

Public Support in Austin, Texas, 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 Austin metropolitan area. The survey was administered online in August 2020 and included 1,000 adults (18 years and older) living in the area. The results are statistically weighted to be representative of the Austin population with regard to age, education, gender, household income, and race and ethnicity.

Key findings

Five in seven people in the Austin metropolitan area, or 71 percent, support government-funded attorneys for immigrants facing deportation. This support is widespread, existing among:

- 69 percent of likely voters;
- 84 percent of people who self-identify as Democrats, 50 percent of those who self-identify as Republicans, and 71 percent of people who do not identify with either party; and
- 83 percent of Clinton voters, 48 percent of Trump voters, and 66 percent of those who voted for third-party candidates (among those who voted in the 2016 presidential election).

Support for government-funded attorneys increases substantially when attorneys for people in immigration court are framed as part of a larger system of government-funded attorneys for all, with 86 percent expressing support.

The next sections include details about the results summarized above and additional results.

Government-funded attorneys in immigration court

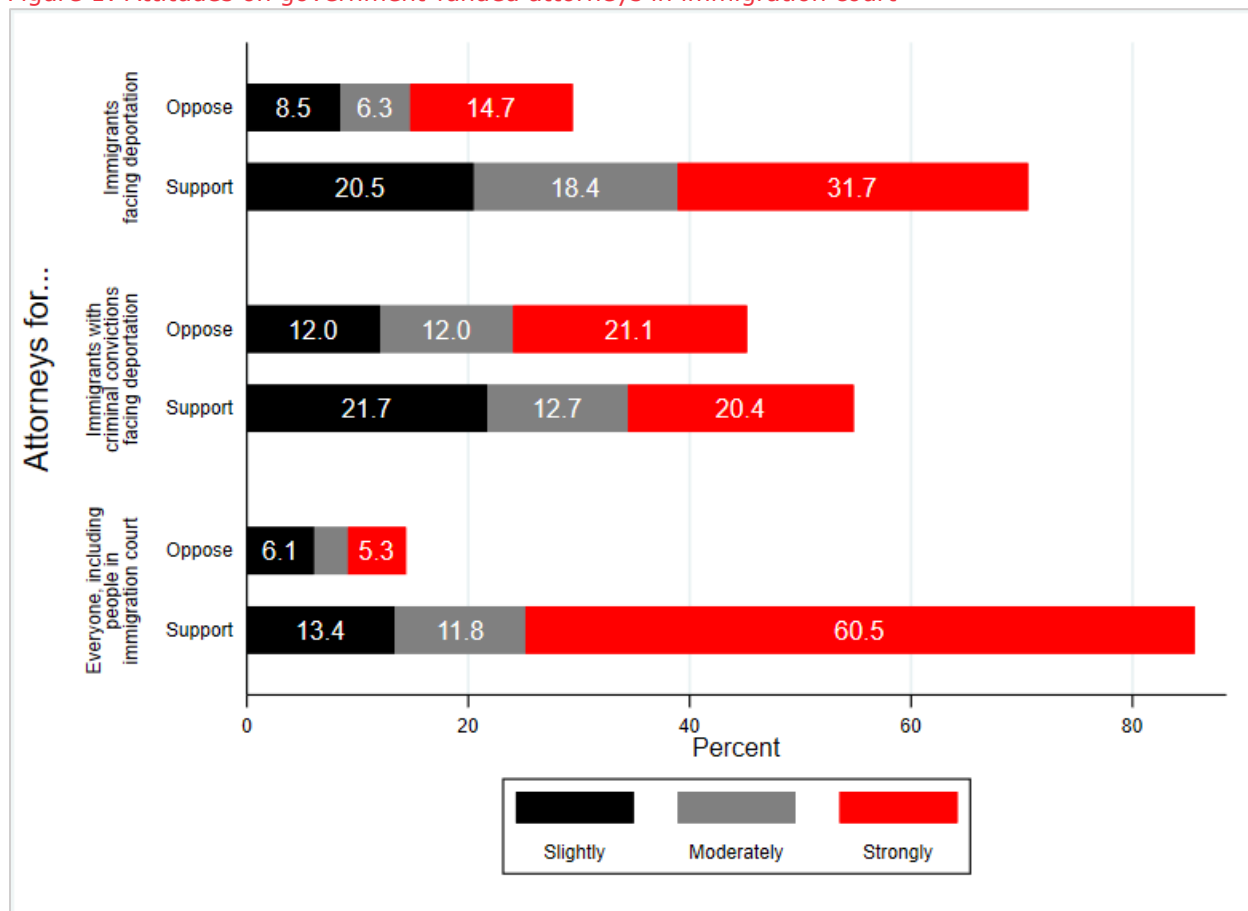
Respondents were randomly assigned to answer either question one, two, or three, below. The questions, while similar, contain important differences in wording. Randomly assigning respondents to answer one of the three questions allows for a comparison of attitudes towards government-funded attorneys in immigration court and how they may shift depending on the language used. The three questions are:

