

# The Immigrant Advocate

Winter 2015



## On Immigration Reform, ILRC Joins California in Issuing a Bold Message

By Angie Junck, ILRC Supervising Attorney

Governor Jerry Brown recently signed into law the *Immigrants Shape California* Legislative Package, a series of 10 measures aimed at protecting immigrants in California. While unrealistic and inhumane ideas surrounding immigrant detention and deportation continue to grab headlines, California is emerging as the nation's leader in immigration reform. The Immigrant Legal Resource Center (ILRC) and its allies are collaborating to lead California in the fight for just immigration reform amidst inflammatory rhetoric from the presidential campaign that fuels the fear of new radical anti-immigrant policies.

**These bold steps made by the California legislature will serve as a roadmap for other states looking to create more inclusive policies for immigrant communities.**

The *Immigrants Shape California* Legislative Package represents a major step forward for the state on the issue of civil rights and leads the nation toward positive reform. The legislative package embodies significant progress toward strengthening California families and communities, furthering the state's legacy as a leader in implementing smart, effective, and morally sound immigration policies. The ILRC cosponsored and wrote numerous measures in the package which focus on safeguarding the most marginalized within the immigrant community, including: youth, victims of crimes, and those with run-ins with the criminal justice system.

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## The other side of the immigration debate

By Eric Cohen, ILRC Executive Director

Millions of undocumented immigrants are facing possible deportation. Some have proposed building a wall. States are threatening to close their borders to refugees. Amid the current divisive immigration rhetoric it's important that we not forget another story: the nearly 9 million green card holders living lawfully in the U.S. who are eligible to become citizens, and the milestones reached in the past year to help them do just that.

One year ago the president announced his executive action on immigration and one part of his order on which we have seen progress is citizenship. Today, substantial strides are helping to address the barriers to citizenship.

A year ago, the president launched the White House Task Force on New Americans to ensure that eligible lawful permanent residents (LPRs) have the tools and support they need to apply for citizenship. The Task Force has listened to the suggestions of the immigrant-serving community on ways to integrate immigrants civically, economically, and linguistically.

**When new Americans gain the rights, freedoms, and responsibilities of citizenship, it only strengthens the vibrancy of our communities and nation.**

We know that lack of understanding of the naturalization process and eligibility requirements are significant barriers to achieving citizenship. That is why the immigrant rights community has called on the government to share information about naturalization proactively with eligible residents. This year the White House announced its "Stand Stronger" citizenship awareness campaign. U.S. Citizenship and Immigration Services (USCIS) launched a 10-state Citizenship Public Education and Awareness Media

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# ILRC Combats Unjust Enforcement Practices

Our nation has witnessed a dramatic increase in immigration enforcement due to flawed policies and growing anti-immigrant sentiment. Just one year ago, ILRC and the immigrant community celebrated President Obama's announcement of administrative relief. While the administrative relief programs have been stalled in litigation, the Priority Enforcement Program (PEP) has forged ahead as a new deportation initiative. PEP, unfortunately, is little more than a rebranding of the flawed Secure Communities (S-Comm) program, known for its unconstitutional practices and abuse of immigrant communities. ILRC has responded by applying our decades of legal expertise to on-the-ground advocacy efforts.

The Administration's new program PEP, or "PEP-Comm," is slated to damage the immigrant community in the same way S-Comm did, by encouraging local law enforcement to cooperate with Immigration and Customs Enforcement (ICE) to find, detain, and deport large swaths of immigrant communities. This practice is one large factor in the dramatic rise in deportations we've seen in recent years. Just like S-Comm, PEP-Comm threatens to shatter families, waste local resources, and partner with a broken immigration system where constitutional rights are an afterthought. When community members know that local law enforcement is working hand in hand with ICE, they are less likely to report crimes or act as witnesses. It is not uncommon to hear of an instance where a victim has reported a crime, only to be turned over to ICE and placed in deportation proceedings. This creates a chilling effect of distrust between immigrants and local law enforcement due to the very real threat of deportation. To battle these unjust practices, ILRC is encouraging local law enforcement to treat those they are meant to protect with dignity and respect by refusing to cooperate with indefensible ICE practices.

