



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number: 18
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: May 23, 2017

Vote Requirement: Informational Only

Department or Agency Name(s): County Administrator/County Counsel

Staff Name and Phone Number:

Sita Kuteira 565-3771
Alegría De La Cruz 565-6115

Supervisorial District(s):

Title: Sonoma County Immigration Initiative Update

Recommended Actions:

Receive an update on impacts of recent federal immigration policy changes on County Departments and clients and on the County Immigration Initiative to address those impacts and meet the legal service needs of undocumented residents.

Executive Summary:

This report summarizes recent developments in the County's Immigration Initiative to address the high level of fear and anxiety in our community regarding recent changes in Federal immigration policy. This anxiety has led to the withdrawal of families from government sponsored programs, including schools, and health and human services, as well as concern by employers in local industries of potential indiscriminate workplace raids. In response, the County has internally convened departments to reassure clients and to understand the limits of Immigration and Custom Enforcement (ICE) authority. Externally, the County Counsel's Office has convened meetings of immigrant legal advocates to identify community needs and to work together to determine how to best serve the County's undocumented residents. The group, now consisting of about 40 attorneys and non-profit agency representatives, has met several times and has formed working committees addressing service models, educational materials, and fundraising.

Discussion:

IMPACTS ON COUNTY CLIENTS AND DEPARTMENTS

The Board's action in launching the Immigration Initiative to address community needs related to recent federal immigration policy is validated by the impact seen in County Departments. While statistical information is limited since a person's legal status is generally not the subject of information collection, there are service trends and anecdotal information which clearly demonstrate that the new federal immigration policies are making undocumented residents fearful about interacting with any level of government. The result has been that fewer families are engaging in safety net services, even for the

benefit of family members who are United States citizens. This has created greater family insecurity for community members who are already struggling economically. Indications of this impact have been seen in a variety of departments, and include a significant reduction of mothers seeking financial child support from the noncustodial parent, reported failures to seek protection for child abuse and domestic violence, increased failure of Spanish speaking residents in making court appearances, and a drop in Women, Infant and Child (WIC) program participation since January 1, 2017. Similarly, County employees are concerned about the prospect of ICE officers trying to gain access to County records or clients on County property.

IMMIGRATION INITIATIVE CONVENING

As presented to the Board on February 21, 2017, County Counsel took the lead in convening a series of meetings with local immigration attorneys and advocates. The meetings were productive and confirmed that there is a lack of deportation defense and other critical services for undocumented residents. Group representatives divided into three committees (Service Model, Educational Materials, and Fundraising) to increase efficiency given the time sensitive nature of the issue.

Service Model Committee

The Service Model group did an informal service gap analysis and determined that there are extremely inadequate legal services to provide deportation defense representation in Sonoma County. The model recommended by the committee, and approved by the larger group, was to have a non-profit(s) employ 2-3 attorneys, along with adequate administrative support, to provide at least limited deportation defense to address potential workplace or other raids by ICE in the County. The group would ideally have connections with other legal programs in the San Francisco area to help with Immigration Court appearances and provide a potential “surge capacity” if significant numbers of residents were placed in deportation proceedings. In addition, the lawyers would assist in “Know Your Rights” and family preparedness workshops, and could work with other local agencies on immigrant tenant rights issues and provide relevant information to employers.

Committee members also initiated a survey that was sent in April to all members of the Sonoma County Bar Association to identify pro bono resources and evaluate the possibility of a volunteer representation program supervised through the model program. The survey generated almost 80 responses from local attorneys, which will be used to supplement services.

Educational Materials Committee

This committee reviewed the range of advocacy and educational material currently available to establish a set of documents that was legally accurate and appropriate for Sonoma County needs. These materials are now finalized and are available through community client serving departments and the County’s new immigration website: <https://sonomacounty.ca.gov/immigration>. The materials are designed to address different audiences, including sections for immigration legal practitioners, Spanish-speakers, family preparedness, and “know your rights” information. In addition, the website contains a calendar of events to facilitate coordination of community educational events and sharing of information. The information will also be used to develop a County specific brochure to respond to frequently asked questions.

