

Executive Summary

Full report may be downloaded at <http://bit.ly/1mDPeCH>

Moving from Exclusion to Belonging

Immigrant Rights in Minnesota Today

The Advocates for Human Rights
March 2014



Because every person matters.

ABOUT THE ADVOCATES FOR HUMAN RIGHTS

The mission of The Advocates for Human Rights is to implement international human rights standards to promote civil society and reinforce the rule of law. By involving volunteers in research, education, and advocacy, we build broad constituencies in the United States and select global communities.

The Advocates for Human Rights investigates and exposes human rights violations and abuses internationally and in the United States; represents immigrants and refugees who are victims of human rights violations and abuses; trains and assists groups to protect human rights; and works through research, education, and advocacy to engage the public, policy makers, and children in understanding human rights.

The Advocates for Human Rights was founded in 1983 by a group of Minnesotans who recognized the community's unique spirit of social justice as an opportunity to promote and protect human rights in the United States and around the world. Today, The Advocates has produced more than 75 reports documenting human rights practices and policy recommendations, and works with partners overseas and in the United States to restore and protect human rights. The Advocates for Human Rights holds Special Consultative Status with the United Nations.

The Advocates for Human Rights
330 Second Avenue South, Suite 800
Minneapolis, MN 55401 USA
612-341-3302
theadvocatesforhumanrights.org

©2014 The Advocates for Human Rights

All rights reserved.

ISBN: 0-929293-75-4

ACKNOWLEDGEMENTS

This report was made possible, in part, by support from the Blandin Foundation, The Minneapolis Foundation, and the Andrus Family Fund. We are grateful to the Blandin Foundation, whose priority of creating inclusive communities where everyone can thrive helped inspire the approach to our inquiry; to The Minneapolis Foundation, whose One Minneapolis report provided an excellent, if sobering, source of data; and to the Andrus Family Fund, whose commitment to helping communities in transition will allow us to continue our work in this area.

Staff members on this project included Milena Gebremeskel, Emily Good, Sarah Herder, Madeline Lohman, Emily Lohmeyer, Michele Garnett McKenzie, Chanida Phaengdara Potter, and Ahmed Sirleaf, and former staff attorney Amy Schroeder Ireland, who volunteered on the project team. Additional staff assisted with the final production, including Sue Banovetz, Emily Farell, Luke O’Neill, and Rachael Steenholdt. Colleen Beebe developed the original One Voice Minnesota initiative, out of which this project grew. We are especially grateful for the tireless leadership of our Executive Director, Robin Phillips.

This report reflects two years of work on the One Voice Minnesota Anti-Bias Initiative to document and analyze how Minnesota respects, protects, and fulfills the human rights of refugees and immigrants. It builds on the 20 years of work by The Advocates for Human Rights to combat anti-immigrant bias in Minnesota and throughout the United States and would not be possible without the vision of those who helped The Advocates embark upon this work. This initiative grew directly out of the research of Katherine Fennelly,¹ whose report on diversity coalitions in rural Minnesota helped convene advocates from around the state who work every day to build welcoming and inclusive communities. We are deeply grateful to Kathy, who provided great expertise and insight throughout her tenure at the Humphrey School of Public Affairs to paint an accurate picture of immigration in Minnesota.

Countless volunteers helped with this report. Many thanks to our community interviewers and conversation hosts: Oualid Abid, James Anderson, Romina Brenner Guerrero, Susan Bosher, Devon Courtney, Shawn Davis, Daniel Elliott, Debbie Eng, Charles Epps III, Patricia Fenrick, Thoria Ibrahim, Gail Irish, Justin Jackelen, Hawo Jama, Karen Johnson, Christopher Kempe, Gary Kwong, Nick Manthey, Christine Mburu, Brittany Mitchell, Amber Morgan, Aryca Myers, Daniela Prigozhina, Caius Rickard, Diane Ross, Julie Sell, Leland Stoe, Kevin Tillman, Pakou Yang, and Andrea Zick. Thanks also to Professor Katherine Fennelly and Emily Saunoi-Sandgren at the Humphrey School of Public Affairs, Professor Michal Moskow and Martha Hardy at Metro State University, Professor

¹ Tamara Downs Schwei and Katherine Fennelly, “Diversity Coalitions in Rural Minnesota Communities,” CURA Reporter (Winter 2007), 13.

ACKNOWLEDGEMENTS

Paula Duthoy at William Mitchell College of Law, and to their students who conducted interviews and research as part of this project.

Shawna L.F. Anderson and her team at Dorsey & Whitney, L.L.P., including Michelle Collins-Zhao, Patrick Connolly, David Cromwell, Erik Detlefsen, Nathan Ebnet, Kevin Ha, Patrick Hall, Jenn Hu, Julie Mahoney, James Mason, John Norton, Amy Ostdiek, Nathan Rouse, and Erik Ruda, provided significant legal research assistance. Additional subject matter research was conducted by Alejandra De Freitas, Jun Sup Han, Connor Molloy, Frantzie Saint Juste, and Marvin Samuel as part of their capstone project at the Humphrey School of Public Affairs.

Melinda Grundhauser and Eric Loukas provided line editing. Andrea Domaskin, Mark Petty, Matthew Randol, and Katherine Swenson assisted with cite checking and formatting. Our interns Patrick Alcorn, Lindsay Blahnik, Darcy Berglund, Daria Brosius, Patricia Dorsher, Evan Druce, Katherine Goodyear, Gabe Keller, Allan Martinez Venegas, Ashley Monk, Hilde Nelson, Jasper Peet-Martel, Amy Perna, Mari Peterson, Daniela Prigozhina, Nick Rea, Nicole Rhodes, Maria Shatonova, Jennifer Suever, and Danielle Werder provided invaluable assistance throughout every phase of this project. Lucia Callizo, Mark Petty, and Ximena Tejada translated outreach materials. Numerous subject matter experts took time to review drafts of this report.

Finally, our deep gratitude goes to the hundreds of people who took time to share with us their experiences and insights. Our thanks also go to the many partner organizations in communities across Minnesota who hosted conversations that allowed us to shape our inquiry and understand the complex picture of immigration in our state.

We are grateful for the generous research support of our colleagues, volunteers, and interns. Nonetheless, as the author of this report, The Advocates accepts responsibility for any errors or misrepresentations.

METHODOLOGY

When The Advocates for Human Rights set out to measure the extent to which Minnesota respects, protects, and fulfills the human rights of refugees and immigrants in our state, we faced the challenge of eliciting people’s lived experiences – good and bad – in our community. We knew that by asking people about the human rights violations they faced, we would get only part of that story.

We also were mindful of the potential divisions that can occur when talking about immigration. Too often, conversations about immigration fail to make room for considerations of the broader problems of racism, segregation, and poverty in Minnesota. And for many black and American Indian Minnesotans in particular, conversations about “immigration” can seem to leave them out altogether.