**Just like S-Comm, PEP-Comm threatens to shatter families, waste local resources, and partner with a broken immigration system where constitutional rights are an afterthought.**

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## ILRC Staff Attorney Grisel Ruiz



My family and I emigrated from Mexico when I was two years old. Like many immigrants, we persevered through periods of financial stress, language impediments, and the struggle of balancing two cultures. However, we were lucky and benefitted from amnesty in the 1980s,

and eventually became U.S. citizens. Nevertheless, I grew up distinctly aware of the divide from being an immigrant. My parents constantly referenced how difficult it had been to make it to the U.S., feeling uncomfortable as I translated during parent-teacher conferences, and seeing extended family struggle to access basic services because they hadn't been able to obtain lawful status. Moments like these helped fuel my determination to fight for justice and civil rights. Like others working in the field of immigrant rights, my ultimate goal is simple: I want to contribute to making America a more inclusive and just society for everyone.

Giving back to my community and protecting civil rights were paramount in my decision to become an attorney. After law school, I received a fellowship to establish "Know Your Rights"

programs at immigration detention centers in Northern California, and eventually co-founded these programs in Contra Costa County and Yuba County. Few people know immigrants in deportation proceedings have the right to an attorney, just not at the government's expense. As a result, the vast majority of detained immigrants (84%) go unrepresented because they cannot afford an attorney. Through the "Know Your Rights" programs, I teamed up with other attorneys and law students to provide free legal presentations, *pro se* materials, and case consultations to hundreds of detained immigrants. These programs still exist today.

**"...my ultimate goal is simple: I want to contribute to making America a more inclusive and just society for everyone."**

I became all too familiar with the countless injustices that have become commonplace in the deportation system. I had clients who struggled to get basic physical and mental healthcare and others who were needlessly placed in solitary confinement and on the verge of giving up on their cases. I recall a particular client whose case still sticks with me today: despite being homeless, gay, HIV-positive, and having a strong asylum case, this client fought his entire civil, immigration case while in jail. Even though he won, there are so many others who are set up to fail.

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PEP-Comm and increased policing furthers fear and distrust and encourages racial profiling

## The Deportation Dragnet: Who is Captured by Enforcement?

Isaura called 911 in a domestic dispute. Police demanded she speak English and arrested her instead of her abuser. She was taken into ICE custody even after the hospital found her a victim of abuse.



“Had I realized I could be arrested after calling 9-1-1 for help and deported, I never would have called.” –Isaura Garcia

Rosa is a single mother and domestic violence survivor. She made the mistake of shoplifting when she couldn't afford necessities to take care of her kids, and her abuser refused to help support her. She was later put into deportation proceedings.



“The only thing I want is to return home to my children because I know they need me.” –Rosa Martinez



“... my eight year-old son said to me: ‘Dad, can this happen to me too because I look like you?’” –Antonio Montejano

## How Local Law Enforcement Cooperates with ICE



The Criminal Alien Program allows ICE agents into the jails to gather information and conduct interviews. ICE agents rarely identify themselves or inform immigrants of their right to remain silent.



Under the new **Priority Enforcement Program (PEP)**, ICE receives the fingerprints of everyone arrested in the U.S. If there is a "hit" in the ICE database, ICE may issue one of the following requests to the jail to gain custody.



Some counties enter into 287(g) contracts which allow police to act as ICE agents.

An ICE hold is a voluntary request to hold someone after their criminal release date so that ICE can arrest & detain them. Federal courts have found ICE holds unconstitutional.



A notification of release asks that ICE be notified of someone's criminal release date, so that ICE can arrest & detain them.

**Both result in deportation and undermine community trust.**

## Why We Shouldn't Cooperate with ICE



Local resources should not be used to do the federal government's job.



Any cooperation with ICE further destroys community trust in police. Immigrants don't feel safe reporting crimes or acting as witnesses.



Police and sheriffs risk legal liability when responding to ICE requests.



ICE cooperation violates due process and equal protections, creating a two tiered system of justice.

## From ICE arrest, people are funneled into a punitive deportation system with few legal rights



In 2014 there were **315,943** deportations

These aren't just numbers, these are parents, spouses, siblings, and children—torn away from their families by deportation.



