

# Annual Report 2013



# About NILC

Established in 1979, the National Immigration Law Center (NILC) is the primary national legal advocacy organization in the U.S. exclusively dedicated to defending and advancing the rights and opportunities of low-income immigrants and their families. Over the past 35 years, NILC has protected fundamental rights through landmark legal decisions and advanced policies that promote equality, opportunity, and justice for all.

NILC uses multiple, integrated strategies to advance its mission: litigation, advocacy, strategic communications, and education. NILC also has a long history of helping other advocacy groups connect with each other to develop joint advocacy strategies that address common concerns. This unique bridge-building capacity is among NILC's core strengths.



*“Given the current challenges we all face in immigration policy, we believe it’s crucial for public debate and political dialogue to be well-informed on the issues and visionary. We support NILC because it has such unique expertise in analyzing the current framework of immigration laws, explaining the real-world implications for immigrants’ lives, and, then, going on to articulate and advocate for sound solutions. NILC’s work makes a crucial contribution to immigrants’ well-being, now and in the future.”*

*--Ed Kissam & Jo Ann Intili*

# Message from the Executive Director

Dear Supporters and Allies,

When times are tough, it always helps to look beyond the immediate challenges, and to keep our eyes on the prize.

Here at the National Immigration Law Center, no matter the setbacks we've faced in fulfilling our mission to defend and advance the rights and opportunities of low-income immigrants, we've always focused on a long term vision for social change. Despite the seemingly insurmountable roadblocks we've encountered over the past 35 years, we continue to imagine and work for a future in which everyone living in the U.S.—regardless of where they were born or their economic circumstances—has equal opportunity to reach their full human potential. We realize this vision isn't something we can achieve in the short-term. But it inspires all the work we do.

However, incremental victories along the way give us the hope, motivation, and power we need to keep fighting for long-term change.

For years, NILC had been largely and necessarily on the defense, challenging policies designed to punish low-income immigrants and drive them from our country. Last year, we were determined to launch and support affirmative, bold initiatives to embrace immigrants as full members of our society. Despite the unwavering resolve and commitment of many supporters and allies like you, we didn't accomplish broad immigration reform in 2013.

Nevertheless, last year was full of important victories that transformed the immigrants' rights landscape. We witnessed a shift toward a more hopeful future. The examples described in

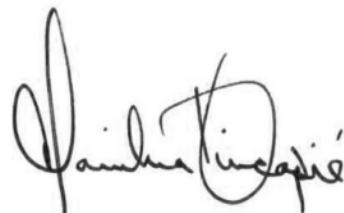
this report are only a small sampling of the many victories NILC helped the immigrants' rights movement achieve.

Despite the political turmoil NILC was embroiled in last year, we also took time to plan for the future. We refined our organizational goals and program priorities in light of current needs and realities. We honed our strategic approaches. We're now prepared to embark on an integrated approach of challenging damaging laws in the courts, advocating for policies that expand opportunities for low-immigrants, and changing the overall public narrative with respect to immigrants and immigration so that we can more compellingly make our case for the broad policy and societal changes we seek.

I'm so proud of the work NILC did last year. None of our accomplishments would have been possible without your support. I'm excited at our new direction, which will enable us to have even greater impact.

With your continued support, I know we'll be able to achieve our vision.

With gratitude and respect,



Marielena Hincapié



# Turning POINTS...

Last year, the National Immigration Law Center played a pivotal role in game-changing and innovative partnerships that helped advance new opportunities for low-income immigrants. Here are a few snapshots of our efforts.

## **A Striking Shift in Colorado**

In 2012, a diverse coalition of Colorado organizations decided it was time to take bold action against the civil rights abuses, fractured trust, and fiscal harm caused by SB 90. Many considered SB 90, a Colorado law enacted in 2006, to be the intellectual precursor to Arizona's notorious racial profiling law, SB 1070. NILC worked closely with local organizers to craft a legislative proposal to repeal SB 90's anti immigrant provisions. The resulting bill, which Colorado's governor signed into law on April 26, 2013, began the process of restoring trust between local law enforcement and immigrant communities.

