



The State Bar *of California*

DATE: July 19, 2019

TO: Members, Legal Services Trust Fund Commission Eligibility and Budget Committee

FROM: Office of Access & Inclusion

SUBJECT: Approval of Impact Cases and Advocacy Activities in 2018 ILAW Reports

BACKGROUND

The Legal Services Trust Fund Commission's Eligibility Budget Review Committee (Committee) met on April 23, 2019 to review potentially non-qualifying impact litigation and advocacy activities, as reported by both qualified legal services projects (QLSPs) and support centers (SCs) in the Impact Litigation and Advocacy Work (ILAW) report. Activities found to be non-qualifying would need to be deducted from their qualified expenditures in the organizations' 2020 IOLTA and EAF grant application. A reduction in the amount of qualifying expenditures could result in reducing the allocation of funds to an organization.

Staff conducted an initial review of the ILAW reports to assess the qualifying nature of activities according to the requirements for QLSPs and SCs. Where the activity initially appeared to be non-qualifying, staff elevated said activity to the Committee for further review. Of the 390 impact cases and 437 advocacy activities reported, staff requested the Committee's determination on 12 impact cases and 23 advocacy activities. See the attached memo presented at the April 23, 2019 Committee meeting for more information about the review process and governing authorities.

On April 23, the Committee reviewed 12 impact cases and 23 advocacy activities. Of those, 19 were approved, 4 were determined to be non-qualifying, and additional information was requested for 8 activities prior to making a determination. The remaining four activities were reviewed and votes taken, with a consensus to approve as qualifying activities. Unfortunately, although quorum held, the Committee was not able to reach a majority vote to formally approve and these four activities require a revote at the July 19, 2019 meeting.

There were also four categories that staff identified for which organizations were not able to provide clear data to demonstrate that the activities primarily impact indigent persons, as defined in Business and Professions Code §6213, although the sheer number of indigent persons who benefitted may have been large and the substantial impact on indigent persons

was clear. In the absence of existing policy to provide further guidance, staff proposed that the Committee approve impact litigation and advocacy activities this year in four categories as meeting the indigency requirement: 1) affordable housing, 2) low-income immigrants, 3) public benefits, and 4) education equity where free or reduced lunch statistics were used as a proxy for indigent persons.

The Committee approved the following three categories: affordable housing, low-income immigrants, and public benefits. The Committee did not approve the fourth category, education equity where free or reduced lunch statistics were used as a proxy for indigent persons; instead, the Committee requested the review of each individual case at its next meeting. There are five activities in this category for the Commission to review.

Staff followed up with organizations regarding the Committee's determinations and requests for additional information following the April 23 meeting. Upon notifying organizations of the Committee's decision, a request was received from Public Advocates Inc. for the Committee to reconsider the qualifying nature of two of its activities. These two activities will be reconsidered in an eligibility conference.

During the 2020 IOLTA and EAF application review process staff identified 11 additional potentially non-qualifying impact litigation and advocacy activities that are being elevated for the Committee's review.

ATTACHMENTS

- A. Summary of ILAW reports elevated for Committee review
- B. ILAW reports of cases and advocacy activities elevated for Committee review
- C. Memo (without attachments) from April 23, 2019 Committee meeting

Attachment A: Summary of ILAW reports elevated for Committee review

REVOTE

#	Organization	Type	Case/Activity Name
1	Legal Aid at Work	Advocacy Activity	AB 2366
2	Legal Aid at Work	Advocacy Activity	Advocacy concerning regulations about national origin discrimination, retaliation, and harassment being issued by the California Fair Employment and Housing Council
3	Legal Aid at Work	Advocacy Activity	Berkeley Paid Family Leave Ordinance
4	Legal Aid at Work	Advocacy Activity	SB 937

FOLLOW-UP: Committee requested additional information before voting

#	Organization	Type	Case/Activity Name
1	Public Law Center	Impact Litigation	Immigration Impact Advocacy
2	Advancing Justice - Asian Law Caucus	Advocacy Activity	Census Planning & Outreach funding
3	La Raza Centro Legal	Advocacy Activity	Advocating for Transparency, Equity, and Accountability in 2018
4	California Rural Legal Assistance, Inc.	Advocacy Activity	AB 617 Blueprint Comments
5	California Rural Legal Assistance, Inc.	Advocacy Activity	HCD/HUD Community Development Block Grant Disaster Recovery Program (CDBG-DR)
6	California Rural Legal Assistance, Inc.	Advocacy Activity	Fresno Council of Governments (COG) Regional Transportation Plan (RTP) Justice Advisory Committee
7	Legal Services of Northern California	Advocacy Activity	Providing Comments in Opposition to Changes to the USCIS Fee Waiver Application Process
8	La Raza Centro Legal	Advocacy Activity	NoMuslimBanEver.com sign on

Free/Reduced Lunch

#	Organization	Type	Case/Activity Name
1	Bay Area Legal Aid	Advocacy Activity	Positive School Climate Resolution in West Contra Costa Unified School District
2	East Bay Community Law Center	Advocacy Activity	Fighting School Push-Out in Oakland Unified School District advocacy
3	Lawyers' Committee for Civil Rights	Advocacy Activity	Advocating for removal of suspensions for "defiance/disruption" in California 4-12 classrooms.
4	Public Advocates Inc.	Advocacy Activity	Long Beach Unified LCFF Enforcement
5	Public Counsel	Advocacy Activity	Legislative campaign to remove Defiance/Disruption Cal. Ed. Code as a suspendable offense (SB607)

Commission Review

#	Organization	Type	Case/Activity Name
1	Advancing Justice-Los Angeles	Impact Litigation	Higginson v. Becerra, et al.
2	Advancing Justice-Los Angeles	Impact Litigation	Asian Americans Advancing Justice – Los Angeles et al. v. Padilla
3	Advancing Justice-Los Angeles	Impact Litigation	Council on American-Islamic Relations – California, et al. v. Federal Emergency Management Agency, et al., Case No. 2:17-cv-07887 & Council on American-Islamic Relations – California, et al. v. Los Angeles Mayor's Office of Public Safety, et al., Case No. BS174139
4	Advancing Justice-Los Angeles	Impact Litigation	Jin Kwon et al v. Crittenden
5	Advancing Justice - Asian Law Caucus	Advocacy Activity	Creating an inclusive campus climate-AB 2291 (Chiu)
6	Advancing Justice-Los Angeles	Advocacy Activity	AB 2845 - Pardon and Commutation Reform Act of 2018
7	Advancing Justice-Los Angeles	Advocacy Activity	Health For All - Budget Proposal
8	Advancing Justice-Los Angeles	Advocacy Activity	AB 2291 (Chiu) - Creating in inclusive campus climate
9	Advancing Justice-Los Angeles	Advocacy Activity	Stop CVE in LA Campaign
10	Advancing Justice-Los Angeles	Advocacy Activity	Implementation of the Voter Choice Act

Reconsider NQ Determination at Eligibility Conference

#	Organization	Type	Case/Activity Name
1	Public Advocates	Impact Litigation	Equal Access to Fully-Prepared and Effective Teachers
2	Public Advocates	Impact Litigation	Higher Education — Low-Income Student Advocacy Project

Organization: Legal Aid at Work

1. Advocacy Activity Name: AB 2366

2. Advocacy activity status: Completed

3. Advocacy Type: Legislative

4. Advocacy Level: State

5. Partner Organizations:

Partner Organizations

State Bar Grantees

Other Organizations

California Employment Lawyers Association
California School Employees Association
Equal Rights Advocates
California Women's Law Center

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment

8. Constituencies Impacted

Check all that apply

Low Wage Workers

9. Who benefitted from this advocacy

Victims of domestic violence and their family members.

a. If available, provide the estimated number of total people impacted:

Approximately 11740828; According to National Coalition Against Domestic Violence 32.9 % of California women and 27.3% of California men experience intimate partner physical violence intimate partner sexual violence and/or intimate partner stalking in their lifetimes which collectively works out to 11740828 at current population levels (using ACS data).

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

"Numerous studies have documented the overrepresentation of domestic violence in poor households relative to middle- and upper-income households and the associated risk of poverty (Benson and Fox, 2004; Carlson et al., 2003; Hotelling and Sugarman, 1990; Tjaden and Thoennes, 2000). According to the U.S. Department of Justice, the average annual female intimate partner victimization rate per 1,000 persons between 2001 and 2005 was 12.7 for women residing in households earning less than the \$7,500 annually compared to 2.0 for women with annual household incomes over \$50,000 (Catalano, 2007). In some situations, poverty may exacerbate the likelihood of experiencing domestic violence. With fewer options for economic self-sufficiency and social support systems with little ability to offer financial help, poor women may feel more trapped in unhealthy relationships (Tolman and Raphael, 2000). In other situations, domestic violence may lead to poverty for women in previously financially sound situations as women who escape violent relationships are often left with no financial resources (Davis, 1999). Moreover, victims of domestic violence often have related difficulties such as limited or inconsistent work experience, poor education, physical and mental health problems, and substance abuse issues (Lloyd and Taluc, 1999; Logan et al., 2007; Tolman and Raphael, 2000; Williams and Mickelson, 2004). Such problems pose serious barriers in escaping violence and achieving self-sufficiency and present a challenging situation for social service programs (Renzetti, 2009)." Andrea Hetling Haiyan Zhang, Domestic Violence, Poverty, and Social Services, Social Science Quarterly 1146 (26 October 2010), available at <https://doi.org/10.1111/j.1540-6237.2010.00725.x>

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

AB 2366 attempted to enable more victims of sexual assault, domestic violence, and stalking to keep their jobs and source of income while experiencing or trying to stay safe after experiencing these difficult circumstances.

In addition, in 2005, 50 percent of US cities surveyed reported that domestic violence is a primary cause of homelessness. For example, in San Diego almost 50 percent of homeless women are DV victims. In fact, this number may actually be higher due to women's reluctance to report DV because of shame and fear of reprisal. (<https://www.aclu.org/other/domestic-violence-and-homelessness>)

Almost 50 percent of women who receive Temporary Assistance to Needy Families, the government's primary aid program, cite domestic violence as a factor in the need for assistance, according to a study of Chicago welfare recipients conducted by Northwestern University. (<https://www.npr.org/news/specials/housingfirst/whoneeds/abuse.html>)

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

AB 2366 would have made safety accommodations and job-protected leave available to victims of harassment and would remove the requirement of seeing a medical professional before securing workplace changes. By simplifying the path to a safer workplace, AB 2366 attempted to enable more women to keep their jobs and source of income throughout these difficult circumstances.

Another situation addressed by this bill is that at present family members of victims have no protection against retaliation or discrimination by employers and there is no legal guarantee that these individuals will have a job to return to if they take time off to keep a victim family member safe. AB 2366 recognizes the crucial role of families as a victim's support system and acknowledges that such hardships affect the entire family, not just the individual victim.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

n/a – the bill did not pass.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a – the bill did not pass.

Organization:	Legal Aid at Work
1. Advocacy Activity Name:	Advocacy concerning regulations about national origin discrimination, retaliation, and harassment being issued by the California Fair Employment and Housing Council.
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment

8. Constituencies Impacted

Check all that apply

Immigrants

9. Who benefitted from this advocacy

All California workers but especially those most likely to face discrimination on the basis of national origin, such as immigrant, ethnic minority, and language-minority individuals.

a. If available, provide the estimated number of total people impacted:

19343000 is the entire California workforce (as of March 2018 according to the Employment Development Department) potentially all of whom could experience discrimination.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Those with limited English proficiency are disproportionately likely to be below the federal poverty line. For example, in 2013, about 25 percent of individuals with limited English proficiency lived in households with an annual income below the official federal poverty line—nearly twice as high as the share of English-proficient persons. In addition, national origin discrimination is often related to discrimination on the basis of immigration status, and immigrant populations in California are significantly more likely to qualify as “indigent” under IOLTA’s guidelines.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

It is hoped that more low income individuals, and in particular those with limited English proficiency who disproportionately experience discrimination on the basis of national origin, will be able to obtain and maintain employment.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

LAAW provided extensive comments to the specific wording of regulations concerning discrimination, harassment, and retaliation on the basis of national origin. For example, LAAW advocated for there to be a presumption of illegality for blanket “English only” policies, for a narrow definition of a “business necessity” for such policies, and stronger remedies for undocumented workers who experience discrimination, harassment, and retaliation on the basis of national origin.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

LAAW was successful in getting the FEHC to adopt many of our recommendations into the current draft of the proposed regulations.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

It is hoped that more low income individuals, and in particular those with limited English proficiency who disproportionately experience discrimination on the basis of national origin, will be able to obtain and maintain employment.

Organization: Legal Aid at Work

1. Advocacy Activity Name: Berkeley Paid Family Leave Ordinance

2. Advocacy activity status: Ongoing

3. Advocacy Type: Legislative

4. Advocacy Level: Local

5. Partner Organizations:

Partner Organizations

State Bar Grantees

Other Organizations

6. Counties Impacted

Check all that apply

Alameda

7. Substantive Area

Check all that apply

Employment

8. Constituencies Impacted

Check all that apply

Low Wage Workers, Persons with Disabilities, Seniors

9. Who benefitted from this advocacy

Low-wage pregnant workers, new parents, and family members.

a. If available, provide the estimated number of total people impacted:

24263 which is the population of Berkeley living at or below 125% of the federal poverty limit according to 2017 ACS data.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Although Paid Family Leave (PFL) benefits enhance economic security for workers who take leave, the current benefit rate is too low to offer meaningful wage replacement for many workers. In a recent study conducted by the EDD, the current rate of benefits was identified as the greatest barrier to the program's use. In another survey, nearly a third of respondents who were aware of PFL did not apply for it because they could not afford to live on less than their full wages. This disproportionately affects low-income workers who depend on their entire salary to afford basic necessities.

Having to forgo wages during a time with increased financial burdens is simply not an option for many workers. This means that many workers are faced with the impossible choice of being there for their families or risking financial hardship. Moreover, these workers most forgo the PFL benefits that they pay for out of their paycheck. By having employers supplement pay during PFL, it will ensure that all Berkeley workers, not just high income earners, have the ability to bond with a new child or care for a family member without sacrificing financial stability.

Also, persons needing pregnancy-related leave are disproportionately likely to be indigent. 46% of all childbearing women [in California] had family incomes at or below the poverty level during pregnancy; an additional 19% were near poor. "The Prevalence of Low Income Among Childbearing Women in California," American Journal Public Health, June 1999, Vol. 89, No. 6, at p. 869.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Workers will be able to take fully paid family leave (up to certain caps) to allow them to care for their own health, their new child, or that of a seriously ill family member.

In 2016, 83.5% of poor children in California lived in families with at least one working adult. Half of poor children (52.2%) lived in families with at least one adult working full time for the entire year, and a third (31.3%) had at least one adult in the family working part time and/or part of the year. Sources: All estimates are based on the California Poverty Measure (CPM) unless otherwise noted. Official poverty statistics are from the American Community Survey. For more about the CPM, see Bohn et al., The California Poverty Measure (PPIC, 2013). For methodological changes that affect comparability with publications prior to 2016, see Bohn et al., The California Poverty Measure: 2014 (Stanford Center on Poverty and Inequality, 2017).

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

This Ordinance is intended to supplement the California Paid Family Leave partial wage replacement so that employees on leave will receive 100% of their weekly salary for the six-week period, subject to a weekly maximum benefit amount. The goal is to ensure that concern over loss of income does not preclude Berkeley employees from bonding with their new child or taking care of a seriously ill family member.

This is based on San Francisco's Paid Parental Leave Ordinance which passed in April 2016 and became operative on January 1, 2017.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

After the ordinance was formally proposed, the the Berkeley City Council established an ad hoc subcommittee on the issue of paid family leave for Berkeley employees. The committee has met several times, and additional work remains.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a – remains ongoing.

Organization:	Legal Aid at Work
1. Advocacy Activity Name:	SB 937
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

California Breastfeeding Coalition
the California Federation of Teachers

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment

8. Constituencies Impacted

Check all that apply

Children/Youth, Low Wage Workers

9. Who benefitted from this advocacy

Low-income, pregnant women and new parents.

a. If available, provide the estimated number of total people impacted:

Approximately 470000 women per year which is the number of births in California Annually according to the Kaiser Family Foundation.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Childbearing women in California are disproportionately likely to be at or near the poverty line. For example, one study showed that “46% of all childbearing women [in California] had family incomes at or below the poverty level during pregnancy; an additional 19% were near poor. Twenty-one percent [] of women had moderate incomes (201% - 400% of poverty level), and 14% had incomes of more than 400% of the poverty level.” Paula Braveman et al., “The Prevalence of Low Income Among Childbearing Women in California: Implications for the Private and Public Sectors,” American Journal of Public Health, June 1999, Vol. 89, No. 6, at p. 869.

In addition, the need for pregnancy-related workplace accommodations and leave for low-income women is especially great. Low-income pregnant women in particular work in positions that are especially likely to require accommodations, such as jobs that require heavy lifting, protection from toxic fumes, a stool, or permission to carry a water bottle or take frequent bathroom breaks. Further, pregnant women need leaves for pregnancy and childbirth-related disability or bonding with their baby, continued health insurance, and access to public benefits like temporary disability insurance and Paid Family Leave. When new mothers return to work, they often need lactation accommodations to enable them to continue breastfeeding their babies. When families cannot access these benefits, they are forced to choose between their health and their job, either losing their income or endangering their health through continued work.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Working conditions and access to accommodations, leave, and pay are important social determinants of health for mothers and infants. For example, pregnancy-related leave and accommodations (e.g. sitting while working) decrease likelihood of preterm birth and mortality. Longer maternity leave is associated with decreased maternal depression, long lasting positive mental health outcomes, and improved infant/childhood development. Parental leave is also associated with increased preventative care for children, including vaccinations, and reduces the risk of child abuse. Parental leave also promotes healthy bonding during critical periods of neurodevelopment. Moreover, fathers who take paternity leave are more likely to be engaged in their child's care later in the child's life, which leads to improved health and developmental outcomes. Paid leave and lactation accommodations reduce maternal stress and support prolonged breastfeeding, which is linked to improved health for both babies and women.