The notion of creating “welcoming communities” was grabbing the attention of the national immigrant integration movement, and we decided to test what that concept of “welcome” means by using it to frame our discussions. We asked participants to answer questions about what makes a community welcoming and to share experiences where they felt welcome, or not, in an effort to understand how they perceive the community and what they understand to be problems or solutions.

Using the framework of “welcome” proved useful. Individuals, organizations, institutions, and civic groups were both open to, and excited by, the idea of exploring the issue of immigration through this lens.

Over the course of more than two years of conversations, interviews, and research, however, we learned that while making newcomers feel “welcome” is important, it is insufficient in the face of discrimination, exclusion, and the denial of access and opportunity that results from human rights violations.

We began with a series of community conversations held around Minnesota to elicit ideas of what defines a welcoming community. While people spoke to the importance of opportunities to build understanding and friendship, they quickly turned to more concrete issues of exclusion, fear, and denial of fundamental human rights as the factors which contribute to, or inhibit, integration in the community. People acknowledged that while Minnesota works hard to “welcome” people, many individuals struggle to belong and to live with dignity. We continued these conversations throughout the project, as groups across the state heard of the project and wanted to join our effort to build inclusive communities where people could truly belong.

Based on the scope of these conversations, we developed an interview questionnaire to guide our discussions with individual community members, service providers, advocates, activists, and government personnel. Informed by the discussions with hundreds of Minnesotans, we explored

METHODOLOGY

issues related to immigration, law enforcement, and the justice system; housing, education, and access to basic needs; and issues Minnesotans are facing in the workplace.

We invited people to help us reach into their communities. We trained over 60 volunteers, including two university classes, about human rights monitoring and the protocols relating to this project. These people, in turn, conducted community conversations and individual interviews, which helped to form the findings of this report.

The voices of the participants in our conversations and interviews are the heart of our report. We present their experiences and insights anonymously, both to preserve their privacy and because the issues they discussed crossed boundaries of place, ethnicity, occupation, and immigration status. Quotes presented are accurate, but do not represent transcripts.

The Advocates held community conversations in partnership with host organizations, including community-based organizations and human rights commissions in the metro area and in greater Minnesota. Approximately 500 people participated in these conversations. Approximately 50 percent of participants reported being long-term residents. Of those who reported a place of birth outside the United States, approximately 40 percent were from Africa; 30 percent from Asia; 20 percent from Mexico, Central, and South America; and 10 percent from Europe.

The Advocates also conducted approximately 200 individual interviews. In addition to speaking with individual immigrants and refugees, The Advocates interviewed elected officials, civil rights officials, attorneys, public defenders, civil legal services attorneys, medical professionals, domestic violence and sexual assault victim advocates, community-based organizations, human rights commissions, refugee resettlement agencies, police, chamber of commerce representatives, educators and administrators, labor organizers, economic development agencies, and other service providers. The Advocates met with people throughout Minnesota, visiting communities in each region of the state.

We then analyzed our findings through the lens of human rights. We considered those rights which the United States and the State of Minnesota have acknowledged through their constitutions, statutes, and courts to be binding. We also considered those rights which the United States has recognized in principle, but which it has not yet incorporated into the domestic legal framework – the “economic, social, and cultural” rights – for while they may not (yet) be legally enforceable in the United States, they remain rights which all human beings should enjoy. By including them in our analysis, we challenge ourselves, our colleagues in the human rights movement, and those who make and enforce the laws to all work for the recognition of all human rights.

EXECUTIVE SUMMARY

Too often, the discussion about immigration focuses judgment on the actions of immigrants – whether they followed increasingly complicated immigration rules, their adeptness at adjusting to life in the United States, and their willingness to meet the broader community’s expectations of behavior and appearance. This report reverses the terms of the discussion and examines the actions of Minnesota’s government, civic institutions, and long-term residents – how well do they fulfill their responsibilities towards immigrants? International human rights standards provide an important framework for analyzing the actions of the broader community and the government and judging whether Minnesota is fulfilling its responsibility to ensure that every person is treated with dignity and enjoys freedom, justice, equality, and peace.

Minnesota takes seriously the commitment to provide a safe community in which everyone thrives, and in recent decades Minnesota has welcomed thousands of refugees and immigrants. Nonetheless, people’s fundamental human rights are being violated and abused. The findings of this report remind Minnesota that while welcoming gestures can help ease transitions and build friendships, welcome by itself, without upholding fundamental human rights, ultimately leaves some Minnesotans excluded from the most basic protections needed to ensure that every person lives with dignity.

The Advocates for Human Rights’ report draws on nearly 200 individual interviews and more than 25 community conversations involving approximately 500 people throughout the state. It places the findings within the context of state, federal, and international human rights law to identify what is working to promote integration and success, what is failing, and what gaps exist in public policy. While The Advocates for Human Rights specifically documented the experiences and perceptions of refugees and immigrants in this report, it recognizes that these experiences highlight – and indeed have been allowed to occur because of – the longstanding failure to protect the human rights of all Minnesotans, regardless of race, poverty, and marginalization.

DISCRIMINATION AND DISTANCE

Immigrants and refugees face barriers to belonging in Minnesota communities because of discrimination and social distance. Immigrants and refugees face the challenge of living in a state plagued by some of the nation’s worst racial disparities in the areas of employment, health, civic engagement, and educational outcomes.² Discrimination against Muslim immigrant communities continues in employment, immigration, and religious expression. Immigrants and refugees with

² Minnesota Department of Health: Commissioner’s Office, *Advancing Health Equity in Minnesota: Report to the Legislature*, Melanie Peterson-Hickey, and Jeanne Ayers (Feb. 2014), 5-6; Minneapolis Foundation, and Amherst H. Wilder Foundation, *One Minneapolis: A vision for our city’s success*, Jane E. Tigan (Oct. 2013), 9.

legal status often remain ineligible for public safety net programs and face difficulty establishing new lives in Minnesota due to a lack of credit history, recognized credentials, or social and professional networks. Parents and teachers struggle to communicate around linguistic and cultural barriers, given a student population that speaks approximately 230 languages at home and represents at least as many different cultures.³

EXCLUSION AND FEAR

Thousands of undocumented Minnesotans and their families live excluded from the community and in constant fear of deportation, leaving them vulnerable to human rights violations and abuses in Minnesota. For Minnesotans who lack legal immigration status, and their families, fear of detention and deportation defines how they interact with all facets of the system. Undocumented immigrants often avoid calling the police, complaining about dangerous or exploitative working conditions or unsafe housing, seeking medical care, or engaging in their children's schools in an attempt to stay "under the radar." Unable to access an effective remedy, undocumented immigrants often fall victim to human rights abuses by private actors, including discrimination and exploitation. Undocumented immigrants in Minnesota also face human rights violations by the government, including serious due process violations and violations of their rights to safety and security of the person, housing, food, and health.

PUBLIC SAFETY

Immigrants' ability to enjoy safety and security in their communities suffers because of fear and mistrust of law enforcement. People consistently cited fear of detention and deportation as a reason to avoid contact with law enforcement. For undocumented victims of crime or for crime victims who have undocumented family members, this fear can be an obstacle to seeking protection. Advocates for battered immigrant and refugee women, in particular, reported that fear of deportation remains a barrier to seeking safety, despite federal immigration law intended to protect certain crime victims from deportation.

