

NATIONAL IMMIGRATION LAW CENTER 2011 ANNUAL REPORT



ABOUT THE NATIONAL IMMIGRATION LAW CENTER



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Established in 1979, the National Immigration Law Center is the only legal advocacy organization in the United States exclusively dedicated to defending and advancing the rights of low-income immigrants and their families. We envision a country where all people—regardless of their race, gender, immigration or economic status—are able to achieve their full human potential.

Headquartered in Los Angeles and with an office in Washington, DC, we combine extensive connections with local groups across the country and inside-the-Beltway know-how, which makes us uniquely capable of advancing laws and policies to strengthen all communities. Policy makers, community organizers, legal advocates, and the media recognize NILC staff as experts on a wide range of issues that affect the lives of low-income immigrants in the U.S. We also use multiple strategies to advance our mission—a distinctive feature of our work. These include: conducting law reform and impact litigation; analyzing policies affecting immigrants and developing policy improvements; providing legal counsel and strategic advice on other groups’ advocacy and communications campaigns; and providing trainings and publications.

We focus on key issues that affect the lives and wellbeing of low-income immigrants: access to education; access to health care and public benefits; immigration reform policies and paths to citizenship; immigration enforcement; and workers’ rights.



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LETTER FROM THE EXECUTIVE DIRECTOR

As I look back at 2011, halfway into a year during which the Supreme Court will weigh in on issues that may dramatically shape the direction of our country, I’m reminded of what a pivotal moment in history last year was—not only for immigrants’ rights, but for all of us committed to social, economic, and racial justice.

For years, the National Immigration Law Center had been supporting state and local advocates dealing with a steady rise in state-level attempts to control immigration and immigrants’ lives. Last year, however, state laws sanctioning the inhumane persecution of everyone assumed to be a “foreigner” mushroomed, fueled by economic uncertainty and rising anti-immigrant sentiment.

We saw the writing on the wall when Arizona passed SB 1070. The law’s authors stated, in no uncertain terms, that their goal was to make life so unbearably painful for immigrants that they would feel compelled to “self-deport.” At that moment, we made an institutional commitment at the National Immigration Law Center to use all of the legal and policy tools and expertise we have to challenge any Arizona-inspired law that threatens our nation’s basic principles of justice, freedom, and equality.

Alabama’s law, the most shockingly severe of those passed to date, harkens back to shameful times in our nation’s history. It also reflects the worst of the country’s fears and insecurities. The wide-ranging

law not only includes Arizona-like stop-and-arrest provisions, but also affects every aspect of day-to-day living. Last year, we witnessed parents afraid to send their children to school, to seek healthcare for their children with chronic illnesses, and to report domestic violence. Enactment of the law emboldened local agencies to try to cut families off from the most fundamental of necessities: water service. It threatened to push mobile home owners out of their homes. In essence, the law functions as a localized, electrified border wall, keeping those who are perceived as “unworthy” of being in the U.S. from having access to even the most basic things we all need to survive and thrive as human beings.

And yet the law still hasn’t rocked the nation’s political consciousness. Apart from the court battles that the National Immigration Law Center is co-leading and powerful local organizing efforts, all of us definitely have more work to do to raise the level of outrage across the country to match—and counter—the widespread damage Alabama’s law has caused, especially if the Supreme Court allows any part of Arizona’s racial profiling law to be enforced.

On the other hand, as a legal advocacy organization dedicated exclusively to the rights of low-income immigrants, we were encouraged by the Occupy movement’s success in sparking a nationwide debate about economic inequality in our country. Not surprisingly, low-income immigrants are among

those hit hardest by economic turmoil; their minimal safety net is also one of the first items put on the chopping block when decision-makers slash budgets as part of austerity measures. In fact, the level of poverty that immigrant children and the U.S.-born children of immigrant parents face these days is an underreported, silent crisis that needs to be illuminated and addressed.

Here at the National Immigration Law Center we know that a better world is possible. Despite the challenges we faced in 2011—or maybe because of those challenges—last year presented wonderful opportunities for cross-racial, cross-sector organizing and advocacy to forcefully beat back inequality and injustice. This is when I am most hopeful: when I imagine scores of us joining forces to build an alternative future in which we dismantle barriers to prosperity for everyone who makes up the 99 percent.

