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**Legal Aid for Los Angeles County Residents Facing Removal**

Recent political developments have brought focus on a legal gap that implicates basic human needs: individuals facing civil removal or detention proceedings in immigration court. As the U.S. Supreme Court has acknowledged, the consequences of removal may be as or more severe than the consequences of a criminal conviction—loss of home, loss of livelihood, permanent separation from family and community, and, for those who have fled persecution or torture, potentially life-or-death consequences. One study identified 83 people deported from the United States to Central America between January 2014 and October 2015 who were subsequently murdered.

The detention and removal of noncitizens can also have devastating consequences on families left behind. Removal often means the loss of a family’s breadwinner. On average, immigration detention or removal causes household income to drop to half of what it was prior to the immigration arrest. Citizen family members may go hungry or struggle to remain in their homes.

Los Angeles County employers also bear a significant burden, since businesses bear the costs of losing their workers including the cost of hiring and training replacements. Noncitizens comprise a full 43% of greater Los Angeles’ workforce, where turnover costs are regularly 20% of annual wages for workers earning less than \$50,000 and 16% of annual wages for workers earning less than \$30,000. Immigrant workers contribute about 40% of the Los Angeles region’s GDP, nearly \$300 billion. Undocumented immigrants alone contribute nearly \$57 billion to this GDP.

Lastly, detention and removal proceedings place great financial burdens on the County. For example, detention and removal of California noncitizens in California contributes significantly to the foster care crisis. A 2011 study found that approximately 6% of all children in the foster care systems in Los Angeles and San Diego counties, including over 1,000 children in Los Angeles County alone, were in the system because a parent had been deported. Another report estimates that Los Angeles County and the State of California paid more than \$9.5 million in removal-related foster care costs for Los Angeles residents in foster care as a result of a deported parent.

Despite such grave potential impacts on County individuals, families, businesses, and the public treasury, most immigrants in the Los Angeles area face removal

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proceedings without legal representation. 68% of detained immigrants appear without representation. A June 2016 study focused on the state of California showed that unrepresented detained immigrants succeed only 6% of the time, whereas those who have lawyers succeed more than five times as often.

The state legislature is already preparing to act. State Senator Hueso recently introduced the “Due Process For All Act,” which would, if passed, direct the state to contract directly with qualified nonprofit legal services organizations, or contract with a nonprofit agency to administer funding to nonprofit legal services organization subcontractors, to provide legal services to individuals in removal proceedings who are not otherwise entitled to legal representation under an existing local, state, or federal program. The Act prioritizes representation for detained individuals, but also allows representation for non-detained individuals if funding permits.

Locally, Los Angeles County municipal governments and philanthropies are exploring options for supporting such efforts. Stakeholders at every level of government must pitch in and work together to ensure that Los Angeles County residents are protected. And these men, women, and children will also need support from universities, philanthropies, businesses, and other stakeholders. Though program details must be worked out, Los Angeles County should indicate its financial commitment to participating in these efforts.

Immigrants are part of the fabric of our community. They are our neighbors, friends, parents, colleagues, employees, and employers. We must and will stand with them.

**WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:**

1. Direct the Chief Executive Officer (CEO), in consultation with County Counsel, to collaborate with state and local governments, as well as private stakeholders, to prepare to launch a coordinated initiative to provide representation to Los Angeles County residents currently at risk of removal and who cannot afford an attorney; the initiative should:
  - a. Have as its primary mission to ensure that Los Angeles County communities and families are not devastated and torn apart by aggressive immigration enforcement without access to due process through legal representation;
  - b. Operate via contracts with one or more nonprofit legal services providers or with a nonprofit agency to administer funding to nonprofit legal services organization subcontractors or other classes of providers that might be authorized by the state through enactment of the Due Process for All Act; in determining providers, either through a competitive solicitation or, if necessary due to urgency, a sole source process, priority should be given to providers that have been established for at least 5 years or that have

been or are currently federal or state contractors or subcontractors for immigration representation;

- c. Include an independent evaluation of the program's effectiveness and fiscal and economic impacts, with a report to be provided to the Board of Supervisors within 2 years of the program launch date; and
2. Direct County Counsel to provide an analysis of any legal issues presented and report back in writing; and
3. Direct CEO to identify and set aside \$1 million in the Fiscal Year 2016-2017 budget process to contribute to this effort, and to identify up to \$2 million in the Fiscal Year 2017-18 budget for the same purpose; these funds should only be disbursed if other public and private stakeholders contribute a proportional share, subject to the future determination of the Board.

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