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**IMMIGRANT
DEFENDERS**
Law Center



December 4, 2023

San Diego County Board of Supervisors
County Administration Center
1600 Pacific Highway, Room 335
San Diego, CA 92101

RE: Request for transparency, accountability and a new direction in welcoming
asylum seeking migrants with dignity and respect

Dear Chair Vargas and Supervisors:

We, the undersigned, are trusted immigrant rights organizations providing direct legal and social services as well as advocacy covering the entire San Diego region. We write to flag our serious concerns regarding the implementation of the \$3 million dollars allocated for street releases and to ask you to create a more equitable, dignified, and sustainable welcoming infrastructure for asylum seekers that includes the broad knowledge, experience, and diversity of the multiple local immigrant organizations in our region.

Over the last several months, our organizations banded together and utilized our collective expertise to rapidly respond to the needs at the open air detention sites (OADS) in our region as well as respond to street releases by providing translation services, geographic information, transportation services, communication access, respite shelter, food, water, hygiene kits, restrooms, and other services to aid asylum seeking migrants. Through many conversations with your offices, we advocated for direct funding to support these efforts and the organizations on the ground.

Since the \$3 million in County funding was allocated, we have serious concerns about how the current and temporary infrastructure for welcoming asylum seekers in San Diego County is being operationalized to the exclusion of the OADS and to the disservice of newly arrived asylum seekers. Chief among our concerns is that the \$3 million awarded on October 11, 2023, is

being exhausted in two months or less. This investment was meant to last three months with the possibility of extending the time period beyond December 31, 2023. The contractor, South Bay Community Services (SBCS), has a fiduciary responsibility to ensure the County's money is managed in a way that maximizes both its impact and duration.

The scope of work outlined in the contract prioritizes translation services, transportation assistance, communication access, food, and other services to aid with onward movement. However, we are concerned that only a small fraction is being used for asylum seekers' biggest needs—onward transportation, shelter, and food—while over half is budgeted for staff and CBP buses. Finally, we are concerned that some of the decisions being made lack cultural awareness and are not trauma-informed. These decisions have the unintended consequences of actively harming asylum seekers and the overall immigrant rights movement in our region as well as weakening the gains the County has made in creating a more welcoming region.

While we were heartened by the County Board of Supervisors intention to engage with and fund local partners who have responded to this situation since day one, in practice, SBCS's collaboration with local partners has been very problematic. SBCS has alienated partners who had been the first to respond to street releases and who have the expertise and experience in providing culturally competent and trauma-informed services. Good faith efforts have been made to resolve our concerns directly with the service provider, SBCS, on several occasions prior to sending this letter.

Specifically, our biggest concerns are as follows:

- SBCS's budget (ADDENDUM A) shows that of the \$3,000,000 the county provided, only \$547,170 was allocated for direct aid to asylum seekers in the form of onward travel, shelter, and food. This accounts for less than 19% of the total funds.
- The County contract indicates that the contractor, SBCS, is to provide translation services at the welcome center. However, SBCS does not have a budget line item for translation services. Volunteer organizations provide language access through their own staff and volunteers, or rely on Google Translate. SBCS staff have also relied on Google Translate. We understand some interpreters have been made available to SBCS very recently, however, there are not enough interpreters for all on-site services and there are many representative languages still missing. Asylum seekers who do not speak Spanish are at an extreme disadvantage of getting their needs communicated effectively.
- The contractor has made an agreement to take over transportation from CBP and Border Patrol stations as far north as the San Clemente Border Patrol Station. This ground transportation was previously handled by CBP but is now being provided by SBCS at a cost of \$358,900. By taking over this role from the federal government SBCS has

reversed years of advocacy done by immigrant rights groups with CBP and Border Patrol to ensure safe releases.

