

LOCAL POLICY OPTIONS FOR PROTECTING TEXAN IMMIGRANTS AND FAMILIES



Now more than ever, in today's current anti-immigrant, xenophobic landscape, Texans must take bold leadership action to resist the hate of our State and federal offices. Our localities are now the front line against racism and the path forward for immigrant families toward lives of dignity and prosperity.

With the passing of Senate Bill 4 (SB 4), police, sheriffs, and campus law enforcement are now encouraged by the State to act on behalf of the federal government. In our neighborhoods and even on our college campuses local law enforcement is pushed to ask people, even U.S. citizens, about their immigration status and to facilitate deportations. The current federal and state administrations have emboldened racist agendas and brought political division to an all-time high, all at the cost of Texas immigrant families and people of color's dignity and ability to thrive in the place they call home.

In spite of the limitations that SB 4 seeks to impose, local elected officials in cities and counties across Texas can and should take meaningful steps to buffer these threats to separate and harass immigrant families by creating deeper relationships with immigrant communities and advocates to build community trust and make us all safer.

While advocacy and litigation are powerful tools toward creating change for communities, it is the work of vocal, visible, and organized communities that build the pressure and political will that move policymakers and elected officials to act on behalf of communities.

BACKGROUND: HOW CITIES AND COUNTIES CAN IMPACT DEPORTATIONS

For noncitizens in Texas, contact with law enforcement, already clouded by the brutality and racial profiling experienced by various communities of color, brings with it disproportionately harsh immigration consequences. These consequences can range from prolonged incarceration in both local jail and immigration detention and banishment from the country to denial of future immigration benefits to individuals and their family members. Unlike their citizen counterparts, noncitizens, including lawful permanent residents, receive double punishment for violations of law – first in the criminal legal system and then again in the immigration system.

In light of the federal government's and now the state of Texas' attempts to demonize the immigrant community and deport as many people as possible, it is critical to understand the many ways in which the intersection between the immigrant and criminal legal systems is being used to target immigrants. The federal government significantly relies upon local and state law enforcement agencies to effectuate deportations. Without these partnerships, federal agents are hampered from reaching their deportation numbers. Through SB 4, the Texas legislature recognized the role of local law enforcement in the deportation machine by explicitly relying on local law enforcement agencies to work with immigration authorities.

Because local law enforcement is a key factor in the efficacy of immigration enforcement and these local agencies fall within the power of cities and counties, local officials have the power to intervene and adopt local reforms to protect immigrants from deportations. Specifically, city and county policies and practices can keep immigrants from being targeted by local law enforcement altogether so they remain outside of the criminal legal system, lessening the chances that they are turned over to immigration authorities. These local policies and practices also ensure that immigrants are afforded due process while in the criminal legal system thus improving the outcomes of their criminal cases and giving them an opportunity to effectively defend themselves against deportation if they are arrested by immigration authorities.

While it is important that we demand that cities and counties sue the state over SB 4, we cannot relinquish our local and community power and rely solely on accountability with the courts. The reality is that before SB 4 was passed and even if and when SB 4 is enjoined, Texas led and will continue to lead the country in deportations and heavy handed immigration enforcement tactics. Cities and counties have a direct hand in these deportations. We know that the State, counties, and cities routinely work with immigration authorities, often in violation of immigrants' constitutional rights. Community members need to organize to demand that their cities and counties take action.

Advocates across the country have been successfully fighting back against the deportation system and decreasing deportations by pushing for local reforms. This resource provides policy ideas to mitigate deportations, most of which have been directly taken from the recently published report entitled, *The Promise of Sanctuary Cities and the Need for Criminal Justice Reform in an Era of Mass*

Deportation, by the Fair Punishment Project, Immigrant Defense Project, and the Immigrant Legal Resource Center. Many of the specific Texas policy suggestions for these reforms come from local advocacy efforts in the city of Houston and Harris County by United We Dream and the Immigrant Legal Resource Center -- specifically, with the Welcoming Houston Task Force, the City of Houston Mayor Sylvester Turner Transition Committee on Criminal Justice, the Transition Committee of Harris County Sheriff Ed Gonzalez, and the Transition Committee of Harris County District Attorney Kim Ogg. These are reform ideas that local officials can enact to diminish the criminalization of communities of color, mitigate the impact of SB 4 and existing similar practices and policies already in existence in Texas, keep immigrants out of the deportation pipeline, and preserve the ability of undocumented immigrants to legalize in the future. Advocates should be aware that each locality is different and these policy options will need to be specifically tailored to the locality's laws, policies, and practices.

