



MEMORANDUM

**DATE:** May 14, 2021

**TO:** Mayor Arndt and City Councilmembers

**THRU:** Darin Atteberry, City Manager <sup>DS</sup>  
Kyle Stannert, Deputy City Manager <sup>DS</sup>  
Caryn Champine, Director of Planning, Development & Transportation <sup>DS</sup>

**FROM:** JC Ward, Senior City Planner, CDNS <sup>DS</sup>  
Leo Escalante, Community Engagement Specialist, CPIO <sup>DS</sup>

**RE:** May 11, 2021 Work Session Summary – Municipal Immigration Legal Fund

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At the May 11<sup>th</sup> City Council Virtual Work Session, Caryn Champine, JC Ward, and Leo Escalante provided an overview of research and options to address the need for immigration legal services in Fort Collins, existing municipal immigration legal fund implementation and funding models, and alignment of potential solutions with our community-specific needs.

All councilmembers were present for the discussion via video conferencing. Funding immigration legal services for Fort Collins residents would advance Council priorities to improve safety, community trust, equity, and livability.

A municipal immigration legal fund would provide local access to immigration legal services for Fort Collins residents seeking a legal pathway to citizenship or lawful presence. As a new effort, the potential program would be considered a pilot endeavor of 12-18 months to fund grants that would be awarded through a competitive application and review process. Grant funds would be awarded to legal service providers would be dedicated to program administration, education, and outreach; providing defense for people at risk of deportation; children seeking Special Immigrant Juvenile Status; and for community members seeking pathways to citizenship and lawful presence.

General discussion and direction from the work session included:

Challenges for Fort Collins Immigrant Community Members

- Shared background information on:
  - The designation of immigration cases as civil cases without the right to legal counsel and the impact of legal representation in deportation cases.
  - Negative impact on public safety due to heightened fear of all law enforcement due to immigration status.
  - Lack of access to medical care because of decreased access to private health insurance and lack of access to publicly funded healthcare programs.

- Estimated unmet community need for pro bono immigration legal services in Fort Collins per year is: 75-100 detention/deportation cases, Special Immigrant Juvenile Status cases is 100, and affirmative cases is 400.
- Discussion of availability of legal resources in Fort Collins with publicly funded services currently covering **other** types of civil cases and indigent criminal defense. (There is one private immigration attorney practicing in Fort Collins. No organizations currently provide pro bono or low-cost immigration legal defense and advice for Fort Collins residents).

#### Other Publicly Funded Immigration Legal Funds

- The pilot program for Fort Collins is designed as an equity program rather than an income-qualified program in contrast to the proposed Colorado statewide program based on legal authority and best practices from existing municipal immigration legal funds.
- Some discussion centered on the data provided in the materials for other publicly funded immigration legal funds. The background materials did not provide data for all 42 municipal immigration legal funds across the U.S. but highlighted those with similar intended outcomes related to unmet community need and percentage of immigrant population in relation to the total population. Staff will provide additional data in the Council packet ahead of the June 1<sup>st</sup> meeting.
- Denver Foundation (Denver Immigration Legal Services Fund) Steering Committee member provided information on the funding from City and County of Denver for approximately 3.5 years and discussed the recent increase of municipal funding to \$500,000 in this budget year due to the success of the program; types of cases resolved, positive community reception of their program, and funding model.

#### Pilot Program Design

- Some members of Council indicated support for an 18-month pilot program in the C-18 example funding range (\$180,000-\$250,000). It was noted this would provide the ability to collect data for the lifecycle of immigration cases that average more than 12 months.
- Program participants would be Fort Collins residents with a lawful pathway to citizenship or lawful presence and those in the process of determining whether those pathways apply to their circumstances through legal advice, educational trainings, and direct legal representation.
- Discussion of program coordinator functions as administrator of the program as well as coordinator for education, outreach, marketing, limited fundraising, and client intake. Housing the position in a nonprofit rather than having a City Staff coordinator is more cost effective and adds a level of protection for community members with concerns about disclosure of their information.
- Information shared by Police Services Assistant Chief of Police John Feyen on the department's work with immigrant communities (through Community Policing and the Community Trust Initiative) and the Fort Collins Police Services' role in enforcing local, not federal laws, and focus on safety for all community members.
- Exploration of partnerships with Larimer County, nonprofit community partners, and grantor organizations to fund or expand a City-sponsored immigration legal fund was supported.
- Discussion of logistical details to understand what services would be offered, who would be eligible for the services, and how that directly supports the local unmet need and City Strategic Outcomes.

### Next Steps & Follow-up

- Staff will bring an off-cycle appropriation request for City Council consideration and First Reading on June 1, 2021 for a pilot program through the end of 2022 following a discussion at Council Finance Committee on May 24, 2021.
- As part of the off-cycle appropriation request supporting materials, Staff will respond to follow up questions related to data from existing municipal immigration legal funds and the potential for collaboration with Larimer County. For the June 1st Council meeting, Staff will provide information on the universal representation-based service levels for deportation cases and affirmative cases that accompany the budget request so Council priorities may be built into the overall program delivery structure and education programs.