1. Do you support or oppose the government paying for an attorney for immigrants facing deportation who cannot afford one in immigration court?
2. Do you support or oppose the government paying for an attorney for immigrants with criminal convictions who are facing deportation and cannot afford one in immigration court?
3. Do you support or oppose the government paying for an attorney for everyone who cannot afford one in a court of law, including people in immigration court?

Question one asks about the government paying for attorneys for “immigrants facing deportation.” Question two is nearly the same, but asks about attorneys for “immigrants *with criminal convictions*.” Question three differs from questions one and two by asking about attorneys for “everyone...including people in immigration court.” All questions specify that government-funded attorneys are for those who cannot afford one. The main differences, then, are that questions one and two are directly about government-funded attorneys in deportation proceedings (question two taking a step further than question one by specifying immigrants with criminal convictions as recipients of attorneys), while question three allows for an exploration of whether support for government-funded attorneys is higher when framed as a universal right—as part of a system that provides attorneys “for everyone,” inclusive of “people in immigration court.” Moreover, question three does not use the words “immigrant” or “deportation,” instead humanizing the foreign-born population by specifying that these are *people* in immigration court.

Question one was the primary question of interest, as the main goal of the research was to understand attitudes toward government-funded attorneys for immigrants facing deportation. Therefore, most respondents, 70 percent, were randomly assigned to answer this question—allowing for enough respondents to further break down the data by political party identification and 2016 vote choice, presented later in this document. Questions two and three were added to see how support may increase or decrease depending on the language used compared to question one. Therefore, fewer respondents were assigned to questions two and three than to question one (20 percent assigned to question two and 10 percent to question three). Answer options for all three questions are: strongly support, moderately support, slightly support, slightly oppose, moderately oppose, and strongly oppose. Responses to the questions are presented in Figure 1.