A few days after he signed the law that repealed SB 90, Colorado's governor signed the "ASSET bill." Colorado advocates had worked hard for this bill, which provides that all Colorado's residents, regardless of immigration status, are eligible for the same in-state college tuition rates. Then the state legislature capped off an action-packed 2013 session by approving a measure backed by local advocates that allows all Colorado residents—again, without regard to immigration status—to apply for driver's licenses.

NILC provided strategic legal, policy, and communications advice to support all three of these crucial pro-immigrant initiatives.

Today in Colorado, the anti-immigrant tide has turned. The congressional district whose representative used to be Tom Tancredo, the outspoken immigration restrictionist,

is now represented by a Republican who has professed support for comprehensive immigration reform. And Asian American, Latino, and immigrant voters in the state are exercising their political power with renewed vigor.

## **A Dramatic Civil Rights Victory in New Orleans**

Organizers with the New Orleans Workers' Center for Racial Justice and the National Guestworkers Alliance (a project of the Workers' Center) had a vision: They wanted to make New Orleans the first city in the South with a policy limiting local law enforcement's involvement with immigration enforcement. This vision grew out of their efforts to win the right to remain for workers and their families who had helped rebuild New Orleans after Hurricane Katrina. Their problem? When his deputies arrested immigrants, the Orleans Parish sheriff routinely kept them in jail on "immigration holds" for weeks or months.

NILC and the Workers' Center attorneys saw an opportunity to use civil rights litigation—as part of a campaign that included community organizing, advocacy with the New Orleans City Council, and immigration defense in specific cases—to expose Sheriff Gusman's pattern and practice of unconstitutionally detaining low-income immigrants in jail long after Immigration and Customs Enforcement (ICE) immigration hold requests for them had expired. Working with Workers' Center organizers, in 2011 the attorneys filed a federal lawsuit on behalf of individuals who had been unconstitutionally detained for 90 and 180 days, respectively.

In 2013, the sheriff reversed his previous position. He worked with local leaders to settle the case by creating a policy that prevents local

law enforcement from holding most individuals for ICE and limits ICE's access to the jail. Under the settlement agreement, the new policy is enforceable in court. Similar policies have been adopted in cities such as Chicago, Ill., and New Haven, Conn. But New Orleans remains the first—and only—city in the South with such a policy in place.

The campaign, including the lawsuit, ultimately transformed Sheriff Gusman's attitude about the role local law enforcement should play in immigration enforcement. In a letter to Louisiana Senator David Vitter responding to the senator's criticism of the new policy, Sheriff Gusman wrote that the policy is "about freedom and fairness, ideals upon which I hope we can both agree and upon which our country was built." Workers' Center members are proud that the new policy provides strong protection for the civil rights of immigrants and their families.

## A New Perspective on Immigration Enforcement

Historically, advocacy in favor of legalizing the immigration status of people who already live in the U.S. has tended to concede that, in exchange, we must accept ever more drastic enforcement policies. These policies, in turn, threaten the basic rights and freedoms of future generations of immigrants (or of anyone who "appears" foreign). Arguments in favor of basic fair treatment for immigrants and a demilitarized border and work-related rights for everyone, including immigrants, sometimes have been dismissed as "left wing" or radical. Worse, pro-immigrant advocates sometimes have found themselves pitted against each other as they fight to keep the worst, most unjust enforcement policies from spreading along the country's borders and into its interior. Attorneys and analysts at NILC wanted to change the perception that legalization must come at the expense of basic rights.

In late 2012, NILC and other groups concerned about an ever-expanding immigration enforcement machine came together to create CAMBIO, the Campaign for an Accountable, Moral, and Balanced Immigration Overhaul. Throughout 2013, CAMBIO used multiple

strategies, including advocacy and strategic communications, to ensure that the basic dignities and rights of all people were not trampled upon in the rush to achieve immigration reform.

