funds. It just allows lawyers to do the address our current reality, especially during this pandemic. By giving legal service providers (LSPs) the flexibility to be responsive, the City will address a critical need that has been heightened by the pandemic. LAJF will get folks out of detention during a pandemic and we all should be fighting for the right to do that. With nearly 3.5 million immigrants living in Los Angeles and growing numbers of COVID 19 positive cases in California detention centers, including the Adelanto Detention Center where most LA residents are transferred to, it is imperative that the Los Angeles City Council approved funding today with no restrictions on taking on new cases. Among the many challenges that the immigrant community faces today as a result of the COVID 19, it is clear that the risk of being forced to remain in inhumane and medically unsafe detention centers has not ended but increased. Detention centers such as Adelanto are denying sanitary conditions and medical assistance to immigrants in facilities with COVID 19 positive cases. As COVID-19 rages on, City Council should not and must not deny legal representation to new cases. The Trump Administration has built an expanded deportation machine, as well as a culture of hate and racism in our

community, that will last long after (and if) Trump is someday gone. We need the city to take action now. Since 2017, Immigration and Customs Enforcement (ICE) has continued removal operations in Los Angeles. Unlike criminal proceedings, individuals in the immigration system are not provided court-appointed counsel to assist and represent them in their case. In Los Angeles County approximately 68% of detained individuals and 26% of non-detained individuals lacked legal counsel. Evidently detained and released immigrants in Los Angeles who had legal counsel were five times more likely to win their case than those without legal representation. Among non-detained immigrants who had access to legal representation were four times more likely to win their case than those who were unrepresented. It is important to note that the LAJF has been critical in responding and spearheading efforts to mitigate the draconian and inhumane policies of the Trump Administration. LAJF attorneys and advocates have provided and can continue to provide support and respite, as they are on the ground, in detention centers, and in immigration courts tracking cases, seeing the changing policies, and developing real-time solutions that can be best-practice models for others facing similar circumstances. Both the CLA and the independent evaluation team, VERA, report that not only has LAJF met expectations, but also exceeded them AND that there still remains a critical need for this program to protect immigrant Angelenos. We need the LAJF renewed at its full level of $1 million to ensure a just recovery for all Angelenos and to counter this administration's cruel detention and deportation machine. Today, in the middle of a pandemic, LAJF attorneys continue doing the work. Despite our call to the federal government to free all individuals from detention that has not been the case. In complete opposite, detention centers like Adelanto are still considering expanding their number of beds. As a result, we write to respectfully urge your support for the funding allocated for the LAJF to ensure the protection of non-citizen Angelenos caught in the deportation machine. We cannot stand by and watch our neighbors and families torn apart when we know that we have the ability to do something to protect them. Thank you.

Communication from Public

Name:	Frank Colaruotolo
Date Submitted:	08/24/2020 01:07 PM
Council File No:	17-0046-S2
Comments for Public Posting:	Dear Council Members: LAJF attorneys have had great success in getting clients released from Adelanto for medical and other reasons. In the middle of a pandemic, and given the very poor health conditions at Adelanto and other detention centers, this can be a matter of life and death. The amendment does not require legal service providers to take on new clients--it only gives them the flexibility to do so if they have the capacity. In its allocation to the LAJF, the County of LA has already included this flexibility--the City of LA needs to follow suit. The amendment does not commit the City of LA to future funding--it only allows the program to continue "as is" until next year, when the City and County can develop a long-term plan for the program. Thank you for your consideration.