I’m immensely proud of all that National Immigration Law Center staff have accomplished over the past year. I’m also continually amazed at the steady commitment to justice demonstrated by allies such as you. Given our collective strength and ingenuity, I’m confident that we will prevail in ensuring that all of us living in the U.S.—regardless of where we stand on the economic ladder or where we were born—are embraced as full-fledged members of society and afforded equal opportunities to try to reach the most expansive of our American Dreams.

Marielena Hincapié



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DRAWING A LINE IN THE SAND

Two days after Alabama’s draconian racial profiling law went into effect, Luisa’s fourth grade teacher asked her and all her Latino classmates if they had their “papers” in order. Luisa¹ confidently replied that she was a native-born Alabamian. After a pause, the teacher then asked Luisa about her parents’ immigration status. Panicked, she replied that she didn’t know about it. Luisa’s parents, upon hearing her story, faced something no parent should have to consider: whether sending their children to school had become too dangerous for people like themselves whose families have members who live and work in—and contribute to—this country, but lack authorization to do so.

Luisa’s mother shared her story with attorneys involved in a civil rights coalition battling harsh state immigration laws. Along with our legal team allies, National Immigration Law Center attorneys were preparing to convince the 11th Circuit Court of Appeals to issue an emergency order that would stop implementation of the provision of Alabama’s law that requires public elementary and secondary schools to verify the immigration status of enrolling students. Thanks to our swift work, the 11th Circuit put this provision on hold less than two weeks after a lower court had allowed it to take effect. Alabama school officials now have no legal basis for asking children or parents about their family’s immigration “papers.”

Nevertheless, major harm was unleashed when Alabama’s governor signed the hateful bill into law. Not only immigrants, but also people of color assumed to be foreign-born, have faced intensified scrutiny and discrimination by private citizens and state and local officials, and have been intimidated out of exercising basic rights.

After Arizona enacted its extreme racial profiling law, SB 1070, in 2010, other state lawmakers attempted to follow Arizona’s misguided footsteps and enacted similar legislation last year. This legislation sometimes differed in language, but had the same goal: to make life miserable for immigrants and their loved ones. Early in 2011, the National Immigration Law Center chose to fight these unconstitutional affronts to our basic values wherever they arose.

The path hasn’t been easy. In 2011, we filed class-action lawsuits to block laws in Alabama, Georgia, Indiana, South Carolina, and Utah from going into effect. Throughout the process, we’ve worked with plaintiffs such as David, a young man in Utah who was detained by U.S. Immigration and Customs Enforcement while on his way to Bible school and now faces deportation, and Paul Bridges, a Republican mayor who fears that Georgia’s racial profiling law will wreak havoc on his small agricultural town. We’ve filed lawsuits on behalf of plaintiffs such as Yajaira Benet-Smith, an immigrant living in South Carolina who, if her state’s anti immigrant law were allowed to take effect, would risk being charged with a crime if she performed simple charitable acts such as driving undocumented friends to the grocery store. And it’s our honor to represent individuals such as Rev. Luz Santiago, who fears what will happen to members of her congregation if the U.S. Supreme Court allows any part of Arizona’s SB 1070 to take effect.

¹ Not her actual name.



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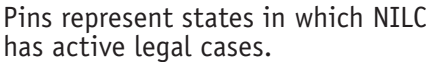
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In nearly every state, we successfully blocked the most pernicious elements of these laws before they took effect, preventing our plaintiffs and anyone in their situation from having to suffer irreparable violations of their constitutional rights. Unfortunately, this was not the case in Alabama. Major portions of Alabama’s law—which is much worse than Arizona’s—took effect last September after a federal district court declined to enjoin them.

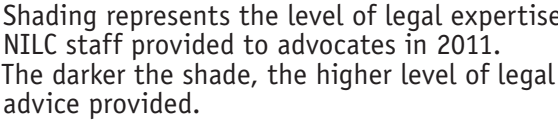
We didn’t give up. We jumped in to staff a hotline created by our civil rights legal team and received hundreds of calls the first weekend alone. We filed an emergency appeal to the 11th Circuit. And we filed a separate lawsuit in an effort to narrow the scope of this hateful law.