Immigrants are isolated while in detention

People can be transferred to nearly 250 detention centers anywhere in the the U.S., often with no right to be released on bond.



**84%**

of those detained and in deportation proceedings have no attorney

In deportation cases, there is no public defender. Judges have little discretion; their hands may be tied even in cases with family ties in the U.S.

# November 20th Marked One Year from President's Announcement of New Protections for Immigrants

On November 20, 2014 President Obama announced executive actions that would greatly benefit millions of immigrants in the United States. The programs—one that would expand eligibility for the existing Deferred Action for Childhood Arrivals (DACA) program and a new Deferred Action for Parents of Americans (DAPA) program—would allow millions of undocumented individuals to remain in the United States without fear of deportation and apply for a temporary work permit, among other benefits.

However, Texas and twenty-five other states immediately challenged the constitutionality of expanded DACA and DAPA, effectively blocking the programs from taking effect. More than a year later, the programs continue to be tied up in court, with the Fifth Circuit Court of Appeals issuing a decision on November 9, 2015 that kept the programs on hold. Moving swiftly, on November 20, 2015 the U.S. Department of Justice challenged this decision and appealed the case to the U.S. Supreme Court—a fitting way to commemorate the one year anniversary of President Obama's announcement of expanded DACA and DAPA.

In the meantime, Texas has attempted to delay the case even further by requesting a 30 day extension to file its response to the Department of Justice's petition for Supreme Court review. Encouragingly, the Court allowed Texas only an additional eight days, providing sufficient time for the Court to decide the case this term if the Court agrees to take the case. In a context of much uncertainty about protections that would improve the lives of over 5 million people nationwide, this is good news, as it preserves the possibility that expanded DACA and DAPA will become available to qualified applicants later in 2016.

The ILRC is leading a statewide collaborative campaign, Ready California, which is working to support California institutions and organizations to ensure the maximum number of eligible Californians benefit from DACA and DAPA while strengthening the statewide infrastructure for future immigration reform. California has more than 1.5 million undocumented individuals eligible for DACA and DAPA, the most of any state in the nation.

With the programs currently on hold, Ready California is advising families of a number of steps they can take to prepare and protect themselves, including: obtaining

screenings from qualified legal service providers to check eligibility for currently available immigration relief options; applying for citizenship if eligible; applying for a driver's license under California's AB 60; and enrolling undocumented children in Medi-Cal.

Every day these programs are delayed means millions of immigrants and their families are left to live with fear and uncertainty. After the hard fought victories immigrant communities worked toward for years, we're determined to help eligible Californians realize the full benefits of these critical immigration programs—and we're focused on making sure they are ready once the programs take effect.

—Sally Kinoshita, ILRC Deputy Director 

## Protecting Undocumented Youth in the Child Welfare System

Immigrant children frequently come to the United States via life-threatening means in hopes of a better life. After arriving, many of these children are confronted with a confounding, intricate legal system, and face cultural and language barriers, separation from their family, and difficulty in acculturation, all while the threat of deportation hangs over them. These particular obstacles create a tremendous amount of stress and anxiety for these children and their families. The ILRC has worked to support immigrant rights for more than 35 years and is one of the leading experts and advocates on immigrant youth issues. We also have a history of collaborating with stakeholders in the child welfare system. [Our experience working with both the federal immigration system and the child welfare system uniquely positions ILRC to help protect undocumented youth.](#)

For immigrant children who are involved in the child welfare system, transitioning into adulthood is particularly difficult and can be exacerbated by the lack of proper documentation or immigration status. Without immigration status, they will be unable to work legally as adults, obtain a Social Security card, and receive many types of state benefits. And, let us not forget the constant threat of deportation. Families who left countries with harsh authoritarian regimes or corruption may also have a general distrust in the government, which can lead to reluctance in working with child welfare or other government agencies.

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## New Americans Campaign Highlights

The New Americans Campaign is a national initiative, led by the ILRC, to increase naturalization among eligible lawful permanent residents (LPRs). Utilizing innovative practices and a vast network of service providers and funders, the Campaign is revolutionizing the naturalization process.



