

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 2500 (Celeste Rodriguez) – As Introduced February 20, 2026

**SUBJECT:** Immigration services: immigration bonds

**SUMMARY:** Expands the One California program to allow grant funds to be used to provide immigration bond assistance.

**EXISTING LAW:**

State law:

- 1) Requires the California Department of Social Services (CDSS), subject to the availability of funding from the annual Budget Act, to provide grants to qualifying organizations for the purpose of providing immigration legal services to undocumented persons, such as Deferred Action for Childhood Arrivals (DACA) application assistance, other immigration remedies and benefits, naturalization and appeals, and legal training and technical assistance. (Welfare and Institutions Code [WIC] § 13303(b))
- 2) Prohibits funds available for the purpose of the One California program to be used to provide legal services to individuals convicted of serious or violent felonies, except for intake services or where a criminal record is inaccurate. (WIC § 13303(c))
- 3) Defines the following terms:
  - a) “DACA” refers to Deferred Action for Childhood Arrivals status as described in guidelines issued by the United States Department of Homeland Security;
  - b) “Services to assist” includes, but is not limited to, outreach, workshop presentations, document review, Freedom of Information Act requests, and screening services that seek to assist individuals with immigration legal services;
  - c) “Legal training and technical assistance” includes, but is not limited to, educational and capacity building activities that will augment the competent provision of legal services to immigrants, including for organizations located in and serving underserved communities;
  - d) “Immigration remedies” include, but shall not be limited to, U-visas, T-visas, special immigrant juvenile status, Violence Against Women Act self-petitions, family-based petitions, cancellation of removal, and asylum or other remedies that may also include remedies necessary to enable pursuit of immigration protections; and,
  - e) “Immigration benefits” to include, but not be limited to, advanced parole, employment authorization documents, and Lawful Permanent Resident (LPR) Card renewal. (WIC § 13303(c))
- 4) Requires CDSS to report to the Legislature during budget hearings on the implementation timeline, participating organizations and funding amounts, applications and requested

funding, number of clients served, types of services and languages provided, regions and communities served, and barriers and challenges to service delivery. (WIC § 13303(e))

- 5) Requires One California program grant recipients to be qualified nonprofit organizations with specified immigration legal services experience and accreditation, and requires reporting, monitoring or audits, legal malpractice insurance, and indemnification of the state for claims arising from services provided. (WIC § 13304(a))

Federal law: *Note: For the purposes of referring to federal law accurately, this section uses the term “alien” which is not a term used in the Committee or California, per AB 1096 (Luz Rivas), Chapter 296, Statutes of 2021.*

- 6) Establishes the Immigration and Nationality Act, covering aspects related to immigration, naturalization, deportation, and citizenship. (8 United States Code [U.S.C.] § 1101 *et seq.*)
- 7) Establishes the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, restricting eligibility of aliens for many federal benefit programs, including the Temporary Assistance for Needy Families (TANF), Social Security Income, Medicaid, and SNAP, except for “qualified aliens.” (Title IV of Public Law 104-193; 8 U.S.C. §§ 1601-1646)
- 8) Defines “ineligible alien” to mean a person who is not a citizen and who does not meet other requirements set forth under the applicable Legal Services Corporation Act and regulations. (45 Code of Federal Regulations § 1626.2)
- 9) Provides that individuals who are not “qualified aliens,” nonimmigrants, or certain paroled individuals are ineligible for state and local public benefits, except for specified emergency and public health services, and allows states to enact laws to make otherwise ineligible individuals eligible for state and local public benefits. (8 U.S.C. § 1621(d))

**FISCAL EFFECT:** Unknown, this bill has not been analyzed by a fiscal committee.

**COMMENTS:**

**Background:** *One California Program.* The One California program includes both the Youth Legal Services (formerly the Unaccompanied Undocumented Minors program) and Immigrant Services Funding Program (ISF). ISF was established in 2015 and is a state-funded immigration legal services program administered by CDSS, which provides grants to nonprofit organizations to deliver free immigration legal services to eligible individuals residing in California. The program was created to expand access to legal assistance for immigrants who are eligible for immigration relief but cannot afford legal representation, with the goal of improving access to lawful status, work authorization, and other immigration protections.