Reports indicate that fear of deportation following contact with local law enforcement agencies appears to be well founded. Immigrants, service providers, and legal services attorneys reported drivers and passengers being arrested following stops for traffic violations. Once in jail for any reason, people are subject to interrogation by Immigration and Customs Enforcement (ICE). Individuals are routinely turned over to ICE or Border Patrol upon a "detainer request" from those agencies, with no scrutiny by prosecutors or courts about the constitutional validity of the underlying arrest. This has left Minnesota law enforcement without an effective mechanism to detect or combat any immigration profiling that may take place.

³ Minnesota Department of Education, Division of Student Support, *English learner Education in Minnesota: 2013*, 12, <http://w20.education.state.mn.us/MDEAnalytics/Data.jsp>.

Immigrants, refugees, advocates, and law enforcement all reported that trust of law enforcement is essential to individual and community safety, but building that trust can be challenging. Perceptions of cooperation with federal immigration officials and experiences with police in both home countries and Minnesota affect the relationship between immigrant communities and law enforcement. People pointed to the important role police can play in fostering trust, both through specific outreach and through day-to-day interactions.

ACCESS TO JUSTICE

Immigrants and refugees in Minnesota face serious barriers to accessing justice that are compounded by lack of immigration status, language, and lack of familiarity with the U.S. legal system. People reported limited availability of free civil legal services, in general, and immigration legal services, in particular. In the criminal context, people noted that immigrants and refugees may face grossly disproportionate consequences for criminal convictions. People also noted perceptions of bias in the criminal justice system, lack of access to high quality interpreters in all aspects of proceedings, lack of understanding by immigrants and refugees of how the court system works, and significant delays in cases that cause hardship to immigrant plaintiffs. Finally, for people who have been victims of discrimination in housing, employment, public benefits, or other sectors, fear of deportation acts as a barrier to seeking an effective remedy.

ECONOMIC OPPORTUNITY

Many individual immigrants reported feeling that economic opportunity for immigrants in Minnesota is similar to the opportunities available to the U.S.-born population. Immigrants and refugees did report barriers to employment, including lack of employment authorization, limited opportunities due to language proficiency, lack of recognition of foreign training and credentials, and limited access to education and technology. Other barriers include the limited availability of living wage jobs, benefits, and paid time off. Despite these barriers, many immigrants and refugees report optimism about their economic opportunities due to hard work.

While immigrants and refugees often viewed their economic opportunities with optimism, service providers and advocates reported patterns that indicate a more sobering situation. Some immigrant workers face exploitation by employers who prey on fear of deportation or job loss. Serious workplace abuses including wage and hour violations and wage theft, lack of training and access to safety equipment, physical and sexual assault, false imprisonment, and human trafficking were reported in a variety of industries.

Immigrant and refugee workers in Minnesota have widely divergent experiences based on their race, religion, country of origin, education level, and immigration status. Some face employment discrimination based on these circumstances. While most individuals interviewed did not report being the victim of illegal discrimination, organizations and advocates who serve immigrant workers

uniformly reported incidents of discrimination in the workplace. At the same time, some people reported willingness by their employers to remedy problems.

EDUCATION

Minnesota, which has a unique immigrant demographic and accompanying challenges, has seen overall improvements in academic outcomes that are shared by immigrant and refugee populations. Nonetheless, persisting disparities highlight inequities within the system. Interviewees pointed to systemic root causes, such as poverty and segregation, that require community commitment to school integration to remedy. Additionally, interviewees identified the need for state-level policy changes in order to reduce bullying and mitigate disparate negative effects of school discipline policies on immigrant and refugee students. They also noted state-, community-, and school-level policies that could be changed to alleviate barriers related to school readiness, preparedness of content staff to work with immigrant students, insufficient funding and staffing levels, and hiring and retention of staff of color.

Participants also identified the need for increased attention and resources accorded to English learner (EL) services, including more staffing, improved curricula and pedagogy, and better placement procedures of immigrants and refugees in both EL and special education classes.

Community members and interviewees cited several ways in which schools could create a more welcoming environment that included providing human rights and multicultural education, encouraging positive staff treatment and intervention, and enhancing the facility's physical environment. They also noted the importance of reducing barriers that limit family involvement, including perceptions of unwelcome, a range of communication issues linked to language and culture, and a lack of resources.

Many of the same issues extend themselves into postsecondary systems, resulting in unequal access manifested in student expectations, college readiness and support, available options, and discrimination. Finally, interviewees articulated the need for all systems to be routinely and systematically monitored.

HOUSING

Immigrants in Minnesota struggle to find safe and well-maintained housing, a problem fueled by a shortage of affordable housing, restrictions on public benefits, immigration status, exploitation by landlords, and outright discrimination in renting and buying. Lack of housing is not exclusively the problem of a particular immigrant group, but affects all immigrants, regardless of their country of origin, immigration status, place of residence in Minnesota, or ethnicity. Some immigrant populations, however, face added difficulties that complicate the search for affordable housing. The systems that protect people from exploitative and discriminatory landlords, realtors, and mortgage

lenders are not working for immigrants. The private market is failing to provide affordable housing, and public housing cannot meet the demand, constrained by a lack of funding and a political environment that views it as acceptable to deny the rights of all people to decent, safe housing.

BASIC NEEDS

Immigrants and refugees do not receive the support they need to meet their basic needs, primarily because public assistance programs are built not to include everyone who requires assistance, but to exclude certain people from consideration, regardless of their needs.

Despite the United States' commitment to refugee protection, the United States makes scant public benefit provisions for refugees and asylum seekers. Refugees are eligible for basic services, but face strict time limits and complications if they relocate. Asylum seekers receive no support upon their arrival in the United States and face a waiting period for work authorization after applying for asylum.

Many other immigrants face a host of barriers to accessing services to meet their basic needs. Communication around public benefits suffers from the paradoxical problem of both not enough information and "information overload" driven by the complexity of the benefits eligibility system. Language barriers and cultural differences create an additional challenge to communicating with clients about their benefits. Service providers also noted the problematic design of the U.S. public assistance system, which is built on addressing individuals' "deficiencies," instead of their strengths.

The health care system contains additional barriers. Many immigrants are simply unable to access services due to exorbitant health care costs. Health care professionals also face serious challenges in communicating with their patients due to language, literacy, and cultural barriers. This challenge is particularly acute in the mental health care field, which faces a severe lack of culturally appropriate providers.

Eligibility for most public benefits hinges on immigration status, and confusing and complex rules lead to denial of benefits to qualified immigrants or family members. Some immigrants fear accessing the system at all due to their immigration status or the fear of being labeled a "public charge." Finally, the categorical exclusion of undocumented immigrants from almost all public benefits and recent cuts to state-funded programs denies basic human rights to many people.