If you have questions about these reforms or need assistance in tailoring these policy reforms for your locality, please contact the Immigrant Legal Resource Center - Angie Junck, ajunck@ilrc.org or Lena Graber, lgraber@ilrc.org or United We Dream - Frances Valdez, frances@unitedwedream.org.

¹ <http://fairpunishment.org/wp-content/uploads/2017/04/FPP-Sanctuary-Cities-Report-Final.pdf>

² <http://www.houstonimmigration.org/welcoming-houston-task-force-offers-recommendations-immigrant-integration/> and http://www.houstonimmigration.org/wp-content/uploads/2017/04/Welcoming-Houston-Task-Force-Recommendations_FL-NAL_01-18-17.pdf

³ https://www.houstontx.gov/mayor/transitionreports/criminal_justice.pdf

POLICY OPTIONS:

1. Law enforcement agencies should adopt non-biased policing policies and establish data collection procedures on racial profiling.

Black and brown communities are disparately impacted by policing, with many immigrants targeted. When immigrants are targeted by police there is a greater risk that they will enter into the deportation pipeline. Importantly, SB 4 does not legalize racial discrimination, and therefore, it remains a vital duty of Texas law enforcement agencies, including police, Sheriff, constables, and campus law enforcement to make affirmative efforts to stop racial profiling, reduce and address hate crimes, and eliminate bias in the justice system.

POLICY SUGGESTION:

- Pass local laws or policies prohibiting local law enforcement from making pretextual stops.
 - “When conducting any routine or spontaneous investigatory activity, law enforcement shall not rely on race, ethnicity, color, national origin, use of a foreign language, limited English proficiency, gender, gender identity and/or expression, sexual orientation, political affiliation, religion, housing status, physical or mental disability, or serious medical condition as a basis, in whole or in part, for reasonable suspicion or probable cause that a person has committed or is about to commit a crime.” See Vermont State policy at https://www.ilrc.org/sites/default/files/resources/vt_state_policy.pdf
- Conduct anti-bias trainings for police officers.
- Create and implement a community-oriented policing strategy, drawing input from neighborhood groups and from studies on effective implementation of community policing. Expand the community relations department within the police department. See City of Houston Transition Committee on Criminal Justice recommendation pp. 5-7 and Welcoming Houston Task Force Recommendations (January 20, 2017), Recommendation 8.
- Evaluate law enforcement’s ability to effectively respond to and investigate crimes in immigrant neighborhoods. This is to determine if there are any disparities between the responsiveness and investigative success in immigrant compared to non-immigrant neighborhoods. See Welcoming Houston Task Force Recommendations, Recommendation 15.

⁴ https://www.houstontx.gov/mayor/transitionreports/criminal_justice.pdf

⁵ http://www.houstonimmigration.org/wp-content/uploads/2017/04/Welcoming-Houston-Task-Force-Recommendations_FL-NAL_01-18-17.pdf

- Develop protocols for working with Limited-English-Proficient community members.
 - Officers who wish to question a Limited-English-Proficient individual for any reason and are not fluent in a language spoken proficiently by that individual, shall not question that individual until a qualified interpreter is present, except in emergency situations.
 - Maintain a language access hotline to connect police officials in the field, or other city/county officials, with qualified interpreters in a timely manner.
- Establish procedures for data collection in order to monitor for racially biased enforcement.
 - Require officers to record race, ethnicity, and gender of all persons they stop or interrogate, the basis for the stop or questioning, the location, and whether the stop led to an arrest.
 - In any case where an officer inquires into the immigration status of a person, they must record doing so, and provide the person's race, ethnicity, and gender, the basis for the question, arrest charge and location, the stated answer of the person, and whether they informed anyone else of this person's immigration status. This data shall be reported without personally identifying information.
 - Establish a community taskforce made up of the immigrant community and other important stakeholders that monitor the data collected on a monthly basis.
- Adopt written procedures regarding the use of video and/or audio recording devices such as, but not limited to, dashboard cameras, body cameras, and digital audio recorders. Include information about public access and other accountability measures.

