



IMMIGRANT DAY OF ACTION 2022

VISION ACT AB 937 (CARRILLO)

Summary

AB 937, the Voiding Inequality and Seeking Inclusion for Our Immigrant Neighbors (VISION) Act, would protect refugee and immigrant community members who have already been deemed eligible for release from being funneled by local jails and our state prison system to immigration detention. Prohibiting transfers to ICE would protect Californians from being subjected to inhumane and unsanitary conditions in immigration detention, close the main pipeline filling immigration detention beds, and reunite refugee and immigrant families and communities.

Background

California's punitive carceral system unjustly and disproportionately harms Black, Latinx, Indigenous, and Asian and Pacific Islander American communities. In recent years, with the passing of SB 260, SB 261, SB 1437, AB 1812 (which amended Penal Code 1170(d)(1)), Proposition 47, the legislature and California voters have demonstrated a strong commitment to reforming our criminal justice system and ending mass incarceration.

Despite these reforms, when California's jails and prisons voluntarily and unnecessarily transfer immigrant and refugee community members eligible for release from state or local custody to Immigration and Customs Enforcement ("ICE") for immigration detention and deportation purposes, they subject these community members to double punishment and further trauma. Immigrant community members can be incarcerated by ICE, often for prolonged periods and with no right to bail, and deported--permanently banishing them from the country, from their families, their homes, their livelihoods and "all that makes life worth living." *Ng Fung Ho v. White*, 259 U.S. 276, 284 (1922). The Supreme Court has repeatedly acknowledged that for many people deportation is a more severe penalty than any jail sentence. See, e.g., *Lee v. U.S.*, 137 S.Ct. 1958, 1968 (2017); *Padilla v. Kentucky*, 559 U.S. 356, 364 (2010).

Community members transferred to ICE are refugees, lawful permanent residents, people who entered the United States as children, parents, caretakers, essential workers, or are otherwise valued California residents. California should not subject these community members to a second, double punishment, and disregard their record of rehabilitation, stable reentry plans, and community support, purely because they are refugees or immigrants. Ending ICE transfers in California is a reflection of the state's commitment to ending racial injustice and mass incarceration.

Incarceration and ICE transfers also are harmful to public health. Countless studies document negative health impacts of incarceration in jails, prisons, and ICE detention centers. People who have been incarcerated have worse health outcomes and, overall, have lower life expectancies. Given the racial inequities plaguing the state's carceral system, the significant health risks posed by incarceration and transfers weigh heavily on California's Black, Latinx, and Asian and Pacific Islander American communities.

The Constitutions of the United States and the State of California protect all persons present within our borders from unreasonable searches and seizures, from deprivations of life, liberty or property without due process of law, from being deprived of equal protection under the law, including from being targeted on the basis of race or ethnicity. The VISION Act embodies and protects these values by ensuring that all Californians, including refugees and immigrants, are not torn from their communities when they are eligible for release from state or local custody.

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The need for the bill

As the state with the largest immigrant community in the country, California has an ethical and moral obligation to step up our leadership and take action to protect the rights of immigrants and the public health at large. As long as CDCR and local jails continue to transfer community members to immigration detention where conditions are indisputably dangerous and even deadly, California cannot meaningfully reduce the numbers of human beings caged in ICE detention centers.

Solution

The VISION Act (AB 937) takes urgent and necessary strides toward ensuring that our local and state resources are not used to funnel immigrants into inhumane health conditions in immigration detention, violate Constitutional protections, and separate immigrant families and communities.

In particular, the VISION Act would:

- Prevent immigrants from being subjected to perpetual punishment and unequal treatment by prohibiting local and state agencies from conducting immigration arrests and from assisting or facilitating immigration arrests, which includes prohibiting ICE transfers.
- Ensures immigrants are treated equally by prohibiting state agencies, local agencies, and courts from using immigration status as a factor to deny or to recommend denial in a diversion program, rehabilitation program, placement in a credit earning programs or classes, or mental health program.

Co-Sponsoring Organizations

Alliance for Boys and Men of Color

Alliance San Diego

All of Us or None

American Friends Service Committee - San Diego

Asian Americans Advancing Justice - California

Asian Pacific Islanders Re-entry & Inclusion
through Support and Empowerment

Asian Prisoner Support Committee

AYPAL: Building API Community Power

Bend the Arc: Jewish Action California

Black Alliance for Just Immigration

Buen Vecino

California Coalition for Women Prisoners

California Immigrant Policy Center

Center for Empowering Refugees and Immigrants

Central Coast Alliance United for A
Sustainable Economy

Community United Against Violence

Communities United for Restorative Youth Justice

Council on American-Islamic Relations

Freedom for Immigrants

Homies Unidos Inc.