CIVIC ENGAGEMENT

Immigrants in Minnesota reported mixed experiences with community involvement, which includes everything from attending local events and volunteering with community organizations to serving in the government. Immigrant engagement is strongest within their own ethnically based organizations and weakest when it comes to holding decision-making power in government or as leaders of large organizations that serve the broader community. English language classes and volunteering are two highly positive sources of connection to the larger community, but not all

immigrants took advantage of those opportunities. One of the primary obstacles to greater immigrant involvement is simply a lack of information about community resources. Additional difficulties arise from different cultural norms or unfamiliarity with the U.S. political and civic systems. In other cases, government and organizations either do not know how to become more inclusive or lack the political will to be more open. In a few cases, active religious discrimination prevents immigrants from fully enjoying their rights.

IMMIGRATION

In the majority of interviews conducted for this report, participants made a distinction between the issues facing undocumented people and those facing immigrants with legal status. The problems experienced by those with legal immigration status include long waits for application processing, difficulties communicating with immigration officials, and discrimination based on religion and country of origin. The situation facing undocumented people is much worse by virtually every marker. Not having legal immigration status means living with a continual, abiding fear that you or a family member could be deported at any moment. This fear undermines the ability of undocumented people to live safely and with dignity and to fully realize other fundamental human rights. Though the problems are fundamentally different between these two groups of immigrants, they all reflect a lack of respect for the right to live with dignity and security.

BUILDING A MINNESOTA BEYOND “NICE”

As The Advocates for Human Rights interviewed individuals and held community conversations around Minnesota, participants were asked to describe what “welcome” means to them, what has made them feel welcome in Minnesota, and what barriers to welcome they have encountered.

Participants noted that while Minnesota is welcoming, the welcome does not extend very far. Newcomers face discrimination and exclusion from social networks and by extension, exclusion from the economic opportunities and political power such networks bring. People spoke about the need to be “accepted” without having to discard their identities in order to be able to live with dignity. People pointed to opportunities where long-term residents can learn about other cultures and believed such education is essential to helping foster acceptance. Participants also described the barrier that segregation creates in building networks and recognized the power of connections, whether fostered through formal programs or informal encounters, to help overcome this.

CONCLUSION

While Minnesota takes seriously the commitment to create welcoming communities, too often the fundamental human rights of immigrants and refugees are violated and abused. Although welcoming gestures can help ease transitions and build friendships, welcome by itself, without upholding fundamental human rights, ultimately leaves some Minnesotans excluded from the most basic protections.

Immigrants and refugees report barriers to belonging in Minnesota that result from discrimination, social distance, exclusion from the greater community, and fear. These barriers lead to human rights violations that impact safety and security and that undermine immigrants' ability to earn a living and to meet their basic needs. The failure to protect these fundamental human rights undermines Minnesotan values and squanders the rich resources that Minnesota's newcomers bring. Public policy must guarantee that all people who live in Minnesota, regardless of where they were born or what their immigration status is, enjoy the fundamental human rights that allow them to live with dignity.

FINDINGS AND RECOMMENDATIONS

PUBLIC SAFETY

Finding: Undocumented immigrants and their family members fear that contacting law enforcement as a victim or witness will lead to deportation.

Recommendations

- Law enforcement agencies and county attorneys should encourage crime reporting by undocumented crime victims by adopting policies that articulate clear standards for exercising charging or prosecutorial discretion when evidence of the victim's unlawful presence in the United States is uncovered during the course of the investigation or prosecution.
- Cities, counties, and the State of Minnesota should enact local separation ordinances, rules, or laws to provide clear guidance to public employees, including law enforcement officers, about when to inquire about immigration status.

Finding: Existing protections for undocumented crime victims are not effectively implemented.

Recommendations

- Federal, state, and local law enforcement agencies should establish clear points of contact for U-visa certification. Points of contact should receive training on the U-visa certification's purpose and requirements on a regular basis.
- Minnesota should establish a single statewide point of contact at the Department of Public Safety who can make decisions on certification requests and who can provide training and support to other points of contact statewide.
- Minnesota should increase the capacity of local domestic violence and sexual assault programs to serve as points of contact, leveraging the relationships between Minnesota's robust Domestic Violence Coordinated Community Response (DV CCRs), Domestic Assault Response Teams (DARTs), Sexual Assault Multidisciplinary Response Teams/Sexual Assault Response Teams (SMARTs/SARTs), and key criminal justice personnel.

- Federal, state, and local agencies charged with enforcing civil anti-discrimination laws, labor and employment laws, worksite safety provisions, and housing codes should identify points of contact for U-visa certification and should establish protocols for reviewing certification requests to ensure that victims of discrimination and exploitation who are also victims of serious crimes can be identified and certified for U-visas.

Finding: Undocumented immigrants cannot obtain Minnesota driver's licenses, undermining public safety and increasing opportunities for discriminatory targeting of people who appear to be immigrants by law enforcement officers.

Recommendation

- Minnesota should enact legislation or make regulatory changes to decouple driving privileges from immigration status.

Finding: Increased coordination between local law enforcement and federal immigration agencies creates conditions for constitutional violations with no effective remedy.

Recommendations

- Law enforcement agencies responsible for the enforcement of traffic laws, including municipal police departments, sheriff's offices, and the Minnesota State Patrol, should establish clear protocols for involving federal immigration agencies at the point of traffic stops. Federal immigration officers should never be called to provide interpretation assistance.
- To avoid practices by individual officers that result in racial profiling, law enforcement agencies should provide clear guidance about when patrol officers should ask passengers in vehicles to provide identification.
- Information should be available, in an accessible and understandable format, to everyone booked into county jails in Minnesota about their right to remain silent and the possible consequences of voluntary interviews with federal immigration officials.
- Free immigration legal services should be accessible to every person booked into county jails.

RECOMMENDATIONS

- Municipal and county jails should develop clear guidelines for when to honor ICE detainer requests.
- Prior to turning an individual who has not been criminally charged over to ICE pursuant to an informal detainer request, the case should be reviewed by the city or county attorney to ensure that the initial stop or arrest meets the standards sufficient to justify criminal charges, including review to ensure that the stop was not based on race or national origin.
- Prior to turning an individual who has been criminally charged over to ICE pursuant to an informal detainer request, the case should be reviewed by the city or county attorney to ensure that deportation does not interfere either with the state's interest in pursuing criminal charges against the individual or with the individual's right to defend themselves against the charges. The city or county attorney should not authorize the individual's release to ICE without moving to dismiss the pending criminal charges against the individual.
- Minnesota should enact legislation that allows law enforcement to honor ICE detainer requests only in certain clearly defined circumstances to eliminate the opportunity to engage in immigration profiling through traffic stops.

Finding: Immigrant communities lack trust in local law enforcement.

Recommendations

- Everyday encounters between immigrant and refugee community members and police officers affect the community's understanding of, and level of trust in, the public safety system. Police officers should use routine traffic stops and other low-level encounters as an opportunity to explain why a stop was made or the police were called, what laws were broken, and how to avoid future violations.
- Police departments should invest in community liaisons who can build relationships with community members. Outreach strategies might include: regular community orientation sessions that focus on frequent violations identified by police and on questions and problems identified by the community; citizen academies and cadet programs; and active participation in community events.

