

California Department of Social Services

**SERVICES FOR IMMIGRANTS &
FEDERAL IMMIGRATION POLICY**



October 17, 2019

California Quick Facts

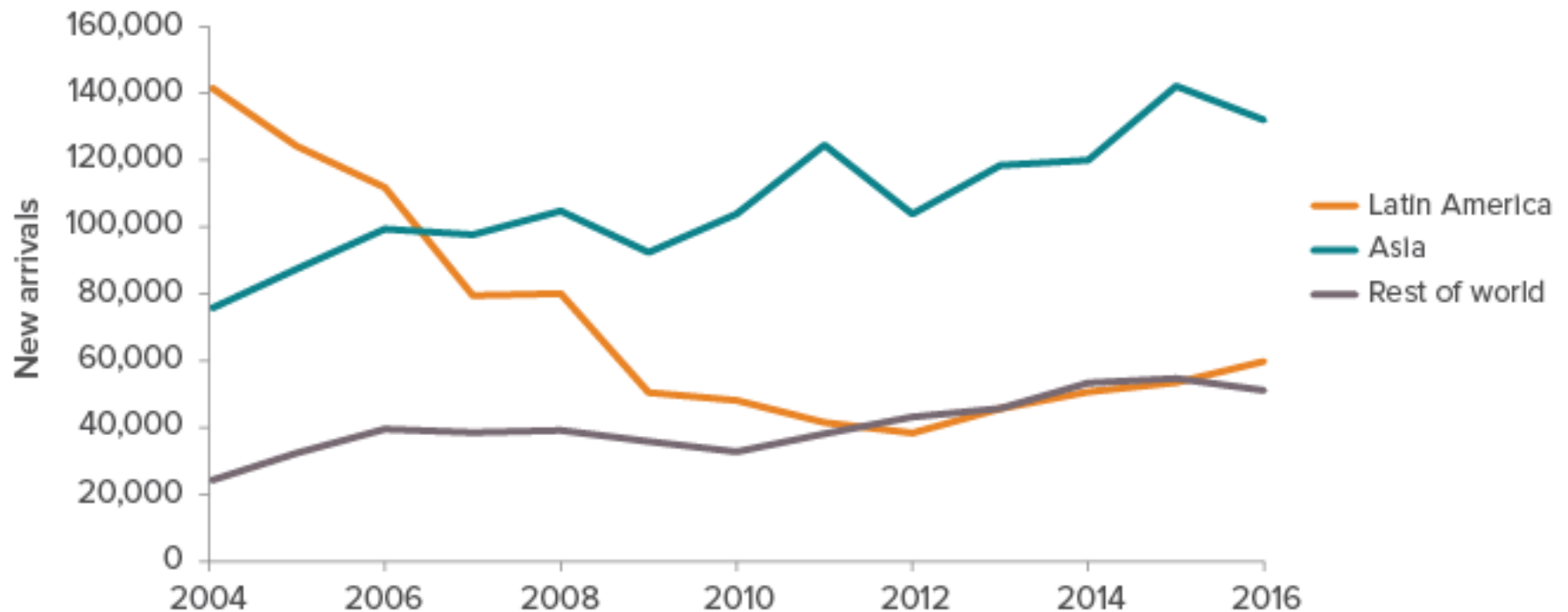
- California is home to 10.7 million immigrants (27% of the population)
- Immigrants account for 37% of California's workforce
- 1 in 2 children live with a foreign born parent
- 73% are US Citizens or have legal status

Foreign Born Population by County

	Total Population	Immigrant Population	%
Santa Clara County	1,938,153	738,436	38.6%
San Francisco County	884,363	308,643	34.8%
Los Angeles County	10,163,507	3,506,410	34.4%
San Mateo County	771,410	266,136	34.7%
Alameda County	1,663,753	535,771	32.1%
Imperial County	182,830	58,140	31.7%
Orange County	3,190,400	969,882	30.3%
Monterey County	437,907	131,372	29.8%