2. Localities should exercise prosecutorial and law enforcement discretion in arresting and charging low-level offenses and use pre-arrest and pre-plea diversion programs.

⁶Important information to gather includes:

- i) The date, time and general location of the stop;
- ii) The race or ethnicity, gender, and approximate age of the individual(s) stopped; provided that the identification of these characteristics shall be based on the observation and perception of the police officer making the stop and the information shall not be requested of the person(s) stopped;
- iii) In the law enforcement officer's own words, the reasonable suspicion and/or probable cause giving rise to the stop;
- iv) Whether a search was executed as a result of the stop and the probable cause giving rise to the search;
- v) The scope of any search conducted;
- vi) Whether the search was conducted pursuant to probable cause of and/or reasonable suspicion to suspect a crime;
- vii) Whether any contraband, including money, was seized in the course of the search, and if so, the nature of the contraband;
- viii) Whether any warning or citation was issued as a result of the stop;
- ix) Whether an arrest was made as a result of either the stop or the search;
- x) The approximate duration of the stop; and
- xi) The name and badge number of the officer.

Using local law enforcement resources to target low-level offenders, including the homeless and poor, and those with mental illness or drug or alcohol addiction usually fails to increase public health and safety while exposing communities of color to incarceration and immigrants to deportation. By directing local resources towards the enforcement of these crimes, it becomes increasingly difficult for local law enforcement to address more serious issues in the community.

Localities have the power to de-criminalize behaviors like these. For example, police, constables, and sheriffs can use their discretion under state law to cite and release, meaning that they issue a citation, notify individuals when and where to appear, and then release them. Increasing cite and release for certain offenses not only reduces the number of arrests and decreases over-incarceration in local jails, but it keeps people out of jail and can mitigate a conviction that makes a non-citizen deportable, ineligible for legal status, and/or a higher priority for deportation. Some areas to exercise discretion and which have tremendous impact on communities of color include drug offenses, prostitution, and traffic offenses such as driving without a license.

Local law enforcement can also develop and utilize diversion programs. For these programs, the person stopped by law enforcement usually has to decide at the moment of arrest whether to enter a program. Critically, for a pre-plea diversion program to be effective, it is crucial that prosecutors allow all individuals, regardless of immigration status, to participate and that participants do not have to plead guilty to the offense.

POLICY SUGGESTION:

- Establish a cite and release policy for low-level offenses (all Class C misdemeanor citations, and the Class A and Class B misdemeanors set out in articles 14.06(c) and (d) of the Texas Code of Criminal Procedure), without regard for the person's immigration status. See Houston Transition Committee on Criminal Justice recommendations pp. 8-9.
- Adopt a policy that instead of arresting and incarcerating low-level drug offenders, the police department should generally divert them to the local sobriety center for evaluation and referral to rehabilitation programs. See Houston Transition Committee on Criminal Justice pp. 9-11.
- Travis County has a Mobile Crisis Outreach Team (MCOT), which is a program adopted by the Austin Police Department to identify the least restrictive way to deal with mental health and drug offenses. See: <http://www.integralcare.org/content/mobile-crisis-outreach-team-mcot>.
- Adopt a policy that clearly states law enforcement officers should not arrest individuals for minor traffic violations and/or driving without a license.

- Establish a protocol for police officers to evaluate and accept non-traditional forms of identification, rather than just government-issued IDs, for various purposes including traffic stops and in issuing civil citations.
- Create or expand diversion programs.
 - The Harris County Misdemeanor Marijuana Diversion Program provides that those who are arrested for marijuana possession under four ounces are able stay out of court and jail. Instead, those caught with marijuana will can enter a drug-education class in lieu of a citation or arrest. See: <https://app.dao.hctx>.
 - Law Enforcement Assisted Diversion Program (LEAD), established in 2011, is a program allowing “police officers to divert individuals to community-based programs to address behavioral health needs instead of arresting them.”⁸ See LEAD National Support Bureau at: <http://www.leadbureau.org>
- Ensure that municipal court fine collection practices do not prey on indigent persons by expanding the use of community service, prohibiting the use of jail as a means to collect fines from the poor, and insulating the municipal courts from pressures to collect fines, in part through specific measures. See Houston Transition Committee on Criminal Justice recommendations pp. 11-13.