Figure 1: Attitudes on government-funded attorneys in immigration court



n=1,000

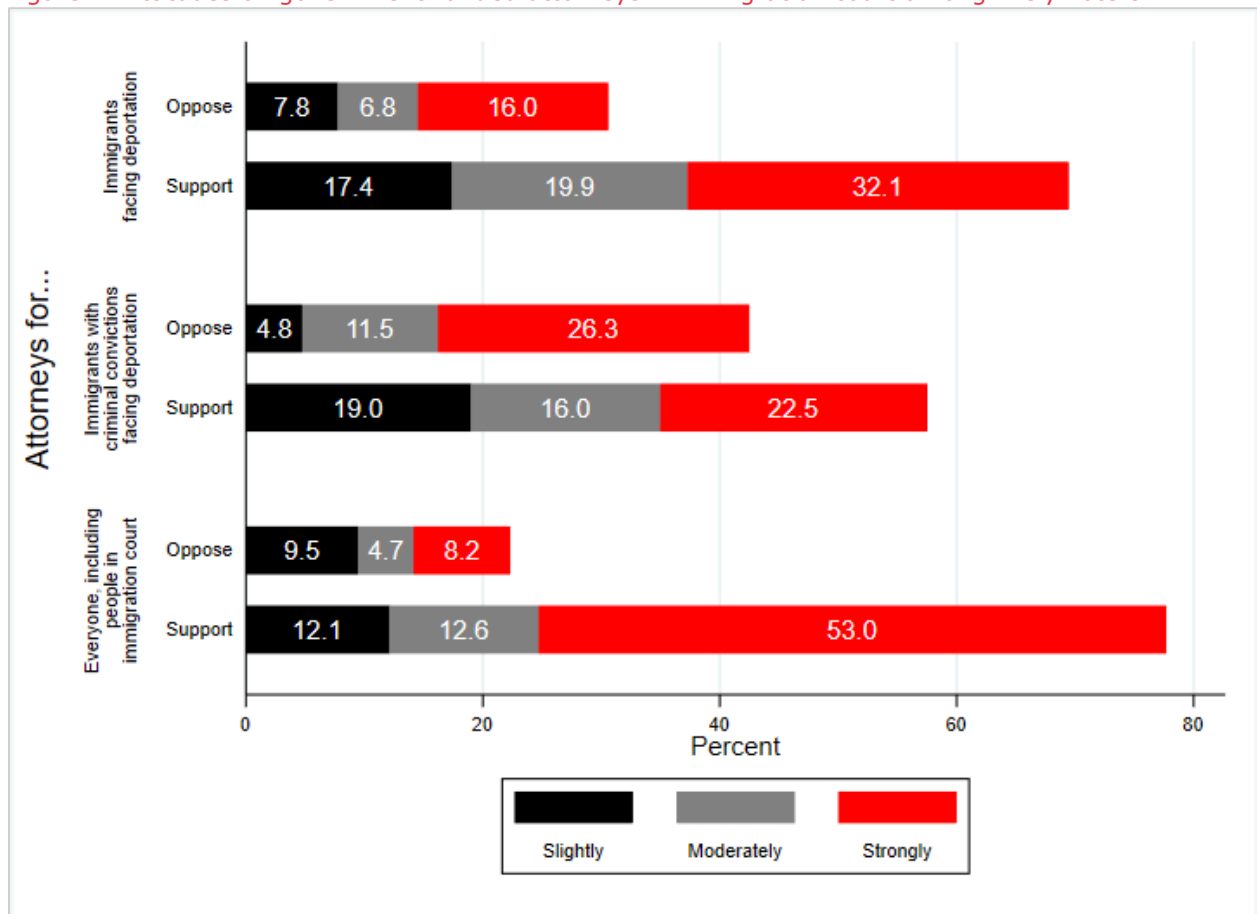
Key findings from Figure 1:

- Most people in the Austin metropolitan area support government-funded attorneys in immigration court across all three questions.
 - Seventy-one percent express support for government-funded attorneys for immigrants facing deportation (question one).
 - Fifty-five percent support government-funded attorneys for immigrants *with criminal convictions* (question two).
 - Support is even higher when attorneys in immigration court are framed as part of a larger system of attorneys for all (question 3), with 86 percent expressing support.¹

¹ T-tests that compare mean responses among the three questions reveal significant differences in all comparisons ($p=0.001$ when question one is compared with question two and $p=0.000$ in all other comparisons). In all t-tests referenced in this document, responses are coded to range from 0 (strongly oppose) to 1 (strongly support), with all other values falling evenly in between (moderately oppose = 0.2, slightly oppose = 0.4, etc.).

Figure 2, below, is analogous to Figure 1, but includes responses only from people who are likely to vote. Likely voters are defined as people who reported that they were registered to vote and planned to vote in 2020. Respondents aged 22 years or older were only included if they reported having voted in the 2016 presidential election and recalled for whom they voted (those under 22 may not have been old enough to vote in 2016 and were therefore not held to this requirement).² Sixty percent of survey respondents were categorized as likely voters.³

Figure 2: Attitudes on government-funded attorneys in immigration court among likely voters



n = 602

² For discussions of how to measure likely voters in surveys, see Scott Keeter and Ruth Igielnik, “Can Likely Voter Models Be Improved?” Pew Research Center, January 7, 2016, <https://www.pewresearch.org/methods/2016/01/07/can-likely-voter-models-be-improved/>; and Michael Dimock, Scott Keeter, Mark Schulman et al., *A Voter Validation Experiment: Screening for Likely Voters in Pre-Election Surveys* (Washington, DC: Pew Research Center, 2001), <https://assets.pewresearch.org/wp-content/uploads/sites/5/2001/05/12.pdf>.