In 2016, 83.5% of poor children in California lived in families with at least one working adult. Half of poor children (52.2%) lived in families with at least one adult working full time for the entire year, and a third (31.3%) had at least one adult in the family working part time and/or part of the year. (California Poverty Measure) (CPM). Official poverty statistics are from the American Community Survey. For more about the CPM, see Bohn et al., The California Poverty Measure (PPIC, 2013). For methodological changes that affect comparability with publications prior to 2016, see Bohn et al., The California Poverty Measure: 2014 (Stanford Center on Poverty and Inequality, 2017).

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

SB 937 would have required employers to provide workers a written policy (at hire and before parental leave) that informs them of when and how they can request lactation accommodations. By requiring employers to educate all their employees—not just those who are pregnant—the bill aims to normalize lactation and decrease stigma. SB 937 would also require employers to provide workers a lactation room that's safe, clean, and free of toxic materials, as well as a place to sit with nearby access to electricity, running water, and a refrigerator.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

The bill was passed by the legislature but vetoed by the governor; LAAW will take up this issue again in the next legislative session (with a new governor).

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a – the bill was vetoed.

Organization:	Public Law Center
1. Case Name:	Immigration Impact Advocacy
2. Case Status:	Open
3. Court Name:	Eastern District of CA, Northern District of CA, U.S. Supreme Court
4. Partner Organizations:	

Partner Organizations

State Bar Grantees

Bet Tzedek Legal Services
 Immigrant Legal Resource Center
 Center for Human Rights and Constitutional Law
 Legal Aid Foundation of Los Angeles
 Legal Aid Society of Orange County
 Legal Aid Foundation of Santa Barbara County
 La Raza Centro Legal
 UC Davis School of Law Legal Clinics
 Community Legal Services in East Palo Alto

Other Organizations

Simpson Thatcher & Bartlett
 Asian Law Alliance
 CASA
 Central American Refugee Center
 City Bar Justice Center
 Dolores Street Community Services
 Empire Justice Center
 Her Justice
 HIAS & Council Migration Services, Inc.
 Immigrant Justice Corps
 International Refugee Assistance Project
 LatinoJustice PRLDEF
 Legal Aid Society of New York
 Loyola Immigrant Justice Clinic
 Make the Road New York
 New York Immigration Coalition
 Safe Passage Project
 The Legal Project
 Torture Abolition Survivors Support Coalition
 UCI School of Law Immigrant Rights Clinic
 UnLocal Inc
 El Rescate
 International Institute of Los Angeles
 American Immigration Council
 Americans for Immigrant Justice
 Central American Legal Assistance
 Community Activism Law Alliance
 Immigrant Justice Corps
 Kids in Need of Defense
 Lawyers for Children
 Legal Services NYC
 Michigan Immigrant Rights Center
 New York Immigration Coalition
 New York Legal Assistance Group
 Northwest Immigrant Rights Project
 Safe Passage Project Inc
 Sanctuary for Families
 The Door's Legal Services Center
 Washtenaw Interfaith Coalition for Immigrant Rights

5. Counties Impacted

Check all that apply

*Statewide, Out of State

6. Substantive Area

Check all that apply

Immigration

7. Constituencies Impacted

Check all that apply

Immigrants

8. Parties or Class Represented

Amicus in all three cases

a. If available, provide the estimated number of total people impacted:

Thousands

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

PLC participated in all three cases as amicus, representing its low-income immigrant clients.

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

All of these cases impact PLC's low-income immigrant clients, and will impact other low-income immigrants residing in the United States

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

1. East Bay Sanctuary Covenant vs. Trump, USDC NDCA Case No. 3:18-cv-06810: amicus with 22 other organizations in lawsuit seeking to enjoin administration's policies re asylum seekers at the southern border; filed 12/05/18. 2. United States vs. California, USDC EDCA Case No. CV 2:18-cv-490-JAM-KJN, one of 17 amicus briefs filed in retaliatory lawsuit brought by the federal government to stop protective policies, embodied in three state statutes, designed to integrate immigrants more fully into their communities. Our amicus brief filed 5/18/18. 3. Trump vs. State of Hawaii, US Supreme Court Case No. 17-965, amicus brief filed by 21 organizations in Muslim ban case. Brief filed 3/30/18

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

All cases remain open, but Courts have granted various injunctions in the cases, restricting the administration's ability to implement some of their anti-immigrant policies.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A

a. Enter economic benefit amount, if applicable:

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

18

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year

0



July 11, 2019

Daniel Passamaneck
Senior Program Analyst
Office of Access & Inclusion
State Bar of California
(Sent via email)

Re: Determinations regarding Public Law Center's Qualifying Activities

Dear Dan:

I write in regards to questions raised by the Legal Services Trust Fund Commission's Eligibility and Budget Review Committee regarding our 2018 Impact Litigation and Advocacy Work (ILAW) report. Specifically, I wanted to address the Committee's concern that our Immigration Impact Advocacy does not constitute qualifying activities.

The Immigration Impact Advocacy work in question consisted solely of us signing on to amicus briefs or letters at the request of other non-profit organizations. We did not prepare any of the amicus filings, other than a paragraph or two in each to be included in a statement of interest. The cases, before either the U.S. Supreme Court or the Ninth Circuit, related to issues affecting either asylum seekers and/or individuals detained at the southern U.S. border. Changes in the law and/or administration policies, were we to be successful in those cases, would inure to the benefit of the eligible clients we represent in our immigration work. While those changes in the law or policies might also impact non-eligible individuals such benefits would be incidental to the benefits we were seeking by our involvement.

I also note that the total amount of time devoted to such work in 2018 was only two (2) hours. Given the de minimis impact on our overall Qualifying Activities, we would request that the amount be included rather than go through the effort of recalculating our Qualified Expenditures should the Committee determine that the activities were not qualifying.

Do not hesitate to let me know if you or the Committee have any additional questions or concerns.

Very Truly Yours,

s/KWB

Kenneth W. Babcock
Executive Director & General Counsel

Organization:	Advancing Justice - Asian Law Caucus
1. Advocacy Activity Name:	Census Planning & Outreach funding
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>Census Policy Advocacy Network (CPAN)</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment, Immigration

8. Constituencies Impacted

Check all that apply

Immigrants, Incarcerated Individuals, Low Wage Workers, Persons with Disabilities, Seniors

9. Who benefitted from this advocacy

The legislative package that we moved in 2018 benefits populations who are often undercounted by the Census such as immigrants.

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Most of the populations that benefited from our advocacy are indigent, including Limited English Proficient households who will be outreached to through the assistance of Census funding.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The legislative package that we moved in 2018 provides increases resources for Census outreach to immigrants and other underserved populations.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Census planning & outreach funding

2018-2019 California State Budget invests \$90.3 million for census planning & outreach

The U.S. Census, in addition to painting a portrait of our nation, is critical to determining how funds and resources are allocated over the next ten years. This makes it all the more essential to ensure that our communities are included in the count, and that those who are historically undercounted fully participate in the 2020 Census, including one-fifth of Asian Americans and one-third of Native Hawaiians and Pacific Islanders who live in hard-to-count census tracts. Advancing Justice - California, along with a diverse group of community-based organizations, worked to secure \$90.3 million for Census Planning and Outreach in the 2018 - 2019 California State Budget in order to ensure all of our communities are counted. With the recent proposal to include a citizenship question on the 2020 Census, which would create widespread fear and a severe undercount in immigrant communities, we're continuing to push for a fairer and more inclusive census. For more information regarding state funding allocations, you can access the funding page at the California Complete Count Committee.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

In 2018, at the state level in California, a major budget investment that exemplify our California values and continued efforts to ensure our state is welcoming and inclusive for all of its residents, regardless of citizenship status.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Census planning & outreach funding budget request: The budget allocation we obtained for Census planning and outreach will increase the accuracy of the count for immigrant populations in California. This in turn will result in more government funding being allocated to these under served populations.

Organization:	La Raza Centro Legal
1. Advocacy Activity Name:	Advocating for Transparency, Equity, and Accountability in 2018
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	All of the above
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Disability Rights, Education, Health and Long-term Care, Immigration, Juvenile

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants, Incarcerated Individuals, Persons with Disabilities, Seniors, Veterans and Active Military

9. Who benefitted from this advocacy

Signed on supporting efforts by Asian Americans Advancing Justice - California (Advancing Justice - CA), a project of Advancing Justice - Asian Law Caucus and Advancing Justice - Los Angeles, re: the following assembly bills:
AB 2291 (Chiu): School Bullying--Victims of school bullying; AB 2845 (Bonta) Pardon and Commutation Reform Act of 2018 --inmates; Census Planning & Outreach Funding--persons eligible to vote; Health for All: Eliminating Barriers to Care -- anyone with health care needs

a. If available, provide the estimated number of total people impacted:

Unknown

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Unknown

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Unknown

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Signed on supporting these bills

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Unknown

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Unknown

Organization:	California Rural Legal Assistance, Inc.
1. Advocacy Activity Name:	AB 617 Blueprint Comments
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

Fresno

7. Substantive Area

Check all that apply

Health and Long-term Care, Miscellaneous

8. Constituencies Impacted

Check all that apply

9. Who benefitted from this advocacy

Fresno County residents

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

N/A

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

ADVOCACY GOAL: To ensure that California Air Resource Board's implementation plan for AB 617's Community Air Protection Program complies with state and federal environmental justice, civil rights, and environmental obligations and adequately protects environmental justice communities. To ensure that the Fresno-specific Community Emissions Reduction Plan is developed with meaningful public participation and complies with civil rights and environmental justice laws.

ADVOCACY DESCRIPTION: AB 617 was signed by Gov. Brown in July 2017 and establishes a Community Air Protection Program aimed at identifying and reducing air pollution in the most heavily burdened communities in the state, especially environmental justice communities. The implementing program for AB 617 is the "Community Air Protection Program Blueprint" that was released in draft form by the California Air Resources Board (CARB) for public comment on August 24, 2018 with a 30-day comment period. CEI staff will review the draft document pursuant to the noticed public comment period and submit written comments describing the impact the program will have on our client communities and the modifications that must be made to the implementing program to adequately protect CRLA's client communities and meet legal and statutory requirements.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Written comment on draft plan(s) pursuant to noticed public comment periods, attendance and potential comment at public hearings, attendance at community meetings, providing educational trainings to residents on AB 617.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	California Rural Legal Assistance, Inc.
1. Advocacy Activity Name:	HCD/HUD Community Development Block Grant Disaster Recovery Program (CDBG-DR)
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>non-profit housing groups</div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Housing, Miscellaneous

8. Constituencies Impacted

Check all that apply

Disaster Victims

9. Who benefitted from this advocacy

2017-2018 disaster victims

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

N/A

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

CRLA improved long-term recovery assistance by providing disaster relief for fire victims of 2017-2018 wildfires and mudslides in housing, infrastructure, and economic revitalization. Advocacy included attending public meetings and submitting written comments to California Department of Housing and Community Development (HCD) on community development disaster recovery programs.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

The California Department of Housing and Community Development (HCD) is the grantee of CDBG-DR funds allocated by the U.S. Department of Housing and Urban Development (HUD) as a result of the 2017 disasters. HCD works with local governments and organizations to fund programs that provide long-term recovery assistance for housing, infrastructure, and economic revitalization.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	California Rural Legal Assistance, Inc.
1. Advocacy Activity Name:	Fresno Council of Governments (COG) Regional Transportation Plan (RTP) Justice Advisory Committee
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> </div>

6. Counties Impacted

Check all that apply

Fresno

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

9. Who benefitted from this advocacy

Environmentally-burdened, Disadvantaged Unincorporated Communities (DUCs) within Fresno County, CA.

a. If available, provide the estimated number of total people impacted:

170191 (the population of Fresno County's DUC's)

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Most unincorporated communities are underrepresented and underserved both in the regional transportation planning processes and in transportation services provisions. The needs of all residents, including rural, low income and limited English proficient (LEP), should be considered in the development and implementation of transportation planning.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

170191 (the population of Fresno County's DUC's)

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

To ensure that Fresno Council of Governments (COG) complies with legal mandates for developing a Regional Transportation Plan (RTP) pursuant to Gov't Code section 65080-65086.5 and to be sure the RTP addresses the needs of the DUCs within Fresno County.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

The Fresno COG considered CRLA's comments and concerns to ensure the RTP meet the legal requirements and included DUC considerations in the planning process.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Unknown

Organization:	Bay Area Legal Aid
1. Advocacy Activity Name:	Positive School Climate Resolution in West Contra Costa Unified School District
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	Local
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

RYSE Youth Center
Building Blocks for Kids
Asian Pacific Environmental Network

6. Counties Impacted

Check all that apply

Contra Costa

7. Substantive Area

Check all that apply

Disability Rights, Education

8. Constituencies Impacted

Check all that apply

Children/Youth, Homeless, Immigrants, Persons with Disabilities

Organization:	East Bay Community Law Center
1. Advocacy Activity Name:	Fighting School Push-Out in Oakland Unified School District advocacy
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Other(explain)
a. Explain Other Advocacy Type:	We provided technical assistance to movement-building organizations.
4. Advocacy Level:	Local
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>Black Organizing Project</div> </div>

6. Counties Impacted

Check all that apply

Alameda

7. Substantive Area

Check all that apply

Education

8. Constituencies Impacted

Check all that apply

Children/Youth

9. Who benefitted from this advocacy

EBCLC's advocacy efforts support children in Oakland Unified School District facing suspensions, expulsions, and arrests at school, as well as their families. All students at OUSD schools will benefit from this advocacy, which aims to decrease the presence of law enforcement in schools, decrease the use of suspensions and expulsions, and increase access to more inclusive means of handling school discipline with the aim of creating healthier and safer spaces for youth.

a. If available, provide the estimated number of total people impacted:

This advocacy impacts all 36900 students in Oakland Unified School Districts as well as their families.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Our advocacy benefits Black students in Oakland, who are disproportionately targeted by punitive discipline. According to Oakland Unified School District, 75% of all students enrolled qualify for free and reduced lunch, and according to an Equity Indicators report released by the City of Oakland, Black students are 3 times more likely to live in poverty than their white counterparts. We can safely assume, therefore, that a high percentage of the Black OUSD students served by this advocacy are indigent.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Students of color and in particular black students account for almost 90% of suspensions, expulsions, and arrests-at-school. Thus, our advocacy efforts have focused on improving the school experience for black students and resisting the factors pushing them out of their schools.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

EBCLC provided data, data analysis, and legal technical assistance to community groups who are leading the charge against push-out of youth of color. This involves training parents to represent their children and others in school discipline hearings, compiling data on criminal charges related to school-based incidents, and engaging in advocacy around OUSD's budgeting process to ensure that the community's goals are reflected in district spending.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

This advocacy is ongoing. In 2018, EBCLC provided crucial research and content to the Black Organizing Project for a widely-distributed infographic documenting Oakland Unified School District's disturbing pattern of racial discrimination in school discipline activities. We also supported Black Organizing Project in securing a commitment from the OUSD's teacher's union to sign off on a pledge that they will no longer call the police on their students.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Receiving one's high school diploma is strongly correlated with such outcomes as completing secondary education, obtaining a family-sustaining career, and earning a higher salary. Thus, the racially biased expulsion of students has a negative impact on their future employment and earning opportunities. By working to prevent racially discriminatory expulsions, we are fighting for the future economic security of Black students.

Organization:	Lawyers' Committee for Civil Rights
1. Advocacy Activity Name:	Advocating for removal of suspensions for “defiance/disruption” in California 4-12 classrooms.
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Public Counsel</div> <div>Other Organizations</div> <div> The Fix School Discipline Coalition Anti-Defamation League ACLU of California Brothers Sons Selves Coalition Children Now Children's Defense Fund - California Fight Crime: Invest in Kids Mid-City Community Advocacy Network PolicyLink Youth Justice Coalition Black Parallel School Board </div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Education

8. Constituencies Impacted

Check all that apply

Children/Youth

9. Who benefitted from this advocacy

Students of color who attend grades 4-12 in California.

a. If available, provide the estimated number of total people impacted:

3.3 million students of color who attend school in grades 4-12 in California would be impacted by this policy/law change. This number is based on the report issued by the California Department of Education for 2017-2018 ethnic breakdown of students enrolled in grades 4-12.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Roughly 14% of the CA population lives in poverty (according to studies published by the Public Policy Institute of California) - that would mean at least 658,000 students of color from the over 4.7 million students of color that attend K-12 schools are in families who live below the poverty line.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

It is estimated that over 658,000 students whose families live below the poverty line in California would be impacted by this policy/law change.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

In 2018, LCCR continued its advocacy efforts through the legislative process to address school discipline policies that are disproportionately applied to low-income students and students of color. Under current law, students in grades 4 through 12 may be suspended from school for minor misbehaviors, such as refusing to take off a hat, talking back, or falling asleep in class. These needless suspensions fall under the “defiance/disruption” category in Education Code § 48900(k).

Research and data confirm that Black students, other students of color, students with disabilities, and LGBTQ students are disproportionately suspended for low-level subjective offenses, such as defiance/ disruption. While Black students comprised 5.5% of total state enrollment in 2017-18, they comprised 16% of all defiance/disruption suspensions. Students with disabilities comprised 11% of total enrollment, but 31% of all defiance/disruption suspensions. Black and Latino male students comprised 53% of all defiance/disruption suspensions in that same year, but comprised only 31% of total enrollment. Lawyers’ Committee was a co-sponsor of Senate Bill 607, which would have eliminated Section 48900(k) as grounds for suspension of students enrolled in grades K-12. (A previous bill passed in 2013, AB 420, eliminated defiance/disruption as grounds for suspensions for students in grades K-3 and as a grounds for expulsion for any student.)

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

SB 607 was revised and passed by overwhelming majorities in both houses of the legislature. Unfortunately, in October Governor Brown vetoed the bill. After the veto, LCCR and its partners continued to work with key legislators to prepare a bill similar to the original SB 607 to ban defiance/disruptions for suspensions in 4-12 grades. The bill’s original sponsor introduced a new version of the bill in early 2019.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

No direct economic benefit can be estimated.