- While many local immigrant rights groups explained the importance of setting up airport assistance for asylum seekers, SBCS had not used any funding for airport navigators or airport accompaniments. SBCS sends individuals to the airport without purchased flights, or coordinated plans to purchase one, causing many asylum seekers to be stranded at the airport for three or four days. Immigrant Defenders Law Center (ImmDef) and Detention Resistance Network have since worked with the airport management to assist departing asylum seekers at the San Diego Airport.
- Up until very recently, Muslim asylum seekers had not been given consistent access to a quiet indoor prayer space to do their daily prayers.
- SBCS often demonstrates a lack of cultural and racial sensitivity which is highly problematic since we estimate over 50% of arrivals are people from Africa or of African descent.
- Asylum seekers are blocked from entering the indoors auditorium/cafeteria and are made to sit outside under an awning even when there has been heavy rainfall and in increasingly cold temperatures. This is particularly confusing given that the contractor cited the coming inclement winter weather as a main reason for moving the operation indoors and away from transit hubs.
- Asylum seekers are not allowed in/out privileges and are only given one one-hour pass for wire transfers. People are not allowed to go buy their own food or other needed items from local businesses. While we understand there are security concerns, we believe there are other ways security issues can be addressed which are trauma-informed and still honor a dignified and welcoming environment for asylum seeking newcomers.
- SBCS is taking cash and funds from asylum seeking migrants and there is no indication of how these funds are being tracked or if they are being added back into the funds that help asylum seeking migrants.
- SBCS engages in non-collaborative decision making that is not culturally aware, trauma-informed, and puts migrants in danger. For example, SBCS management offered to hire unlicensed taxi drivers that are referred to as “wildcats” by law enforcement even after being told by experienced advocates that these wildcatters are known to rob migrants and leave them in isolated places.
- The \$3,000,000 awarded to the service provider expressly excludes using any of the funding to provide humanitarian assistance to support the Open Air Detention Sites (OADS).

Given these serious concerns, the undersigned organizations ask the County to:

1. Provide additional funds for a dignified welcome where the bulk of funds are spent on onward transportation needs, respite to medium-term shelter, language services, meals,

basic medical care in the form of public health support, and other critical services such as Know Your Rights legal services.

2. Require SBCS to provide a full and accurate accounting of all expenditures and a comprehensive report of their operations for the purpose of transparency and accountability. A report/update of expenditures should be provided at the Board of Supervisors meeting in January 2024, for purposes of transparency and public awareness. The report must include an accounting of the funds received from asylum seeking migrants for accountability purposes.
3. Ensure, by making a contractual obligation, that the organization who receives the next round of funding acts as a true fiscal sponsor that allocates funding and shares the decision-making process with expert organizations on the ground, rather than taking a unilateral approach to the work while disregarding expertise.
4. Open up the contracting opportunity to other organizations experienced in immigrant rights who have an established working relationship with diverse immigration organizations and who have experience working with DHS and its sub-agencies.
5. Direct County staff to research and analyze best practices in other municipalities such as El Paso, San Antonio, and Los Angeles who have established migrant welcome operations.
6. Establish a sustainable long term plan that can be scaled up or down based on the number of arrivals and includes a competitive bidding process.
7. Champion a whole-of-government approach that includes city, county, state, and federal aid to help with asylum seekers in the San Diego region.
8. Provide a county staff coordinator to hospitals in San Diego County to support asylum seekers injured at OADS, to help them get processed correctly, and to make sure they are able to access the correct service providers upon hospital discharge.
9. **Recognize that the Open Air Detention Sites (OADS) in San Diego County, which feed directly into the asylum seekers released in San Diego, is a human rights abuse and allow organizations providing support to apply for and use county funds as part of a complete humanitarian response effort.**

We believe that San Diego County can provide valuable contributions to a human-centered, sustainable, and welcoming infrastructure. However, the current model being utilized by SBCS with County funding is not in line with the vision of a welcoming region for migrants that many partners signed to this letter have worked decades to create. The County should course correct in order to provide a dignified welcome to new arrivals that uses public funding more efficiently and responsibly. San Diego County has historically welcomed asylum-seeking migrants and refugees. Setting up a sustainable and scalable welcoming infrastructure is good governance and aligns with the County's values.

Sincerely,

Al Otro Lado

American Friends Service Committee

Asian Pacific-American Labor Alliance (APALA-San Diego)

Detention Resistance

Immigrant Defenders Law Center

Partnership for the Advancement of New Americans (PANA)

Safe Harbors Network

San Diego Immigrant Rights Consortium (SDIRC)

Survivors of Torture, International

Universidad Popular

ADDENDUM A

Migrant Welcome Center October 11th thru December 31st, 2023

	<u>Cty Funded</u>	<u>In-Kind Match</u>
Center Staff (Various Partners)	\$1,287,695	\$531,680
<u>NON-PERSONNEL</u>		
CBP Buses	358,900	
Buses To/From Hotel-Airport	188,600	
Insurance Liability	4,496	
Supplies	99,075	
Food	115,374	
Migrant Travel -Airfare/Bus/Train	300,000	
Shelter - Hotel & Churches	131,796	50,000
Facilities & Maint	56,624	
Facility Rent		33,750
Security	160,440	
TOTAL DIRECT COST	\$2,703,000	\$615,430
Indirect @ 14.2%	297,000	
TOTAL COST	\$ 3,000,000	\$ 615,430
TOTAL PROGRAM COST		\$3,615,430