

Strategic advances for immigrant rights in the 2021 WA legislature

[Note: These summaries were provided by Strengthening Sanctuary Alliance (SSA). The group follows the lead of immigrants and connects closely with Washington Immigrant Solidarity Network, Asian and Pacific Islander Coalition and Farmworker organizations.]

We were told that the “COVID session” was to be limited to one bill passed per issue. Think again. What we accomplished was perceived in January as impossible, but it is true what Nelson Mandela said: “They will say it is impossible until it happens.”

At the legislature, in a difficult year done remotely, people in communities stood up and said: “Change things.” We had amazing people from immigrant communities across the state networking and offering powerful testimony at hearings.

We worked with our three 22nd District legislators (Jessica Bateman, Laurie Dolan and Sam Hunt), along with Legislators of Color and LBGTQ communities and advocates for civil and human rights and equity to make significant gains. On police accountability we had great testimony from Olympians, including City Councilwoman Lisa Parsley, Native activist Noel Parish and other people of color. Wins for the people of the state brought improvements in democracy, political accountability, social justice and compassion, equity, environmental justice, and protection of those most at risk in the human and natural environment of our state.

It is exciting to win in the legislature, and to achieve as much as we did this year is really, really exciting and fun. Still, we must not be deceived by legislative victories. They are just one step in a long journey to equity, but it's a journey we're committed to—a journey that we hope will lead to a revolution of values and social justice. We are committed and we are persistent.

Some legislative highlights

Our focus is on immigrants, but there were many bills that benefitted other communities.

- ▶ **Fairstart for Kids:** The largest investment in child care and early learning in the state's history.
- ▶ **Capital Gains:** To fund critical programs, we taxed those who can afford it and started to fix our regressive state tax system by taxing capital gains from the wealthy.
- ▶ **SB 5141 HEAL ACT:** See Solidarity Agenda, below.
- ▶ **Washington New Americans program:** \$2 million to ensure immigrants have access to free citizenship services in WA.
- ▶ **Language support for families in schools:** \$1.85 Million for this and to continue our dual and heritage language programs.
- ▶ **Language access supports and rate enhancements:** \$15.75 million for early learning and child care programs in WA state hit hard by the pandemic and critical to support immigrant child care providers.

Bills tracked by SSA in connection with WAISN (Washington Immigrant Solidarity Network)

Remember the legislative rule of thumb: It is much easier to kill a bill than to pass one. Our District legislators have a limited number of bills they can sponsor, so part of their contribution is as cosponsors, and of course their votes in committee and on the floor mean a lot.

- ▶ **La Resistancia's HB 1090:** To close private prisons and detention centers—First justice bill passed and signed by the governor.
- ▶ **Health Care for undocumented immigrants:** Insufficient funding but a partial win, with money for free services at some clinics, to be expanded when funds become available next year.
- ▶ **Unemployment coverage for undocumented workers:** Money will be provided as COVID aid to immigrants. To be expanded to unemployment if funds are available next year.
- ▶ **Three Farmworker support bills passed:** **SB 5172**—Farmworker overtime pay (Hunt cosponsor); **HB 1297** Working families tax

credit; (Bateman cosponsor); **HB 1297**; **HB1097** Worker Safety: (Bateman cosponsor)

- ▶ **Eight Police Accountability bills passed:** See details under Solidarity Agenda, below

Legislative news from the Washington Immigrant Solidarity Network (WAISN)

Our platform for the 2021 legislative session has been a total success. The budget provisos that we worked on this year made it and our two priority bills passed and were signed by the governor!

Workers

There will be an income replacement program for Washington's undocumented workers who lost their jobs or income due to the pandemic. (See Operating Budget priorities below.)

Communication from Lin Crowley, Co-chair of the Asian Pacific Islanders Coalition—South Puget Sound Chapter, to leaders and partners

Thanks to your support and advocacy both at API Legislative Week and throughout the session, we were able to get some very important wins for our community, including a funded Working Families Tax Credit as well as additional funding for the Washington Immigrant Relief Fund! Check out the in-depth recap below (drafted by Joseph) on how APIC's legislative priorities and solidarity items did this session.

Legislative priorities

HB 1368—The legislature approved \$65m in funding to the WA Immigrant Relief Fund (WIRF), and over 45,000 applications were submitted as of 4/28/21.

