

Joint Statement of Bar Association of San Francisco and Justice & Diversity Center in Support of Chief Justice’s Letter to Attorney General and Secretary of Homeland Security

April 10, 2017 -- San Francisco -- The Bar Association of San Francisco (BASF) and the Justice & Diversity Center (JDC) of The Bar Association of San Francisco support Chief Justice of California Tani G. Cantil-Sakauye’s March 16, 2017 letter to U.S. Attorney General Jeff Sessions and U.S. Secretary of Homeland Security John Kelly, asking them to cease the practice of using California courthouses as “bait” for arresting undocumented immigrants. BASF and JDC concur with Justice Cantil-Sakauye’s statement that the presence of immigration officers stalking immigrants at courthouses “undermine[s] the judiciary’s ability to provide equal access to justice.”

Many, if not most, of JDC’s clients are among the most vulnerable Californians referred to in the Chief Justice’s letter. JDC has received reports of its clients avoiding court appearances due to fears of being targeted by immigration officers at courthouses. BASF’s Legal Referral and Information Service (LRIS) has received reports from clients who chose not to appear in a juvenile court action and an unlawful detainer action because they were afraid of being deported. The displacement of children and tenants is an example of the devastating effects to BASF and JDC clients as well as our community, when immigrants are threatened to be arrested at courthouses. Prosecution of criminal cases has been made more difficult where victims and witnesses to a crime refuse to testify for fear of arrest on unrelated immigration issues.

Sergeant Tony Flores, a 34-year veteran with the San Francisco Police Department currently assigned to the Special Victims Unit, told BASF, “In all my years, I have never seen or heard about ICE agents coming to arrest victims and witnesses at courthouses. Now there is a serious chilling effect on all witnesses, particularly victims of domestic violence for whom a restraining order could mean the difference between life and death.”

BASF and JDC seek to protect safe access to our courts for all persons. We join in the Chief Justice’s request that the federal government refrain from arresting undocumented citizens at California courthouses.

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The Bar Association of San Francisco (BASF) is a nonprofit voluntary membership organization of attorneys, law students, and legal professionals in the San Francisco Bay Area. Founded in 1872, BASF enjoys the support of more than 7,300 individuals, law firms, corporate legal departments, and law schools. Through its board of directors, its committees, and its volunteer legal services programs and other community efforts, BASF has worked actively to promote and achieve equal justice for all and oppose discrimination in all its forms, including, but not limited to, discrimination based on race, sex,

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disability, and sexual orientation. BASF provides a collective voice for public advocacy, advances professional growth and education, and attempts to elevate the standards of integrity, honor, and respect in the practice of law.

The Justice & Diversity Center (JDC) advances fairness and equality by providing pro bono legal services to low-income people and educational programs that foster diversity in the legal profession. JDC is the largest legal services providers in San Francisco. JDC's primary purpose is the delivery of free legal services to low-income San Franciscans, as well as the non-profits that serve them. JDC delivers free legal services through its Legal Services Programs division, which consists of the Pro Bono Legal Services Program, Homeless Advocacy Project, and the Immigration Program. JDC provides enrichment programs to diverse youth and young adults through its Diversity Educational Programs. JDC's programs serve approximately 9,500 disadvantaged San Franciscans a year, with the overarching goal of assisting the community's most vulnerable members with accessing the judicial system and strengthening their personal, professional, and economic security.