

CITY COUNCIL
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON IMMIGRATION

-----X

January 25, 2012
Start: 10:19 a.m.
Recess: 11:30 a.m.

HELD AT: 250 Broadway
Committee Room, 16th Fl.

B E F O R E:
DANIEL DROMM
Chairperson

COUNCIL MEMBERS:
Charles Barron
Mathieu Eugene
Ydanis A. Rodriguez
Jumaane D. Williams

A P P E A R A N C E S

Guy Sansaricq
National Center of Haitian Catholic Apostolate

Jocelyn McCalla
Haitian-Americans United for Progress

Schency Augustin
Beraca Baptist Church

Ace Robinson
Gay Men's Health Crisis

Laura McLoughlin
Manager of Business Development
Diaspora Community Services

James Desbrosses

1
2 CHAIRPERSON DROMM: Okay. Good
3 morning. My name is Daniel Dromm and I am Chair
4 of the New York City Council's Committee on
5 Immigration. Before going any further, I'd like
6 to introduce my colleagues. I have, to my left,
7 Mathieu Eugene from Brooklyn, Charles Barron from
8 Brooklyn, and Jumaane Williams from Brooklyn,
9 council members. We are here today to discuss
10 three resolution affecting immigrants not only
11 here in New York City, but also nationally.
12 Immigrants everywhere are affected by the lack of
13 comprehensive immigration reform. When Congress
14 passed the illegal Immigration Reform and
15 Immigration Responsibility Act, it changed the way
16 the federal government handles immigration cases,
17 enforcement and detention. Resolution number 761
18 urges the US Department of Justice to implement a
19 comprehensive hiring plan and to hire an adequate
20 number of experienced immigration judges.
21 Immigration judges play an instrumental role in
22 the outcome of an immigrant's future. Since
23 federal enforcement agencies have been
24 apprehending and detaining immigrants in record
25 high rates, it's important that immigration court

1
2 are equipped with knowledgeable judges who have
3 all the necessary resources at their disposal to
4 make concise and informed decisions. Resolution
5 number 1096, sponsored by Council Member Mathieu
6 Eugene calls for the implementation of a Haitian
7 Family Reunification Parole Program, which would
8 allow for Haitians to wait in the United States
9 for their Visas instead of Haiti. New York City
10 has long been an entry point for millions of
11 immigrants, and after the January 2010 earthquake
12 in Haiti, New York City once again opened its arms
13 to Haiti and Haitian nationals in response to the
14 devastation. This resolution supports the
15 preservation of the family unit, the Haitian
16 community, and is just another statement from the
17 Council of its support of Haiti and its people.
18 Resolution number 1193, sponsored by Council
19 Member Ydanis Rodriguez would authorize the
20 Council to join an amicus brief against the
21 controversial Arizona Senate Bill 1070. New York
22 City, along with other municipalities have long
23 voiced their opposition to the harsh immigration
24 law the state of Arizona is trying to implement, a
25 law that would deter immigrants from reporting

1
2 crimes to local enforcement and alienate a
3 vulnerable community. By joining the amicus
4 brief, the Council would make it clear that it's
5 important not to compromise the relationship
6 between immigrant communities and law enforcement
7 agencies as we try to promote and strengthen
8 public safety. This morning we look forward to
9 hearing from immigration advocates as well as
10 legal service providers about this important issue
11 and the potential impact that the passage of these
12 resolutions could have not only on immigrants
13 within New York City, but also nationally. At
14 this time I would like to thank everyone for
15 attending this morning's hearing, and give my
16 colleagues the opportunity to speak. Council
17 Member Eugene?

18 COUNCIL MEMBER EUGENE: Thank you
19 very much, Mr. Chair. Thank you. Good morning.
20 I want to thank Chair Daniel Dromm for introducing
21 this resolution with me, along with all my
22 colleagues who have shown their support for the
23 resolution. In addition, I want to thank the
24 legislative counsel to the Immigration Committee,
25 Julene Beckford, and the policy analyst, Jennifer

1 Montalvo, for their work on the resolution.

2
3 Finally I just want to recognize the effort of our
4 immigration advocates, who have been at the
5 forefront of addressing this issue, including
6 those who are here to testify and participate in
7 today's hearing. And I want to express special
8 thanks to my legislative director, Jonah Rogoff,
9 who did a wonderful job on this resolution also.

10 As you know, the past few years have been a
11 difficult period for Haiti. The earthquake that
12 shook the country on January 12 of 2010 devastated
13 the capital city of Port-au-Prince, displacing
14 millions of people and causing an unprecedented
15 humanitarian crisis. Two years after the
16 disaster, people are still struggling to survive.
17 People affected by the earthquake do not have
18 access to basic necessities such as food, clean
19 water and medical care. Moreover, there are many
20 Haitian orphans without homes and children who
21 cannot go to school. Haiti's road to recovery
22 will take time and require support from
23 individuals, organizations, governments throughout
24 the world. While the country recovers and
25 rebuilds, there are civil actions we can take to

1
2 help improve the quality of life for those who are
3 suffering and for people living in the United
4 States who have family members in Haiti. The
5 Department of Homeland Security can issue family-
6 based visas for individuals who are spouses,
7 parents, and children of United States citizens or
8 green card holders. Currently over 10,000 people
9 have been approved by the federal government to
10 come to the United States under the visa program,
11 but must wait to enter the United States. I
12 believe that the federal government should make a
13 priority and bring in these individuals to the
14 United States, where they can be reunited with
15 their families and be in an environment where to
16 better support themselves, especially the
17 Department of Homeland Security has the ability to
18 create a parole program to expedite the arrival of
19 these thousands of people with approval visa.
20 Philadelphia, North Miami, and several other
21 cities have adopted resolutions in support of
22 creating a Haitian Family Reunification Program.
23 As one of the largest concentrations of Haitians
24 outside Haiti, now I believe it is our turn for
25 New York City to show its support. This issue not

1
2 only would benefit the Haitians who cannot leave
3 Haiti, but also the thousands of families here in
4 the United States, in New York and places around
5 the country, who are waiting for their loved ones
6 to be part of their life again. As the primary
7 sponsor of the resolution, I want to express my
8 strong support and urge all my colleagues to join
9 me in addressing this issue. I want to again
10 thank everyone for coming today in support of this
11 resolution. By holding a hearing on this topic,
12 we are taking an important step in making sure
13 that New Yorkers stand together again in assisting
14 Haiti. Thank you very much, Mr. Chair.

