

# AB 1306 (Carrillo)

## Harmonizing Our Measures for Equality (HOME) Act

### Summary

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AB 1306, the Harmonizing Our Measures for Equality (HOME) Act, authored by Assemblymember Wendy Carrillo, would ensure that Californians are not excluded based on where they were born from benefiting from criminal justice reforms that were passed by this legislature. The HOME Act would prevent the California Department of Corrections and Rehabilitation (CDCR) from transferring to federal immigration authorities individuals who have earned release through these reforms.

### Background and Problem

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In recent years, the Legislature, California voters, and Governors have demonstrated a strong commitment to reforming our criminal legal system, and addressing systemic racism and mass incarceration by enacting landmark reforms. Tragically, solely because of their place of birth, immigrants and refugees who would otherwise benefit from these reforms approved by the legislature are instead released to ICE and subjected to the double punishment of ICE detention and deportation. Once in immigration detention, immigrants face dire consequences including lack of due process, no appointed legal counsel, no right to bail, and an arbitrary second detention never handed down in a criminal court in facilities beyond state oversight where abuses are well documented. Moreover, this unjust practice perpetuates a criminal legal system that treats individuals unequally simply because of where they were born. We need a fix in the law to ensure the legislature's intention to allow Californians, who have served their time and qualify for reforms, to return to their communities and families and rebuild their lives, applies to all

Californians equally regardless of immigration status.

### Solution

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Harmonizing broadly-supported reforms to ensure equal application to immigrants and refugees will reunite families, strengthen communities, and further the state's commitment to addressing racial injustice and upholding our values of fairness and equality. The bill would prevent CDCR from transferring any individual to federal immigration authorities who is eligible for release pursuant to specified provisions, including, people who received their convictions as youth, elderly, and medical parole releases. Those provisions also include clemency actions by the Governor, as well as re-sentencing or vacatur of one's conviction under SB 1437 (Skinner, 2018), AB 256 (Kalra, 2021), or AB 124 (Kamlager, 2021).

### Co-Authors

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## Co-Sponsors

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Alliance for Boys and Men of Color  
Alliance San Diego  
All of Us or None  
American Friends Service Committee-San Diego  
Asian Americans Advancing Justice | Asian Law Caucus  
Asian Americans Advancing Justice | Southern California  
Asian Pacific Islander Reentry and Inclusion through Support and Empowerment (API RISE)  
Asian Prisoner Support Committee  
Bend the Arc: Jewish Action, SoCal  
Buen Vecino  
California Coalition for Women Prisoners  
California Immigrant Policy Center  
Center for Empowering Refugees and Immigrants  
Communities United for Restorative Youth Justice  
Freedom for Immigrants  
Harbor Institute for Immigrant & Economic Justice  
ICE Out of Marin  
Immigrant Legal Resource Center  
Indivisible Sausalito  
Indivisible Ventura  
Inland Coalition for Immigrant Justice  
Interfaith Movement for Human Integrity  
Homies Unidos  
Legal Services for Prisoners With Children  
Long Beach Immigrant Rights Coalition  
National Day Laborer Organizing Network  
Orange County Rapid Response Network  
San Diego Immigrant Rights Consortium  
San Francisco Public Defender's Office  
Services, Immigrant Rights, and Education Network (SIREN)  
South Bay People Power  
Tsuru for Solidarity  
VietRISE  
18 Million Rising

## Supporters

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AAPI FORCE-EF  
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ACLU California Action  
API Equality-LA  
Amnesty International USA  
Bend the Arc: Jewish Action, Southern California  
California Calls  
California Commission on Asian and Pacific Islander American Affairs  
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Contra Costa Immigrant Rights Alliance  
Council on American-Islamic Relations, California  
Courage California  
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Dolores Huerta Foundation  
Drop LWOP Coalition  
Ella Baker Center for Human Rights  
Felony Murder Elimination Project  
Higher Education for AB 540 Students  
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Indivisible Sacramento  
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Santa Cruz Barrios Unidos INC.  
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South Bay People Power  
Southeast Asia Resource Action Center  
Stop the Musick Coalition  
The Transformative In-prison Workgroup  
Transforming Justice Orange County  
United We Dream  
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Economic Justice (CLUE-Ventura County)

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