ACCESS TO JUSTICE

Finding: Immigrants and refugees do not have sufficient access to free legal counsel for civil cases or immigration procedures.

Recommendations

- Increase funding for legal services to ensure access to counsel for all who need representation in civil and immigration matters.
- Implement a guarantee of free counsel in civil cases to ensure free legal representation for those who cannot afford it and who are facing loss of a fundamental human right, such as housing, employment, or family unity.
- Remove funding restrictions tied to immigration status from legal aid money to enable undocumented immigrants to qualify for all free legal services.
- The federal government should provide free legal counsel for those facing deportation, given the deprivation of rights that comes with effective exile.

Finding: Criminal convictions have disproportionate consequences in the immigration system.

Recommendations

- Increase funding for public defender offices to ensure quality representation.
- Public defender offices should have an on-staff immigration attorney dedicated to screening cases for immigration consequences and advising public defenders in the office on consequences of pleas and convictions for immigrant clients. Funding for this position should be provided as a new item and not drawn from existing staff.
- Congress should revise and narrow the definitions and types of crimes that qualify as aggravated felonies and deportable offenses under immigration law.

RECOMMENDATIONS

Finding: Immigrants perceive bias in the justice system based on language, culture, and national origin.

Recommendations

- Provide training for judges, prosecutors, probation officers, and other staff about immigrant groups in Minnesota, the refugee experience, cross-cultural communication, and other topics as needed to ensure quality service delivery to all.
- Consider creating a refugee court, similar to the existing Veterans Court, to address the special needs of refugees who are often survivors of trauma and torture.

Finding: The court system does not have sufficient high quality interpreters in all languages to meet demand.

Recommendations

- Minnesota courts should continue to recruit and train additional interpreters in less common languages, including ongoing monitoring of the quality of interpretation.
- Continue to support training for judges and other court staff on effective use of interpreters.

Finding: Immigrants and refugees do not fully understand the legal system.

Recommendations

- Expand promotion and dissemination of existing educational resources, including videos by ECHO Minnesota and *pro se* guides by LawHelpMN.org.
- Continue to develop a wide range of *pro se* materials in all relevant languages that are effective for low-literacy populations, including videos and picture-based resources.

Finding: Delays in resolving cases makes immigrants feel that the justice system is not working for them.

Recommendations

- Increase funding for the court system to ensure timely adjudication of civil cases.

Finding: Undocumented immigrants face barriers to filing discrimination claims, especially if they are deported before they can file their case.

Recommendations

- Permit discrimination claims to be filed from outside Minnesota to allow immigrants who have been deported and who may have suffered discrimination to pursue a remedy and bring to light illegal conduct.

ECONOMIC OPPORTUNITY

Finding: Immigrant and refugee workers face barriers to economic opportunity, due to lack of employment authorization, limited English language ability, lack of recognition of foreign credentials, and lack of access to education or technology needed for employment.

Recommendations

- Municipal and state licensing boards should review policies regarding acceptance of foreign credentials and ensure that foreign training is licensed when appropriate.
- Employers should review recruitment and hiring practices that rely on lengthy applications or require applicants to apply online to ensure that these practices do not unnecessarily create barriers to immigrant and refugee workers.
- The minimum wage should be raised to ensure that all full-time workers earn a sufficient income to move out of poverty.
- Local chambers of commerce, community economic development initiatives, and local governments should actively engage immigrant business owners.

Finding: Immigrant workers face exploitation in the workplace, such as low wages and wage theft, sexual assault, and outright imprisonment.

Recommendations

- Increase resources devoted to enforcement of workplace exploitation, including resources for training, investigation, and prosecution under state and federal laws.
- Ensure that victims of exploitative employment practices are protected from retaliation and deportation when they come forward.
- The IRS and Minnesota Department of Revenue should increase oversight of subcontractors in construction, retail cleaning, and other industries to ensure that their workers are not misclassified as contractors to avoid wage, hour, and other workplace protections.
- In light of increasing reliance on temporary workers to fill permanent positions, Minnesota should consider whether standards for employee protections need to be expanded.
- OSHA and the Minnesota Department of Labor and Industry should increase oversight of subcontractors in construction, retail cleaning, and other industries to ensure that workers receive health and safety information, equipment, and training, and are not subject to unsafe working conditions.
- Recognizing that workers are often isolated, government agencies and labor rights organizations should take creative measures to ensure that agricultural and horticultural workers have access to information about their rights under U.S. and Minnesota civil rights and workplace safety laws.

Finding: Immigrant and refugee workers face employment discrimination based on race, religion, national origin, and citizenship.

Recommendations

- Expand anti-discrimination enforcement mechanisms to decrease the reliance on individual complaints.
- Ensure that low-wage workers who experience discrimination in the workplace are not effectively barred from prosecuting complaints because of litigation costs.
- Ensure that newcomers to the workforce have clear, accessible information about non-discrimination standards and means of enforcement.

EDUCATION

Finding: There are disparities in education that reveal the fact that all students do not receive an equal education.

Recommendations

- Raise overall funding levels for public education and change funding structures so that all schools are reasonably equal in quality and resources.
- Change the accountability focus from teachers and students to federal and state government bodies and officials, and thus to individuals and communities at large, for ensuring the success of all students.
- Create mechanisms to look at the root causes of educational disparities, including institutional racism, and at solutions for long-term sustainable change at the state, district, and school levels, with participation from immigrants and other affected communities.
- Raise awareness of the causes, potential solutions, and extent of disparities among individuals at the neighborhood and community level.

Finding: The educational system is currently not well equipped to meet the needs of refugee children.

Recommendations

- Create a plan that meets the educational and emotional needs of refugees who enter the United States as teenagers and young adults and have missed several years of school.
- Hire more mental health professionals in schools and provide culturally appropriate referrals.

RECOMMENDATIONS

Finding: Undocumented students and families and mixed status families live with the fear of having a loved one deported and face unique challenges around documentation.

Recommendations

- Provide clear guidance in an administrative rule, law, or communication from the Minnesota Department of Education to all schools that staff members are prohibited from asking about immigration status.
- Change parent volunteer forms so that they do not ask for Social Security numbers, which are not required to run background checks.
- Issue photo IDs so that undocumented students have some form of identification.
- Hire more social workers in schools, and train administrators, teachers, and other staff on how to safely provide referrals for available resources.

Finding: Segregation has increased in Minnesota over the last two decades, leaving many immigrant students in segregated, high-poverty, low-performing schools.

Recommendations

- Make information about school options more accessible and increase outreach to immigrants to ensure that families understand all available choices for their child's education.
- Revise state laws regarding integration, fixing Minnesota Administrative Rule 3535.0110 "Equal Opportunity in Schools" so that it does not require proof of intent to segregate and does not exempt charter schools and open enrollment policies.
- Create a statewide integration plan that requires inter-district planning and cooperation and includes all public schools.

Finding: Many students, in both K-12 and postsecondary institutions, are bullied or discriminated against.

