

The National Immigrant Justice Center works to advance equal justice and human rights for all immigrants, and seeks to ensure their full participation in our plural, diverse society. Transformative change is urgently needed at a time when the current administration violates the law and national leaders promote policies that undermine these rights daily. We envision equal access to justice and protection for all immigrants, leading to a welcoming and compassionate approach to migration, grounded in the principles of racial justice, religious freedom, family unity and community wholeness. This document provides 10 principles toward such an approach.

Toward Family Unity and Community Wholeness

1. Millions of undocumented immigrants live in our U.S. communities, searching for permanency but living under the dark cloud of fear of deportation. NIJC supports a **bold legalization program** for the undocumented population (including but not limited to those with temporary protections such as Deferred Action for Childhood Arrivals and Temporary Protected Status), with an attainable and affordable path to citizenship. This program should be inclusive and compassionate; no one should be categorically excluded from a path to citizenship because of involvement in the criminal legal system. Moving forward, we urge the development of an immigration processing system that prioritizes **family unity**, with family defined broadly and inclusive of the LGBTQ+ community.
2. Tens of thousands of asylum seekers and American residents suffer daily in a massive and unnecessary system of immigration prisons and jails, which costs the U.S. taxpayer billions of dollars each year. Detention separates people from their families and loved ones, deters them from seeking protection, and undermines the safety and security of all our communities. NIJC supports an **end to immigration detention**. The United States should permit people to pursue their immigration cases from the safety of their homes, with **community-based case management**, housing and social services available when needed. Community-based programs that support immigrants in a holistic manner are proven to be effective at ensuring compliance at a fraction of the cost to the taxpayer.

Toward Religious Freedom and Racial Justice

3. The American criminal legal and deportation systems have become intertwined in recent decades, exacerbating the harms caused by structural racism in both systems. It is time to **disentangle the criminal legal and deportation systems** by: repealing laws that criminalize people for entering or reentering the United States without authorization; prohibiting local law enforcement agents from supporting and/or undertaking immigration enforcement actions; and removing the disproportionate immigration penalties that flow from involvement in the criminal legal system.
4. The Department of Homeland Security routinely undertakes illegal enforcement actions, marked by racial profiling, excessive force, secrecy, arbitrary detention and disregard for constitutional

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protections. The current administration even deploys DHS to suppress dissent in U.S. cities, expanding its role far beyond its mandate. **Transformational reform** is urgently needed to shift the immigration system's focus away from incarceration, border securitization, excessive enforcement and surveillance. The immigration system needs to refocus on its traditional role of fairly adjudicating immigration status and supporting integration of immigrants into U.S. society. Immigration officials must not circumvent constitutional protections by carrying out warrantless arrests without probable cause in order to initiate immigration court processes, secretly detaining and deporting immigrants—including children—and acting as an unregulated and unaccountable federal police force at the whim of administration officials.

5. The United States must welcome immigrants and refugees regardless of race, religion, political opinion, or nationality. We support a **repeal of the Muslim, African, asylum and refugee bans** and **reject all exclusion policies** based on race, religion, political opinion or nationality.

Toward Equal Access to Justice and Protection

6. Today, indigent immigrants, and often their U.S. citizen family members, must defend themselves against deportation in immigration court without appointed counsel, requiring a mastery of one of the most complex areas of American law, opposite a federally funded prosecutor. NIJC calls for **appointed counsel for all indigent immigrants in immigration court proceedings**.
7. The immigration court system is housed within the Department of Justice, subject to the political winds of the day. NIJC calls for the **creation of an independent immigration court system**.
8. The United States' asylum and refugee systems are in shambles. Whether asylum is granted is more likely to be determined by luck or geography than the circumstances of a refugee's flight. The United States must step up and provide dramatically expanded protection to refugees abroad. To provide meaningful access to asylum in the United States, we must **strike arbitrary bars** such as the one-year filing deadline, **remove categorical bars** based on criminal conduct, **end off-shore asylum processing**, and **abandon policies that deter migration through collective punishment**. United States law must acknowledge the geopolitical trends that cause people to flee and provide robust protections for those fleeing harm at the hands of **non-state actors**.
9. Of the hundreds of thousands of people deported from the United States each year, more than three quarters are expelled without the opportunity to see an immigration judge. We must secure due process in the immigration system and ensure a fair day in court for all individuals facing removal by **striking all summary and expedited removal proceedings** from the books.
10. By law, certain survivors of crime, domestic violence and trafficking are able to seek permanent protection from deportation in the United States. However, these protections are often elusive because of harmful visa caps, adjudication backlogs, and arbitrary certification requirements. **Standing with survivors means providing protection without strings attached**: eliminating caps, ending certification requirements that make protection contingent on the whims of a particular law enforcement agency, and protecting survivors from deportation while applications are pending.