



**METROPOLITAN PUBLIC DEFENDER
MULTNOMAH COUNTY OFFICE**
630 SW FIFTH AVENUE, STE. 500, PORTLAND, OR 97204
503-225-9100 (MAIN OFFICE)
WWW.MPDLAW.COM,

IMMIGRANT PROTECTION PROJECT

Our Community Faces an Urgent Need

The Trump administration, through executive order, has exponentially expanded the immigrants who are prioritized for deportation. Despite the current court battles over some of the executive orders, Immigration and Customs Enforcement (ICE) has ratcheted up its tactics, waiting outside courtrooms and making arrests in places they previously wouldn't. The elimination of privacy protections for non-citizens and other recent actions by the administration means that even Dream Act kids (Deferred Action for Childhood Arrivals) and legal permanent residents are afraid that their status is in jeopardy.

Immigrant and refugee families are rightly terrified and need access to the legal information, advocacy and remedies that will help keep them safe, prepare them for the dangers at hand and allay unnecessary panic.

Project Description

The Metropolitan Public Defender (MPD) is developing the Immigrant Protection Project to safeguard vulnerable immigrant families and their community. MPD has the experience and relationships to go into the community to help those who most need it. The project will have the following components:

- There will be at least 2 full-time immigration attorneys with appropriate support staff.
- The immigration attorneys will be working out of MPD with our existing immigration team which will allow access to criminal justice knowledge and resources as well as robust immigration legal support.
- The project will also leverage the existing work of MPD's Community Law Division, which handles more than 2000 cases a year clearing criminal records and other barriers.
- The immigration attorneys will work with and through culturally-specific groups and community organizations in Portland to individually meet the needs of the various immigrant communities. Possible options for community partnership might include holding weekly "office hours" in the community; doing trainings and staying for as long as is needed to talk with individuals about their cases and concerns; or taking referrals by phone from organizations that already have navigators in the community.
- The work in the community will be focused on upstream solutions. That means the immigration attorneys will help determine a person's legal situation, including immigration status, criminal record, and the confluence of the two. The immigration attorneys would then help craft whatever legal solutions are needed, including immigration work, record clearing, safety plans and protection from victimization.
- The immigration attorneys would also take direct referrals from non-profit immigration attorneys who have cases that need the additional expertise of an office with criminal law experience or state-level practice.

- MPD would be part of the larger group that is communicating real-time information to people in the community about what is happening with immigration enforcement. Such efforts might include presentations, legal support, or assisting with a website for the community. MPD will help where help is needed with its criminal justice expertise and connection to the courthouse.

Project Budget: It would cost \$250,000 to launch the Immigrant Protection Project. This budget would cover the cost of employing two attorneys to conduct outreach and represent clients. It would also cover some supervision and development by a managing attorney.

Background on MPD

Founded in 1971, the Metropolitan Public Defender (MPD) serves low-income Oregonians involved with criminal, civil, and juvenile court cases. MPD has an annual operating budget of approximately \$11.25 million. Our 125 attorneys and staff represent 14,000 clients a year, including many cases that involve immigration issues. The lawyers in MPD's Community Law Division, which assists 2,000 clients a year, serve clients by expunging past convictions, correcting erroneous records, reducing fines, and resolving immigration issues.

Conclusion

The Immigrant Protection Project presents an opportunity to help vulnerable immigrant communities in a way that is practical and immediate. This project could provide a national model for how local communities can pragmatically respond to the new administration's immigration policies. We would welcome the chance to work with you on this project.

For more information, please contact:

Alex Bassos, Director of Community Law Division, Metropolitan Public Defender,
abassos@mpdlaw.com, 503-273-8214

Lane Borg, Executive Director, Metropolitan Public Defender, lborg@mpdlaw.com,
503-225-9100

Ann Lininger, Attorney, Metropolitan Public Defender, alininger@mpdlaw.com, 503-680-2276

IMPACT STATEMENT

Legislation title: *Authorize a Special Appropriation grant agreement with Metropolitan Public Defenders in an amount not to exceed \$50,000 to implement the Immigrant Protection Program (Ordinance)

Contact name: Tim Crail
Contact phone: 503-823-3988
Presenter name: n/a

Purpose of proposed legislation and background information:

IMMIGRANT PROTECTION PROJECT

Our Community Faces an Urgent Need

The Trump administration has announced its intent, through executive order, to exponentially expand deportation of immigrants. Already, Immigration and Customs Enforcement (ICE) has ratcheted up its tactics, waiting outside courtrooms and making arrests in places they previously hesitated to go. The elimination of privacy protections for non-citizens means that even Dream Act kids (Deferred Action for Childhood Arrivals) are afraid that their participation in the program will be used to find and deport them.