Recommendations

- Improve state laws regarding bullying to ensure safety and security for every child.
- Conduct school and college campus climate surveys and address areas of concern.

Finding: Students of color, including some immigrant and refugee students, are disproportionately affected by punitive school discipline policies.

Recommendation

- Conduct an audit of discipline policies that includes input from affected student groups and create a plan to bring policies into alignment with new federal guiding principles from the Departments of Education and Justice.

Finding: Some immigrant and refugee students are not well prepared to enter school.

Recommendations

- Fund universal early childhood education in Minnesota.
- Increase funding for Early Childhood Family Education (ECFE) and raise awareness among immigrant parents of the program and its benefits.

Finding: There are insufficient overall levels of staff, and an insufficient number and percentage of staff members who represent the student demographic.

Recommendations

- Provide funding for more educational staff, in general.
- Hire more staff who represent the ethnic, cultural, and linguistic background of students in all professions within the school, and especially as teachers and administrators.
- Conduct audits of hiring policies and practices and survey staff members from all backgrounds to find ways to hire and retain representative staff.
- Recruit and support immigrants and refugees to become teachers and administrators, including foreign-credentialed teachers.

RECOMMENDATIONS

Finding: There is a lack of funding for, and focus on, English learner (EL) staffing levels and support.

Recommendations

- Require and fund in-depth, tailored trainings for pre-service and current teachers on strategies to effectively teach ELs and work with students from a variety of different cultures.
- Provide more funding, staff, and administrative support for EL services, including district-level EL coordinators who are both language experts and licensed as administrators.
- Implement “Research-based Recommendations for Effective EL Instruction” on page 146.
- Improve EL and special education placement, and ensure immigrant families more fully understand the benefits of these services when students are appropriately placed.

Finding: Some schools are not currently teaching enough about diverse perspectives and experiences.

Recommendations

- Provide immigration basics trainings to school staff to help them better understand students’ experiences and teach about immigration.
- Ensure that standards related to human rights and multicultural education are being taught. Revise curriculum, where necessary, to include more diverse perspectives.
- Facilitate integration among students at the interpersonal level, being cognizant that sometimes students self-segregate as part of their identity formation.

Finding: Parent and family involvement can be limited among immigrant populations, due to perceptions of being unwelcome, communication issues around language and culture, and lack of resources.

Recommendations

- Ensure that reception areas in schools are adequately staffed and that staff members have the training and resources to accommodate immigrant and refugee family members.
- Hire more liaisons, interpreters, and others who can reduce language and cultural barriers.
- Ensure that all school communication is clear and direct; meets the needs of the ethnic and cultural groups represented in the school; and is made available in relevant languages through the use of interpreters, language lines, and new translation technologies.
- Request that teachers communicate directly with immigrant families as much as possible and not rely solely on school or district liaisons.
- Seek input from parents and families about how to best engage with them.
- Understand cultural differences in expectations regarding family engagement, and where possible, make accommodations for work schedules and provide transportation and childcare for parent-teacher conferences and other important events.
- Provide funding for parent/family classes in all districts.
- Ensure openness to, and inclusion of, all parents in at least one integrated parent-teacher group in which key decisions are made.
- Explicitly explain the student engagement benefits of extracurricular activities for students and help to remove barriers to participation, such as transportation.

Finding: Immigrant and refugee youth receive less information about the full range of postsecondary options and face lower expectations of their future success. Many immigrant students need more college readiness support and greater access to affordable postsecondary education.

Recommendations

- Hire more guidance counselors.

RECOMMENDATIONS

- Provide assistance to immigrant students in preparing for postsecondary education, including setting goals, taking appropriate high school classes, filling out college applications, finding financial aid options, and selecting colleges or universities.
- Hire multicultural and racially diverse advisors and administrators in postsecondary institutions and provide accommodating services for ELs and immigrant students.
- Improve affordability of college in Minnesota and expand financial aid options.
- Remove eligibility limits based on immigration status for federal financial aid and college readiness programs.

Finding: There is not enough monitoring of the system or data collected on specific immigrant groups.

Recommendations

- Provide increased funding for monitoring to schools, districts, and the Minnesota Department of Education.
- Review the data being collected at all levels to ensure appropriate measurements and disaggregation by affected populations. Make the data available to school faculty, parents, and students.

HOUSING

Finding: A shortage of public and private affordable housing leaves immigrants struggling to find a decent place to live.

Recommendations

- Increase federal and state funding of affordable housing, whether from public or private sources or in partnership with community groups.
- Encourage more landlords to accept Section 8 housing vouchers, either through education or incentives.
- Change state and local zoning laws to make it easier to build affordable rental housing in higher-income neighborhoods with high-achieving schools, either by expanding the areas zoned for multi-family buildings or by making it easier to waive zoning for affordable housing developments.

- Provide a robust housing referral system so that immigrants can receive assistance at their first point of contact, whether with a government agency, nonprofit service provider, religious or cultural institution, employer, or school.
- Educate residents on the need for, and benefits of, affordable housing in their community to reduce opposition to affordable housing developments.

Finding: Immigrants with large or extended families cannot find affordable housing that can accommodate all of their family members.

Recommendations

- Provide incentives to build affordable rental units with four or more bedrooms.
- Cities should evaluate occupancy codes to ensure they adequately balance health and safety concerns with the ability of families, including extended families, to live together.

Finding: Eligibility restrictions and immigrants' lack of rental history, credit history, and Social Security numbers create barriers to finding rental housing and to buying a home.

Recommendations

- Educate landlords and tenants about alternate ways to conduct background checks and verify identity that do not rely on Social Security numbers and U.S.-issued identification.
- Prohibit landlords from requiring or asking for information regarding a prospective tenant's immigration or citizenship status, including requiring a Social Security number from applicants.
- Consider alternate ways for people with no U.S. credit history or rental history to provide other proof of creditworthiness and qualify for an apartment or mortgage.
- Change the law to allow mixed-status families to receive federally subsidized housing assistance at the same rate as fully eligible families.
- Pass a federal law codifying the most expansive interpretation of the eligibility rules for housing assistance to provide clarity to housing agencies charged with enforcing the law and to guarantee access to the broadest possible group of people.

RECOMMENDATIONS

- Remove eligibility restrictions based on immigration status for federal, state, and local housing assistance.

Finding: Immigrants face discrimination by landlords, neighbors, realtors, and mortgage lenders on the basis of race, language, religion, national origin, and immigration status.

Recommendations

- Increase enforcement of federal and state fair housing rules through an efficient, timely complaint process that ensures individuals receive an effective remedy for housing discrimination.
- Fair housing officials and other groups protecting the rights of tenants and homeowners should conduct more independent investigations that allow enforcement of housing laws without relying on individual complaints, especially when groups such as undocumented immigrants face strong incentives to stay quiet no matter what abuse they experience.
- Educate renters and homebuyers about what constitutes illegal discrimination and how to construct a strong case so that people who experience discrimination are better prepared to gather evidence and file a claim.
- Ensure HUD's new disparate impact rule is disseminated and enforced to prevent discriminatory practices even where discriminatory intent is absent or hard to prove.
- Provide incentives for bank lenders to increase access to prime loans in poor, segregated neighborhoods.
- Prosecute subprime lenders for targeting poor, minority communities for predatory loans.

