


REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: March 30, 2017

TO: Honorable Members of the Ad Hoc Committee on Immigrant Affairs

FROM: Sharon M. Tso 
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Council File No: 16-1321
Assignment No. 17-02-0139

SUBJECT: Free Legal Assistance to Qualified Constituents on Immigration Matters

SUMMARY

On January 25, 2017, your Committee instructed us to report on Motion (O'Farrell/Huizar-Wesson-Ryu-Price) (CF: 16-1321) which asked for recommendations and strategies to provide free legal assistance to qualified constituents on immigration matters, which also includes coordinating the services of outside legal counsel on a pro-bono basis, an outreach and advocacy strategy to reach communities of need, and the feasibility of using City-owned facilities to provide the legal assistance. The Motion also requested that the Los Angeles Unified School District (LAUSD) make a presentation on the current practices with regard to immigration assistance and recommendations for collaboration with the City on immigrant affairs.

CLA RECOMMENDATION:

That this matter be consolidated with the Council's action of February 18, 2017 (CF 17-0046) relative to the creation of a Los Angeles Justice Fund for the provision of legal services to immigrants facing deportation or removal proceedings, inasmuch as the goal of both files is to provide immigration assistance to qualified City constituents.

BACKGROUND

Since the introduction of the Motion, the City has increased its attention to immigrant policy matters. Council created the Ad Hoc Committee on Immigrant Affairs to address citywide concerns, which includes pending policy proposals under consideration on federal and state legislation and the expansion of services for the immigrant community. Various non-profit organizations and agencies have collaborated with the City to provide general immigration services as well as legal assistance for those in need. The City has adopted policies and provided resources for a number of immigrant services programs, and the Council has requested reports on new ideas and programs for it to consider and deliberate. In developing policies to assist immigrant constituents, the City has funded outreach and education programs through City departments, Office of the Mayor, and individual Council Districts to support and provide assistance where needed. The current efforts include developing programs that inform

immigrants about their constitutional rights, provide English classes, and assist in navigating the naturalization process.

CURRENT CITY EFFORTS TO PROVIDE SERVICE ASSISTANCE

The City provides immigrant services citywide through various entities including the Mayor's Office of Immigrant Affairs (MOIA), the Housing and Community Investment Department, the Los Angeles Public Library system and individual Council offices. Below is a description of some of these services:

- The MOIA coordinates a number of public forums with the Mayor, immigrant community advocates, and concerned residents to discuss broad policy solutions. The MOIA developed the WWW.STEPFORWARD.LACITY.ORG as a website resource to support immigrant integration into the City of Los Angeles. In coordination with a number of non-profit immigration service providers, such as CHIRLA, Clinica Romero, National Immigration Law Center and Para Los Ninos, the MOIA provides free "Know Your Rights" workshops and legal clinics.
- The Housing and Community Investment Department utilizes a placed-based model to deliver services through Family Source Centers (FSC) as a primary delivery point. There are 16 FSCs in the City of Los Angeles and in 2015 through a competitive process, nonprofit partners were required to include services for citizenship assistance, knowledge of the Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) and the Deferred Action for Childhood Arrivals (DACA) federal regulations, and ESL classes as part of the program design. The services were designed to promote a track to citizenship with the expertise of a number of non-profit organizations. Referrals are offered for serious legal matters.
- The Los Angeles Public Library is the only library system in the United States to have acquired specialized training for city staff and be certified by the U.S. Department of Justice to provide immigration information services in municipal locations. The immigration assistance can be accessed at any of the City's 73 libraries. The available resources include:
 - Personnel trained in naturalization process and the use of federal immigration resources
 - Citizenship Corners are designated spaces in Libraries with materials on citizenship
 - A list of trusted local service providers as referrals
 - Programs on-site providing English language classes, preparation for naturalization exams, and application assistance.

In addition to these current activities, the City is considering adopting a new policy to participate in a statewide program that would make legal services more accessible to immigrants.

