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Migrant Groups: End Detention and Reinvest in Legal Representation for Those Facing Deportation

WASHINGTON – In [a letter](#) released on Feb. 1 to the Biden administration and congressional leaders, Alianza Americas and Presente.org join a coalition of 149 advocacy groups, led by the American Immigration Lawyers Association (AILA) and the American Immigration Council, to call for ending detention and increasing the funds that would guarantee the right to legal counsel to those facing deportation proceedings.

The letter urges Congress to approve at least \$50 million in funding as the first step towards ensuring that those facing deportation are assigned an attorney to represent them in court. Because deportation is a civil rather than criminal proceeding, those facing deportation are not guaranteed access to legal defense as upheld by the Sixth Amendment.

The Department of Homeland Security (DHS) [will spend \\$1.8 billion on detention beds](#) over the next fiscal year. With activists calling for \$50 million to fund legal representation for immigrants, that figure represents just 2.7% of what DHS currently spends on detention. Funding a universal legal representation program, guaranteeing legal counsel to all those undergoing immigration proceedings in court, is [estimated to cost \\$208 million](#), less than 11.5% of the entirety of what DHS spends on detention beds.

Alianza Americas, a coalition of 55 migrant organizations across 40 states, and [Presente.org](#), the country's largest Latinx digital organizing platform, call on the U.S. government to end the detention of people who migrate through the [#FreedomForAll campaign](#). Migrant leaders in the Alianza coalition, who support the AILA letter to the Biden White House and Congress, demand that the U.S. government reinvests the wasteful \$1.8 billion that DHS spends annually on detention into funding a universal legal representation program.

“People in immigration court who are provided legal counsel are five times more likely to win their cases in immigration court. But [77% of those facing deportation in 2019](#) had no legal representation. That’s horrifically unjust: everyone deserves a fair shot in court, regardless of immigration status,” said **Nancy Treviño, Alianza Americas’ associate director for network power**.

“It’s nearly impossible to navigate immigration court without support from legal counsel. Whether or not you win a deportation case shouldn’t depend on whether you can afford to pay for a private attorney. The 2022 federal budget should include this minimum of \$50 million towards legal representation for immigrants, upholding the right to due process for all,” said **Carolina**

Ortiz, a community activist with [COPAL](#), a grassroots organization that defends migrant communities in southern Minnesota.

“We are spending billions on detention when those funds could be better used towards programs that uphold due process, rights, and freedoms in our communities. To shift away from inhumane policies of detention and deportation, Congress can take a basic first step by including this funding for legal representation in the 2022 budget,” said **Yaquelin López, co-founder of [Women Working Together](#), a group that advocates for women’s rights, including the rights of domestic workers, in Miami, Florida.**

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Alianza Americas is the premier transnational advocacy network of Latin American migrant-led organizations working in the United States, across the Americas, and globally to create an inclusive, equitable and sustainable way of life for communities across North, Central, and South America.