These efforts have paid off. As of May 2012, we’ve been able to block four additional provisions of Alabama’s law, including the one that prompted Luisa’s teacher to ask about her and her parents’ immigration status. We’ve acted swiftly to respond to callers of all nationalities who’ve reported devastating rights violations. We’ll stay in the fight in Alabama—and elsewhere—until these laws are dismantled by the courts or repealed by legislatures.

We’ll continue to fight these unjust laws because we believe that any threat to an immigrant family’s fundamental rights is an injustice to us all.



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OTHER 2011 ACCOMPLISHMENT HIGHLIGHTS

- We played a key role in tracking and advocating for tuition equity for all in-state students, regardless of immigration status. In 2011, Connecticut and Maryland joined the ranks of states with tuition equity laws on the books, and Oregon and Colorado made substantial gains in their quests to improve immigrant students' access to education. California continues to pave the way by now providing in-state tuition as well as access to some financial aid.
- By coordinating the efforts of a broad coalition of individuals and organizations, we led the successful battle against proposed legislation that would have required employers to use the federal government's flawed E-Verify employment eligibility verification system.
- We educated policymakers to ensure that provisions of the Affordable Care Act do not unnecessarily exclude immigrant families from health care coverage. We also educated fellow advocates about the gaps in coverage to immigrant families that remain in our country's health care system.

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- A large crowd of people is marching down a city street. In the center, a massive white banner is being held up, featuring the text "We The People..." in a red cursive font, followed by "MAKE HIS" in red block letters, and "A GREAT COUNTRY" in large, bold red block letters. The banner is decorated with small blue stars. The marchers are dressed in casual summer clothing, including white t-shirts, hats, and jeans. In the foreground, a man in a white polo shirt and khaki pants is holding a wooden pole. To his right, a woman is pushing a blue and white striped baby stroller. The background shows a city skyline with several tall buildings under a clear blue sky. The overall atmosphere is one of a large-scale public demonstration or rally.



THANKS TO OUR SUPPORTERS

In addition to our valuable partnerships with others working to advance the rights of immigrants in the U.S., we deeply appreciate those who have contributed much-needed financial resources to the National Immigration Law Center. For helping sustain our work last year, we thank the following:

PRIVATE FOUNDATIONS AND GOVERNMENT AGENCIES

- 21st Century ILGWU Heritage Fund
- The California Endowment
- Carnegie Corporation
- David & Lucile Packard Foundation
- Evelyn & Walter Haas, Jr. Fund
- Ford Foundation
- Four Freedoms Fund
- Grove Foundation
- Legal Services Trust Fund Program of the State Bar of California
- Office of Special Counsel for Immigration-Related Unfair Employment Practices, U.S. Department of Justice, Civil Rights Division
- Open Society Foundations
- Rosenberg Foundation
- Unbound Philanthropy

BUSINESSES, LAW FIRMS, AND UNIONS

- ActGivity
 - AFJ Consulting Group
 - All City Employees Association, AFSCME Local 3090
 - Altshuler Berzon LLP
 - American Immigration Lawyers Association, Southern California Chapter
 - Asian American Justice Center
 - Asian & Pacific Islander American Health Forum
 - Asian Pacific American Legal Center
 - Bahan & Associates
 - California Immigrant Policy Center
 - California Pan-Ethnic Health Network
 - California Teachers Association
 - Equal Justice Society
 - Eyes of the World Media Group
 - Fragomen, Del Rey, Bernsen & Loewy, LLP
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 - United Food and Commercial Workers International Union, Local 99
 - United Food and Commercial Workers International Union, Local 770
 - United Nurses Associations of California/ Union of Health Care Professionals
 - United Steel Workers, Local 675
 - Van Der Hout, Brigagliano & Nightingale, LLP
 - Weinberg, Roger & Rosenfeld
 - Workers United

INDIVIDUALS

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 - Susan Alva
 - Rachel Andersson
 - Della Barnett
 - Baskes Family Foundation
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 - Lin-Hua Wu & Michael Fisher
 - Johnny Yuan
 - Noah Zatz
- This list includes contributions covering the period from July 1, 2010, through June 30, 2011 (NILC’s last fiscal year).