**\$161 million**  
in savings to LPR communities



**50,000**  
fee waivers



**182,000**  
applications



**2,900** citizenship  
events across the nation

### New Americans Campaign Partners with the Administration for Citizenship Day, September 17th!

The New Americans Campaign recently partnered with U.S. Citizenship and Immigration Services (USCIS) and the White House in promoting citizenship to the nearly nine million LPRs who are eligible to naturalize. Over the last several months the New Americans Campaign offered its support and expertise as USCIS developed its Citizenship Public Education and Awareness Campaign. On Citizenship Day, September 17th, the White House announced its “Stand Stronger” campaign, which promotes citizenship for LPRs who are eligible to naturalize. The New Americans Campaign was featured in the recently released White House Stand Stronger fact sheet. We are continuing to engage with the White House and USCIS in helping LPRs become American citizens.



NewAmericansCampaign retweeted


Shin Inouye @InouyeUSCIS · Sep 10

@USCIS Director León Rodríguez speaks at the @newamericans #UnitedforCitizenship conference #newAmericans #dallas



Leading up to Citizenship Day (September 17), USCIS Director León Rodríguez joined the New Americans Campaign United for Citizenship conference in Dallas, TX, which brought together 180 Campaign partners from across the country for 3 days of learning.

### Promoting Citizenship through America’s Favorite Pastime: Baseball!

Let’s Play Ball! This summer, the New Americans Campaign partnered with the Detroit Tigers at the team’s 10th annual ¡Fiesta Tigres! Celebration. The celebration recognizes past and current Latino Tigers players and their contributions to baseball. The New Americans Campaign distributed information about citizenship at the event, and a public service announcement about the Campaign aired at the evening game against the Boston Red Sox. The New Americans Campaign is planning more events with Major League Baseball teams for the 2016 season. 

# On Immigration Reform, ILRC Joins California in Issuing a Bold Message

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The Immigrant Legal Resource Center provided the technical legal expertise and supported the following bills in the *Immigrants Shape California* Legislative Package:

**AB 899** Protecting Immigrant Children from Deportation


**AB 1343** Ensuring Due Process for Immigrant Defendants

**SB 674** Immigrant Victim of Crimes Equity Act

**AB 900** Promoting Special Immigrant Juvenile Status (SIJS) Protections

**AB 1352** Preventing Unintended Immigration Consequences for Rehabilitated Immigrants

While the new laws each contain vital and overdue protections, it would be inaccurate to call them novel or surprising. Rather, these bills represent common sense reforms to ensure that immigrants are provided equal protection. But our work doesn't stop there. To further protect immigrant rights under this new legislation, the ILRC is working to ensure proper and robust implementation of these measures by developing a strategic approach to providing technical legal expertise and educating stakeholders.

This legislation is a compassionate policy reflecting our national commitment to honoring the rights and dignity of everyone, and it is an investment in our state. Half of California's children live in households headed by at least one foreign-born parent, and undocumented immigrants comprise nearly 10 percent of California's workforce. On the national stage, Congress will likely remain gridlocked on major immigration policy measures while anti-immigrant posturing echoes in the presidential campaign and in Congress. Meanwhile, ILRC is continuing to fight for the civil and human rights of immigrants with the help of immigrant advocates and other partners. These bold steps made by the California legislature will serve as a roadmap for other states looking to create more inclusive policies for immigrant communities. 

## Celebrating 10 Years with the ILRC



**Angie Junck**  
ILRC Supervising  
Attorney

This year marks my 10th anniversary with the Immigrant Legal Resource Center. In a world where so many people see their job as a stepping stone to the next one (I've had so many people over the years ask what's next for me), I am grateful to be at a place where I see endless opportunities for personal and professional growth; a place that not only looks out for the immigrant community, but nurtures its own staff; a place filled with humble, brilliant, and compassionate individuals; a place where I am encouraged to pursue dreams even if they seem to be out of the realm of possibility. ILRC has entrusted me with so much—never doubting my ability or judgment and encouraging me to do things that I didn't think I could do well, all while being forgiving and kind and accepting me as I am with my outspokenness and fiery attitude. Thank you to everyone who gave me the opportunity to pursue this lifelong path and for all of my colleagues inside and outside of the ILRC who have been by my side on this 10 year ride.