Source: United States Census Bureau, Quick Facts

Recent Immigrant Arrivals in California



Source: Public Policy Institute

Investment in Unaccompanied Minor Program		Creation of California Newcomer Education and Well-Being Project	Investment in Legal Services for Higher Education	Medi-Cal Expansion to Young Adults
–		–	–	–
Investment in Legal Services for DACA, DAPA and Naturalization	Medi-Cal Expansion for Undocumented Children	Expanded Investment in Legal Services	Investment in Legal Services for Minors and TPS Beneficiaries	Post-Placement Services for UMs
–	–	–	–	–
Creation of Statewide Director of Immigrant Integration	Expanded Investment in Legal Services	DACA Legal Services Fund	Food4All	Mental Health Investments
–	–	–	–	–
Admission to Practice Law	Expanded Access to Professional Licenses	California Values Act	Immigrant Integration Metrics in Adult Education	Service on Government Boards and Commissions
–	–	–	–	–
Anti-Retaliation Law		In-State Tuition for SIVs	Investment in Workforce Services for Refugees	Ban on ICE courthouse arrests
				–
				Ban on for-profit immigration detention



		Travel Ban	End of TPS	Public Charge Rule
		–	–	–
		Increased Interior Enforcement	Change to USCIS Mission	Proposed changes to family detention
		–	–	–
		End of CAM Program	Quotas for Immigration Judges	Third Country Asylum Rule
		–	–	–
		End of DAPA	Family Separation	Sponsor Rule
		–	–	–
		End of DACA	Proposed Expansion of Public Charge Rule	Historic Enforcement Actions
		–	–	–
		Detention of Pregnant Women	Change to Asylum Rules	DACA in the Supreme Court
		–	–	–
		Lowered Refugee Presidential Determination	Lowest Refugee Presidential Determination	Health Care Rule
				–
				Lowest Refugee Presidential Determination

Federal Immigration Policy Trends



Information Sharing



Immigration Enforcement



Limiting Legal Immigration

Fear and Perception



Public Charge Inadmissibility

- Key Dates:
 - ▣ Published: August 14, 2019
 - SF and Santa Clara Counties File Suit: August 14, 2019
 - Multi-State Suit Led by WA is Filed: August 15, 2019
 - California AG Files Second Multi-state Suit: August 16, 2019
 - Advocacy Organizations File Suit: August 16, 2019
 - Two Injunctions Issued: October 11, 2019
 - ▣ Rule's Current Status: **Enjoined**

What is Public Charge?

- Test for non–U.S. citizens who apply for a visa to enter the U.S. or for lawful permanent resident status (to get a “green card”), to see if the person is likely to become dependent on government.
- Immigration determination
 - not a public benefits eligibility determination

When is Public Charge applied?



Admission

Applying for admission to the United States. This may be an application for a non-immigrant visa or for lawful permanent residence. This often takes place as a consulate but may occur at a border or airport (point of entry) at entry or re-entry.



Adjustment of Status ("green card")

