

Public Support in the United States for Government-Funded Attorneys in Immigration Court

The Vera Institute of Justice (Vera) partnered with the survey firm Lucid to conduct a public opinion poll to explore attitudes toward government-funded attorneys for people in immigration court in the United States. The survey was administered online in August 2020 and included 2,000 adults (18 years and older) living in the United States. The survey sample approximates the U.S. population in terms of demographics and political affiliation. Notably, among likely voters in the pre-election survey, the estimated 2020 presidential election vote shares closely line up to the actual popular vote in the election.¹

Key findings

Two in three people in the United States, or 67 percent, support government-funded attorneys for immigrants facing deportation. This support is widespread, existing among:

- 67 percent of likely voters;
- 80 percent of people who self-identify as Democrats, 53 percent of self-identified Republicans, and 66 percent of people who do not identify with either party; and
- 82 percent of Joe Biden supporters and nearly half (45 percent) of Donald Trump supporters (among those who expressed an intention to vote and had a preferred candidate in the 2020 pre-election survey).

A majority of people, 56 percent, support government-funded attorneys for immigrants with criminal convictions who are facing deportation.

Support for government-funded attorneys increases substantially when attorneys for people in immigration court are presented as part of a larger system of government-funded attorneys for all, with more than three in four people expressing support.

Given the recent attack on the U.S. Capitol by Trump supporters and the Trump administration's focus on pursuing anti-immigrant policies, these findings may be surprising.² But these results suggest that, despite political polarization and partisanship, there is some common ground.³ People in the United States believe in the right to an attorney in court proceedings, including government-funded attorneys for immigrants facing deportation. Importantly, support for government-funded attorneys in immigration court extends across party lines.

Endnotes

¹ Although the survey sample approximates the U.S. population in terms of demographics and political affiliation, people who did not graduate from high school, political independents or those who identify with a minor party—meaning a political party that is not the Democratic or Republican party—and Latinx people are underrepresented. See the appendix at the end of the full report to learn more about how the characteristics of survey respondents compare to the U.S. population <https://www.vera.org/downloads/publications/taking-the-pulse-national-polling-v2.pdf>.

² For analyses of the Trump administration’s focus on anti-immigrant policies, see Rose Cuison Villazor and Kevin R. Johnson, “The Trump Administration and the War on Immigration Diversity,” *Wake Forest Law Review* 54 (2019), <https://heinonline.org/HOL/LandingPage?handle=hein.journals/wflr54&div=21&id=&page=>; Julie Hirschfeld Davis and Michael D. Shear, *Border Wars: Inside Trump’s Assault on Immigration* (New York: Simon & Schuster, Inc., 2019); and Mary Romero, “Trump’s Immigration Attacks, in Brief,” *Contexts* 17, no. 1 (2018), 34-41, <https://perma.cc/TKL4-VJH7>. For information about the attack on the U.S. Capitol, see Washington Post Staff, “Woman Dies after Shooting in U.S. Capitol; D.C. National Guard Activated after Mob Breaches Building,” *The Washington Post*, January 6, 2021, <https://www.washingtonpost.com/dc-md-va/2021/01/06/dc-protests-trump-rally-live-updates/>.

³ Moreover, there is even some common ground on attitudes toward the Capitol attack itself. Emerging evidence suggests that about half of Trump voters disapprove of the U.S. Capitol attack, joining the nearly unanimous disapproval among Biden voters. For attitudes about the attack on the Capitol, see a discussion of recent survey results by Ariel Edwards-Levy, “Public Condemns Pro-Trump Capitol Rioters, but Many Republicans Say They ‘Had a Point,’” *HuffPost*, January 8, 2021, https://www.huffpost.com/entry/capitol-riot-trump-republicans-poll_n_5ff8ace9c5b63642b6fb881a and full survey results here: <https://big.assets.huffingtonpost.com/athena/files/2021/01/08/5ff8ae42c5b6c77d85e68762.pdf>.