Organization:

Public Advocates Inc.

1. Advocacy Activity Name:

Long Beach Unified LCFF Enforcement

2. Advocacy activity status:

Ongoing

3. Advocacy Type:

Administrative

4. Advocacy Level:

State

5. Partner Organizations:**Partner Organizations**

State Bar Grantees

Other Organizations

Morgan Lewis & Bockius on behalf of the Children's Defense Fund–California
 Latinos in Action–California
 Californians for Justice

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Low-income and indigent students, English Learners, and foster youth.

a. If available, provide the estimated number of total people impacted:

3,739,347

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Eligibility for the Free and Reduced Priced Meals Program (FRPM) is the most commonly used proxy for low-income status. Children from families with income 185% or less of federal poverty guidelines are eligible for reduced-price meals; those with family income 130% or less of poverty guidelines are eligible for free meals. Statewide, 53% (3,739,347) of California's students are eligible for the FRPM program; the vast majority of these (3,311,699) students are deemed eligible for free meals, a figure that itself represents over half of California's public school student population and which we roughly equate with indigency under the Business & Professions Code.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Central to our mission to promote educational equity in California is ensuring the faithful implementation of the Local Control Funding Formula (LCFF), which (thanks in part to prior advocacy work under this project) directs supplemental funding to school districts to improve and expand services for low-income students, English Learners (who come predominantly from low-income immigrant families), and foster youth (who are predominantly indigent), and additional concentration funding for districts where 55% or more of students are low-income and indigent. In addition, the LCFF requires school districts to meaningfully engage parents and students in the development of Local Control Accountability Plans (LCAPs) and to transparently report the use and outcomes of the supplemental and concentration funding they receive. The LCFF also institutes a new accountability system for evaluating school improvement based on multiple measures (the California School Dashboard), which disaggregate student outcomes by key subgroups. This data enables parents, students, educators, and administrators to identify disparities that disproportionately impact low-income students and students of color. Our precedent-setting enforcement actions in LBUSD ensures that the district's 51,346 low-income and indigent students and the 3,179,231 low-income and indigent students statewide receive the increased and improved services they are entitled to under the LCFF to address disparities in their educational outcomes and ensure they receive a quality education that prepares them for college and career and the economic benefits that post-secondary education provides.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Public Advocates has been supporting parents and students in LBUSD seeking to hold the district accountable for improving the educational outcomes of indigent and low-income students, English Learners, and foster youth since 2016. LBUSD is the third largest district in the state, with a majority of indigent students. Our advocacy includes analyzing the district's Local Control Accountability Plans and strategizing with parents and students to support their advocacy and undertake enforcement actions.

In 2016–17, LBUSD improperly allocated some \$40 million in funds for high-needs students to district-wide staff salaries, benefits, common core materials, and technology without the legally-required justifications demonstrating that these funds were increasing or improving services and were “principally directed” to high-need students. Despite repeated requests that the district and the Los Angeles County Office of Education (LACOE) address the issue, LACOE approved the district's LCAP, setting it on course to misspend a cumulative total of more than \$124 million over three years. In 2017, we filed Universal Complaint Procedures on behalf of the Children's Defense Fund–California, Latinos in Action–California, and two individual parents against LBUSD and LACOE (the county office of education) to challenge the district's misallocation of supplemental and concentration funds.

In 2018, we continued supporting low-income and indigent LBUSD parents and students advocating for the district to comply with the supplemental/concentration funding, transparency, and community engagement requirements of the LCFF law.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

As described in our 2017 report, our enforcement actions resulted in LBUSD amending its 2017–18 LCAP to reallocate \$7 million it planned to spend on unjustified teacher salaries to other services. In addition, LACOE found that the district had misspent some \$24 million for high-need students in 2016–17. This was the first time that a California county office of education used its authority under LCFF in response to a complaint over a district’s inappropriate expenditure of funds for high-needs students, setting an important statewide precedent.

In May 2018, our administrative complaint was resolved through a settlement providing:

- Expanded tutoring in English & Math at 30 schools serving the highest concentration of low-income, English Learner, and foster youth students for the next three years;
- Access to mental health/social emotional counseling at four new regional Family Resources Centers to provide services to students at 25 of the highest need schools for next 3 years;
- Improved LCAP webpage with more information about community meetings;
- A commitment to two annual community forums on LCAP implementation, progress, and feedback over three years co-hosted by our community partners; and
- Reporting of the above in the district LCAP and Dashboard.

We also collaborated with our community partners to strategize around the district’s LCAP engagement and to monitor implementation of the settlement. Over the summer, we participated in a strategy retreat with Californians for Justice, Children’s Defense Fund, Long Beach Forward, and California Youth Connection, and in November, we supported the LCAP community forum mandated by the settlement.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	Public Counsel
1. Advocacy Activity Name:	Legislative campaign to remove Defiance/Disruption Cal. Ed. Code as a suspendable offense (SB607)
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div><div>Partner Organizations</div><div>State Bar Grantees</div><div>Lawyers' Committee for Civil Rights</div><div>Other Organizations</div><div>Youth Justice Coalition</div><div>American Civil Liberties Union</div><div>Children Now</div><div>Fight Crime Invest in Kids</div><div>Brothers Sons Selves Coalition</div><div>Alliance for Boys and Men of Color</div><div>Mid-City Community Advocacy Network</div><div>Children's Defense Fund-California</div></div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Education

8. Constituencies Impacted

Check all that apply

Children/Youth

9. Who benefitted from this advocacy

Low-income students of color were our target beneficiaries. Our bill was vetoed by Governor Brown at the end of the 2018 legislative cycle, so we've re-introduced the bill this cycle (now SB 419).

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Low-income student populations, especially those who are heavily African American or Latino, have much higher rates of suspension than student populations that are higher income and white. Because "willful defiance" is such a vague term, it invites implicit bias into the schools' decision-making process around school discipline, and, therefore, affects low-income students of color at much higher rates.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Several hundred thousand students are impacted by suspensions based on perceived "willful defiance" by the student. Hopefully, the elimination of "willful defiance" as a grounds for suspension will decrease the number of suspensions, which are linked to lost instruction and alienation from the school community.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

SB 607, sponsored by Senator Skinner, sought to remove defiance/disruption as a disciplinary violation in the California Education Code. Research shows that suspension offenses that are the most vague have the greatest racial bias impact. We work in coalition with other partners who promote best practices in school climate reform to ensure that biased decisions do not translate developmentally appropriate behavior into serious disciplinary incident or crime. Instead, we hope that schools will intervene where students are struggling and need support so that students receive meaningful interventions to address root causes of behavior.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

In this multi-year legislative effort, we continue to shift the narrative from consequences for “problem students” to a deeper look at bias against low-income students of color. We are also lifting up best practices in schools so that across the state we can see the positive solutions that are available and working in California.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Increased attendance and graduation rates means young people that are more suited to compete and succeed in our economy.

Organization:	Advancing Justice-Los Angeles
1. Case Name:	Higginson v. Becerra, et al.
2. Case Status:	Open
3. Court Name:	US District Court, Southern District of California; 9th Circuit Court of Appeal
4. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Advancing Justice - Asian Law Caucus</div> <div>Other Organizations</div> <div>MALDEF - Mexican American Legal Defense and Educational Fund</div>

5. Counties Impacted

Check all that apply

*Statewide

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Immigrants

8. Parties or Class Represented

Proposed intervenors Judy Ki, Hiram Soto, Xavier Flores, Jacqueline Contreras, and California League of Latin American Communities (LULAC).

a. If available, provide the estimated number of total people impacted:

As of October 2018 approximately 25.1 million adults are eligible to vote. See Just the Facts: California's Likely Voters Public Policy Institute of California <https://www.ppic.org/publication/californias-likely-voters/>. Approximately 41 percent of likely voters are people of color who could benefit from the California Voting Rights Act which this lawsuit is challenging as unconstitutional. Id. Therefore approximately 10.3 million voters potentially have rights under the CVRA and could be impacted by this case.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Access to the voting booth is one of the only mechanisms available for indigent citizens to directly impact the development of government policies that impact them on a daily basis, since their interests are not represented by powerful lobbying entities, nor do they have the capacity to make the financial contributions which catch the attention of legislators. As some groups work to limit the voting rights of minority communities, the potential impact on indigent citizens in these communities is especially damaging.

Individuals with household incomes less than \$40,000 are 29 percent of likely voters in California. Communities of color are disproportionately indigent. For example, Latinos in California are nearly twice more likely to live in poverty than whites. Although it is impossible to determine the indigency of every likely minority voter in California, it is reasonable to assume that a substantial number of those impacted are indigent

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

On October 4, 2017, Edward Blum, the conservative strategist who backed the Shelby federal Voting Rights Act case and anti-affirmative action cases, orchestrated the filing of a lawsuit to challenge the constitutionality of the California Voting Rights Act (CVRA), which provides communities of color an opportunity to challenge voting systems that dilute their vote and prevent them from electing their candidates of choice. The lawsuit named the City of Poway a defendant because it converted from an at-large to a district election system after receiving a CVRA demand letter. The California Attorney General was also named as a defendant. We filed a motion to intervene on November 6, 2017 to defend the California Voting Rights Act (CVRA) and district elections in Poway on behalf of a number of residents and organizations. Although our motion to intervene was denied as moot when the district court dismissed the case on standing grounds, the 9th Circuit reversed both decisions, granting our motion to intervene and remanding the case to the district court. On remand, the district court denied the plaintiffs' motion for preliminary injunction and dismissed the California Attorney General as a party for failure to state a claim because he could not prove that the CVRA, a statute designed to increase minority voting power, subjected the plaintiff to racial classification. Plaintiff dismissed its complaint with prejudice and provided notice that he plans to seek review by the 9th Circuit against all Defendants.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

In 2018, we successfully obtained intervention and opposed Plaintiffs' motion for preliminary injunction, which would have been disastrous for communities of color throughout the state heading into the November 2018 elections.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a

a. Enter economic benefit amount, if applicable:

No expected economic benefit.

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

49

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

0

9. Who benefitted from this advocacy

All students TK-12 in West Contra Costa Unified School District. The resolution provides the school district a framework to reduce the number of students unnecessarily removed from and arrested at school and to improve discipline policies such that students can spend more time in class learning - with a focus on reducing disparate impacts on youth of color, foster youth, and homeless youth.

a. If available, provide the estimated number of total people impacted:

30,000

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

The vast majority of WCCUSD students (69%) are classified as low income, which means they receive free or reduced price lunch, i.e., come from households of roughly 180 percent of the poverty level. Free lunch is provided to those who fall under 130 percent of the federal poverty level.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Fewer low income, homeless, and immigrant (English language learner) youth will be suspended as a result of measures required by the new school climate resolution (including increased supports and interventions for those students who are disproportionately impacted by discipline that takes them out of the classroom). The intended result is for more days of attendance and better academic outcomes for these youth.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Bay Area Legal Aid worked with other community-based nonprofits to provide technical assistance to school board in WCCUSD on the drafting of the resolution, as well as participated in a task force intended to plan for the resolution's implementation. BayLegal also provided testimony on how the resolution would affect homeless and indigent youth at two WCCUSD board meetings.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

We expect to see a significant reduction in the numbers of overall suspension and expulsion from WCCUSD, and increased school-based supports to indigent, immigrant, and homeless students, and students with disabilities.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

WCCUSD will likely experience additional funding from increased average daily attendance due to the resolution, but no estimates are available for how much.

Staff Review

Review Status:

Brief Note:

Commission Review

Free/reduced lunch

Organization: Advancing Justice-Los Angeles

1. Case Name: Asian Americans Advancing Justice – Los Angeles et al. v. Padilla

2. Case Status: Closed

3. Court Name: Superior Court of the State of California, County of San Francisco; California Court of Appeal, First Appellate District, Division One

4. Partner Organizations:

Partner Organizations

State Bar Grantees

Advancing Justice - Asian Law Caucus

Other Organizations

American Civil Liberties Union of Northern California
Wilson Sonsini

5. Counties Impacted

Check all that apply

*Statewide

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Immigrants, Seniors

8. Parties or Class Represented

Organization:	Advancing Justice-Los Angeles
1. Case Name:	Council on American-Islamic Relations – California, et al. v. Federal Emergency Management Agency, et al., Case No. 2:17-cv-07887 & Council on American-Islamic Relations – California, et al. v. Los Angeles Mayor's Office of Public Safety, et al., Case No. BS174139
2. Case Status:	Open
3. Court Name:	U.S. District Court, for the Central District of Columbia (FOIA Case)/Los Angeles Superior Court (PRA Case)
4. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> American Civil Liberties Union of Southern California Council on American Islamic Relations Vigilant Love Coalition Munger Tolles & Olson </div> </div>

5. Counties Impacted

Check all that apply

*Statewide

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

8. Parties or Class Represented

The parties represented are Muslims, other immigrant communities, and youth, particularly those who cannot afford or otherwise lack access to mental health and other social services. The federal FOIA case seeks information about Countering Violent Extremism (CVE) programs nationwide, and will impact Muslim and other communities targeted by CVE programs. The PRA case seeks information about the City of Los Angeles's CVE programs, and will impact these communities locally.

a. If available, provide the estimated number of total people impacted:

In California there is a significant Muslim population and several hundred thousand people will benefit from information we will obtain and disseminate about CVE programs.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The PRA case is focused on the City of LA Mayor's CVE grant program, which targets Muslim communities, youth, and refugees in LA and Orange counties through sub-grants to community groups that serve these populations. CVE programs have a particular focus on low-income individuals who cannot afford, or otherwise lack, access to mental health and other social services. They also focus on youth and refugee populations. The City of LA has also focused on disadvantaged and low-income African American youth in South LA. These groups are comprised of large indigent populations.

While we do not have solid estimates of how many people will be impacted by these programs, a CVE pilot program involving one grantee impacted at least 100 people over the course of 6 months. Based on this pilot, because the Mayor's program would have been conducted for a full year and would have four different groups administering it, it would likely have reached at least 800 people. Furthermore, the LAPD has its own CVE program, and will likely target at least this many people, if not more.

The information we seek through our FOIA and PRA litigation will educate indigent Muslim and other immigrant communities, particularly youth (who are the targets of CVE programs through offers of mental health and social services) about the civil liberties concerns with the programs. As discussed above, these programs target hundreds, if not thousands, of impacted individuals in Southern California.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

Countering Violent Extremism (CVE) is a national security program developed by federal law enforcement agencies, including the FBI and DHS, to identify individuals perceived to be national security threats. CVE programs rely on community groups serving targeted populations to identify individuals perceived to be on the path to radicalization using questionable indicators (e.g. feelings of religious persecution). They offer them "intervention" services, including referrals to mental health and other social service agencies in the CVE network who collect and maintain their confidential information. They also potentially refer them to law enforcement for "interdiction." CVE programs have not been proven effective at reliably identifying individuals likely to engage in violent extremism, and instead chill First Amendment rights and subject people to potential violations of their civil rights and liberties.

The FOIA and PRA cases seek greater transparency about CVE programs around the country, with a particular focus on greater Los Angeles, the first CVE pilot city. We are asking federal and local agencies to produce documents explaining their CVE programs, their partner organizations, and their collaboration with local and federal law enforcement agencies for the purpose of exposing potential issues the public should be aware of before participating in CVE programs. Once we obtain the relevant documents, we will disseminate the information to the public in readily accessible and comprehensible form to ensure maximum transparency and protection against civil rights and civil liberties abuses associated with the programs (e.g. potential racial and religious profiling, and breach of confidential information).

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

We continue to litigate the FOIA case, and we have obtained several thousand documents that the government has been forced to turn over because of our litigation. In the coming months, we will file a motion for summary judgement to force agencies, including DHS and DOJ, to turn over documents they are withholding without justification.

We filed the PRA case in June 2018, and the City has subsequently turned over thousands of documents since that time that it had previously been unlawfully withholding. In the coming months, we will file briefs to force it to turn over additional documents. Shortly after we filed the PRA suit, the LA Mayor's Office of Public Safety ended its CVE program in response to criticism we and our fellow advocates lodged.

Regarding the documents we have already received through the FOIA and PRA, we have posted the documents we have received thus far on our website to advance public awareness and as a resource to other advocates advocating against CVE locally and around the country.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Not applicable

a. Enter economic benefit amount, if applicable:

Not applicable

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

112

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

464

Organization:	Advancing Justice-Los Angeles
1. Case Name:	Jin Kwon et al v. Crittenden
2. Case Status:	Closed
3. Court Name:	United States District Court for the Northern District of Georgia (N.D. Ga).
4. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>Asian Americans Advancing Justice – Atlanta</div> <div>Alston & Bird LLP</div> <div>Buckley Beal LLP</div>

5. Counties Impacted

Check all that apply

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Immigrants, Seniors

8. Parties or Class Represented

Jin Kwon

a. If available, provide the estimated number of total people impacted:

There are more than 500000 LEP individuals living in Georgia. Although not all of these individuals are voters many of them could be in the future. The only guaranteed language assistance provided is to Spanish speakers in Gwinnett County. Approximately 67500 LEP Spanish speakers live in Gwinnett County. Therefore this lawsuit has the potential to impact 432500 LEP individuals in Georgia.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Access to the voting booth is one of the only mechanisms available for indigent citizens to directly impact the development of government policies that impact them on a daily basis since their interests are not represented by powerful lobbying entities, nor do they have the capacity to make the financial contributions which catch the attention of legislators. As some groups work to limit the voting power of minority and immigrant communities, the potential impact on indigent Asian American citizens in these communities is especially damaging.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The legal issue in this case is whether a Georgia statute improperly limited LEP voters' right to an assister under Section 208 of the Federal Voting Rights Act, which permits LEP voters to choose any person to help them at the polls, other than an employer or union representative. In contrast, the Georgia statute limited assisters to an immediate family member or a registered voter in the same precinct. Additionally, Section 208 imposes no limitation on the number of people that an assister can help, but the state law limited each assister to helping 10 people, undermining community organizations' ability to build robust interpretation programs.

