

# UNIVERSAL REPRESENTATION

2022 LEGISLATIVE SESSION



All Oregonians should be treated with dignity and respect regardless of where they were born. One in every 10 Oregon children lives with an undocumented parent, and immigrant workers make up a high percentage of essential and frontline workers.<sup>1</sup> When facing deportation, immigrants are not guaranteed legal representation. When community members are deported without the opportunity to have their case fairly decided under the law, our communities, our schools, and our workforce are destabilized and community safety is undermined.

Oregon is home to thousands of immigrants and refugees who live in all our cities and towns. Immigrant Oregonians are critical to the state's cultural and economic vitality, working in key Oregon industries as farm workers, food-processing workers, housekeepers, construction workers, landscapers, caregivers, and day laborers. Many immigrants own small businesses that contribute to the vibrancy of our communities.

Oregonians believe in constitutional and human rights, including the right to be treated fairly, justly, and with dignity under the law. Universal representation is based on the core, fundamental freedom of due process. This longstanding principle ensures our legal system treats people fairly, strengthens public trust in our legal institutions, and promotes stable and thriving communities.

We must protect the rights of everyone who calls Oregon home. By doing so, we continue a longstanding Oregon tradition of being a place that values families, communities, and individual liberties.

LED BY

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**FOR ALL**

SUPPORT

Supported by more than 50 community based organizations, the Racial Justice Council, and Fair Shot for All's 2022 legislative agenda.

## PROTECTING OREGON FAMILIES

A pilot program, funded by Multnomah County, the City of Portland, and the State of Oregon, has provided attorney access to immigrant Oregonians facing deportation since October 2018. Under the program:

- 1,300+ Oregonians received legal services to defend against unlawful or unjust deportation
- 750+ Oregonians who faced violence or persecution were empowered to request asylum
- 350+ Oregonians have applied for work authorization

The pilot program won asylum for Carla\*, an Oregonian who fled persecution in Honduras where she was wrongfully arrested and harmed by police during a peaceful protest. An attorney represented Carla and her child, proving that she had been harmed and they would face grave danger at the hands of the Honduran government if deported.

The immigration judge granted asylum for Carla and her child, allowing them to stay in the United States and putting them on a pathway to lawful permanent residency and, eventually, citizenship, sparing their lives and the integrity of their Oregonian community.<sup>3</sup>

\*name changed

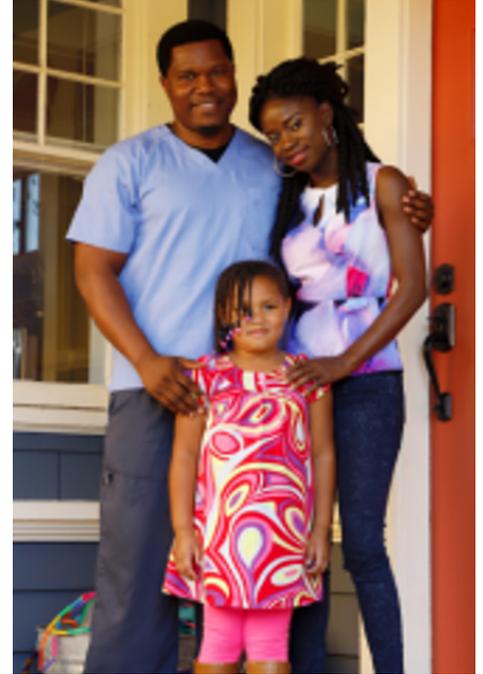
# THE MODEL FOR STATEWIDE UNIVERSAL REPRESENTATION

Universal representation safeguards due process by allowing immigrant Oregonians to access their rights under the law. Many people in removal proceedings have valid legal claims to remain in the country and continue to contribute to Oregon's communities, but they have no way to make these claims without the assistance of counsel.

Representation by an attorney is the most determinative factor in the outcome of deportation proceedings and improves someone's chances of winning relief from deportation by 457 percent.<sup>2</sup> In fact, individuals with representation are 15 times more likely to even present a case to remain lawfully in the United States than those who lack counsel.

Community-based organizations across Oregon are a critical component of healthy and thriving communities. The universal representation program builds off a successful pilot program run in Multnomah County (see box to the left) that was funded by the county, the City of Portland, and the State of Oregon. This program includes:

- Community-embedded navigators would guide Oregonians at risk of deportation into the program, supported by a statewide call center and centralized clearinghouse.
- The Oregon State Bar would administer funding to substantially expand the capacity of existing legal service providers.
- Additional attorneys would be placed at CBOs all across the state, providing legal services to community members at culturally and geographically accessible locations.
- A client service fund would ensure that related costs, like filing fees and interpretation, would not be a barrier to accessing representation.
- A governance structure made of CBOs from across the state would guide the program and ensure the community continues to design, drive, and implement the program.



<sup>1</sup> <https://www.ocpp.org/2020/04/06/oregon-immigrant-workers-excluded-federal/>

<sup>2</sup> [https://scholarship.law.upenn.edu/penn\\_law\\_review/vol164/iss1/2/](https://scholarship.law.upenn.edu/penn_law_review/vol164/iss1/2/)

<sup>3</sup> <https://innovationlawlab.org/media/Defending-Everyone-1.pdf>