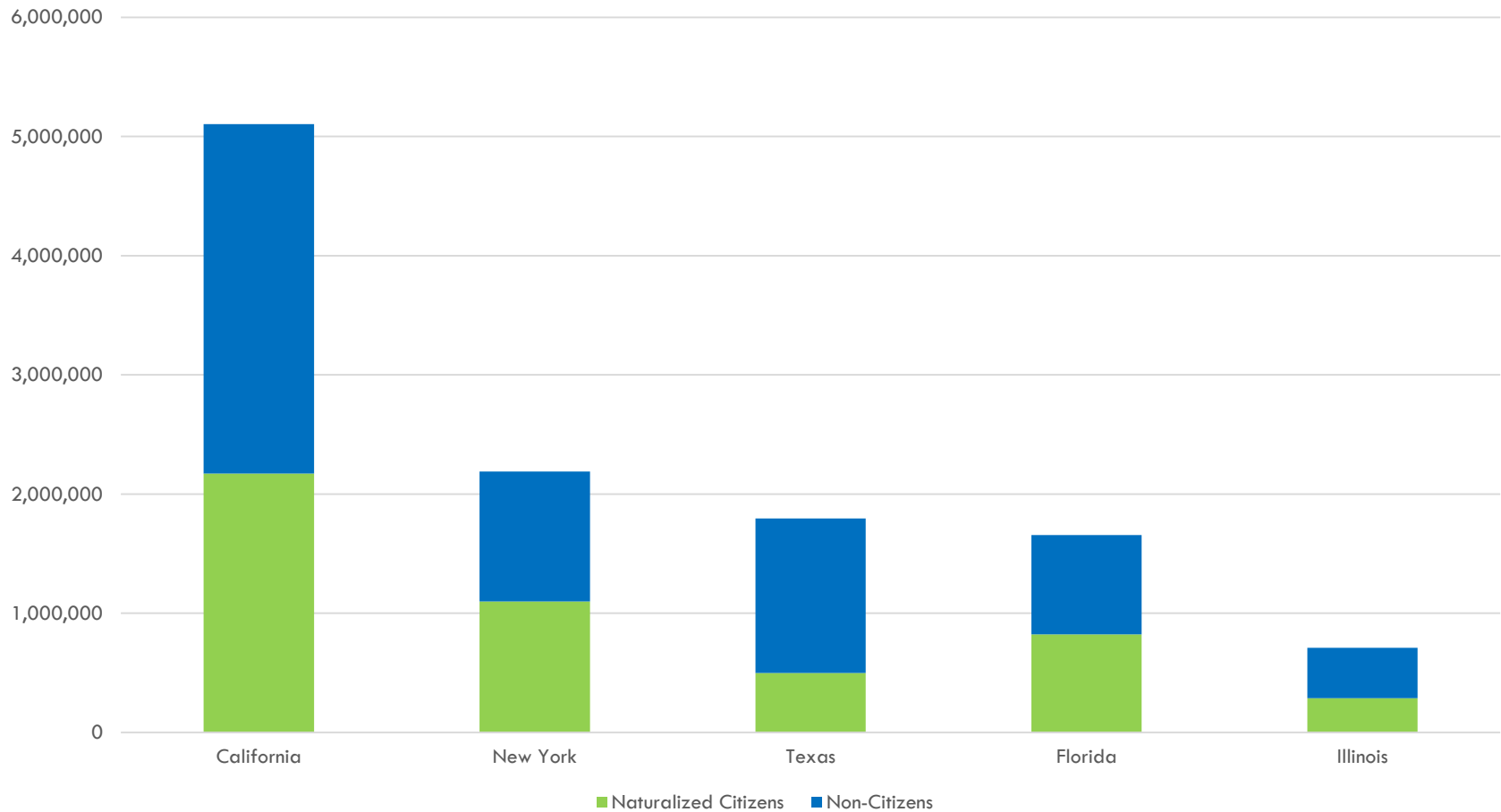
Applying to become a Lawful Permanent Resident (LPR). LPRs are provided with "green cards" as a form of I.D.

NOTE: LPRs may be subject to admission again if they leave the country for longer than 6 months.

Who is **NOT** subject to Public Charge?

- LPRs applying for Citizenship (Naturalization)
- Certain Humanitarian Visa Applicants and Holders are exempt. Examples:
 - ▣ Asylees & Refugees
 - ▣ Special Immigrant Juveniles
 - ▣ T-Visa & U-Visa Holders
 - ▣ VAWA Self-Petitioner
- Individuals Applying for or Renewing Deferred Action for Childhood Arrivals (DACA)

Immigrants in Families Receiving Any of the Four Major Public Benefits



Source: Migration Policy Institute

Immigrant Population – PB Participation

55.8% (2.9 M) of noncitizens in California live in families receiving any of the four major public benefits

- 2,815,000 non-citizens are in families receiving Medicaid/CHIP
- 992,300 non-citizens are in families receiving SNAP
- 261,900 non-citizens are in families receiving TANF/GR
- 251,500 non-citizens are in families receiving SSI