Through a competitive grant process, CDSS contracts with qualified nonprofit legal services organizations that have at least three years of experience providing immigration legal services and are recognized and accredited by the Office of Legal Access Programs under the United States (U.S.) Department of Justice’s Executive Office for Immigration Review or meet State Bar trust fund requirements. Grant funds may be used to provide services to assist individuals residing in, or formerly residing in, California with DACA applications and renewals, naturalization applications and appeals, and other immigration remedies and benefits, including U-visa, T-visas, special immigrant juvenile status, Violence Against Women Act self-petitions,

family-based petitions, cancelation of removal, asylum, advance parole, employment authorization documents, and LPR renewal. Grant funds may also be used to provide legal training and technical assistance to build immigration legal services capacity, particularly for organizations serving underserved communities.

According to CDSS' program data from 2022-23,<sup>1</sup> grantee organizations conducted over 19,000 legal consultations, assisted with more than 11,000 DACA applications, nearly 12,000 naturalization filings, and over 6,600 other immigration relief applications, while education and outreach efforts reached more than 150,000 individuals in multiple languages, including Spanish, English, Korean, Vietnamese, Farsi, and Indigenous Mesoamerican languages such as Mixteco. Service providers reported ongoing challenges including increased Request for Evidence, long case processing delays due to immigration court and U.S. Citizenship and Immigration Services (USCIS) backlogs, limited access to legal representation for complex cases, particularly in rural areas, high USCIS filing fees and inconsistent fee waiver approvals, and continued fear and uncertainty among immigrant communities stemming from federal immigration policies.

Since 2019, the program has received ongoing General Fund (GF) support of approximately \$45 million annually. In state fiscal year 2025-26, CDSS awarded approximately \$37 million in ISF to 83 nonprofit organizations. The Governor's 2026-27 Budget proposes \$43.66 million GF to continue funding ISF.

*U.S. Immigration and Customs Enforcement (ICE) Detention and the Immigration Bond Process.* Immigration detention is a civil detention system operated by the federal government through ICE for individuals who are in removal (i.e. deportation) proceedings or awaiting immigration court proceedings. Unlike the criminal justice system, immigration detention is civil in nature, meaning individuals are detained for immigration enforcement purposes rather than as punishment for a criminal conviction. While the federal government provides lawyers for people who cannot afford one in criminal court, it does not provide government-appointed counsel in immigration court.

Some individuals in immigration detention may be eligible for release through the immigration bond process. An immigration bond allows an individual to be released from detention while their immigration case proceeds in immigration court, provided they attend all court hearings and comply with immigration requirements. Bonds are typically set by ICE, and individuals may request a bond hearing where an immigration judge determines whether the individual is eligible for release and may redetermine the bond amount. Bond amounts vary depending on the case but often range from \$1,500 to \$15,000 dollars, though higher amounts are not uncommon. The full bond amount must generally be paid up front before the individual can be released from detention. If the individual attends all required court hearings and complies with immigration requirements, the bond may be refunded at the conclusion of the case; however, the bond may be forfeited if the individual fails to appear or violates the conditions of release.

Remaining in immigration detention can create significant barriers to pursuing immigration relief, as individuals often have limited access to legal representation, documents, and communication with family members and attorneys. National data from the Vera Institute's

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<sup>1</sup> <https://cdss.ca.gov/Portals/9/Immigration/SFY%202022-23%20Immigration%20Services%20Annual%20Legislative%20Report%20-ADA%20FINAL.pdf?ver=BTQAHnw1ipP2FwbGtpSp9w%3d%3d>

Immigration Court Legal Representation Dashboard show that, as of February 2026, 3.3 million deportation cases are pending in immigration court, with 55% of detained immigrants lacking legal representation.<sup>2</sup> A study by the American Immigration Council also found that individuals without counsel are ordered removed at a rate of 61.8%, compared to 26.9% for those with representation.<sup>3</sup> For children, more than 860,000 over the past 12 months were facing deportation proceedings, and over 63% of these children did not have an attorney.

The Vera Institute's Immigration Court Legal Representation Dashboard also shows that California has the third largest immigration court caseloads in the country, with 354,165 people facing deportation proceedings, compared to 520,462 cases in Florida and 369,401 cases in Texas. While California has one of the highest caseloads, it also has one of the lowest rates of unrepresented individuals, with 27% of immigrants lacking legal representation. However, lack of representation is more pronounced among detained immigrants in California, where about 32% of the 4,813 detained individuals do not have legal counsel. Individuals facing deportation proceedings may wait years for a case decision and among cases closed in the past three years, individuals waited on average more than two years to receive even an initial decision.<sup>4</sup>