15 CHAIRPERSON DROMM: Thank you very
16 much, Council Member Eugene. Council Member
17 Williams?

18 COUNCIL MEMBER WILLIAMS: Thank you
19 very much, Mr. Chair. Thank everyone for this
20 legislation. It's very important. I come from an
21 immigrant household. I'm a first generation
22 Brooklynite, so these issues are very dear to me
23 and I was happy that President Obama mentioned his
24 desire to have some immigration reform on the
25 federal level. While these resolutions are great,

1
2 we really need our federal counterparts to do the
3 same. I'm hoping it was more than just words.
4 And I'm very happy to support all these pieces of
5 resolutions. Immigrants and immigration are what
6 makes this country keep going forward. And for
7 some reason we keep treating them as if that's not
8 the case, and it's proven where there is immigrant
9 and immigrant labor, wages usually go up around
10 those areas. That's important to remember. In
11 particular I'm very happy to support Council
12 Member Eugene and his resolution for the Haitian
13 Reunification Program, together with my colleague,
14 we represent the largest Haitian Diaspora outside
15 of Haiti. So, it's very, very dear to us and
16 further underscores even within the immigration
17 issue, for some reason the darker your hue, you're
18 treated much differently, and there should be no
19 reasons why Haitians and Haiti are treated
20 differently than any other countries. And I want
21 to make sure I recognize Bishop Sansaricq, who I
22 think will be testifying later as the highest-
23 ranking bishop in the Catholic Church. Thank you
24 very much.

25 CHAIRPERSON DROMM: Thank you very

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

much. And Council Member Barron.

COUNCIL MEMBER BARRON: Thank you very much. This issue of immigration is always interesting to me. The history of immigration, everybody--most whites in America are immigrants. The land was stolen from the indigenous people of this country, of this land, and now especially in Arizona, when people come back to unite with their families, a land that was stolen from them, they're the ones that are the bad ones. So, immigration, when years ago the immigrants were Irish, Polish, Italian, German, white Euro-ethnics, it had discrimination, but their path to citizenship was much easier than now that it's African and Caribbean and Haitian and Latino. Now that the face of immigration has changed, now the pathway to citizenship is more difficult. So when they say they have 12 million undocumented, not illegal aliens--people from space that have no legal right to be here--but undocumented people who have come to this country--and yes, Obama said he'd put more boots on the border to stop people from getting in and they want some comprehensive immigration plan, you know, this is a lot of

1 racism. The demographics of American is changing
2 just as is New York City's demographics. Most of
3 the people in New York City now are so-called
4 people of color. By the year 2050, they say,
5 2060, American, the browning of America they wrote
6 about in some article, will be people of color. A
7 lot of this has to do with politics. I remember
8 doing--I'll never do it again--Bill O'Reilly's
9 show on Fox. And him and I were going back and
10 forth on immigration. And he said, I finally
11 discovered it, the Left Agenda, thank you, Mr.
12 Barron. So that's it, that's it, you want power.
13 You want people of color to take over. I said,
14 you're a fool. You know, we were talking about
15 white privilege and immigration. So, you know, I
16 support these legislations, but we have a very
17 large question and it's a question of Haiti, it's
18 a disgrace and a shame to this nation, to France
19 and to the world that they're just not paid
20 reparations. Haiti should be paid reparations for
21 the pillaging of Haiti over the centuries by
22 French. Do you know the French--and I'll stop in
23 a minute, Mr. Chair--the French had the nerve to
24 have Haitians pay them reparations after they

1
2 stole their land, oppressed them, murdered them,
3 killed them, left them--Haiti is not the poorest
4 nation on the planet; it is a rich country that's
5 oppressed and exploited. So these resolutions are
6 the micro part of immigration. The macro part is
7 that we've got to get this nation to understand
8 that the intellectual capital, the cultural
9 capital, the financial capital that immigrants can
10 contribute to this country is immense, and I hope
11 these legislations keep moving up the ladder to
12 look at the macro issue. I say let's not
13 criminalize them--legalize them, so that we can
14 have a pathway to citizenship and make this nation
15 pay its debt to those that they stole to bring
16 here and stole land from. It's time for this
17 nation to pay its debt and be more respectful to
18 immigrants. Thank you.

19 CHAIRPERSON DROMM: Thank you,
20 Council Member Barron. Gee, the Bill O'Reilly
21 Show. That must have been some show. Anyway, I
22 also want to make an announcement, that if you
23 would like to speak, you should have filled out
24 one of these forms, which you can get from the
25 Sergeant-At-Arms over there, so please make sure

1
2 that you've done that if you intend to speak at
3 the hearing today. And our first panel, I'd like
4 to bring them up now. Bishop Guy Sansaricq from
5 the National Center of Haitian Catholic
6 Apostolate. Jocelyn McCalla from the Haitian-
7 Americans United for Progress, and Schency
8 Augustin, from the Beraca Baptist Church in
9 Brooklyn. And Bishop, would you like to start us
10 off?

11 GUY SANSARICQ: Yes. Greetings of
12 peace to all present. I would like to thank Mr.
13 Rogoff, the legislative director, for inviting me
14 to voice my support to Resolution 1096, introduced
15 by Council Member Mathieu Eugene. As you know, it
16 calls upon the President and Department of
17 Homeland Security to create a Haitian Family
18 Reunification Parole Program for Haiti. The
19 reasons for my supports are the following. First,
20 the earthquake of January 2010 was one of the
21 greatest catastrophes that struck the world for
22 decades. The Japanese tsunami produced eight
23 times less human victims than the Haitian disaster
24 of two years ago. The United States, as a leader
25 of the western world and close neighbor to this

1
2 distraught island, is expected to demonstrate
3 extraordinary - - towards Haiti in conformity with
4 the noble traditions of this great nation. While
5 admittedly Haiti has received considerable
6 assistance from the United States in response to
7 tragedy, it has become obvious to all observers
8 that the help given has been inadequate. The
9 present resolution offers another avenue of
10 assistance, which is not novel, but in line with a
11 similar policy in favor of Cuban immigrants whose
12 plights are real, but less severe than the case at
13 hand. Though the present resolution is very
14 limited in its scope, it doesn't request an open-
15 door policy of wide scale admission of refugees.
16 The objection is simply to expedite the process of
17 admission to a relatively small number of approved
18 applicants for permanent residency visas. There
19 are people who have here in the United States
20 successful relatives who have sponsored them.
21 Unfortunately they have to wait 3 to 11 years
22 before updating their visas of entry. These
23 people will not be supported by public funds but
24 by wives, husbands, fathers, mothers, brothers and
25 sisters, who have already demonstrated their

1 financial ability to support them. Family
2 reunification is a valued concept in American
3 jurisprudence. By implementing such policy, the
4 government will be supporting family
5 reunification, hence alleviating the anguish of
6 sponsoring United States citizens, facilitating
7 early adjustment for these newcomers to this land,
8 and relieving the labor market in Haiti. It will
9 constitute a humanitarian gesture of great moral
10 and social significance. This resolution along
11 with similar ones taken in most other major cities
12 in the United States, further convince the
13 President and the Homeland Security Administration
14 to adopt this low-cost family reunification
15 policy. In this era of globalization, remaining
16 aloof to the distress of innocent families torn
17 apart by a natural disaster is a disgrace to the
18 ideals of modern civilization. Thank you for your
19 consideration.
20

21 CHAIRPERSON DROMM: Thank you very
22 much, Bishop. And Mr. Augustin.

23 SCHEUCY AUGUSTIN: Sure, sure.
24 Thank you very much. Good morning. I bring to
25 you personal testimony. I'm a first generation