CAMBIO has brought new voices speaking out against draconian detention and deportation policies to Capitol Hill, allowing members of both major political parties to better understand the consequences of championing measures that criminalize immigrants or further militarize our borders. Although we still have a long way to go, we are confident that with a broad coalition such as CAMBIO, we can make dignity and justice for all an issue of importance across the political spectrum.



# ...& Milestones

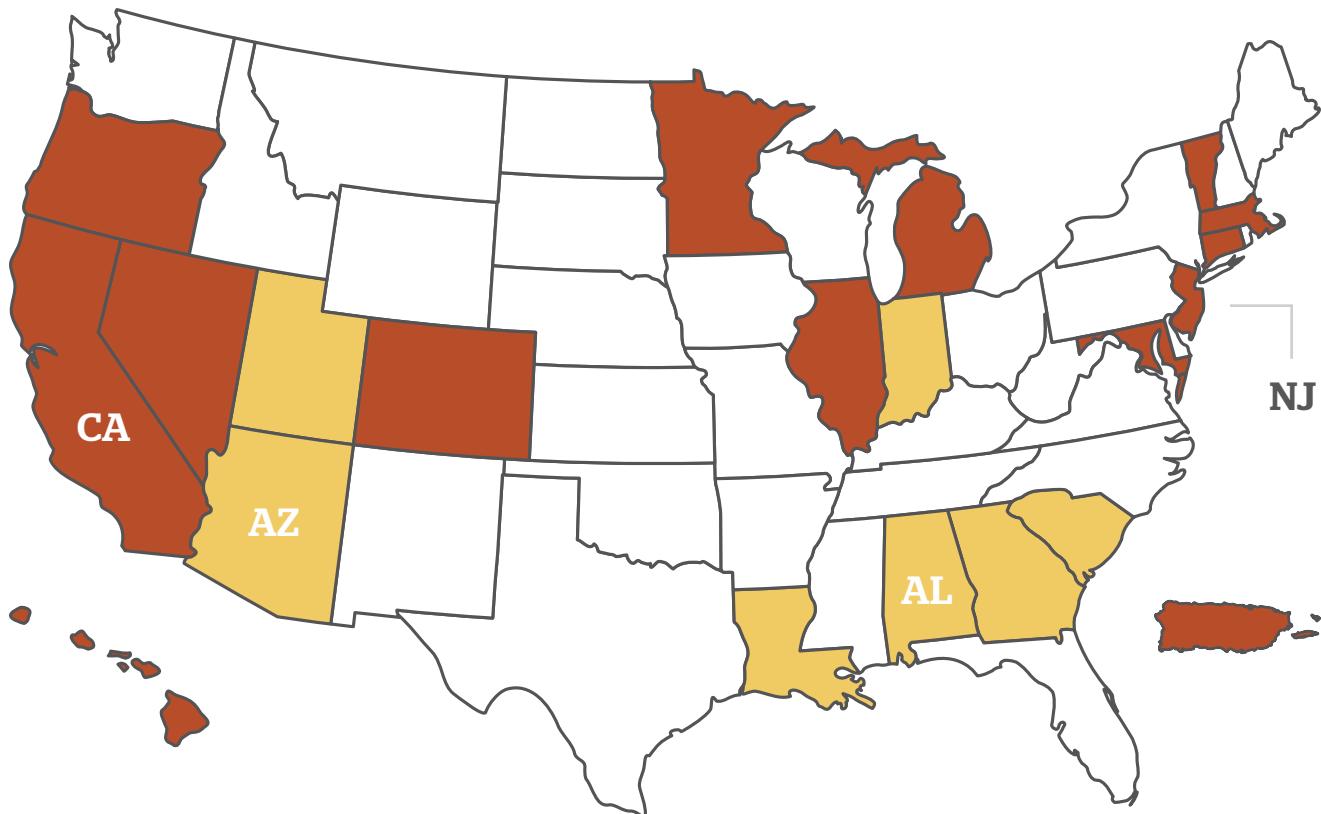
Beginning in 2010, much of the National Immigration Law Center's litigation and advocacy focused on defending against anti-immigrant, racial profiling state laws designed to make immigrants' daily lives so miserable that they'd be compelled to leave the U.S.

