



**SEMI-ANNUAL CONFERENCE
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**Fighting Back Collaboratively:
Responding to the Criminalization of Immigrants in the USA**

Tuesday, January 25, 2011, 3:30 – 5:00 pm

Facilitator:

Henry Der, Senior Program Officer, Four Freedoms Fund/Public Interest Projects



Panelists:

Nora Preciado, Staff Attorney, National Immigration Law Center

Cecillia Wang, Managing Attorney, California ACLU Immigrant Rights Project



Sponsor: Public Interest Projects

Background of the political context related to immigration over the past five years:

- In December 2005 the U.S. House of Representatives approved HR 4437, which included provisions to strengthen immigration enforcement and construct a fence along the U.S./Mexico border. The bill did not pass the Senate.
- This sparked massive protests in spring 2006.
- In 2007 immigrant rights advocates again raised the comprehensive immigration reform debate, but were unable to get anything passed.
- In spring 2008 enforcement escalated and massive workplace raids became increasingly common.

Nora Preciado explained that from 2006-2009 military style mass raids on locales of employment were a common component of immigration enforcement. In response, the Four Freedoms Fund convened sixty advocates to discuss current enforcement practices and to better coordinate efforts to reduce criminalization of immigrants. The steering committee that emerged assessed needs in terms of legal response, community response, and communications and messaging.

In April 2009 the Obama Administration shifted from targeting undocumented workers to employers of undocumented workers. In response, the steering committee adjusted its strategies and prioritized a focus on communications, assessment of the ever-changing landscape, and gaps. One challenge is that not all organizations doing innovative work with enforcement are part of the steering committee. Another challenge is the evolving nature of enforcement. Immigrant rights advocates are losing the public relations battle, there is a need for a more effective and cohesive messaging and communications strategy.

Cecillia Wang further described the evolving nature of enforcement. Prior to 2006, the primary objective was to get the U.S. government to comply with human and constitutional rights standards. Now they face challenges from countless local and state government actors, as well as federal. She outlined three major threats:

1. State legislation, such as SB 1070 in Arizona. This legislation is designed to violate the human and civil rights of people of color, particularly Latinos. Twenty-seven states now threaten to follow suit with similar legislation and five states have already introduced such legislation. In Arizona we have seen success largely because there exists a strong infrastructure of civil and immigrant rights organizations. However, this is not the case in South Carolina, where it seems likely such legislation will pass.
2. Movement by anti-immigrant forces to attack the 14th amendment and the notion that all persons born in the U.S. are automatically citizens. At a press release several weeks ago a concerted plan was announced to render persons born to parents without legal status in the U.S. non citizens.
3. Local law enforcement agencies who have unlawfully searched and seized people of color to determine whether or not they are undocumented.

Henry Der explained that the Four Freedoms Fund (FFF) was approached by the steering committee with a proposal that explained the learnings from the needs assessments and requested additional staff.

The Fund believed that they needed to better align staff suggestions with need so recommended each organization in the steering committee submit a proposal that would address what was identified in the needs assessment and specify which activities each organization would perform. FFF then compiled these activities on a grid and shared with the organizations, so that all could see the breadth and depth of what they proposed to do collectively.

Several resources:

- Grantmakers Concerned with Immigrants and Refugees is releasing a guide/toolkit on immigration enforcement and the policies, practices and impact on immigrant communities.
- FFF is also discussing the need for documenting human rights violations with advocates based on the borders.
- NGO working on creating a web-based HR documentation system.

Question & Answer

Q: In this political climate it seems as though public relations is a big issue as so many buying into the anti-immigration agenda. Can you speak about work in this area?

A: This is a huge obstacle on a daily basis. Immigrant rights advocates have studied the LGBT and death penalty movements for lessons on messaging and found that framing the argument in terms of fundamental American values worked well in Arizona. Utilizing 'human stories' can also be effective. The more draconian anti-immigrant forces become, the more opportunities we have to refute their arguments.

Q: You are funding national level organizations, what roles are there for grassroots organizations in your work?

A: The National Immigration Law Clinic performs needs assessments from the bottom up. Arizona is a great example of an already-existent grassroots movement and the ways it can collaborate with national level actors.

Q: How are you using litigation? How are you building unlikely allies?

A: Both the NILC and ACLU are focused on impact litigation and have responded to raids with class action lawsuits but the government backed down each time. There is an immediate need to develop a pro bono network in states where SB 1070-like legislation seems imminent.

A: As criminalization of immigrants has increased there has been some resistance to using a criminal justice frame, but it is important to think about how to join forces with that movement. As advocates continue to build alliances across movements there should be focus on how to develop effective complementary strategies.

Q: What is the relationship between the current economic climate and an increased negative view of immigration? How has your messaging responded?

A: There is one example in Hazleton, Pennsylvania where studies were conducted on the positive impact of immigrants in the local economy.

Suggestions/next steps:

- Speak with funders about the linkages between immigration and criminal justice work
- Support messaging
- PIP would love to speak with other funders interested in collaborating on these issues
- Form an alliance with the AARP and other groups that represent the elderly who are concerned with social security