



**MICHIGAN IMMIGRANT
RIGHTS CENTER
LEGISLATIVE & POLICY PLATFORM**



As of July 1, 2021

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MISSION

The Michigan Immigrant Rights Center (MIRC) is a statewide legal resource center for Michigan's immigrant communities. MIRC works to build a thriving Michigan where immigrant communities experience equity and belonging.

In order to realize this mission the Michigan Immigrant Rights Center:

- Builds capacity through education and training about immigration law and the complex relationship between immigration status and immigrants' rights in areas including access to public benefits, family law and child welfare, civil rights, and worker's rights.
- Answers questions and provides technical support to attorneys and advocates serving low-income immigrants.
- Recruits, trains, and mentors volunteer pro bono attorneys.
- Leads systemic advocacy to advance the rights of low-income immigrants and their families.
- Tracks and analyzes legislative and legal developments related to immigration law and immigrants' rights.
- Builds coalitions among immigrant advocacy and other social justice and civil rights organizations statewide.
- Represents individual clients in priority areas including naturalization and citizenship matters and the rights of survivors of domestic violence, refugees, unaccompanied minors, and farmworker rights.
- Represents clients in impact cases involving violations of civil rights by law enforcement or government entities, access to public benefits for immigrants and children of immigrants, the unauthorized practice of immigration law, and any other civil legal issue relating to immigration status.
- The Michigan Immigrant Rights Center is a program of [Michigan Statewide Advocacy Services \(MSAS\)](#) administered by [Michigan Advocacy Program \(MAP\)](#). Please visit miadvocacy.org for more information including our Annual Reports and other funding details.

COMMITMENT TO ANTI-RACISM

MIRC is proud to join our colleagues at the Michigan Advocacy Program in affirming our ongoing commitment to anti-racism.

The Michigan Advocacy Program embraces the values articulated in the Michigan Advocacy Program's Diversity, Equity and Inclusion Statement. MAP is committed to anti-racism in all

aspects of our work including in our advocacy, communications, workplace environment, vendor selection, hiring, promotion, and retention.

MAP acknowledges that individual bias as well as institutional and structural racism exist in all individuals and systems. We understand that facially neutral policies and practices can perpetuate and result in racial inequities, particularly in the legal system that has historically been designed to perpetuate white dominance. We also recognize that actions that drive inequities may not be intentionally racist. By listening, learning and understanding more about racism on an individual and institutional level, we can better inform the way our organization functions and help dismantle racism through our interactions with one another, community partners, and with clients.

We commit to continually learn about and discuss issues of race and institutional oppression with the goal that our learning be reflected in the culture of MAP as a program. We also commit to communicate to policy makers and the public the ways in which racism affects the communities we serve. We commit to the ongoing development of structures for accountability to our clients and community partners.

Through our action, we strive to eliminate racism, which harms people, programs, and systems.

We remain committed to advancing racial justice in solidarity with Black communities across Michigan through our individual client representation, systemic advocacy, and community partnerships.

We understand that anti-racism is our responsibility and a necessary element of our work. Our work must include dismantling the structures and systems that allow and perpetuate white supremacy and

SUMMARY

Immigration Law Reform
Immigration Procedure Reform
Immigrant Worker Rights
Access to Benefits & Programs
Human Dignity & Civil Rights

POLICY PLATFORM

IMMIGRATION LAW REFORM

Federal

- MIRC encourages the decriminalization of unauthorized border crossings and reentry.

