

**Testimony of Damon King
Senior Policy Advocate
Legal Aid Society of the District of Columbia**

**Before the Committee on the Judiciary and Public Safety
Council of the District of Columbia:
Bill 22-0080
“Access to Justice for Immigrants Amendment Act of 2017”**

July 12, 2017

The Legal Aid Society of the District of Columbia submits this testimony to express our enthusiastic support for Bill 22-0080, the Access to Justice for Immigrants Amendment Act of 2017. The bill would expand the Access to Justice Grants program to “provide... support to nonprofit organizations that deliver civil immigration legal services to the District’s documented and undocumented immigrant residents.”¹ As the District’s oldest civil legal services organization, Legal Aid recognizes the growing need for a range of civil legal services, including immigration legal services, for our fellow District residents. Furthermore, we applaud the bill for making use of the existing Access to Justice Grants program, administered by the DC Bar Foundation, to build the capacity of nonprofit organizations to deliver these services. The program has proven to be a highly effective vehicle for funding legal services in the District and we believe that expanding it is the best way to meet community need.

Over 85 years, Legal Aid has helped tens of thousands of people in the District. In 2016 alone, our work benefited more than 9,000 individuals, who received full representation, brief advice, or legal assistance. Almost half of our staff attorneys and paralegals are fluent or highly proficient in another language and we also take advantage of the District’s interpreter bank, which ensures that every DC resident is able to receive high-quality legal services in the language of their choice. Through the work of staff attorneys across all of Legal Aid’s practice areas,² we see first-hand the difficulties that immigrants living in the District face, including the ways in which being an immigrant can make accessing justice more difficult.

District residents who are immigrants face a number of unique obstacles in accessing public systems. A lack of familiarity with District agencies, local and federal programs, and the courts can leave them unaware of their legal rights or the benefits to which they are entitled. This can lead to underutilization of public benefits and other assistance programs for which they might qualify. It can also leave them unprepared for adversarial processes such as benefit terminations or eviction from housing. Members of immigrant communities who have limited English proficiency may also experience difficulty understanding legal proceedings, learning their rights, and obtaining assistance if those rights are violated. And for many, being an immigrant can contribute to dangerous and unhealthy power imbalances that make resolving

¹ Bill 22-0080, “Access to Justice for Immigrants Amendment Act of 2017,” § 2.

² Legal Aid’s primary practice areas include housing law, family/domestic violence law, public benefits law, and consumer law. For more information, *see*, <http://www.legalaiddc.org/practice-areas/>

other issues more difficult. For example, a domestic violence survivor who is also an undocumented immigrant may become afraid to move forward in obtaining a civil protection order when an abusive partner threatens to disclose her undocumented status to others. Sadly, anecdotal evidence suggests a significant increase in such threats since the past election.

The legal services community has long recognized the barriers faced by members of the District's immigrant community. The DC Access to Justice Commission's 2008 report, *Justice for All?* noted, for example, that language access issues in the immigrant community can "impede equal access to the full array of social services and benefits to which ... residents may be entitled, including health care, welfare, unemployment and disability compensations programs and credit."³ Immigrants experience "barriers to entering and navigating the justice system," including a lack of knowledge of rights, responsibilities and where to go for help.⁴ Worse yet, immigration status can "compound other legal issues," such a client's efforts to flee and protect herself from domestic violence.⁵ In identifying the need for immigration legal services, the 2008 report noted that between 1980 and 2000, the District's immigrant population rose by 81.4%, with a 25% increase over the course of the 1990's.⁶ The number of District residents with limited English proficiency increased by 30% from 1990 to 2000.⁷

In the years since 2008, the need for specialized services for immigrants has only grown more pressing. The immigrant share of the District's population has continued to grow since 2000,⁸ increasing the number of individuals and families who may experience obstacles. Further, recent developments at the federal level have created an atmosphere of fear for many immigrants and their families, particularly those who are undocumented. If our fellow District residents who need legal help with immigration matters continue to experience difficulty accessing assistance, the effects will be far-reaching. Many will continue to live in fear of deportation, disruption of their families, and threats to their safety and well-being. Further, many more will be forced back into the shadows, too afraid to seek help in other areas of their lives. Funding civil immigration legal services is not just about solving clients' immigration issues – it is about empowering clients to flee abusive relationships, to maintain stable housing, and to maintain the support that they need to build lives for themselves and their families.

Legal Aid believes in making justice real for all who call the District home. For many of our fellow District residents – family members, neighbors, foundations of our communities – assistance with immigration matters is an integral part of achieving this goal. For this reason, we urge the Council to pass the Access to Justice for Immigrants Amendment Act of 2017. Thank you for the opportunity to submit this testimony.

³ District of Columbia Access to Justice Commission, *Justice for All?* (2008), p. 25. Report available at: <http://www.dccaccesstojustice.org/files/CivilLegalNeedsReport.pdf>

⁴ *Id.* at p. 25 (discussing the challenges of District residents with limited English proficiency).

⁵ *Id.* at pp. 78-81.

⁶ *Id.* at p. 8, 78

⁷ *Id.* at p. 26.

⁸ *See, e.g.*, American Immigration Council, *New Americans in Washington, D.C.: The Political and Economic Power of Immigrants, Latinos, and Asians in Our Nation's Capital.* (Immigrants' share of the District's population grew from 9.7% in 1990, to 12.9% in 2000, to 14.4% in 2013). Available at: https://www.americanimmigrationcouncil.org/sites/default/files/research/new_americans_washington_dc_2015_0.pdf