3. Reform the cash bail system.

The movement to end the cash bail system has gained tremendous momentum over the last few years, with many elected officials including law enforcement officials supporting an end to the system that keeps poor people in jail because they cannot pay. As Harris County Sheriff Ed Gonzalez stated during a hearing on the legality of bail: “When most of the people in my jail are there because they can’t afford to bond out, and when those people are disproportionately black and Hispanic, that’s not a rational system.”⁹ A cash bail system keeps poor people in jails, exposing non-citizens to ICE because of their inability to pay. Cash bail systems require defendants to pay a cash surety as a guarantee that he or she will arrive in court. In most jurisdictions, prosecutors ask the judge to set bail amounts. Many individuals cannot pay the surety amount, and they sit in jail until their case is resolved. This occurs even if the defendant is charged with a minor offense.

POLICY SUGGESTION:

- Prosecutors should adopt a policy of releasing an individual on their own recognizance, and when necessary seek a bail that is not excessively high.

⁷Kim Ogg, Misdemeanor Marijuana Diversion Program, Harris County District Attorney’s Office, Mar. 1, 2017, available at: <https://app.dao.hctx.net/OurOffice/MMDP.aspx>

⁸See LEAD National Support Bureau, available at: <http://www.leadbureau.org>.

⁹<https://www.nytimes.com/2017/03/09/us/houston-bail-reform-sheriff-gonzalez.html>

- Ensure that bail schedules are not the sole means of determining bail amounts.
- Given a recent federal court decision ordering Harris County to stop keeping people who have been arrested on misdemeanor charges in jail because they cannot pay bail because it violates their constitutional rights, abolish bail schedules for misdemeanor offenses.
- Adopt a policy that prohibits the automatic denial of bail or increased cash bail amount for immigrants.
- As a part of jail reduction efforts, Travis County created a system for posting 5% or 10% posting of stated bonds and personal bonds of \$40 under a certain bond amount, ensuring that more individuals can be released from local jail.

4. Prosecutors should consider immigration consequences in all discretionary making decision processes.

Prosecutors wield extraordinary power over a noncitizen’s fate by determining whether to charge a case, how to charge a case, and what type of conviction they are willing to accept as the outcome of a criminal case. The vast majority of criminal cases are resolved through plea negotiations with most individuals agreeing to a plea. By accepting these pleas immigrants may have criminal convictions on their record that can prevent them from ever acquiring legal status if they are undocumented or result in a loss of legal status, including for long term legal permanent residents. In many cases, a noncitizen’s only chance to avoid removal or deportation is to negotiate a disposition in criminal proceedings that mitigates penalties in immigration proceedings. Often, the prosecutor can agree to a disposition that lessens the immigration impact, but has the same or harsher criminal penalty as other charges. Prosecutors should refuse to prosecute certain offenses, consider immigration consequences in charging, plea, and sentencing decisions, agree not to oppose post-conviction relief motions, and should clear out old warrants.

POLICY SUGGESTION:

- Prosecutors should adopt an office wide policy instructing Deputy Prosecuting Attorneys to consider significant civil, including immigration consequences, to a defendant in making filing decisions (whether to file and what to charge) and recommending dispositions including the crime of conviction and length of any sentence imposed. See sample policy guidance at: <https://www.ilrc.org/adjusting-prosecutor-filing-and-disposition-fad-standards-recognize-disproportionate-consequences>
- Prosecutors should make specialized training available to their deputies to increase their awareness of the immigration consequences of various criminal charges and dispositions, and should encourage deputy prosecutors to seek and receive technical advice on such topics from specialists in their local communities or from expert organizations.