State Immigration Integration Policy

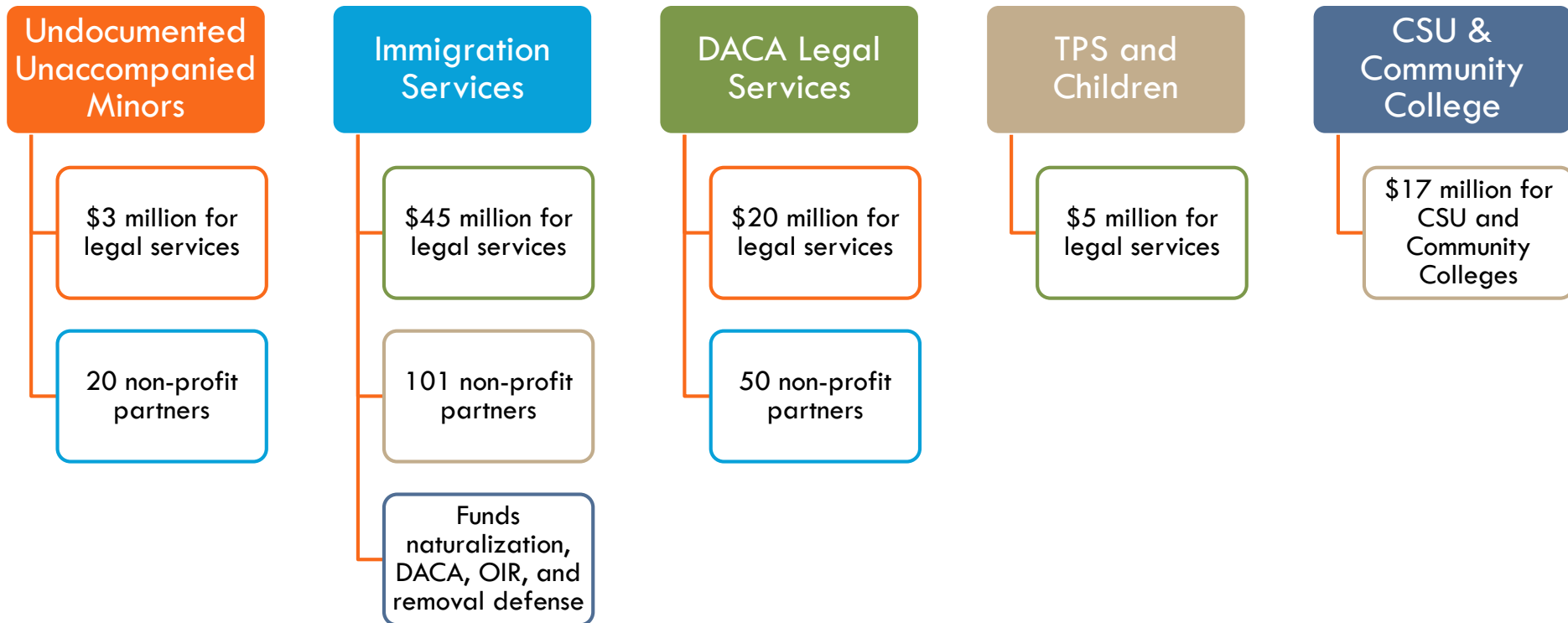


Legal Services

Resources and Training

Partnership & Collaboration

Legal Services Program





CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY PUBLIC CHARGE GUIDE

September 2019

Every family is different, reach out for legal advice first.

An immigration or public benefits attorney can give you advice based on your specific situation. You can find a list of legal services providers on the California Department of Social Services [website](#).

It is important to have accurate information, before you make a decision regarding your public benefits, so you can make the right choice for the health and well-being of your family.

Not all immigrants are subject to the new federal policy.

Many immigrants are not affected by this new federal policy.

It does **NOT** apply to lawful permanent residents (green card holders) who apply for citizenship, Refugees, Asylees, Special Immigrant Juveniles, certain trafficking victims, certain victims of qualifying criminal activity, or certain victims of domestic violence, among others.

Not all programs are subject to the new federal policy.

Public programs used by your children, who are United States citizens, cannot be used against you or another immigrant parent in a public charge determination.

✓ If you are only receiving nutrition benefits through the

Public Charge Policy

Under longstanding federal policy, the Federal Government can deny an individual entry into the United States, or adjustment to lawful permanent resident status, if he or she is determined likely to become a public charge.

Public charge is a term used in immigration law to refer to a person who is or might be dependent on public programs as their main source of support.

Application for or use of certain public benefits is just one factor of many that is considered in determining if a person is likely to become a public charge.

In August of 2019, the Federal Government released a new public charge policy. Under the new federal policy, a public charge is redefined as an immigrant who receives one or more public benefits for more than 12 months over a 36-month period.

Tools and Resources

- CDSS List of Immigration Attorneys
<https://www.cdss.ca.gov/Benefits-Services/More-Services/Immigration-Services/Immigration-Services-Contractors/Public-Charge-Contact-List>
- CHHS Public Charge Guide
<https://www.chhs.ca.gov/wp-content/uploads/2019/09/CHHS-Public-Charge-Guide-FINAL-9.10.2019-Accessible-Version.pdf>
- CWDA Immigrant Resource Tool
<https://www.cwda.org/post/immigration-resources>
- ILRC Public Charge Resources
<https://www.ilrc.org/public-charge>
- Protecting Immigrant Families
<https://protectingimmigrantfamilies.org/>
- California Immigrant Resource Guide
<http://www.immigrantguide.ca.gov/en/publiccharge/>

THANK YOU