# IMMIGRANTS SHAPE CALIFORNIA

## LEGISLATIVE PACKAGE

With Governor Jerry Brown's recent signature of **all ten bills** in the Immigrants Shape California legislative package, California continues to value and protect its immigrant residents and provide economic opportunity and justice for all their families.

### **SB 4 (Lara) Health Care for All:**

Requires immigrant children in restricted-scope Medi-Cal to be enrolled in full scope of Medi-Cal benefits once the new eligibility and enrollment plan is ready. Chapter 709, Statutes of 2015 \*The Budget Act of 2015 makes low-income children, regardless of their immigration status, eligible for Medi-Cal.

### **AB 622 (Roger Hernandez) Protecting Immigrant Workers from Unscrupulous Employers:**

Stops unscrupulous employers from misusing the E-Verify system to intimidate workers. Chapter 696, Statutes of 2015

### **SB 10 (Lara) Office of New Americans:**

Establishes office under the Governor's Administration to ensure that California has a comprehensive approach to immigrant integration, including facilitating immigration relief options, naturalization services, and civic engagement efforts. \*The Budget Act of 2015 creates the position of Statewide Director of Immigrant Integration within the Governor's Office.

### **SB 600 (Pan) Protecting Immigrants from Discrimination:**

Makes it unlawful for business establishments to discriminate against a person on the basis of their immigration status, citizenship, or language. Chapter 282, Statutes of 2015

### **AB 60 (Gonzalez) Protecting Immigrants from Fraud:**

Protects immigrants from immigration fraud as they seek help applying for the deferred action under the President's Executive Action. Chapter 6, Statutes of 2015

### **SB 674 (De León & Atkins) Immigrant Victim of Crimes Equity Act:**

Ensures that immigrant victims of crime, who cooperate with law enforcement investigations, are fairly granted victim certifications by law enforcement agencies to apply for the Victim of Crime Visa "U-Visa." Chapter 721, Statutes of 2015

### **AB 899 (Levine) Protecting Immigrant Children from Deportation:**

Protects immigrant children by safeguarding their records from unauthorized disclosure to federal immigration officials that may result in a child's deportation. Chapter 267, Statutes of 2015

### **AB 1343 (Thurmond) Ensuring Due Process for Immigrant Defendants:**

Helps immigrants make informed choices regarding their defense because they will better understand the potential immigration consequences of their case. Chapter 705, Statutes of 2015

### **AB 900 (Levine) Promoting Special Immigrant Juvenile Status (SIJS) Protections:**

Aligns California law with federal immigration law to allow for the maximum number of youth in California to receive humanitarian relief through the Special Immigrant Juvenile Status Visa. Chapter 694, Statutes of 2015

### **AB 1352 (Eggman) Preventing Unintended Immigration Consequences for Rehabilitated Immigrants:**

Ends unintended immigration consequences for immigrants who successfully complete diversion programs. Chapter 646, Statutes of 2015





## The other side of the immigration debate

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Campaign. Both efforts aim to encourage LPRs to take the next step and naturalize.

The high cost of citizenship is another barrier. At \$680, the application fee often prices people out of becoming citizens. As USCIS has been reviewing options for those who cannot afford the fee, immigrant advocates can now point to the White House Task Force on New Americans' directive to increase the rate of naturalization. This year, USCIS began accepting credit cards as a form of payment, hoping to make citizenship more accessible.

**The important contributions of immigrants to our country is why I'm proud to lead a nationwide campaign to increase citizenship called the New Americans Campaign, which believes in the power of innovation, collaboration, and technology to transform the journey to citizenship.** The New Americans Campaign comprises more than 100 partner organizations in 18 cities that partner with municipal governments, promote "Citizenship Corners" in public libraries, and encourage volunteerism, all of which the U.S. government counts among its top citizenship-focused priorities. Since the launch of the New Americans Campaign in 2011, we have helped more than 180,000 aspiring new Americans complete their citizenship applications and save more than \$161 million in legal fees by accessing USCIS resources and free or low-cost services from our partners.

It is essential for our elected leaders and others to reach out to eligible aspiring Americans and advocate for improved access as a key element of immigration reform. The achievements in the past year prove that citizenship is an increasingly important part of the immigration conversation.

Let's not forget this aspect of immigration. Let's continue to encourage the 8.8 million citizenship-eligible green-card holders to become citizens. When new Americans gain the rights, freedoms, and responsibilities of citizenship, it only strengthens the vibrancy of our communities and nation.

*Eric Cohen is the executive director of the Immigrant Legal Resource Center in San Francisco, which leads the New Americans Campaign, a nationwide network that promotes immigrant integration through citizenship. The ILRC is a national nonprofit resource center that advances immigrant rights.* 


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## ILRC Combats Unjust Enforcement Practices

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Our work in battling unfair enforcement practices has been extensive. Recently, ILRC was instrumental in the coalition Full Rights Empowerment and Equality San Francisco (FREESF) which urged the City of San Francisco to take a national stand and say "No" to PEP-Comm. In an effort to support better local policies, ILRC meets with law enforcement and strategizes with organizers on how to best keep our communities safe. Our efforts helped pass the strongest policy in the U.S. eliminating collaboration between local law enforcement and ICE in Santa Clara County, CA. This policy became the basis for the California TRUST Act, signed in 2013 (see [The Immigrant Advocate - Winter 2013](#) for more details). Today, there are more than 350 policies nationwide separating ICE and local law enforcement—encouraging trust in the police among community members.

On the federal level, ILRC worked diligently to prevent the passage of S.2146, the Stop Sanctuary Policies and Protect Americans Act, which would have stripped federal funding for state and local jurisdictions that enacted community trust policies and limited their cooperation with federal immigration authorities. ILRC conducted numerous lobby visits with Senate offices and, in conjunction with the Immigrant Justice Network (IJN), issued a statement<sup>1</sup> in opposition which highlighted the constitutional deficiencies of this legislation. We are pleased to announce, S.2146 was defeated in the Senate on October 19th this year and likely marks the last congressional effort to undermine local community trust policies.

**As anti-immigrant sentiment continues to plague our legal system, we are pushing back against the unjust policies stripping immigrants of their constitutional rights.** To help keep community advocates well informed as enforcement policy changes, the ILRC is designing materials such as the *Ending Local Collaboration with ICE: A Toolkit for Immigrant Advocates*, an infographic highlighting the dangers of PEP-Comm (see page 3), and many more resources which are available at [www.ilrc.org/enforcement](http://www.ilrc.org/enforcement). Together with our partners, ILRC is working to ensure our justice system lives up to its name, and everyone is treated justly, fairly, and with dignity. 

*The IJN is a collaboration between the ILRC, the Immigrant Defense Project, and the National Immigration Project working to protect the rights of immigrants accused of crimes during the criminal justice process, halt expanding criminalization, and seek just immigration reform for all immigrants, including those with prior contact with the criminal justice system.*

<sup>1</sup>IJN's Opposition to S.2146, the Stop Sanctuary Policies and Protect Americans Act, October 15, 2015, available at: [http://www.ilrc.org/files/documents/10-15-15\\_ijn\\_opposition\\_to\\_s.2146.pdf](http://www.ilrc.org/files/documents/10-15-15_ijn_opposition_to_s.2146.pdf)



# The California Chart: A Resource for the Defenders of Immigrant Rights

Since its founding in 1979, the ILRC has defended the rights of all immigrants including those who have interacted with the criminal justice system. The ILRC pushes for fair policies based on equality and advocates for our most marginalized groups, fighting back against institutionalized discrimination that plagues our legal system. In 2002, we created the California Chart as a resource for defenders working on complex cases where criminal and immigration law meet—a particularly complex area in desperate need of our attention.

The intersection of immigration and criminal law is one of the most complex and rapidly changing areas of law that exists in the U.S. today. Public defenders and others who represent indigent defendants are fighting to provide the best criminal defense possible while analyzing potential immigration consequences. These cases bring about other challenges in which even the most minor of offenses, such as shoplifting or possessing a small amount of a controlled substance for personal use, can have catastrophic immigration consequences. Studies also show that people of color are prosecuted for crimes at a far higher rate, and once immigration status and Immigration and Customs Enforcement (ICE) pursuit come into the mix, low-income immigrants accused of crimes are among the most marginalized and disenfranchised persons.