After numerous LEP voters in Georgia faced difficulties receiving language assistance during the November 2018 midterm elections (even though the Georgia statute is not supposed to apply when a federal candidate is on the ballot), we filed a federal lawsuit to challenge the Georgia law on preemption and Section 2 grounds. We also filed a TRO to enjoin enforcement of the law prior to the December 4th runoff election, which did not have a federal candidate on the ballot and would have resulted in vote denial for many LEP voters.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

Given our deep voting rights expertise, we have partnered with our Atlanta affiliate partner to bring this legal challenge. One of the affected voters was Mr. Kwon, a 65 year old Korean man who had voted in the midterm elections through the assistance of Advancing Justice – Atlanta's voter interpretation program, but would not be able to bring an assister to the runoff election because he did not have any direct relatives that lived in the state and did not know any registered voters in his precinct, besides his wife, who was also LEP.

The day after we filed the lawsuit, the Attorney General agreed to permanently enjoin enforcement of the state statute. We worked closely with the Attorney General and Secretary of State to inform counties, poll workers, and voters that they are entitled to bring an interpreter of their choice to help them vote in advance of the December 4th runoff election. As a result of our lawsuit, our Atlanta affiliate was able to translate for Mr. Kwon in the state runoff election, along with many other LEP voters who would not otherwise have been able to vote due to the unconstitutional restrictions on assisters. The Georgia state legislature is also considering the repeal of this statute as a result of our lawsuit.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A

a. Enter economic benefit amount, if applicable:

No expected economic benefit.

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

136

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

45

Organization:	Advancing Justice - Asian Law Caucus
1. Advocacy Activity Name:	Creating an inclusive campus climate-AB 2291 (Chiu)
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div><div>Partner Organizations</div><div>State Bar Grantees</div><div>Other Organizations</div><div>Advancing Justice - California Advancement Project California Council on American Islamic Relations - California Equality California</div></div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment, Immigration

8. Constituencies Impacted

Check all that apply

Immigrants, Incarcerated Individuals, Low Wage Workers, Persons with Disabilities, Seniors

9. Who benefitted from this advocacy

The legislative package that we moved in 2018 benefits students who are facing bullying.

a. If available, provide
the estimated number
of total people
impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Most of the populations that benefited from our advocacy are indigent, including students attending public schools who are facing bullying.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The legislative package that we moved in 2018 provides resources to school employees to address bullying in schools.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

In 2018, at the state level in California, we passed two priority bills.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

In 2018, at the state level in California, we passed two priority bills.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

This bill will reduce bullying in schools, which will allow students who stay in school and thereby provide them with more economic opportunities.

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	AB 2845 - Pardon and Commutation Reform Act of 2018
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div> Advancing Justice - Asian Law Caucus Immigrant Legal Resource Center Legal Services for Prisoners with Children </div> <div>Other Organizations</div> <div> Asian Prisoner Support Committee California Coalition for Women Prisoners Coalition for Humane Immigrant Rights PICO California Root and Rebound Youth Justice Coalition </div> </div>
6. Counties Impacted	
<div>Check all that apply</div> <div>*Statewide</div>	
7. Substantive Area	
<div>Check all that apply</div> <div>Miscellaneous</div>	
8. Constituencies Impacted	

Check all that apply

Immigrants

9. Who benefitted from this advocacy

California residents including immigrants with previous convictions on their records.

a. If available, provide the estimated number of total people impacted:

Last year then Governor Brown granted 143 pardons and 131 commutations. Hundreds of more individuals apply each year. This legislation would create a more transparent process for petitioners to understand why their requests were granted or denied. This is particularly critical for thousands of immigrants with prior convictions who face deportation. For many of these immigrants a pardon or commutation may result in a lifting of the deportation order.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Immigrants who are living under the threat of deportation often do not have access to employment opportunities which can maintain financial stability for themselves or their families. Having convictions pardoned or commuted reduce barriers to meaningful employment and provide stability for the immigrant and their families.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Immigrants who works to rehabilitate themselves continue to face the constant threat of being sent back to countries where they have few or no ties. With immigration arrests on the rise under the Trump administration, more of our community members are forced to seek pardons as a means of avoiding deportation. However, the process to apply for a pardon in California lacks transparency and accountability. AB 2845 increases transparency and access to the pardon and commutation process by: a) Allowing individuals to apply for a Certificate of Rehabilitation (COR), a court order declaring that a person convicted of a crime is rehabilitated, in the county where the person resides or was convicted; b) Clarifying current law and ensuring that applicants can access pardons, commutations, and CORs regardless of immigration status; c) Providing applications for a COR at the courts' website and applications for a pardon or commutation on the Governor's website; d) Providing written or electronic notice to applicants upon receipt of the pardon application and upon issuance of a recommendation; e) Requiring the Board of Parole Hearings (BPH) to review and make a recommendation to the Governor for a pardon request through a COR within one year; f) Requiring BPH to consider expediting their review of urgent pardon and commutation requests, such as when an applicant is facing deportation; and g) Expanding "Ban the Box" protections to reduce reentry barriers to employment for individuals who have been pardoned or received a Certificate of Rehabilitation.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

This legislation was signed into law by Governor Jerry Brown, and will impact thousands of primarily low-income, immigrant families statewide.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

This legislation will impact hundreds of petitioners each year. The increased transparency of the process ensures that Californians with prior convictions, including vulnerable immigrants, have an understanding of how their case was treated. For those who receive a pardon or commutation, the economic benefits of stability in this country, securing or maintaining employment, and staying united with their families is immense.

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	Health For All - Budget Proposal
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> Access California Services Asian American Drug Abuse Program, Inc. Asian Pacific Health Care Venture Asian Resources, Inc. Chinatown Service Center Clinica Monsenor Oscar A Romero Families in Good Health The Fresno Center Health House Within A MATCH Coalition, International Children Assistance Network KHEIR Center Korean Community Center of the East Bay Little Tokyo Service Center NICOS Chinese Health Coalition Samahan Health Centers Pacific Islander Health Partnership South Asian Network Thai Community Development Center Union of Pan Asian Communities United Cambodian Community </div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Health and Long-term Care

8. Constituencies Impacted

Check all that apply

Immigrants, Low Wage Workers, Persons with Disabilities, Seniors

9. Who benefitted from this advocacy

Asian Americans, Native Hawaiians, Pacific Islanders (AANHPIs), other communities of color, immigrants, limited English proficient individuals, and other communities eligible for health programs under the Patient Protection and Affordable Care Act (ACA) including Covered California, Medi-Cal, and county low income health programs like My Health LA in Los Angeles County.

a. If available, provide the estimated number of total people impacted:

Approximately 60% of California's uninsured population are undocumented with estimates of this figure ranging between 1.4 and 1.5 million individuals.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Approximately half of California's undocumented population have incomes that would allow them to receive Medicaid if they were eligible.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Access to healthcare for undocumented immigrants would ensure that vulnerable immigrant communities would be able to access the health services and programs they need. Nearly 1 million undocumented immigrants are estimated to be indigent and currently go without health services or use emergency Medicaid.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Millions of Californians lack access to vital health services because of their citizenship status. Particularly affected are older residents who simply want to live with dignity, but often must choose between medical treatment and insurmountable debt. Throughout the budget cycle, Advancing Justice – Los Angeles worked with a coalition of health and immigrant rights advocates to push for the expansion of full-scope Medi-Cal to eligible low-income undocumented adults. Advancing Justice-LA mobilized undocumented community members, engaged in storytelling and media work, and brought the Asian American experience to advocacy on Health for All.

While we successfully advocated for the State Senate and Assembly to include expanded Medi-Cal for undocumented elders and young adults, respectively, in their budget proposals, the final budget for 2018-19 did not invest budget surplus dollars in expanded coverage.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

While these budget proposals were not included in the final 2018-19 state budget, our collective efforts were successful in bringing to light an issue that impacts some of California's most vulnerable and on January 2019, our newly elected Governor Gavin Newsom committed to make healthcare for all Californians a top priority.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

If undocumented immigrants were able to access critical health services, working age immigrant adults who are sick would be able to stay healthy, work, and provide for their families. The cost of preventative and ongoing care is also much affordable than the emergency services currently provided to these communities. By providing routine and preventive care, California would invest in the health of all Californians in the most efficient and streamlined way possible.

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	AB 2291 (Chiu) - Creating in inclusive campus climate
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> Advancement Project California Council on American Islamic Relations - California Equality California </div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Education

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Children in California public schools (K-12).

a. If available, provide the estimated number of total people impacted:

6.2 million students

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

n/a

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

This policy continues our advocacy to ensure students of all backgrounds are safe at school and teachers have the requisite training to support this process. This policy benefits children across the state, including low income and immigrant children, who may find it even more difficult to learn in circumstances where they are facing bullying.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

AB 2291 (Chiu) expands on current law to ensure that California's school campuses provide our students with a safe learning environment. In an effort to provide the state more tools to address school bullying, this policy requires: a) California schools to share an online training module on bullying to school employees who deal directly with students; b) the State Superintendent of Instruction to include online training modules on their bullying website; and c) for local education agencies to develop bullying prevention plans.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

This legislation was signed into law by Governor Jerry Brown in 2018.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Any anticipated economic benefit would center around children, particularly vulnerable children, remaining and feeling safe in school, ensuring they attend regularly. The schools benefit by not losing dollars due to student absence.

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	Stop CVE in LA Campaign
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	Local
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> Council on American Islamic Relations – LA American Civil Liberties Union of Southern California Vigilant Love Coalition </div> </div>

6. Counties Impacted

Check all that apply

Los Angeles

7. Substantive Area

Check all that apply

Juvenile, Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Muslim Americans, immigrant youth in South LA, and refugee populations, particularly those who cannot afford or otherwise lack access to mental health and other social services.

a. If available, provide the estimated number of total people impacted:

While we do not have a solid estimate of how many people will be impacted by these programs a recent CVE pilot program involving one grantee impacted at least 100 people over the course of 6 weeks. The City's proposed CVE program will likely reach 800 people given that it will involve 4 sub-grantees and will take place over 2 years.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The City of LA's CVE programs targets individuals who cannot afford or otherwise lack access to mental health and social services, as well as low-income African American youth in South LA and refugee populations. The program does so by partnering with religious and community groups that serve these populations, who are largely indigent. As discussed above, the City's program will reach at least 800 people in LA and Orange Counties, the vast majority of who are likely indigent.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

CVE is a national security program that was developed by federal law enforcement agencies including the FBI and DHS to identify individuals perceived to be national security threats. CVE programs rely on community groups who serve the targeted populations to identify individuals perceived to be on the path to radicalization using questionable indicators (e.g. feelings of religious persecution). They offer them “intervention” services including referrals to mental health and other social service agencies in the CVE network who collect and maintain their confidential information. They also potentially refer them to law enforcement for “interdiction.” CVE programs have not proven effective at reliably identifying individuals likely to engage in violent extremism, and instead chill First amendment rights and subject people to potential violations of their civil rights and liberties.

The goal of our legislative advocacy is to convince the LA Mayor’s office to decline its federal CVE grant, and in the alternative convince the LA City Council to vote against approval of the grant. Our legislative advocacy efforts have included (1) leading a broad coalition of organizations and individuals; (2) meeting directly with the LA Mayor’s office to discuss community opposition to CVE and encourage them to decline CVE funds in light of the many problems with the program; (3) arranging individual meetings with individual City Council members to express our concerns with this grant; and (4) organizing community members to provide public comment at three City Council meetings to publicly express opposition to CVE.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

In August 2018, our efforts culminated in a victory recognized throughout the country, when our advocacy forced the LA Mayor’s Office to turn down DHS CVE funding. However, while that moment was a testament to our coalition’s multi-pronged strategy that centered community needs and voices, LA’s struggle against CVE is not over. While the Mayor’s Office has declined a high-profile CVE grant, it has not unequivocally committed to abandoning CVE, and we know of a number of other local and statewide efforts CVE that are ongoing. For these reasons, it is imperative that we continue to build on our success and continue to challenge other high-profile CVE programs as a means to our broader community empowerment- and narrative-shifting goals that will reverberate far beyond our opposition to CVE.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	Implementation of the Voter Choice Act
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Disability Rights California</div> <div>Other Organizations</div> <div> ACLU California Calls Coalition for Humane Immigrant Rights of Los Angeles Future of California Elections National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund United Cerebral Palsy of Los Angeles County Office of the Los Angeles County Registrar/Recorder. </div> </div>
6. Counties Impacted	
<div>Check all that apply</div> <div>*Statewide, Los Angeles, Orange</div>	
7. Substantive Area	
<div>Check all that apply</div> <div>Miscellaneous</div>	
8. Constituencies Impacted	

Check all that apply

9. Who benefitted from this advocacy

All California registered voters, as well as those who are eligible to vote.

a. If available, provide the estimated number of total people impacted:

Over 18 million people are currently registered to vote in California.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Access to the voting booth is one of the only mechanisms available for indigent citizens to directly impact the development of government policies that impact them on a daily basis since their interests are not represented by powerful lobbying entities, nor do they have the capacity to make the financial contributions which catch the attention of legislators. As some groups work to limit the voting rights of minority and immigrant communities, the potential impact for indigent LEP citizens in these communities are especially damaging.

Individuals with household incomes less than \$40,000 are 29 percent of likely voters in California. Communities of color are disproportionately indigent. For example, Latinos in California are nearly twice more likely to live in poverty than whites. Although it is impossible to determine the indigency of every likely minority voter in California, it is reasonable to assume that a substantial number of those impacted are indigent.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

The Voters Choice Act (VCA) which was passed in 2016, modernizes California's election system and gives voters more convenience and flexibility in voting. VCA allows counties in California to adopt a new election system wherein counties would open large vote centers instead of neighborhood polling places. There will be far fewer vote centers than neighborhood polling places, but voters can go to any vote center and some vote centers will be open for 11 days while all others will be open for 4 days.

As the state moves to this new voting model, we are working to ensure that it is implemented in a way that provides Californians (especially voters who are limited English proficient, low income, or new citizens) full and ready access to the electoral process. As we monitor the early implementation of the VCA in a handful of counties, we are also working closely with local election officials in Los Angeles and Orange Counties who are preparing to implementing these new mechanisms for the 2020 Presidential Elections.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Advancing Justice-LA has been a strong advocate of the VCA and now serves as a member of the California Secretary of State's VCA task force focused on ensuring that counties and voters were prepared for the transition. In 2018, five counties transitioned to this new voting model and Advancing Justice-LA helped to monitor the implementation of this new system. Our advocacy work continues as more counties are planning to implement the VCA in 2020, which includes Los Angeles County. Moreover, Orange County's election officials have also indicated that they will seek approval from the Board of Supervisors to also transition to this model in 2020 as well.

Advancing Justice-LA is part of the Los Angeles VSAP ("Voting Solutions For All People") committee and has been providing input on the implementation of the VCA. We have also provided community presentations on the VCA to solicit feedback on the best locations for vote centers. Advancing Justice-LA is also a part of a coalition that has created a regional hub to plan and coordinate outreach and community education to throughout Los Angeles County.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Voters will be deciding on critical ballot, candidate, and other races in 2020 that impact the long term economic well being of Californians. Low income and minority voters have a lot at stake in many of these issues. Ensuring they participate in this election ensures they are helping to decide on the economic future of our state and their families.

Organization:	La Raza Centro Legal
1. Advocacy Activity Name:	Sign on for Letters to Big Rock LLC Team and Partner Organizations
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Immigration

8. Constituencies Impacted

Check all that apply

Immigrants

9. Who benefitted from this advocacy

Signed on to oppose Big Rock LLC's \$20,000 donation to anti-sanctuary measure

a. If available, provide the estimated number of total people impacted:

Unknown

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Unknown

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Unknown

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Unknown

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Unknown

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Unknown

Asian Americans Advancing Justice – Los Angeles, Asian Americans Advancing Justice – Asian Law Caucus, American Civil Liberties Union of Northern California

a. If available, provide the estimated number of total people impacted:

More than 80000 limited English proficient Californians are not receiving the language assistance they are entitled to under California law to allow them to meaningfully participate in the electoral process.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

We filed this writ as one of the named plaintiffs to force the California Secretary of State to comply with Cal. Gov't Code 14201, which provides more language assistance coverage than federal law. LEP individuals are more likely to live in poverty than English-proficient individuals. According to the Migration Policy Institute, in 2013, about 25 percent of LEP individuals lived in households with an annual income below the federal poverty line. Therefore, a substantial percentage of the 80,000-plus LEP voters denied language assistance are likely indigent; however, it is unlikely that the majority of impacted voters are indigent.

Access to the voting booth is one of the only mechanisms available for indigent citizens to directly impact the development of government policies that impact them on a daily basis since their interests are not represented by powerful lobbying entities, nor do they have the capacity to make the financial contributions which catch the attention of legislators. As some groups work to limit the voting rights of minority and immigrant communities, the potential impact on indigent LEP citizens in these communities is especially damaging.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The legal issue in this case is whether the California Secretary of State derogated its mandatory obligation to provide language assistance in the manner required by Cal. Gov't Code 14201. Section 14201 requires that LEP voters receive language assistance when a language minority group comprises 3 percent or more of the total voting age population in the precinct or county. However, the Secretary of State limited the covered languages to those included in the more restrictive provisions of Section 203 of the federal Voting Rights Act. As a result, the Secretary's mandatory coverage determinations excluded 74,000 individuals speaking 33 different languages. In addition, the Secretary failed to provide coverage throughout a county when a language minority met the 3 percent threshold, depriving 6,000 LEP individuals the language assistance they need to vote. Our goal is to ensure that the Secretary of State changes its mandatory coverage determinations to comply with the law so that 80,000-plus LEP voters are able to exercise their right to vote.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

We filed the writ of mandate in April 2018, with the hope of obtaining additional coverage prior to the November 2018 midterm elections. Unfortunately, the court denied the writ and the case is now pending appeal. The appeal has been fully briefed and we are waiting for a hearing to be scheduled.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A

a. Enter economic benefit amount, if applicable:

No expected economic benefit.