*Expansion of Immigration Detention & Immigration Bond Policy Changes.* Immigration detention in the U.S. has expanded significantly under the second Trump administration and reached record levels due to increased federal funding for immigration enforcement, expanded detention policies, efforts to increase detention capacity nationwide, and greater reliance on private prisons and state and local facilities to house detainees. The federal government substantially increased funding for immigration detentions through H.R. 1 that was signed into law on July 1, 2025, including roughly \$45 billion in funding for immigration detention over three years, which is about \$15 billion per year, representing a threefold increase over the \$3.9 billion detention budget that ICE received for fiscal year 2025, allowing for rapid expansion of detention capacity and enforcement operations. The Migration Policy Institute notes in an October 2025 policy memo that the annual budget for immigration detention is now on pace to be 62% larger than that of the entire federal prison system, which was \$8.6 billion in 2025.<sup>5</sup>

The number of individuals in immigration detention has also increased rapidly, with detention populations rising to record levels and expected to continue growing as detention capacity expands. Specifically, immigration detention populations increased from about 39,000 individuals in detention at the beginning of Trump's second presidency in January 2025, to more than 68,000 individuals by February 2026, with detention capacity potentially expanding to hold as many as 135,000 individuals nationwide through the end of 2029.<sup>6,7,8</sup> Federal immigration policy changes have also expanded the categories of individuals subject to mandatory detention, resulting in more individuals being detained while their immigration cases are pending rather than being released on bond or supervised release. As a result, individuals with only minor

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<sup>2</sup> <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative/immigration-court-legal-representation-dashboard>

<sup>3</sup> [https://civilrightstocounsel.org/major\\_developments/immigration-study-finds-representation-more-than-halves-immigrant-removal-rate/](https://civilrightstocounsel.org/major_developments/immigration-study-finds-representation-more-than-halves-immigrant-removal-rate/)

<sup>4</sup> <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative/immigration-court-legal-representation-dashboard>

<sup>5</sup> <https://www.migrationpolicy.org/article/trump-immigrant-detention>

<sup>6</sup> <https://www.migrationpolicy.org/article/trump-immigrant-detention>

<sup>7</sup> <https://www.americanimmigrationcouncil.org/blog/ice-expanding-detention-system/>

<sup>8</sup> <https://tracreports.org/immigration/quickfacts/>

offenses are being detained for immigration purposes, with 73.6% of current detainees having no criminal convictions.<sup>9</sup>

The expansion of immigration detention has also led to increased reliance on private prison companies, such as GEO Group and CoreCivic, and partnerships with state and local governments to house immigration detainees in private detention centers, local jails, state prisons, and other facilities, many of which are located in remote areas, making it difficult to access attorneys, attend bond hearings, communicate with family members who may be able to help pay bond, or obtain documents needed to support bond requests. Transfers between detention facilities can also delay bond hearing and make it more difficult for individuals to maintain contact with attorneys and family members.

California has nearly 8,500 immigration detention beds across seven ICE detention facilities, all operated by private companies and located in the southern half of the state. As of late January 2026, 6,412 of those beds were occupied daily, according to Syracuse University's Transactional Records Access Clearinghouse (TRAC), representing more than double the number from the same period the previous year, when detention facilities housed roughly 3,000 individuals per day.<sup>10</sup> Some of this increase is attributed to the California City Immigration Processing Center, the state's newest and largest detention facility located in a remote desert area about 70 miles east of Bakersfield with a capacity of more than 2,500 individuals.<sup>11</sup> Detainees at several facilities have reported unsanitary conditions, meager meals and inadequate care, among other issues.

At the same time that immigration detention capacity has expanded, access to release from detention through the immigration bond process has become more limited. According to reporting by the New York Times,<sup>12</sup> historically many individuals in removal proceedings were eligible to request bond and be released from detention to live in the community while their immigration case proceeded, which often took several years due to immigration court backlogs. However, on July 8, 2025, ICE issued a policy memo reinterpreting immigration law to classify many undocumented immigrants as "applicants for admission," even if they had lived in the U.S. for years. Under this interpretation, these individuals became subject to mandatory detention and were no longer eligible for bond hearings.