- Prosecutors should not ask for or use evidence of lack of immigration status to advocate for higher bonds or use it against defendants in the negotiation of plea deals or sentencing.
- Prosecutors should work with advocates to create simplified post-conviction procedures for non-citizens who received ineffective advice as to the immigration consequences of their conviction.
- Prosecutors should adopt a U Visa (path to legal status for victims of crime) policy to allow community members to obtain a certification of their helpfulness to investigation or prosecution of a crime regardless of when the crime occurred. There should be a rebuttable presumption of helpfulness, and U Visa certifications should be completed regardless of whether charges were brought, a conviction was achieved, or the case has concluded. The prosecutor's office should not require or request additional documents or statements beyond the forms required for the U Visa certification. This policy should be posted on the prosecutor's website.
- The prosecutor's office should work with nonprofit immigration organizations to have U Visa training programs or publicize the U Visa program as part of the prosecutor's International Community Relations or similar outreach projects.
- The prosecutor's office should give a referral list of other immigration services to immigrants whose U Visas applications were denied.

5. Counties should ensure public defenders have the necessary resources to meet their constitutional obligations to noncitizen clients.

The U.S. Supreme Court held that the Sixth Amendment of the U.S. Constitution requires defense counsel to advise noncitizen defendants of the immigration consequences of a potential conviction. In order to fulfill this obligation, local governments through county commissions and the courts must adequately fund and support public defender offices and criminal defense attorneys. Informed defenders can make all the difference in someone's immigration case and help keep families together.

POLICY SUGGESTION:

- County commissions should approve funding allocations to criminal defense attorneys and public defender offices to hire or consult with immigration experts.
- Criminal court judges should adopt policies and practices to enable defense attorneys to comply with their Constitutional duty to advise clients of immigration consequences:
 - Provide defense attorneys with additional time to interview clients and obtain expert immigration advice and approve requests to consult with immigration experts.

- Notify all defendants, early on in the case preferably, regardless of their perceived citizenship status, about a defendant's right to receive immigration advice from his defense attorney.
- Encourage the provision of enhanced technical resources, financial assistance, and support services to defense attorneys.
- Support public defender offices' requests to fund in-house immigration experts or other access to immigration expertise.

6. Courts should provide access to justice and due process to all without regard for immigration status.

Judges have the duty to administer justice fairly and impartially. They must ensure that everyone, regardless of their immigration status, has access to the courts. Courts should ensure that court policies and practices do not unfairly prejudice immigrants, but instead afford them due process and equal protection under the law. Judges play an important role in ensuring that defendants are advised about potential immigration consequences of a conviction and have an opportunity to obtain such advice.

POLICY SUGGESTION:

- Judges should adopt a policy against asking about citizenship or immigration status, foreign birth or alienage, or country of origin on the record. This helps ensure that judges uphold their obligations of impartiality and neutrality and protects the Fifth Amendment right against self-incrimination.
- Judges should establish a practice that affords defendants reasonable time to obtain specific, individualized advice about the actual immigration consequences of a plea or conviction. A complete understanding of the immigration consequences of a plea will result in fairer pleas.
- Judges should not allow the prosecution to force a plea before defense counsel has had an opportunity fully to comply with their duty to provide effective assistance of counsel to immigrants, as the prosecution would in effect be preventing defense counsel from rendering effective assistance.
- Judges should have a policy of refraining from providing information on immigration consequences to immigrants charged with crimes. These notifications may not be tailored to every individual, and therefore, can be misleading and inaccurate.
- However, judges should advise all pro se (unrepresented) defendants that there may be immigration consequences related to a plea and that defendants should seek immigration counsel. Judges should provide these individuals with an opportunity to retain or request appointment of counsel.

- Judges should not raise the bail amount of an individual solely based on a perceived lack of immigration status, but only after an individualized assessment of flight risk and danger to the community.
- Criminal courts should consider immigration consequences in issuing judgments and sentences. When a defendant has volunteered her immigration status, the judge should factor that status into the disposition and sentencing determination to avoid, or at least minimize, the risk of deportation.
- Prohibit federal immigration courthouse arrests because of the lack of immigration status. Courthouse arrests are alarming and cause non-citizens to stay away even when they need help.

7. Sheriffs and police should provide procedural safeguards to individuals in custody, in particular those who are flagged by ICE.