1
2 Haitian-American. I was born in Haiti, Port-au-
3 Prince. My family, my mother and my father--my
4 father came up here first. He applied for my mom;
5 she came up with me. So I've been here since I
6 was three, four months old. So, people usually
7 just say, you're not really Haitian, you're
8 American. My birth certificate is from Haiti.
9 But this, in looking at this resolution, I see
10 that it would serve a huge purpose within the
11 Haitian community. And you know, just from
12 personal testimony, again, my mother has her only
13 sister, who is in Haiti with--she had three
14 children. For years my mother applied for them to
15 come up, but there was a list, and it goes
16 according to years. So now when their year came
17 up, you know, the paperwork started coming through
18 and everything started moving, and we're happy,
19 we're praying, and it's just like, okay,
20 everything is working. And then everything was
21 moving along and then everything just came to a
22 standstill. They're waiting for visa numbers.
23 Now, at my church--I go to Beraca Baptist Church,
24 which is a predominantly Haitian church. And, you
25 know, you hear there's a whole bunch of different

1
2 families that are experiencing all levels of
3 poverty. You know, you have people that are, you
4 know, they have their families in Haiti, but
5 they're working and trying to send money back, or
6 they're sending whatever they can. And it's
7 difficult. So, you know, during the time that
8 we're waiting for the visa numbers to come
9 through, one of my cousins died. My mother's
10 sister's son, he passed because there wasn't
11 enough medical attention to be able to help him,
12 you know, to deal with what he was dealing with.
13 And so, we believe that, you know, if he had the
14 opportunity to be here with us that he would have
15 gotten the necessary medical attention to be able
16 to live to see another day, you know, to be able
17 to--and these are not--there's so many people in
18 Haiti. And I've traveled back a number of times,
19 and there are so many smart young people, older
20 people full of wisdom. It's just rich. Like Mr.
21 Barron was saying, there's just so much in Haiti
22 that it's a disadvantage to not put this forward.
23 So, now it's just a matter of us just reaching out
24 and helping the Haitian community. I know that
25 when it comes to financial support in allowing the

1
2 families to come up, the families are going to be
3 supported. And it's obvious from the way the
4 families are being supported from abroad that it
5 can be done. You know, it's not something where
6 it's like, oh, you know, we're not sure if this is
7 going to work. It will work, because it's been
8 working from across the seas. So to bring the
9 families, you know, home--home being with their
10 families, you know, I believe that it would
11 definitely serve a great purpose within the
12 Haitian community. So, you know, I bring that to
13 the table, just saying thank you for allowing us
14 to even speak. Thank you very much.

15 CHAIRPERSON DROMM: Thank you. And
16 Mr. McCalla.

17 JOCELYN McCALLA: Thank you, Mr.
18 Chairman. My name is Jocelyn McCalla. I'm
19 pleased to testify before this Committee on behalf
20 of the Haitian-Americans United for Progress.
21 HAUP was founded 37 years ago by Haitian-American
22 community leaders and advocates to help resettle
23 and integrate Haitian asylum seekers and
24 immigrants in New York City. These leaders
25 included--and I'm pleased to again see my good

1
2 friend the Bishop Sansaricq, at my left--as well
3 as Dr. Carolle Berotte Joseph, who now currently
4 serves as president of Bronx Community College.
5 Now, who would have thought that 37 years ago that
6 these people would have risen to such a height in
7 this city? But it has been possible. Haitians at
8 that time that were deemed to be undesirable by
9 the federal government, and a lot of obstacles
10 were put in their path to welcoming them as
11 refugees and so on. So, it is become many of us
12 rose to welcome them, to fight for their rights to
13 entry in the United States--because they were
14 fleeing persecution and seeking asylum--that these
15 people now have become--some of them have become
16 fairly successful at what they do, and in fact
17 have contributed greatly to the welfare and well-
18 being of the people of America. I, myself, I led
19 the National Coalition for Haitian Rights, you
20 know, for several years. And I'm very familiar
21 with the process of taking the government to court
22 to make sure that government abided by both
23 domestic and international law. So, I am pleased
24 again to offer my expertise to the Committee and
25 to speak on behalf of HAUP, on behalf of, in

1 support of the resolution. Now, why the
2 resolution and why should the entire City Council
3 in fact approve it unanimously? Well, the Obama
4 Administration responded fairly quickly and
5 aggressively two years ago after the earthquake.
6 It deployed thousands of troops to support the
7 actions of a government that literally collapsed,
8 and to facilitate the relief and recovery response
9 that poured from all over the world into Haiti.
10 Stateside, it promptly granted temporary protected
11 status to Haitian non-immigrants who were in the
12 United States at that time. Last year, the
13 Administration extended TPS for this class and
14 broadened it to include Haitians who had hurriedly
15 joined their relatives after the earthquake
16 because their livelihood had been destroyed. Most
17 recently, this year, the Administration has
18 decided--I mean a little bit last year--the
19 Administration has decided to allow Haitians to
20 take part in the guest worker programs that the
21 U.S. growers and farmers use to ensure that they
22 have sufficient legal labor to bring in the
23 harvest. Yet there's one more step the
24 Administration could have taken, and which, as
25

1
2 Resolution 1096 notes, it has not taken. It has
3 not speeded up the family reunification process
4 for Haitian immigrants who are already in the
5 pipeline. And as Mr. Augustin has very eloquently
6 said, this creates a real threat and a burden on
7 the families who are waiting to be reunited with
8 their relatives. And because the situation in
9 Haiti is so shaky and so fragile, some of these
10 people who might have been benefitted of medical
11 assistance are not in the position to access good
12 medical care. So, HAUP supports the resolution
13 and urges the Committee on Immigration and the
14 entire New York City Council to approve it. Such
15 an action would send a very strong signal to the
16 Obama Administration that this great city, which
17 has one of the most diverse and productive
18 immigrant populations in the United States,
19 supports the Haitian Family Reunification Parole
20 Program. And I want to emphasize the parole
21 program. It's not a blanket grant of amnesty,
22 which is so that people have to demonstrate that
23 they qualify. Part of the reason why this is very
24 important is because really Haiti has barely
25 gotten off the ground since the earthquake, in

1
2 spite of the close to \$10 billion pledged in the
3 March 2010 International Donors Conference and the
4 commitment to hasten efforts to build back Haiti
5 better. As time went by, frustration with
6 political management of Haitian affairs and of the
7 recovery efforts led both Haitians and
8 international allies to turn to electoral
9 politics. These turned to be highly
10 controversial; a disaster was only averted by
11 heavy-handed management of the process by the
12 United States and its key allies. Haiti's
13 capital, Port-au-Prince, remains home to more than
14 half a million internally displaced earthquake
15 refugees. Many have returned to homes that are
16 really very unsafe. While the United States and
17 its allies have done much in the past year to
18 support Haiti's recovery and reconstruction,
19 economic growth and political stability remain a
20 dream deferred in Haiti. We hope that the new
21 leadership in Haiti will take provide the
22 leadership necessary to allow for growth and
23 prosperity. Most observers, however, agree that
24 real economic progress is years away. Meanwhile,
25 Haiti remains vulnerable to floods, tropical

1
2 storms, hurricanes, and societal misfortunes,
3 health emergencies such as cholera outbreak,
4 malnutrition, increased commodities and food costs
5 due to world price fluctuation. In conclusion,
6 Haitian-Americans United for Progress, which is
7 serving about 15,000 people a year in the greater
8 Cambria Heights area, in parts of Brooklyn and
9 Nassau County, is ready and willing to assist
10 these people when they come to the United States--
11 assist them with settling, assist their families,
12 their relatives and so on. So, we see very little
13 downside to establishing the parole program, but
14 we see much upside for both the Administration,
15 for the City of New York, and the people of the
16 United States. Thank you.

