

Commentary: Urge county to fight deportations

By Special to The Enterprise

The nine organizations listed below unanimously endorse Yolo County Public Defender Tracie Olson's proposal to hire an attorney to defend immigrants facing deportation.

The stakes are huge. Deportation separates families and may be life-threatening to the person deported. Immigration law is complicated and very few immigrants get relief without counsel. The success rate is slightly better than 50-50 for those represented by a lawyer, but it plummets to 2 percent for those without one, according to a study by the American Immigration Council.

Olson wants to hire a lawyer to represent immigrants from the community who are targeted for deportation by Immigration and Customs Enforcement because they are undocumented and/or have a criminal conviction on their record.

This happened to former Davis resident Rottanak Kong. Two years old when his family fled Cambodia to escape violence by the Khmer Rouge, he was arrested by ICE in October 2017 and slated for deportation because of a felony conviction for joy riding as a young man — even though he served his sentence years ago.

Kong was one of the lucky ones. The UC Davis Immigration Clinic took the case and won a pardon from former Gov. Jerry Brown. Kong was released in January 2018.

Olson estimates her office can handle 30 to 50 cases like this a year if an immigration attorney comes on board.

Yolo County set aside \$100,000 in the current fiscal budget for immigrants in the community who need legal services. Supervisors Don Saylor and Jim Provenza — who advocated the funding — met with Olson, representatives from the UC Davis Immigration Clinic and other legal groups that serve local immigrants to discuss how to spend the money. They all agreed: expand legal services through the Public Defender's Office.

The estimated total cost to hire an immigration attorney for a year is \$150,000, so Olson has asked for \$50,000 from the county's contingency fund to pilot the program for one year. San Francisco, Alameda and Santa Clara counties have hired public defenders and lawyers to represent immigrants in federal court. Sacramento and San Mateo have set aside funding for immigrants facing deportation.

Olson's proposal failed to get enough support from Yolo County Supervisors when the matter was considered April 23. It will be considered again during budget discussions on Tuesday, June 11.

Supervisors Duane Chamberlain, Oscar Villegas and Gary Sandy expressed concern about the move, citing scarce budget dollars, what could be a “massive caseload” and whether Yolo should tangle with federal immigration law. The proposal needed four votes. Taken up June 11 as part of the regular budget process for the upcoming year, the measure needs only three votes to pass.

“I can understand concern that the need will be greater than what one attorney can process. That’s probably true, but there are ways to prioritize your caseload to maximize your impact and failing to act in the face of this great need is not an option,” said Raha Jorjani, the immigration attorney hired by the Alameda County Public Defender’s Office in January 2014 to launch California’s first public defender immigration representation project.

The program seeks to address the critical need for legal services created by the lack of any right to counsel for indigent immigrants targeted for deportation, Jorjani said in a March 18 letter of support for the Yolo County proposal. She also pledged to collaborate with Olson to help get the program up and running.

The Alameda pilot currently employs five attorneys and still turns away cases, “but we’ve shortened time in custody and kept families together,” Jorjani said in a phone interview. Funding comes from a combination of sources, including Alameda County, the city of Oakland and private foundations.

Legal services funding for immigrants would uphold Yolo County’s declaration to be a “Safe and Welcoming Place for All People” and support for an end of separating immigrant children from parents.

“(With this money) I can help preserve the families in the community and I can change lives,” Olson said.

We urge you to contact your county supervisor to express support for this proposal and attend the meeting Tuesday to do so in person.

The Immigration Justice Team, Unitarian Universalist Church of Davis
Yolo Interfaith Immigration Network
Davis People Power
Envisioning Justice Partnership
Yolo County Chapter, ACLU
Davis Phoenix Coalition
Service and Justice Ministry of the Davis United Methodist Church
Social Justice & Outreach Committee, St. Martin’s Episcopal Church
Compassion, Peace and Justice Ministry of Davis Community Church