Finding: Immigrants who live in substandard housing or who suffer exploitation by their landlord cannot access an effective remedy because of unfamiliarity with the system, fear of retaliation, and language barriers.

Recommendations

- Educate renters about tenants' rights and responsibilities so they are able to recognize exploitative behavior by landlords and know how to enforce their rights.

- Cities should assume the primary responsibility for uncovering predatory housing practices, so that the burden of preventing landlord exploitation does not depend primarily on individual complaints from tenants who may be reluctant to report because of immigration status, language, or retaliation. As part of this effort, cities should increase funding and staffing of independent housing inspection, especially of multi-family units.
- Agencies should protect undocumented immigrants who have experienced housing law violations from being reported to immigration enforcement to reduce their fear of filing a claim.
- Strengthen legal protections against landlord retaliation by creating a procedure for tenants to bring retaliation claims outside of an eviction action so they can pursue their claim without the risk of having an eviction on their rental history.
- Fully fund the requirement that public housing agencies provide assistance in other languages.
- Encourage partnerships between government agencies, community groups, tenants, and landlords to provide access to free or low-cost interpretation and translation so that immigrants with limited English can understand leases, housing policies, and other important documents.

Finding: Residential segregation isolates immigrants in high-crime, low-opportunity neighborhoods with low-performing schools.

Recommendations

- Rigorously analyze local and state government housing plans against the federal standard of “affirmatively furthering fair housing” and make that a central goal of Minnesota housing agencies.
- Reform the Low Income Housing Tax Credit and other forms of affordable housing subsidies to prioritize integration, access to job centers, and access to high-performing schools in the selection criteria.
- Create public transit that links high economic opportunity areas with affordable housing.

BASIC NEEDS

Finding: Federal refugee resettlement services are inadequate in their scope and duration and focus mainly on employment.

Recommendations

- The 90-day period of initial refugee resettlement services should be extended to a minimum of 180 days in order to allow an adequate transition period for refugees coming to the United States. Furthermore, the five-year period for initial refugee resettlement services should be restored.
- Refugee resettlement organizations need funding beyond federal requirements to expand their scope to include robust and comprehensive integration services, including case management, that promote the wellbeing and stability of refugees in their new communities.
- To facilitate the integration of refugees in the United States, the orientation period allotted for refugees abroad should be sufficient to ready them for arrival and should include services such as intensive English language classes.
- Resettlement grants to refugees should be increased in order to adequately meet the demands refugees face in meeting their basic needs.

Finding: Refugees face a long waiting period for eligibility determination and approval for public benefits.

Recommendation

- Expedite the eligibility determination and approval period for public benefits for refugees in order to address their needs within the limited time allotted for refugee resettlement services.

Finding: Secondary migration by refugees results in disconnection from refugee services.

Recommendations

- Refugee services should be decoupled from the designated resettlement locations and follow the refugee through secondary migration to the extent possible.
- County agencies should create a point of contact for partnering with refugee resettlement organizations to provide resettlement services to refugees who relocate to areas outside of the coverage of the designated refugee resettlement organizations, ensuring uninterrupted delivery of services.

Finding: Although asylum seekers flee their countries and face similar issues as refugees, they are ineligible for public benefit assistance and are barred from employment.

Recommendations

- State and federal public benefits eligibility rules should expand the “qualified immigrant” category to include asylum seekers, an especially vulnerable population, in order to grant them access to public assistance benefits and reduce hardship while they are waiting to be granted asylum.
- Shorten the wait for asylum seekers to receive work authorization, in order to allow them to be gainfully employed and reduce their need for public assistance.

Finding: Public benefit rates that have been stagnant since 1986 keep benefit recipients in poverty and unable to meet their basic needs.

Recommendations

- Congress should increase funding for public assistance grants and adjust them to meet the current costs of basic needs.

RECOMMENDATIONS

Finding: Insufficient or incorrect information about available benefits creates barriers to services for those who are eligible.

Recommendations

- Public benefit agencies should partner with community-based organizations to conduct outreach and provide information about benefit programs and eligibilities at safe venues outside of government offices.
- Increase public funding for community-based and nonprofit organizations that serve immigrant communities in order to increase capacity and immigrants' access to information and basic needs services.

Finding: The complexity of public benefits programs and compliance requirements deter immigrants from accessing services.

Recommendations

- Forms and written communication should be drafted in simple language to assure they reach a wide range of readers with various literacy levels.
- Written communication should be streamlined and coordinated to indicate only the most current and timely information.
- Automated communications should be clear, simple, and concise, as well as include visual cues to flag levels of importance and the need for an urgent response from participants.
- Participants in public benefits programs should have access to a single worker who handles their cases in order to build rapport and receive coordinated service delivery.

Finding: Language, literacy, and cultural barriers, as well as inadequate interpreters and translation, stand in the way of effective service delivery.

Recommendations

- Public benefit agencies and other social service agencies should recruit and hire more individuals from within the communities they serve in order to build capacity

around language access and cultural understanding and to develop a more trusting relationship with immigrant clients.

- Increase access to language lines and interpreters.
- Increase funding for interpretation and translation training and services.
- Recruit more individuals from within the communities served to be trained and certified as interpreters and translators.
- Ensure continued access to training for public benefits staff on appropriate use of interpreters.
- Minnesota’s Commissioner of Administration should clarify which agencies are required to provide meaningful access to services under state law, either through bilingual staff or translation, and information about these requirements should be readily accessible.

Finding: Public benefits programs focus on complicated eligibility rules and restrictions, rather than ensuring that basic needs are met.

Recommendations

- Public benefit services should focus more on meeting families’ and individuals’ specific needs and focus less on eligibility criteria that are complex and may not best address the issues expressed by recipients.
- Public benefit application forms should reflect a program design that addresses specific needs by asking applicants to state their needs and the issues they face.

Finding: The cost of health care deters people from seeking medical treatment and preventative care.

Recommendation

- Immigration status should not determine access to health subsidies under the Affordable Care Act.

Finding: Inadequate bilingual and bicultural health and mental health care create major barriers to immigrants' access to health care services.

Recommendations

- Engage foreign-trained health professionals who are culturally and linguistically competent in health and mental health care delivery.
- Support and train individuals from immigrant communities to become health care professionals.
- Provide ongoing cultural proficiency training to all health care staff at all levels.
- Train and empower patients to make informed health decisions on their own and their families' behalf.
- Increase the use of interpreter services and language lines.

Finding: Immigrants, especially those from mixed- status families, fear that accessing public benefits may result in deportation or becoming a "public charge."