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

85

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

288



CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES

July 12, 2019

Eligibility and Budget Committee of the
Legal Services Trust Fund Commission

Dear Committee Members:

California Rural Legal Assistance, Inc. ("CRLA") respectfully submits this letter to explain why two questioned advocacy activities we engaged in during 2018 did in fact have a disproportionate positive impact on indigent communities in rural California. The two questioned activities are: 1) AB 617 Blueprint comments and 2) HCD/HUD CDBG Disaster Recovery Program.

With respect to CRLA's AB 617 activity, I attach a letter CRLA sent to the Executive Officer of the California Air Resources Board. The letter demonstrates that our advocacy was primarily directed towards environmental justice communities, which are defined by law as low-income and minority communities. CRLA advocated for the meaningful participation of indigent members of environmental justice communities in land use decisions that impact them, including the inclusion of such community members on important steering committees. Further, CRLA urged that the boundaries of CARB oversight be extended to include the residents of Fresno's Industrial Triangle who are predominantly indigent.

Low-income residents are disproportionately impacted by air contaminants due to the location of highly polluting point and non-point sources located in their communities as a result of environmental racism. The most heavily impacted communities with the highest pollution burden are low-income communities. In Fresno, that is people within and adjacent to the Industrial Triangle, who live primarily in mobile home communities or are otherwise indigent. Also, Industrial Triangle residents are disproportionately low-income people of color.

Regarding the HCD/HUD CDBG Disaster Recovery Program, 70% of the total allocation was required to benefit low and moderate income households in designated disaster recovery areas. CRLA's advocacy was focussed on ensuring that indigent members of impacted areas, specifically indigenous agricultural workers and homeless populations, were aware of and able to claim disaster benefits for which they were entitled that had been set aside for them through the allocation formula.

California Rural Legal Assistance, Inc.

Please do not hesitate to contact me directly if you have any questions or need any further information.

Sincerely,

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

A handwritten signature in blue ink, appearing to read "M. Meuter", is positioned above the printed name.

Michael Meuter
Deputy Director



CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES

September 20, 2018

Via electronic mail to: cotb@arb.ca.gov

Richard Corey, Executive Officer
C/O Clerk of the Board
California Air Resources Board
1001 "T" Street
Sacramento, CA 95814

Re: CRLA Comments on Final Draft AB 617 Blueprint

Dear Mr. Corey,

California Rural Legal Assistance, Inc. (CRLA) submits these comments in response to the Notice of Public Meeting to Consider Assembly Bill 617 Community Air Protection Program- Community Selection and Program Requirements, dated August 22, 2018. CRLA is a statewide non-profit law firm that provides free legal services to low-income Californians in rural areas. The Community Equity Initiative (CEI) of CRLA is the firm's environmental justice program. CEI attorneys specialize in equitable land use planning and civil rights law, serving some of California's most environmentally-burdened communities.

The California Air Resource Board (CARB) Draft Final AB 617 Blueprint incorporates important principles of community participation and language access, but additional oversight is necessary to ensure meaningful participation of environmental justice communities. The Fresno community profile boundaries also should be adjusted to include the most environmentally-burdened areas of the City.

I. CARB Must Provide Additional Oversight of the Community Steering Committee Selection Process

Environmental justice communities, defined by law as low-income and minority communities, have a legal right to meaningfully participate in the land use decisions that have an impact on them. AB 617 mandates consultation and involvement of affected communities to ensure that Community Emissions Reduction Plans adequately reflect and prioritize community needs. The Community Steering Committees must include robust representation of the communities most affected by the negative impacts of air pollution. The draft Blueprint does not provide sufficient protections to ensure that this occurs.

The Draft Final Blueprint (Blueprint) contains robust recruitment and reporting requirements for developing each chosen community's Community Steering Committee. The process lacks necessary oversight from CARB to ensure that environmental justice communities are meaningfully represented in the process. Air districts are given near total discretion in the recruitment process for Steering Committee membership. The Blueprint contains a list of criteria that must be met for community partnerships and public engagement, but CARB does not formally review compliance with these criteria or the composition of the Community Steering Committee until October 2019, after the Committee has been operating for a year and the Community Emissions Reduction Plan has been developed. It would be difficult, inefficient, and likely unsuccessful for CARB to mandate at that late point in the process that the air district begin the recruitment and drafting process again if composition of the Community Steering Committee failed to adequately represent residents from environmentally-burdened and disadvantaged communities.

CARB must implement a process that allows for transparency in the development of the Steering Committee and intermediary review of the Committee's composition after the Committee has been finalized by the air district to ensure that environmental justice communities are represented. Transparency and meaningful involvement by environmental justice communities can be achieved by mandating that each Committee include at least one resident representative from each neighborhood in the selected area. This representative should not be a business or industry interest. In Fresno, representatives are necessary from, at a minimum: Calwa, Malaga, Downtown Fresno, Southeast Fresno, the 'Industrial Triangle'¹, Daleville, and any other sub-community within the Fresno-area boundaries finalized by CARB.

The Blueprint also should require that air districts publish a list on their website of recruitment efforts and the names of individuals that applied for the Committee. This will improve transparency in the process, and a comparison between the individuals that applied for, and the individuals ultimately selected for, the Committee will allow CARB and the public to determine if the Committee selection process was equitable and compliant with the district's legal obligations. CARB must additionally review and approve the Committee composition before the Committee begins to develop a Community Emissions Reduction Plan. CARB review is necessary to ensure that the Committee complies with the criteria outlined in the Blueprint. Failing to develop an intermediary review and approval step weakens and undermines the Blueprint's robust public participation requirements.

II. CARB Must Adjust the Fresno Community Boundaries to Include Severely Environmentally-Burdened Communities

AB 617 mandates that CARB select the "highest priority locations around the state" to employ community monitoring plans, basing this selection on areas with high air pollution burdens.² CARB appropriately has chosen the Fresno area as a high priority area, yet the boundaries of the area proposed for community monitoring within Fresno fail to accurately reflect the census tracts most heavily burdened by air pollution. They must be adjusted.

The 2018 Community Recommendations Staff Report that accompanies the Blueprint recommends boundaries in Fresno that include areas north of Highway 180 (the Tower District), and that fail to include Fresno's "Industrial Triangle" between Highway 41 and Highway 99, where the City and County of Fresno intend to direct nearly all future industrial development in the region. Census tracts north of Highway 180 do not fall within the top 25 most environmentally burdened census tracts in the Fresno area³ and therefore are not the "highest priority locations around the state" within the intent of AB 617. The Fresno Industrial Triangle includes the most polluted census tract, yet is excluded from CARB's proposed selection.

CARB must utilize a rational data-driven selection process to support AB 617 implementation to ensure that the most pollution-burdened communities in California are selected for community air monitoring. CARB must adjust the boundaries of the proposed Fresno community air monitoring area to include the most burdened areas such as the Industrial Triangle and Daleville, and exclude less-burdened areas such as The Tower District. This

¹ See Section II, *infra*, discussing the need to modify the Fresno community boundaries to accurately reflect the most heavily burdened communities in the area.

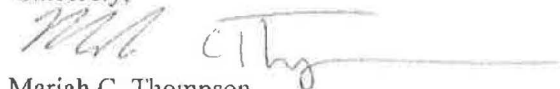
² Cal. Health and Safety Code Section 42705.5(c)

³ As measured on CalEnviroScreen 3.0 by isolating for health indicator data and air emissions data

Richard Corey, Executive Officer, California Air Resource Board
RE: Comments on Final Draft AB 617 Blueprint
September 20, 2018
Page 3

modification is necessary to ensure that the districts and CARB are adequately implementing the statutory provisions of AB 617.

Sincerely,



Mariah C. Thompson
Staff Attorney, Community Equity Initiative
California Rural Legal Assistance, Inc.
3747 E. Shields Ave
Fresno, CA 93726
mthompson@crla.org

cc: Ilene Jacobs, Director of Litigation, Advocacy, and Training, California Rural Legal Assistance, Inc.
ijacobs@crla.org

Marisol Aguilar, Director, Community Equity Initiative, California Rural Legal Assistance, Inc.
maguilar@crla.org

Organization:	Legal Services of Northern California
1. Advocacy Activity Name:	Providing Comments in Opposition to Changes to the USCIS Fee Waiver Application Process
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	Federal
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Immigration

8. Constituencies Impacted

Check all that apply

Immigrants

9. Who benefitted from this advocacy

Low income immigrants seeking to become naturalized United States Citizens.

a. If available, provide the estimated number of total people impacted:

1000000+

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

n/a (While there are likely many low income people and many who would be indigent under the B&P Code section's definition, immigrants must ordinarily be able to demonstrate they are not indigent in order to naturalize).

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Fee waivers are vital to low income people seeking to become naturalized citizens. Changes to the current fee waiver structure and process would significantly disadvantage these people in their efforts to naturalize.

The number of people impacted was estimated using the Department of Homeland Security's Report estimating the number of California residents with lawful permanent resident status who are eligible to naturalize. There were approximately 2.4 million such California residents and we estimate that fewer than half are low income.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

LSNC's attorney submitted written comments to the United States Citizenship and Immigration Services Administration of the Department of Homeland security in opposition to proposed changes to the fee waiver process. LSNC asked the USCIS to maintain the current fee waiver request process, which works well for low income applicants.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

LSNC hopes the Department of Homeland Security will not adopt changes to the current fee waiver process for naturalization applications.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a

Organization:	La Raza Centro Legal
1. Advocacy Activity Name:	NoMuslimBanEver.com sign on
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	All of the above
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Immigration, Miscellaneous

8. Constituencies Impacted

Check all that apply

Immigrants

9. Who benefitted from this advocacy

Muslim immigrants

a. If available, provide the estimated number of total people impacted:

Approx 69000 in California

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Unknown data

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Unknown

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Organized by National Immigration Law Center

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Unknown

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

All immigrants, including Muslim immigrants, provide an economic benefit to the regions where they immigrate. As a group, they tend to have a high level of education and fill much needed jobs in the tech, science, and engineering industries.

Organization:	Bay Area Legal Aid
1. Advocacy Activity Name:	Positive School Climate Resolution in West Contra Costa Unified School District
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	Local
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

RYSE Youth Center
Building Blocks for Kids
Asian Pacific Environmental Network

6. Counties Impacted

Check all that apply

Contra Costa

7. Substantive Area

Check all that apply

Disability Rights, Education

8. Constituencies Impacted

Check all that apply

Children/Youth, Homeless, Immigrants, Persons with Disabilities

9. Who benefitted from this advocacy

All students TK-12 in West Contra Costa Unified School District. The resolution provides the school district a framework to reduce the number of students unnecessarily removed from and arrested at school and to improve discipline policies such that students can spend more time in class learning - with a focus on reducing disparate impacts on youth of color, foster youth, and homeless youth.

a. If available, provide the estimated number of total people impacted:

30,000

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

The vast majority of WCCUSD students (69%) are classified as low income, which means they receive free or reduced price lunch, i.e., come from households of roughly 180 percent of the poverty level. Free lunch is provided to those who fall under 130 percent of the federal poverty level.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Fewer low income, homeless, and immigrant (English language learner) youth will be suspended as a result of measures required by the new school climate resolution (including increased supports and interventions for those students who are disproportionately impacted by discipline that takes them out of the classroom). The intended result is for more days of attendance and better academic outcomes for these youth.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Bay Area Legal Aid worked with other community-based nonprofits to provide technical assistance to school board in WCCUSD on the drafting of the resolution, as well as participated in a task force intended to plan for the resolution's implementation. BayLegal also provided testimony on how the resolution would affect homeless and indigent youth at two WCCUSD board meetings.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

We expect to see a significant reduction in the numbers of overall suspension and expulsion from WCCUSD, and increased school-based supports to indigent, immigrant, and homeless students, and students with disabilities.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

WCCUSD will likely experience additional funding from increased average daily attendance due to the resolution, but no estimates are available for how much.

Organization:	East Bay Community Law Center
1. Advocacy Activity Name:	Fighting School Push-Out in Oakland Unified School District advocacy
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Other(explain)
a. Explain Other Advocacy Type:	We provided technical assistance to movement-building organizations.
4. Advocacy Level:	Local
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

Black Organizing Project

6. Counties Impacted

Check all that apply

Alameda

7. Substantive Area

Check all that apply

Education

8. Constituencies Impacted

Check all that apply

Children/Youth

9. Who benefitted from this advocacy

EBCLC's advocacy efforts support children in Oakland Unified School District facing suspensions, expulsions, and arrests at school, as well as their families. All students at OUSD schools will benefit from this advocacy, which aims to decrease the presence of law enforcement in schools, decrease the use of suspensions and expulsions, and increase access to more inclusive means of handling school discipline with the aim of creating healthier and safer spaces for youth.

a. If available, provide the estimated number of total people impacted:

This advocacy impacts all 36900 students in Oakland Unified School Districts as well as their families.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Our advocacy benefits Black students in Oakland, who are disproportionately targeted by punitive discipline. According to Oakland Unified School District, 75% of all students enrolled qualify for free and reduced lunch, and according to an Equity Indicators report released by the City of Oakland, Black students are 3 times more likely to live in poverty than their white counterparts. We can safely assume, therefore, that a high percentage of the Black OUSD students served by this advocacy are indigent.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Students of color and in particular black students account for almost 90% of suspensions, expulsions, and arrests-at-school. Thus, our advocacy efforts have focused on improving the school experience for black students and resisting the factors pushing them out of their schools.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

EBCLC provided data, data analysis, and legal technical assistance to community groups who are leading the charge against push-out of youth of color. This involves training parents to represent their children and others in school discipline hearings, compiling data on criminal charges related to school-based incidents, and engaging in advocacy around OUSD's budgeting process to ensure that the community's goals are reflected in district spending.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

This advocacy is ongoing. In 2018, EBCLC provided crucial research and content to the Black Organizing Project for a widely-distributed infographic documenting Oakland Unified School District's disturbing pattern of racial discrimination in school discipline activities. We also supported Black Organizing Project in securing a commitment from the OUSD's teacher's union to sign off on a pledge that they will no longer call the police on their students.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Receiving one's high school diploma is strongly correlated with such outcomes as completing secondary education, obtaining a family-sustaining career, and earning a higher salary. Thus, the racially biased expulsion of students has a negative impact on their future employment and earning opportunities. By working to prevent racially discriminatory expulsions, we are fighting for the future economic security of Black students.

Organization:	Lawyers' Committee for Civil Rights
1. Advocacy Activity Name:	Advocating for removal of suspensions for “defiance/disruption” in California 4-12 classrooms.
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Public Counsel</div> <div>Other Organizations</div> <div> The Fix School Discipline Coalition Anti-Defamation League ACLU of California Brothers Sons Selves Coalition Children Now Children's Defense Fund - California Fight Crime: Invest in Kids Mid-City Community Advocacy Network PolicyLink Youth Justice Coalition Black Parallel School Board </div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Education

8. Constituencies Impacted

Check all that apply

Children/Youth

9. Who benefitted from this advocacy

Students of color who attend grades 4-12 in California.

a. If available, provide the estimated number of total people impacted:

3.3 million students of color who attend school in grades 4-12 in California would be impacted by this policy/law change. This number is based on the report issued by the California Department of Education for 2017-2018 ethnic breakdown of students enrolled in grades 4-12.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Roughly 14% of the CA population lives in poverty (according to studies published by the Public Policy Institute of California) - that would mean at least 658,000 students of color from the over 4.7 million students of color that attend K-12 schools are in families who live below the poverty line.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

It is estimated that over 658,000 students whose families live below the poverty line in California would be impacted by this policy/law change.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

In 2018, LCCR continued its advocacy efforts through the legislative process to address school discipline policies that are disproportionately applied to low-income students and students of color. Under current law, students in grades 4 through 12 may be suspended from school for minor misbehaviors, such as refusing to take off a hat, talking back, or falling asleep in class. These needless suspensions fall under the “defiance/disruption” category in Education Code § 48900(k).

Research and data confirm that Black students, other students of color, students with disabilities, and LGBTQ students are disproportionately suspended for low-level subjective offenses, such as defiance/ disruption. While Black students comprised 5.5% of total state enrollment in 2017-18, they comprised 16% of all defiance/disruption suspensions. Students with disabilities comprised 11% of total enrollment, but 31% of all defiance/disruption suspensions. Black and Latino male students comprised 53% of all defiance/disruption suspensions in that same year, but comprised only 31% of total enrollment. Lawyers’ Committee was a co-sponsor of Senate Bill 607, which would have eliminated Section 48900(k) as grounds for suspension of students enrolled in grades K-12. (A previous bill passed in 2013, AB 420, eliminated defiance/disruption as grounds for suspensions for students in grades K-3 and as a grounds for expulsion for any student.)

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

SB 607 was revised and passed by overwhelming majorities in both houses of the legislature. Unfortunately, in October Governor Brown vetoed the bill. After the veto, LCCR and its partners continued to work with key legislators to prepare a bill similar to the original SB 607 to ban defiance/disruptions for suspensions in 4-12 grades. The bill’s original sponsor introduced a new version of the bill in early 2019.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

No direct economic benefit can be estimated.

