

To: Senate Committee on Judiciary and Ballot Measure 110 Implementation

From: Mohammad Bader, MS, LPC | Director, Department of County Human Services
Peggy Samolinski | Director, Youth and Family Services Division

Date: February 7, 2022

RE: Testimony in Support of SB 1543

Honorable Chair Prozanski and Members of the House Committee on Judiciary,

We are writing in support of SB 1543, which establishes the Universal Representation Fund and provides for a nonprofit organization to serve as fiscal agent to award grants to organizations to provide services related to immigration matters through a universal representation program.

SB 1543 would provide critical support to Oregonians in accessing the legal system to ensure their rights. Assistance in understanding the immigration legal landscape and securing legal defense for those facing deportation proceedings remains an urgent need throughout Oregon.

In a 2018 survey conducted by the Oregon Law Foundation, 70% of participants identified immigration as a civil legal issue that had a very or highly negative effect on their lives. Unlike in criminal proceedings, respondents appearing before the U.S. immigration court do not have the right to court-appointed counsel. Meanwhile, the federal government is always represented by an attorney. Those going before the Portland Immigration Court without legal representation are nearly five-and-a-half times more likely to lose their cases and be ordered deported from the United States, many to situations where their lives are in immediate danger. (Source: Innovation Law Lab)

Demand far exceeds the current capacity of immigration legal service and community-based navigation providers. Limited capacity has led at times to inconsistency in representation, with a client having changes in attorney and organization representing them over the course of their case. This lack of continuity negatively impacts both case outcomes, as well as the wellbeing of the people involved. This bill would help address both the overall need for attorneys and navigators, and also ensure continuity of representation.

In Multnomah County, we have learned how vital this resource and approach is to protect the rights of disenfranchised individuals, particularly immigrants. In addition to the lack of court-appointed counsel, immigrants face significant barriers to both understanding the legal process and their rights, and accessing the pro bono legal services that do exist. Legal navigators within culturally specific organizations have proven to be a highly effective approach for engaging folks who need immigration-related legal support, empowering them with information, and getting them representation.

SB 1543 funds additional attorneys at community based organizations, as well as sustains and expands the proven community-embedded navigator model. It also includes several additional elements that, as a whole, will address barriers and gaps in access to representation for residents with legal immigration issues. Those additional services include funding for case costs, fees and interpretation, and capacity building support to service providers. A statewide universal navigation and support system, including a call center, and a clearinghouse for support and coordination of attorneys will help streamline access and strengthen and streamline the services.

The views of members of the impacted communities were centered in designing how to deliver services through SB 1543. Community-based organizations, legal services providers, and immigrant rights advocacy organizations, such as Pueblo Unido PDX, El Programa Hispano Católico, Latino Network, IRCO, Causa, and several others representing impacted communities contributed to this bill.

We at Multnomah County support SB 1543 and ask that you take this critical step to address this inequity in our immigration legal system and promote racial equity in Oregon.

Sincerely,

Mohammad Bader, MS, LPC

Director
Department of County Human Services

Peggy Samolinski

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