

# Public Support in Dane County, Wisconsin, for Government-Funded Attorneys in Immigration Court

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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 Dane County, Wisconsin. The survey was administered online in May and June 2020 and included 173 adults (18 years and older) living in the county. The results are statistically weighted to be representative of the Dane County population with regard to age, education, gender, household income, and race and ethnicity. However, given the small sample size, readers should interpret these results to be suggestive of patterns that might exist in Dane County; more respondents are required for a fully representative sample of the population. Nonetheless, the results found in Dane County are in line with [national polling results](#) on support for government-funded attorneys in immigration court.<sup>1</sup>

## Key findings

**Two out of three people in Dane County**, or 66 percent, support government-funded attorneys for immigrants facing deportation.

**Seven in ten likely voters**, or 71 percent, support government-funded attorneys for immigrants facing deportation.

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<sup>1</sup> For national polling results and the results of polls conducted in local jurisdictions across the country, see Vera Institute of Justice, “Taking the Pulse,” <https://www.vera.org/publications/taking-the-pulse>.

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

## Government-funded attorneys in immigration court

Respondents were randomly assigned to answer either question one, two, or three, below.<sup>2</sup> 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:

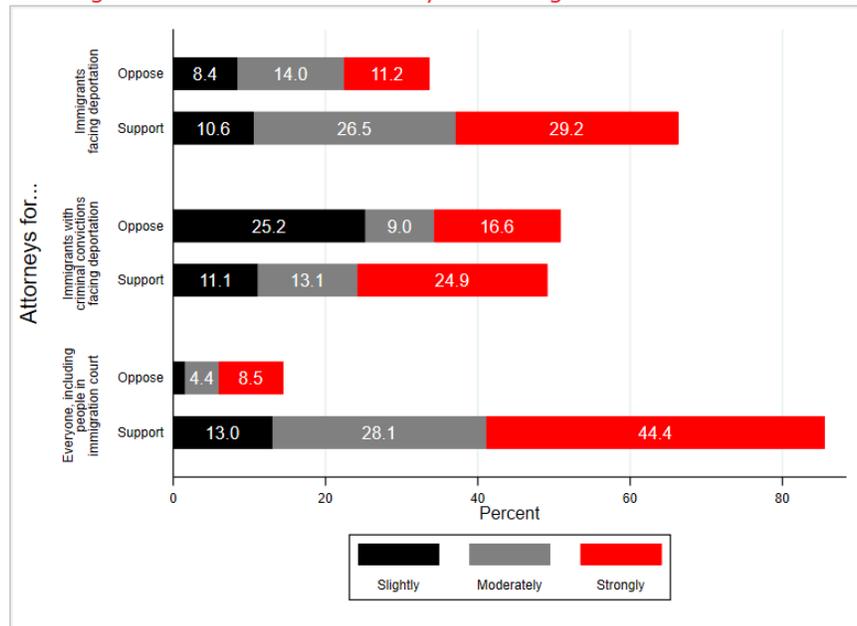
1. Do you support or oppose the government paying for an attorney for immigrants facing deportation who cannot afford one in immigration court?
2. Do you support or oppose the government paying for an attorney for immigrants with criminal convictions who are facing deportation and cannot afford one in 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. 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.

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<sup>2</sup> 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 (50 percent) were randomly assigned to answer this question. 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 (approximately 25 percent were assigned to each).

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



n =173

### Key findings from Figure 1

- Two out of three people in Dane County, 66 percent, support government-funded attorneys for immigrants facing deportation (question one).
- Nearly half support government-funded attorneys when immigrants with criminal convictions are specified as the recipients of lawyers (question two).<sup>3</sup>
- There is strong support for attorneys in immigration court in question three, with 86 percent expressing support, suggesting that language that frames government-funded attorneys for immigrants as part of a larger system of attorneys for everyone can be a successful messaging strategy to build support.<sup>4</sup>