Communication from Public

Name: Jess Winfield
Date Submitted: 08/24/2020 01:15 PM
Council File No: 17-0046-S2
Comments for Public Posting: On behalf of the Jewish Coalition Assisting Immigrants and Refugees -- Los Angeles (JCARI-LA) I urge you emphatically to renew funding for the LA Justice Fund, item 26 on today's agenda. Statistically, having a lawyer is the most important determining factor in immigrants' successfully navigating our arcane and ever-changing system. At a time when the current administration is attempting to use COVID as an excuse to change rules in an effort to essentially abolish our asylum system altogether, it's more important than ever that asylees, detainees and refugees have access to legal counsel. Our immigrant community, documented and undocumented, is on the front lines during this crisis, harvesting our fields, preparing our food, sanitizing our buildings, and acting as the integral part of our community they have always been. During this time of racial awareness, it's essential that immigrants of color especially have access to legal aid in protecting themselves from a system that is rigged against them. The LAJF has been critical in responding and spearheading efforts to mitigate the draconian and inhumane policies of the Trump Administration. LAJF attorneys and advocates have provided and can continue to provide support and respite, as they are on the ground, in detention centers, and in immigration courts tracking cases, seeing the changing policies, and developing real-time solutions that can be best-practice models for others facing similar circumstances. With nearly 3.5 million immigrants living in Los Angeles and growing numbers of COVID 19 positive cases in California detention centers, including the Adelanto Detention Center where most LA residents are transferred to, it is imperative that the Committee and Council approve funding today with NO RESTRICTION on taking on new cases. Please renews LAJF for one year at the full funding amount of $1 million, and includes amendment language to remove restrictions that this only be applied to existing cases. We cannot pick & choose whom we need to help and, therefore, we need a LAJF that works for everyone -- both current and new cases. Thank you for your consideration on this pressing moral issue. If we are indeed "Better Than This," let's prove it. Sincerely, Jess Winfield Co-Chair Jewish Coalition Assisting Refugees and Immigrants - Los Angeles (JCARI-LA)

Communication from Public

Name: Gina Viola
Date Submitted: 08/24/2020 01:45 PM
Council File No: 17-0046-S2
Comments for Public Posting: Dear Honorable Committee Members, On behalf of HealthyLA I am writing to express my full support for, and urge you to approve, item 26 to ensure the continued operation of the Los Angeles Justice Fund (LAJF) for current and new cases in the City of Los Angeles. We urge you to approve this item, including supporting language to ensure flexibility to serve new cases and new families trying to get through this crisis now. The fact is COVID has not stopped this Administration from attacking immigrant families. And it is painfully clear that ICE is failing to keep immigrant families safe from COVID 19 in California detention centers. It's time to pass the amendment and expand eligibility to include both current and new cases. This is about the immediate need! We must allow LAJF to address the current COVID 19 crisis by helping families going through uncertainty right now. We need to allow (but not require) LAJF lawyers who have capacity to take on additional cases to do so with the bridge funding for this next year. We think this is critical to ensuring that LAJF reaches as many people in need as is possible in this time of crisis. It does not require the addition of new funds. It just allows lawyers to do the address our current reality, especially during this pandemic. By giving legal service providers (LSPs) the flexibility to be responsive, the City will address a critical need that has been heightened by the pandemic. LAJF will get folks out of detention during a pandemic and we all should be fighting for the right to do that. With nearly 3.5 million immigrants living in Los Angeles and growing numbers of COVID 19 positive cases in California detention centers, including the Adelanto Detention Center where most LA residents are transferred to, it is imperative that the Los Angeles City Council approved funding today with no restrictions on taking on new cases. Among the many challenges that the immigrant community faces today as a result of the COVID 19, it is clear that the risk of being forced to remain in inhumane and medically unsafe detention centers has not ended but increased. Detention centers such as Adelanto are denying sanitary conditions and medical assistance to immigrants in facilities with COVID 19 positive cases. As COVID-19 rages on, City Council should not and must not deny legal representation to new cases. The Trump Administration has built an expanded deportation machine, as well as a culture of hate and racism in our

community, that will last long after (and if) Trump is someday gone. We need the city to take action now. Since 2017, Immigration and Customs Enforcement (ICE) has continued removal operations in Los Angeles. Unlike criminal proceedings, individuals in the immigration system are not provided court-appointed counsel to assist and represent them in their case. In Los Angeles County approximately 68% of detained individuals and 26% of non-detained individuals lacked legal counsel. Evidently detained and released immigrants in Los Angeles who had legal counsel were five times more likely to win their case than those without legal representation. Among non-detained immigrants who had access to legal representation were four times more likely to win their case than those who were unrepresented. It is important to note that the LAJF has been critical in responding and spearheading efforts to mitigate the draconian and inhumane policies of the Trump Administration. LAJF attorneys and advocates have provided and can continue to provide support and respite, as they are on the ground, in detention centers, and in immigration courts tracking cases, seeing the changing policies, and developing real-time solutions that can be best-practice models for others facing similar circumstances. Both the CLA and the independent evaluation team, VERA, report that not only has LAJF met expectations, but also exceeded them AND that there still remains a critical need for this program to protect immigrant Angelenos. We need the LAJF renewed at its full level of $1 million to ensure a just recovery for all Angelenos and to counter this administration's cruel detention and deportation machine. Today, in the middle of a pandemic, LAJF attorneys continue doing the work. Despite our call to the federal government to free all individuals from detention that has not been the case. In complete opposite, detention centers like Adelanto are still considering expanding their number of beds. As a result, we write to respectfully urge your support for the funding allocated for the LAJF to ensure the protection of non-citizen Angelenos caught in the deportation machine. We cannot stand by and watch our neighbors and families torn apart when we know that we have the ability to do something to protect them. Thank you.