Following this policy change, the Board of Immigration Appeals (BIA), a Justice Department body that reviews immigration court decisions, issued a precedential decision in September 2025 holding that immigrants who entered the U.S. without authorization are not eligible for bond hearings and must remain detained during removal proceedings, making the new policy binding on all immigration judges.<sup>13</sup> The BIA said that immigration judges do not have to "hear bond requests or grant bond" to this population, despite an analysis several years ago by TRAC showing that about 85% of people who were released from detention on bond would show up when their hearings are eventually held. Federal courts issued several rulings in late 2025 restoring bond hearing rights for some detainees, but in February 2026, a federal appeals court

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<sup>9</sup> <https://tracreports.org/immigration/quickfacts/>

<sup>10</sup> <https://www.sacbee.com/news/california/article314596167.html>

<sup>11</sup> <https://www.sacbee.com/news/california/article314596167.html>

<sup>12</sup> <http://nytimes.com/2025/09/24/us/immigrants-trump-detention.html>

<sup>13</sup> <http://nytimes.com/2025/09/24/us/immigrants-trump-detention.html>

allowed the federal government to continue detaining many immigrants without bond while litigation continues.

As a result of these policy changes, immigration bond hearings have declined significantly. Federal data cited in reporting on these policy changes shows that over a two-week period in early July, more than 100 people per day were being granted immigration bond, but after policy changes limiting bond eligibility were implemented, the number of individuals granted bond fell sharply to an average of about 22 people per day by late August and early September 2025.<sup>14</sup> In 2023, undocumented-led households paid nearly \$90 billion in taxes and contributed almost \$300 billion on consumer spending, while immigration detention cost approximately \$3.4 billion nationwide, or about \$152 per detainee per day.<sup>15</sup>

California's Attorney General announced on April 1, 2026, that the state is continuing to oppose the federal "no bond" immigration detention policy, arguing it violates due process, leads to prolonged detention without hearings, contributes to overcrowded and inhuman detention conditions, and harms families and communities.

*Federal Restrictions on Public Benefits for Immigrants.* Federal law significantly restricts immigrant's eligibility for public benefits, including many federally funded assistance programs. These restrictions were primarily established through the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which created categories of immigrants eligible and ineligible for federal, state, and local public benefits and limited access to many public assistance programs for individuals who are not considered qualified immigrants.

Under federal law, individuals who are not qualified immigrants, nonimmigrants, or certain paroled individuals are generally ineligible for most state and local public benefits unless a state passes a law affirmatively providing eligibility for those benefits. Federal law defines public benefits broadly to include grants, contracts, loans, licenses, and many forms of public assistance such as housing assistance, food assistance, health benefits, disability benefits, and other similar assistance funded by state or local governments.

However, federal law allows certain exceptions for services necessary to protect life or safety, including emergency medical services, short-term emergency disaster relief, public health assistance for immunizations and communicable disease testing and treatment, and certain community-based services such as soup kitchens, crisis counseling, and short-term shelter. Federal law also allows states to provide state-funded public benefits to immigrants who are not otherwise eligible under federal law if the state enacts a law affirmatively providing eligibility for those benefits. As a result, California has created state-funded programs to provide services and assistance to immigrants who are ineligible for federally funded programs, including legal services programs such as the One California Program.

These federal restrictions on public benefits are relevant to immigration detention and bond because individuals in immigration detention or removal proceedings often have limited access to financial resources and are generally not eligible for most public assistance programs that could help pay for immigration bond, legal services, or other costs associated with immigration

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<sup>14</sup> <https://www.nytimes.com/2025/09/24/us/immigrants-trump-detention.html>

<sup>15</sup> <https://oag.ca.gov/news/press-releases/attorney-general-bonta-continues-oppose-inhumane-no-bond-immigration-detention>

proceedings. As a result, individuals and families must typically rely on personal savings, family support, nonprofit organizations, or legal service providers for assistance with immigration bond and legal representation.

*This bill* expands the One California program to allow grant funds to be used to provide assistance with immigration bonds.

**Author’s Statement:** According to the Author, “No family should be separated simply because a loved one cannot afford an immigration bond. Prior to 2025, immigration bonds were set at significantly lower levels. Today, bond amounts have risen substantially, with mid-range amounts increasing by roughly 18 percent and upper-end amounts by about 50 percent. At the same time, immigration detention has surged, while discretionary releases have fallen by 87 percent.

“[This bill] makes a narrow but important change by allowing state-funded immigration legal service providers to assist with immigration bonds—helping eligible individuals return to their families and fight their cases outside of detention. This bill is about keeping families together and ensuring that freedom is not determined by wealth.”

**Equity Implications:** Immigration bond requirements create significant financial barriers that disproportionately affect low-income immigrants and mixed-status families, as bonds are often set at several thousand dollars and must be paid upfront for release from detention. As a result, individuals with financial resources are more likely to secure release while those without resources may remain detained for months or years while their cases proceed, meaning detention outcomes can be influenced by ability to pay rather than public safety risk or likelihood of appearing in court.