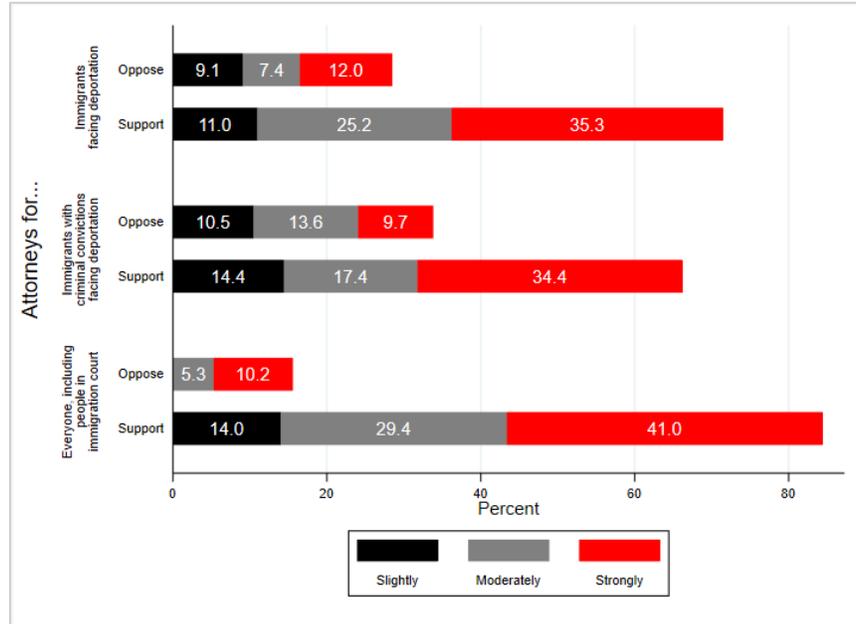
Figure 2, below, includes responses only from people who are likely to vote. Likely voters are defined as people who reported that they were registered to vote and planned to vote in 2020. Respondents aged 22 years or older were only included if they reported having voted in the 2016 presidential election and

<sup>3</sup> A t-test that compares mean responses to questions one and two reveals no significant difference between the two ( $p=0.248$ ). This could indicate that respondents are answering the two questions in a similar manner and that there may not be a substantial decrease in support when immigrants with criminal convictions are specified as the recipients of lawyers. However, because of the small sample size, it could also be the case that there are too few respondents to detect a significant difference that may exist in the population. In all t-tests referenced in this document, responses are coded to range from 0 (strongly oppose) to 1 (strongly support), with all other answer options falling evenly in between (moderately oppose = 0.2, slightly oppose = 0.4, etc.).

<sup>4</sup> T-tests that compare mean responses between the questions reveal only a marginally significant difference between questions one and three ( $p=0.075$ ) and a significant difference between questions two and three ( $p=0.007$ ).

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).<sup>5</sup> Seventy-one percent of Dane County respondents were categorized as likely voters.<sup>6</sup>

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



n = 123

### Key findings from Figure 2

- Support for government-funded attorneys for immigrants facing deportation is strong among likely voters in Dane County, with 71 percent expressing support (in question one).<sup>7</sup>
- Support remains high when immigrants with criminal convictions are specified as the recipients of attorneys (in question two), with two in three likely voters in Dane County (66 percent) expressing support.

<sup>5</sup> 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>.

<sup>6</sup> For reference, 75 percent of the Dane County voting age population voted in the 2016 presidential election. See Wisconsin Elections Commission, “Wisconsin Voter Turnout Statistics,” <https://elections.wi.gov/elections-voting/statistics/turnout>.

<sup>7</sup> The percentages displayed in the top third of Figure 2 for those supporting attorneys for immigrants facing deportation of 11.0, 25.2, and 35.3 sum to 71.5—or 72 percent when rounded. However, the full values are 10.99, 25.24, and 35.26, which sum to 71.49—or 71 percent when rounded, as indicated in the text. Rounding instances, as described here, account for other small discrepancies between values presented in figures and text.

- Support for government-funded attorneys among likely voters in Dane County appears to be even higher when attorneys for people in immigration court are framed as part of a larger system of attorneys for everyone (in question three), with 84 percent indicating support.
  - However, there are no significant differences among the three questions, indicating that likely voters may not be answering the three questions in a substantially different manner, suggesting support for government-funded attorneys is widespread regardless of how the question is framed.<sup>8</sup>

### **Additional findings**

Support for government-funded attorneys for immigrants facing deportation (in question one) among respondents in Dane County is widespread, existing among:

- 76 percent of people who self-identify as Democrats, 44 percent of those who self-identify as Republicans, and 60 percent of people who do not identify with either party; and
- 74 percent of people who voted for Hillary Clinton and 43 percent of those who voted for Donald Trump in the 2016 presidential election (among those who voted).

The corresponding percentages for questions two and three are not listed because fewer respondents were randomly assigned to answer these questions (see footnote two for details), and the numbers get even smaller when data is broken up by subgroups such as party identification and 2016 vote choice. Even for question one where there were more respondents than in questions two and three, the small sample size means that the percentages listed above for results by political party identification and 2016 vote choice should not be interpreted as representative of the Dane County population; instead, they are suggestive of patterns that might exist. Namely, there is robust support for government-funded attorneys for immigrants facing deportation, the support is widespread, and may be even higher when lawyers are framed as part of a larger system of attorneys for all people in the United States.

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<sup>8</sup> T-tests that compare mean responses among the three questions reveal no significant differences ( $p=0.703$  when comparing questions one and two,  $p=0.412$  when comparing questions one and three, and  $p=0.276$  when comparing questions two and three). Lack of significant differences may be due to people in Dane County having similar reactions to the three questions, or because the sample size is too small to capture real differences that may exist in the population.