

Message from ILRC Executive Director, Eric Cohen

The ILRC's work is about far more than politics and immigration law. It is about keeping families and communities of all backgrounds where they rightfully belong—together. This compels the ILRC's staff to remain focused on protecting the progress made in our field to date and to continue to call for greater protections for immigrants in our country.

In 2016, we saw a rise in anti-immigrant fervor that, in 2017, feels unrelenting. We stand resolute with immigrants, immigrant advocates, and supporters to protect our democracy, the values of diversity, and the rights of all people.




2016 ANNUAL REPORT



MISSION

The mission of the Immigrant Legal Resource Center is to work with and educate immigrants, community organizations, and the legal sector to continue to build a democratic society that values diversity and the rights of all people.



“One of the biggest challenges that we’re facing in immigrant communities in this country is that the very act of moving and migrating for reasons of love, or taking care of your family or fleeing violence—that very act is a crime. And we will not stop until that act is no longer a crime, and we fully humanize and decriminalize the immigrant community.”


Cristina Jiménez at the 2016 Phillip Burton Awards



2016 POLICY ADVOCACY HIGHLIGHT

Spotlight on the ILRC's Sanctuary Work

The ILRC got right to work after the election ramping up our efforts to increase the adoption of policies limiting the involvement of local law enforcement in federal immigration enforcement work, sometimes referred to as sanctuary policies. The ILRC is working to promote sanctuary efforts around the country with the goal of slowing down the Administration's deportation machine. In the midst of a rapidly deteriorating political climate at the federal level, this involved educating lawmakers and the media in jurisdictions across the country on specific policy steps they could implement to protect immigrants and their families from deportations at the local level. To this end, the ILRC:


- Published "**Searching for Sanctuary**,"¹ a report on types of sanctuary policies, their prevalence, and their importance;
- Updated our "**National Map of Local Entanglement with ICE**"² using Freedom of Information Act data received from Immigration and Customs Enforcement;
- Spread the gospel of sanctuary policies in major media outlets, including features in the *New York Times*³, *The Washington Post*⁴, and *Univision National*⁵; and
- Published "**Local Options for Protecting Immigrants**,"⁶ a resource for community organizers, advocates, and elected officials that provides sample legal language on various sanctuary policy provisions. 

Legislative Successes in California

The ILRC is committed to legislative and policy reform that lessens or eliminates the devastating immigration-related impact that criminal convictions can have on immigrants, their families, and their communities. In 2016, the ILRC and our allies drafted and helped pass two bills to help immigrants, Senate Bill 1242 and Assembly Bill 813. Additionally, we provided education about the immigration consequences of California's Proposition 64, the Marijuana proposition that California voters passed last year.

Senate Bill 1242, authored by Senator Ricardo Lara, amends a law that the ILRC drafted and helped pass two years ago. That law, Penal Code § 18.5, changed the definition of a misdemeanor in California by just one day, from having a potential sentence of 365 days to 364 days. For technical reasons, this one-day change will prevent thousands of California immigrants from becoming deportable or unable to get a green card, due to a single misdemeanor conviction. The 2017 amendment, SB 1242, applies this change retroactively to prior misdemeanor convictions.

Assembly Bill 813, authored by Assemblywoman Lorena Gonzalez, creates Penal Code § 1473.7. This law provides California criminal courts with a way to vacate (eliminate) a conviction that was illegally imposed. An immigrant can seek to vacate the conviction because a legal error occurred which meant that they did not understand the immigration consequences of their guilty plea. Until this law, a person who already completed probation had almost no way to get into court to challenge the illegal conviction, and would be caught up in deportation. The law also helps people challenging convictions based on innocence.

California Proposition 64 ("Prop 64"), known as the Adult Use of Marijuana Act, was passed by the voters in November 2016. This law permits Californians who are 21 years or older to lawfully possess, use, share, or grow a small amount of marijuana for recreational purposes, under certain conditions. At the request of one of Prop 64's sponsors, the Drug Policy Alliance, the ILRC wrote a pre-election White Paper to educate the public about how Prop 64 would affect immigrants. The White Paper found that Prop 64 would be extremely helpful, because many immigrants receive terrible immigration-related penalties, such as deportation or ineligibility for a green card or naturalization, for even minor drug conduct, including using or possessing marijuana. The White Paper also identified continuing risks to immigrants, some of whom can be penalized for admitting to authorities that they ever tried marijuana, even without a conviction. Since Prop 64's passage on November 9, the ILRC has worked closely with the Drug Policy Alliance on how best to educate immigrants and the community on these issues. 

Links: 1. ilrc.org/searching-sanctuary 2. ilrc.org/local-enforcement-map 3. <https://www.nytimes.com/interactive/2016/09/02/us/sanctuary-cities.html>

4. <https://www.washingtonpost.com/graphics/national/sanctuary-cities/> 5. <http://www.univision.com/noticias/inmigracion/ciudad-o-condado-santuario-un-informe-explica-cual-puede-protger-mas-al-inmigrante-indocumentado> 6. ilrc.org/local-options

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