SB 5438—Emergency and Permanent UI Program for All. This bill would have required the state government to establish an unemployment benefits program for all Washingtonians regardless of immigration status. While the bill did not pass, we pivoted to a budget proviso strategy and secured funding to help establish an alternative that will help support our communities for the next two years.

HB 1297—Working Families Tax Credit/Recovery Rebate. The legislature fully funded the WFTC/RR at \$268m for the 21-23 biennium and \$563m for the 23-25 biennium. Households will receive \$300 to \$1200 depending on how many children they have. ITIN filers are eligible for this tax credit, meaning immigration status is not a barrier.

Operating budget

Expanded funding to support undocumented workers: \$340m to be distributed over the next biennium to support households excluded from unemployment benefits and federal stimulus payments. \$77,000 will go toward a DSHS study for a permanent unemployment benefits program open to individuals excluded from existing programs. \$80,000 will go toward a similar study at the Employment Securities Division.

Funding for LEP Pathways Program—Maintains funding at \$1.77m/fiscal year for the Limited English Proficient Pathways Program to support immigrants and refugees through ESL classes, job training, work support, and other social services.

Funding for Naturalization Services—Maintains funding at \$2.5m/fiscal year for programs to assist immigrants and refugees, especially elderly or disabled, with the naturalization process, including the N-400 application process, fee waiver requests, civics classes, and interview preparation.

Funding for COFA Islander healthcare and dental coverage—\$400,000 available for CBO to work with COFA community members to ensure continuing healthcare access. \$800,000 dispersed at \$100k/year to support transition of COFA community members to federal healthcare. \$583,000 for COFA dental coverage. \$1,173,000 to ensure COFA citizens can obtain dental coverage during open enrollment

Healthcare

\$35 million was appropriated to provide healthcare services to people with little or no health coverage, regardless of immigration status. This will be delivered as grants to providers. A long-term plan is included—funds will allow the Health Benefit Exchange to explore opportunities to facilitate the enrollment of people excluded from Medicaid or federal programs, such as undocumented persons, to a state health program for the year 2024. One option for the Exchange is to develop an application for a federal waiver. Other exceptions were included.

Detention and deportation

HB1090, Banning private prisons, has been signed into law! The contract for the Northwest Detention Center expires in 2025 and cannot be renewed.

Legal services

HB1072, Eliminating Restrictions on the Use of Civil Legal Aid Funds, has been signed into law! This change removes the restriction that prevents the use of funds to help undocumented persons.

Capital Budget

Asia Pacific Cultural Center—Approved for \$1.5m through the Department of Commerce's (Commerce) Building Communities Fund. This supports expansion of the Asia Pacific Cultural Center on its current site.

Aging in PACE—Approved for \$5m through Commerce's funding for Local and Community Projects. Supports construction costs for a partnership between International Community Health Services (ICHS) and Kin On to develop an aging-in-place program dedicated to serving AAPI elders.

Solidarity Agenda

Legal Defense Fund—\$2m/fiscal year to improve low-income immigrants' access to legal representation in immigration court proceedings (increase from \$1.5m/fiscal year).

Equity in health coverage—\$35m from Coronavirus State Fiscal Recovery Account to be distributed as grants to provide healthcare to uninsured/underinsured individuals regardless of immigration status.

HB 1078—Restoring voting rights. Approximately 26,000 Washingtonians not incarcerated but serving a sentence in community custody will have their voting rights restored.

HB 1090—Banning Private Detention: see WAISN above.

Police accountability. HB 1054—Limits ways police officers can use force against civilians including banning use of chokeholds, neck restraints, unleashed canines, no-knock warrants, and military equipment, to reduce cases of police brutality and killings. **HB 1202**—Peace Officer Accountability Act: Did not pass. Would have allowed survivors and families of police violence victims to hold officers accountable in civil court for misconduct, eliminating qualified immunity as a defense. **HB 1310**—De-escalation/Use of Force: creates a civil standard that limits when force (including deadly force) can be used by police. **SB 5051**—Officer Decertification: Ensures that the Criminal Justice Training Commission can discipline and decertify officers who engage in abuse of power.

HEAL Act (Environmental Justice): This legislation will implement many of the recommendations made by the Environmental Justice Taskforce, including ensuring an environmental justice analysis for state agencies to use to ensure that their practices don't cause unfair environmental impacts to vulnerable communities.

Key in your story

Send it to our editors at
olywip@gmail.com

