

County to create legal defense fund for immigrants: Supervisors consider methods to support community in response to federal changes

By Samantha Weigel Daily Journal staff Mar 29, 2017

As the federal government aims to widen the scope of who is targeted for enforcement of immigration laws, San Mateo County officials are looking to set up a legal defense fund for those facing deportation.

The Board of Supervisors met Tuesday to continue its ongoing discussion of how to best support immigrants following the county's nonbinding resolution professing support for people of all backgrounds last month. Acknowledging how the changing political landscape in Washington, D.C., is trickling down to cities across the nation, San Mateo County officials are looking to address potential barriers for foreign-born residents to integrate and remain in the community.

"Immigration in this county hasn't been a political issue," said Deputy County Manager Mike Callagy, according to a live video of the meeting. "Immigration in this county has been a humanitarian issue."

The county doesn't want to establish sanctuary status, but instead is moving to address legal and language barriers for constituents who may become targets under promises made by President Donald Trump to crack down on undocumented immigrants.

This week, the board authorized the creation of a new Office of Community Affairs, and will continue efforts to study ways to better disseminate information and communicate with those who speak languages other than English.

Supervisors also opted to allocate funding toward legal representation for those facing civil deportation proceedings — although an exact amount will be decided later.

Historically, the county has set aside money to offer well-attended workshops about a person's rights or how to obtain documentation. But this would be the first time the county may allocate funds toward those facing deportation or who may have a less clear path toward citizenship or documentation, according to county officials.

"The fund will at its core keep more San Mateo County families together, because as you know, having legal counsel does make it many times more likely that an immigrant will defend against deportation," said Araceli Martinez-Olguin, an immigration attorney with Community Legal Services of East Palo Alto. "We must also recognize that policies being formulated in Washington will only increase those needs for legal services."

At least one member of the public opposed to the idea of taxpayer funds being spent toward defending anyone in a civil lawsuit. Thomas Weissmiller spoke during the meeting

and argued against government-paid legal representation, noting it isn't available to those facing foreclosures, divorces or child custody issues.

But the board unanimously opted to move forward as others noted various communities are looking toward creating such funds as a way to combat the effects of a changing political landscape.

Supervisors Warren Slocum and Dave Pine formed an ad-hoc committee to review how much may be needed; originally \$276,000 was identified as available but further study was requested. They will also consider what types of immigrants would qualify to receive support for legal services — for example, whether it's parents whose children were born in the United States or low-income individuals who would otherwise be unable to pay for an attorney. The board will likely draft a request for proposals and determine what types of cases as well as with which providers to work.

Slocum, who helped craft the initial report making these recommendations, will also form an ad-hoc committee with Supervisor David Canepa to study creation of a Language Access Policy for countywide departments.

Those two supervisors represent districts with the highest rates of foreign-born residents, with Canepa's northern region having 45.6 percent — which may not include undocumented residents, according to staff presentations during the meeting.

Tomás Jiménez, a Stanford University professor who focuses on immigration and sociology, noted a majority of San Mateo County's immigrant population is both educated and has resided in the community for nearly two decades. But, he noted legal status is often a barrier to integration or people achieving their economic and educational aspirations. He also emphasized the county's immigrant population is diverse, with nearly half from Asian countries and a third from Latin American nations.

Canepa noted Daly City has a large Filipino population and urged the board consider expanding its language access policy to include a variety of languages.

"I think it's a great idea," he added in support of the actions.

Callagy also emphasized this is work in alignment with the county's mission to treat all people with respect and dignity, adding "our county certainly works better when all voices are heard."

Jasmine Hartenstein, the county's immigrant services coordinator, said nearly 46 percent of residents speak a language other than English at home. She's in the process of reviewing the various departmental policies around language access and is working with county counsel to draft a policy.

In her capacity, she noted national rhetoric is having widespread effects on immigrants of various backgrounds — even those in the United States legally have been contacting the county with concerns about their status or whether they can travel.

Others have been missing doctor's appointments or classes and living with a heightened level of anxiety, Hartenstein said.

"There's a hesitancy for people to receive help from the government and this is now more so true than ever," she said, later adding "as a nation we're constantly seeing executive orders that not only instill confusion and fear, but ... [are] being felt at a local level among all immigrants."