Human Rights Watch

ICE Out of Marin

Immigrant Legal Resource Center

Indivisible Conejo

Indivisible Ventura

Inland Coalition for Immigrant Justice

Interfaith Movement for Human Integrity

Legal Services for Prisoners with Children

Long Beach Immigrant Rights Coalition

Long Beach Southeast Asian
Anti-Deportation Collective

National Day Laborer Organizing Network

Orange County Justice Fund

Orange County Rapid Response Network

Resilience Orange County

Re:Store Justice

San Francisco District Attorney's Office

San Francisco Public Defender's Office

San Diego Immigrant Rights Consortium

Secure Justice

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Services, Immigrant Rights & Education Network
67 Sueños
South Bay People Power
Transformative In-Person Workgroup

Tsuru for Solidarity
VietRISE
Young Women's Freedom Center
Youth Justice Coalition

Supporting Organizations

ACCE
ACLU
Adelanto Visitation Network
Alianza
Anti-Recidivism Coalition
Armenian National Committee of America
Western Region
Berkeley Underground Scholars
Black Lives Matter LA
Buena Vista United Methodist Church
California League of United Latin American Citizens
California Partnership to End Domestic
Violence (CPEDV)
Center for Common Ground
Coalition for Humane Immigrant Right (CHIRLA)
Contra Costa County Immigrant Rights Coalition
Centro Legal De La Raza
Church World Services & Opening Doors
Clergy and Laity United for Economic Justice (CLUE)
Community Legal Services | in East Palo Alto (CLSEPA)
Communities United for a Responsible Budget (CURB)
Community Bridges
Community Resource Initiative
Congregations: Lakeshore Ave Baptist, Kehilla,
New Bridges Pres
Critical Resistance
Democratic Club of the Conejo Valley
Democratic Party of the San Fernando Valley
Desert Support for Asylum Seekers
Detention Resistance
Dolores Street Community Services
Drug Policy Alliance
East Yard Communities for Environmental Justice
Ella Baker Center
Empowering Pacific Islander Communities (EPIC)
End Police Violence Collective
Equality California
Essie Justice Group
Eviction Defense Collaborative Union
Faithful Friends - Amigos Fieles
Families United to End LWOP (FUEL)
Feminists Of Speech
Filipino Migrant Center
Haitian Bridge Alliance
Harbor Institute for Immigrant and Economic Justice
Homeboy Industries
HOPE for All
Human Impact Partners
Humboldt Progressive Democrats
Immigrant Defenders Law Center
Immigrant Defense Advocates
Indivisible
Initiate Justice
Innovation Law Lab
Irvine United Congregational Church Advocates
for Peace and Justice
JRC
Kehilla Community Synagogue
Khmer Girls in Action LB
KIWA
Kundiman
KWESI
Lakeshore Avenue Baptist Church
La Raza Centro Legal
Law Enforcement Action Partnership
League of Women Voters
League of Women Voters - San Diego
Live Oak Unitarian Universalist Congregation of Goleta
Long Beach Southeast Asian
Anti-Deportation Collective

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Los Angeles District Attorney's Office
 Los Angeles County Young Democrats
 Mixteco/Indigena Community Organizing Project
 Mourning Our Losses
 National Bail Fund Network
 New Bridges Presbyterian
 Nikkei Progressives
 NISGUA
 No New Jail SF Coalition
 Norcal Resist
 OC Emergency Response
 Orange County Civic Engagement Table
 Orange County Congregation Community
 Orange County Emergency Response Coalition
 Orange County Equality Coalition
 OrShalom Jewish Community
 Pangea Legal Services
 People's Budget Orange County
 PICO
 Pride in Truth
 San Fernando Valley Young Democrats
 Santa Clara County Democratic Party
 SEARAC
 SF Peninsula People Power
 Silicon Valley De-Bug

Simi Valley Democratic Club
 Sisters of Mercy Solidarity Committee
 SOLACE
 Southeast Asian Anti-Deportation Collective
 SURJ
 Survived and Punished
 TGI Justice Project
 The Forestry and Fire Recruitment Program
 TODEC Legal Center
 Transitions Clinic Network
 Tsuru for Solidarity
 UC Student Association
 Uncommon Law
 Underground Scholars - Davis
 Unitarian Universalist Church of Redwood City
 Unitarian Universalist Fellowship of Redwood City
 Unitarian Universalist Justice Ministry of California
 United Cambodian Community LB
 Voices for Progress
 VROC
 WAVE - Women for American Values and Ethics
 WOMAN Inc.
 Women for American Values and Ethics
 Women For: Orange County

Labor Support

Asian Pacific American Labor Alliance, AFL-CIO (APALA)
 American Federation of Teachers, Local 2121
 California Labor Federation
 California Nurses Association
 Central Coast Labor Council
 Central Labor Council of Contra Costa County AFL-CIO
 Los Angeles Labor Federation
 SEIU CA
 UAW Local 2865
 UNITE HERE! Local 11

Prioritized/Endorsed by

Asian Pacific Islander Legislative Caucus
 Black Legislative Caucus
 Latino Legislative Caucus
 California Democratic Party
 California Young Democrats
 CIPC Immigrant Day of Action
 Building the California Dream Alliance
 League of Women Voters

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