



**Safe and Just:
An OCJF Advocacy Agenda for Immigrant and Human Rights
in Orange County in the Time of COVID-19**

As local leaders, organizers, and attorneys, we came together to develop this list of seven advocacy priorities to guide the work of the Orange County Justice Fund (OCJF) during the time of COVID-19. This document also serves as a public declaration of key short and long-term goals for our organization. We call on our leaders to defend their communities by taking the following actions:

1. Release immigrants in ICE detention and stop expansion of the immigration detention system with the eventual goal of dismantling it entirely

The COVID-19 pandemic has brought into sharp focus the inhumanity of immigration detention. The current public health crisis warrants the immediate release of detainees in the custody of U.S. Immigration and Customs Enforcement (ICE) [for their own safety](#) and for that of [the broader public](#). It also exposes long-standing problems with the system of ICE detention that predated the pandemic, including the fact that detention is largely [unnecessary](#) and does not [further public safety](#). Proven alternatives are [more humane](#) and more [cost-effective](#). Recently, federal judges around the country have been ordering the release of ICE detainees due to the federal government's inability to protect detainees from the threat of COVID-19 in detention facilities. This is true also for [detainees held at the Adelanto facility](#), where many residents of Orange County are currently held. OCJF, along with many civic, religious, and legal organizations, [continues to support the release of all persons endangered by COVID-19 in ICE detention](#), including Orange County residents, and not only those defined as medically vulnerable. Read our recent op-ed on the topic [here](#).

Immigration detention has [grown enormously](#) in recent decades due to policy and political choices that have been counter to the public interest. In 2019, lawmakers in California passed a law to largely ban [for-profit detention in the state](#), but federal authorities [moved forward with plans to expand facilities like Adelanto](#) just before the new law went into effect. OCJF joins other organizations in calling for a [moratorium](#) on the expansion of immigration detention, and ultimately, [an end to immigration detention](#).

2. Bond people out of ICE detention and expand access to bond

COVID-19 has made the work of community bond funds to pay for the release of immigrants more critical than ever. Although some immigrants in ICE detention are not eligible for release on bond due to [harsh laws enacted in 1996](#), others are eligible for release and have been found by an immigration judge or ICE to be neither a danger to the community nor a flight risk. However, for many, the exorbitant sums of money demanded by judges or ICE in exchange for their freedom (in the thousands and tens of thousands of dollars) make release impossible. For OCJF, raising money for bonds has been an act of love and resistance that has allowed people to gain their freedom. While bond funds are not a long-term solution, in the age of COVID-19, they can be the difference between life or death. To support the OCJF's Immigrant Bond Fund, donate [here](#).

Additionally, the very process of posting bond funds to ICE so that a person can be released has become unnecessarily dangerous. Unless the bond is being posted by a for-profit company, ICE requires people to go in person to what are often small, cramped, ICE offices to wait out the bureaucratic process of providing and clearing a check. ICE can and should open its [eBond access program](#)--currently limited to for-profit bond companies--to nonprofit immigrant bond funds and loved ones of people in detention. Community members and volunteers should not have to jeopardize their health to post bond.

3. Halt new ICE arrests

Even after COVID-19 was declared a global pandemic, ICE [continued](#) to make new arrests of community members and send them to detention centers where they would be exposed to dangerous conditions. Despite [claims](#) that ICE would largely halt immigration enforcement, ICE [has continued to arrest](#) community members, including those with minor criminal history or [no criminal history](#). The federal government is prioritizing its immigration agenda over public health.

OCJF supports [calls](#) to ICE to put a moratorium on immigration enforcement while the pandemic is raging, and also [beyond](#). Community members can also get involved with the Orange County Rapid Response Network, which monitors and responds to immigration enforcement activities locally and offers assistance to families affected by enforcement. More information is available [here](#).

4. Address over-policing in immigrant communities and end state and local collaboration with ICE

Recent calls to defend Black lives have prompted many in our country to re-examine institutions of policing. Policing goes beyond local agencies and includes many of the most prominent and well-funded functions of federal, state, and local government. ICE is policing, Customs and Border Patrol (CBP) is policing, school safety officers are policing, and corrections officers in our public and private facilities are policing. Over-policing in black and brown communities has long contributed to the detention and deportation system. Detentions and deportations disproportionately impact Black immigrants, who make up only 7% of the immigrants in the United States but [comprise 20%](#) of those facing deportation on criminal grounds. California has taken [proactive steps](#) to begin disentangling state and local law enforcement from federal immigration enforcement. However, OCJF joins other organizations such as the California Immigrant Youth Justice Alliance and the ICE Out of California Coalition calling on state and local governments to end all collaboration with ICE. [This includes](#) ending transfers of *all* immigrants in custody based on ICE detainer requests, regardless of past involvement with the criminal or juvenile justice systems, and ending any information sharing and database access with/by ICE. Moreover, police should be arresting less people, particularly for low-level offenses. We should work to identify non-carceral means by which to live together in community.

