

# Support Universal Representation: SAFE Network 101

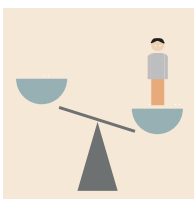
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## What is it?



- > The **SAFE Network** is a growing movement of communities convened by Vera that are dedicated to publicly funded, **universal representation** for immigrants facing detention and deportation.<sup>1</sup>
- > Universal representation advances a public defender system for people facing deportation, one in which **every person facing deportation is represented by a lawyer** regardless of income, race, national origin, or history with the criminal justice system.
- > Communities advancing universal representation are leading the way toward restoring fundamental fairness and dignity to everyone facing deportation. SAFE partners with local governments, lawyers, and advocates to make this possible.

## Why does it matter?



- > Over the past few years, arrests and detention of immigrants have soared, families have been systematically separated, and immigrants have increasingly been stripped of rights, making them more vulnerable than ever to deportation.
- > Deportation can result in physical exile from home, separation from family, loss of employment, and even violence or death in a country of origin. Yet people in immigration court face a broken and biased system described by a federal judge as akin to hearing, **“death penalty cases in a traffic court setting.”**<sup>2</sup> In detention, people face inhumane conditions, loss of liberty, lasting trauma, and barriers to accessing counsel.

- > **Immigrants facing deportation do not have the right to a public defender if they can't afford a lawyer.** Yet the government trying to deport them always has counsel. As a result, most people fighting for their lives in immigration court,—including **70 percent of people in detention—navigate the complexities of immigration law alone.**<sup>3</sup>
- > **The overwhelming majority of people in the United States believe it is important for people in immigration court to have access to lawyers,** highlighting that common sense solutions are needed to ensure that everyone is treated with basic fairness.<sup>4</sup>

## Why universal representation?



- > **Restores due process.** Everyone at risk of deportation deserves a fair day in court even if they cannot afford a lawyer. Universal representation advances shared values of due process and fairness and restores dignity to a system that sets immigrants up to fail. Everyone should mean everyone.<sup>5</sup>
- > **Achieves positive outcomes.** Immigrants who are represented are 3.5 times more likely to be released from detention on bond and up to 10 times more likely to establish a right to remain in the United States.<sup>6</sup>
- > **Defends family unity.** People facing deportation are our neighbors, our friends, and our family members. Tearing them away from their families causes harm and insecurity that radiates throughout our communities. SAFE clients are **parents to hundreds of children—82 percent of whom are U.S. citizens.**

**Seventy-seven percent of SAFE clients are the primary breadwinners** for their families.<sup>7</sup>

- › **Stabilizes communities and economies.** People helped through the SAFE Network are deeply entrenched members of our workplaces and communities, **having lived in the U.S. for an average of 14 years.** SAFE clients are essential contributors to local economies, participating in the workforce at rates consistent with nationwide averages: **61 percent of SAFE clients have been employed within the past 12 months, compared to 63 percent of people nationwide.**<sup>8</sup>
- › **Secures equal justice for all.** Harmful myths of immigrant criminality, combined with overincarceration and overpolicing of communities of color, make Black immigrants particularly vulnerable to detention and deportation.<sup>9</sup> Denying legal services to those who have histories with the criminal justice system feeds into prejudices and contradicts our shared values of due process and fairness. **By ensuring that everyone has equal access to due process, universal representation advances a more equitable vision of justice.**

## Growing momentum

- › **Significant public support.** A recent national poll conducted by the Vera Institute of Justice found an overwhelming **87 percent of people in the United States support government-funded lawyers for people in immigration court.**
- › **A national model.** More than **35 communities in 18 states, including 18 in the SAFE Network, have funded deportation defense programs.** These communities are leading the way in countering the injustice and destabilization that federal immigration enforcement has brought to our nation. Local universal representation pilot programs advance the national movement for a right to federally funded counsel.
- › **Economic benefits.** By keeping families together, universal representation programs ensure that community resources function better. Universal representation programs generate practical cost savings for communities and the economy. For example, New York's publicly funded legal representation program was estimated to lead to a **\$2.7 million increase annually in tax revenue due to clients gaining or maintaining work authorization.**<sup>10</sup>

### Endnotes

- 1 The Safety and Fairness for Everyone (SAFE) Network includes Atlanta, Georgia; Austin, Texas; Baltimore, Maryland; Chicago, Illinois; Columbus, Ohio; Dallas, Texas; Dane County, Wisconsin; Denver, Colorado; Long Beach, California; New Haven, Connecticut; Oakland/Alameda County, California; Philadelphia, Pennsylvania; Prince George's County, Maryland; Ramsey County/St. Paul, Minnesota; Sacramento, California; San Antonio, Texas; San Francisco, California; and Santa Ana, California. For additional information, see Vera Institute of Justice, "Safety and Fairness for Everyone (SAFE) Network," [vera.org/projects/safe-network](https://vera.org/projects/safe-network). For more on universal representation, see Vera Institute of Justice, "Advancing Universal Representation: A Toolkit for Advocates, Organizers, Legal Service Providers, and Policymakers," <https://www.vera.org/advancing-universal-representation-toolkit>.
- 2 The Honorable Mark A. Dummond, "'Death Penalty Cases in a Traffic Court Setting': Lessons from the Front Lines of Today's Immigration Courts," American Bar Association, January 15, 2019, <https://perma.cc/G5UB-VBKE>.
- 3 The representation rate in immigration court fluctuates slightly over time. Historically, 81 percent of detained immigrants have lacked representation—between October 2000 and November 2019, 81 percent of all people in detention had never been represented (1,237,252 of 1,526,419 cases). The rate has improved slightly over the past two decades, with approximately 70 percent unrepresented in recent years—between October 2012 and November 2019, 70 percent of all people in detention had never been represented (327,828 of 466,756 cases), with the exact percentage varying slightly from year to year. See Transactional Records Access Clearinghouse (TRAC), "Details on Deportation Proceedings in Immigration Court," accessed January 13, 2020, <https://trac.syr.edu/phptools/immigration/nta/>.
- 4 Based on unpublished Vera analysis of its national polling data on the subject, results forthcoming Spring 2020.
- 5 Vera Institute of Justice, "Video: Everyone Means Everyone," <https://www.vera.org/research/everyone-means-everyone>.
- 6 For a summary of this research, see Karen Berberich and Nina Siulc, *Why Does Representation Matter?* (New York: Vera Institute of Justice, 2018), <https://perma.cc/NTM6-F8UN>.
- 7 Vera Institute of Justice, *Due Process for All: Evidence from Year 2 of the SAFE Network* (New York: Vera Institute of Justice, 2019), <https://perma.cc/E32K-4KPU>.
- 8 Ibid.
- 9 Jeremy Raff, "The 'Double Punishment' for Black Undocumented Immigrants" *Atlantic*, December 30, 2017, <https://perma.cc/R7UZ-MKF7>.
- 10 Jennifer Stave, Peter Markowitz, Karen Berberich et al., *Evaluation of the New York Immigrant Family Unity Project: Assessing the Impact of Legal Representation on Family and Community Unity* (New York: Vera Institute of Justice, 2017), <https://perma.cc/3TKY-CLF2>.

### For more information

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