17 CHAIRPERSON DROMM: Thank you very
18 much to all three of you for coming in to
19 participate in this discussion and to give
20 testimony. I agree with you in the sense that as
21 President Barack Hussein Obama said last night,
22 that much has been done, but more remains to be
23 done, and that the United States is losing out by
24 not allowing such talented people--I think Mr.
25 Augustin, you referred to that in your testimony.

1
2 But I'm going to just turn this over to questions
3 from my colleagues. And first, Council Member
4 Charles Barron.

5 COUNCIL MEMBER BARRON: I want to
6 thank all three of you for your testimony.
7 Bishop, it's always good to see you on the
8 frontline, as always. How much money did the
9 United States actually give?

10 JOCELYN McCALLA: The United States
11 pledged--

12 COUNCIL MEMBER BARRON:
13 [Interposing] Not pledged. How much did you
14 actually give?

15 JOCELYN McCALLA: I'm going to get
16 to that.

17 COUNCIL MEMBER BARRON: I got the
18 pledged part.

19 JOCELYN McCALLA: Most of the money
20 that the United States said it has spent on the
21 recovery effort has really gone to cover to the
22 expenditures made by the United States for, for
23 example, the American troops that were deployed
24 following the earthquake, and most of the
25 personnel that was deployed after the earthquake.

1
2 So in effect, the United States, if we were to
3 figure out what went into Haiti into the hands of
4 Haitians, from the amount that was pledged and
5 what it says it was given, I would say about 10%
6 of the money that was pledged really went--

7 COUNCIL MEMBER BARRON:

8 [Interposing] 10% of the money pledged the United
9 States actually gave. Give me a dollar figure on
10 that? What, \$100 million a couple hundred
11 million?

12 JOCELYN McCALLA: Well, the United
13 States said it spend about \$2.5 billion already.

14 COUNCIL MEMBER BARRON: \$2.5
15 billion.

16 JOCELYN McCALLA: Yeah, so that's--

17 COUNCIL MEMBER BARRON: And that
18 went to their troops?

19 JOCELYN McCALLA: Most of it went
20 to the troops, yes.

21 COUNCIL MEMBER BARRON: Right.

22 Come on, now. I mean, I know we got to try to get
23 what we want out of this place and we've got to
24 play some politics, but that is ridiculous for a
25 country of this great wealth having a Black

1
2 president and having a Black nation in the trouble
3 that it's in to have that kind of commitment. And
4 when you compare the commitment, the money to
5 Israel, money to other European countries, it is
6 much greater than the disaster in Haiti. And
7 Cuba, and other countries and, like, Venezuela,
8 these are countries that they complain so much
9 about, look at their contribution and look how
10 they set up doctors camps and all of that stuff,
11 gave so much medical aid. And these are poor,
12 struggling nations that--according to the United
13 States--are headed up by bogeymen. And yet they
14 were able to contribute so much. So, you know, I
15 just wanted to get a sense of that. And then
16 Bishop, you talked about the limits of this bill
17 and how it needs to be opened up more to refugees
18 and others. Could you just elaborate a little
19 more on that?

20 GUY SANSARICQ: Well, I understand,
21 of course, this resolution targets only a
22 particular population. I'm here to back up the
23 resolution. Of course much more could be done.
24 Regarding this, I think it would involved
25 something like 20,000 people.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNCIL MEMBER BARRON: Okay.

GUY SANSARICQ: And they are--they have already been approved, because all the documents that backs up their application has been approved. Therefore, they are not people who are going to come to have nowhere where to go. They have families here, established, who have already demonstrated their ability to support them. I think it's about 20,000 people.

COUNCIL MEMBER BARRON: About 20,000.

GUY SANSARICQ: The idea is that once you present all your papers you are approved, then you have to wait for five, three, ten, eleven years.

COUNCIL MEMBER BARRON: Right.

GUY SANSARICQ: Before you are approved. So, the purpose of this resolution is to allow them to come at once. That would benefit them; that would benefit their families, and that would benefit also the United States of America.

COUNCIL MEMBER BARRON: Right. And especially with the testimony that it could, has and will continue to cost lives--

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

[crosstalk]

COUNCIL MEMBER BARRON: --it could
literally save people's lives.

GUY SANSARICQ: It's a low-cost
program.

COUNCIL MEMBER BARRON: Right.

GUY SANSARICQ: Because it doesn't
require--possibly an added agent in Port-au-
Prince.

COUNCIL MEMBER BARRON: At best.

GUY SANSARICQ: To expedite--

COUNCIL MEMBER BARRON:

[Interposing] Facilitate the paperwork.

GUY SANSARICQ: --the process.

COUNCIL MEMBER BARRON: So there's
no real public monies that need to be put into
this, because you already got the families that
made that commitment. Thank you for your
testimony.

CHAIRPERSON DROMM: Thank you. And
Council Member Eugene?

COUNCIL MEMBER EUGENE: Thank you,
Chair Dromm. Thank you very much. I just want to
thank one more time Bishop Sansaricq, not only for

1
2 testifying today, but for your fine work on behalf
3 of Haitian immigrants, because we know that you
4 have always been in the forefront of the fight for
5 Haitians--not only in the United States, way
6 before, for many years. I commend you for that.
7 You are a role model and inspiration for all of
8 us. Even for, I know for Mr. McCalla too. Thank
9 you very much for taking time from your busy
10 schedule to come over here. And to Mr. Augustin,
11 you know, your testimony was very moving,
12 touching. You know, like you, I was born in Haiti
13 and raised in Haiti also, as you know that. And I
14 know firsthand what you are talking about. I have
15 family members who have been through that also,
16 and every day in my office in my district in
17 Brooklyn, Haitian people come every single day
18 raising the issues and seeking for assistance to
19 bring their family members who are waiting in
20 Haiti to United States. And this is a big burden
21 for the family members--American citizens, I'm
22 talking about. American citizens, and people who
23 are legally admitted into United States who are
24 working, being part of the fabric of United
25 States, paying their dues to the system. It is

1
2 fair enough we believe in family values. We do
3 believe in United States of America and family
4 values. We want to see the families together, you
5 know, the father, the mother, the children. But I
6 think that we are not doing enough, and it is
7 wrong to keep those people waiting so long. And
8 we Haitian people, we know the situation. Most of
9 the young people, 17, 16-years old, they are
10 qualified and they went through all the system.
11 And as the Bishop Sansaricq said, they are
12 qualified to come over here. Even the parent paid
13 for the visa already--they have to wait. But when
14 they got to 21 years old, they are not qualified
15 anymore. They lose their opportunity and their
16 right to come to United States, because of
17 bureaucracy, because of the waiting. And as you
18 say, Mr. Augustin, many of them die because of the
19 crisis in Haiti, because of the lack of
20 infrastructure and medical care. And those
21 people, they were qualified. They went through
22 all the system, all the protocol. They were
23 supposed to be here. And what are we asking? We
24 are just asking for fairness, for equality, for
25 equal treatment, because they did it for the

