STATE POLICY GUIDE

The re-election of Donald Trump and his threats of mass deportations have intensified risks for undocumented communities and the need for progressive states to take action is critical. While it remains imperative that Congress take action to provide a legislative fix and a pathway to citizenship for more than 10 million undocumented immigrants in the nation, states can take decisive action to protect immigrant communities. This policy guide outlines a few recommendations that the Home is Here campaign recommends state officials fight for in their states.

REDUCING DEPORTATIONS

1. Expanding access to IDs

Expanding access to valid forms of IDs remains one of the best ways to combat the arrest-to-deportation pipeline. Currently, 16 states and the District of Columbia allow undocumented people to obtain driver's licenses. Expanding access to driver's licenses protects undocumented immigrants who must drive to school, work, or to the doctor. It also ensures public safety by ensuring everyone can drive licensed.

- The Colorado Road and Community Safety Act allows everyone to obtain a standard Colorado driver's license or ID, regardless of immigration status so long as they meet requirements, provide proof of identity and proof of Colorado residency.

2. Prohibiting local law enforcement collaboration with ICE

Prohibiting local law enforcement from collaborating with Immigration and Customs Enforcement (ICE) is among the most effective ways to reduce immigration arrests and deportations. If allowed to collaborate with ICE, state and local law enforcement agencies would be an immense expansion of the deportation machine. Prohibiting ICE collaboration with police and designating locations where immigration enforcement cannot occur, such as schools, hospitals, and places of worship, protects immigrant communities and local funding resources.

- The California Values Act prohibits state and local resources from assisting federal immigration enforcement and that schools, hospitals and courthouses are protected from immigration enforcement activity.

- The New York for All Act also prohibits all local law enforcement and state agencies from conspiring with Immigration and Customs Enforcement (ICE) and Customs and Border Patrol (CBP).
- The Colorado Protect Colorado Residents From Federal Government Overreach Act prohibits local law enforcement from arresting or detaining an individual solely on the basis of a civil immigration detainer, it also prohibits probation officers as well as departments from sharing information to federal immigration authorities.

3. Barring ICE presence from courthouses

Barring ICE from having presence in courthouses is an additional way to reduce immigrant arrests. Immigrants should be allowed to access courthouses without the threat of arrest and deportation looming overhead. Removing barriers to immigrant access to courthouses improves public safety.

- New York's Protect Our Courts Act prevents ICE officers from arresting individuals going to or leaving court, bringing relief from the constant threat of ICE surveillance and arrest for immigrants.
- Colorado's Prohibit Courthouse Civil Arrest Act protects individuals from civil arrest while they are present at a courthouse and related grounds, or while traveling to and from a court proceeding.

4. Universal legal representation

Access to universal legal representation provides immigrants with a more fair chance while going through the criminal legal system. When provided with access to legal representation, immigrants are significantly more likely to receive positive outcomes in their immigration cases. Access to legal representation improves community wellbeing by preventing family separation, detention in inhumane facilities, and deportations.

- Colorado's Immigration Legal Defense Fund creates a statewide fund to provide a lawyer for people facing detention or deportation.
- The Access to Representation Act in New York aims to establish a right to universal representation by providing anyone at risk of deportation with a lawyer.

STRENGTHENING COMMUNITIES

5. Professional and Occupational Licensing

Expanded access to professional and occupation licensing would bring undocumented immigrants into the formal economy, increase opportunities for work and avenues for income and would allow them greater protections from exploitation.

- California's Opportunity For All Act, AB 2586, would allow public institutions of higher education in the state to employ undocumented students where federal law does not mandate proof of work authorization.
- California allows undocumented immigrants to receive any professional license by providing an Individual Taxpayer Identification Number (ITIN) or Social Security number (SSN). Similarly, Washington's HB1889 has expanded access to professional licensing with the use of ITINs.
- In Illinois, DACA recipients who have fulfilled necessary requirements may obtain a license to practice law and citizenship status cannot bar a person from obtaining an attorney's license.
- Other professional and occupational licensing for noncitizens have been expanded to cover teaching in Nevada and West Virginia, and dentistry and dental hygienists in South Dakota.

6. Expanding worker protections

Expanded worker protections are critical for undocumented communities, who are disproportionately likely to experience workplace exploitation. Workplace ICE raids also place undocumented workers under the threat of deportation while at work.

- The Immigration Worker Protection, AB 450, in California bars employers from releasing employee records to ICE agents or allowing ICE entry to nonpublic places of work without a warrant or court order. It also requires employers to provide advance notice to employees regarding ICE inspections.

7. Healthcare for All

Expanding healthcare access is critical for improving the standard of living of immigrant communities, who already face disproportionate barriers to medical care. Ensuring that anyone, regardless of immigration status, can receive necessary preventive and emergency care improves public health for everyone. Expanded healthcare access decreases the strain on emergency services and lowers costs in the long term by addressing issues early.

- In California, Medi-Cal has been expanded to cover full-scope medical services for all low income residents, regardless of immigration status. This makes California the first state to

provide universal health coverage to all undocumented immigrants through the state's public healthcare program.

- Colorado and Washington have made private coverage for noncitizens more affordable via state-funded subsidies. Colorado provides plans with zero premiums for up to 10,000 residents 150% below the federal poverty level, while Washington opened access to 105,000 undocumented residents making up to 250% the poverty level.
- Oregon has expanded access to medicaid and prenatal care to undocumented pregnant people and children.
- In California, undocumented immigrants may access a wide array of medical services, such as early breast cancer detection, breast and cervical cancer treatment, and prostate cancer treatment.

8. Expanding access to education

Universal higher education provides immigrant students, along with all students, access to no-cost higher education. Providing this allows immigrant students and all students to pursue professional and trade careers, creates a highly-skilled workforce, and diminishes income inequality by advancing social mobility.

- New Mexico allows all state residents, regardless of immigration status or family income, to enroll part-time in public institutions of higher education. The program also covers tuition and fees before other scholarships and sources of financial aid are applied, which allows students to use those additional funds to cover other expenses.
- The California Dream Act, AB 540, allows undocumented students to access in-state tuition rates. California also allows undocumented students to access state-funded financial aid, Cal Grants and scholarships.
- The Safe Schools for Immigrants Act, AB 699, expands anti-discrimination protections to include immigration status and prohibits schools from broadly collecting information about the immigration status of students or their families.

9. Cash Assistance

Undocumented immigrants face significant obstacles to accessing federal public benefits, such as cash assistance and food stamps. Expanding access to similar programs is critical to ensure the financial wellbeing

- California's Cash Assistance Program for Immigrants (CAPI) provides state-funded monthly cash benefits to "aged, blind, and disabled non-citizens" unable to access Supplemental Security Income or State Supplementary Payment solely due to their immigration status.

- The Benefit Recovery Fund in Colorado allows certain undocumented workers access to unemployment-like benefits through a statewide wage replacement program. The cash payments can be used towards food, shelter, healthcare and other critical needs.
- California allows undocumented immigrants who file taxes through an ITIN to access the California Earned Income Tax Credit and the Young Child Tax Credit, which provide direct financial support and increase disposable income among low-income households.

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