

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/covid-19-1/communities-need-state-and-local-deportation-defense-programs-now-more-than-ever>

Public Facing Advocacy Writing

Nearly seven in 10 people in the United States support government-funded attorneys for immigrants facing deportation, according to groundbreaking public opinion polling released today by the Vera Institute of Justice. The poll suggests what many of us already know: despite dehumanizing, divisive, and anti-immigrant federal immigration policies, communities and people in the United States have held fast to the principles and values of equal justice, due process, dignity, and fairness.

Presently, [the vast majority of people in immigration detention](#) 70 percent have no legal representation. This is because people facing deportation do not have the right to a public defender if they cannot afford one. And without legal representation, they face [slim chances](#) of being released from custody and remaining in the United States. With nearly [30,000 people currently in immigration detention](#) and a growing public health crisis, the stakes could not be higher.

In the face of increased federal immigration enforcement in recent years, mayors, governors, and legislative bodies have stepped up to advance policies that represent the values of their communities policies that keep families and communities together and strong. Fueled by a growing movement for [universal representation](#) and the urgent need to protect immigrants and their families, an increasing number of local leaders are devoting public funds to deportation defense programs. [Veras Safety and Fairness for Everyone \(SAFE\) Network](#) now encompasses 18 diverse local jurisdictions dedicated to this goal. And in total, more than 35 communities in 18 states across the country have funded deportation defense programs.

These programs are now more important than ever.

Publicly funded deportation defense programs are essential to local communities COVID-19 response efforts and are needed to protect the health and safety of all. The Immigration and Customs Enforcement (ICE) detention system has long been plagued by [dire conditions](#), close quarters, and limited access to medical care characteristics that make it impossible to protect people from the coronavirus. As of May 7, COVID-19 has struck at least 41 ICE detention centers, with [ICE reporting](#) 705 confirmed cases. The [first confirmed COVID-19-related death](#) in immigration custody was reported at Otay Mesa Detention Center. And although these numbers are likely to be an undercount, they continue to skyrocket. Despite this, ICE continues to bring immigrants into detention and frequently transfers people around its large network of detention facilities and local jails, exposing new people to COVID-19 and exacerbating its spread. Unless ICE immediately releases people from detention, local efforts to stem the spread of the virus will be thwarted.

[Legal representation](#) is critical to securing release for people in detention a matter of life or death. Indeed, as a result of the tireless efforts of lawyers and advocates across the country, several federal court judges have [ordered](#) the release of medically vulnerable immigrants in custody as the only means to protect them from contracting the potentially deadly COVID-19.

In addition to being highly effective, Veras new public opinion poll provides evidence that publicly funded attorneys for people in immigration court is a widely supported solution.

While local governments across the country face the economic impacts of the COVID-19 pandemic, and while harsh federal immigration policies continue, local leaders must demonstrate boldness and moral clarity to protect the most vulnerable among us. By advancing publicly funded deportation defense programs, local governments can ensure that lawyers are on the front lines to fight for immigrants health and freedom and to ensure due process for all.

Recent universal representation campaigns successes confirm the importance of these programs, particularly amid the pandemic. For example, the state of [New York](#) at the height of the COVID-19 outbreak renewed funding for immigrant legal services, including deportation defense, in the state budget. Likewise, Los Angeles Mayor Eric Garcetti recently proposed \$1 million for the Los Angeles Justice Fund, a deportation defense program, in the citys FY21 budget. Local SAFE Network leaders also joined with Vera to [speak out](#) for the release of immigrants languishing in detention during this crisis and recommitted support for the local deportation defense programs critical to their release.

Campaigns for universal representation can build off these successes to ensure that representation for those who need it the most especially people who are detained is not expendable this budget season. We need local leaders to step up once again for vulnerable community members at a time when their support matters more than ever. During this pandemic, the health, safety, values, and fate of all of us are intertwined. We cannot afford to leave anyone behind.

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