1
2 people who come from Cuba. And as you said, all
3 three of you, it's going to be a win-win
4 situation. We are talking about people who are
5 qualified to come over here. They have a place to
6 live and they have people to support them and they
7 will be working to support the system. And I
8 commend all of you and I thank all of you, you
9 now, for being part of this and your support of
10 the registration. And Mr. McCalla, I know, how
11 hard you are working on behalf of the Haitian
12 community, and you know--because since I know--we
13 are not serving only people in Brooklyn, but we
14 are fighting on behalf of all the Haitians across
15 the nation who are waiting for this resolution to
16 pass, who are waiting for the federal government
17 to take the decision, because there are so many of
18 our brothers and sisters who are suffering in
19 Haiti, and especially right now as we speak,
20 because the crisis as a result of the earthquake,
21 the crisis in Haiti still exists. People are
22 still suffering because of the impact of the
23 earthquake. And I think that we are talking about
24 rebuilding Haiti--this is a good way to continue
25 to show that we want to rebuild Haiti. Because

1
2 rebuilding Haiti is not about building buildings
3 and infrastructure, but we have also to rebuild a
4 life of people, the people who are suffering. And
5 I think this is a humanitarian gesture. This is
6 something very important that United States could
7 do to demonstrate that yes, we want to rebuild
8 Haiti, yes, we want to bring Haiti on track and we
9 want to help those people who are suffering,
10 bringing those people who are qualified, who are
11 waiting for so long, bring them to United States
12 for them to be united with their family members,
13 and for them to experience also what all of us, we
14 are enjoying now, the American dream. And again,
15 to all of you, thank you very much. Thank you,
16 Mr. Chair, and to all my colleagues Council Member
17 Jumaane, Charles Barron and Ydanis and all of you
18 here, thank you for your support. Thank you.

19 CHAIRPERSON DROMM: Thank you very
20 much, Council Member Eugene. And I just want to
21 recall also how when we went to Israel you brought
22 the message of what happened in Haiti to the
23 people of Israel and were quite eloquent in terms
24 of speaking to the media and to the people there,
25 and visited a young victim of the earthquake in

1
2 one of the Israeli hospitals, and I'll always
3 remember that message that you brought there, that
4 was very, very good. Thank you.

5 COUNCIL MEMBER EUGENE: Thank you,
6 Mr. Chair, and if you allow me, let me from the
7 bottom of my heart on my behalf, and also on
8 behalf of my Haitian brothers and sisters, to
9 thank you for your support of us. You have been
10 always there, always in the forefront of the fight
11 with me, every time. Especially for this
12 legislation, resolution. When I spoke to you
13 about it you said, I want to do it, put me on it,
14 we're going to move it on. Thank you so much. I
15 appreciate that. Thank you.

16 CHAIRPERSON DROMM: Thank you. And
17 I'd like to say now we've been joined by Council
18 Member Ydanis Rodriguez, who also has some
19 questions. Council Member?

20 COUNCIL MEMBER RODRIGUEZ: Thank
21 you, Chairman Dromm. I just have a comment to
22 make, which is like, first of all, I thank the
23 Bishop for being here and supporting our
24 resolution, and Mathieu Eugene for having a
25 leadership in this with the support of Chairman

1
2 Dromm. As someone born and raised in the
3 Dominican Republic, we know that we share a small
4 island. And at the end of the day it doesn't
5 matter how much some members of the elite of the
6 island tried to divide our two countries; at the
7 end of the day we share so much--from our history.
8 I think all Latin American countries have to be so
9 proud - - Haiti for being a role model of getting
10 our slavery freedom. The freedom. And I think
11 that we owe a lot to Haiti. It's not enough to
12 say that Haiti is the poorest country in the Latin
13 American hemisphere. It's also why we created
14 that condition, and how Haiti has been going so
15 much exploitation and how we all not only after
16 another year when Haiti experienced one of the
17 worst earthquakes, but also Guantanamo was--when
18 Haitians also went to Guantanamo years ago, we
19 also failed the Haitian families. Haitian
20 children was born in Guantanamo. And still, they
21 were sent back to Haiti, something that is
22 unconstitutional. And I think that we all have to
23 remember also that chapter of the history where we
24 all have to make the connection on how there is so
25 many questions on why. Why did we allow Haitian

1
2 children born there in Guantanamo when they're
3 getting rid of the dictatorship and the economic
4 situation, and still how we sent them back and we
5 did not allow them to stay here in the United
6 States? But here we are more like supporting
7 Council Member Eugene and Chairman Dromm's
8 resolution that we believe will hope to continue
9 the United States' relief efforts for tens of
10 thousands of Haitians who have already been given
11 the permission to join their families in this
12 country, but have been waiting for visas to become
13 available. I think that's the bottom line. I
14 think that this hearing is taking place at a
15 moment where it is the day after where the
16 President Barack Obama already said that it is
17 time for this country to have a comprehensive
18 immigration reform, and I think that we have
19 something on the table ready. We should work with
20 the Haitian community and allow the families to
21 come back to join the other family members that
22 they have in this country. So, thank you.

23 CHAIRPERSON DROMM: Thank you. And
24 just--I'm sorry, Council Member Williams also had
25 questions.

1
2 COUNCIL MEMBER WILLIAMS: Thank
3 you. It's more of a quick comment. Just thank
4 you guys again for coming out and sharing your
5 stories. And I'm hoping--now, this is one of the
6 best years that we can show our political will.
7 So I'm hoping that Haitians are organized--
8 Florida, Boston, DC, New York--not to just give
9 someone a pass because it's the person we want to
10 support, but to make sure he knows our
11 enthusiastic support comes with some things,
12 particularly in Florida that is going to be up to
13 play. We should really get the boots on the
14 ground so they understand what it is that's needed
15 for our enthusiastic support, and not just give it
16 away like we usually do, and then nothing happens
17 after we've done that. Thank you.

18 CHAIRPERSON DROMM: And my question
19 really just has to do with, does anybody know the
20 potential number of people who would be helped or
21 affected by this? Have we heard any estimates on
22 that? No?

23 GUY SANSARICQ: The estimate I
24 heard is about 20,000.

25 CHAIRPERSON DROMM: 20,000?

1

2

GUY SANSARICQ: That's what I

3

heard, yes. I have not verified, but that's what

4

I heard.

5

JOCELYN McCALLA: I think the

6

resolution itself contains a few figures on the

7

number of people who would be eligible. But there

8

are different--of the people who are just waiting

9

for their visa numbers to come up, there's I think

10

there may be as many as 50,000, but there are

11

different categories within that segment. So,

12

that's part of the reason why we think it's not

13

going to be a huge burden on the part of the

14

United States, for example, to establish the

15

parole program for Haitians, just like it

16

established it for the Cubans.

17

CHAIRPERSON DROMM: All right.

18

Thank you very much, and we'll go to our next

19

pane.

20

JOCELYN McCALLA: Thank you.