**The attack on the rights of immigrants accused or convicted of crimes is often the first test for denial of due process issues. Instead of equality before the law, immigrants face a full range of offenses that are considered felonies under immigration law—but not under criminal law—triggering disproportionately harsh consequences like automatic detention and deportation, denying immigrants their right to a fair day in court.**

The ILRC has worked on many fronts to address these issues. We have advocated for due process protections for all immigrants, drafting legislation in partnership with elected officials in both the California legislature and in Congress. We collaborate with a diverse range of partners including district attorneys, prosecutors, and other leading law enforcement officials nationwide to ensure that our justice system lives up to its name, and that everyone is afforded an opportunity to present

their case before a judge and have the circumstances of their case heard. In collaboration with other organizations, ILRC provides information to public defenders that enables them to effectively advise immigrant defendants about the real immigration consequences of a guilty plea, and where possible to lessen or eliminate these consequences while still reaching an appropriate resolution to the criminal case.

The ILRC created the California Chart as a critical resource for both immigration and criminal law defenders of immigrant rights. This Chart was developed to provide defenders with a fast and accessible summary of the law to avoid the worst offenses and to identify alternate pleas with no or fewer immigration consequences. ILRC has provided the California Chart as a free resource and updated it to reflect the complex and ever-changing status of immigration law. As a model for other states across the country creating their own resources, the Chart has helped hundreds of advocates and thousands of immigrants. There is no other resource like the California Chart that is offered to advocates for free in California. Our work resonates with the hope of a more fair and just legal system for everyone. 


To view the California Chart, visit [www.ilrc.org/chart](http://www.ilrc.org/chart).

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## ILRC Staff Attorney Grisel Ruiz

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In recognition of this work, I received the “Fun, Fearless, Latina” award from *Cosmo for Latinas*. At this event I met Diane Guerrero, an actress on “Orange is the New Black” and “Jane the Virgin,” and she shared with me how her family had been affected by deportation. Diane has since become an ILRC ambassador and a staunch vocal advocate, fighting for immigrant rights with the ILRC supporting her every step of the way.

It is disheartening to hear the anti-immigrant sentiment that’s been plaguing the presidential campaign and to witness politicians labeling immigrants like my family with such unwarranted animosity. But when I see ILRC, its allies, and community members who really care about these issues standing up against injustice, I know that change is on the horizon. 


# Protecting Undocumented Youth in the Child Welfare System

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The child welfare system's awareness of the particular issues facing immigrants and potential immigration relief options can profoundly affect the decisions made during a child welfare case. Unfortunately, social workers are often untrained in the field of immigration and therefore can be ill-equipped to tackle these issues. Child welfare system workers may be the first and only service providers an eligible immigrant child and family sees; therefore, they are uniquely poised to help identify issues and assist this vulnerable population. **If immigration relief options are not identified early on—especially for children—the chance to obtain legal U.S. immigration status may be lost forever.**

To address the particular needs that immigrant youth and their families face in the child welfare system, the ILRC is working with the California Social Work Education Center to revise the state's standardized Common Core Curricula, a set of trainings for new child welfare social workers which provide consistent procedures across California. The ILRC seeks to add to the curriculum—for the first time—best practices for working with immigrant children and families involved with the child welfare system. These best practices ensure that new social workers are trained on immigration issues as a part of their orientation and equipped to more effectively meet the needs of immigrant children and families.

The ILRC will also offer trainings to current child welfare workers, update and create innovative resources for social workers, and train judges and state court actors on immigration issues for children. We will develop "Know Your Rights" resources targeting the growing immigrant youth population in California, and collect data to facilitate sharing of best practices and resources for child welfare professionals. ILRC's goal is to protect immigrant children, keep them with their families when possible, and provide them with the resources necessary to achieve the safety and stability that all families deserve.