- MIRC encourages the clearance of the family-based visa backlog. Hundreds of thousands of families face years to decades-long waits.
- MIRC supports the expansion of access to immigration legal services.¹

IMMIGRATION PROCEDURE REFORM

Federal

- MIRC urges Congress to establish a truly independent and fair Article I “United States Immigration Court” to replace the Executive Office for Immigration Review (EOIR) in the U.S. Department of Justice as the principal adjudicatory forum under title II of the Immigration and Nationality Act.
- MIRC encourages the restoration of due process & judicial review at all levels of immigration decision-making after decades of legislation and administrative action designed to strip procedural protections.
- MIRC urges the shifting of resources dedicated to Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) to other immigration priorities, recognizing that these agencies have been built to excess and with little accountability.²
- MIRC supports efforts to improve our immigration system, so that immigration processes and other benefits are delivered effectively and efficiently, and to eliminate sources of fear and barriers that prevent immigrants from accessing immigration benefits available to them.³

IMMIGRANT WORKER RIGHTS

Federal

- MIRC supports the free movement of people in the labor market with wage worker protections.
- MIRC supports the Fairness for Farm Workers Act of 2019 (H.R. 1080), which requires employers to compensate workers for overtime.⁴
- MIRC urges the reform of all guestworker programs to include portability (the ability for workers to change employers after admission) and a path to permanent status.

¹ Because deportation is classified as a civil rather than a criminal sanction, immigrants facing removal are not afforded the constitutional protections under the Sixth Amendment that are provided to criminal defendants; <https://www.americanimmigrationcouncil.org/research/access-counsel-immigration-court>

² From 2005 to 2020, the U.S. Immigration and Customs Enforcement (ICE) budget increased 171%, from \$3.1 billion to \$8.4 billion. Over the same period, the Custom and Border Protection (CBP) budget increased 176%, from \$6.3 billion to \$17.4 billion; [https://www.americanimmigrationcouncil.org/research/the-cost-of-immigration-enforcement-and-border-security#:~:text=Since%202003%2C%20the%20budget%20of.FY%202021%20\(Figure%202\)](https://www.americanimmigrationcouncil.org/research/the-cost-of-immigration-enforcement-and-border-security#:~:text=Since%202003%2C%20the%20budget%20of.FY%202021%20(Figure%202))

³ Executive Order on Restoring Faith in Our Legal Immigration Systems (2021) <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/02/executive-order-restoring-faith-in-our-legal-immigration-systems-and-strengthening-integration-and-inclusion-efforts-for-new-americans/>

⁴ Fairness for Farmworkers Act, H.R. 1080, 116th Congress (2019); <https://www.congress.gov/bill/116th-congress/house-bill/1080>

- MIRC encourages the elimination of agricultural exemptions to labor laws.

State

- MIRC encourages the oversight and regulation of both employer-licensed and non-licensed migrant labor camps.⁵
- MIRC encourages restoration of lost wages benefits to injured undocumented workers in Michigan.

ACCESS TO BENEFITS & PROGRAMS

Federal

- MIRC urges elimination of the “Public Charge” ground of inadmissibility. The “public charge” inadmissibility test has been part of federal immigration law for more than one hundred years. If an immigration or consular official determines that someone is likely to become a “public charge,” the government can deny that person’s application for admission to the United States or an application for lawful permanent resident status (LPR status, also called a “green card”). The standards used have never been equitable and have made immigrants and their families afraid to use public programs.
- MIRC encourages eliminating the five-year waiting period for most Lawful Permanent Residents to be eligible for the major federal public benefits programs including Medicaid, the Supplemental Nutrition Assistance Program (SNAP) and Temporary Aid to Needy Families (TANF).⁶
- MIRC encourages eliminating the 7 year limit on Supplemental Security Income (SSI) for refugees and asylum seekers.⁷

State

- MIRC urges the State of Michigan to immediately exercise its option under the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA) to cover children and pregnant women with no waiting period.⁸

HUMAN DIGNITY & CIVIL RIGHTS

Federal

⁵ Currently, the Michigan Department of Agriculture and Rural Development (MDARD) only regulates migrant labor housing in which five or more migratory laborers are engaged in agricultural activities, including related food processing, this does not include year-round workers (i.e. dairy workers).;
https://www.michigan.gov/mdard/0,4610,7-125-1569_45168-182831--,00.html