While SB 4 requires local law enforcement agencies to comply with ICE detainer requests and prohibits agencies from limiting their assistance to ICE, it does not limit the ability of the Sheriff and police to implement policies that protect an individual’s constitutional rights. Under SB 4, law enforcement agencies must notify a person if they are being held pursuant to an ICE detainer request. In addition to this obligation, Sheriffs can provide individuals in custody with information about their rights, their ability to decline an interview by ICE, whether ICE is seeking information about that person, and notification of any information that the Sheriff is sharing with ICE.

POLICY SUGGESTION:

- City and county officials should adopt a policy not to ask individuals about place of birth at booking at the local or County jail. In Taos, New Mexico, for example, officers are instructed that “[n]o inmate shall be asked about his place of birth or country of origin upon admission” to the local jail. See: https://www.ilrc.org/sites/default/files/resources/20_-_taos_policy.pdf.
- Provide know your rights consent forms to people in the jail before allowing ICE to interview individuals in custody. The purpose of such a form is to share with the person their rights including that ICE interviews are voluntary, the right to remain silent, and the right to request to have an attorney present during any interview. If the person is already in deportation proceedings, but in local custody, they have a right to have their immigration attorney present during any questioning. The form is also a mechanism to ensure a person consents to an interview with ICE and if so, under what specific circumstances, e.g. with an attorney present. See <http://www.catruthact.org/resources.html> under consent form, which provides:
- “By checking the box and signing below, you are indicating whether or not you agree to an interview with ICE. The jail or police officer will inform ICE of your decision. The jail is only allowed to bring you to an ICE interview if you agree.”

- Provide notification in writing to individuals in custody as to whether ICE is seeking information about them and similarly whether there is any information that the Sheriff is sharing with ICE. Provide written notification to the person or a designated representative (e.g., attorney or family member) if ICE has been notified of the person's release. See: <http://www.ca-truthact.org/resources.html> for a sample form.
- Provide a person with a copy of the ICE detainer that has been issued against him/her.
- Establish a protocol for legal review of detainer requests by the city or county attorneys' office. Although SB4 requires compliance with detainers, SB4 cannot legally require compliance with unconstitutional requests. Every detainer should still be evaluated as to whether the county can legally comply with it.
 - Both the Northern District and the Western District of Texas U.S. Federal Courts have said that jails must have probable cause of a new crime to prolong a person's time in custody beyond release, and that an ICE detainer did not satisfy this requirement.
- Sheriff and police departments should adopt a U Visa (victims of crime) policy to allow community members to obtain a certification of their helpfulness to investigation or prosecution of a crime regardless of when the crime occurred. There should be a rebuttable presumption of helpfulness, and U Visa certifications should be completed regardless of whether charges were brought, a conviction was achieved, or the case has concluded. The prosecutor's office should not require or request additional documents or statements beyond the forms required for the U Visa certification. This policy should be posted on the prosecutor's website.
- The Sheriff and police departments should work with nonprofit immigration organizations to have U Visa training programs or publicize the U-Visa program as part of the prosecutor's International Community Relations or similar outreach projects.
- The Sheriff and police departments should give a referral list of other immigration services to immigrants whose U Visas applications were denied.

8. Get police out of local schools.

Juvenile arrests and adjudications can increase the likelihood of deportation. These problems often begin in schools. Increasingly, schools are employing School Resource Officers (SROs): uniformed police officers working in K-12 public schools. While ostensibly there for safety purposes, these officers participate in disciplinary matters. Their presence has contributed to the over-policing of young people, and for immigrant youth it can create the school-to-prison-to-deportation pipeline even if the youth was never ultimately charged. When offenses occur in schools, they should be dealt with internally by school staff and not local law enforcement or SROs. Especially given potential long-term immigration consequences, it is imperative that prosecutors and law enforcement officials revisit harsh arrest policies that have been shown to disproportionately impact youth of color.

POLICY SUGGESTION:

- Review and revise safe haven, school disciplinary, and similar policies to minimize the involvement of local law enforcement in school matters.
- The New York City Dignity in Schools campaign is working to change the New York City Student Discipline Code to require schools to use restorative justice, peer mediation, and positive behavior support programs instead of suspensions and arrests. See: <http://www.dignityinschools.org/dsc-ny>

9. Create a City/County Immigrant Legal Fund to provide outreach and representation to indigent immigrants in removal proceedings.