OCJF supports efforts to defund police departments and invest those resources back into the community. We must also ensure that the rights of immigrants are protected and respected. Here in Orange County, the OC Sheriff's Department and some local officials initially [rejected](#) California's sanctuary law. But community groups responded. VietRISE and the National Day Laborer Organizing Network [joined forces](#) with the Bring Human Rights Home Campaign, a cross cultural campaign in Little Saigon, to push local elected officials and jurisdictions to rescind anti-immigrant and anti-sanctuary resolutions and instead enact strong local laws like [Santa Ana's Sanctuary Ordinance](#). The Orange County Rapid Response Network [continues to monitor](#) the activities of local law enforcement and any collusion with ICE.

5. Ensure due process for all immigrants in deportation proceedings

The immigration system is notorious for its lack of due process. Moreover, the majority of detained immigrants navigate their deportation proceedings alone, without the help of an attorney or other legal representative. [Studies show](#) that having an attorney can increase an individual's likelihood of winning relief from deportation by more than 10 times, and it can increase the chance an individual will be released on bond by up to 4 times. While providing access to legal counsel will not alone fix the immigration system, it is as crucial as ever that we work to [expand access to universal representation, especially given the current public health crisis](#), so that individuals who cannot afford an attorney can have the best chance at being

released from detention and fighting their deportation. An ongoing deportation defense [campaign](#) in Orange County reminds us that our community continues to fight to stay free during this [pandemic](#).

Fortunately, some local leaders have been stepping up. For example, for several years now, Santa Ana has allocated funds to a [deportation defense fund for Santa Ana residents](#). Santa Ana's program should be celebrated for the additional reason that it [does not exclude](#) any indigent resident from receiving services based on past criminal justice involvement. OCJF has been active in efforts to advocate for continued funding in Santa Ana. Catch our recent press conference [here](#). We call on elected officials in other Orange County cities to follow Santa Ana's example, especially given the absence of a county-wide deportation defense fund like [that which has been established in Los Angeles](#).

6. Ensure detainees who remain in detention can maintain connections with legal representatives, family, and other support networks

For immigrants that remain in detention, ICE has discontinued all non-legal visitation, meaning detainees have been cut off from their families and community support systems during the pandemic. Attorney access has also been limited at the Adelanto facility, where, as noted above, many Orange County residents have been detained. It was only after a court issued an injunction in [Torres v. DHS](#) that attorneys and legal workers were able to begin scheduling confidential calls with clients and more easily coordinate with deportation officers on access issues.

Contact with the outside world is critical for detainees at this time. In most detention centers, immigrants and asylum seekers are still able to receive mail, and some advocacy groups are turning their attention to letter-writing, setting up [penpal relationships](#) with detained individuals. When the facility is not on lockdown, people detained at Adelanto can also make outgoing calls. Tablets are also available, allowing detainees to email, share photos and video chat through an [outside service](#). Apart from communication with friends and family, publications like [IMMPrint](#) collect stories and artwork from immigrants inside detention centers and share them with supporters and others on a regular basis.

7. Help immigrant communities thrive

We must ensure that the communities in Orange County to which immigrant detainees will return remain resilient and strong. OCJF applauds the work of the participatory defense team of the Orange County Rapid Response Network, which has been accompanying detained individuals in their cases and working with them to integrate back into the community following their release. There are many ways to support families who are struggling financially at this time. Community members can contribute to (or connect families to) funds and mutual aid networks that have been set up to help immigrant communities with rent, [food](#), and medical care, and [other](#)

[needs](#). For example, OCJF is participating in the [California Immigrant Relief Fund](#) to distribute funds to Orange County families directly impacted by detention and deportation.

Local elected officials also have a role to play. In addition to placing moratoriums on [evictions](#) and maintaining these moratoriums until the pandemic is over, officials should enact [rent freezes](#) to prevent landlords from unlawfully increasing rents and attempting to evict tenants. Officials in Orange County should also provide [rent relief](#) and take other steps to ensure access to secure housing, healthcare, and a living wage by working class families. We have an opportunity now to invest in our communities and make Orange County a place where all people, without regard for their legal status, are able to live and work without fear of being discriminated against or denied assistance. The pandemic has laid bare the ways in which our country [extracts the labor of immigrants](#) while excluding them from full membership in our communities. But immigrant workers, both those who feed and care for us as well as those who take care of their families in their homes, are [essential workers](#) that make up part of the fabric of our community. They should not be excluded.

To contact the Orange County Justice Fund, email info@ocjusticefund.org.