⁶ <https://fas.org/sgp/crs/misc/RL33809.pdf>

⁷ <https://www.nilc.org/issues/economic-support/overview-immeligfedprograms/>

⁸Children's Health Insurance Program Reauthorization Act, H.R. 2, 111th Congress (2009);
<https://www.congress.gov/bill/111th-congress/house-bill/2>

- MIRC supports ending Title 42 exclusions for all and restoring asylum fully to create an immigration system that welcomes people with dignity and respect.
- MIRC supports the release of all unaccompanied children at the earliest time possible and in the child's best interest.
- MIRC strongly affirms the landmark decision in *Plyler v. Doe* (457 U.S. 202 (1982)) holding that all students are entitled to K-12 public education regardless of their immigration status and MIRC monitors state and local policies to ensure full compliance.

State

- MIRC supports the Drive SAFE (Safety, ACCESS, Freedom, Economy) bills that would restore access to standard driver's licenses and state identifications.⁹
- MIRC supports any legislation that prohibits discriminatory stop-and-search policies without reasonable suspicion that a person has, is or soon will be engaged in criminal activity, or is "armed and dangerous" in order to prevent racial and ethnic profiling.¹⁰
- MIRC supports state¹¹ colleges and universities providing in-state tuition for all Michigan students regardless of their immigration status.¹²
- MIRC supports language access for individuals with limited English proficiency (LEP)¹³

Local

- MIRC encourages local municipalities to pass legislation that affirms the protection of immigrant rights by:
 - Limiting public safety cooperation with ICE. This includes having policies declining detainer requests from ICE and declining to notify ICE when immigrants are released from local custody.
 - Ensuring that public safety officers and municipal staff do not collect information about immigration status.
 - Ensuring unbiased provision of municipal services regardless of race, immigration status, language, and national origin.
 - Supporting access for residents with limited English proficiency by having an LEP plan and funding language access services.

⁹ Prior to 2008, individuals were able to obtain driver licenses and state identifications regardless of legal presence; <https://www.drivemichiganforward.com/sign-the-petition>

¹⁰ Law Enforcement Information Sharing Act, Michigan H.B. 4725, (2019); <http://legislature.mi.gov/doc.aspx?2019-HB-4725>

¹¹ Michigan H.B. 4798, (2019); <http://legislature.mi.gov/doc.aspx?2019-HB-4798>

¹² As of 2021, seventeen states and the District of Columbia offer in-state tuition to undocumented students through legislative action, eleven states provide financial assistance to certain undocumented students, and six states continue to bar undocumented students from access to in-state tuition and financial aid altogether; <https://www.ncsl.org/research/immigration/tuition-benefits-for-immigrants.aspx>

¹³ Equal Language Access to State Services, Michigan S.B. 0066, (2021); <http://legislature.mi.gov/doc.aspx?2021-SB-0066>

- MIRC encourages local municipalities to ensure representation of immigrant residents through public boards and commissions.

OPPOSITION

IMMIGRATION & CITIZENSHIP

- MIRC opposes any legislation that purports to require heightened collaboration or communication between federal immigration agencies and local and state law enforcement.¹⁴
- MIRC opposes any policies or legislation that would mandate English as the primary or official language of our state.¹⁵
- MIRC opposes any legislation that would increase penalties for driving without a license.

IMMIGRANT WORKER RIGHTS

- MIRC opposes any type of policies or legislation that would provide fewer protections to immigrant workers in the workplace and/or fail to hold their employers accountable for labor law violations.
- MIRC opposes all existing and new agricultural exemptions to labor and employment laws.
- MIRC opposes mandatory participation by employers or contractors in the United States Citizenship and Immigration Services E-Verify program.

¹⁴ See, e.g., Michigan House Bill 4724, (2019); <http://legislature.mi.gov/doc.aspx?2019-HB-4724>

¹⁵ See, e.g., Michigan House Bill 4053 (2017); <http://legislature.mi.gov/doc.aspx?2017-HB-4053>
Michigan Senate Bill 0638 (2011); <http://legislature.mi.gov/doc.aspx?2011-SB-0638>