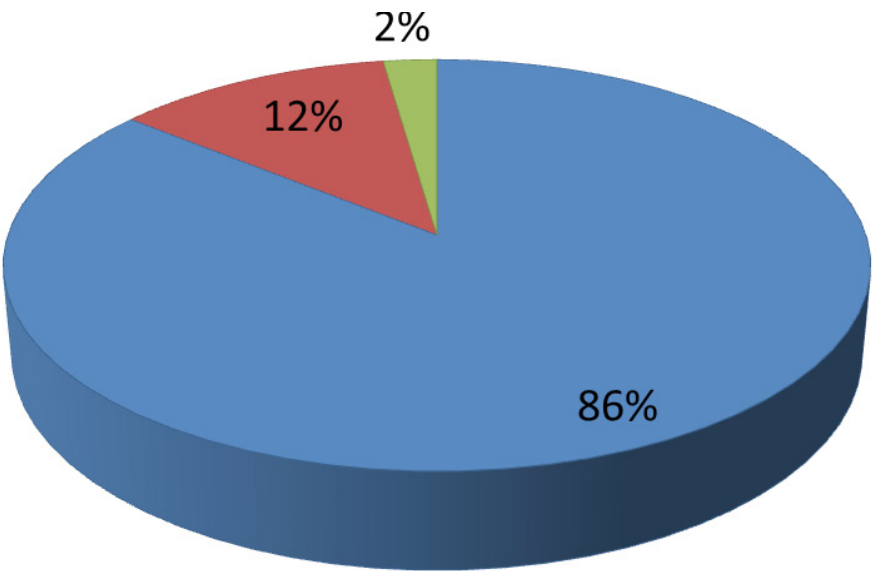
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NILC AUDITED FINANCIAL STATEMENT

Condensed statement of activity for the year ending June 30, 2011

| | | |
|--------------------------------|----|-------------|
| REVENUE AND SUPPORT | | |
| Grants | \$ | 2,861,108 |
| Management Fee | | 127,686 |
| Contributions | | 110,092 |
| Special Events - Net | | 76,518 |
| Litigation Settlement | | 23,000 |
| Other Income | | 128,130 |
| TOTAL REVENUE AND SUPPORT | | |
| | | 3,326,534 |
| EXPENSES | | |
| Program Services | | 4,140,111 |
| Supporting Services | | |
| Management and General | | 575,275 |
| Fundraising | | 110,727 |
| TOTAL EXPENSES | | |
| | | 4,826,113 |
| CHANGE IN NET ASSETS* | | |
| | | (1,499,579) |
| Net Assets - Beginning of Year | | |
| | | 4,725,938 |
| Net Assets - End of Year | | |
| | | 3,226,359 |

* Because NILC often receives multi-year grants that are recorded at the time of the award but ultimately span multiple fiscal years, the organization’s change in net assets fluctuates from year to year, ranging from surpluses to deficits between 10 and 15 percent. Also, in June 2010 NILC terminated a fiscal sponsorship arrangement with another organization because it obtained its own federal tax exemption status and no longer required NILC’s sponsorship. Dispersing the fund balance of that organization’s assets affected NILC’s change in net assets. As shown in the audit overview shown here, however, NILC’s end-of-year net assets show a positive balance. For a complete audited statement, please call (213) 674-2818.



2010-2011 EXPENSES

- Program Services
- Management & General
- Fundraising

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Development Manager

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Tanya Broder
Senior Staff Attorney

Alejandra Casillas
HR & Administrative Manager

Shiu-Ming Cheer
Immigration Attorney

Maria Cisneros
Junior Accountant

Adela de la Torre
Communications Manager

Acasia Flores
Development Coordinator

David Hernandez
DC Office Coordinator/
Research Assistant

Alvaro Huerta
Skadden Fellow

Richard Irwin
Editor

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Staff Attorney

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Policy Associate

Claudia Lara
Senior Executive Assistant

Bianca Marquez
Administrative Assistant

Sheila Miller
Senior Paralegal

Nora Preciado
Staff Attorney

Jenny Rejeske
Health Policy Analyst

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Workers’ Rights Attorney

Emily Tulli
Workers’ Rights Policy Attorney

Karen Tumlin
Managing Attorney

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Staff Accountant



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UCLA School of Law

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