Organization:	Public Advocates Inc.
1. Advocacy Activity Name:	Long Beach Unified LCFF Enforcement
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

Morgan Lewis & Bockius on behalf of the Children's Defense Fund–California
Latinos in Action–California
Californians for Justice

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Low-income and indigent students, English Learners, and foster youth.

a. If available, provide the estimated number of total people impacted:

3,739,347

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Eligibility for the Free and Reduced Priced Meals Program (FRPM) is the most commonly used proxy for low-income status. Children from families with income 185% or less of federal poverty guidelines are eligible for reduced-price meals; those with family income 130% or less of poverty guidelines are eligible for free meals. Statewide, 53% (3,739,347) of California's students are eligible for the FRPM program; the vast majority of these (3,311,699) students are deemed eligible for free meals, a figure that itself represents over half of California's public school student population and which we roughly equate with indigency under the Business & Professions Code.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Central to our mission to promote educational equity in California is ensuring the faithful implementation of the Local Control Funding Formula (LCFF), which (thanks in part to prior advocacy work under this project) directs supplemental funding to school districts to improve and expand services for low-income students, English Learners (who come predominantly from low-income immigrant families), and foster youth (who are predominantly indigent), and additional concentration funding for districts where 55% or more of students are low-income and indigent. In addition, the LCFF requires school districts to meaningfully engage parents and students in the development of Local Control Accountability Plans (LCAPs) and to transparently report the use and outcomes of the supplemental and concentration funding they receive. The LCFF also institutes a new accountability system for evaluating school improvement based on multiple measures (the California School Dashboard), which disaggregate student outcomes by key subgroups. This data enables parents, students, educators, and administrators to identify disparities that disproportionately impact low-income students and students of color. Our precedent-setting enforcement actions in LBUSD ensures that the district's 51,346 low-income and indigent students and the 3,179,231 low-income and indigent students statewide receive the increased and improved services they are entitled to under the LCFF to address disparities in their educational outcomes and ensure they receive a quality education that prepares them for college and career and the economic benefits that post-secondary education provides.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Public Advocates has been supporting parents and students in LBUSD seeking to hold the district accountable for improving the educational outcomes of indigent and low-income students, English Learners, and foster youth since 2016. LBUSD is the third largest district in the state, with a majority of indigent students. Our advocacy includes analyzing the district's Local Control Accountability Plans and strategizing with parents and students to support their advocacy and undertake enforcement actions.

In 2016–17, LBUSD improperly allocated some \$40 million in funds for high-needs students to district-wide staff salaries, benefits, common core materials, and technology without the legally-required justifications demonstrating that these funds were increasing or improving services and were “principally directed” to high-need students. Despite repeated requests that the district and the Los Angeles County Office of Education (LACOE) address the issue, LACOE approved the district's LCAP, setting it on course to misspend a cumulative total of more than \$124 million over three years. In 2017, we filed Universal Complaint Procedures on behalf of the Children's Defense Fund–California, Latinos in Action–California, and two individual parents against LBUSD and LACOE (the county office of education) to challenge the district's misallocation of supplemental and concentration funds.

In 2018, we continued supporting low-income and indigent LBUSD parents and students advocating for the district to comply with the supplemental/concentration funding, transparency, and community engagement requirements of the LCFF law.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

As described in our 2017 report, our enforcement actions resulted in LBUSD amending its 2017–18 LCAP to reallocate \$7 million it planned to spend on unjustified teacher salaries to other services. In addition, LACOE found that the district had misspent some \$24 million for high-need students in 2016–17. This was the first time that a California county office of education used its authority under LCFF in response to a complaint over a district's inappropriate expenditure of funds for high-needs students, setting an important statewide precedent.

In May 2018, our administrative complaint was resolved through a settlement providing:

- Expanded tutoring in English & Math at 30 schools serving the highest concentration of low-income, English Learner, and foster youth students for the next three years;
- Access to mental health/social emotional counseling at four new regional Family Resources Centers to provide services to students at 25 of the highest need schools for next 3 years;
- Improved LCAP webpage with more information about community meetings;
- A commitment to two annual community forums on LCAP implementation, progress, and feedback over three years co-hosted by our community partners; and
- Reporting of the above in the district LCAP and Dashboard.

We also collaborated with our community partners to strategize around the district's LCAP engagement and to monitor implementation of the settlement. Over the summer, we participated in a strategy retreat with Californians for Justice, Children's Defense Fund, Long Beach Forward, and California Youth Connection, and in November, we supported the LCAP community forum mandated by the settlement.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	Public Counsel
1. Advocacy Activity Name:	Legislative campaign to remove Defiance/Disruption Cal. Ed. Code as a suspendable offense (SB607)
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Lawyers' Committee for Civil Rights</div> <div>Other Organizations</div> <div> Youth Justice Coalition American Civil Liberties Union Children Now Fight Crime Invest in Kids Brothers Sons Selves Coalition Alliance for Boys and Men of Color Mid-City Community Advocacy Network Children's Defense Fund-California </div> </div>
6. Counties Impacted	
<div>Check all that apply</div> <div>*Statewide</div>	
7. Substantive Area	
<div>Check all that apply</div> <div>Education</div>	
8. Constituencies Impacted	

Check all that apply

Children/Youth

9. Who benefitted from this advocacy

Low-income students of color were our target beneficiaries. Our bill was vetoed by Governor Brown at the end of the 2018 legislative cycle, so we've re-introduced the bill this cycle (now SB 419).

a. If available, provide the estimated number of total people impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Low-income student populations, especially those who are heavily African American or Latino, have much higher rates of suspension than student populations that are higher income and white. Because "willful defiance" is such a vague term, it invites implicit bias into the schools' decision-making process around school discipline, and, therefore, affects low-income students of color at much higher rates.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Several hundred thousand students are impacted by suspensions based on perceived "willful defiance" by the student. Hopefully, the elimination of "willful defiance" as a grounds for suspension will decrease the number of suspensions, which are linked to lost instruction and alienation from the school community.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

SB 607, sponsored by Senator Skinner, sought to remove defiance/disruption as a disciplinary violation in the California Education Code. Research shows that suspension offenses that are the most vague have the greatest racial bias impact. We work in coalition with other partners who promote best practices in school climate reform to ensure that biased decisions do not translate developmentally appropriate behavior into serious disciplinary incident or crime. Instead, we hope that schools will intervene where students are struggling and need support so that students receive meaningful interventions to address root causes of behavior.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

In this multi-year legislative effort, we continue to shift the narrative from consequences for “problem students” to a deeper look at bias against low-income students of color. We are also lifting up best practices in schools so that across the state we can see the positive solutions that are available and working in California.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Increased attendance and graduation rates means young people that are more suited to compete and succeed in our economy.

Organization:	Advancing Justice-Los Angeles
1. Case Name:	Higginson v. Becerra, et al.
2. Case Status:	Open
3. Court Name:	US District Court, Southern District of California; 9th Circuit Court of Appeal
4. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Advancing Justice - Asian Law Caucus</div> <div>Other Organizations</div> <div>MALDEF - Mexican American Legal Defense and Educational Fund</div>

5. Counties Impacted

Check all that apply

*Statewide

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Immigrants

8. Parties or Class Represented

Proposed intervenors Judy Ki, Hiram Soto, Xavier Flores, Jacqueline Contreras, and California League of Latin American Communities (LULAC).

a. If available, provide the estimated number of total people impacted:

As of October 2018 approximately 25.1 million adults are eligible to vote. See Just the Facts: California's Likely Voters Public Policy Institute of California <https://www.ppic.org/publication/californias-likely-voters/>. Approximately 41 percent of likely voters are people of color who could benefit from the California Voting Rights Act which this lawsuit is challenging as unconstitutional. Id. Therefore approximately 10.3 million voters potentially have rights under the CVRA and could be impacted by this case.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Access to the voting booth is one of the only mechanisms available for indigent citizens to directly impact the development of government policies that impact them on a daily basis, since their interests are not represented by powerful lobbying entities, nor do they have the capacity to make the financial contributions which catch the attention of legislators. As some groups work to limit the voting rights of minority communities, the potential impact on indigent citizens in these communities is especially damaging.

Individuals with household incomes less than \$40,000 are 29 percent of likely voters in California. Communities of color are disproportionately indigent. For example, Latinos in California are nearly twice more likely to live in poverty than whites. Although it is impossible to determine the indigency of every likely minority voter in California, it is reasonable to assume that a substantial number of those impacted are indigent

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

On October 4, 2017, Edward Blum, the conservative strategist who backed the Shelby federal Voting Rights Act case and anti-affirmative action cases, orchestrated the filing of a lawsuit to challenge the constitutionality of the California Voting Rights Act (CVRA), which provides communities of color an opportunity to challenge voting systems that dilute their vote and prevent them from electing their candidates of choice. The lawsuit named the City of Poway a defendant because it converted from an at-large to a district election system after receiving a CVRA demand letter. The California Attorney General was also named as a defendant. We filed a motion to intervene on November 6, 2017 to defend the California Voting Rights Act (CVRA) and district elections in Poway on behalf of a number of residents and organizations. Although our motion to intervene was denied as moot when the district court dismissed the case on standing grounds, the 9th Circuit reversed both decisions, granting our motion to intervene and remanding the case to the district court. On remand, the district court denied the plaintiffs' motion for preliminary injunction and dismissed the California Attorney General as a party for failure to state a claim because he could not prove that the CVRA, a statute designed to increase minority voting power, subjected the plaintiff to racial classification. Plaintiff dismissed its complaint with prejudice and provided notice that he plans to seek review by the 9th Circuit against all Defendants.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

In 2018, we successfully obtained intervention and opposed Plaintiffs' motion for preliminary injunction, which would have been disastrous for communities of color throughout the state heading into the November 2018 elections.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

n/a

a. Enter economic benefit amount, if applicable:

No expected economic benefit.

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

49

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

0

Organization:	Advancing Justice-Los Angeles
1. Case Name:	Asian Americans Advancing Justice – Los Angeles et al. v. Padilla
2. Case Status:	Closed
3. Court Name:	Superior Court of the State of California, County of San Francisco; California Court of Appeal, First Appellate District, Division One
4. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Advancing Justice - Asian Law Caucus</div> <div>Other Organizations</div> <div>American Civil Liberties Union of Northern California</div> <div>Wilson Sonsini</div> </div>

5. Counties Impacted

Check all that apply

*Statewide

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Immigrants, Seniors

8. Parties or Class Represented

Asian Americans Advancing Justice – Los Angeles, Asian Americans Advancing Justice – Asian Law Caucus, American Civil Liberties Union of Northern California

a. If available, provide the estimated number of total people impacted:

More than 80000 limited English proficient Californians are not receiving the language assistance they are entitled to under California law to allow them to meaningfully participate in the electoral process.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

We filed this writ as one of the named plaintiffs to force the California Secretary of State to comply with Cal. Gov't Code 14201, which provides more language assistance coverage than federal law. LEP individuals are more likely to live in poverty than English-proficient individuals. According to the Migration Policy Institute, in 2013, about 25 percent of LEP individuals lived in households with an annual income below the federal poverty line. Therefore, a substantial percentage of the 80,000-plus LEP voters denied language assistance are likely indigent; however, it is unlikely that the majority of impacted voters are indigent.

Access to the voting booth is one of the only mechanisms available for indigent citizens to directly impact the development of government policies that impact them on a daily basis since their interests are not represented by powerful lobbying entities, nor do they have the capacity to make the financial contributions which catch the attention of legislators. As some groups work to limit the voting rights of minority and immigrant communities, the potential impact on indigent LEP citizens in these communities is especially damaging.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The legal issue in this case is whether the California Secretary of State derogated its mandatory obligation to provide language assistance in the manner required by Cal. Gov't Code 14201. Section 14201 requires that LEP voters receive language assistance when a language minority group comprises 3 percent or more of the total voting age population in the precinct or county. However, the Secretary of State limited the covered languages to those included in the more restrictive provisions of Section 203 of the federal Voting Rights Act. As a result, the Secretary's mandatory coverage determinations excluded 74,000 individuals speaking 33 different languages. In addition, the Secretary failed to provide coverage throughout a county when a language minority met the 3 percent threshold, depriving 6,000 LEP individuals the language assistance they need to vote. Our goal is to ensure that the Secretary of State changes its mandatory coverage determinations to comply with the law so that 80,000-plus LEP voters are able to exercise their right to vote.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

We filed the writ of mandate in April 2018, with the hope of obtaining additional coverage prior to the November 2018 midterm elections. Unfortunately, the court denied the writ and the case is now pending appeal. The appeal has been fully briefed and we are waiting for a hearing to be scheduled.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A

a. Enter economic benefit amount, if applicable:

No expected economic benefit.

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

85

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

288

Organization:	Advancing Justice-Los Angeles
1. Case Name:	Council on American-Islamic Relations – California, et al. v. Federal Emergency Management Agency, et al., Case No. 2:17-cv-07887 & Council on American-Islamic Relations – California, et al. v. Los Angeles Mayor's Office of Public Safety, et al., Case No. BS174139
2. Case Status:	Open
3. Court Name:	U.S. District Court, for the Central District of Columbia (FOIA Case)/Los Angeles Superior Court (PRA Case)
4. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> American Civil Liberties Union of Southern California Council on American Islamic Relations Vigilant Love Coalition Munger Tolles & Olson </div> </div>

5. Counties Impacted

Check all that apply

*Statewide

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

8. Parties or Class Represented

The parties represented are Muslims, other immigrant communities, and youth, particularly those who cannot afford or otherwise lack access to mental health and other social services. The federal FOIA case seeks information about Countering Violent Extremism (CVE) programs nationwide, and will impact Muslim and other communities targeted by CVE programs. The PRA case seeks information about the City of Los Angeles's CVE programs, and will impact these communities locally.

a. If available, provide the estimated number of total people impacted:

In California there is a significant Muslim population and several hundred thousand people will benefit from information we will obtain and disseminate about CVE programs.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The PRA case is focused on the City of LA Mayor's CVE grant program, which targets Muslim communities, youth, and refugees in LA and Orange counties through sub-grants to community groups that serve these populations. CVE programs have a particular focus on low-income individuals who cannot afford, or otherwise lack, access to mental health and other social services. They also focus on youth and refugee populations. The City of LA has also focused on disadvantaged and low-income African American youth in South LA. These groups are comprised of large indigent populations.

While we do not have solid estimates of how many people will be impacted by these programs, a CVE pilot program involving one grantee impacted at least 100 people over the course of 6 months. Based on this pilot, because the Mayor's program would have been conducted for a full year and would have four different groups administering it, it would likely have reached at least 800 people. Furthermore, the LAPD has its own CVE program, and will likely target at least this many people, if not more.

The information we seek through our FOIA and PRA litigation will educate indigent Muslim and other immigrant communities, particularly youth (who are the targets of CVE programs through offers of mental health and social services) about the civil liberties concerns with the programs. As discussed above, these programs target hundreds, if not thousands, of impacted individuals in Southern California.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

Countering Violent Extremism (CVE) is a national security program developed by federal law enforcement agencies, including the FBI and DHS, to identify individuals perceived to be national security threats. CVE programs rely on community groups serving targeted populations to identify individuals perceived to be on the path to radicalization using questionable indicators (e.g. feelings of religious persecution). They offer them "intervention" services, including referrals to mental health and other social service agencies in the CVE network who collect and maintain their confidential information. They also potentially refer them to law enforcement for "interdiction." CVE programs have not been proven effective at reliably identifying individuals likely to engage in violent extremism, and instead chill First Amendment rights and subject people to potential violations of their civil rights and liberties.

The FOIA and PRA cases seek greater transparency about CVE programs around the country, with a particular focus on greater Los Angeles, the first CVE pilot city. We are asking federal and local agencies to produce documents explaining their CVE programs, their partner organizations, and their collaboration with local and federal law enforcement agencies for the purpose of exposing potential issues the public should be aware of before participating in CVE programs. Once we obtain the relevant documents, we will disseminate the information to the public in readily accessible and comprehensible form to ensure maximum transparency and protection against civil rights and civil liberties abuses associated with the programs (e.g. potential racial and religious profiling, and breach of confidential information).

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

We continue to litigate the FOIA case, and we have obtained several thousand documents that the government has been forced to turn over because of our litigation. In the coming months, we will file a motion for summary judgement to force agencies, including DHS and DOJ, to turn over documents they are withholding without justification.

We filed the PRA case in June 2018, and the City has subsequently turned over thousands of documents since that time that it had previously been unlawfully withholding. In the coming months, we will file briefs to force it to turn over additional documents. Shortly after we filed the PRA suit, the LA Mayor's Office of Public Safety ended its CVE program in response to criticism we and our fellow advocates lodged.

Regarding the documents we have already received through the FOIA and PRA, we have posted the documents we have received thus far on our website to advance public awareness and as a resource to other advocates advocating against CVE locally and around the country.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Not applicable

a. Enter economic benefit amount, if applicable:

Not applicable

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

112

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

464

Organization:	Advancing Justice-Los Angeles
1. Case Name:	Jin Kwon et al v. Crittenden
2. Case Status:	Closed
3. Court Name:	United States District Court for the Northern District of Georgia (N.D. Ga).
4. Partner Organizations:	<div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div>Asian Americans Advancing Justice – Atlanta</div> <div>Alston & Bird LLP</div> <div>Buckley Beal LLP</div>

5. Counties Impacted

Check all that apply

6. Substantive Area

Check all that apply

Miscellaneous

7. Constituencies Impacted

Check all that apply

Immigrants, Seniors

8. Parties or Class Represented

Jin Kwon

a. If available, provide the estimated number of total people impacted:

There are more than 500000 LEP individuals living in Georgia. Although not all of these individuals are voters many of them could be in the future. The only guaranteed language assistance provided is to Spanish speakers in Gwinnett County. Approximately 67500 LEP Spanish speakers live in Gwinnett County. Therefore this lawsuit has the potential to impact 432500 LEP individuals in Georgia.

9. Is named plaintiff(s) indigent?

This answer alone will not decide whether the activity is or is not a qualifying expense.

No

10. Explain how the majority of those impacted are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this case will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Access to the voting booth is one of the only mechanisms available for indigent citizens to directly impact the development of government policies that impact them on a daily basis since their interests are not represented by powerful lobbying entities, nor do they have the capacity to make the financial contributions which catch the attention of legislators. As some groups work to limit the voting power of minority and immigrant communities, the potential impact on indigent Asian American citizens in these communities is especially damaging.

12. Briefly describe the legal issue(s) of the case and the overall goal(s)

The legal issue in this case is whether a Georgia statute improperly limited LEP voters' right to an assister under Section 208 of the Federal Voting Rights Act, which permits LEP voters to choose any person to help them at the polls, other than an employer or union representative. In contrast, the Georgia statute limited assisters to an immediate family member or a registered voter in the same precinct. Additionally, Section 208 imposes no limitation on the number of people that an assister can help, but the state law limited each assister to helping 10 people, undermining community organizations' ability to build robust interpretation programs.