21

CHAIRPERSON DROMM: Okay. Now I'd

22

like to call up Ace Robinson from Gay Men's Health

23

Crisis. Laura McLoughlin from Diaspora Community

24

Services and James Desbrosses. Maybe we can start

25

with Mr. Debrosses. Thank you. Whenever you're

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ready. Yeah.

JAMES DEBROSSES: Hello? Okay.

Good morning. My name is James Debrosses. I'm an attorney. I've been an attorney in New York State for about 20 years--1991. I've been focusing on immigration law, particularly in the New York City area. I have an office in Brooklyn, in Queens, and on Long Island, and I've been dealing with nationalities from all over the world. So, I've been doing immigration for approximately the whole world. I've done a lot of immigration for Haiti. And since the earthquake I've been there six times, so I know what's going on over there and I know what's going on here. Let me give you a little history on the 1096 resolution that we're requesting. Back in November of 2007, the Department of Homeland Security started and enacted the CFRP, which is the Cuban Family Reunification Program. That program was started for two purposes; number one, family reunification, number two, to discourage dangerous maritime migration. In other words, they didn't want Cubans to die at sea, so that's one of the reasons they started the reunification program, so

1
2 they could come in and wait here for their green
3 cards. In the meantime, have we counted how many
4 Haitians have died at sea trying to come here?
5 Nobody has mentioned that. It could be even more
6 than Cuba. That's one. Number two, January 12,
7 2010, we know for a fact hundreds of thousands of
8 Haitians have died or have been severely injured.
9 I know at least a million are homeless. Myself
10 personally, I send money every month to Haiti just
11 to help some people go to school, buy food,
12 etcetera, because even though Haiti is poor, it's
13 a very expensive place to live. Everything is
14 expensive in Haiti, which makes no sense to me.
15 Based on my information and my research, the
16 Haitian Family Reunification Act would help
17 approximately 150,000 Haitians get their green
18 card. Not 20,000, not 50,000--150,000. Because I
19 looked at the immigration statistics; they're
20 understated. Because I have clients who are the
21 spouses and children of US citizens--they're still
22 stuck in Haiti for some technical reason. There
23 could be a document problem. If the archives or
24 household documents are destroyed, it's not that
25 person's fault that they're destroyed because of

1
2 an earthquake. If they give enough proof, they
3 should be able to come in. And we all know, in
4 order to bring a relative here, you have to give
5 an affidavit of support. You have to give your
6 tax returns, so that alone relieves the US
7 Government for at least three years. Because that
8 person will take on the responsibility of
9 supporting that person until they are a US
10 citizen. I know also that most Haitians that come
11 here to work, and immigrants, they refuse to go on
12 government assistance. It's like an insult to
13 them. It's against their culture. The US
14 congress and the US government have to understand
15 that. Immigrants do not like welfare; they do not
16 like government assistance. They want to work.
17 That's their culture. So, I don't like to hear an
18 excuse, oh, they're going to take government
19 money. As a matter of fact they're giving taxes
20 while they're here because they're working. They
21 want to be on the books. They don't want to be
22 off the books. So, what I'm saying is, if the
23 Cubans can have that special treatment--which I
24 don't call special because it's--because no matter
25 what it's just a matter of time before they get

1
2 their green card and come here. So what's the
3 reason of holding up the process? Because I know
4 Haitians here that send money back to Haiti, it's
5 also understated. They say \$2 billion; it's way
6 more than that. Because they're not counting the
7 money that Haitians carry with them when they
8 travel on the plane. That's not counted in the
9 money transfers. Money that they cross over from
10 the Dominican Republic on themselves to go over to
11 Haiti. There's over 1 million Haitians in the
12 Dominican Republic. He can testify to that. They
13 carry money with them to Haiti. So, the \$2
14 billion is really \$5 billion, but because Haiti is
15 so expensive, it goes like that. Because the--I
16 would say the elite in Haiti triple or quadruple
17 their profits, which has to do with economics and
18 government. Haitians that are here--figure out if
19 we helped 150,000 Haitians get their green card,
20 they will come here and work, they would help at
21 least five more family members. So that's 750,000
22 Haitians that would help, that would either
23 continue to go to school, have healthy conditions
24 which they'd all have, and then they would--the
25 ones that are here in turn would apply for the

1
2 ones in Haiti and help them come here and survive.
3 Like Council Member Barron said, this is a land
4 for all immigrants. The native immigrants are the
5 American Indians, they were here first. So
6 everybody should have equal rights. It's not
7 first come, first served. It shouldn't be that
8 way. We should have an open policy; as long as
9 you qualify, you know, you're not a criminal,
10 you're coming here to work, everybody should have
11 equal opportunity. so, based on my clients, based
12 on the research I've done, I know the
13 reunification of Haitians would help a minimum of
14 150,000 Haitians get their green card and send
15 money back to Haiti. Okay. Thank you very much.

16 CHAIRPERSON DROMM: Yes. And Ms.
17 McLoughlin? Oh, I'm sorry. Okay.

18 LAURA McLOUGHLIN: Good morning.
19 My name is Laura McLoughlin. I'm here
20 representing Carine Jocelyn, Executive Director of
21 Diaspora Community Services. Diaspora Community
22 Services was formerly known as the Haitian Women's
23 Program. We are an international non-profit
24 organization with offices in Brooklyn, NY and
25 Port-au-Prince, Haiti. Since Haiti's devastating

1
2 earthquake two years ago, Diaspora has been at the
3 forefront in providing much needed support and
4 services, both locally and in Haiti. Diaspora's
5 commitment and knowledge of the Haitian community
6 is demonstrated in our over 30 years of services
7 community. The Haitian population works very hard
8 and similar to other immigrants want a better life
9 for their families. Unfortunately though in
10 Haiti, where there are good intentions, there
11 remains widespread devastation. Despite the
12 promises and statements of many world leaders and
13 public officials, an estimated 500,000 people
14 still live in tents and thousands live on the
15 streets. Families have been divided across
16 continents as a result of this tragic earthquake.
17 To address such hardships in the past, the US
18 established the Family Reunification Parole
19 Program, which allows immigrants from other
20 countries who have been approved for family
21 reunification and visas to come to the United
22 States and be with their family members while they
23 await their visas. This allows legal status in
24 the US, giving immigrants the right to work and
25 contribute to their own growth and the rebuilding

1
2 of their home country. Pardon me. Thousands of
3 Cubans have come to the US under the program. We
4 ask that Haitians be given the same fair and equal
5 opportunity. The nation of Cuba has historically
6 provided greater educational opportunities, better
7 medical care, better food, housing and overall a
8 greater quality of life to its citizens than many
9 Haitians have ever imagined. We are not asking
10 for special privileges for the Haitian community,
11 only that which is right and fair. New York has
12 through most of its history provided a refuge and
13 opportunity for many of the world's disadvantaged
14 to build a new life. The Haitian people seek our
15 support of the reunification parole program and
16 the opportunity to advance the lives of their
17 loved ones, and ultimately the livelihood of their
18 nation. Along with many republicans and
19 democrats, we urge President Obama and Secretary
20 Napolitano of the Department of Homeland Security
21 to take a simple step to save lives and speed
22 recovery. The Haitian Reunification Program would
23 cost virtually nothing, while reuniting families
24 and helping thousands in Haiti. The Department of
25 Homeland Security has approved them for US

1
2 residency, and all have a US family support
3 network in place. Many have paid a large fee to
4 the US treasury, and yet for no apparent reason,
5 they have been delayed access to the United
6 States. For two full years administration
7 officials have stalled on the Haitian Family
8 Reunification Act, stating that the step is under
9 consideration. Under consideration has become a
10 euphemism for apathy, and this is an outrage.
11 112,000 people in Haiti are beneficiaries of
12 family-based visa petitions, which the DHS has
13 already approved, but who nevertheless remain on a
14 three- to eleven-year waiting list in Haiti, where
15 many must survive under poor living conditions,
16 poor access to healthcare, inadequate housing,
17 limited employment, and a recent cholera outbreak.
18 In closing, Diaspora Community Services remains
19 committed to supporting the needs of the immigrant
20 communities in New York, and we support resolution
21 1096. The Haitian Family Reunification Parole
22 Program must be promptly enacted in order to
23 improve and save lives of thousands of Haitians.
24 It is truly the only humane and just course of
25 action. Thank you.