Recommendations

- If immigration status is not a legal condition for accessing a service or benefit, service providers should not ask about status and should conduct outreach to make clear that they are not connected to immigration authorities.
- Public benefits application forms should clearly indicate that Social Security numbers or other identifying information are not required for parents and guardians applying on behalf of minor children who are eligible for public benefits.
- Nonprofit and community-based organizations should make use of existing resources such as the Bridges to Benefits website and United Way's 2-1-1 to safely and confidentially determine eligibility for benefits and search for appropriate social and health services.
- Public agencies should clearly delineate the specific public benefit programs that will result in a person becoming a "public charge," as defined by federal immigration law, and make this information widely accessible.
- Public benefits workers should receive training on basic immigration laws that affect benefit recipients.

Finding: Requiring sponsors to financially support immigrating family members results in a denial of the right to family unity and hinders the ability of immigrants to meet their basic needs.

Recommendation

- Federal law should eliminate the requirement that a family sponsor's income be included in public benefits eligibility determinations.
- The public charge ground for exclusion should not apply when it would prevent family reunification.

Finding: State and federal laws exclude many noncitizens in Minnesota from accessing benefits and services to meet their basic needs.

Recommendations

- Public benefits assistance should be accessible to all those who are not able to meet their basic needs in order to comply with international human rights standards.

CIVIC ENGAGEMENT

Finding: Muslim immigrants face discrimination limiting their religious practice, especially in land use decisions.

Recommendation

- City councils should abide by the requirements of the Religious Land Use and Institutionalized Persons Act and avoid land use decisions that limit the religious practices of Muslim immigrants and other religious groups.
- Educate the broader community on religious tolerance, combating the myths and misinformation about Islam and other minority religions that fuel discrimination.

Finding: Immigrant-led, ethnically based organizations see strong participation from immigrants and refugees, but lack the resources and support to fully serve their constituents.

Recommendations

- Funders should ensure broad dissemination of their programs and priorities so that immigrant-led organizations that may not be well established or connected to the funding community can access funding and technical support.
- Government agencies and institutions with resources for small organizations, such as free space or low-cost technology assistance, should increase outreach so that immigrant-led organizations know what help is available.
- Encourage partnerships between new immigrant-led and established organizations to gain more input from immigrants in programs that affect the broader community, while providing capacity building, technical assistance, and shared resources to help immigrant-led organizations become more effective.

Finding: Immigrants are not always aware of community resources and opportunities for engagement with the larger community.

Recommendations

- Use existing forums to reach immigrant communities, such as English language classes, immigrant churches, grocery stores, and other trusted institutions.
- Centralize information about community resources so that it is easy for immigrants to find what they need, using methods such as telephone hotlines, online referral services, and community connector organizations.
- Adequately fund organizations that serve as connectors between immigrant communities and existing public institutions so that they can serve as linguistic and cultural navigators for everyone who needs assistance.
- Government agencies with significant public contact, such as child protection, housing inspectors, and residential regulation enforcement (e.g. shoveling and mowing), should conduct community orientation and listening sessions. These should be in collaboration with community groups, and focus on both educating new arrivals about laws and common violations, as well as hearing from immigrants about problems and concerns.

Finding: Immigrants feel that organizations serving the broader community do not reflect their priorities, encourage their leadership, accommodate their cultural norms, or assist them in overcoming language barriers, which limits their participation.

Recommendations

- Organizations should encourage volunteering and other engagement that values immigrant expertise.
- Use forms of outreach and communication that place a strong emphasis on forming personal relationships as a way to bring immigrants into existing community institutions.
- Actively solicit input from all constituents to help shape the priorities and processes of organizations that serve the broader community.
- Organizations should evaluate potential barriers to immigrant involvement and consider changes to accommodate cultural differences, where practical.
- Recognize the need for integrated organizations that include newcomers and long-term residents working in partnership.
- Provide language services where possible to facilitate involvement by all members of the community.
- Avoid asking for Social Security numbers or U.S.-issued identification from potential participants. Keep confidential any personal information about volunteers and other participants, especially regarding immigration status.

Finding: Immigrants are not well represented in the political system, whether as elected officials, government employees, appointees, or members of boards and commissions.

Recommendations

- Municipalities may need to re-examine electoral districts and voting processes to promote a more representative government that reflects the demographic shifts caused by immigration.
- Public and private organizations should provide widely available civic education for adults on voting, running for office, and holding appointed positions.
- Political parties should think about ways to leverage immigrant communities as volunteers, activists, and candidates.

RECOMMENDATIONS

- Local governments should consider changing how appointed positions are publicized and filled to attract a more diverse pool of applicants, for instance by centralizing all applications or conducting targeted outreach to achieve diversity goals.
- Local governments and community institutions should help immigrants build the capacity and personal connections to be involved in politics and government through citizen academies, leadership trainings, or other outreach programs.

IMMIGRATION

Finding: Immigrants face lengthy waits for a resolution to their immigration cases.

Recommendations

- Congress should allocate increased funding to the Executive Office for Immigration Review in order to hire more Immigration Court judges, judges at the Board of Immigration Appeals, and support staff in order to decrease the wait time for, and between, hearings on types of relief from removal.
- Agencies should conduct investigations of immigration applications expediently and not hold decisions indefinitely.
- Agencies running fingerprint clearances and biometric checks for immigration applications should prioritize adjudication of those applications to reduce wait times.
- USCIS should minimize repeated requests for fingerprint and biometric data collection by automating resubmission of collected information for renewed clearances on pending applications.

Finding: USCIS does not communicate well with immigrants, leaving them uncertain about the status of their case and whether more information is required.

Recommendations

- USCIS should provide an option on the 1-800 Customer Service number to immediately speak with a customer service representative to facilitate communication with immigrants who may not be able to navigate the menu.
- USCIS should better use existing online case status and customer service information to provide meaningful answers about case processing delays, such as

“case is pending review of potential ineligibility under section 212(a)(3)(B) based on prior membership in the ___ organization. Case is pending at headquarters with an indefinite timeline.”

- Automatic, periodic case update letters should be sent to applicants to assure them that their case is pending.
- USCIS should ensure offices are easily accessible by public transit.

Finding: Muslim immigrants face discrimination based on religion and country of origin.

Recommendation

- Increase oversight of border enforcement by permitting legal review in the immigration court or federal court of allegations of discrimination or inappropriate treatment by CBP officers at ports of entry. Provide information about this mechanism for discrimination complaints to every person taken to secondary inspection for questioning.

Finding: Fear of deportation dominates the lives of undocumented immigrants and prevents them from accessing services and protections to which they are entitled and is a barrier to engaging with the broader community.

Recommendations

- Congress must pass commonsense immigration law reform that provides a roadmap for people who are currently undocumented to gain status that does not prohibit naturalization.
- Congress should restore discretion to immigration judges so that individual circumstances can be considered in deportation cases.
- Congress should repeal mandatory detention laws and ensure that every person detained by immigration authorities has access to a review of their custody status before an independent judicial authority.
- Congress should repeal the unlawful presence bars to adjustment of status to permanent residence that prevent family reunification.
- Congress should create realistic ways for workers to immigrate to the United States that meet the needs of the U.S. economy.



Because every person matters.