Communication from Public

Name: Rabeya Sen
Date Submitted: 08/24/2020 02:00 PM
Council File No: 17-0046-S2
Comments for Public Posting: Dear Honorable Budget and Finance Committee Members of the LA City Council, On behalf of Esperanza Community Housing Corporation (Esperanza), I am writing to express my full support for, and urge you to approve, item 26 to ensure the continued operation of the Los Angeles Justice Fund (LAJF) for current and new cases in the City of Los Angeles. We urge you to approve this item, including supporting language to ensure flexibility to serve new cases and new families trying to get through this crisis now. The fact is COVID has not stopped this Administration from attacking immigrant families. And, it is painfully clear that ICE is failing to keep immigrant families safe from COVID 19 in California detention centers. It is time to pass the amendment and expand eligibility to include both current and new cases. This is about the immediate need! We must allow LAJF to address the current COVID 19 crisis by helping families going through uncertainty right now. We need to allow (but not require) LAJF lawyers who have capacity to take on additional cases to do so with the bridge funding for this next year. We think this is critical to ensuring that LAJF reaches as many people in need as is possible in this time of crisis. It does not require the addition of new funds. It just allows lawyers to do the address our current reality, especially during this pandemic. By giving legal service providers (LSPs) the flexibility to be responsive, the City will address a critical need that has been heightened by the pandemic. LAJF will get folks out of detention during a pandemic and we all should be fighting for the right to do that. With nearly 3.5 million immigrants living in Los Angeles and growing numbers of COVID 19 positive cases in California detention centers, including the Adelanto Detention Center where most LA residents are transferred to, it is imperative that the Los Angeles City Council approved funding today with no restrictions on taking on new cases. Among the many challenges that the immigrant community faces today as a result of the COVID 19, it is clear that the risk of being forced to remain in inhumane and medically unsafe detention centers has not ended but increased. Detention centers such as Adelanto are denying sanitary conditions and medical assistance to immigrants in facilities with COVID 19 positive cases. As COVID-19 rages on, City Council should not and must not deny legal representation to new cases. The Trump

Administration has built an expanded deportation machine, as well as a culture of hate and racism in our community, that will last long after (and if) Trump is someday gone. We need the city to take action now. Since 2017, Immigration and Customs Enforcement (ICE) has continued removal operations in Los Angeles. Unlike criminal proceedings, individuals in the immigration system are not provided court-appointed counsel to assist and represent them in their case. In Los Angeles County approximately 68% of detained individuals and 26% of non-detained individuals lacked legal counsel. Evidently detained and released immigrants in Los Angeles who had legal counsel were five times more likely to win their case than those without legal representation. Among non-detained immigrants who had access to legal representation were four times more likely to win their case than those who were unrepresented. It is important to note that the LAJF has been critical in responding and spearheading efforts to mitigate the draconian and inhumane policies of the Trump Administration. LAJF attorneys and advocates have provided and can continue to provide support and respite, as they are on the ground, in detention centers, and in immigration courts tracking cases, seeing the changing policies, and developing real-time solutions that can be best-practice models for others facing similar circumstances. Both the CLA and the independent evaluation team, VERA, report that not only has LAJF met expectations, but also exceeded them AND that there still remains a critical need for this program to protect immigrant Angelenos. We need the LAJF renewed at its full level of $1 million to ensure a just recovery for all Angelenos and to counter this administration's cruel detention and deportation machine. Today, in the middle of a pandemic, LAJF attorneys continue doing the work. Despite our call to the federal government to free all individuals from detention that has not been the case. In complete opposite, detention centers like Adelanto are still considering expanding their number of beds. As a result, we write to respectfully urge your support for the funding allocated for the LAJF to ensure the protection of non-citizen Angelenos caught in the deportation machine. We cannot stand by and watch our neighbors and families torn apart when we know that we have the ability to do something to protect them. Thank you, Rabeya