Immigration detention and deportation proceedings disproportionately affect Latino and immigrant communities, particularly in California. Increased detention capacity and reduced access to bond have resulted in more individuals remaining detained while their cases are pending, which can lead to job loss, housing instability, family separation, and economic hardship for families and communities. Access to bond assistance may allow individuals to remain in their communities while their cases proceed.

Access to legal representation is strongly correlated with case outcomes in immigration court, and individuals who remain detained are significantly less likely to obtain legal representation than those released on bond. Individuals released from detention are less likely to obtain counsel, gather documents, and prepare their cases, which can improve due process and case outcomes. Lastly, detention facilities are often located in remote areas, creating geographic barriers to legal representation and family support. Reducing time spent in remote detention through bond assistance may improve access to legal services and community support.

**Double referral:** Should this bill pass out of this committee, it will be referred to the Assembly Committee on Judiciary.

**Arguments in Support:** According to UDW/AFSCME Local 3930, “Across California, approximately 6,500 individuals are currently held in ICE detention facilities, many for prolonged periods simply because they cannot afford bonds. In recent years, immigration detention has increased, and bond amounts have risen significantly, with many set between \$5,000 and \$15,000 or higher—far beyond what most families can afford. At the same time,

eligibility for bond and access to hearings has become more complex due to increased immigration enforcement priorities under the current federal administration. As a result, many individuals who qualify for release remain detained solely because they lack the financial resources to pay bond.

“While California has made important investments in immigration legal services, current program restrictions limit providers to legal representation, outreach, and technical assistance. Critically, these funds cannot be used to help clients secure release through bond.

“This gap undermines the effectiveness of legal services, as individuals are forced to navigate their cases from detention, where access to counsel and the ability to prepare their case are significantly constrained.

“[This bill] addresses this inequity by expanding allowable uses of funding to include immigration bond assistance. This change will enable trusted nonprofit legal providers to help eligible individuals secure their release, reunite with their families, and more effectively participate in their legal proceedings. Detention should not be prolonged simply due to a person’s inability to pay.”

**Arguments in Opposition:** None on file.

#### **RELATED AND PRIOR LEGISLATION:**

***AB 2600 (Bonta) of the current legislative session***, requires the state to provide legal counsel to every covered individual who is not otherwise represented, beginning at specified stages of immigration custody or proceedings. Requires the administrator to implement the program, contract with qualified legal service providers, establish eligibility criteria, prioritize detained individuals, and annually report on program implementation and outcomes. *AB 2600 is set to be heard by the Assembly Committee on Human Services on April 14, 2026.*

***SBX1-2 (Wiener, Gabriel), Chapter 4, Statutes of 2025***, amended the 2024 Budget Act to provide \$25 million of additional GF resources for immigration and legal aid services.

***AB 1066 (Castillo) of 2025***, would have prohibited funds available for the One California program to be used to obstruct or interfere with federal enforcement actions or legal proceedings against individuals convicted of a felony who are present in the U.S. in violation of federal immigration laws. Would have clarified that this restriction include, but not be limited to, expenditures on litigation, administrative actions, or any other measures intended to shield such individuals from federal apprehension or deportation. *AB 1066 failed passage in the Assembly Committee on Human Services.*

***AB 2031 (Jones-Sawyer) of 2024***, would have amended the One California program to expand the types of services qualifying nonprofit legal services organizations may provide utilizing grant funding and would have restructured the experience needed from such organizations in order to qualify for grants, and would have repealed a restriction on the use of grant funds to provide services for individuals with serious or violent felony convictions. *AB 2031 was set to be heard by the Assembly Committee on Judiciary but the hearing was cancelled at the request of the author.*

*AB 617 (Jones-Sawyer) of 2023*, would have made changes to the One California program requirements that nonprofit legal services organizations must meet to get funding; would have expanded the scope of services and who is eligible to receive services; and, would have convened an advisory committee. *AB 617 was set to be heard by the Assembly Committee on Judiciary but the hearing was postponed by the committee.*

*AB 1096 (L. Rivas), Chapter 296, Statutes of 2021*, struck the offensive and dehumanizing term "alien" used to describe a person who is not a citizen or national of the U.S. where it appears in multiple California code sections, and replaced it with other terms that do not include the word "alien," and made other nonsubstantive changes.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

CFT – a Union of Educators & Classified Professionals, AFT, AFL-CIO  
NextGen California  
United Domestic Workers/AFSCME Local 3930

### **Opposition**

None on file.

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