1
2 CHAIRPERSON DROMM: Thank you. And
3 now we have Mr. Robinson, who I believe is going
4 to speak on Resolution 761.

5 ACE ROBINSON: All right. Thank
6 you to City Council Member Dromm, the Committee on
7 Immigration and the New York City Council, for
8 calling this hearing. I come to you today to
9 offer you my remarks as an American Citizen who
10 has resided in Post Apartheid South Africa, Haiti,
11 Senegal in West Africa. And most recently I have
12 lived in the cities of Phoenix, Arizona, followed
13 by Los Angeles. And now I've relocated to New
14 York City, living in the Bronx. In addition, I am
15 a trained biological scientist, social scientist,
16 and public policy advocate, who has witnessed
17 firsthand how discrimination has led to the
18 reduction of health outcomes for individuals and
19 for entire communities. I come to you today also
20 as an employee of the Gay Men's Health Crisis, the
21 world's oldest HIV/AIDS service organization.
22 GMHC is and has historically been a national
23 leader in the fight against AIDS. We have helped
24 countless men and women and families that love
25 them to live better, healthier lives. GMHC was

1
2 founded by a group of brave individuals who dared
3 to have the compassion for people who for one
4 reason or another did not receive the respect and
5 human dignity that they rightfully deserved. The
6 mission of GMHC can be best described by the well-
7 known phrase, give us your poor, your tired, your
8 huddled masses, longing to be free. We fight to
9 reduce the challenges that those infected and
10 affected by HIV face each and every day. At one
11 time the people who were most impacted by HIV had
12 any number of characteristics and demographics.
13 Today that is not true. Our clients that we
14 advocate for on a daily basis share very similar
15 demographics. They are disproportionately people
16 of color, of lower socio-economic status, and less
17 educated. From this pool, those clients of
18 foreign origin or who speak English as a second
19 language often are at even greater risk for
20 contracting HIV. These particular individuals
21 face challenges to realizing a stable and healthy
22 existence. So, as a health and social advocate
23 for those who are often without a political voice,
24 GMHC supports Resolution number 1193. This allows
25 the Council to support an amicus brief to be filed

1
2 in the US v. Arizona case that the US Supreme
3 Court is hearing. The brief will support the US
4 position on the litigation. The case involves the
5 constitutionality of an Arizona statute commonly
6 known as S.B 1070. In short, 1070 gives the
7 police the right to stop any person at any time
8 and ask for their immigration documentation. S.B.
9 1070 is unconstitutional, since it is in effect
10 allowing Arizona state officials to enforce
11 immigration laws. The US is ensuring that all
12 citizens and residents are treated with fairness,
13 and without implicit or explicit discrimination no
14 matter what color, ethnic origin, or socio-
15 economic status. As you Council Members may
16 already know, GMHC has a staff of experienced
17 attorneys, accredited immigration advocates, and
18 volunteers who provide free legal services to
19 people living with HIV and AIDS. The people
20 receiving these services come from all walks of
21 life. We assist the clients with immigration
22 matters, employment discrimination and public
23 benefits, just to name a few of our services. As
24 a local, and especially as a national advocate for
25 these individuals, GMHC also fully supports the

1
2 City Council passing Resolution 761, because it
3 addresses the current concerns about the operation
4 of the immigration courts, some of which were
5 highlighted in the Supreme Court opinion *Judulang*
6 *v. Holder*. In *Judulang*, reversing the decision of
7 the 9th Court and the Immigration Court, Justice
8 Kagan observed that the Immigration Court based
9 its decision on an irrelevant comparison between
10 statutory provisions that did not relate to the
11 case before it. Justice was not upheld in the
12 lower courts and it took many expensive appeals
13 before the Supreme Court finally corrected it. We
14 believe the Council knows that the people staffing
15 the Immigration Courts are hardworking and ethical
16 individuals, and that they are doing the best they
17 can with the limited resources available to them.
18 Since Resolution number 761 promotes additional
19 funding to add competent judges to the Immigration
20 Courts, and because it also, and more importantly,
21 adds diversity on the bench. Gay Men's Health
22 Crisis believes this is a step toward addressing
23 the lack of resources at the heart of what
24 obviously went wrong in the *Judulang* case and
25 others like it. In closing, I would like to

1
2 commend the City Council for taking an active
3 stance in ensuring all people are treated with
4 decency and respect, irrespective of their
5 background or current location in the United
6 States of America. As a new resident of this fine
7 city, I am highly impressed and humbled to be
8 represented by a group of conscientious, fair and
9 caring group of legislators. Thank you for
10 allowing me to speak, and I look forward to
11 working with you in the coming years.

12 CHAIRPERSON DROMM: Thank you all
13 very much for coming in, and I know Council Member
14 Williams has some questions.

15 COUNCIL MEMBER WILLIAMS: It wasn't
16 a question; it was a comment. Thank you again for
17 all the testimony. I want to underscore something
18 Mr. Debrosses said, which was pointing out that
19 immigrants when they come don't really want to get
20 on all the social services, and I wanted to
21 underscore that, because just being in that
22 community, that's something that they feel they
23 don't want to do. They're proud. Even though I
24 think some of them are in situations that the
25 service was created for, and I don't think they

1
2 would abuse it, they would actually use it to help
3 them get out of the situation and move forward,
4 they still refuse to get on it. So, I think
5 that's an important issue to point out, so that
6 when they come here they're actually putting much
7 more into society than they're taking out. Thank
8 you.

9 CHAIRPERSON DROMM: Council Member
10 Eugene.

11 COUNCIL MEMBER EUGENE: Thank you
12 very much, Mr. Chair. I just want to thank and
13 congratulate you. Each one of you, and all three
14 of you for coming to testify today, even if the
15 topic is different, this is--I thank you for your
16 advocacy, and this is very important. And Mr.
17 Debrosses, I want to thank you also, because you
18 know that better than everybody, this topic that
19 we are, you know, we are talking about today,
20 because you have been serving the community, the
21 Haitian community for so long as an attorney. And
22 I know you personally as a strong leader in the
23 community. Thank you for taking time from your
24 busy schedule to come over here. I know you have
25 been there in the Court, going to Haiti, and the

1
2 community, to send for Haitian people. Thank you
3 so much. And thank you also for the information
4 that you brought to us also, some piece of
5 information.

