

Submitter: Barbara Isaacman
On Behalf Of: COINm Legislative Committee
Committee: Senate Committee On Judiciary and Ballot Measure 110
Implementation
Measure: SB1543

My name is Barbara Isaacman and I live in Portland, OR. I am submitting this testimony on behalf of COIN, which has endorsed SB 1543.

I worked as a Public Defender for 25 years. Since retiring, I have been representing noncitizen in asylum and deportation proceedings.

I am writing in support of SB 1543 which would provide noncitizen Oregonians with legal support during deportation proceedings. Despite the Biden's stated intention, noncitizens are still being deported at an alarming rate. Many of them have defenses to this government action but they have neither the knowledge nor the ability to effectively raise them without legal assistance.

The United States Supreme Court has long recognized that deportation is a more serious punishment than a criminal conviction and incarceration because it can remove the noncitizen from his family forever and can result in injury or death in his or her country of origin upon deportation. Yet, those accused of a crime involving only the possibility of incarceration makes the accused eligible for a lawyer at the government's expense. Noncitizens in deportation proceedings should be entitled to no less.

While the federal government has not yet recognized this necessity is no excuse for Oregon's non-action. Oregon prides itself on welcoming all to its state and treating all with dignity. What better way to demonstrate our welcoming nature than providing all residing here with legal representation for appearances in deportation court.

Many noncitizens in removal proceedings have valid legal claims to remain here and to continue contributing, but they do not know how to articulate them. This is understandable, since immigration law is the most byzantine and incomprehensible of all US law. If it is difficult for highly trained attorneys, like myself, to understand all the ways in which the government can deny people their rights, imagine how impossible it would be for immigrants, whose knowledge of English is limited or nonexistent, to develop the appropriate legal strategy to prevail?

All the studies show that representation by an attorney is the single most important factor in creating the possibility of a positive outcome. Such representation actually improves that noncitizen's chances of staying here with their family by almost 500%. Inappropriate deportation not only removes the individual, but it destroys his or her

family and deprives the community in which he or she loves of economic, social, and political contributions.

Oregon is home to thousands of noncitizens without legal status who are critical to the state's cultural and economic vitality. They work in key industries, are essential workers, and own businesses that are vital to the communities in which they live. It is in all of our interests to give them the legal help they need to be able to remain here.

I was very disheartened when this bill failed to pass the legislature in the last session, especially given the successes of the pilot program. Our Senators and Representatives have the chance now to make things better, and I sincerely hope that you do so.

All Oregonians should be treated with dignity and respect, regardless of what they look like or where they were born, but immigrants and refugees especially if black, indigenous, or latino have faced increased immigration enforcement, including racial profiling, detention, family separation, and potential removal to countries from which they have fled due to persecution. Even DACA or TPS recipients are vulnerable.

According to the Oregon Center for Public Policy, 1/10 of Oregon children live with a family member who lacks legal status. It is unconscionable for them to continue to live in fear that one or both of their parents could be deported at any time. Passage of SB 1543 would go a long way towards allaying their fears.

It is time to improve Oregon's legal system, making it more just and inclusive for immigrants--which is why SB 1543 must pass.

Barbara Isaacman