



# AB 937 (Carrillo) – VISION Act

## Summary

AB 937, the Voiding Inequality and Seeking Inclusion for Our Immigrant Neighbors

(VISION) Act, would protect refugee and immigrant community members who have already been deemed eligible for release from being funneled by local jails and our state prison system to immigration detention. Prohibiting transfers to ICE would protect Californians from being subjected to inhumane and unsanitary conditions in immigration detention, close the main pipeline filling immigration detention beds, and reunite refugee and immigrant families and communities.

## Background

California's punitive carceral system unjustly and disproportionately harms Black, Latinx, Indigenous, and Asian and Pacific Islander American communities. In recent years, with the passing of SB 260, SB 261, SB 1437, AB 1812 (which amended Penal Code 1170(d)(1)), Proposition 47, the legislature and California voters have demonstrated a strong commitment to reforming our criminal justice system and ending mass incarceration.

Despite these reforms, when California's jails and prisons voluntarily and unnecessarily transfer immigrant and refugee community members eligible for release from state or local custody to Immigration and Customs Enforcement ("ICE") for immigration detention and deportation purposes, they subject these community members to double punishment and further trauma. Immigrant community members can be incarcerated by ICE, often for prolonged periods and with no right to bail, and deported--permanently banishing

them from the country, from their families, their homes, their livelihoods and "all that makes life worth living." *Ng Fung Ho v. White*, 259 U.S. 276, 284 (1922). The Supreme Court has repeatedly acknowledged that for many people deportation is a more severe penalty than any jail sentence. See, e.g., *Lee v. U.S.*, 137 S.Ct. 1958, 1968 (2017); *Padilla v. Kentucky*, 559 U.S. 356, 364 (2010).

Community members transferred to ICE are refugees, lawful permanent residents, people who entered the United States as children, parents, caretakers, essential workers, or are otherwise valued California residents. California should not subject these community members to a second, double punishment, and disregard their record of rehabilitation, stable reentry plans, and community support, purely because they are refugees or immigrants. Ending ICE transfers in California is a reflection of the state's commitment to ending racial injustice and mass incarceration.

Incarceration and ICE transfers also are harmful to public health. Countless studies document negative health impacts of incarceration in jails, prisons, and ICE detention centers. People who have been incarcerated have worse health outcomes and, overall, have lower life expectancies. Given the racial inequities plaguing the state's carceral system, the significant health risks posed by incarceration and transfers weigh heavily on California's Black, Latinx, and Asian and Pacific Islander American communities.

The Constitutions of the United States and the State of California protect all persons present within our borders from unreasonable searches and seizures, from deprivations of life, liberty or property

without due process of law, from being deprived of equal protection under the law, including from being targeted on the basis of race or ethnicity. The VISION Act embodies and protects these values by ensuring that all Californians, including refugees and immigrants, are not torn from their communities when they are eligible for release from state or local custody.

### **The need for the bill**

As the state with the largest immigrant community in the country, California has an ethical and moral obligation to step up our leadership and take action to protect the rights of immigrants and the public health at large. As long as CDCR and local jails continue to transfer community members to immigration detention where conditions are indisputably dangerous and even deadly, California cannot meaningfully reduce the numbers of human beings caged in ICE detention centers.

### **Solution**

The VISION Act (AB 937) takes urgent and necessary strides toward ensuring that our local and state resources are not used to funnel immigrants into inhumane health conditions in immigration detention, violate Constitutional protections, and separate immigrant families and communities.

In particular, the VISION Act would:

- Prevent immigrants from being subjected to perpetual punishment and unequal treatment by prohibiting local and state agencies from conducting immigration arrests and from assisting or facilitating immigration arrests, which includes prohibiting ICE transfers.
- Ensures immigrants are treated equally by prohibiting state agencies, local agencies, and courts from using immigration status as a factor to deny or

to recommend denial in a diversion program, rehabilitation program, placement in a credit earning programs or classes, or mental health program.

### **Co-Sponsoring Organizations:**

Alliance for Boys and Men of Color  
Alliance San Diego  
All of Us or None  
American Friends Service Committee - San Diego  
Asian Americans Advancing Justice - California  
Asian Pacific Islanders Re-entry & Inclusion through Support and Empowerment  
Asian Prisoner Support Committee  
AYPAL: Building API Community Power  
Bend the Arc: Jewish Action California  
Black Alliance for Just Immigration  
Buen Vecino  
California Coalition for Women Prisoners  
California Immigrant Policy Center  
Center for Empowering Refugees and Immigrants  
Central Coast Alliance United for A Sustainable Economy  
Community United Against Violence  
Communities United for Restorative Youth Justice  
Council on American-Islamic Relations  
Freedom for Immigrants  
Homies Unidos Inc.  
Human Rights Watch  
ICE Out of Marin  
Immigrant Legal Resource Center  
Indivisible Conejo  
Indivisible Ventura  
Inland Coalition for Immigrant Justice  
Interfaith Movement for Human Integrity