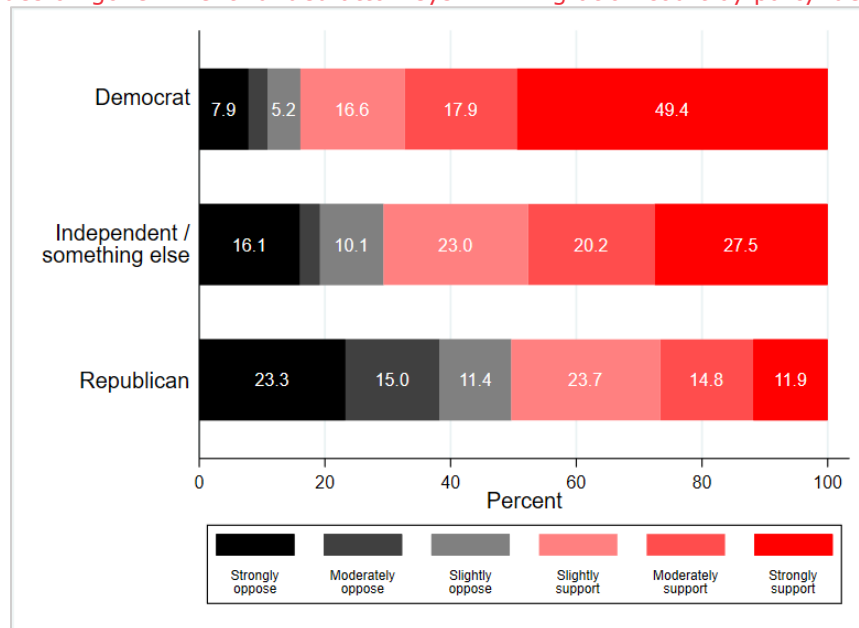
³ For reference, 65 percent of registered voters in Travis County (where most of Austin is located) voted in the 2016 presidential election. See Travis County Clerk’s Elections Division, “Travis County General Election (Presidential Election) Cumulative,” https://countyclerk.traviscountytexas.gov/images/pre/election_results/2016.11.08/Run12/20161108cume1.pdf.

Key findings from Figure 2:

- Majorities of likely voters support government-funded attorneys in immigration court across all three questions.⁴
 - Two in three likely voters, or 69 percent, support government-funded attorneys for immigrants facing deportation (question one).
 - Fifty-eight percent support government-funded attorneys for people in immigration court with criminal convictions (question two).
 - Seventy-eight percent support government-funded lawyers in immigration court when attorneys are framed as part of a larger system of attorneys for all (question three).

The next two graphs present responses to question one, about attitudes toward government-funded attorneys for immigrants facing deportation, by their political party identification (Figure 3) and by their 2016 vote choice (Figure 4).⁵ Each bar in Figures 3 and 4 sums to 100 percent.

Figure 3: Attitudes on government-funded attorneys in immigration court by party identification

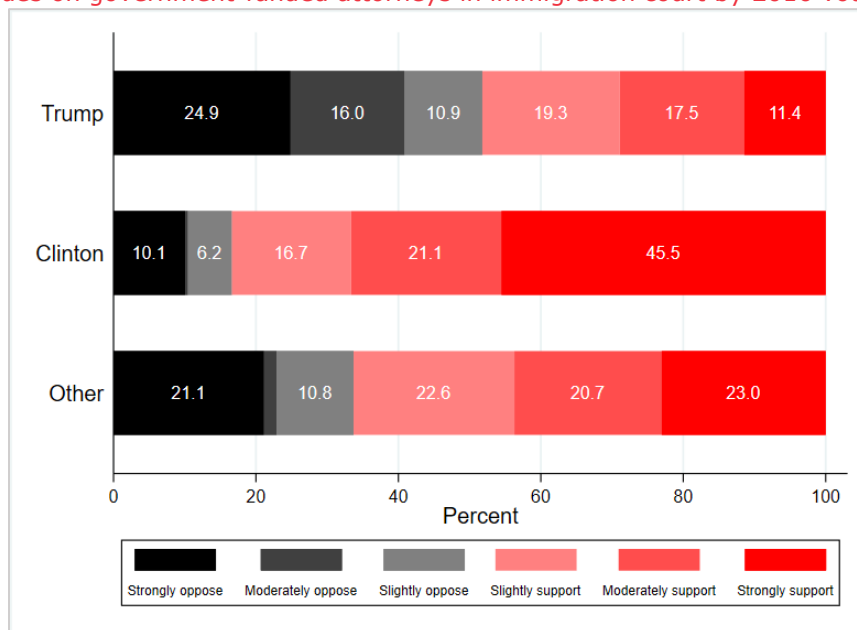


n = 698 (301 Democrats, 228 independents/something else, and 169 Republicans)

⁴ T-tests that compare mean responses among the three questions reveal significant differences in all comparisons ($p < 0.05$ in all comparisons).

