



April 11, 2017

The Honorable Hannah-Beth Jackson
Chair, Senate Committee on Judiciary
State Capitol, Room 2187
Sacramento, CA 95814



Re: SB 244 (Lara): Privacy: agencies: personal information. – SUPPORT

Dear Senator Jackson:

The California Chapters of the American Immigration Lawyers Association (AILA) are pleased to support Senate Bill 244 (Lara). The California Chapters of AILA include the Northern California Chapter, Southern California Chapter, Santa Clara Valley Chapter and San Diego Chapter. Together, we have more than 2500 attorney members in the state of California.

SB 244 will protect individual privacy and promote “good government” principles by prohibiting state and local agencies from collecting and recording personal information, or disclosing records containing personal information, for purposes not directly related to the administration of public services and programs.

California has made great strides in the past 15 years in celebrating and valuing the presence of diverse immigrant communities within the state. In recognition of this value, California has worked to ensure that all residents have access to critical services and can contribute to and participate fully in our economy by obtaining professional or business licenses, driver’s licenses, financial aid, and health care for their children.

SB 244 aligns with California’s longstanding history of protecting personal privacy rights. SB 244 ensures that all residents, regardless of religion, health condition, gender, gender identity, citizenship, immigration status or status as a survivor of crime, know that information they provide to government agencies is confidential. This is critical to the success of state and local programs that maintain public health and safety. The National Bureau of Economic Research has found, for example, that concerns about heightened immigration enforcement reduce Medicaid participation by young children of noncitizens.¹ Similar concerns have affected access to other programs. Eisner Health, a Los Angeles area provider to low-income Latino residents, has reported a recent 20 percent drop in food stamp applications and an 80 percent drop in My Health LA, a program intended to serve indigent adults.² Educators across the nation have reported increased absences in school since President Trump’s immigration enforcement actions commenced.³ In addition, crime survivors, including survivors of sexual assault,⁴ have been afraid to report crimes.⁵

¹ The National Bureau of Economic Research, *Inside the Refrigerator: Immigration Enforcement and Chilling Effects in Medicaid Participation*, (Aug. 2010), available at <http://www.nber.org/papers/w16278>.

² The Atlantic, *Trump’s Anti-Immigrant Policies Are Scaring Eligible Families Away From the Safety Net* (Mar. 2017) available at <https://www.theatlantic.com/business/archive/2017/03/trump-safety-net-latino-families/520779/>.

³ The74million.org, *Claiming Sanctuary, Inside the Schools now Actively Resisting President Trump’s Immigration Crackdown* (Mar 2017) available at <https://www.the74million.org/article/claiming-sanctuary-inside-the-schools-now-actively-resisting-president-trumps-immigration-crackdown>.

⁴ See Los Angeles Times, *Latinos are reporting fewer sexual assaults amid a climate of fear in immigrant communities, LAPD says* (Mar. 21, 2017), available at <http://www.latimes.com/local/lanow/la-me-ln-immigrant-crime-reporting-drops-20170321-story.html>.

⁵ See Mother Jones, *Immigrants Fear a Choice Between Domestic Violence and Deportation* (Mar. 20, 2017), available at

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SB 244 addresses some of these concerns by ensuring that government agencies can fulfill their programmatic missions and protect the personal information of their program applicants and recipients to the greatest degree allowed by law.

For these reasons, the California Chapters of AILA strongly support SB 244.

Sincerely,



Olivia Lee, Chair
Northern California Chapter
American Immigration Lawyers Association



Maggie Castillo, Chair
Southern California Chapter
American Immigration Lawyers Association



Andrew Nietor, Chair
San Diego Chapter
American Immigration Lawyers Association



Nicole Abramowitz Weber, Chair
Santa Clara Valley Chapter
American Immigration Lawyers Association

<http://www.motherjones.com/politics/2017/03/ice-dhs-immigration-domestic-violence-protections>; The Guardian, *Fearing deportation, undocumented immigrants wary of reporting crimes* (Mar. 23, 2017), available at <https://www.theguardian.com/us-news/2017/mar/23/undocumented-immigrants-wary-report-crimes-deportation>
National Public Radio, *Fear Of Deportation Spurs 4 Women To Drop Domestic Abuse Cases In Denver* (Mar. 21, 2017), available at <http://www.npr.org/2017/03/21/520841332/fear-of-deportation-spurs-4-women-to-drop-domestic-abuse-cases-in-denver>.