Individuals in immigration proceedings are not entitled to an attorney. As a result, people in immigration proceedings must fight their cases on their own even though a person represented by counsel is seven times more likely to win their immigration case than those without representation. In response to this disparity and recognizing that people in deportation proceedings are being separated from their families and communities, jurisdictions in various places across the country, have approved funding for nonprofits as well as public defenders to represent indigent immigrants in their deportation proceedings.

POLICY SUGGESTION:

- The City or County should create a program funded by joint private and public monies that provides counsel to detained indigent immigrants in deportation proceedings. The effort could involve a partnership with local and federal public defenders' offices to coordinate with immigration attorneys while individuals are in criminal custody. See Welcoming Houston Task Force Recommendations (January 20, 2017), Recommendation 11.
- The Austin City Council funded representation for an additional 100 immigration cases per month above providers' current capacity.
- New York Immigrant Family Unity Project (NYIFUP), the nation's first publicly funded universal representation program for detained immigrants in removal proceedings was established in New York City in 2010. Under the program, immigrant detainees in deportation proceedings in the New York City Immigration Court are provided court-appointed attorneys from the Bronx Defenders, Brooklyn Defender Services, and Legal Aid Society of New York. These offices were initially provided \$4.9 million to represent these individuals in immigration court, some of whom were formerly their own office's clients. Other cities that have followed include Chicago, Los Angeles, and San Francisco.
- Improve and simplify the experience of finding high-quality legal advice and information regarding complex immigration laws and procedures. This may involve the creation of one or more single-point-of contact tools, e.g., a hotline, as well as standardized screening and referral process to help immigrants navigate the system. See Welcoming Houston Task Force Recommendations (January 20, 2017) Recommendation 16.



United We Dream is the largest immigrant youth-led organization in the nation, a powerful nonpartisan network made up of 55 affiliate organizations in 26 states. UWD organizes and advocates for the dignity and fair treatment of immigrant youth and families, regardless of immigration status. We seek to address the inequities and obstacles faced by immigrant youth and believe that by empowering immigrant youth, we can advance the cause of the entire community—justice for all immigrants. You can find more about UWD online at www.unitedwedream.org



The ILRC is a national leader in the intersection between the immigration and criminal law and policy and has been working at this intersection since the 1980s. We have deep partnerships with a variety of stakeholders from government to community based organizations, and serve as a critical bridge between the immigration and criminal justice communities. The ILRC takes a unique approach to lawyering and prioritizes building the capacity of immigrants and the people working with immigrants on the issues that most affect them. We believe that those most directly impacted should drive the direction and strategy of the work in order to most effectively transform and strengthen their communities. You can find out more about ILRC online at www.ilrc.org

Helpful Resources:

ILRC SB 4 Community Advisory:

<http://bit.ly/2sezHIC>

The Welcoming Houston Task Force Recommendations

http://www.houstonimmigration.org/wp-content/uploads/2017/04/Welcoming-Houston-Task-Force-Recommendations_FINAL_01-18-17.pdf

The City of Houston Mayor Sylvester Turner Transition Committee on Criminal Justice

https://www.houstontx.gov/mayor/transitionreports/criminal_justice.pdf

The Promise of Sanctuary Cities and the Need for Criminal Justice Reform in an Era of Mass Deportation

<http://fairpunishment.org/wp-content/uploads/2017/04/FPP-Sanctuary-Cities-Report-Final.pdf>

Local Options for Protecting Immigrants

<https://www.ilrc.org/local-options>

Ending Local Collaboration with ICE: A Toolkit for Immigration Advocates

<https://www.ilrc.org/ending-local-collaboration-ice-toolkit-immigration-advocates>

For other enforcement updates and resources go to:

www.ilrc.org/enforcement

Join The UWD Here To Stay Network

Text HereToStay to 877877

Acknowledgments:

Thanks to the Fair Punishment Project, the Immigrant Defense Project, the Welcoming Houston Task Force, the City of Houston Transition Committee on Criminal Justice, and Jay Jenkins of the Texas Criminal Justice Coalition for providing the ideas and/or feedback on this report.