LOS ANGELES JUSTICE FUND

On February 18, 2017, the Council adopted Motion (Cedillo-Price), Council File 17-0046, which requests the CAO and City Attorney to identify and report on the creation of a Los Angeles Justice Fund (LJF) and to recommend a source for a \$2M contribution. A separate report is being prepared for Council's consideration of this matter. The Motion seeks for the City of Los Angeles to provide legal services to immigrants facing deportation or removal proceedings, as a partner in a statewide collaborative effort with philanthropists, immigration legal service advocates, and municipal governments to promote due process by increasing access to legal representation and counsel to individuals and families dealing with removal proceedings. Through a partnership agreement with the California Community Foundation (CCF) and other entities the City would provide funding to the LJF that would be used to hire more legal counsel for immigrants at risk of deportation or removal proceedings.

PRIOR CONTRACTS

The City has funded many public interest assistance programs that provide general services to seniors, tenants, and immigrants. In addition, the Council has solicited request for proposals seeking specifically to provide immigrant legal services, immigrant language classes, citizenship attainment, and workshops on immigrant constitutional rights through third-party providers and agreements. The majority of the solicited contracts are issued through the former Community Development Department as well as through Mayor's office and Council Districts. The primary funding source was the Community Development Block Grant.

Below are a few examples of previous City contract agreements regarding immigration services:

- In 1979, the City entered into a contract with the One Stop Immigration & Education Center, Inc. through the Community Development Department that provided educational services and legal assistance for low-income immigrants of the community (Contract Nos. C-51199; C-100348; and C-54110).
- In 1994, the City entered into a contract with the Catholic Charities of Los Angeles, Inc. that allowed them to provide food, clothing, and shelter and immigration services (Contract No. C-88921).
- In 2003, El Rescate received assistance to provide computer literacy education, immigration permit renewal help, free legal representation in release from detention, and the provision of improved resident access to legal services (Contract No. C-104766).
- In 2003, the City entered into an agreement with Community Centers, Inc. to provide translation assistance, help with immigration forms, and ESL classes to newly arrived Americans (Contract No. C-104687).

LOCAL AGENCIES PROVIDING IMMIGRANT LEGAL SERVICES

Many of those in the immigrant community rely on the public interest advocacy and legal community to assist them in navigating the immigration process. A sample of legal service providers include:

- Central American Resource Center (CARECEN) is a non-profit organization that offers low-cost immigration legal services, community education programs, and policy

advocacy to achieve fair and more inclusive immigration, education, and labor laws in Los Angeles.

- Public Counsel, founded in 1970, is the nation's largest pro bono law firm. Their Immigrants' Rights Project represents individuals seeking asylum in the United States based on past persecution or a well-founded fear of future persecution based on political opinion, race, religion, or nationality, or member of a particular social group.
- The Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA), founded in 1986, is recognized by the Board of Immigration Appeals (BIA) to provide immigration legal services at a low cost to its members.
- American Civil Liberties Union (ACLU) is a non-profit and non-partisan public interest law firm that litigates cases to the Supreme Court. The ACLU of Southern California works to protect all immigrants from unlawful imprisonment, discrimination and ensure they are afforded their due process rights.
- Asian Americans Advancing Justice Los Angeles is the largest legal and civil rights organization for Asian Americans, Native Hawaiians, and Pacific Islanders. Their Immigration Project assists immigrants nationally and locally who are seeking help with representation in immigration court, an adjustment of status, or with family-based immigration matters.

The above highlighted organizations represent just a small sample of organizations that provide immigration legal assistance in Los Angeles. The fees charged for the services provided by these organizations are discounted for low-income clients, but vary with each organization.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

The Los Angeles Unified School District (LAUSD) has adopted policies to support immigrant students and families. In 2016, LAUSD adopted Resolution 032-15/16, declaring LA Unified Campuses as Safe Zones and Resource Centers. The resolution is a public statement that students of Los Angeles and their families can seek help, assistance and information related to immigration enforcement efforts. Through LAUSD's Office of Student and Family Services, there is an established hotline number for students and families to get referrals and professional help. (LAUSD HOTLINE 866-742-2273, as of December 2016) The opportunity to educate and disseminate accurate information to parents and students is one possible programmatic way the City and the District can collaborate.



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