Fundraising

The Fundraising Committee, chaired by Lisa Carreño, Executive Director of 10,000 Degrees, was successful in working with the Sonoma County Community Foundation to establish a donor advised fund to support the legally services initiative, referred to as the Sonoma County Secure Families Project. If sufficient funds are raised, the Foundation will issue a Request for Proposals to support increasing legal services to immigrant families in the County consistent with the service model recommended by the Immigration Initiative. It is estimated that approximately \$2 million will be needed, over a three year period, to fund the Project. The Foundation will be looking for contributions from local governments and private donors, including contributions from industries such as the hospitality, agriculture, and wine producing sectors, which could also benefit from education regarding employer rights and worker support opportunities. A “donor summit” to kick off the aggressive fundraising effort is currently being planned for early this summer.

ADVOCACY

On February 21, 2017, the Board approved a letter of support for Senate Bill (SB) 54 (De León), which would generally prevent the use of state and local funds to aid federal deportation actions and create service provider safe zones. While supportive, the letter also included a request for key modifications, including an exception to the restriction on notification to ICE to allow our law enforcement agencies to coordinate with immigration enforcement in cases of serious or violent crimes. SB 54 passed the Senate in a 27-12 vote on April 3, 2017, and has had its first reading at the Assembly, where it awaits a vote. Amendments have been included that partially address the concerns raised by the Board regarding an exception to the restriction on notification in the case of serious or violent crimes, which may include felonies and certain misdemeanors, such as sex offenses.

The Board supported SB 6 (Hueso), which would expand State-funded legal services to undocumented adults. The County strongly supports the goal of this legislation, however, as written, no service providers in Sonoma County would be eligible for funding due to a requirement that the grant recipient has significant experience in deportation defense, which is defined in a way that excludes the County’s existing organizations. This is likely the case for many rural or suburban counties where established deportation defense services do not already exist. The County has been working with the author’s office to propose amendments that would allow service providers to qualify for funding by partnering with experienced immigration defense service providers in other jurisdictions.

Additionally, the Board supported AB 3 (Bonta), which would make grants available for nonprofits and public defenders offices to competently serve undocumented clients. The bill is current in the Assembly Committee on Appropriations.

On March 21, the Board approved the County’s participation in a friend of the court brief to support Santa Clara County's challenge to the Trump administration's threat to withhold federal funds from “sanctuary” jurisdictions. (*County of Santa Clara v. Donald Trump, President et al.*) On April 25, Judge Orrick of the US District Court, Northern District, granted the request for a nationwide injunction of the “Sanctuary Jurisdiction” Executive Order, holding that the Counties “will suffer irreparable harm absent an injunction, and that the balance of harms and public interest weigh in their favor.”

COMMUNITY ENGAGEMENT AND EDUCATION

Since January, County attorneys, most notably the Public Defender’s Criminal-Immigration specialist, have presented approximately 15 separate Know Your Rights presentations to County residents. Many

of these events have attracted several hundred people looking for advice and legal help. In addition, County attorneys have presented to many organizations and to the Mexican Consulate about the County's Initiative to seek support for these efforts.

CONCLUSION

There remains tremendous uncertainty and fear in the community and among service providers regarding the impact in Sonoma County of the new Administration's deportation efforts and immigration policy. The County is responding by engaging the advocate community, developing and distributing educational materials, surveying resources and service needs, coordinating community educational workshops, and working with the Community Foundation to establish a potential funding mechanism to address the unmet legal needs of this vulnerable part of our community. The County remains committed to being prepared through these programs to assist families who are at risk of their security being threatened through aggressive workplace or home deportation actions.

Prior Board Actions:

March 21, 2017 – Board authorized filing of amicus brief in support of Santa Clara's County's Motion to prohibit enforcement of President Trump Executive Order 13768 regarding restricting federal funding to "sanctuary jurisdictions".

February 21, 2017 – Board adopted a support position on SB 54 (De Leon) with a request for amendments and accepted a report on the Immigration Initiative.

February 7, 2017 – Board adopted Minute Order directing staff to address immigration-related issues and adopted a Resolution in support of equal rights for all residents regardless of immigration status.

Strategic Plan Alignment Goal 1: Safe, Healthy, and Caring Community

The County Immigration Initiative, increasing legal services, and supporting immigration reform seeks to protect the safety and wellbeing of our undocumented communities by ensuring they feel secure in their communities and have safe access to essential services.

Fiscal Summary			
Expenditures	FY 16-17 Adopted	FY 17-18 Projected	FY 18-19 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			
Narrative Explanation of Fiscal Impacts:			
Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Related Items “On File” with the Clerk of the Board:			