6 JAMES DEBROSSES: I'll give you
7 copies.

8 COUNCIL MEMBER EUGENE: Yes. And I
9 hope that we will continue to work together until
10 we get to the result that we are looking for,
11 because it is very important that, as you say,
12 that the Haitian people that come over here--
13 immigrant people--that they want to work. They
14 just want to have a better life for themselves and
15 their children. They want to come over there to
16 work and be part of the system. And like other
17 people, other immigrants who came before, you
18 know, before us, they had the opportunity. They
19 were granted the opportunity to have a piece of
20 the American Dream. And I think that immigrants
21 today also, they are entitled to have a piece of
22 the American Dream, that the reason we are
23 fighting, we are fighting not only for Haitians
24 but for all immigrants. And as the Chairman said,
25 we have to fight to get comprehensive immigration

1 reform, because United States, you know, this
2 country has been built by immigrants. This is a
3 result of immigrant effort, sweat and blood. So
4 we have to continue to fight together. And also
5 to Ms. Laura McLoughlin, I just want thank you
6 also and commend the Diaspora Community for the
7 wonderful job that you are doing, because we have
8 so many wonderful organizations in the Haitian
9 community, fighting for immigrants--not only for
10 Haitians--fighting for everybody, providing a
11 wonderful job to improve the quality of life for
12 people in the community. To all three of you,
13 thank you so much. And let's continue to work
14 together to make New York a better place, to make
15 this United States one of the best countries in
16 the world. Thank you very much.

18 JAMES DEBROSSES: Thank you.

19 CHAIRPERSON DROMM: Thank you,
20 Council Member Eugene. And just kind of to wrap
21 it up, I put my resolution in, Resolution number
22 761 because I was very shocked to hear of the
23 quality of the judges who are appointed to
24 Immigration Court. And I was even more shocked to
25 learn of the qualifications to become a Judge,

1
2 which really are only that you be a lawyer, and
3 that probably you know someone in a high place to
4 place you there, which I think oftentimes leads to
5 the decisions like you referenced in your
6 testimony. Do you have an opinion on that or a
7 feeling about that that you could help elaborate
8 on that?

9 ACE ROBINSON: So, essentially, as
10 we know, as when the immigration law, the federal
11 immigration law was made, it brought the
12 Immigration Court four times the number of cases.
13 So, thereafter there was a problem with just being
14 able to receive a fair adjudication, like, you
15 know, making sure that they judges had all the
16 information that was necessary to make appropriate
17 judgment--what is the situation, where is the
18 person coming from, Judulang again for example,
19 you know Filipino, eight years old came over, got
20 in trouble as a youth, and then later on got in
21 trouble again for something that was a
22 misdemeanor. And then because there was--I would
23 say there was like one hand or the other, like you
24 were going to have one opportunity to look at a
25 case and say, oh, this person should be gone for

1
2 whatever reason, and then you have the exact same
3 reason, and that person gets to stay in the
4 country. And there was no set policy. And so
5 basically what your resolution could do would
6 allow for the judges to not only have the proper
7 training so that they are making, like, an
8 appropriate decision--if you do not match the
9 demographics, do not have all the education on it,
10 not through your own personal life--it will give
11 you the opportunity to learn about it so you can
12 make an appropriate judgment. And then also would
13 push the Immigration Courts to make sure that
14 there is a level of diversity where you're not
15 relying on--basically where you're not relying on
16 a certain segment of the population, which is
17 essentially lawyers who had good connections, who
18 needed a cush job, which was immigration law
19 before because it was something relatively simple
20 that required little political advocacy. So if
21 you're trying to remove that portion of it and say
22 if you're going to become an immigration judge,
23 you have to have these set of qualifications, you
24 have to have this sort of training, and you have
25 to be able to understand the issues that are in

1
2 front of the defendant. So, if you're talking
3 about what you're talking about--Mexicans,
4 Haitians, Cubans--anyone who comes into the
5 country--you want to make sure that you understand
6 where they're coming from, what's the situation
7 they're in, and, like, whether or not, like you
8 know, they're removing them from--deporting them
9 from this country will be a detriment to not only
10 their own personal life, but the society from
11 which they came from and the society from which
12 they grew in, and the society which they are
13 developing the fabric of, the current and real
14 America.

15 CHAIRPERSON DROMM: And it's for
16 all of the reasons that you just elaborated on
17 that I hope that my resolution will shine a light
18 on some of these things and expose it to people
19 who generally don't know that this is occurring in
20 our immigration system. And I thank all of you
21 for coming in. But before I let you go, I just
22 want to say that we also, today, are hearing
23 testimony on resolution number 1193, which deals
24 with joining an amicus brief against the Arizona
25 Law, and although we don't have anyone, I believe,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

who is going to testify on that today--

COUNCIL MEMBER EUGENE:

[Interposing] Mr. Chair?

CHAIRPERSON DROMM: Did you want to say something on that?

COUNCIL MEMBER EUGENE: About your resolution. When you finish. When you finish.

CHAIRPERSON DROMM: Absolutely. I just wanted to say that that also is an important piece of legislation that we will pass here in the City Council, hopefully very shortly. So again, that we can show that the City of New York, which has been at the forefront of a lot of immigration issues, won't stand for a law that basically comes down to racial profiling and using whatever standards or means by which--I don't even know if it's possible--to identify somebody of suspected, quote unquote, of being here undocumented or illegally. So, we look forward to passing these laws in the City Council and I think that Council Member Eugene has a statement to make.

COUNCIL MEMBER EUGENE: Yes. Thank you very much, Mr. Chair. I just want to commend you also. And Mr. Chair, I just want to commend

1
2 you and thank you also for your resolution 761.
3 This is a very important piece of resolution also,
4 because in life, in any area of expertise, any
5 profession, we're talking about experts. Let's
6 say in medicine, for example, everybody--we have
7 many doctors, but we have different - - so that
8 means it is very important also for the judge to
9 have certain knowledge and expertise in
10 immigration if they are dealing with immigration,
11 because this is a very sensitive, very important
12 issue. They should know exactly the different, as
13 you mentioned, they should have knowledge about
14 the different aspects of immigration and also the
15 culture of different people that they are serving.
16 I think this is a wonderful piece of immigration,
17 and I will support it and add my name. I - - my
18 name was supposed to be there already, if it's
19 not. And I commend you for that, and I will work
20 together with you and make sure we have the most
21 support of our colleagues from the City Council.
22 Thank you very much.

23 CHAIRPERSON DROMM: Thank you. And
24 My Counsel reminds me that, Mr. Robinson, you did
25 in fact in your testimony make reference to

1
2
3
4
5
6
7
8
9

resolution number--

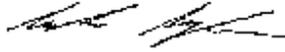
ACE ROBINSON: 761.

CHAIRPERSON DROMM: Yes, exactly.

I don't know what's going on with me today, but
you did. And I was meaning others to come in to
testify, so. With that being said, we will
adjourn this meeting. Thank you very much, all,
for coming.

C E R T I F I C A T E

I, Erika Swyler certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature

Date 2/16/12