⁵ As mentioned earlier, question one was the main question of interest. Therefore, it was asked to more respondents than were questions two and three to allow for enough responses to perform subgroup analyses by political party identification and 2016 vote choice.

Figure 4: Attitudes on government-funded attorneys in immigration court by 2016 vote choice



n = 461 (145 Trump, 268 Clinton, and 48 third-party candidate voters). Only those who reported voting in 2016 are included in Figure 4.

Key findings from Figures 3 and 4:

- There is sizeable support for government-funded attorneys for immigrants facing deportation across political party identifications and regardless of 2016 presidential vote choice.
 - More than 80 percent of Democrats and Clinton voters express support.
 - More than 65 percent of people who do not identify with Democrats nor Republicans (Independents / something else) and of those who voted for a third-party candidate in the 2016 presidential election support government-funded attorneys.
 - Half of Republicans (50 percent) and Trump voters (48 percent) support government-funded attorneys for immigrants facing deportation.

Support for government-funded attorneys by general immigration attitudes

The survey included a standard immigration question that researchers have asked across many prominent surveys over many years. Including a standardized question allowed Vera to compare the sample with respondents to other surveys of immigration attitudes. The standard immigration question is:

4. Do you think the number of immigrants from foreign countries who are permitted to come to the United States to live should be increased, decreased, or kept the same as it is now?

Answer options to question four are: increased a lot, increased a moderate amount, increased a little, kept the same as now, decreased a little, decreased a moderate amount, and decreased a lot. Table 1 presents

the percentages of people in the Austin metropolitan area who think immigration to the United States should be increased, decreased, or kept the same. The Austin sample appears in the first column of results, and the following columns present percentages of responses across three recent, prominent, national surveys: the American National Election Studies (ANES), Gallup, and the Pew Research Center.⁶ The table shows that immigration attitudes among the Austin sample are more favorable toward immigration than are attitudes across national surveys. One would expect Austin, a blue city, to be more liberal regarding immigration than the United States as a whole.⁷ Nonetheless, the Austin sample is not completely out of line with national surveys.

Table 1: Standard immigration question across four surveys

Immigration to the U.S. should be...	Survey			
	Austin/Vera	ANES	Gallup	Pew
Increased	44%	32%	34%	32%
Kept the same	32%	38%	36%	38%
Decreased	24%	30%	28%	24%

Finally, Table 2 shows the percentages of respondents who support government-funded attorneys (as asked in question one, about attorneys for immigrants facing deportation) by their responses to the standard immigration question (question four above).

Table 2: Support for government-funded attorneys by responses to the standard immigration question

Immigration to the U.S. should be...	Percentage supporting government-funded attorneys for immigrants facing deportation
Increased	83%
Kept the same	79%
Decreased	38%

n=700

Key findings from Table 2:

- There is overwhelming support for government-funded attorneys among respondents who believe immigration to the United States should be kept at present levels or increased, with roughly 80 percent of these respondents expressing support.

⁶ See American National Election Studies, “2019 Pilot Study,” <https://electionstudies.org/data-center/2019-pilot-study/>; Gallup, “Immigration,” (3 percent of the Gallup respondents are coded as “no opinion”), <https://news.gallup.com/poll/1660/immigration.aspx>; and Pew Research Center, “Shifting Public Views on Legal Immigration Into the U.S.” June 28, 2018, <https://www.people-press.org/2018/06/28/shifting-public-views-on-legal-immigration-into-the-u-s/>.

⁷ FiveThirtyEight, “Where Democrats and Republicans Live in Your City,” <https://projects.fivethirtyeight.com/republicans-democrats-cities/>.

- Even among people who oppose immigration to the United States (those who want immigration levels decreased), there is sizeable support for government-funded attorneys for immigrants, with more than one in three, or 38 percent, expressing support.

The findings presented in this report show strong support among people in the Austin metropolitan area for government-funded attorneys for immigrants facing deportation. This support is widespread, with sizable support across political party identifications and regardless of 2016 vote choice. Majority support persists even when immigrants with criminal convictions are specified as the recipients of lawyers, and support is even higher when attorneys in immigration court are framed as part of a larger system of attorneys for all.