



Legislation Text

File #: 18-1035, **Version:** 2

Recommendation to authorize City Manager, or designee, to execute all documents necessary to enter into a SAFE Cities Network Agreement with the Vera Institute of Justice, a nonprofit corporation, to establish a legal defense fund and program (Long Beach Justice Fund) for providing legal representation to low-income immigrants facing deportation in the City of Long Beach, in the amount not to exceed \$250,000, for a two-year period. (Citywide)

On March 13, 2018, the City Council adopted the Long Beach Values Act of 2018 and requested that staff investigate the establishment of a legal defense fund in the amount of \$250,000, including universal representation, and to report back with options. The City Council also requested that staff consider outside organizations, such as the Vera Institute of Justice. The results of an analysis of options for creating a legal defense fund was presented to the City Council in a July 20, 2018 memorandum (Attachment A). Staff found the Vera Institute of Justice (Vera) to be uniquely qualified and the most efficient option for achieving City Council direction. Additionally, staff reported that \$100,000 in savings in the FY 18 Budget would be set aside for this purpose, and the remaining \$150,000 could be identified through City Council deliberation of the FY 19 Budget.

On September 4, 2018, the City Council adopted the FY 19 Budget and approved \$250,000 for the establishment of the Long Beach Justice Fund (Fund). Additionally, the City Council requested that when the Vera contract came for their consideration, that staff be prepared to discuss alternatives to Vera including, but not limited to, services provided by the Long Beach Bar Association. The July 20, 2018 memorandum outlines an alternative to Vera that could maintain consistency with the City Council's initial direction on March 13, 2018. As reflected in the memorandum, this alternative would require additional staffing in the Office of Equity to manage the program and contract directly with a legal service provider(s). It would also require an agreement with a fiscal intermediary to manage the Fund. Staff has reached out to the Long Beach Bar Association to obtain information on the legal services it could provide to low-income immigrants as part of the Fund. Following is a summary of the proposed SAFE Cities Network Agreement with Vera, and information on legal services that would be offered by the Long Beach Bar Association.

SAFE Cities Network Agreement

As part of the SAFE Cities Network Agreement, Vera will provide in-kind services to initiate and manage implementation of the Fund. Vera will serve as the fiscal intermediary of the Fund for two years and accept private donations to supplement the City's commitment of "seed" funding; lead the request for proposals (RFP) process to select and contract with the legal service provider(s); oversee and report on the performance of, and disburse funding to,

legal service provider(s) for project-related work; and, dedicate the City's funding commitment and any donations received exclusively to project work in Long Beach. Staff and Vera will attempt to identify and engage qualified local, legal service providers in the RFP process. In addition to Fund and program management services, Vera will provide in-kind support services to ensure effectiveness and foster sustainability of the Fund. These support services will include technical assistance to legal service provider(s); strategic communications assistance to promote the Fund; and, providing City officials with a forum to share best practices and information with officials from other jurisdictions in the Network.

Staff from the City Manager's Office and the Office of Equity will oversee implementation of the SAFE Cities Network Agreement. This commitment will include assisting with the RFP process to select a legal service provider(s); supporting Vera with data collection and public communication efforts; participating in Vera-organized conference calls and meetings; applying for a \$100,000 catalyst matching-grant from Vera; and, providing general program oversight. Additionally, during the two-year agreement with Vera, staff will work with community partners to identify a local, nonprofit organization to serve as the fiscal intermediary beyond the initial two-year term. Upon termination of the initial SAFE Cities Agreement, Vera will transfer any remaining public and private dollars to the designated fiscal intermediary to continue administering the Fund. However, Vera will continue providing in-kind program management and support services, if the need exists.

The proposed services of the Fund will include a combination of removal defense for individuals in detention (40 percent); removal defense for non-detained individuals (40 percent); and, affirmative representation (20 percent) including, but not limited to, services such as legal support for Asylum-seekers and Deferred Action for Childhood Arrivals (DACA) applicants and recipients, naturalization, T- and U-Visas for victims of crime, and lawful permanent residency under the Violence Against Women Act (VAWA). To be eligible for legal representation services, a person must reside in Long Beach and have a household income below 200 percent of the federal poverty guidelines.

Long Beach Bar Association

As requested, staff gathered information from the Long Beach Bar Association on its interest in offering legal services as part of the Long Beach Justice Fund. The Long Beach Bar Association has expressed an intent to engage attorneys within its network of 400 with expertise in immigration law to provide legal services to immigrant-residents. Correspondence from the Long Beach Bar Association reflecting its interest is provided as Attachment B.

This matter was reviewed by Deputy City Attorney Linda T. Vu on November 6, 2018 and by Budget Manager Grace Yoon on November 7, 2018.

City Council action is requested on December 4, 2018, to commence implementation of the Fund by early winter of 2019.

The total cost for the proposed SAFE Cities Agreement with Vera will be a one-time expense of \$250,000 for a two-year period, to initiate the Fund. Of that amount, \$100,000 is from General Fund expected FY 18 year-end departmental savings and the balance of \$150,000 was specifically appropriated in FY 19 from expected FY 18 year-end surplus. FY 18 has not closed, but there are currently no indications of problems with this funding. Staff will apply for a \$100,000 catalyst-grant from Vera in January 2019 as a matching source, to help build the fund. The Office of Equity will support the establishment of the Fund at an estimated three to five hours per week, until legal services are initiated. The staffing impact thereafter would be minimal and primarily limited to reviewing and reporting evaluation outcomes to stakeholders and working with community partners to promote the Fund. There is no local job impact associated with this recommendation.

Approve recommendation.

PATRICK H. WEST
CITY MANAGER