*The ILRC would like to thank the Walter S. Johnson Foundation for its generous support of immigrant youth and their families in the child welfare system.* 



## Joining the ILRC Family

**Nikki Marquez**  
Law Fellow/Attorney

Nikki joined ILRC in October of 2015 through a Ford Foundation Fellowship. She contributes to manuals, develops practice advisories and community resources, and engages in ILRC's advocacy work. Nikki is a recent graduate from Stanford Law School, where she was a member of the Immigrants' Rights Clinic and interned at the ACLU Immigrants' Rights Project. Prior to law school, Nikki worked on anti-human trafficking policy and on issues related to the economic rights of survivors of domestic violence. In her free time Nikki enjoys hiking, playing basketball, scuba diving, and baking.

## Support ILRC Today

Join us as a partner in advancing the rights of all immigrants. Your end of year gift provides vital assistance to the immigrant community and the lawyers, advocates, and allies working on their behalf. With your help, we will continue advocating for more inclusive policies to protect immigrants and their families.

**Support the immigrant community and ILRC today by:**

- Making a gift at [www.ilrc.org/donate](http://www.ilrc.org/donate).
- Including ILRC in your estate plans.
- Volunteering your time.

Thank you for your commitment to advancing the rights of immigrants.

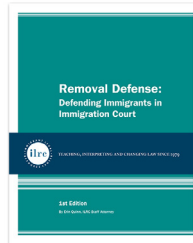
Contact Edith Hong, Director of Development at [ehong@ilrc.org](mailto:ehong@ilrc.org) or (415) 321-8536 for more information.

# ILRC Publications

In 1984, ILRC published its first manual. Since then, ILRC has written 16 manuals, all of which are essential, practical publications for legal practitioners. All publications are geared toward helping practitioners who represent clients in immigrant communities. ILRC manuals are unique because they include clearly worded explanations, samples, charts, and other relevant examples.

## NEW! Removal Defense: Defending Immigrants in Immigration Court, 1st Edition

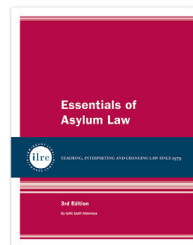
The all-new first edition of *Removal Defense: Defending Immigrants in Immigration Court* is a quick reference tool that focuses on practical questions that aren't easily answered by combing the regulations and case law. The appendices include helpful samples which provide a more complete understanding of what court practice looks like. This resource covers:




- Grounds of inadmissibility and deportability;
- Pleading to the Notice to Appear;
- Trial practice tips; and
- A review of common forms of immigration relief from removal, including cancellation of removal for both lawful permanent residents and non-residents, to asylum.

## UPDATED! Essentials of Asylum Law, 3rd Edition

*Essentials of Asylum Law, 3rd Edition* is a comprehensive survey of the basic elements of asylum law. It's ideal for advocates who want to understand the law and are new to representing asylum clients, as well as seasoned practitioners needing a thorough review of current standards. *Essentials of Asylum Law* offers an expansive explanation of the legal theories and rules underpinning current asylum claims. This publication explores each of the legal elements of an asylum claim, beginning with the definition of persecution and the requirements to demonstrate a “well-founded fear” of persecution. An extensive discussion of the five enumerated grounds follows, including a detailed overview of the nexus requirement and the most cutting-edge particular social groups. The legal bars to asylum are explored at length, as well as the alternative protections to asylum—Withholding of Removal and protection under the Convention Against Torture—for those that do not qualify for asylum.



This updated edition includes a thorough overview of the procedural steps involved in filing an asylum claim, with new sections describing the process for unaccompanied minors and special considerations for working with children. It explores both the affirmative application process through a claim filed with the U.S. Citizenship and Immigration Services and the defensive application process in immigration court. 

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## In this issue...

- *Immigrants Shape California* Legislative Package
- The other side of the immigration debate
- Protecting Undocumented Youth in the Child Welfare System
- ILRC Combats Unjust Enforcement Practices



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Senator Kevin de León (D-Los Angeles) is setting a bold agenda to move California forward, taking on challenging issues that strengthen the national reach of our state's policy-making. Senator de León was instrumental in the success of the *Immigrants Shape California* Legislative Package, a series of 10 bills aimed at expanding justice to immigrants that were recently signed into law by Governor Jerry Brown.