In 2013, immigrants' rights advocates made dramatic progress in promoting pro-immigrant policies in states and localities across the country. NILC provided advice and support to advocates in a range of states, which contributed to many of the victories illustrated in the map shown here. Over three-quarters of immigrants in the U.S. now live in a state that allows all residents to pay in-state tuition, regardless of immigration status. Close to one-third live in a state where all residents can apply for driver's licenses.



# Legend

- States that enacted new immigrant inclusive policies
- States where anti-immigrant laws were blocked through litigation brought by NILC and co-counsel



## CA

In what some have termed “the year of the immigrant,” California enacted a package of immigrant inclusive laws that protect workers’ rights, promote highway safety, & restore trust between local law enforcement and immigrant communities. NILC provided extensive support to advocates in their campaign to promote the state’s new law allowing immigrants to get driver’s licenses.

## NJ

New Jersey “Dreamers” & other local advocates convinced Republican Gov. Chris Christie to sign a law in December 2013 allowing students who meet certain criteria—regardless of immigration status—to pay the same college tuition rates. A comprehensive tuition equity toolkit that NILC compiled has been an invaluable resource in supporting such campaigns across the country.

## AZ

Despite the legal victory that blocks much of Arizona’s notorious anti immigrant law, SB 1070, NILC’s & key partners’ legal challenge against the state’s denial of driver’s licenses for young immigrants granted deferred action continues.

## AL

In 2011 Alabama enacted HB56, the most extreme anti-immigrant law to date. NILC and others filed a class-action law suit to prevent this law from harming immigrant communities. In Oct. 2013, we were able to declare victory, permanently blocking many of this law’s harmful provisions.

# Thank You

The following groups and individuals made our work and accomplishments in 2013 possible.\* For this support and commitment to NILC's vision, we are deeply grateful.

## Private Foundations & Government Agencies

- 21st Century ILGWU Heritage Fund
- Blue Shield of California Foundation
- California Community Foundation
- The California Endowment
- The California Wellness Foundation
- Carnegie Corporation of New York
- David and Lucile Packard Foundation
- Evelyn and Walter Haas, Jr. Fund
- Ford Foundation
- Four Freedoms Fund
- Grove Foundation
- Hagedorn Foundation
- Institute of International Education
- J. M. Kaplan Fund
- Levi-Strauss Foundation
- Open Society Foundations
- Rosenberg Foundation
- State Bar of California Legal Services Trust Fund Program
- Unbound Philanthropy

## Corporations, Law Firms, & Unions

- ACLU Immigrants' Rights Project
- Alliance for Citizenship
- American Federation of Labor & Congress of Industrial Organizations
- American Federation of State, County & Municipal Employees
- American Federation of State, County & Municipal Employees, All City Employees Association Local 3090
- American Federation of Teachers
- American Immigration Lawyers Association
- Asian Americans Advancing Justice | Los Angeles
- Beeson Tayer Bodine
- California Immigrant Policy Center
- California Pan-Ethnic Health Network
- California Teachers Association
- Catholic Legal Immigration Network, Inc.
- Center for Law and Social Policy
- Center on Budget & Policy Priorities

- Consejo de Federaciones Mexicanas en Norteamérica
- Dominican Sisters of Hope
- Immigrant Legal Resource Center
- Inspirational Opportunities for Youth and Seniors
- Kazan, McClain, Abrams, Lyons, Greenwood & Harley
- Laborers' International Union of North America
- Los Angeles Alliance for a New Economy
- Munger Tolles & Olson Foundation
- National Day Laborer Organizing Network
- National Domestic Workers Alliance
- National Employment Law Project
- National Health Law Program
- National Latina Institute for Reproductive Health
- National Lawyers Guild, Labor & Employment Committee
- Neighborhood Legal Services of Los Angeles County
- Opportunity Agenda
- Orrick, Herrington & Sutcliffe LLP
- Pomona Economic Opportunity Center
- ProAmerica Bank
- Public Interest Investigations, Inc.
- Rights Working Group
- Service Employees International Union
- Service Employees International Union, United Long Term Care Workers Local 6434
- Service Employees International Union, United Service Workers West
- Services, Immigrant Rights and Education Network
- Skadden, Arps, Slate, Meagher and Flom LLP
- St. Edmund's Episcopal Parish
- Teamsters, Local Union No. 396
- UCLA School of Law
- Union Bank of CA
- UNITE HERE!
- United Food & Commercial Workers International Union
- United Food & Commercial Workers International Union, Local 99
- Univision Communications, Inc.
- Van Der Hout, Brigaglione & Nightingale, LLP
- Wolfsdorf Immigration Law Group