After numerous LEP voters in Georgia faced difficulties receiving language assistance during the November 2018 midterm elections (even though the Georgia statute is not supposed to apply when a federal candidate is on the ballot), we filed a federal lawsuit to challenge the Georgia law on preemption and Section 2 grounds. We also filed a TRO to enjoin enforcement of the law prior to the December 4th runoff election, which did not have a federal candidate on the ballot and would have resulted in vote denial for many LEP voters.

13. List case outcomes

If case remains open, highlight accomplishments (if any) achieved during the evaluation year.

Given our deep voting rights expertise, we have partnered with our Atlanta affiliate partner to bring this legal challenge. One of the affected voters was Mr. Kwon, a 65 year old Korean man who had voted in the midterm elections through the assistance of Advancing Justice – Atlanta's voter interpretation program, but would not be able to bring an assister to the runoff election because he did not have any direct relatives that lived in the state and did not know any registered voters in his precinct, besides his wife, who was also LEP.

The day after we filed the lawsuit, the Attorney General agreed to permanently enjoin enforcement of the state statute. We worked closely with the Attorney General and Secretary of State to inform counties, poll workers, and voters that they are entitled to bring an interpreter of their choice to help them vote in advance of the December 4th runoff election. As a result of our lawsuit, our Atlanta affiliate was able to translate for Mr. Kwon in the state runoff election, along with many other LEP voters who would not otherwise have been able to vote due to the unconstitutional restrictions on assisters. The Georgia state legislature is also considering the repeal of this statute as a result of our lawsuit.

14. Describe any economic benefit(s) achieved (client award and/or costs averted)

If the case remains open, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A

a. Enter economic benefit amount, if applicable:

No expected economic benefit.

15. Total Staff Hours

Report total staff hours spent on this case in the evaluation year

136

16. Total Volunteer Hours

Report total volunteer hours spent on this case in the evaluation year. Enter 0 if there were no volunteer hours.

45

Organization:	Advancing Justice - Asian Law Caucus
1. Advocacy Activity Name:	Creating an inclusive campus climate-AB 2291 (Chiu)
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

Advancing Justice - California
 Advancement Project California
 Council on American Islamic Relations - California
 Equality California

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Employment, Immigration

8. Constituencies Impacted

Check all that apply

Immigrants, Incarcerated Individuals, Low Wage Workers, Persons with Disabilities, Seniors

9. Who benefitted from this advocacy

The legislative package that we moved in 2018 benefits students who are facing bullying.

a. If available, provide
the estimated number
of total people
impacted:

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Most of the populations that benefited from our advocacy are indigent, including students attending public schools who are facing bullying.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The legislative package that we moved in 2018 provides resources to school employees to address bullying in schools.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

In 2018, at the state level in California, we passed two priority bills.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

In 2018, at the state level in California, we passed two priority bills.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

This bill will reduce bullying in schools, which will allow students who stay in school and thereby provide them with more economic opportunities.

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	AB 2291 (Chiu) - Creating in inclusive campus climate
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

Advancement Project California
Council on American Islamic Relations - California
Equality California

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Education

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Children in California public schools (K-12).

a. If available, provide the estimated number of total people impacted:

6.2 million students

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

n/a

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

This policy continues our advocacy to ensure students of all backgrounds are safe at school and teachers have the requisite training to support this process. This policy benefits children across the state, including low income and immigrant children, who may find it even more difficult to learn in circumstances where they are facing bullying.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

AB 2291 (Chiu) expands on current law to ensure that California's school campuses provide our students with a safe learning environment. In an effort to provide the state more tools to address school bullying, this policy requires: a) California schools to share an online training module on bullying to school employees who deal directly with students; b) the State Superintendent of Instruction to include online training modules on their bullying website; and c) for local education agencies to develop bullying prevention plans.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

This legislation was signed into law by Governor Jerry Brown in 2018.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Any anticipated economic benefit would center around children, particularly vulnerable children, remaining and feeling safe in school, ensuring they attend regularly. The schools benefit by not losing dollars due to student absence.

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	Health For All - Budget Proposal
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> Access California Services Asian American Drug Abuse Program, Inc. Asian Pacific Health Care Venture Asian Resources, Inc. Chinatown Service Center Clinica Monsenor Oscar A Romero Families in Good Health The Fresno Center Health House Within A MATCH Coalition, International Children Assistance Network KHEIR Center Korean Community Center of the East Bay Little Tokyo Service Center NICOS Chinese Health Coalition Samahan Health Centers Pacific Islander Health Partnership South Asian Network Thai Community Development Center Union of Pan Asian Communities United Cambodian Community </div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Health and Long-term Care

8. Constituencies Impacted

Check all that apply

Immigrants, Low Wage Workers, Persons with Disabilities, Seniors

9. Who benefitted from this advocacy

Asian Americans, Native Hawaiians, Pacific Islanders (AANHPIs), other communities of color, immigrants, limited English proficient individuals, and other communities eligible for health programs under the Patient Protection and Affordable Care Act (ACA) including Covered California, Medi-Cal, and county low income health programs like My Health LA in Los Angeles County.

a. If available, provide the estimated number of total people impacted:

Approximately 60% of California's uninsured population are undocumented with estimates of this figure ranging between 1.4 and 1.5 million individuals.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Approximately half of California's undocumented population have incomes that would allow them to receive Medicaid if they were eligible.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Access to healthcare for undocumented immigrants would ensure that vulnerable immigrant communities would be able to access the health services and programs they need. Nearly 1 million undocumented immigrants are estimated to be indigent and currently go without health services or use emergency Medicaid.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Millions of Californians lack access to vital health services because of their citizenship status. Particularly affected are older residents who simply want to live with dignity, but often must choose between medical treatment and insurmountable debt. Throughout the budget cycle, Advancing Justice – Los Angeles worked with a coalition of health and immigrant rights advocates to push for the expansion of full-scope Medi-Cal to eligible low-income undocumented adults. Advancing Justice-LA mobilized undocumented community members, engaged in storytelling and media work, and brought the Asian American experience to advocacy on Health for All.

While we successfully advocated for the State Senate and Assembly to include expanded Medi-Cal for undocumented elders and young adults, respectively, in their budget proposals, the final budget for 2018-19 did not invest budget surplus dollars in expanded coverage.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

While these budget proposals were not included in the final 2018-19 state budget, our collective efforts were successful in bringing to light an issue that impacts some of California's most vulnerable and on January 2019, our newly elected Governor Gavin Newsom committed to make healthcare for all Californians a top priority.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

If undocumented immigrants were able to access critical health services, working age immigrant adults who are sick would be able to stay healthy, work, and provide for their families. The cost of preventative and ongoing care is also much affordable than the emergency services currently provided to these communities. By providing routine and preventive care, California would invest in the health of all Californians in the most efficient and streamlined way possible.

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	AB 2291 (Chiu) - Creating in inclusive campus climate
2. Advocacy activity status:	Completed
3. Advocacy Type:	Legislative
4. Advocacy Level:	State
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

Advancement Project California
Council on American Islamic Relations - California
Equality California

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Education

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Children in California public schools (K-12).

a. If available, provide the estimated number of total people impacted:

6.2 million students

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

n/a

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

This policy continues our advocacy to ensure students of all backgrounds are safe at school and teachers have the requisite training to support this process. This policy benefits children across the state, including low income and immigrant children, who may find it even more difficult to learn in circumstances where they are facing bullying.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

AB 2291 (Chiu) expands on current law to ensure that California's school campuses provide our students with a safe learning environment. In an effort to provide the state more tools to address school bullying, this policy requires: a) California schools to share an online training module on bullying to school employees who deal directly with students; b) the State Superintendent of Instruction to include online training modules on their bullying website; and c) for local education agencies to develop bullying prevention plans.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

This legislation was signed into law by Governor Jerry Brown in 2018.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Any anticipated economic benefit would center around children, particularly vulnerable children, remaining and feeling safe in school, ensuring they attend regularly. The schools benefit by not losing dollars due to student absence.

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	Stop CVE in LA Campaign
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Legislative
4. Advocacy Level:	Local
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> Council on American Islamic Relations – LA American Civil Liberties Union of Southern California Vigilant Love Coalition </div> </div>

6. Counties Impacted

Check all that apply

Los Angeles

7. Substantive Area

Check all that apply

Juvenile, Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Muslim Americans, immigrant youth in South LA, and refugee populations, particularly those who cannot afford or otherwise lack access to mental health and other social services.

a. If available, provide the estimated number of total people impacted:

While we do not have a solid estimate of how many people will be impacted by these programs a recent CVE pilot program involving one grantee impacted at least 100 people over the course of 6 weeks. The City's proposed CVE program will likely reach 800 people given that it will involve 4 sub-grantees and will take place over 2 years.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The City of LA's CVE programs targets individuals who cannot afford or otherwise lack access to mental health and social services, as well as low-income African American youth in South LA and refugee populations. The program does so by partnering with religious and community groups that serve these populations, who are largely indigent. As discussed above, the City's program will reach at least 800 people in LA and Orange Counties, the vast majority of who are likely indigent.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

CVE is a national security program that was developed by federal law enforcement agencies including the FBI and DHS to identify individuals perceived to be national security threats. CVE programs rely on community groups who serve the targeted populations to identify individuals perceived to be on the path to radicalization using questionable indicators (e.g. feelings of religious persecution). They offer them “intervention” services including referrals to mental health and other social service agencies in the CVE network who collect and maintain their confidential information. They also potentially refer them to law enforcement for “interdiction.” CVE programs have not proven effective at reliably identifying individuals likely to engage in violent extremism, and instead chill First amendment rights and subject people to potential violations of their civil rights and liberties.

The goal of our legislative advocacy is to convince the LA Mayor’s office to decline its federal CVE grant, and in the alternative convince the LA City Council to vote against approval of the grant. Our legislative advocacy efforts have included (1) leading a broad coalition of organizations and individuals; (2) meeting directly with the LA Mayor’s office to discuss community opposition to CVE and encourage them to decline CVE funds in light of the many problems with the program; (3) arranging individual meetings with individual City Council members to express our concerns with this grant; and (4) organizing community members to provide public comment at three City Council meetings to publicly express opposition to CVE.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

In August 2018, our efforts culminated in a victory recognized throughout the country, when our advocacy forced the LA Mayor’s Office to turn down DHS CVE funding. However, while that moment was a testament to our coalition’s multi-pronged strategy that centered community needs and voices, LA’s struggle against CVE is not over. While the Mayor’s Office has declined a high-profile CVE grant, it has not unequivocally committed to abandoning CVE, and we know of a number of other local and statewide efforts CVE that are ongoing. For these reasons, it is imperative that we continue to build on our success and continue to challenge other high-profile CVE programs as a means to our broader community empowerment- and narrative-shifting goals that will reverberate far beyond our opposition to CVE.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

N/A

Organization:	Advancing Justice-Los Angeles
1. Advocacy Activity Name:	Implementation of the Voter Choice Act
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Administrative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Disability Rights California</div> <div>Other Organizations</div> <div> ACLU California Calls Coalition for Humane Immigrant Rights of Los Angeles Future of California Elections National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund United Cerebral Palsy of Los Angeles County Office of the Los Angeles County Registrar/Recorder. </div> </div>

6. Counties Impacted

Check all that apply

*Statewide, Los Angeles, Orange

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

9. Who benefitted from this advocacy

All California registered voters, as well as those who are eligible to vote.

a. If available, provide the estimated number of total people impacted:

Over 18 million people are currently registered to vote in California.

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

N/A

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Access to the voting booth is one of the only mechanisms available for indigent citizens to directly impact the development of government policies that impact them on a daily basis since their interests are not represented by powerful lobbying entities, nor do they have the capacity to make the financial contributions which catch the attention of legislators. As some groups work to limit the voting rights of minority and immigrant communities, the potential impact for indigent LEP citizens in these communities are especially damaging.

Individuals with household incomes less than \$40,000 are 29 percent of likely voters in California. Communities of color are disproportionately indigent. For example, Latinos in California are nearly twice more likely to live in poverty than whites. Although it is impossible to determine the indigency of every likely minority voter in California, it is reasonable to assume that a substantial number of those impacted are indigent.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

The Voters Choice Act (VCA) which was passed in 2016, modernizes California's election system and gives voters more convenience and flexibility in voting. VCA allows counties in California to adopt a new election system wherein counties would open large vote centers instead of neighborhood polling places. There will be far fewer vote centers than neighborhood polling places, but voters can go to any vote center and some vote centers will be open for 11 days while all others will be open for 4 days.

As the state moves to this new voting model, we are working to ensure that it is implemented in a way that provides Californians (especially voters who are limited English proficient, low income, or new citizens) full and ready access to the electoral process. As we monitor the early implementation of the VCA in a handful of counties, we are also working closely with local election officials in Los Angeles and Orange Counties who are preparing to implementing these new mechanisms for the 2020 Presidential Elections.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Advancing Justice-LA has been a strong advocate of the VCA and now serves as a member of the California Secretary of State's VCA task force focused on ensuring that counties and voters were prepared for the transition. In 2018, five counties transitioned to this new voting model and Advancing Justice-LA helped to monitor the implementation of this new system. Our advocacy work continues as more counties are planning to implement the VCA in 2020, which includes Los Angeles County. Moreover, Orange County's election officials have also indicated that they will seek approval from the Board of Supervisors to also transition to this model in 2020 as well.

Advancing Justice-LA is part of the Los Angeles VSAP ("Voting Solutions For All People") committee and has been providing input on the implementation of the VCA. We have also provided community presentations on the VCA to solicit feedback on the best locations for vote centers. Advancing Justice-LA is also a part of a coalition that has created a regional hub to plan and coordinate outreach and community education to throughout Los Angeles County.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Voters will be deciding on critical ballot, candidate, and other races in 2020 that impact the long term economic well being of Californians. Low income and minority voters have a lot at stake in many of these issues. Ensuring they participate in this election ensures they are helping to decide on the economic future of our state and their families.

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13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

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Advancing Justice-LA is part of the Los Angeles VSAP ("Voting Solutions For All People") committee and has been providing input on the implementation of the VCA. We have also provided community presentations on the VCA to solicit feedback on the best locations for vote centers. Advancing Justice-LA is also a part of a coalition that has created a regional hub to plan and coordinate outreach and community education to throughout Los Angeles County.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Voters will be deciding on critical ballot, candidate, and other races in 2020 that impact the long term economic well being of Californians. Low income and minority voters have a lot at stake in many of these issues. Ensuring they participate in this election ensures they are helping to decide on the economic future of our state and their families.

Organization:	La Raza Centro Legal
1. Advocacy Activity Name:	Sign on for Letters to Big Rock LLC Team and Partner Organizations
2. Advocacy activity status:	Completed
3. Advocacy Type:	Administrative
4. Advocacy Level:	State

5. Partner Organizations:

Partner Organizations

State Bar Grantees

Other Organizations

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Immigration

8. Constituencies Impacted

Check all that apply

Immigrants

9. Who benefitted from this advocacy

Signed on to oppose Big Rock LLC's \$20,000 donation to anti-sanctuary measure

a. If available, provide the estimated number of total people impacted:

Unknown

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Unknown

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Unknown

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

Unknown

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Unknown

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Unknown

Organization:	Public Advocates Inc.
1. Advocacy Activity Name:	Equal Access to Fully-Prepared and Effective Teachers
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Other(explain)
a. Explain Other Advocacy Type:	Administrative and Legislative
4. Advocacy Level:	State
5. Partner Organizations:	<div> <div>Partner Organizations</div> <div>State Bar Grantees</div> <div>Other Organizations</div> <div> The Education Trust-West Teach Plus EdVoice Children Now Californians for Justice </div> </div>

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Low-income students, students of color and students with disabilities.

a. If available, provide the estimated number of total people impacted:

311,021

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

Currently, California does not have a data system for tracking the placement of underprepared and misassigned teachers and the number of indigent students being taught by such teachers — creating such a system is a focus of our advocacy. In its place, school-level data provides the best proxy for estimating the number of indigent students impacted by this advocacy. In 2015-16, 12,799 classrooms in California were taught by teachers who are not “highly qualified” (i.e., have bachelor's degree; full state certification; and demonstrated competency in each core academic subject he or she teaches) in high-poverty schools (elementary schools where more than 87.5% of students qualify for the Free and Reduced Lunch Program and secondary schools where more than 84.93% of students so qualify—see details on FRMP data as the proxy for determining indigency in our Educational Equity/Opportunity to Learn Project report). (The federal government has moved past the “highly qualified” standard but new statistics pursuant to updated definitions are not yet available.) The average class size in 2015–16 was 24.3 students, thus approximately 311,021 students in high-poverty schools lack qualified teachers. The percentage of high-poverty classrooms with unqualified teachers is more than twice that in low-poverty schools. Thus, the majority of students impacted by our advocacy for teacher quality are enrolled in high-poverty schools.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

The central goal of this advocacy is to address the disproportionate number of underprepared and misassigned teachers serving in classrooms of predominantly low-income and indigent students. Quantitative analyses indicate that measures of teacher preparation and certification are by far the strongest correlates of student achievement in reading and mathematics, both before and after controlling for student poverty and language status. Yet, California has a critical shortage of qualified teachers. A recent survey of 211 school districts found that 75% of districts struggled to find teachers for the 2016–17 school year. The number of emergency-style teaching permits issued has more than doubled since 2012–13. These unqualified teachers are concentrated in schools with low-income students, students of color, and English Learners — at least 311,021 of whom are indigent as noted above. Special education students are also disproportionately impacted; a shocking 64% of their teachers lacking proper qualifications. Public Advocates' education work is guided by the long-term goal of providing all children a high-quality education that will prepare them for college, career, and civic participation. The success of our advocacy to improve the access of low-income and indigent students to fully-prepared and effective teachers impacts their educational outcomes, readiness for post-secondary college and career training, and their subsequent job opportunities and earning potential.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

In 2018, our activities included advocacy focused on federal and state policy with the goal of ensuring students have access to fully-prepared and effective teachers, especially in schools serving high concentrations of low-income students, students of color, and English learners. During this time of teacher shortage, our advocacy has focused on maintaining our state's high teacher certification standards while exploring measures and investments to incentivize people to enter and stay in the profession. At the state level, we monitor the work of California Commission on Teacher Credentialing (CTC), the state agency charged with establishing and enforcing educator licensing standards. We also conducted legislative and budget advocacy to improve teacher data and invest in programs to address California's teacher shortage. At the local level, we did educator workforce in both Oakland and West Contra Costa Unified, where we collaborated with community organizations and the districts themselves to bring to light critical teacher quality data and engage in discussions to improve teaching conditions in these high-need districts.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

At CTC meetings, we consistently raised the need for teacher data to inform local practice, diversity in the profession, and the need to support and retain new teachers. We successfully closed a loophole which allowed intern teachers (teaching while completing a teacher preparation program) to opt out of a teacher preparation program without having passed the relevant assessments.

