June 15, 2018

To: Supervisor Sheila Kuehl, Chair  
Supervisor Hilda L. Solis  
Supervisor Mark Ridley-Thomas  
Supervisor Janice Hahn  
Supervisor Kathryn Barger  
County of Los Angeles Board of Supervisors  
Kenneth Hahn Hall of Administration  
500 W. Temple St.  
Los Angeles, CA 90012

Cc: Sachi A. Hamai, County of Los Angeles Chief Executive Officer  
Mary Wickham, County Counsel, Office of the Los Angeles County Counsel  
Nicole Davis Tinkham, Interim Public Defender, Los Angeles County Public Defender’s Office  
Janice Y. Fukai, Alternate Public Defender, County of Los Angeles Public Defender Office  
Rigo Reyes, Acting Executive Director, County of Los Angeles Office of Immigrant Affairs

Re: Urgent Expansion of the Los Angeles County Public Defender’s Office (LACPD)’s Immigration Unit

Dear Members of the County of Los Angeles Board of Supervisors:

We write to urge you to expand the Immigration Unit at the Los Angeles County Public Defender’s Office (LACPD) with an additional 15 immigration expert budgeted positions, as recommended in the ACLU of Southern California’s report, Defend L.A.1 These additional positions are necessary to ensure that LACPD has the resources to meet its constitutional, statutory, and ethical obligations to its noncitizen clients.

Acknowledging that prosecutions carry devastating immigration consequences for noncitizens, the U.S. Supreme Court held nearly a decade ago in Padilla v. Kentucky that noncitizens’ Sixth Amendment right to effective counsel includes receiving affirmative, accurate advice about the immigration consequences of criminal dispositions. This right to effective counsel also includes defense against adverse immigration consequences like deportation through the pursuit of alternative dispositions that avoid or at least minimize such consequences. As you are well aware, such informed legal defense is all the more crucial today given the extraordinary complexity of the intersection between state criminal law and federal immigration law and the increasingly aggressive immigration enforcement practices of the Trump Administration.

Nevertheless, LACPD currently suffers from inadequate resources to guarantee noncitizen clients’ Sixth Amendment right to effective counsel. The Defend L.A. report details how LACPD has been grossly under-resourced as measured against recommended staffing ratios and
compared to other California public defender offices. There are only two immigration experts supporting about 700 public defenders who handle approximately 300,000 criminal cases a year, including about 51,900 cases involving noncitizen clients.\(^2\) As a result, despite the often-heroic work of individual defenders and LACPD’s two immigration experts, defenders have systematically lacked the necessary resources and expert support to provide constitutionally mandated, quality representation to all their noncitizen clients.

Because of LACPD’s extraordinarily large number of noncitizen cases, a dramatic staffing expansion is urgently needed. Los Angeles County must ensure LACPD’s Immigration Unit is expanded by at least 15 additional attorneys. Only then would LACPD defenders be equipped to provide constitutionally mandated, quality representation by fully defending their noncitizen clients and preventing, where possible, avoidable criminal convictions that trigger severe immigration consequences.

More than a century ago, Los Angeles County inspired the nation by opening the first public defender office in the country.\(^3\) As the historic first, the County should lead again.

Sincerely,

A New PATH
A New Way of Life Reentry Project
ACLU of Southern California
Advancement Project California
African Communities Public Health Coalition
American Friends Service Committee
API RISE
Asian Americans Advancing Justice-LA
Asian Pacific Policy and Planning Council
Black Alliance for Just Immigration
California Coalition for Women Prisoners
California Families Against Solitary Confinement
California Immigrant Policy Center
California Immigrant Youth Justice Alliance
Central American Resource Center (CARECEN)
Centro CHA, Inc.
CLEAN Carwash Campaign
Clergy & Laity United For Economic Justice (CLUE)
Coalition for Humane Immigrant Rights (CHIRLA)
Community Coalition
Council on American-Islamic Relations, Greater Los Angeles (CAIR-LA)
Critical Resistance Los Angeles

Immigration Resource Center of San Gabriel Valley
Khmer Girls in Action
Koreatown Immigrant Workers Alliance (KIWA)
Korean Resource Center (KRC)
Los Angeles County Federation of Labor, AFL-CIO
LA Voice
Latino/a Roundtable of the San Gabriel and Pomona Valley
LB GRRRL Collective
Long Beach Immigrant Rights Coalition
Los Angeles Alliance for a New Economy (LAANE)
Los Angeles LGBT Center
Loyola Immigrant Justice Clinic, Loyola Law School Los Angeles
March and Rally Los Angeles
Mexican American Bar Association of Los Angeles County (MABA)
Miguel Contreras Foundation
MPower Change
Muslim Public Affairs Council (MPAC)
National Day Laborer Organizing Network (NDLON)
National Immigration Law Center
Californians United for a Responsible Budget (CURB)
Democratic Socialists of America-Los Angeles
Dignity and Power Now
DREAM Team Los Angeles
Drug Policy Alliance
Democratic Socialists of America-Long Beach
Esperanza Community Housing Corporation
Esperanza Immigrant Rights Project Los Angeles
Essie Justice Group
Fair Chance Project (FCP)
Filipino Migrant Center
Families United to End LWOP (FUEL)
Greater Long Beach Interfaith Community Organization
Human Rights Watch
Immigrant Defenders Law Center
Immigrant Legal Resource Center
National Lawyers Guild - Los Angeles
Pilipino Workers Center
Pomona Economic Opportunity Center
Public Counsel
San Gabriel Immigrant Youth Coalition
South Asian Network
Thai Community Development Center
The Anti-Recidivism Coalition (ARC)
The Foundation for Economic Democracy
UC Irvine School of Law Immigrant Rights Clinic
UCLA Downtown Labor Center
UCLA School of Law Criminal Defense Clinic
Union de Vecinos
United Union of Roofers, Waterproofers and Allied Workers Local 36
Urban Peace Institute
Youth Justice Coalition
L. Song Richardson, Dean and Professor of Law, UC Irvine School of Law


2. See id. at 49–50.