Legal Services for Prisoners with Children  
Long Beach Immigrant Rights Coalition  
Long Beach Southeast Asian Anti-Deportation  
Collective  
National Day Laborer Organizing Network  
Orange County Justice Fund  
Orange County Rapid Response Network  
Resilience Orange County  
Re:Store Justice  
San Francisco District Attorney's Office  
San Francisco Public Defender's Office  
San Diego Immigrant Rights Consortium  
Secure Justice  
Services, Immigrant Rights & Education  
Network  
67 Sueños  
South Bay People Power  
Transformative In-Person Workgroup  
Tsuru for Solidarity  
VietRISE  
Young Women's Freedom Center  
Youth Justice Coalition

**Supporting Organizations:**

ACCE  
ACLU  
Adelanto Visitation Network  
Alianza  
Anti-Recidivism Coalition  
Armenian National Committee of America  
Western Region  
Berkeley Underground Scholars  
Black Lives Matter LA  
Buena Vista United Methodist Church  
California League of United Latin American  
Citizens  
California Partnership to End Domestic  
Violence (CPEDV)  
Center for Common Ground  
Coalition for Humane Immigrant Right

(CHIRLA)  
Contra Costa County Immigrant Rights  
Coalition  
Centro Legal De La Raza  
CHIRLA  
Church World Services & Opening Doors  
Clergy and Laity United for Economic  
Justice (CLUE)  
Community Legal Services | in East Palo  
Alto (CLSEPA)  
Communities United for a Responsible  
Budget (CURB)  
Community Bridges  
Community Resource Initiative  
Congregations: Lakeshore Ave Baptist,  
Kehilla, New Bridges Pres  
Critical Resistance  
Democratic Club of the Conejo Valley  
Democratic Party of the San Fernando  
Valley  
Desert Support for Asylum Seekers  
Detention Resistance  
Dolores Street Community Services  
Drug Policy Alliance  
East Yard Communities for Environmental  
Justice  
Ella Baker Center  
Empowering Pacific Islander Communities  
(EPIC)  
End Police Violence Collective  
Equality California  
Essie Justice Group  
Eviction Defense Collaborative Union  
Faithful Friends - Amigos Fieles  
Families United to End LWOP (FUEL)  
Feminists Of Speech  
Filipino Migrant Center  
Haitian Bridge Alliance  
Harbor Institute for Immigrant and  
Economic Justice

Homeboy Industries  
HOPE for All  
Human Impact Partners  
Humboldt Progressive Democrats  
Immigrant Defenders Law Center  
Immigrant Defense Advocates  
Indivisible  
Initiate Justice  
Innovation Law Lab  
Irvine United Congregational Church  
Advocates for Peace and Justice  
JRC  
Kehilla Community Synagogue  
Khmer Girls in Action LB  
KIWA  
Kundiman  
KWESI  
Lakeshore Avenue Baptist Church  
La Raza Centro Legal  
Law Enforcement Action Partnership  
League of Women Voters  
League of Women Voters - San Diego  
Live Oak Unitarian Universalist  
Congregation of Goleta  
Long Beach Southeast Asian Anti-  
Deportation Collective  
Los Angeles District Attorney's Office  
Los Angeles County Young Democrats  
Mixteco/Indigena Community Organizing  
Project  
Mourning Our Losses  
National Bail Fund Network  
New Bridges Presbyterian  
Nikkei Progressives  
NISGUA  
No New Jail SF Coalition  
Norcal Resist  
OC Emergency Response  
Orange County Civic Engagement Table

Orange County Congregation Community  
Orange County Emergency Response  
Coalition  
Orange County Equality Coalition  
OrShalom Jewish Community  
Pangea Legal Services  
People's Budget Orange County  
PICO  
Pride in Truth  
San Fernando Valley Young Democrats  
Santa Clara County Democratic Party  
SEARAC  
SF Peninsula People Power  
Silicon Valley De-Bug  
Simi Valley Democratic Club  
Sisters of Mercy Solidarity Committee  
SOLACE  
Southeast Asian Anti-Deportation Collective  
SURJ  
Survived and Punished  
TGI Justice Project  
The Forestry and Fire Recruitment Program  
TODEC Legal Center  
Transitions Clinic Network  
Tsuru for Solidarity  
UC Student Association  
Uncommon Law  
Underground Scholars - Davis  
Unitarian Universalist Church of Redwood  
City  
Unitarian Universalist Fellowship of  
Redwood City  
Unitarian Universalist Justice Ministry of  
California  
United Cambodian Community LB  
Voices for Progress  
VROC  
WAVE - Women for American Values and  
Ethics  
WOMAN Inc.

Women for American Values and Ethics  
Women For: Orange County

**Labor Support:**

Asian Pacific American Labor Alliance, AFL-CIO (APALA)  
American Federation of Teachers, Local 2121  
California Labor Federation  
California Nurses Association  
Central Coast Labor Council  
Central Labor Council of Contra Costa County AFL-CIO  
Los Angeles Labor Federation  
SEIU CA  
UAW Local 2865  
UNITE HERE! Local 11

**Prioritized/Endorsed by:**

Asian Pacific Islander Legislative Caucus  
Black Legislative Caucus  
Latino Legislative Caucus  
California Democratic Party  
California Young Democrats  
CIPC Immigrant Day of Action  
Building the California Dream Alliance  
League of Women Voters

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