At the legislature, we worked with stakeholders to improve the CTC's proposal for a new online database of teacher assignments. Such a system would make possible, for the first time, the annual monitoring and correction of all teacher assignments in all California schools. While the legislative effort continues into 2019, our advocacy last year helped support a 2018 budget allocation for an automated monitoring system through interagency cooperation between CTC and CDE and an initial pilot.

We also partnered with Californians for Justice and 15 other grassroots and advocacy organizations to advocate in the Governor's budget for teacher residency programs; professional development for bilingual teachers and early childhood educators; and scholarships for teaching in high shortage fields— initiatives that will have significant impact for indigent and special education students. The final budget included \$75 million for preparing and retaining special education teachers and \$25 million aimed at bilingual and STEM teachers.

In West Contra Costa Unified, our advocacy to the district and the Contra Costa County Office of Education caused the district to better explain its investments in teacher professional development and set diverse goals for teacher quality moving forward.

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.

Organization:	Public Advocates Inc.
1. Advocacy Activity Name:	Higher Education — Low-Income Student Advocacy Project
2. Advocacy activity status:	Ongoing
3. Advocacy Type:	Other(explain)
a. Explain Other Advocacy Type:	Administrative and Legislative
4. Advocacy Level:	State
5. Partner Organizations:	

Partner Organizations

State Bar Grantees

Other Organizations

The Affordability Coalition (convened by The Institute for College Access and Success)
 Education Trust-West
 Campaign for College Opportunity
 California Competes
 California Edge Coalition
 The Institute for College Access and Success
 University of California Students Association
 California State Students Association
 Student Senate of the Community Colleges
 Families in Schools

6. Counties Impacted

Check all that apply

*Statewide

7. Substantive Area

Check all that apply

Miscellaneous

8. Constituencies Impacted

Check all that apply

Children/Youth, Immigrants

9. Who benefitted from this advocacy

Low-income and indigent students, students from immigrant families, and working adults who attend California's public post-secondary colleges and universities

a. If available, provide the estimated number of total people impacted:

1,800,000

10. Explain how those impacted by this advocacy activity are indigent, as defined in B&P §6213(d)

If the majority of persons impacted are not indigent, type n/a.

The best available data regarding income-level of California students in the state's three higher education segments is provided by the annual awardees report of the Cal Grant Program through the California Student Aid Commission. Of the 282,374 students who received Cal Grants in 2017-18 whose parents are low income as defined by HUD's statewide income limits for California, 135,676 come from families with parental income less than \$24,000, which is below the B&P §6213(d) indigency level for a family of four (the average family size in California is 3.47). The next higher income level in the available data, \$24,000-\$35,999, also includes more students whose parental income qualifies as indigent for a family of three (\$25,9075) and a family of four (\$31,375). In addition, because of chronic underfunding, many indigent students at community colleges do not receive a Cal Grant. So, 135,676 is conservative estimate of the number of indigent students impacted. We are confident that the majority of those impacted by this advocacy are indigent.

11. Describe the impact this advocacy activity will have on indigent persons

If available, include the estimated number of total indigent persons impacted and how this was determined.

Public Advocates shifted the focus somewhat of its advocacy on higher education in 2018. Instead of largely focusing on protecting low-income students from abuses by for-profit postsecondary schools, we now primarily are concerned with the success of low-income students at California's public higher education institutions. Our higher education advocacy seeks to address the obstacles that low-income and indigent students face in accessing and succeeding in the state's public colleges and universities. Skyrocketing tuition costs are placing college opportunity out of reach for these students, and those that gain access to the state's post-secondary institutions struggle with housing and food insecurity, and a lack of academic and social supports. As many as 52% of California's community college students never graduate or transfer to four-year colleges. Seventy-five percent of students entering community colleges and 43 % of those entering CSU require remediation in one or more subjects, but large majorities of students placed into remedial classes never go on to take college-level courses or graduate. We advocate for and work alongside students in to win legislative and policy solutions that address the college affordability crisis, increase access to college opportunity, and improve postsecondary success removing barriers to college graduation for California's lowest income, indigent students.

12. Briefly describe the advocacy activity and the overall goal(s)

Include specific legislation, regulations, or agencies involved.

In 2018, Public Advocates received new funding to expand its capacity to advocate on behalf of low-income and indigent students in California's public post-secondary colleges and universities (University of California, California State University, and California Community Colleges). The goal of our advocacy includes elevating student voice into policy discussions at the institutional level and before state policy makers; advancing policy initiatives to address the need for a comprehensive longitudinal data system that identifies disparities in access and outcomes for low-income and indigent students; advancing funding reforms to address the affordability crisis, improving graduation rates, closing attainment gaps; improving transfer pathways to ensure that low-income and indigent students who enter public universities and colleges receive the supports they need to successfully complete degree programs; and addressing the housing, food, transportation and mental and physical health needs of low-income and indigent students.

During this initial year of our initiative, our focus has been on building partnerships with students organizations, creating coalitions with other higher education advocates, completing an analysis of the current policy landscape for higher education reform, reaching out to policy makers, and creating a roadmap for our ongoing advocacy. We have also undertaken initial advocacy to elevate student voice and engage in conversations around legislative proposals.

13. List the outcomes achieved or expected to achieve

If ongoing, highlight accomplishments (if any) achieved during the evaluation year.

Key outcomes achieved in 2018 include the following.

- Project staff hired and Sacramento office expanded
- Co-convening of California Higher Education Equity Coalition; development of shared equity principles; creation of and leading of a Data subcommittee to focus on Statewide Longitudinal Data System advocacy
- Outreach and partnership building for advocating for a statewide longitudinal data system
- Outreach and partnership building in advocating for Cal Grant financial aid reform
- Outreach to and partnership building with each of the three public systemwide student body governance organizations and organizations representing low-income students of color
- Research and surveys to identify student needs and barriers to graduation
- Completion of a comprehensive landscape analysis and roadmap to guide ongoing advocacy
- Co-convening, supporting, and participating in seven forums with gubernatorial and superintendent of public instruction candidates to raise candidate and public awareness of equity issues in higher education
- Supporting efforts by the University of California Student Association and the University Council of Student Body Presidents to ensure that student voices are heard (and state constitutional requirements are followed) in appointments to the UC Board of Regents

14. Describe any economic benefit achieved or anticipated economic benefit

If the activity is ongoing, but there is an expected future economic benefit, describe the estimated benefit. Report the information you have available (e.g., estimated range). Do not extrapolate.



The State Bar *of California*

DATE: April 17, 2019

TO: Members, LSTFC Eligibility and Budget Review Committee

FROM: Office of Access & Inclusion

SUBJECT: Impact Litigation & Advocacy Work (ILAW) Report

EXECUTIVE SUMMARY

The Trust Fund Statute distributes IOLTA funds to qualified legal services organizations based on a formula centered in part on the organization's expenditures on "qualified legal activities" that benefit indigent persons under Business and Professions Code §6216. EAF funds are also distributed according to the IOLTA formula. The Legal Services Trust Fund Commission Eligibility and Budget Review Committee (Committee) will meet on April 23, 2019 to review potentially non-qualifying impact litigation and advocacy activities, as reported by both qualified legal services projects (QLSPs) and support centers (SCs) in the Impact Litigation and Advocacy Work (ILAW) report. Activities found to be non-qualifying would need to be deducted in the organizations' 2020 IOLTA and EAF grant application. A reduction in the amount of qualifying expenditures could result in reducing the allocation of funds to an organization.

For QLSPs, non-legal activities and any legal services not provided to indigent persons, as defined in Business and Professions Code §6213, State Bar Rule 3.672(a), and Commentary to 2.3.4 of the Legal Services Projects Eligibility Guidelines, are non-qualifying for purposes of determining IOLTA and EAF grant awards. For SCs, non-support services and direct legal assistance, including impact litigation, are non-qualifying unless the direct assistance falls into one of the exceptions enumerated in State Bar Rule 3.672(b) and 2.3(c) of the Support Center Eligibility Guidelines.

In previous years, potentially non-qualifying impact cases and advocacy activities had been reviewed as part of the IOLTA and EAF application review process. This year, these activities reported in ILAW are being reviewed prior to the 2020 IOLTA and EAF application to streamline the review process for Commissioners and staff.

Staff conducted an initial review of the ILAW reports to assess the qualifying nature of activities according to the requirements for QLSPs and SCs. Where the activity initially appeared to be non-qualifying, staff is elevating said activity to the Committee for further review. Of the 390 impact cases and 437 advocacy activities reported, staff is seeking the Committee's

determination for the 2020 IOLTA and EAF grant application on 12 impact cases and 23 advocacy activities. See Attachment B and C.

Lastly, staff identified four categories for which organizations were not able to provide clear data to demonstrate that the activities primarily impact indigent persons, although the sheer number of indigent persons who benefitted may have been large and the substantial impact on indigent persons was clear. In the absence of existing policy to provide further guidance, staff proposes that the Committee approve impact litigation and advocacy activities this year in four categories as meeting the indigency requirement: affordable housing, low-income immigrants, public benefits, and education equity where free or reduced lunch statistics were used as a proxy for indigent persons.

BACKGROUND

A. Governing Authorities

The Trust Fund Statute provides for distribution of IOLTA funds to qualified legal services organizations based on a formula centered in part on the organization's expenditures on "qualified legal activities" that benefit indigent persons (Business and Professions Code §6216). In other words (for QLSPs), generally the more expenditures an organization spends on qualified legal activities, the larger their IOLTA and EAF allocation award. QLSPs and SCs have different requirements for what is considered a qualifying activity. According to Business and Professions Code §6213(a), a QLSP's primary purpose is to provide legal services to indigent persons without charge. As such, to be considered qualifying, the activities in a QLSP's ILAW report must be legal services and primarily impact indigent individuals. Business and Professions Code §6213(d) defines indigent person as someone whose income is 125% or less of the federal poverty threshold, a senior, a person with a developmental disability, or a person who is eligible for Supplemental Security Income. QLSPs that receive a pro bono allocation may use the higher HUD income thresholds to determine indigency (Business and Professions Code §6213(d)). In addition, State Bar Rule 3.672 defines legal services (as distinct from legal support services) to "include all professional services provided by a member of the State Bar and similar or complementary services of a law student or paralegal under the supervision and control of a member of the State Bar."

Unlike QLSPs, SCs are not required to provide services that would directly impact indigent persons. According to Business and Professions Code §6213(b), a SC's primary purpose is the provision of legal training, technical assistance, or advocacy support without charge and which provides a significant level of support services without charge to QLSPs on a statewide basis. State Bar Rules and Support Center Eligibility Guidelines refined this definition, providing that direct representation to clients, including in impact litigation, is not considered a qualifying support service unless the case is:

- co-counseled with a QLSP (State Bar Rule 3.672(b);

- co-counseled at the request of a private attorney representing indigent clients without charge (Support Center Eligibility Guidelines 2.3(c)); or
- undertaken at the request of a QLSP that is unable to assist the client (State Bar Rule 3.672(b)).

The governing authorities do not provide a clear definition of advocacy work for either QLSPs or SCs.

B. Staff Review Process

The ILAW reports required each grantee to submit its top 15 impact litigation cases and top 10 advocacy activities, based on the highest number of staff hours. If its total number of cases and activities exceeded this requirement, the organization was asked to provide a brief description of the nature of those additional activities. Staff reviewed ILAW reports to assess which activities were qualifying or non-qualifying based on governing authorities, and which activities needed to be elevated to the Committee for further review.

1. Qualified Legal Services Projects

For QLSPs, staff determined an impact litigation or advocacy activity was qualifying if it primarily impacted indigent persons as defined by Business and Professions Code §6213(d) and Commentary to 2.3.4 of the Legal Services Projects Eligibility Guidelines. Historical practice has been to interpret “primarily” as more than 50% of persons who would benefit from the activity. As such, staff considered an impact case qualifying if:

- the named plaintiff was indigent;
- more than 50% of the named class was indigent; and/or
- sufficient support was provided to demonstrate that more than 50% of those impacted were indigent.

If the named plaintiff was not indigent, or less than 50% of the class was indigent and no data or limited data exists to demonstrate that the case primarily impacted indigent persons, staff included the impact case in Attachment B and C for the Committee’s review.

An advocacy activity must both be a legal service and primarily impact indigent persons in order to be qualified. While the governing authorities does not explicitly state that advocacy activities are qualifying for QLSPs, historical practice has been to interpret legal services to include legal advocacy activities. Staff has therefore interpreted qualifying advocacy activities to include policy work such as drafting a bill, participating in a legislative campaign, or enforcing a law or regulation where the majority impacted were indigent persons. If a QLSP did not engage in clearly qualifying legal services advocacy work or did not provide sufficient support to demonstrate that more than 50% of those impacted by the advocacy work was indigent, staff included the advocacy activity in Attachment B and C for the Committee’s review.

2. Support Centers

Due to the nature of the work of SCs, the definition of a qualifying activity is different. As long as the impact case is: co-counseled with a QLSP; co-counseled at the request of a private attorney representing indigent clients without charge; or undertaken at the request of a QLSP that is unable to assist the client, the cases are qualifying under the current rules. See State Bar Rules 3.672(b) and 3.682 and Commentary to 2.2.1 of the Support Center Eligibility Guidelines.

Staff considered advocacy work qualifying if it generally supported QLSPs or legal services advocates who provided direct civil legal services to indigent persons. Under this analysis, no ILAW reports from SCs are being elevated to this Committee for further review.

C. Staff Proposal for Categories Meeting Indigency Requirement

Staff identified four categories for which organizations were not able to provide clear data to demonstrate that the activities primarily impact indigent persons, although the sheer number of indigent persons who benefitted may have been large and the substantial impact on indigent persons was clear. In the absence of existing policy to provide further guidance, staff proposes that the Committee approve impact litigation and advocacy activities this year in four categories as meeting the indigency requirement: affordable housing, low-income immigrants, public benefits, and education equity where free or reduced lunch statistics were used as a proxy for indigent persons.

1. Affordable Housing

Qualified Legal Services Projects reported 85 impact cases and advocacy activities related to affordable housing. Examples of affordable housing activities reported include challenging local rent ordinances; legislation to increase stock of affordable housing such as mobile homes; policy advocacy work to address rehabilitation or preservation of affordable housing in rural communities; enforcement of rent control policies; litigation to enforce the Surplus Land Act; and challenging exclusionary zoning ordinances.

The IOLTA income threshold does not generally adjust for cost of living, and affordable housing litigation and advocacy in high cost areas may not always align with IOLTA income guidelines. However, the lack of affordable housing disproportionately impacts seniors and low-income individuals and families, and the problem is exacerbated in high-cost areas such as San Francisco and Los Angeles.

Staff recommends that affordable housing impact cases and advocacy activities be approved as meeting the indigency requirement.

2. Low-Income Immigrants

Qualified Legal Services Projects reported 21 impact cases and advocacy activities related to low-income immigrants in California. Examples of reported activities benefitting low-income

immigrants include litigation and policy advocacy work related to immigrants in detention, unaccompanied minors, and the Deferred Action for Childhood Arrivals (DACA) program. Limited or no data exist that clearly demonstrates that more than 50% of those impacted are within the IOLTA definition of indigent. However, the activities reported describe how this constituency is generally low-income and likely indigent per the IOLTA income requirement.

Staff recommends that impact cases and advocacy activities aimed at primarily impacting low-income immigrants be approved as meeting the indigency requirement.

3. Public Benefits

Qualified Legal Services Projects reported 28 impact litigation and advocacy activities that address public benefits-related issues for low-income Californians. Limited or no data exist that clearly demonstrates that more than 50% of those impacted fall within the IOLTA definition of indigent. However, organizations have presented data that serves as a compelling proxy for measuring the number of indigent persons and that this work most likely impacted primarily indigent populations. For example, one organization cited that Medi-Cal eligibility for most adults, many of which are seniors, is limited to 138% and 128% of the federal poverty threshold. Given that public benefits programs are designed to meet the basic needs of low-income families and children, a lack of clear data should not prohibit organizations from claiming this work as qualified.

Staff recommends that impact cases and advocacy work related to public benefits – including but not limited to CalWorks, CalFresh, Medi-Cal, and Denti-Cal – be approved as meeting the indigency requirement.

4. Education Equity

Qualified Legal Services Projects reported 10 impact litigation and advocacy activities related to education equity for low-income students in California. Examples of reported activities are legislation to reduce the disproportionate use of suspensions and expulsions against students of color in predominately low-income school districts and litigation and policy advocacy to ensure that students with disabilities have access to the supports they need in school and that schools remain a safe and toxin free space for children to learn. Limited or no data exist that clearly demonstrates that more than 50% of those impacted fall within the IOLTA definition of indigent. However, the Committee has previously accepted the use of data demonstrating that the majority of students in a school are eligible for free or reduced lunch as a proxy for measuring the number of indigent persons and sufficient to support that activities primarily impact indigent students.

Staff recommends that impact cases and advocacy work related to education equity be approved as meeting the indigency requirement if data is provided to demonstrate that the majority of students in the school impacted are eligible for free or reduced lunch.