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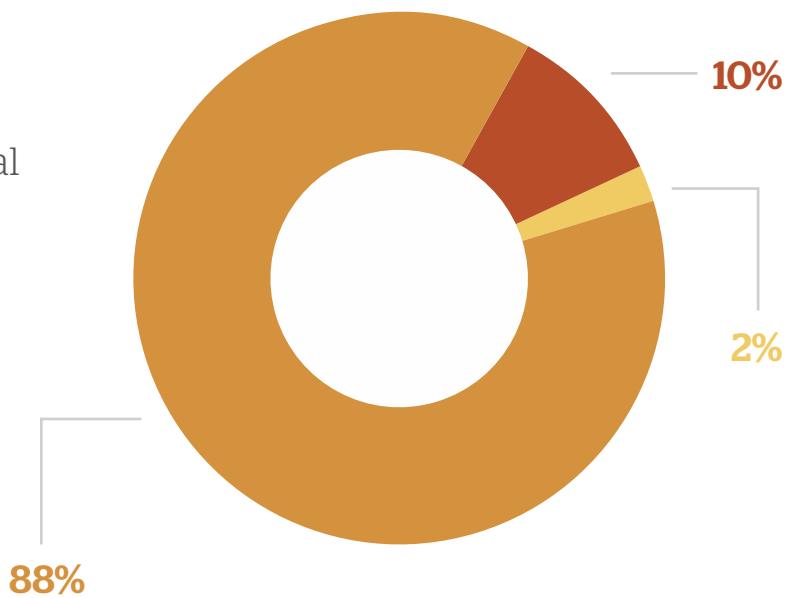
*\*Those recognized here contributed during NILC's 2012-13 fiscal year, which covers the period from July 1, 2012, through June 30, 2013.*

# FINANCIAL Statement Summary

Condensed statement of activity for the year ending June 30, 2013. For complete audited financial statements, visit [www.nilc.org/financialinformation.html](http://www.nilc.org/financialinformation.html).

## Expense Breakdown

- Program Services
- Management & General
- Fundraising



<b>Total Revenue &amp; Support</b>	<b>\$9,719,977</b>
Grants - NILC*	6,086,226
Grants - United We Dream Network**	2,924,529
Contributions	443,500
Special Events	99,822
Reimbursable Income	84,240
Management Fee	43,000
Litigation Settlement	22,608
Miscellaneous Income	2,774
Investment Income	12,778
Training & Conferences	500

<b>Total Expenses</b>	<b>\$7,179,333</b>
Program Services	6,293,166
Supporting Services	
• Management & General	753,160
• Fundraising	133,007

<b>Change in Net Assets</b>	<b>\$2,540,644</b>
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Net Assets - Beginning of Year	\$3,928,133
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<b>Net Assets - End of Year</b>	<b>\$6,468,777</b>
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\*Many of these grants are multi-year grants. The full amount of the funding from those grants was recorded as received during the fiscal year ending June 30, 2013, although a portion of those funds are temporarily restricted for work that NILC will carry out in subsequent fiscal years.

\*\*In July 2010, NILC entered into an agreement with the United We Dream Network (UWD) to serve as the group's fiscal sponsor until it could obtain its own tax exempt status as an independent, nonprofit organization. The grants NILC received on behalf of UWD are reflected separately from grants awarded in support of NILC's work.

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