Immigrant and refugee families are rightly terrified. Unless they have money to hire an expensive private attorney, they may be unable to determine their risk for deportation or how to protect themselves.

Under the new administration's approach, there appear to be 3 expansions of the group of people marked for deportation:

- People who are here legally, not just those who are undocumented
- People who have minor offenses on their records, not just those with serious offenses
- People who were merely arrested, or even suspected, of an offense, not just those who have been convicted.

That means the children of a woman cited for driving to work without a license – in a state that does not allow undocumented workers to obtain driver's licenses – could lose their mother. It means a college student who attends a political protest where police make arrests could be ripped away from the only country she has ever known. It means a tax-paying worker who was once convicted of minor marijuana possession could be taken from his family and his community forever.

It is vital that immigrants have access to the legal advocacy and remedies that will help keep them safe. It is equally important that everyone in the immigrant community has access to information that will both prepare them for the dangers at hand and allay unnecessary panic.

Project Description

The Metropolitan Public Defender (MPD) is developing the Immigrant Protection Project to safeguard vulnerable immigrant families and their community. MPD has the experience and relationships at the intersection of immigration and the justice system to go into the community to help those who most need it. The Immigrant Protection Project team would assist community members in the following ways:

- Partnering with culturally specific groups, faith organizations, unions, and others to answer questions and give presentations about what the law is, what's actually happening on the ground, and what people can do to protect themselves;
- Developing a website for the Portland area with information about current law and enforcement practices, as well as contact information so immigrants and community members can reach our team or ask questions anonymously;
- Providing direct legal representation to help clients strengthen their immigration position and reduce the risk of deportation;
- Completing confidential background checks for clients to identify red flags that raise the risk of deportation;
- Reducing deportation risk by expunging prior offenses, correcting erroneous court records, removing harmful designations, and helping clients create safety plans;
- Representing clients at meetings and in proceedings with government officials; and
- Filing motions and taking action to prevent the harassment and abuse of uniquely vulnerable people.

Project Budget: It would cost \$250,000 to launch the Immigrant Protection Project. This budget would cover the cost of employing two attorneys to conduct outreach and represent clients. It would also cover supervision by a managing attorney and creation and upkeep of a project website. Metropolitan Public Defender is seeking additional funding from other community partners to reach the balance of \$250,000. The City's \$50,000 will provide start-up funds and momentum for raising the remainder of the funds.

Background on MPD

Founded in 1971, the Metropolitan Public Defender (MPD) serves low-income Oregonians involved with criminal, civil, and juvenile court cases. MPD has an annual operating budget of approximately \$11.25 million. Our 125 attorneys and staff represent 14,000 clients a year, including many cases that involve immigration issues. The lawyers in MPD's Community Law Division, which assists 2,000 clients a year, serve clients by expunging past convictions, correcting erroneous records, reducing fines, and resolving immigration issues.

Conclusion

The Immigrant Protection Project presents an opportunity to help vulnerable immigrant communities in a way that is practical and immediate. This project could provide a national model for how local communities and can pragmatically respond to the new

administration's immigration policies. We would welcome the chance to work with you on this project.

Financial and budgetary impacts:

This ordinance directs the City Budget Office to allocate \$50,000 from General Fund Contingency to Special Appropriations to fund the Immigration Protection Project.

Community impacts and community involvement:

This appropriation will provide legal assistance and guidance to immigrants living in Portland during a time when they are afraid and confused by the Federal Government's policies and executive orders on immigration.

Budgetary Impact Worksheet

Does this action change appropriations?

- ☐ YES: Please complete the information below.
☒ NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount