

March 22, 2017

Testimony of Commissioner Nisha Agarwal

NYC Mayor's Office of Immigrant Affairs

NYC Council Committee on Immigration Hearing: Budget Oversight

Thank you to Speaker Mark-Viverito, Chair Menchaca, and the members of the Committee on Immigration. My name is Nisha Agarwal, and I am the Commissioner of the Mayor's Office of Immigrant Affairs.

My testimony today covers MOIA's mission and role in the Administration and highlights the City's key accomplishments over the last year to make the city more accessible and inclusive for immigrants, thanks to key investments by the Council and Administration. We have done this while also responding to new challenges in immigrant communities in the post-election climate. I look forward to sharing details with you about our achievements.

In addition, I am pleased to be joined by Commissioner Banks from the Human Resources Administration (HRA), one of our closest partners, who will speak more about the work that his agency does for immigrant New Yorkers.

MOIA's Mission

MOIA's mandate is a central one in this city of immigrants. New York City is the most diverse city in America. Immigrants are integral members of our communities and make significant contributions to every facet of the city's civic, cultural, and economic life. Nearly 40 percent of New Yorkers – three million people – are foreign born and 60 percent of New Yorkers are children or children of immigrants. Almost half of New Yorkers speak a language other than English, and there are over 200 languages spoken in our City.

While this multilingual, multicultural mosaic is a huge asset to our city, it also presents a challenge for local government. Approximately 23 percent of all New York City residents, or 1.8 million New Yorkers, have a limited ability to read, speak, write, or understand English. Additionally, while the majority of foreign-born residents in NYC are now U.S. citizens, there are also about one million lawful permanent residents (also known as "green card holders") and others with authorized immigration status, and a substantial undocumented population, estimated to be almost a half a million people. Non-citizen New Yorkers have extensive ties to their neighborhoods and communities and consider the city to be their home; however, this population faces additional barriers and hurdles, which are more acute in this climate of changing and punitive federal policies.

MOIA's mission is to promote the well-being of immigrant communities in New York City. To advance innovative new immigrant-focused initiatives, MOIA works closely with our agency partners as well as the Mayor's Fund to Advance the City of New York and private funders. We have focused on several priority areas where we can have the most impact:

- First, MOIA has dedicated its efforts to ensuring immigrant access to City services and resources, and facilitating greater immigrant inclusion across local government. This work recognizes that we in government are responsible and accountable to all New Yorkers and that we must have coordinated strategies to enhance the economic, civic, and social integration of immigrant New Yorkers.

- Second, we promote access to justice for immigrant New Yorkers, with the goal of facilitating access to high-quality immigration legal services as a means of addressing income inequality and empowering low-income communities.
- Third, we advocate for reforms at all levels of government to address inequities that impact New York's immigrant communities. Much of this work is done in coalition with our counterparts in cities across the U.S. MOIA helped to create two national coalitions, Cities for Action and Cities for Citizenship, to share effective local strategies and join together in advocacy for crucial immigration-related reforms.

Achievements and Highlights

With these priority areas in mind, I am thrilled to speak to some of our accomplishments in the past year, which have been achieved through targeted investments by the Council and the Administration. I will start with our efforts to promote immigrant inclusion through IDNYC and our interagency work.

IMMIGRANT INCLUSION – IDNYC and INTERAGENCY WORK

New York's municipal ID program, IDNYC, which Commissioner Banks will discuss in his testimony, continues to be a huge success. IDNYC has enrolled over 900,000 New Yorkers to date, newly connecting many cardholders to the security and peace of mind that comes with having government-issued photo ID. It has become particularly valuable in the post-election climate for immigrants who prefer to carry their IDNYC instead of foreign documents.

There are many great things that IDNYC accomplished this past year. What I would like to focus on are the ways in which the municipal ID card has become a tool for better connecting New Yorkers to essential city services, including immigrant communities. For example:

- In close partnership with the Department of Cultural Affairs (DCLA), IDNYC announced 40 cultural institution partners who will provide one-year of free membership to all IDNYC cardholders who have not previously had memberships at their institutions.
- With DOHMH, we connected IDNYC to the city's immunization record portal
- We coordinated pop-ups in Department of Education schools, New York City Housing Authority, CUNY, and the DYCD's Summer Youth Employment Program (SYEP)
- We added a homebound unit for individuals who require a reasonable accommodation and who are not able to make it to enrollment centers access to the card and we are partnering with DFTA to identify naturally occurring retirement communities (NORCs) where we can facilitate access to enrollment
- We launched a mobile enrollment center, which can double as a vehicle for providing emergency services and benefits as needed.

MOIA also works with city agencies to develop and promote immigrant inclusion strategies, including identifying and addressing barriers for immigrants in accessing city services by providing technical assistance to agencies. Two key components of our immigrant inclusion work is advancing language access and helping English language learners practice English while learning about city services through our We Are New York – WANY - Program.

In 2015, we strengthened language access across city agencies by asking them to appoint senior-level language access coordinators, who are responsible for advancing language access goals across their agencies. We built on this infrastructure in 2016 by providing technical assistance to agencies; monitoring compliance; and working with the Speaker's Office on Intro 1181, the City's new language access law, which is the strongest in the country. With 1181 becoming law just last week, our language access work will greatly expand this year to provide oversight of and guidance on the new law, through one-on-one technical assistance to agencies and cross-agency convening's with language access coordinators.

We have also connected thousands of English language learners to English conversation classes through our We Are NY program. WANY – which supplements ESOL classes – helps adult immigrants practice English and learn about City services using the Emmy award-winning *We Are New York* series, and companion educational materials. Through WANY, we have worked with over 120 community partners who hosted 280 English language conversation classes reaching 5600 English language learners. We recruited over 500 volunteers to facilitate these classes. We also received funding, thanks to a partnership with the Council, to develop a "Season 2" of educational videos as a substantial resource to the City's existing literacy system. We anticipate that Season 2 will cover new topics such as workers' rights, workforce development, civic participation and mental health, as well as building an interactive website and an ad campaign, connecting learners to important information and city services at this very critical time.

City agencies have done much to promote immigrant inclusion and language access, through successful collaborations with MOIA and through their own initiatives. Some highlights include:

- In 2016 the City launched the demonstration program, ActionHealthNYC which is a collaboration between **MOIA, DOHMH, NYC Health + Hospitals**, healthcare clinics, and other agencies and partners that connects low-income immigrants, regardless of immigration status, who are uninsured and not eligible for or able to afford health insurance to low-cost health care.
- Just yesterday, the Mayor announced the expansion of immigration guidance and supports for schools and families, providing a detailed protocol for responding to immigration-related requests from federal agencies and expanding trainings for students and families across the City. The City is sharing a step-by-step protocol with **Department of Education (DOE)** schools detailing how to appropriately and safely respond to immigration-related requests from federal agencies. The updated protocol directs schools to collect documents and instruct federal agents to wait outside of the school building while staff members consult with DOE attorneys. Information will not be shared with any federal agencies unless absolutely required by law. Every child in New York City, regardless of immigration status, has the right to a high-quality public education, and the Administration is committed to protecting that right and all students.
- Last year the **DOE** hired nine Field Language Access Coordinators to work with all schools to support translation and interpretation services for limited English speaking parents and caretakers. The DOE also expanded direct access to phone interpretation for

schools and has expanded the translation and interpretation support provided to the Citywide Community Education Councils.

- **The DOE** is also increasing family engagement by piloting the Family English Initiative, a program that supports families learning English and developing their English language skills with their children and by rolling out native language parent conferences for ELL families to provide families with resources and Know Your Rights information.
- **Small Business Services (SBS)** launched the Immigrant Business Initiative, which partners with six community-based organizations to address the needs of immigrant entrepreneurs by providing targeted assistance in their native languages.
- **SBS** also launched the Washington Heights Workforce 1 Center in 2016 (in partnership with the **Human Resources Administration** and with funding from Robin Hood). The center offers services targeted to the immigrant workforce.
- **The Commission on Human Rights (CCHR)** became a U-visa certifier and has been completing U-visa certifications for over a year, helping more immigrants realize their status. In September 2016, **CCHR** launched its #IAMuslimNYC campaign and published multi-lingual materials tailored to the rights of Muslim New Yorkers and those perceived to be Muslim.
- The **Department of Consumer Affairs (DCA)**, in partnership with CCHR, MOIA and the Community Affairs Unit (CAU), has led strategic “days of action” to address growing anxiety and uncertainty among immigrant communities, and to educate New Yorkers about immigration service provider fraud. Recognizing the unique challenges for immigrants in the workplace and marketplace, DCA has also developed consumer protection tips for immigrants. These tips, available in 10 different languages, address common issues of fraud and provide resources related to immigration fraud, financial assistance, and for job seekers.
- The **New York City Housing Authority** has been working closely with IDNYC by doing pop ups at developments to make it easier for residents to apply for the card.
- The **Taxi and Limousine Commission’s** licensee-driver pool is comprised of approximately 91% immigrants and is mindful of instances where a small number of industry businesses have sought to take advantage of immigrant licensees by overcharging them on lease fees, among other things. To address this, as well as to send a strong and clear message that such abuses will not be tolerated in our city, the agency created an active Driver Protection Unit as an adjunct to its Legal Division. In the relatively short time it has existed, the Driver Protection Unit has successfully prosecuted a number of these businesses, and collected over \$2.5 million in restitution for victimized immigrant drivers.
- **The Administration for Children’s Services (ACS)** works to screen all youth in their care for any immigration-related legal need, connecting them with free, high-quality immigration legal services to assist them with their case. Through their U and T visa certification program, ACS helps victims of domestic violence, child abuse, and trafficking connect with immigration legal relief, which in turn enables them to access a broader range of supports and helps them maintain the safety and well-being of their family.

- After the elections, NYC's **Health and Hospitals, the DOE, and the Office to Combat Domestic Violence** issued open letters reassuring immigrants and service providers about our promise to keep their information private and available resources.
- **The Department of Cultural Affairs** has been working with MOIA and internationally acclaimed artist Tania Bruguera on a project that will launch this spring that aims to build a bridge between undocumented and new residents and city government and resources through creative practice. DCLA is also working with the Mayor's Office, the Parks Department and the Washington Street Historical Society to manage the selection process for artwork commemorating the Little Syria community that once flourished in Lower Manhattan. The artwork will be installed in Elizabeth Berger Plaza in Lower Manhattan. Finally, the City Council funds the Cultural Immigrant Initiative, which supports programs that serve immigrant New Yorkers or present the traditions, cultures, and/or experiences of immigrant communities in NYC: in the current FY, nearly \$3.2 million is invested in these programs.
- The Mayor's Office also translated voter registration forms in eleven additional languages. With these additional translations, voter registration forms are now available to 90 percent of limited English proficient eligible voters in New York City.

ACCESS TO JUSTICE – POLICY AND LEGAL INITIATIVES

Immigration legal services are in high demand and even more so now given the immigration policy changes at the federal level. Since the beginning of this administration, the City has taken a strategic and holistic approach to the provision of immigration legal services by developing and funding an infrastructure to provide the continuum of services that are needed by immigrant communities - including informing communities of the resources available and their rights, conducting legal screenings, providing legal services for simple-and complex cases, and representing immigrants facing deportation. To reach the immigrant community, we provide services at community-based organizations, schools, New York City Health + Hospitals facilities, libraries, in addition to the services provided at the offices of legal services providers. The provision of services is accomplished through generous funding by the City Council, the administration and philanthropy. I will now discuss our successes with the ActionNYC and NYCitizenship programs.

ActionNYC

Last year, MOIA and the City University of New York launched ActionNYC, the nation's largest investment by a municipality to connect immigrants to free, safe immigration legal services. Through this program, we have effectively provided thousands of immigrants with free immigration legal services. ActionNYC is a citywide, community-based program that offers immigrant New Yorkers free, high-quality advice about immigration through an innovative model that allows us to provide these services at an unprecedented scale. The ActionNYC model is based on three pillars: (1) outreach and marketing; (2) community navigation; and (3) legal services.

Over the last year:

- We built a program to offer services at seven community based navigation sites located in all five boroughs, across 25 DOE schools (including Community Schools), and at NYC Health + Hospitals facilities.
- 20 nonprofit organizations receive ActionNYC funding to (1) conduct tailored outreach in traditionally underserved immigrant communities to provide information about ActionNYC, City services, conduct Know Your Rights forums, and schedule appointments; (2) serve as community navigators to screen clients for eligibility for immigration relief, provide application assistance, and connect individuals to relevant social services; (3) provide English literacy and high school equivalency classes across the City; and (4) to provide legal advice and representation on cases such as citizenship, green card renewals, family petitions, as well as some complex cases such as U visas and Special Juvenile Status
- ActionNYC's outreach efforts have reached over 38,000 individuals.
- Nearly 8,000 immigrants have received a comprehensive immigration legal screening.
 - 96% of all applications filed during the first half of FY2017 have been approved.
- Over 16,000 calls have been made to the ActionNYC hotline, averaging approximately 1200 calls/month
- The program has been at and frequently over capacity since launch. Demand is so high that currently the soonest appointment is in early May.
- ActionNYC has conducted almost 100 Know Your Rights events since the election.
- Through our work in schools and hospitals, we have been able to reach especially vulnerable populations:
 - ActionNYC in Schools has identified over 50 students eligible for Special Juvenile Status. These cases are being represented by our ActionNYC in Schools team.
 - ActionNYC in Health + Hospitals has provided immigration legal services to immigrant patients at long-term care and acute care facilities and has connected qualifying patients to health insurance. These patients were previously ineligible for Medicaid or other health insurance due to their immigration status. The ActionNYC in Health + Hospitals team has identified and is representing patients eligible for U-visas, medical deferred action, naturalization, green card replacements, and relative petitions. Since November 2016, we screened a total of 90 patients and opened 52 new cases. The program is currently operating at 2 H+H facilities, and will visit up to 14 additional facilities. The provider is LegalHealth, a division of the New York Legal Assistance Group (NYLAG).
- With its emphasis on creating capacity in the field, ActionNYC has funded organizations to provide technical assistance to our outreach and navigator providers. While The New York Community Trust funded an organization to provide technical assistance to our legal providers. Additionally, ActionNYC provided our navigation sites with legal resources including funding an organization to help all of our sites become BIA/OLAP recognized and our navigators become BIA/OLAP accredited. And the ActionNYC

Capacity-Building Fellowship is currently accepting applications from non-profit providers interested in deepening their outreach and immigration legal skills. The purpose of the fellowship is to help meet the outreach and legal needs of organizations serving hard-to-reach immigrant populations including recently arrived populations from Africa, Asia, and the Caribbean.

NYCitizenship

NYCitizenship provides free, safe citizenship and financial counseling services at select libraries and HRA locations around the city. MOIA has invested in citizenship programming because increasing immigrant access to citizenship is a powerful tool for fighting poverty: it leads to better pay, higher rates of homeownership, political participation, and myriad other benefits. Yet there are over 650,000 lawful permanent residents in New York City who have not taken the final step of becoming U.S. citizens. These are individuals who, due to cost, misinformation, lack of access to good counsel, or fears of a cumbersome process, continue to remain one step away from U.S. citizenship.

Launched in April 2016 through the generous support of Citi Community Development, the Robin Hood Foundation, and the Carnegie Corporation of New York, NYCitizenship is built on innovative partnerships with the City's public libraries and HRA.

NYCitizenship's partnership with the City's libraries allow us to leverage the libraries' vast institutional reach and position as trusted, widely used community centers. Placing the services at library branches in immigrant-dense neighborhoods has been key to maintaining a consistently high demand for services, so much so that with virtually no outreach for the program, appointments have been booked approximately 4-6 weeks in advance throughout the entire program year. We anticipate the demand for services to continue as we look forward to our second year of the program.

Partnering with HRA has allowed us to reach those who are among the most vulnerable among the City's citizenship-eligible population. Among the 650,000 New Yorkers who are potentially eligible for citizenship, approximately 350,000 are HRA clients. For these individuals, obtaining citizenship status would not only help them and their families achieve stability in their immigration status, but it would also help establish greater economic security. For many of these HRA clients, being naturalized would allow them to receive a significant increase in public benefits.

Through these innovative partnerships, NYCitizenship has been a great success. 11 months into the program, we have reached over 7,300 individuals, screened over 1,300 individuals for citizenship eligibility, and assisted over 1,000 clients with their citizenship applications. In addition, nearly 20% of all NYCitizenship clients have received financial counseling through the program.

NATIONAL WORK

In the area of immigration advocacy, MOIA co-leads the national initiative Cities for Action on behalf of Mayor de Blasio, a coalition of over 150 mayors and municipalities that have come together in support of federal immigration action. Through Cities for Action, we coordinated with 118 mayors and county leaders representing 55 million people across the country to file amicus briefs in support of former President Obama's executive actions; proposed steps the former Administration could do to protect DACA recipients; and called on the former Administration to dismantle the NSEERS program, a system established in the Bush Administration to register non-citizens (the Obama Administration ended the program in December).

Changing Immigration Landscape – MOIA's Post-election Response

I would also like to address MOIA's role post-election, which has become critically important due to changes at the federal level. While we continue to advance and deepen the work and programs I just discussed, new immigration policies and rhetoric have created new and urgent needs among CBOs, city agencies, and other municipalities, who are looking to MOIA and government partners to understand the implications of policy changes and to address increased fear in immigrant communities. These critical needs have stretched MOIA's capacity but we have proactively responded to the challenge in a number of ways:

- We provide rapid analysis of federal policy changes, to assess implications and ensure that we are appropriately updating immigrant communities, community partners and agencies
- With the Speaker's Office, we developed a 1-pager– translated into 12 languages - on the availability of services and local confidentiality policy – a critical tool for city agencies and community partners
- We have deepened our community engagement and, since the election, coordinated over 150 convening's and Know Your Rights forums, brought together CBOs and faith partners at City Hall, co-led a Muslim Community Day of Action with DCA, in partnership with CAU and CCHR and co-led a Faith Weekend of Action with CAU, in partnership with CCHR and DCA
- ActionNYC in Schools partnered with Fordham University School of Law to offer know your rights workshops at schools for students, families, and school staff. Through this project, immigration law professors developed a Know Your Rights curriculum and trained about 40 law students to deliver these workshops, which cover the rights of immigrants, access to city services (regardless of immigration status), safety planning, and fraud prevention and connect students to free legal services via ActionNYC in Schools.
- We worked with lawyers and elected officials at JFK to get people released after travel ban
- We developed a rapid response infrastructure to disseminate critical information to city agencies. There has been unprecedented level of engagement from city agencies, which

have sought our guidance on understanding the implications of this constantly changing immigration landscape, appropriate messaging, and strategies for ensuring immigrants continue to access critical services. We have facilitated calls with agencies to provide briefings and discuss changes at the federal level, developed and disseminated talking points for agency staff and improved communication channels to be able to hear how agencies are impacted and provide guidance and technical assistance.

- A number of agencies, such as DOE, H+H, and the Office to Combat Domestic Violence issued open letters to the public and/or service providers to reaffirm their commitment to protect and serve all New Yorkers, regardless of immigration status and maintain confidentiality.
- We worked with the Commission on Human Rights to expand their hotline to address community fear and rise in bias-motivated threats and acts of violence.
- As described earlier in the testimony, we worked through Cities for Action to advocate for protecting DACA recipients, dismantling the NSEERS program, and reviewing TPS designations. We also led an amicus brief against the "Muslim ban" with 34 cities.

Work Ahead

MOIA's accomplishments in what is arguably the most inclusive, immigrant-friendly city in the world are a testament to the tremendous leadership in this Administration and the City Council – but of course there is still more to be done, and the urgency has not been greater.

First, we will continue to be responsive to immigrant communities and city agencies in this quickly shifting landscape. There are new and critical needs that we must address, including meeting the demand for Know Your Rights trainings and outreach, analyzing policy changes, providing guidance to agencies on how to communicate changes to staff and community members and how to promote immigrant inclusive policies in this climate, and developing advocacy strategies with other cities across the country to push back against harmful policies. The need for immigration legal services is urgent and continues to grow. ActionNYC is stretched to capacity and removal defense is in high demand. We need to build on the strong legal services infrastructure we have established to increase the scale of the system and reach more vulnerable immigrant New Yorkers.

Our immigrant inclusion work will expand in the next year. We will continue to integrate IDNYC into the fabric of New York City, so that cardholders can access critical services. We plan to continue and expand our work with our sister agencies so that an immigrant-inclusive lens is more deeply infused in the work city agencies do and agencies have the information and tools they need to provide equal access to services to immigrants and limited English speakers. Part of this work will involve implementation support and oversight of the new language access legislation to ensure that agencies understand the requirements, providing guidance to aid in agency implementation, and reporting on agency progress.



Bill de Blasio
Mayor

Mayor's Office of Immigrant Affairs

Nisha Agarwal
Commissioner

Conclusion

In closing, I want to recognize the incredible work of the Speaker, the Committee on Immigration, and the entire City Council, on behalf of New York City immigrants, together with the Mayor, my Administration colleagues, as well as private funders, community-based organizations, legal service providers, healthcare providers, and others. We look forward to continuing to work with these partners to advance immigrant rights and integration and to meet any challenges to this work over the coming year. We will use all the tools at our disposal to protect immigrant New Yorkers and fight new policies that harm our residents, while keeping New York City the safest big city in the nation.

Testimony Of Commissioner Steven Banks, New York City Department of Social Services

Before the New York City Council's Immigration Committee

HRA's Fiscal Year 2018 Preliminary Budget

March 22, 2017

Good morning Chairman Menchaca. Thank you for inviting me to appear before you today to discuss the programs and services for immigrant communities provided by New York City's Department of Social Services (DSS). My name is Steven Banks and I am the Commissioner of the Department of Social Services which oversees the work of the New York City Human Resources Administration (HRA) and the Department of Homeless Services (DHS).

HRA is the nation's largest social services agency assisting over three million New Yorkers annually through the administration of more than 12 major public assistance programs. With an annual budget of \$9.9 billion, HRA provides assistance and services to three million low-income children and adults. These programs and services include: Cash Assistance, Supplemental Nutritional Assistance Program benefits (food stamps), Medicaid, and Child Support Services; homelessness prevention assistance; educational, vocational and employment services; assistance for persons with disabilities; services for immigrants; civil legal aid; disaster relief; and for the most vulnerable New Yorkers: HIV/AIDS Services, Adult Protective Services, Home Care, and programs for survivors of domestic violence. DSS also administers the nation's largest and most successful municipal identification program, IDNYC. Since its launch in January of 2015, after the Mayor signed legislation sponsored by Councilmembers Menchaca and Dromm, IDNYC is a proven success with over 900,000 New Yorkers enrolled.

Additionally, HRA is committed to helping individuals gain access to comprehensive affordable health insurance; providing enrollment assistance through Certified Application Counselors placed at HRA's Medicaid offices citywide; and providing coordinated outreach, education, and training through DSS's Office of Citywide Health Insurance Access.

In providing these core services, each year HRA addresses the needs of three million low-income New Yorkers, including immigrants. Since 2014, as a means of enhancing client services, HRA established the Office of Advocacy and Access (OCAA) to ensure all New Yorkers have equal access to benefits and services. Following the integration at DSS, this office is now working to ensure equal access to benefits and services at both HRA and DHS. OCAA includes the Office of Refugee and Immigrant Affairs (ORIA), which is a unit exclusively dedicated to clients with limited English proficiency (LEP) and immigrants. OCAA also houses three additional teams: LGBTQI Affairs, Disability Affairs, and Special Populations, which focuses on youth, seniors, and justice-involved individuals.

Recognizing the positive outcomes of ensuring equal access to benefits, the goals of DSS's Language and Immigrant Access work are as follows:

- Providing guidance and expertise to HRA and DHS program areas to ensure access to services for immigrant and LEP New Yorkers;
- Ensuring that HRA and DHS's programs are in compliance with federal, state and local immigrant access and language access laws;
- Working with and supporting HRA and DHS programs to develop and promote policies and tools to help staff provide client services to immigrant and LEP New Yorkers; and
- Strengthening relationships with community groups to respond to inquiries and gather feedback on HRA and DHS services/programs.

Agency-wide, HRA accomplished the following last year:

- Technology improvements:
 - ACCESSNYC is fully translated into six languages: Arabic, Traditional Chinese, Haitian Creole, Korean, Russian, and Spanish.
 - The Agency also has new self-service procedures, including self-service check-in and scanning. These tools are available in the same languages as Access NYC (Arabic, Traditional Chinese, Haitian Creole, Korean, Russian, and Spanish).
 - New mobile document uploading, which allows clients to submit eligibility documents via a smart-phone, is available in Arabic, Traditional Chinese, French, Korean, Spanish, and Russian.
 - The SNAP on-demand phone system is fully functional in Arabic, Bengali, Cantonese, Haitian Creole, Korean, Mandarin, Russian, Spanish, and Urdu. The system also gives a static message about how to request interpretation services in Polish, Albanian, French, Hindi, Vietnamese, and Greek.
 - The Agency launched a pilot to gauge the effectiveness of using tablets with Video Remote Interpretation (VRI) services to communicate with limited English proficient (LEP) clients at Family Independence Administration (FIA) walk-in centers in Queens.

These technologies allow multilingual access and together these processes effectively reduce client wait times in the center and for benefits determinations.

Washington Heights Workforce1 Career Center

Last summer, a new Washington Heights Workforce1 Career Center opened. New York City is home to more than three million immigrants and this location is the first location to offer tailored employment, training, and supportive services to the City's immigrant workforce. The center's programming was developed through a partnership between the Human Resources Administration/Department of Social Services (HRA/DSS), the Department of Small Business Services (SBS), and Robin Hood. It serves residents of all five boroughs, and accepts referrals.

from the City's existing network of 17 Workforce1 Career Centers, as well as community-based organizations.

For the first time, the Washington Heights Workforce1 center features an integrated team of SBS and HRA staff. The following Global Talent Pipeline services are available on-site at the center:

- Customized workshops to help foreign-born job candidates develop a better understanding of the workplace and conduct a successful job search.
- Pre-training programs featuring English as a Second Language (ESL) support.
- Advanced occupational training programs in key industry sectors – including healthcare, technology, transportation, food service and construction.
- Connection to living-wage jobs with employers who are seeking bilingual staff.
- Guidance and direct access to HRA benefits, such as cash and food assistance – including the ability to apply for SNAP (food stamps).
- Connection to social services provided by community-based organizations serving foreign-born New Yorkers.

NYCitizenship

Since the March 2016 launch of NYCitizenship, a collaboration between HRA and MOIA, HRA has conducted outreach to 1,300 immigrant clients with disabilities who are potentially eligible to become U.S. Citizens and thereafter able to receive federal disability benefits. As a result, 340 clients were found eligible to apply for citizenship.

In Year 2 of NYCitizenship, HRA will target senior clients for assistance, a group who would also greatly benefit from naturalization so that they can receive federal social security benefits based their past earnings.

IDNYC

As Commissioner Agarwal described, IDNYC, the largest municipal identification program in the country, is directly operated by HRA through a joint initiative with the Mayor's Office of Immigrant Affairs and the Mayor's Office of Operations.

Since its launch, more than 900,000 New Yorkers have obtained their IDNYC and we operate 22 permanent locations with four or five additional pop-up enrollment sites across the five boroughs. And earlier this month the IDNYC command center launched which will serve as a mobile enrollment center.

The baseline budget for IDNYC is \$18.7 million and with 241 positions in FY17, the Jan Plan reflects funding to support the continued operation of the IDNYC program with baseline funding at \$18.7 million in FY18.

The "back office" infrastructure for this program, which includes the front-facing enrollment staff as well as the back-end review staff and all equipment, sits within HRA; nearly every part

of our agency has contributed to the effort to make IDNYC the most successful municipal identification program in the country.

Legal Services Programs through the Office of Civil Justice

As we recently testified before the Courts and Legal Services Committee of the Council, this Administration has made an extraordinary investment in legal services to level the playing field for low-income New Yorkers facing potentially life-changing legal challenges related to housing and immigration. The Mayor and the Speaker just announced a further expansion of access to justice through the five-year phase-in of universal access to counsel in Housing Court eviction cases. The de Blasio Administration's support for and funding of civil legal services make New York City a national leader in providing such services for low-income families and individuals. The provision of civil legal assistance is a part of HRA's overall effort to address poverty, fight income inequality, and prevent homelessness.

In Fiscal Year 2017, for the first time, New York City's overall investment in civil legal services for low-income City residents exceeds \$100 million across a range of areas including immigration, access to benefits, support for survivors of domestic violence, assistance for veterans, and anti-eviction legal services and other legal assistance for tenants in need.

Specifically, the January 2018 Plan includes baseline funding as follows:

- **\$14.0 million** for immigration legal assistance, which includes \$5.9 million for legal assistance programs including the Immigrant Opportunities Initiative (IOI); \$6.0 million for legal and navigation services as well as outreach through the ActionNYC program operated in partnership with MOIA and CUNY; and \$2.1 million in immigration legal programs funded by the federal Community Service Block Grant program, which last week the Trump Administration targeted for elimination – and we will oppose this counterproductive cut that will affect many other services;
- **\$62.2 million** for legal services programs for tenants facing eviction, harassment and displacement, which includes \$28.8 million for eviction defense legal services for low-income tenants in Housing Court and \$33.4 million for anti-harassment/displacement legal services, as well as administrative and staff support;
- **\$2.1 million** for civil legal services for seniors; and
- **\$1.9 million** for legal services for access to federal benefits such as SSI

In addition to the Administration's commitment to supporting civil legal services, I want to again acknowledge the ongoing commitment of City Council Speaker Melissa Mark-Viverito and the entire City Council to expanding access to justice by funding legal services. In FY17, HRA is overseeing \$24.5 million in funding added by the City Council for legal services for the working poor; immigration legal defense services for detained individuals, unaccompanied minors, and families with children facing deportation; assistance for survivors of domestic violence and

veterans; anti-eviction and SRO legal services; and general support for civil legal services providers.

Together with the Council, this year the City has committed over \$111 million for civil legal services for low-income New Yorkers. No other city allocates even a small fraction of what New York City is committing to provide access to civil justice.

A key focus of our civil legal services program is legal counsel for immigrants. HRA oversees an array of legal services programs for immigrant New Yorkers in need of legal advice, assistance, and representation. We work in close partnership with our colleagues at the Mayor's Office of Immigrant Affairs (MOIA) and with the legal services providers and community-based organizations (CBOs) to understand the legal needs experienced by immigrant New Yorkers and the fastest and most effective service responses to these needs.

Through our immigrant legal assistance programs, we are making available qualified and culturally competent attorneys to help immigrant New Yorkers navigate the immigration legal system, achieve status, protect the rights of immigrant workers, and provide counsel and support for immigrant survivors of trafficking and domestic violence.

In FY17, the Administration baselined \$3.2 million in funding for the Immigrant Opportunity Initiative (IOI). Through IOI, networks of legal providers and CBOs, which were selected through a competitive bidding process, conduct outreach in immigrant communities across the city, and provide legal assistance to low-income immigrant New Yorkers in matters ranging from citizenship and lawful permanent residency applications, to more complex immigration matters, including asylum applications and deportation defense work. In FY17, in recognition of the need for quality legal representation for immigrant New Yorkers in more complicated legal cases, IOI providers received supplemental Mayoral funding of \$2.7 million to provide representation in 1,000 complex immigration cases. The Council similarly added \$2.6 million to support immigration legal services as part of the IOI program. In total, IOI is funded at approximately \$8.5 million for FY17 and is expected to serve approximately 5,000 New Yorkers in need of immigration legal advice and representation.

Importantly, the IOI program is flexible and can respond to emergent needs. Our contracts with the IOI service provider consortia allow for rapid deployment of staff and resources to address legal needs of the immigrant community across the continuum of service, from brief legal counseling sessions to full legal representation in deportation and asylum matters. In addition, our agreements with the providers include funding and support for outreach and case management, which are critical components to creating meaningful access to justice for immigrant New Yorkers.

In addition to IOI, HRA oversees immigration legal services programs funded through Community Service Block Grants, administered by HRA in partnership with the Department of Youth and Community Development (DYCD). With CSBG funding – that the Trump Administration proposes to eliminate – community-based legal services organizations provide a range of services such as legal assistance to help immigrant adults and youth attain citizenship and lawful immigration status; legal and social services for immigrant survivors of domestic

violence and human trafficking; and services designed to provide information, education, advocacy and legal services to protect low-wage immigrants from exploitation and violations of their employment rights. These services are expected to serve approximately 2,000 individuals in FY17, funded at \$2.1 million.

OCJ also oversees immigration legal services programs funded through Council discretionary grants. The New York Immigrant Family Unity Project (NYIFUP) is funded by a City Council discretionary grant providing legal representation for detained immigrants in the United States. This in-court legal representation for immigrant New Yorkers in detention facing deportation assists those who cannot afford an attorney. NYIFUP is funded at \$6.2 million for FY17 and is expected to serve approximately 1,250 individuals in FY17. OCJ is also administering a \$247,000 Council discretionary grant to the Vera Institute of Justice to support the creation of a report and evaluation of the NYIFUP program, due in June of this year. The report is expected to shed new light on the impact of the program, the immigrants facing deportation who have been served by the providers and other aspects of the program's first two-and-a-half years.

OCJ also administers the Unaccompanied Minors Initiative (UMI) / Immigrant Children Advocates Relief Effort (ICARE) which was developed by the City Council in partnership with the Robin Hood Foundation and the New York Community Trust to provide legal and social services to address the surge of immigrant children living in New York City. The program provides unaccompanied immigrant and refugee children in New York City with counsel, the opportunity to apply for relief from removal, and the opportunity to receive much-needed social, medical and mental health services. Many of these children are eligible for a range of statutory protections, including asylum, for those fleeing past and future persecution; Special Immigrant Juvenile Status (SIJS) for children who have been abused, neglected, or abandoned; U or T visas for those who have been victims of certain crimes or human trafficking and the favorable exercise of prosecutorial discretion resulting in administrative closure. With \$1.5 million in City funding for FY17, the program is expected to serve approximately 900 individuals.

Finally, I would like to provide a brief update on the implementation of HRA's Employment Plan. As HRA no longer takes a one-size-fits-all approach to employment, we will be matching clients with opportunities which suit their skills and give them the best chance for long-term career pathway success. Accordingly, HRA will begin on April 3 new career services programs for HRA Cash Assistance clients, including those who have limited English proficiency and/or are immigrants. These are our CareerCompass, CareerAdvance and YouthPathways programs.

In addition to these programs, the career services contractors will be able to leverage an array of HRA employment programs for clients served through the new contracts as well as external sources for program services from partners.

Within our new ESL employment services, through our Career Advance program, we will work with more than 600 LEP clients, who have a federal or state work activity requirement. These new client-centered employment programs will address their particular needs as ESL clients.

Thank you for this opportunity to testify and we look forward to your questions.



Testimony of Dr. Leslee Oppenheim
University Director Language and Literacy Programs
The City University of New York

Before the New York City Council Committee on Immigration

Wednesday, March 22, 2017

Thank you, Councilmember Menchaca and members of the Council Committee on Immigration for the opportunity to speak with you today. As a partner in the City's historical and exceptional efforts to welcome and support immigrants, the City's University, CUNY, offers many excellent educational programs and services specifically designed to respond to the needs of immigrant students.

CUNY serves over a half million students a year in degree and continuing education programs on 24 campuses throughout the City. Some 40% of those students are immigrants—bilingual speakers of English and over 186 different languages. Those who need a low cost way to learn academic English can do so in the CUNY Language Immersion Program (CLIP) which operates on 9 campuses of CUNY.

Most New Yorkers know that CUNY provides post-secondary learning opportunities to students from all educational backgrounds, as they prepare for jobs in the sciences, technology, tourism, culinary arts, teaching, nursing and on and on in virtually every area of expertise that New York City needs. And being bilingual and bicultural, as all immigrants are---in New York City, is a highly valuable workforce skill.

But what many New Yorkers do *not* know, is that CUNY also offers free classes to immigrants on 14 campuses of the University through its Adult Literacy Program. This Program started in the mid-80s and has been in continuous existence, and growing, ever since then. More than 8,000 students a year now enroll in English as a second language classes and high school and pre high school equivalency classes—most of them are immigrants. A quick calculation tells us that since the program's inception, more than 200,000 adults and out-of-school youth have learned to speak, read and write English, build their skills, or get a high school equivalency—in the CUNY Adult literacy Program. With English language skills and a high school equivalency credential, doors open to adult immigrants, providing access to the full range of post-secondary degree and non-degree training programs at CUNY; and, with improved language and literacy skills and a high school equivalency credential, the doors of the City's employers open for new and improved forms of employment. Add to that the enhanced civic integration that comes with greater education, the dual generation benefits of parents' greater capacity to support

their children's education, more informed access and utilization of health care services, and greater self-advocacy in the workplace, investment in adult literacy education is a sound investment to make.

We are grateful to the City along with their funding partners from New York State for the steadfast support of CUNY's Adult Literacy Program over these many decades. It is support, though, that has not increased, and no longer meets the need. The CUNY Adult Literacy Program has a waiting list that exceeds 7,500 for a place in an ESL classroom. That can be a long wait. At Brooklyn College, as one example, the following is reported: "We tell students that the office opens at 9AM for enrollment, but they have caught on, and generally start lining up around 4AM—that's what the night security guards tell us!" The CUNY Program for adult learners is highly regarded—and were the resources available, the enrollment, particularly in the ESL classes could double through little more than word of mouth throughout the City's immigrant communities. We are a trusted provider of this service, able to illustrate and point the way right on our campuses to a full range of career pathways. It's fair to say that CUNY's campus adult literacy programs are of excellent quality—our data show this clearly. To meet the demand and to continue to ensure the high quality that comes from having well trained, fairly paid teachers and counselors, and innovative, responsive curricula, greater support for these programs--- operating as they do in the communities of immigrants all over the City---has now become essential.

The leadership of New York City government has long recognized the importance of providing educational opportunities for adult immigrants to help them gain a foothold, enter the labor force and move up economically. We at CUNY are proud to be a part of the network of adult literacy providers and we are grateful for your support. And, because we all recognize that NYC needs the skills, perspectives and international understandings that adult immigrants bring with them, we ask you to continue and to grow your commitment to adult literacy education.

Thank you.



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**Testimony of United Neighborhood Houses
Before the New York City Council Committee on Immigration**

Honorable Carlos Menchaca, Chair, Committee on Immigration

**Presented by Kevin Douglas, Co-Director of Policy & Advocacy
Preliminary Budget Hearing
March 22, 2017**

Good afternoon Chair Menchaca and members of the Committee on Immigration. On behalf of United Neighborhood Houses (UNH), thank you for convening this important oversight hearing to evaluate the Mayor's Preliminary budget as it relates to immigrant New Yorkers, who currently comprise over a third of New York City's population. Rooted in the history and values of the settlement house movement, UNH promotes and strengthens the neighborhood-based, multi-service approach to improving the lives of New Yorkers in need and the communities in which they live. UNH's membership includes 38 organizations working at more than 600 sites to provide high quality services and activities to over a half million New Yorkers each year.

In light of the intense xenophobia, discriminatory federal policies, and increased incidents of hate crimes, it is imperative that New York City does not exist just as a sanctuary for immigrant New Yorkers, but also as a place of opportunity. To this end, while UNH welcomes and applauds the leadership of Mayor de Blasio and City Council in taking strong public positions in support of immigrants, we urge the City to back these pronouncements with real and sustained investments in health, education, and legal services that promote immigrant wellbeing.

Specifically, UNH urges City Council to work with the Administration to make the following investments in the FY 2018 budget:

- ✓ 12% Sustainability Investment in Nonprofit Human Service Providers
- ✓ \$12m to Restore and Baseline Adult Literacy Programs + Establish Task Force
- ✓ \$5m to launch City Council Family Literacy Pilot
- ✓ \$1m to Re-Launch NYC's Immigrant Bridge Workforce Program
- ✓ \$20.1m to Restore and Baseline IOI and NYIFUP Legal Services
- ✓ \$16.5m for Senior Centers & City Council Senior Centers for Immigrant Populations Initiative
- ✓ \$2.2m to Renew & Expand City Council Mental Health For Vulnerable Populations Initiative

✓ **12% Sustainability Investment in Nonprofit Human Service Providers**

Our first recommendation is that the City Council include in its response to the Preliminary Budget, a request for a 12% across-the-board increase on all human services contracts. As the Council is no doubt aware, the nonprofit sector in New York City is increasingly under a tremendous amount of financial pressure as government contracts fail to cover the full cost of services, expenses rise, and reimbursements remain flat. An increase in human services contracts is necessary to ensure that providers can attract and retain qualified staff, make needed infrastructure upgrades, adequately purchase equipment and supplies. With fully 18% of the sector financially insolvent, New York City must act to stabilize and strengthen nonprofit providers if they are to continue to provide high quality services to immigrants and other New Yorkers.

✓ **\$12m to Restore and Baseline Adult Literacy Programs + Establish Task Force**

New York City is home to over 3 million foreign-born residents, whom collectively comprise over 37% of the total population and 43% of the City's workforce. Immigrants are significant drivers of our economy, generating over \$257 billion in economic activity annually¹. Yet many are stuck in low-wage, low-skilled jobs—where at best, they struggle to get by, and at worst, are subject to exploitative labor practices. Key barriers to economic success for immigrant New Yorkers include low educational attainment and limited English proficiency:

- Within NYC, 13% of the US- born population over the age of 19 lacks a high school diploma, but for immigrants, the rate is more than double at 27%².
- Of the City's 1.7 million Limited English Proficient (LEP) population, fully 88% are foreign born, and of these LEPs, 40% *also* lack a high school diploma³.
- In 2014 the median NYC household income for the native born was \$60,000, as compared to \$45,700 for the foreign born—despite foreign-born individuals' higher rate of participation in the labor market (e.g. 82.4% of foreign born males vs. 71.5% of native born males)⁴.
- Nationally, Spanish-speaking English learners lose approximately \$3,000 per year in earnings, on average, as a direct result of inadequate English skills⁵.

In order to address this crisis, last year the City Council and Mayor worked to make an historic \$12 million investment in educational opportunities for immigrant New Yorkers. With this \$12m investment, over 5,700 individuals were served in adult literacy classes, including English for Speakers of Other Languages (ESOL), Adult Basic Education (ABE) and High School Equivalency (HSE) preparation classes. In addition, the City's Community Schools model was strengthened by the addition

¹ DiNapoli, Thomas. Office of the New York State Comptroller: *The Role of Immigrants in the NYC Economy*; <http://www.osc.state.ny.us/osdc/rpt7-2016.pdf>. November 2015

² McHugh, Margie and Morawski, Madeline. Migration Policy Institute: *Immigrants and WIOA Services; Comparisons of Sociodemographic Characteristics of Native- and Foreign-Born Adults in New York City*, New York; <http://www.migrationpolicy.org/sites/default/files/publications/WIOAFactSheet-NewYorkCityNY-FINAL.pdf>. April 2016.

³ Ibid.

⁴ Salvo, Joseph. NYC Department of City Planning: *Drawing a Portrait of New York City's Population*; PowerPoint presentation prepared for the Micha Faith Table Immigration Committee Meeting, September 27, 2016.

⁵ Schwartz, Amber and Soifer, Don. The Lexington Institute: *The Value of English Proficiency to the United States Economy*; <http://lexingtoninstitute.org/wp-content/uploads/2013/11/ValueOfEnglishProficiency.pdf>. December 2012.

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of an adult literacy component, and the Mayor's Office of Immigrant Affairs was able to begin work on an updated *We are New York* educational series.

After years of being underfunded, this investment represented a long-overdue down-payment on building an actual system of adult literacy for the 2.2 million New Yorkers – a third of the adult population – that lack English proficiency, a high school diploma, or both. UNH applauds the Mayor's decision to address this crisis of under-skilled New Yorkers, and thanks the City Council for their leadership in pushing for this \$12m investment.

Today, English classes are needed more than ever as immigrant communities live in fear of new federal immigration policy, and struggle to understand their rights and resources available to them. In addition, conditions are unfortunately ripe for increased incidents of fraud perpetrated by notarios and others that prey on linguistically isolated immigrant communities with promises of immigration services and outcomes – for exorbitant fees – that often never materialize. If New York City truly wants to be a sanctuary for vulnerable immigrant communities it must do more than limit cooperation with federal immigration agents. It must actually invest in building pathways to opportunities for integration and economic success among the most marginalized immigrants. Without English language proficiency, most immigrants will be unable to access higher education and family-sustaining jobs and careers.

UNH urges the City Council to work with the Mayor to renew the FY2017 \$12 million investment in this budget in order to ensure thousands of immigrants are able to continue their classes and do not see them close at the end of June. This investment must be baselined so that a new RFP for services can be developed. The current reimbursement rate for adult literacy classes is so far below actual costs, that providers wrestled with the question of whether to take the funding available through last year's investment. While many providers ultimately chose to accept the funds in order to ensure their communities received vital services, many chose not to accept funding as it would induce deficits in their programs. Only with baselined funding will the Department of Youth and Community Development be able to develop a new RFP with fair reimbursement rates. In fact, part of last year's \$12 million investment went towards a project being undertaken by the Literacy Assistance Center, under contract with DYCD, to develop a comprehensive study on the essential elements of quality adult literacy programs and their true costs.

UNH further recommends that City Council work with the Administration to develop a Task Force on Adult Literacy. One of the long-standing impediments to NYC having a comprehensive strategy and system of adult literacy is the fact that services are provided by so many entities with no coordinated oversight or vision. No less than a half dozen City entities provide some form of adult literacy programs, either directly or through contracts, including DYCD, HRA, DOE, CUNY, MOIA, WKDEV and others. In addition, dozens of community based organizations, library branches, and unions also provide services with a combination of city, state, federal and philanthropic dollars. A Task Force would bring all of these stakeholders to the table, in addition to advocates, researchers and other adult literacy experts, to examine the City's adult literacy system and make recommendations to improve coordination, referral, and outcomes.

✓ **\$5m to launch City Council Family Literacy Pilot**

The Family Literacy Model expands on core components of adult literacy. Consisting of interventions for both children and their parents, Family Literacy is a holistic approach to whole-family success.

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Recognizing that children in UPK or after-school programs that go home to parents that don't speak English lose out on critical parent support and engagement, family literacy programs works on the literacy skills of children and youth, while also providing adult literacy and child development instruction for their parents. The additional essential element of the approach is shared learning time, where parents and their children practice reading and storytelling together, reinforcing each other's confidence and learning gains. The City of New York formerly funded family literacy programs through DYCD, observing in a 2009 procurement:

"Programs have reported noteworthy improvements by both children and parents. As reported by their classroom teachers and parents, participating children are more motivated to learn, have greater self-confidence, and therefore do better academically. Parents have improved their literacy skills as well. Parents are more aware of the resources available to support their families and have increased their involvement in their children's education and schools. They go to the library and read with their children, and they participate in school activities by working as volunteers and PTA meetings."

Despite the fact that the City's Family Literacy program was eliminated in 2010 as part of a PEG (Program to Eliminate the Gap), many settlement houses and other providers recognized the power of the model, and have attempted to maintain the spirit of family literacy programming by cobbling together a patchwork of city, state, federal and private funds. Unfortunately, the lack of dedicated and robust funding means most of these programs struggle to reach their full potential. Recently, UNH hosted a forum attended by over a dozen providers interested in learning more about the model and bringing back to their own communities, but most lack the funding to do so.

UNH recommends City Council fund a \$5 million family literacy pilot in FY2018 which would allow over 20 organizations across the City to implement family literacy programs, as well as provide opportunities for peer learning, data capture and evaluation.

✓ **\$1m to Re-Launch NYC's Immigrant Bridge Workforce Program**

NYC is home to a significant number of high-skilled immigrants, who hold advanced degrees and specialized training from abroad, but lack sufficient English skills to obtain the type of employment they are qualified to employ. In fact, in New York City, over 150,000 immigrants hold college degrees but are unemployed or underemployed, including 38,000 engineers, nearly 21,000 nurses and over 12,000 IT professionals⁶.

Instead of putting their full talents to use, many of these immigrants wind up in low-wage positions such as cab drivers, service industry workers and nannies. In response, a program called Immigrant Bridge was launched in 2013 with the goal of helping these skilled immigrants transition from unemployment or underemployment, to stable, middle-class jobs. Key components of the program included instruction on career development, re-credentialing, job-search processes, and US work culture; networking opportunities with professionals in targeted fields and career advisement; contextualized intermediate level English language classes, and other wrap-around human services.

Funded by the NYC Economic Development Corporation, the program was run for two years by a trio of providers, including UNH member organization CAMBA, Goodwill Industries of New York and

⁶ Imprint: *Supporting New York City's Hidden Resource- Skilled Immigrants*; PowerPoint presentation prepared for the New York City Employment and Training Coalition Policy Summit, June 8, 2015.

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Northern New Jersey, and Upwardly Global. Of the 600 immigrants the providers engaged, 90% completed the job training and 60% were placed in jobs in growth industries such as finance, healthcare and computer engineering. Of those placed in employment, starting salaries averaged \$45,000/year and 10% achieved a starting salary of \$75,000/year or above. In total, there was over an 820% return on the City's investment as program participants generated \$8.2 million annually in new income as a result of the training and support they received.

Not only was the program successful in helping skilled immigrants obtain better employment and improve their earnings, but as those individuals transitioned out of their lower-skilled jobs they created openings for other New Yorkers in search of entry-level employment. Despite its success, this program has not been funded since 2014. UNH recommends Council work with the Administration to restore this program at \$1 million.

✓ **\$25.3m to Restore and Baseline IOI and NYIFUP Legal Services**

Over the last year this nation has experienced an explosion of xenophobic rhetoric and hate attacks, as well as changes in federal policy that specifically target Muslims, Mexicans and undocumented individuals of all backgrounds. Between the President's use of discriminatory and un-American Executive Orders and promises to ramp up detentions and deportations, many of New York's immigrants are fearful and in need of legal representation. Due to this intense fear, which is felt most by those who are undocumented, there is a heightened risk of these individuals being taken advantage of by unscrupulous scammers.

While NYC's Mayor and City Council have affirmed their intent for New York City to remain a "sanctuary city," it is imperative that free, safe and accessible legal services are made available through trusted community based organizations and other legal providers. Further, it is essential that funding for these services be expanded and baselined to meet increased demand and provide stability and continuity in their services.

UNH strongly endorses the recommendations of the New York Immigration Coalition to expand and baseline Immigration Opportunities (IOI) legal services from \$8.6m to \$13.3m, as well as renewing, expanding and baselining the New York Immigrant Family Unity Project (NYIFUP) from \$6.2m to \$12 million in order to ensure individuals facing deportation receive legal representation.

✓ **\$16.5m for Senior Centers & Council Senior Centers for Immigrant Populations Initiative**

As New York's immigrant population continues to age --nearly half of all New Yorkers over the age of 60 (463,000) are foreign born-- it is essential that the City invest in the senior centers to support their health, well-being and community engagement. A 2013 study by Center for an Urban Future examined the implications of an aging immigrant population and found that immigrant seniors have lower incomes, less retirement savings, and can access fewer entitlement programs like Social Security and Medicare. Nearly two-thirds of senior immigrants have limited English proficiency and 37 percent live in linguistically isolated households, putting them at greater risk for depression, loneliness, and isolation.

Currently NYC's senior centers report serving speakers of 26 different languages, and in fact many senior centers were created specifically to support immigrant communities and continue to support this population. UNH appreciates the support the City Council has lent to these centers through its Senior Centers for Immigrant Populations Initiative and recommends that the initiative be renewed in FY2018 at \$1.5m.

Even for those centers not specifically targeted at immigrant communities, 40% of all adults attending senior centers are in fact immigrants, meaning support for the City's overall senior services system is essential to the well-being of older immigrant adults. By providing culturally competent and sensitive spaces for all, NYC's senior centers have become safe havens for older adults, able to connect them to additional social services they may require. In order to ensure all senior centers have the resources they need to provide support to immigrant seniors, UNH urges the City Council to work with the administration to add \$15m to the Department for the Aging's senior centers in order to bolster centers currently being under-reimbursed for their services.

✓ **\$2.2m to Renew & Expand City Council Mental Health For Vulnerable Populations Initiative**

UNH urges the City Council to consider the behavioral health needs of immigrants, particularly undocumented immigrants, in light of recent policy changes from the federal government around immigration. Executive orders around refugees and travel, increasing threats of mass deportation, questions around the future of the Deferred Action for Childhood Arrivals (DACA) program, acts of intimidation and violence, and ICE raids across the country, have caused immigrant families to feel targeted and unsafe in their neighborhoods. UNH's member organizations, including the Arab American Family Support Center and Chinese American Planning Council, are reporting increased levels of anxiety from families with mixed immigration statuses, as well as concerns around lapses in sobriety. These concerns often become apparent during legal clinics or Know Your Rights Trainings.

In FY2017, the City Council Mental Health for Vulnerable Populations Initiative was funded at \$1,093,000, with each provider receiving an average of approximately \$91,000. Increasing this initiative by \$1 million could help to expand the City's reach to behavioral health services to immigrants, and could support approximately 10 new organizations. Targeting these funds to organizations with trusted reputations and links to immigrant communities would be of utmost importance.

Thank you for the opportunity to present this testimony. United Neighborhood Houses is committed to working with City Council and the Administration to secure a budget that supports the health and safety of immigrant New Yorkers while also creating pathways to opportunity. We are happy to take questions now or by contacting Kevin Douglas, Co-Director of Policy & Advocacy, at 917.484.9321 or kdouglas@unhny.org.



New York City Coalition for Adult Literacy

**New York City Council Committee on Immigration
Honorable Carlos Menchaca, Chair**

**Preliminary Budget Hearing
March 22, 2017**

**Testimony of the New York City Coalition for Adult Literacy
Presented by Ira Yankwitt, Literacy Assistance Center**

Good afternoon. Thank you Council Member Menchaca and members of the New York City Council Committee on Immigration for the opportunity to testify. My name is Ira Yankwitt and I am the Executive Director of the Literacy Assistance Center, a 33-year-old nonprofit organization dedicated to strengthening and expanding the adult education system, and advancing adult literacy as a core value in our society. Today I will be testifying on behalf of the New York City Coalition for Adult Literacy, or NYCCAL, a coalition comprised of adult literacy teachers, program managers, students, and allies from over 40 community-based organizations, CUNY campuses, and library programs across the five boroughs. NYCCAL advocates for an adult literacy system that provides quality, comprehensive, and accessible educational services for the 2.2 million adults in NYC who lack English language proficiency, basic literacy skills, or a high school diploma. We believe that being able to read and write, learn English, obtain an equivalency diploma, and successfully enter job training or post-secondary education are the rights of every New Yorker, and cornerstones of an equitable and just society.

First and foremost, NYCCAL wishes to thank you Council Member Menchaca for your steadfast leadership on this issue, and wishes to express our deep appreciation to the City Council and the Mayor for the historic, \$12 million expansion of adult literacy funding and services this past year. At a time when the Trump administration is targeting – and, indeed,

terrorizing – immigrant communities, adult literacy programs in NYC are serving as a refuge and a lifeline, providing immigrant students with critical information on their rights, strategies to protect themselves and their families, access to counseling and legal services, as well as the language and literacy skills needed to support their children in school, navigate the healthcare system, achieve economic security and, perhaps most significantly at this moment, advocate for themselves and tell their stories.

In a sanctuary city committed to immigrant rights, justice, and opportunity, failing to renew this funding and closing down English language and literacy classes for the thousands of adults who would benefit from them would be an abandonment of those who are most vulnerable. But we at NYCCAL are hopeful that this Council, this Mayor, and this city will embrace all immigrant New Yorkers, and not only reaffirm the commitment from last year but make an even stronger statement of solidarity and support. To that end, NYCCAL proposes that the City Council and the Mayor take two major steps in Fiscal Year 2018 to fortify and expand adult literacy services:

1) Baseline the \$12 million investment for community-based adult literacy programs.

- Use \$5.7 million of this funding to continue the FY 2017 contract modifications and discretionary awards, and \$300,000 for technical assistance.
- Have DYCD draft a new literacy RFP with a contract start date of January 1, 2018, and use the remaining \$6 million to cover the awards for the first six months of those contracts, from January 2018 to June 2018.
- Moreover, to insure that programs have the resources and funding they need to provide the highest level of services to their students, the RFP should reflect the program features and reimbursement rates described in the *Elements of a Quality Adult Literacy Program* document that is currently being developed by the Literacy Assistance Center through funding from DYCD.

2) Launch a NYC Adult Literacy Task Force through the Mayor's Office

- This task force would bring together multiple stakeholders to examine the current adult literacy system and develop recommendations for building a high-quality, well-coordinated, comprehensive system that advances equity and opportunity for all New Yorkers.

- The task force would include representatives from the Mayor's Office, City Council, DYCD, CUNY, Department of Education, MOIA, HRA, the Mayor's Office of Workforce Development, library branches, CBO providers, researchers, advocates and other adult literacy experts.

Baselining the \$12 million and creating an Adult Literacy Task Force in FY 2018 would go a long way to building the capacity, sustainability, and effectiveness of the system. These two proposals are part of a larger three year vision developed by NYCCAL and outlined in the one of the documents that we've submitted along with this testimony, and we would be happy to discuss our vision further.

Currently, only 61,000 adults in NYC are served through publicly funded adult literacy programs. This is barely 3% of the 2.2 million adults in need, and many of the current classes are at risk of being eliminated as a result of federal budget cuts. This is a city that has resoundingly declared that when immigrants are under attack, we as a city will stand up and fight back. Continuing to provide immigrant New Yorkers with the language and literacy skills they need to fight for themselves and their families is one of the strongest statements this City Council and Mayor can make in the name of resistance, equal opportunity, and social justice.

Thank you again for the opportunity to testify.



New York City Coalition for Adult Literacy

Agudath Israel of America
Arab American Family Support Center
Bronx Works
Brooklyn Public Library
Catholic Charities
Chinatown Manpower Project
Chinese-American Planning Council
Coalition for Asian American Children
and Families
Community Service Society
Cypress Hills Local Development Corp
The Doe Fund
Edith & Carl Marks Jewish Community
House of Bensonhurst
Fifth Avenue Committee
Fortune Society
HANAC
Institute for Immigrant Concerns, Inc.
International Center of CCCS
Jacob A. Riis Neighborhood Settlement
House
Jewish Community Council of Greater
Coney Island
Jewish Community Center of Staten
Island
Kingsbridge Heights Community Center
LaGuardia Community College, Adult
Community Learning
Lehman College Adult Learning Center
Literacy Assistance Center
Literacy Partners
Lutheran Family Health Centers Adult
and Family Education
Make the Road New York
Neighborhood Family Services Coalition
New York Immigration Coalition
Northern Manhattan Improvement
Corporation
NYC College of Technology Adult
Learning Center
New York City Employment & Training
Coalition
Opportunities for a Better Tomorrow
Phipps Community Development
Corporation
Queens Community House
Riverside Language Program
Shorefront YM-YWHA
Turning Point Brooklyn
UAW Region 9A Education Fund
Union Settlement Association, Inc.
UJA-Federation of New York
United Neighborhood Houses
University Settlement Adult Literacy
Program
YMCA of Greater NY

NYCCAL Proposed Investment Plan

FY 2018: \$12m Baselined Investment & Task Force Launch

- NYC baselines investment of \$12m for community-based adult literacy programs
 - \$5.7m is spent on contract modifications & discretionary awards.
 - \$300k is spent on technical assistance.
- DYCD begins drafting new literacy RFP with contract start date of January 1, 2018
 - \$6m is spent on awards for this first partial contract year, covering Jan 2018-July 2018.
 - RFP includes revised program designs and reimbursement rates that reflect *Essential Elements of Adult Literacy* as currently being developed by DYCD and the Literacy Assistance Center.
- Deputy Mayor's Office launches Adult Literacy Task Force
 - Multiple stakeholders brought together to examine the current adult literacy system and develop recommendations for building a high-quality, well-coordinated, comprehensive system of adult literacy that advances equity and opportunity for all New Yorkers.
 - Task Force include representatives from the Mayor's Office, City Council, DYCD, CUNY, DOE, MOIA, HRA, WKDEV, library branches, CBO providers, researchers, advocates and other adult literacy experts.

FY 2019: \$14m Baselined Investment & Implementation of Task Force Recommendations

- NYC makes minimum baselined investment of \$14m
 - Other investments considered per Adult Literacy Task Force recommendations.
- DYCD administers year two of literacy RFP.

FY 2020: \$16m Baseline Spending & Implementation / Evaluation of Task Force Recommendations

- NYC makes minimum baselined investment of \$16m
 - Other investments considered per Adult Literacy Task Force recommendations.
- DYCD administers year three of literacy RFP.

<http://www.nyccaliteracy.org/>



New York City Coalition for Adult Literacy

Agudath Israel of America
Arab American Family Support Center
Bronx Works
Brooklyn Public Library
Catholic Charities
Chinatown Manpower Project
Chinese-American Planning Council
Coalition for Asian American Children
and Families
Community Service Society
Cypress Hills Local Development Corp
The Doe Fund
Edith & Carl Marks Jewish Community
House of Bensonhurst
Fifth Avenue Committee
Fortune Society
HANAC
Institute for Immigrant Concerns, Inc.
International Center of CCCS
Jacob A. Riis Neighborhood Settlement
House
Jewish Community Council of Greater
Coney Island
Jewish Community Center of Staten
Island
Kingsbridge Heights Community Center
LaGuardia Community College, Adult
Community Learning.
Lehman College Adult Learning Center
Literacy Assistance Center
Literacy Partners
Lutheran Family Health Centers Adult
and Family Education
Make the Road New York
Neighborhood Family Services Coalition
New York Immigration Coalition
Northern Manhattan Improvement
Corporation
NYC College of Technology Adult
Learning Center
New York City Employment & Training
Coalition
Opportunities for a Better Tomorrow
Phipps Community Development
Corporation
Queens Community House
Riverside Language Program
Shorefront YM-YWHA
Turning Point Brooklyn
UAW Region 9A Education Fund
Union Settlement Association, Inc.
UJA-Federation of New York
United Neighborhood Houses
University Settlement Adult Literacy
Program
YMCA of Greater NY

FY2018: \$12 million must be baselined or thousands of immigrants and other adult learners will lose ability to learn English and earn a high school diploma!

*English classes are an essential part of a sanctuary city. We
must go beyond basic protections & create pathways of opportunity.*

>As immigrant communities live in fear and anxiety over federal immigration policy, it is essential that they are able to read and understand English; particularly as NYC government tries to offer services and clarify their rights.

>Without English proficiency, many immigrants are left isolated and at risk of being taken advantage of by unscrupulous "notarios" that promise immigration relief for a fee, but never deliver.

>Under the new federal administration, New York City's largest source of federal adult literacy dollars (WIOA) is at risk of complete elimination or dramatic cuts. Even if the funding is maintained, current policy is slated to make it more difficult to serve undocumented and low-level learners.

*NYC is in crisis: 2.2 million individuals lack English proficiency
and/or a high school diploma—1/3 of the entire adult population!*

>With all funding sources, NYC serves just 61,000 of these individuals in ESOL, ABE, HSE & BENL classes, meeting less than 3% of the need.

>A 2015 NYCCAL survey found over 15,000 individuals were on wait lists. The true figure was likely higher as many programs cap or do not keep wait lists.

*Investment in adult literacy strengthens families and the local
economy.*

>Children enrolled in UPK and grade school who go home to non-English speaking households miss out on critical parental support for their education.

>Spanish-speaking immigrants who lack English proficiency lose \$3,000 annually in wages relative to their peers. Immigrants without English skills are trapped in low-wage jobs & face higher rates of exploitation & wage violations.

>Every New Yorker who earns a high school diploma or equivalent generates a net economic benefit to NYC over their lifetime of \$324,000 due to increased earnings/tax contributions & decreased benefit utilization.

*One-year funding makes it difficult to operate programs, retain
talented teachers and threatens to interrupt student gain.*

>While NYCCAL appreciates NYC's FY2017 investment of \$12m, single-year funding does not allow DYCD to update reimbursement rates & program design.

>Funding instability means programs cannot hire full-time staff with benefits and lose their best teachers as they search for more stable employment.

>These factors hurt student progress as classes start and stop unexpectedly year to year, and instructors and staff rotate in and out of programs.



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**New York City Council Fiscal Year 2018 Preliminary Budget Hearing
New York City Council Committee on Immigration**

**Testimony of the New York Immigration Coalition
Presented by Steven Choi, Executive Director**

March 22, 2017

The New York Immigration Coalition (NYIC) is pleased to submit this testimony to the New York City Council regarding the FY 2018 Preliminary Budget.

We face a critical moment for the 3 million immigrants from Stapleton in Staten Island to the South Bronx who call New York City home. Under this new President and his attacks against immigrants, fear runs rampant amongst our Latino, Asian, African, Caribbean, Middle Eastern and European immigrant communities. On behalf of our 140 member organizations in the City, we thank the Administration and the City Council for their willingness to stand up to this Administration and declare that hate is not welcome in our City.

And yet, we believe this great City can do even more – to create a true national model for how we support, protect and empower our immigrant communities. As the Administration and the City Council move towards a 2017 budget, we urge you to make a major investment in health care, education, adult literacy, and legal services – and do so in a way that leverages the powerful army of immigrant-serving nonprofit organizations that we represent who work every single day with the City's large and diverse immigrant populations. We have several specific recommendations today.

Recommendation 1: Make a Major Investment in Adult Literacy Programs

At any given time, over 15,000 individuals are on wait-lists for adult literacy classes – key rungs on the economic ladder for the 2.2 million New Yorkers who lack their high school diploma, English-language proficiency, or both. Adult literacy classes work directly with these New Yorkers – helping them advance their careers, communicate with their children's teachers, and interact with law enforcement. Above all, a strong investment in adult literacy and education programs can help us transform how we fight poverty and inequality in New York City.

As the City Council and the Administration work to craft a budget that is truly inclusive of immigrant communities, our ask is two-fold. First, we ask that the final budget reflect a base-lined investment of \$12 million for community-based adult literacy programs - **\$5.7 million to be spent on contract modifications and discretionary awards; \$300,000 for technical assistance to providers; and \$6 million for a new literacy program to begin in January 2018.** Second, we ask that the Deputy Mayor's Office **launch an Adult Literacy Task Force to examine the current adult literacy system** and develop recommendations for building a high-quality, coordinated, and comprehensive adult literacy system.

Recommendation 2: Provide \$13.5 million for Legal Services, with Focus On Immigrant

Since the election of Donald Trump as president last November, the overarching fear faced by immigrants is that they are at risk of arrest and deportation everywhere. The best defense against this Administration is to strengthen the legal service providers who have decades of

experience and trust with the communities and who can immediately respond. New York City funding for immigration-related services has always been a lifeline for providers who have few options for unrestricted funding. Yet despite major investments for legal services programs like ActionNYC, ICARE, and NYIFUP, there is still a major shortfall in support for broad, flexible legal services programs by nonprofit providers – particularly for needs such as representation for immigrants in removal proceedings who are either detained or not; as well as family-based petitions, asylum, and cases where there are criminal issues.

To address this overwhelming need, the NYC and our members asks that legal funding through the **Immigrant Opportunity Initiative (IOI) be increased to a total of \$13.5 million, with a focus on complex-case representation.** This investment will allow providers to have the necessary resources to respond quickly and effectively to shifting trends. **We are also asking for \$500,000 to be invested in creating a rapid response infrastructure,** and finally we are asking for ICARE and NYIFUP to be baselined to ensure their continuing benefits to our communities.

Recommendation 3 – Increase Access Health Initiative to \$5 million

The House of Representatives' initial proposal to dismantle the Affordable Care Act and destroy the Medicaid program promises to deprive about one million New Yorkers of health coverage – and no population in New York is more vulnerable than immigrant communities. Already, we are seeing heightened fear and rampant rumors that have depressed immigrants' use of public health resources, and immigrant communities need updated information on what federal changes mean for them and where they can turn for health coverage and services.

A major investment in Access Health NYC is invaluable in this context. The initiative allows trusted community organizations to get complex, rapidly-changing, highly technical information to these communities. Already, Access Health awardees have reached 10,000 people and made nearly 2,500 referrals for social services.

Given the threats we face, **the NYC and our partners ask that Access Health NYC be increased to \$5 million** to help our members and other nonprofits provide New Yorkers with correct information about health rights and protections in the year to come. It is time to ambitiously expand the initiative in order to confront the unique moment we live in.

Recommendation 4 - Supporting English Language Learners

There are more than 150,000 English language learners in our public schools. They have essential cultural and linguistic knowledge and enormous potential, but these students continue to lag far behind with in their graduation rates and school success. It is vital for the city to invest in supporting ELLs and their teachers, as well as appropriate monitoring to ensure that ELLs have a real chance to succeed.

Yesterday the Mayor, Speaker, Chancellor and Commissioner announced 100 Know Your Rights workshops conducted in partnership with Fordham Law Immigrant Preparedness Project and Catholic Charities Community Services, which is a good step. Yet the demand for workshops is overwhelming, and immigrant community based organizations have an essential role to play. These groups already have earned communities' trust, and they have invaluable linguistic and cultural competency and understand the needs of the community.

But immigrant organizations cannot meet the current need, and funding is badly needed for

groups to meet the demand in our communities. The potential of these trainings is immense, and these trainings can use curriculum developed by organizations with a track record of success in training immigrant communities to cover know-your-rights information; what to do about Deferred Action for Childhood Arrivals (DACA); avoiding notario fraud; how to create a plan in case a family member is deported, and other key topics. The time is now to roll out an ambitious new initiative as new federal policy is rolled out.

Conclusion

Thank you for the opportunity to present this testimony, as the Administration and Council consider how to properly support immigration-related services in the Fiscal Year 2017 budget. We note that this Budget will build on important Administration and City Council initiatives that have already benefitted New York's immigrant communities.

However, our work is far from done. As we have outlined here, there are still important gaps in key areas that are bedrock social protections. We urge you to support these budgetary recommendations – and above all to work closely with community-based nonprofit organizations as thought partners and trusted allies. By working closely, we can ensure that New York City sends a message to the nation that supporting New York's newcomers is good not only for immigrants – it's good for all of our New York.

**New York City Council Fiscal Year 2018 Preliminary Budget Hearing
New York City Council Committee on Immigration****Testimony of the New York Immigration Coalition re: Adult Literacy & Legal Services
Delivered by: Betsy Plum, Director of Special Projects, New York Immigration Coalition****March 22, 2017**

The New York Immigration Coalition (NYIC) is pleased to submit this testimony to the New York City Council regarding the FY 2018 Preliminary Budget, adult literacy, and legal services.

New York City's immigrant communities, past and present, represent the very best of our city. We are a city built by immigrants, where immigrants still make up nearly half of our workforce. Many in our families are immigrants, with 6 out of every 10 New Yorkers being an immigrant or the child of an immigrant. But, since January 20th, our immigrant communities - and by extension our city - have faced a relentless wave of attacks. Our Mayor has come out with strong words against the actions and policies of President Trump and his Administration. But, Mayor de Blasio's Preliminary Budget does not go nearly far enough to put dollars behind his words.

Access to legal and literacy services are critical to protecting and empowering New York's immigrants - together, they give these vulnerable New Yorkers the ability to protect themselves from deportation and to access vital services to support and strengthen their families. Lawyers are essential to helping individuals to navigate complex systems. Adult education and literacy classes allow all New Yorkers to be full participants in our city's every-day life, including speaking to their children's teachers, asking for help from emergency responders, or interacting with anyone they meet. Together, these services ensure that immigrant New Yorkers are not isolated, but rather fully integrated members of the fabric of New York City.

Adult Literacy: Baseline Adult Literacy Funds at \$12 million and Launch Adult Literacy Task Force

Each year, adult literacy programs and advocates are left to come to the City and beg for services to not be cut, for our City legislators to acknowledge the right of adults to learn, to become economically self-sufficient, to not have to live in fear of not being able to communicate with doctors, law enforcement, and other officials. Yet action on adult literacy is more important than ever. Community-based providers estimate that at any given time over 15,000 individuals are on wait-lists. For these New Yorkers, the door is closed on their ability to better perform in their jobs, advance their careers, communicate with their children's teachers, interact with medical professionals and law enforcement, and otherwise deepen their community engagement.

Investing in adult literacy is smart fiscal policy for New York City. Every high school credential earned generates the City approximately \$324,000 in net benefits over an individual's lifetime. It is also strategically smart by helping support and strengthen many of the Mayor's signature programs from Universal Pre-K to Career Pathways. Above all, a strong investment in adult literacy and education programs can drive a monumental shift in how we fight poverty and inequality, which would have positive ripple effects across our city.

While we are grateful that New York City made a \$12 million investment in the adult literacy field during the last fiscal year, we are disappointed that it was only viewed as a “one-time investment” and that it was not renewed nor was it replaced in the Mayor’s Preliminary Budget. But these classes are no longer just progressive common sense. Under the Trump Administration, they are now meaningful antidotes for immigrant and working-poor communities to the hate and discrimination being broadcast by the Federal government. They empower our communities and offer them safe spaces and valuable skills, while also strengthening our City civically and economically.

As the City Council and the Administration work to craft a budget that is truly inclusive of immigrant communities, we look to our City leaders to put their rhetoric into action. Our ask is two-fold. First, we ask that the final budget reflect a base-lined investment of \$12 million for community-based adult literacy programs. This investment would include **\$5.7 million to be spent on contract modifications and discretionary awards; \$300,000 for technical assistance to providers; and, \$6 million to be allocated towards a new literacy program with revised reimbursement rates to be begin in January 2018 following a new RFP** by the Department of Youth and Community Development. Second, we ask that the Deputy Mayor’s Office **launch an Adult Literacy Task Force to examine the current adult literacy system** and develop recommendations for building a high-quality, coordinated, and comprehensive adult literacy system.

As our City’s immigrant communities are under attack, now is the moment to stand up for the 2.2 million New Yorkers lacking their high school diploma, English language proficiency, or both. Now is the moment to stop adult literacy from continuing to be the weakest point of the educational funding pipeline. Now is the moment to ensure that words of sanctuary and solidarity become policies of action and protection.

Legal Services: Increase Immigrant Opportunities Initiative (IQI) to \$13.5 million

Since the election of Donald Trump as president last November, the overarching fear faced by immigrants is that they are at risk of arrest and deportation everywhere. This fear has been magnified by many factors since the inauguration: A week-long enforcement action by Immigration and Customs Enforcement (ICE) that started Monday February 6th nationwide, as well as reports of increased detention and arrests at routine ICE and probation check-ins. Harsh, anti-immigrant rhetoric by the President and his allies, An extraordinarily public effort to demonize all foreigners, particularly those of Muslim origins, and a sustained targeting of refugees and the refugee resettlement process.

The best defense against these policies is strengthening the providers who have decades of experience and trust with the communities and who are best positioned to immediately respond to constantly emerging needs. In both rapid response scenarios as well as more prolonged defense from deportation programs, non-profit organizations have the knowledge and ability to quickly pivot and get competent services where they are needed.

New York City funding for immigration-related services has always been a lifeline for providers who have few options for unrestricted funding from the state and federal governments or private

philanthropy. Yet despite significant and laudable investments for some legal services programs, including ActionNYC, ICARE, and NYIFUP there is still a major shortfall in support for broad, flexible programs by nonprofit providers that meet critical gaps. The NYIC recently released a report, "No Safe Harbor: Challenges in Obtaining Immigration Legal Services in New York State". That report shows that the main barriers legal service providers face are the lack of sufficient funding overall - and the lack of funding that goes directly to address actual needs. At a time when providers are in desperate need of increasing capacity because caseloads for every staff attorney and supervisor are at their limit, it is imperative that every available dollar go to the field to strengthen resources.

At the same time, it is important to note that there is a major need for representation on complex cases that require significant investments of time. In the survey that led to the *No Safe Harbor* report, providers noted that the most urgent needs were for representation in detained and non-detained removal proceedings, family-based petitions, asylum, and cases where there are criminal issues.

To address this overwhelming need, the NYIC and our members ask that legal funding through the **Immigrant Opportunity Initiative (IOI) be increased to a total of \$13.5 million, with a focus on complex-case representation.** This investment will allow providers to have the necessary resources to respond quickly and effectively to shifting trends, and allow them to fully maximize their expertise and their knowledge of the communities they serve. **We are also asking for \$500,000 to be invested in creating a rapid response infrastructure that can be quickly deployed in times of emergency.** Finally, we are asking for ICARE and NYIFUP to be baselined to ensure their continuing benefits to our communities.

Conclusion

New York City has always been viewed as a leader in immigrant protection and integration. It is crucial that, in this moment where our immigrant communities are under unprecedented attack from the Federal Government, and from the White House itself, that we continue to show the way forward and reassert our conviction that a City is stronger for the immigrants who built it and continue to contribute to it every day.

**New York City Council Fiscal Year 2018 Preliminary Budget Hearing
New York City Council Committee on Immigration**

**Testimony of the New York Immigration Coalition
Presented by Claudia Calhoon, Director of Health Advocacy**

March 22, 2017

Good Afternoon. My name is Claudia Calhoon, and I am the Health Advocacy Director at the New York Immigration Coalition. I'm here today to talk about what New York City must do to buffer its immigrant residents from the impact of a hostile federal administration in the health care arena. I want to start by thanking the New York City Council Committee on Immigration Chair Carlos Menchaca, and City Council Speaker Melissa Mark-Viverito for their incredible leadership in supporting immigrant communities across the five boroughs.

The NYIC is an advocacy and policy umbrella organization for more than 140 multi-ethnic, multi-racial, and multi-sector groups across the state working with immigrants and refugees. Our members serve communities that speak more than 65 languages and dialects. The NYIC Health Collaborative brings together immigrant-serving organizations from the frontlines of the battle to improve health access.

In my testimony today I want to highlight three areas:

- The need for enhanced mental health services to address stress and anxiety generated by recent immigration enforcement activities
- The impact of immigration on health care utilization, and the potential harm to population health in New York City
- The importance of supporting outreach and education on health access and coverage by enhancing the Access Health NYC initiative from \$1 to \$5 million.

Context

Following the election of President Trump, New York State residents face the rollback of countless core health care protections in the face of potentially massive federal changes to health care financing, publicly-financed health insurance, and public benefits. Arguably no population in New York State is more vulnerable to losing ground than immigrant communities. The House of Representatives' proposal to dismantle the Affordable Care Act and destroy the Medicaid program

promises to deprive about one million New Yorkers of private market, Essential Plan and Medicaid coverage. In its current form, the proposal would roll back the definition of eligible immigrants from the ACA's "lawfully present" definition to the much more restrictive "qualified alien" criteria employed under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).

Immediate Mental Health Needs

Immigrants in New York are entering an ever-deepening period of stress and vulnerability from changes and threats at the federal level. A capricious executive order aiming to block many lawfully permanent residents and all refugees from entering the country, renewed immigration enforcement activities across the nation, and a leaked draft executive order on public charge consequences for using public benefits for lawfully present individuals have created an intense environment of fear and insecurity.¹ Many of our partners report increased stress, anxiety, and diminished well-being among the immigrant communities they serve. While the need to increase culturally competent behavioral health care access for immigrant communities is an ongoing issue requiring public investment and policy change over the long-term, the election has prompted a crisis that would benefit from concerted, immediate strategies and collaboration among key stakeholders.

A growing body of evidence highlights the impact of immigration-related stress and anxiety on health outcomes like low birthweight, which in turn, increases the likelihood of chronic disease in adulthood.² We urge the Council to work with health care providers, city agencies, community-based organizations, and citywide initiatives such as Thrive NYC to craft short-term solutions to offer behavioral health services to mitigate the impact of stress.

As part of this we support our partners' request for resources for forensic evaluations and mental health/social support for asylum seekers and other vulnerable groups seeking humanitarian relief, discussed later today by Libertas Center and other partners today. In 2015, 45,000 New York City residents applied for asylum in immigration courts. Asylum seekers are not eligible for the same benefits and protections that refugees are afforded in the U.S., making them a particularly vulnerable population without permanent legal status and often without family support. Forensic evaluations are a crucial tool that support lawyers' ability to effectively represent and advocate for

¹ Under current US Citizenship and Immigration Services guidance, using non-cash assistance such as Medicaid and food stamps does not prompt public charge determination, or determination that someone is "primarily dependent on the government for subsistence." A draft Executive Order leaked in late January suggests that the Trump administration contemplates a change to this guidance. The current guidance is available at <https://www.uscis.gov/news/fact-sheets/public-charge-fact-sheet>. Accessed on February 15, 2017.

² See https://www.washingtonpost.com/news/in-theory/wp/2017/02/17/dont-ignore-the-health-impact-of-immigration-policy/?utm_term=.1467ba2c855a and Nicole L Novak, Arline T Geronimus, Aresha M Martinez-Cardoso. Change in birth outcomes among infants born to Latina mothers after a major immigration raid Int J Epidemiol. 23 January 2017.

their clients.

Fears of using health care services

Reports of drastic drops in health care utilization, resistance to signing up for public benefits, and inappropriate scrutiny of patient background and status by frontline service providers have generated concerns about the population health impacts of immigration enforcement. In particular, during the week of the signing of the first executive order on travel, we heard reports from health care providers of plummeting patient censuses that they attributed to fear among immigrants of using health care services or coverage. The following week, false reports flew across the city of Immigration and Customs Enforcement presence in Health + Hospitals/Kings County. We commend H+H for its rapid response to the rumors and for its Open Letter to Immigrants, which restates the system's strong commitment to care for all people regardless of immigration status. In this time of heightened fear and rampant rumor, it is critical to make a concerted effort to regularly reinforce messages about the safety of using the health care system.³ It would also be important to collate data from multiple health care providers to get a full picture of the changes to health care utilization across the city.

Support for community-based outreach and education through Access Health NYC

As changes to health insurance and public benefits come into effect, communities will urgently need updated information on what federal landscape means for them and where they can turn for health coverage and services. The NYC-Council funded initiative Access Health NYC is a critical tool that is already in place to address this need. The initiative provides critical funding to get complex, rapidly-changing, highly technical information to communities that are deeply affected by fear and instability. To date, based on voluntary reporting that we received from just 13 of the 17 awardees, we know that those organizations have provided 256 workshops, trainings and community presentations. Through these efforts and individual outreach, awardees have reached 10,158 individuals and referred 2,333 individuals to navigators, health care providers, and enrollment offices for food stamps and other social services. Through ethnic media outreach undertaken by Access Health NYC awardees, health access and coverage information has reached more than 300,000 individuals. Given that not all organizations have shared their outputs with the NYIC, and this work continues through the end of this fiscal year, the true impact of the program will be even higher.

We request an enhancement to \$5 million in order to ensure that community-based organizations and community health centers reaching all New York City communities have resources and capacity to provide New Yorkers with correct information about health rights and

³ http://www.nychealthandhospitals.org/wp-content/uploads/2016/12/immigrantCampaign_LetterFlyer.pdf

protections in the year to come.

Conclusion

Although the challenges imposed upon New York City are tremendous, and driven by forces largely beyond the City's control, in the health care arena, investments to ensure access to health information and care will yield long-term returns. The city has a critical opportunity to buffer the impact of federal changes on immigrant communities by coordinating behavioral health services to counter the most toxic impacts of immigration enforcement, ensuring the availability of health services that are welcoming and secure, and supporting community-based organizations and health centers to disseminate up-to-date information on New York's health rights and protections through the Access Health NYC initiative.

Thank you for the opportunity to share this testimony today.

Testimony of the New York Immigration Coalition

Preliminary Budget Hearing – Committee on Immigration March 22, 2017 at 10AM

Good afternoon, and thank you to the members of the Council for convening this hearing and to Chairman Menchaca for his continued leadership for immigrant communities.

My name is Kim Sykes, and I'm the Senior Manager of Education Advocacy at the New York Immigration Coalition.

Supporting English Language Learners

There are more than 150,000 English language learners in our public schools. They have essential cultural and linguistic knowledge and enormous potential. In fact, when ELLs get the support they need, they actually outperform their native English-speaking peers. However, ELLs continue to lag very far behind with only 3 in 10 graduating on time. It is vital then that the city invest in both supporting ELLs and their teachers, as well as appropriate monitoring to ensure that ELLs have a real chance to succeed.

Leveraging Community Based Resources

Supporting our immigrant students and ELLs also includes meeting non-academic needs associated with the current political context.

Yesterday the Mayor, Speaker, Chancellor and Commissioner announced 100 Know Your Rights workshops conducted in partnership with Fordham Law Immigrant Preparedness Project and Catholic Charities Community Services, which is a good step. We also recognize and appreciate that Chancellor Fariña is truly concerned about meeting families' need for quality, consistent information that will prepare them to navigate the current federal context.

The demand for workshops is overwhelming and immigrant community based organizations have an essential role to play. These groups already have earned communities' trust, and they are aware of the web of resources within a given community. Critically, they have invaluable linguistic and cultural competency and understand the frame of reference and needs community members have.

It's no wonder that so many schools are reaching out again and again to immigrant community based organizations asking for help with Know Your Rights trainings and other strategies to support community members. Many Council Members have also recognized the invaluable role that immigrant CBOs play and rightfully want to engage these groups to hold trainings to protect constituents.

Immigrant groups can nowhere near meet the need at their current levels of staffing capacity. Funding is badly needed for groups to meet demand and continue their role on the front lines.

The trainings offered in schools and other community locations should use curriculum developed by organizations with a track record of success in developing training for use across immigrant communities. The trainings should cover know-your-rights information; what to do about Deferred Action for Childhood Arrivals (DACA); avoiding notario fraud; how to create a plan in case a family member is deported, etc. The subject matter and curricula should evolve as new federal policy is rolled out.

Thank you to Council for the opportunity to testify on these important issues today.



**STATEMENT OF RICH LEIMSIDER, EXECUTIVE DIRECTOR
SAFE PASSAGE PROJECT
TO THE NEW YORK CITY COUNCIL COMMITTEE ON IMMIGRATION
MARCH 22, 2017**

Thank you so much Committee Chair Menchaca for not only the invitation to present this testimony today, but for your steadfast recognition that New York's immigrants are part of the bedrock of what makes our City a strong and vibrant place. And thank you to the Council Speaker, the members of the Immigration Committee, and our partners at MOIA, HRA, and throughout the administration who do excellent work every day.

I want to also give a special shout-out to Jennifer, the Safe Passage client testifying today who so eloquently represents the promise and opportunity of supporting our immigrant neighbors.

About Safe Passage Project

Safe Passage Project is a small, highly-focused, nonprofit immigration legal services organization. We provide free lawyers to refugee children classified as "unaccompanied minors" in the NYC-area who face deportation back to life-threatening situations, despite their strong legal claim to stay in the US. Safe Passage Project currently supports 654 children with a \$1.6 million budget, 20 full-time staff including 11 staff attorneys, and 420 *pro bono* attorneys. The organization was founded in 2006 as a volunteer project within New York Law School. In 2013, in response to the "surge" in Central American refugee children arriving in NYC, Safe Passage Project was incorporated as an independent nonprofit. We are proud members of the ICARE coalition of nonprofit organizations which receives such essential support from the City Council.

Safe Passage Project uses what we call a "hybrid" direct representation and *pro bono* representation model. Eighty percent of our 654 cases are handled by *pro bono* attorneys closely mentored during the full length of a case by our expert staff attorneys. However our staff attorneys retain the most complicated 20% of cases that may not fit the *pro bono* method. Every active case represents a child who will

not have to face deportation alone. And, because the overwhelming majority of our clients are eligible for substantive immigration relief under US immigration law, the vast majority have resulted in a durable positive outcome - including Legal Permanent Residency.

Data on Unaccompanied Minors Being Deported from NYC

As the recipient of federal funding through the Justice AmeriCorps program, Safe Passage Project has access to a DOJ database of scheduled hearings at NYC Immigration Court. This allows us to have a unique perspective on some broader trends. In calendar 2016:

- 3,640 individual NYC resident children had removal or deportation hearings (a total of 5,551 hearings)
- 1,255 children appeared for their *Initial* hearing, meaning this was their first appearance in court- likely a few months after having been apprehended at the Southern border and released to family or acquaintances in NYC.
- 1,118 (89%) did *not* have an attorney at their Initial hearing, although some will subsequently find a qualified private attorney.
- The ICARE coalition of immigrant legal services providers estimates that in FY18 900 *new* NYC children will need a lawyer that they cannot afford to defend them against deportation.

According to an analysis of the NYC Immigration Court by the TRAC project at Syracuse University, between 2005 and 2017:

- 83% of *unrepresented* unaccompanied minor children in removal proceedings were ultimately ordered removed.
- Only 8% of unaccompanied minors *with counsel* were ordered removed.

The flow of children through the NYC Court has not slowed appreciably. Since January 1st Safe Passage Project has:

- Conducted 146 Screenings
- Committed to taking 63 new cases ourselves for either direct or mentored pro bono representation

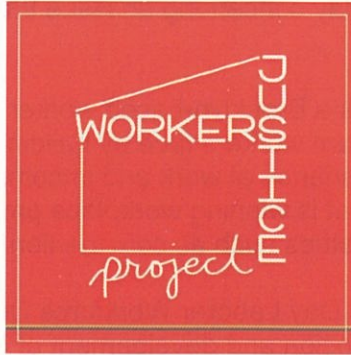
Recommendations

1. **Enshrine a principle of “flexibility with results” in City contracting.** We recognize and appreciate the oversight responsibility of the Council and Administration in ensuring proper use of taxpayer resources. At the same time, this presidential administration is very unpredictable and will likely

remain so. We would like to find ways for City contracts to hold providers to high standards of excellence while allowing flexibility in case and client types.

2. **Support smaller and community-based agencies like Safe Passage Project by working to accelerate the contracting and payment processes.** Smaller agencies like ours often have deep expertise in legal services but lack capacity to manage complex contracting requirements or the cash flow to pay staff while we wait for reimbursement payments that may arrive well after the end of the contract itself. For example at Safe Passage Project we have 16 client-facing staff but only 1 dedicated to grants, contracts and administration.
3. **Strengthen and expand the existing efforts where the City Council and Administration have already demonstrated leadership.** This challenging national environment will require new approaches. But the City will achieve the greatest impact, most quickly, by doubling down on initiatives like the Unaccompanied Minor Program that have established capacity and are ready to expand and adapt to meet new needs.
4. **Keep our City's promise to provide a lawyer to *every* unaccompanied immigrant child in removal proceedings who cannot afford one.** Under the ground-breaking leadership of the New York City Council our City has been a national and international leader and truly embodied our Sanctuary City values. Unaccompanied children will not stop arriving in NYC, but we can continue to send the strong signal that NYC is a place of refuge as we have been for hundreds of years.

Thank you all again so much for everything you have done, and continue to do, to maintain our City's leadership during these challenging times.



TESTIMONY

Ligia Guallpa - Executive Director

Worker's Justice Project

Proyecto Justicia Laboral

Presented to:

New York City Council Committee on Immigration

Hon. Carlos Menchaca, Chair

Wednesday, March 22nd, 2017

Prepared By:

Ligia Guallpa, Executive Director leader of the Worker's Justice Project

50 Broadway, 29th Floor
New York, New York 10004

Phone: 718-600-0425

My name is Ligia Guallpa and I am here representing Worker's Justice Project (WJP). I would like to thank Chairperson Menchaca and the members of the Committee on Immigration for the

opportunity to testify before you today concerning an issue that deeply impacts some of the most vulnerable New Yorkers.

Worker's Justice Project (WJP) is a Brooklyn-based worker center that addresses the racial and economic injustice that immigrant workers face by building collective power and creating solutions to the problems they experience at work and in communities where they live. We're a membership-based organization that is winning workplace protection and transform exploitative labor practices in unregulated industries such as construction and house cleaning.

I am here to speak on behalf of the Day Laborer Workforce Development Initiative (the Initiative), which supports the expansion and development of Day Laborer Centers across the five boroughs and provides essential services to Day Laborers working in New York City. The initiative partners include Worker's Justice Project (WJP), Northern Manhattan Coalition for Immigrant Rights (NMCIR), New Immigrant Community Empowerment (NICE), Staten Island community Job Center, FPWA, and Catholic Charities of the Archdiocese of New York, each of whom have a long history of engaging immigrant communities and working with Day Laborers in all five boroughs.

We are thankful for the support that City Council provided the Initiative in FY17 and **urges the Council to invest \$1.8 million in the Day Laborer Workforce Initiative** for the next fiscal year.

Day Laborers in New York and the Day Laborer Workforce Development Initiative

Day laborers in New York operate in all five boroughs; on street corners across the city providing essential services to the local construction industry, landscaping businesses, homeowners, and renters. In addition, Day laborers played an important role as secondary responders in the post-Sandy local, state, and federal reconstruction and relief efforts. Day laborers formed reconstruction brigades and they were some of the first volunteers on the ground after the devastation of hurricane Sandy. Even though day laborers are an integral part of the New York City workforce, their contributions often remain invisible and unrecognized. The problems faced by this community are often ignored and their needs often left unmet.

In Brooklyn, day laborers played a vital role in rebuilding South Brooklyn neighborhoods and revitalizing entire communities. For instance, the Bay Parkway Community Job Center of the Worker's Justice Project (WJP) has been in existence for 15 years and it's considered a community institution that community members and immigrant workers rely on for support when it comes to ensuring all women and women are treated with respect and dignity and all workers have equal opportunity to provide a better life to their families. Also, Brooklyn is the home of the largest women's day laborer who are forced to work on their knees, are yelled at or treated without respect, are asked to do excessive tasks in a short amount of time, and many more suffer wage theft abuses. In addition to physical and economic exploitation, these domestic work jobs almost never guarantee job security or economic and social advancement opportunities. Domestic workers experience high levels of labor exploitation and abuse because they work behind closed doors and are excluded from most labor protections.

The Day Laborer Workforce Development Initiative came together to address the needs of this underserved population, services that are even more essential now than ever before. As members of the city's informal workforce, day laborers experience rampant wage theft,

pervasive construction accidents, workforce hazards, lack of access to workforce development training, and lack of infrastructure. The Initiative's goal is to address these issues by linking day laborers to vital services, providing trainings on workforce safety and legal rights, addressing wage theft, providing access to jobs, and, most importantly, creating safe and dignified spaces for day laborers to congregate as they search for gainful work. New York City has the potential to lead the nation in the fight for day laborer rights.

In the first year of the Initiative, in FY16, over 1,200 day laborers were engaged via outreach and trainings, close to 1,000 jobs were dispatched from the centers, and a new day labor center was opened its doors in Staten Island. All this work was accomplished through the investment of \$500,000 from the City Council.

In FY17, the initiative has already dispatched close to 700 jobs and reached more than 2,300 day laborers through outreach, trainings, and referrals. The initiative is also laying groundwork for two new day labor centers in Williamsburg and South Bronx.

Worker's Justice Project (WJP) operates the Bay Parkway Community Job Center, the oldest day laborer center in New York City, and organizes the country's largest women day laborer corner. WJP's day laborer center model has become an important community institution that is creating pathways for social and economic integration for a new Generation of immigrants workers. Over the last seven months (from July to January 2017, 606 workers have been able to exercise their right to pursue a dignified life for themselves and their families.

We have achieved significant impact on the day laborer community in Brooklyn. The center has:

- Provided a safe and healthy space for 400 workers to wait for work, protecting them from experiencing wage theft and unsafe working conditions.
- Facilitated 601 well-paying jobs that generated a total of \$848,928.00 in salaries for low-income families.
- Raised the average hourly wage of day laborers to \$23.46, a 120% increase from last year.
- Trained 300 day laborers in Health and Safety Standards using a popular education model to develop a deeper analysis of their workplace issue and how to take collective action as a community.
- Reached 100 contractors and homeowners that have been educated about their rights and responsibilities as employers.
- Expanded worker and community outreach Brooklyn neighborhoods of Sunset Park, Bensonhurst and Coney Island.

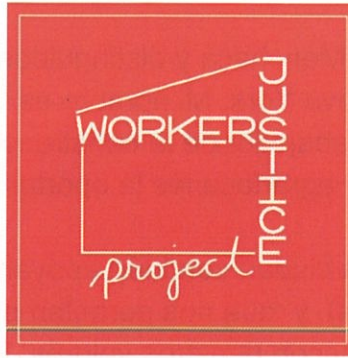
These achievements are examples of how models like the Bay Parkway Community Job Center are playing a vital role in the local economy and lifting up workers up with safe work at family-sustaining wage. Overall, the day laborer center serves as effective tool that raises the earning potential of low-income families and leverage the collective power of a community is coming together to lift up their value of their labor.

Through an **enhancement to \$1.8 million in FY18**, a total of five day laborer centers will operate in New York by the end of the fiscal year. In addition to the opening of four new centers,

with a center in Brooklyn that will focus specifically on the needs of women day laborers, the council funding will allow for essential repairs and improvements as well as expansion of already existing worker centers. We will enhance our services to provide more immigration-rights trainings and referrals to legal services. The initiative will also train and equip day laborers to safely and strategically respond when natural disaster strike the city, by aiding the city and its residents in the clean-up and reconstruction. We are poised to take major steps in addressing the needs of day laborers in FY18 and we need the continued support of the city Council to make these plans a reality.

Conclusion

We thank the City Council for the opportunity to testify. We hope that you will consider our budget priorities and recommendations during this year's budget negotiation process, and look forward to continue working closely with you to ensure hard working individuals and families have opportunities to achieve economic advancement and create shared prosperity for all New Yorkers.



TESTIMONY

Candido Flores- Member Leader

Worker's Justice Project

Proyecto Justicia Laboral

Presented to:

New York City Council Committee on Immigration

Hon. Carlos Menchaca, Chair

Monday, March 14, 2017

Prepared By:

Candido Flores, Member leader of the Worker's Justice Project

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(Spanish Version)

Buenas dias, Presidente Carlos Menchaca y distinguidos miembros del Comité de Inmigración de la Ciudad de Nueva York. Mi nombre es Candido Flores, soy padre dos niños de 20 y 13 años, soy un trabajador de la construcción y miembro del Proyecto Justicia Laboral. Primero, quiero agradecerles la oportunidad de testificar hoy.

Hoy estoy aquí para pedir que la ciudad continúe apoyando y respaldando a nuestro centro (Proyecto Justicia Laboral) y que nos permitan poder seguir contribuyendo a esta ciudad con nuestro trabajo y con nuestros valores. En esta era de odio, racismo y miedo, dependemos de nuestro centro.

Mi centro (Proyecto Justicia Laboral) es mi segundo hogar ya que el en centro encuentro el respaldo que necesito para sacar a mi familia adelante. El centro me han permitido poder aprender nuevas habilidades en la construcción (como carpintería, plaster y sheetrock), conocer mis derechos, negociar salarios justos (como \$20 la hora) y hacer que me respeten como trabajador y ser humano. En el centro encontrado una familia porque convivimos y luchamos juntos por los mismos sueños, que es tener una vida mejor.

También, en mi centro usamos nuestra voces y poder colectivo para combatir el robo de salario, mejorar las condiciones en el trabajo, crear trabajos con salarios justos y poder organizarnos para ganar respeto y digna en nuestra comunidad.

Hoy más que nunca dependemos de nuestro centro para poder defendernos del sentimiento anti-inmigrante y actos racista que existe en este país. La amenaza de deportaciones y redadas ha generado miedo y temor en nuestra comunidad, lo cual malos empleadores toman ventaja para no pagar los salarios, amenazar con llamar a la migra si nos organizamos y reclamamos nuestros derechos.

Estoy aquí para pedir apoyo para que nuestro centro puedan seguir existiendo y respaldando a mi comunidad. En conclusión, gracias por la oportunidad de testificar. Esperamos que ustedes considere los centro de Jornaleros como parte de sus prioridades durante el proceso de negociación presupuestaria de este año y esperamos seguir trabajando estrechamente con ustedes.



**Testimony by Jesse Laymon,
Policy Director of the New York City Employment and Training Coalition (NYCETC)**

**Before the New York City Council Committee on Immigration
Honorable Carlos Menchaca, Chair, Committee on Immigration
Regarding FY 2018 Preliminary Budget Hearing**

March 22, 2017

Good morning and thank you for holding this hearing and inviting us to testify on the 2018 City Budget, and in particular on the City can do more to improve the lives of our immigrant workforce, immigrant families, and the strength of our local economy.

My name is Jesse Laymon, Policy Director for the New York City Employment and Training Coalition (NYCETC). NYCETC is an association representing the expertise of over 180 community-based organizations (CBOs), educational institutions, and labor unions that annually provide job training and employment services to more than 800,000 New Yorkers, including public assistance recipients, unemployed workers, low-wage workers, opportunity youth, individuals involved with the criminal justice system, immigrants, veterans, the homeless, the elderly, and individuals with disabilities. The Coalition is the only citywide association exclusively focused on workforce development and has played a key role bringing together the city's workforce community for over 20 years, advancing policy priorities, convening to share information and best practices. The Coalition has a responsibility to give voice on what makes sense to our community to government, policy makers, researchers, the media and funders.

With regard to the Mayor's preliminary budget, we believe there are significant shortfalls in funding for programs that would greatly benefit immigrant communities.

In particular, we believe there needs to be increased funding for adult literacy programs, and to support "immigrant bridge" programs that are necessary to fully unlock the potential of immigrant workers for our local economy.

Our specific suggestions to improve the FY 2018 budget are:

- **Immigrant Bridge Programs** - Our top priority would be the creation of a new funding stream to support bridge programs aimed at New York's immigrant community. The City's Career Pathways blueprint called for \$60 million in funding for bridge programs by FY 2020, yet the preliminary FY18 budget has only \$6.4 million included. Left behind are many immigrant New Yorkers, who could benefit from courses on English for Speakers of Other Languages, Basic and Contextualized Education programs, and Vocational Training. In particular, we are disappointed that after a successful pilot Immigrant Bridge program concluded in two years ago, the City has not followed up with an ongoing Immigrant Bridge program to build on that model (see attached documentation from our member organizations CAMBA, Goodwill, and Upwardly Global). If the FY18 budget included the initial funding necessary to build a permanent Immigrant Bridge program, that would be a step in the right direction towards meeting the Career Pathways goals.
- **Adult Literacy**: – We also want to go on the record in agreement with the many providers of adult literacy programs here today to state that the City must baseline \$12 million for community-based adult literacy programs in this budget, and should increase that amount in the coming years to reflect the high demand for these programs from New Yorkers, especially from immigrant New Yorkers.
- **Career Pathways** – More broadly, we ask that budget's shortfalls in basic education, bridges, and adult literacy be considered in the context of the City's blueprint for workforce development, Career Pathways. We are now entering the third year of a five-year plan to transform the City's workforce development system, and are far behind track on the budgetary commitments contained in that plan. If substantial new City resources are not made available fulfill the promises of Career Pathways, hundreds of thousands of low-income and unemployed New Yorkers will be left out of our growing economy.
- **Increase of 12% on all City human services contracts** – The many non-profit and contracting organizations which provide services to the City's immigrants cannot continue to sustainably provide these vital and high-quality programs unless the costs of doing business in New York (including competitive salaries, rent, supplies, etc) are factored in to the City's contracts.

Thank you for taking our concerns into consideration, and we look forward to working with the City Council to make sure that the needs of New York City's immigrants are addressed through this and future City budgets.



Fulfilling the promise of opportunity

**TESTIMONY
of
FPWA**

**Presented to:
New York City Council Committee on Immigration
Hon. Carlos Menchaca, Chair
Wednesday, March 22nd, 2017**

**Prepared By:
Osman Ahmed, Policy Analyst**

**Jennifer Jones Austin
Executive Director/CEO**

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Phone: (212) 777-4800
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My name is Osman Ahmed and I am a Policy Analyst at FPWA. I would like to thank Chairperson Menchaca and the members of the Committee on Immigration for the opportunity to testify before you today concerning an issue that deeply impacts some of the most vulnerable New Yorkers.

FPWA is an anti-poverty, policy and advocacy nonprofit with a membership network of nearly 200 human service and faith-based organizations. FPWA has been a prominent force in New York City's social services system for more than 95 years, advocating for fair public policies, collaborating with partner agencies, and growing its community-based membership network to meet the needs of New Yorkers. Each year, through its network of member agencies, FPWA reaches close to 1.5 million New Yorkers of all ages, ethnicities, and denominations.

I am here to speak on behalf of the Day Laborer Workforce Development Initiative (the Initiative), which supports the expansion and development of Day Laborer Centers across the five boroughs and provides essential services to Day Laborers working in New York City. Along with FPWA, the initiative partners include Worker's Justice Project (WJP), Northern Manhattan Coalition for Immigrant Rights (NMCIR), New Immigrant Community Empowerment (NICE), Staten Island community Job Center, and Catholic Charities of the Archdiocese of New York, each of whom have a long history of engaging immigrant communities and working with Day Laborers in all five boroughs.

As New York declares itself a sanctuary in response to a climate of xenophobic rhetoric and action from the federal government, we must ensure that this city of immigrants remains a safe haven for all of our residents. It is not enough to safeguard the most vulnerable immigrants in this city against deportation and inhumane targeting by federal immigration authorities, we must also insure that these communities continue to thrive and build prosperity. This means that while the city increases its investment in legal services for immigrant communities, it should also make proportional investments in programs that connect immigrants to jobs and services that allow them to achieve economic advancement. New York should lead the nation as a city that does not just tolerate diversity but embraces it, a place where immigrants of all creed and color are provided an opportunity to build lives free of fear and persecution.

FPWA is thankful for the support that City Council provided the Initiative in FY16 and FY17. We **urge the Council to invest \$1.8 million in the Day Laborer Workforce Initiative** for the next fiscal year.

Day Laborers in the United States

Day laborers – men and women looking for employment in open-air markets by the side of the road, at busy intersections, in front of home improvement stores, and in other public areas are a common sight in most major cities throughout the United States. Day laborers provide an essential service to the US labor market by meeting the demand for an affordable, flexible, and skilled on-call workforce for construction, landscaping, domestic work, and home improvement industries. In addition, Day laborers have played a vital role in disaster relief efforts throughout the country in places like New York after Hurricane Sandy and New Orleans after Hurricane Katrina.

However, due to the informal nature of day laborer market, day laborers are also vulnerable to many threats at the, usually unregulated, work sites. On any given day, hundreds of thousands of day laborers around the country are in danger of suffering workplace injuries, being exposed to dangerous or toxic workplace conditions, and rampant wage theft. In addition, as most day

laborers in the United States are immigrants, a significant number of whom are undocumented, they face many barriers in accessing essential services such as medical care and legal assistance. Day laborers are often underpaid, with some paid less than the federal minimum wage, and are often subject to the whims of a fluctuating labor market. Median salaries for day laborers around the country are \$15,000 a year, far below a living wage especially for the two-thirds of day laborers who are supporting families on their income.

Finally, day laborers are often criminalized and harassed by communities in which they operate, by law enforcement agencies, and by Immigration and Customs Enforcement (ICE). They are targets of immigration raids, of unlawful detention by police, and threats and discrimination by local businesses. We are highlighting the problems faced by day laborers before the Committee on Immigration because the barriers and persecution experienced by day laborers are not just a matter labor market regulation but a pressing contemporary civil rights and immigration issue which lies at the intersection of xenophobia, anti-immigrant bias, and discrimination towards low-income communities in the United States today. We believe that day laborers deserve equal protections under the law and a chance to build prosperity for themselves, their families, and their communities.

Day Laborers in New York and the Day Laborer Workforce Development Initiative

Day laborers in New York operate in all five boroughs; on street corners across the city providing essential services to the local construction industry, landscaping businesses, homeowners, and renters. In addition, Day laborers played an important role as secondary responders in the post-Sandy local, state, and federal reconstruction and relief efforts. Day laborers formed reconstruction brigades and they were some of the first volunteers on the ground after the devastation of hurricane Sandy. Even though day laborers are an integral part of the New York City workforce, their contributions often remain invisible and unrecognized. The problems faced by this community are often ignored and their needs often left unmet.

The Day Laborer Workforce Development Initiative came together to address the needs of this underserved population, services that are even more essential now. As members of the city's informal workforce, day laborers experience rampant wage theft, pervasive construction accidents, workforce hazards, lack of access to workforce development training, and lack of infrastructure. The Initiative's goal is to address these issues by linking day laborers to vital services, providing trainings on workforce safety and legal rights, addressing wage theft, providing access to jobs, and, most importantly, creating safe and dignified spaces for day laborers to congregate as they search for gainful work. New York City has the potential to lead the nation in the fight for day laborer rights.

In the first year of the Initiative, in FY16, over 1,200 day laborers were engaged via outreach and trainings, close to 1,000 jobs were dispatched from the centers, and a new day labor center was opened its doors in Staten Island. All this work was accomplished through the investment of \$500,000 from the City Council.

In FY17, the initiative has already dispatched close to 700 jobs and reached more than 2,300 day laborers through outreach, trainings, and referrals. The initiative is also laying groundwork for two new day labor centers in Williamsburg and South Bronx.

And yet, there is still much more work to do to create the infrastructure to support day laborers. We ask that New York City commit to support the expansion and development of Day Laborer Centers across the five boroughs. Consequently, these centers will provide job placement and

workforce development services to these neediest of workers. The Day Laborer Workforce Initiative, through the existing day laborer centers in Brooklyn, Queens and Staten Island and the development of new centers, supports five services:

- 1) Job Referral,
- 2) Wage Theft Legal Clinics
- 3) Know Your Rights Trainings
- 4) Referral Services to Critical Services
- 5) Workplace Development and Safety Trainings

Through an **enhancement to \$1.8 million in FY18**, a total of five day laborer centers will operate in New York by the end of the fiscal year. In addition to the opening of four new centers, with a center in Brooklyn that will focus specifically on the needs of women day laborers, the council funding will allow for essential repairs and improvements as well as expansion of already existing worker centers. We will enhance our services to provide more immigration-rights trainings and referrals to legal services. The initiative will also train and equip day laborers to safely and strategically respond when natural disaster strike the city, by aiding the city and its residents in the clean-up and reconstruction. We are poised to take major steps in addressing the needs of day laborers in FY18 and we need the continued support of the city Council to make these plans a reality.

Conclusion

We thank the City Council for the opportunity to testify. We hope that you will consider our budget priorities and recommendations during this year's budget negotiation process, and look forward to continue working closely with you to ensure hard working individuals and families have opportunities to achieve economic advancement and create shared prosperity for all New Yorkers.



Testimony by New York Legal Assistance Group (NYLAG)

before the NYC Council Committee on Immigration regarding:

Preliminary Budget Hearing – Immigration

March 22, 2017

Chair Menchaca, Council Members, and staff, good morning and thank you for the opportunity to speak to the Immigration Committee about the FY18 budget. My name is Jin Sun Park, and I am a Supervising Attorney at the New York Legal Assistance Group (NYLAG). NYLAG is a nonprofit law office dedicated to providing free legal services in civil law matters to low-income New Yorkers. NYLAG serves immigrants, seniors, the homebound, families facing foreclosure, renters facing eviction, low-income consumers, those in need of government assistance, children in need of special education, domestic violence victims, persons with disabilities, patients with chronic illness or disease, low-wage workers, low-income members of the LGBTQ community, Holocaust survivors, veterans, as well as others in need of free legal services.

We appreciate the opportunity to testify to the Immigration Committee regarding the FY18 budget. With great budgetary uncertainty on the federal level, it is more important this year than ever for the City Council and the Mayor's Administration to ensure that the budget provides critical services to low-income New Yorkers, including immigrants.

The New Immigration Landscape

Since the Presidential election in November, immigrants around the country have been rightfully frightened about their futures under the new Administration. In New York City, the results of the election had a profound effect on the lives of millions of immigrants, many undocumented. Reports of increased immigration enforcement tactics, and rumors of such, as well as anti-immigrant

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rhetoric have made many immigrants afraid to access City and other services, such as hospitals, courts, and even schools. Immigrants who have lived peacefully in New York City for decades are terrified that they will face deportation and be torn from their families. The chilling effect of the policies that are being put forward by the new Administration will have an enormous impact on the lives of immigrant families, and many are seeking legal services to understand their rights, determine whether they have a viable path to status, and plan for the safety of their families.

Unfortunately, the preliminary budget released by the President earlier this month made clear that he plans to stand by his campaign promises to significantly reduce the social safety net for the most vulnerable, low-income Americans, including immigrants. Several funding streams vital to immigration legal services are at risk of enormous cuts or even elimination, including the Community Services Block Grant (CSBG) program, the Legal Services Corporation, and funding through the Violence Against Women Act. CSBG funding, in particular, is integral to immigration legal services in New York City, as millions of dollars from this pool go to City-based legal services providers through the Human Resources Administration. With the potential elimination of federal funding to provide these services, immigration legal services must be a priority for the City's FY2018 budget. Immigration legal services keep families together, and allow those with a potential path to citizenship to live in the United States safely and free of constant fear. With a large immigrant population so integral to the fabric of its communities, New York City must be a leader among major cities in the provision of significant and sustained funding for free legal services for immigrants.

Immigration Legal Services in New York City

NYLAG is proud to partner with the City Council and several City agencies – the Human Resources Administration, the Mayor's Office of Immigrant Affairs, the Department of Youth & Community Development, and NYC Health + Hospitals – to provide legal services to New York City's immigrant population. Through its City-funded immigration work, NYLAG uses its unique

community model and integrates itself into communities, gaining the trust of potential clients through close partnerships with local community-based organizations, hospitals, libraries, schools, and other trusted entities.

As part of the City Council's Key to the City Initiative, NYLAG screens hundreds of immigrants in their own communities each year, determining whether they are potentially eligible for immigration relief, providing them with Know Your Rights and safety planning information, and warning them about immigration fraud. Despite a significant rise in the level of fear in immigration communities, we are pleased to report that immigrants have continued to come to the monthly Key to the City legal clinics in large numbers, which we believe is due to the events being located within immigrant communities in concert with trusted organizations, including the City Council and the New York Immigration Coalition. Large-scale clinics such as Key to the City are vital to ensure that as many people as possible are screened for potential relief; in fact, in FY2016, approximately 22% of clients screened at Key to the City events turned out to be eligible for a path to citizenship. NYLAG is grateful to the City Council for including \$2.6 million in the FY2017 budget to expand the Immigrant Opportunities Initiative and ensure that large and small providers throughout the five boroughs have the ability to provide culturally and linguistically appropriate services to immigrant communities. This funding is necessary to provide a range of services to immigrants in need, and allows NYLAG to take on some of the cases it sees at Key to the City events for full representation.

The ActionNYC and NYCitizenship programs, both run through the Mayor's Office of Immigrant Affairs, have allowed NYLAG to expand its community model even further. Through ActionNYC, NYLAG has an attorney stationed at the Arab-American Association of New York, providing services to clients of that agency and immigrants throughout the Bay Ridge area. The NYCitizenship program gives NYLAG the ability to provide naturalization services to a significant number of immigrants each year through public libraries in Brooklyn, the Bronx, Manhattan, and

Queens. When immigrants have the option of receiving quality legal services in their own neighborhoods, they are much more likely to seek them out.

Over the past several years, both the City Council and the Mayor's Administration have recognized the importance of funding legal services for immigrants in the healthcare setting. Through the Council's Immigrant Health Initiative and the ActionNYC in NYC Health + Hospitals program funded by the Mayor's Office of Immigrant Affairs, NYLAG assists immigrants with chronic and serious health needs obtain immigration status in order to acquire the health insurance they need. By providing services that allow immigrants to achieve PRUCOL status, NYLAG has greatly expanded the pool of immigrants who are on the path to citizenship and able to access needed healthcare. Because NYLAG has been working closely with hospitals, including all H+H public hospitals, for many years, we were able to hit the ground running with expanding our immigration services and training healthcare personnel to recognize patients in need of immigration services and immediately refer them to NYLAG for assistance. Undocumented immigrants who may not otherwise contact an immigration attorney are introduced to NYLAG through a trusted doctor or other medical personnel.

NYLAG applauds the City for understanding the need for community-based immigration legal services, and encourages the City Council and the Mayor's Administration to consider the importance of serving immigrants in their own communities in any funding model.

Immigration Legal Services Needs Going Forward

The City has substantially increased funding of legal services over the last several years, and NYLAG is grateful that building immigration legal services programs has been a focus for both the City Council and the Mayor's Administration. Given the actions and promises of the new federal Administration, however, the time is now to significantly increase funding for immigration civil legal services, especially for complex immigration cases.

NYLAG has seen incredible turnout at community-based Know Your Rights events, and we know that immigrants who previously felt safe have already started coming out to large-scale clinics such as Key to the City in droves to find out if they have relief options. Through dozens of Know Your Rights events and clinics held since the election, NYLAG attorneys have observed a shift in focus on the part of immigrants in attendance from solely relief options to a growing emphasis on safety planning. Undocumented immigrant parents are often terrified that they will be separated from their U.S. citizen children, and need information about how to plan in the event that they are deported. Most immigration legal services providers, including NYLAG, do not have the capacity or resources to provide the assistance these families need to safely and prudently plan for the future. Funding is necessary to allow legal services providers to provide comprehensive services to those in need, many of whom have never met an attorney.

The current spotlight on immigration has come with one positive effect: NYLAG has seen an outpouring of pro bono volunteers who want to work on immigration cases. In response to the private bar's desire to help with these cases, NYLAG developed an Immigration Bootcamp training series for attorneys inexperienced in immigration law, but legal services providers will need to actively supervise these cases due to the complexity of immigration law and the potential consequences of making a mistake. With the federal Administration taking an actively hostile position on immigrants and promising to deport millions, the infrastructure of knowledgeable and skilled legal services providers needs to be fortified and expanded now to ensure screening and legal services for as many people as possible.

For the clients who have reached out for legal assistance since the election, and for the hundreds of thousands in communities who have yet to receive a legal screening, increased funding is needed immediately to support complex immigration legal work. While NYLAG is a proud partner in programs such as ActionNYC and NYCitizenship, these programs only allow a limited scope of services, many of which are more "straightforward" case types, such as naturalization.

There is no question that there are thousands of immigrants in New York City who require legal services in order to naturalize and receive the myriad benefits of doing so, including the critical right to vote, but we know that the area of most rapidly increasing need in this time of crisis is in complex case work, including removal defense work.

New and increased funding is needed specifically to assist those undocumented immigrants we have been seeing in increasing numbers at clinics and other community events, who are potentially eligible for a complex form of immigration relief, such as asylum for those who will be persecuted for returning to their home countries, Special Immigrant Juvenile Status (SIJS) for children abandoned or neglected by a parent, U and T Visas for crime and trafficking victims, and Violence Against Women Act (VAWA) self-petitions for victims of domestic violence. Certain populations are far more vulnerable now in light of the Administration's enforcement priorities. Undocumented immigrants who have been in the United States for less than two years are subject to expedited removal; these cases must be handled quickly and with extreme care, as these individuals have limited due process rights. Since the election, NYLAG has seen a sharp uptick in the number of these vulnerable clients who need assistance to file time sensitive affirmative asylum applications to meet the one year filing deadline. For complex affirmative cases, having representation can mean the difference between getting relief with USCIS and having to defend their case in removal proceedings before an immigration judge.

NYLAG has also been seeing an increase in the number of clients with final orders of removal who require urgent defensive action to prevent deportation, and is expecting the numbers to continue rising as immigration enforcement tactics become more aggressive. Without increased access to legal representation, these vulnerable individuals are at an even greater risk of falling prey to notarios and immigration scams. For example, at a recent clinic, a NYLAG attorney met Juan and Maria, the undocumented parents of a severely autistic U.S. citizen son, Ricardo, who requires near constant medical care. Juan and Maria came to NYLAG after putting their faith, and their money, in

a private attorney who filed fraudulent applications for them with the promise of a 10 year green card that put them into removal proceedings. NYLAG is now representing them to keep their family together and ensure that Ricardo continues to receive the medical care he needs.

Unfortunately, even programs like the Council-funded Immigrant Opportunities Initiative, which allows for a much more expansive range of case types than some of the more narrowly focused programs, only provide a case rate of \$750-\$1,000, keeping many providers from being able to meet the demand for complex case work. The true cost of time and resources for complex cases is many thousands of dollars, as these cases can stretch for years and attorneys can spend hundreds of hours on a single case, particularly with exceedingly complex cases such as those of Adults with Children. NYLAG currently turns away hundreds of immigrants with potential complex relief each year due to lack of resources. While New York City has a strong immigration legal services infrastructure, there is simply not enough capacity to handle the number of cases in a City with such large immigrant communities, let alone those we anticipate coming over the next months and years.

We expect to see sharp increases in the number of complex cases in the near future as immigrants come out of the shadows and look for potential relief in the face of amplified enforcement, rhetoric, and budget cuts, and increased funding in the FY2018 New York City budget will give us the ability to take on more of them. Further, increasing the case rate on current funding streams would allow organizations to provide more complex services to clients immediately.

I want to once again take the opportunity to thank Chair Menchaca and the members of the Committee for their exceptional leadership and commitment to overseeing issues related to immigration in New York City, and for working to schedule this hearing today. I welcome the opportunity to discuss any of these matters with the Committee further.

Respectfully submitted,

New York Legal Assistance Group

March 22, 2017

Testimony of Health Justice Staff Attorney Sarika Saxena

On Behalf of New York Lawyers for the Public Interest

Before the New York City Council's Committee on Immigration

Good afternoon, my name is Sarika Saxena and I am the Health Justice Staff Attorney at the New York Lawyers for the Public Interest. Thank you to Chairperson Menchaca and the Committee members for giving the opportunity to present testimony today.

I. New York Lawyers for the Public Interest

For the past 40 years, New York Lawyers for the Public Interest (NYLPI) has been a leading civil rights and legal services advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual legal services, impact litigation, and comprehensive organizing and policy campaigns. Guided by the priorities of our communities, we strive to create equal access to health care, achieve equality of opportunity and self-determination for people with disabilities, ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for low-income communities of color.

Our full-time staff of 32 includes lawyers, community organizers, social workers, legal advocates, development professionals, and administrators.

In the past five years alone, NYLPI advocates have represented thousands of individuals and won campaigns improving the lives of millions of New Yorkers. Our work with community partners has led to landmark victories including deinstitutionalization for people with mental illness; access to medical care and government services for those with limited English proficiency; increased physical accessibility of New York City public hospitals for people with disabilities; cleanup of toxins in public schools; and equitable distribution of environmental burdens.

In addition, NYLPI's Pro Bono Clearinghouse provides critical services to strengthen non-profits throughout every community in New York City. Drawing on volunteer lawyers from New York's most prestigious law firms, we help nonprofits and community groups thrive by providing free legal services that help organizations overcome legal obstacles, build capacity, and develop more effective programs. Through educational workshops, trainings for nonprofit leaders, individual counseling and a series of publications, the Clearinghouse is at the forefront of helping nonprofits maximize their impact on communities in each of your Districts.

NYLPI's Health Justice Program brings a racial justice and immigrant rights focus to health care advocacy in New York City and State. As the Council considers the City's budget with regard to legal services and support for New York's communities, NYLPI hopes that the Council and Administration will prioritize immigrant communities and particularly immigrant health.

II. NYLPI's Work as Part of the Immigrant Health Initiative, UndocuCare

NYLPI is honored to be part of the City Council's immigrant health initiative and we thank you for that support. NYLPI and our partners received \$500,000 in funding last year. This support has allowed us to expand our work in educating immigrant New Yorkers with serious health conditions, their healthcare providers, and legal service providers about healthcare access and connecting individuals to state-funded Medicaid, Medicaid that can provide life-changing and often life-saving treatment for our clients. This support also allows us to deepen our partnerships with our community health center partners.

Through this funding we have been able to train and give informative presentations on immigrant access to healthcare to hundreds and hundreds of community based organizations, health care providers, and legal services providers. We also continue to be able to provide comprehensive screenings, and representation to individuals, particularly those who are in health emergencies.

Like our client, CH, a 64-year-old undocumented Greek national, who was told that there was no hope for him. CH was diagnosed with kidney and heart failure and doctors informed the family that CH would pass away if he did not get a heart transplant, which was not an option since he was uninsured. After attending one of our trainings, CH's dialysis social worker told his family about NYLPI and they called for an intake. We discovered that CH had actually been eligible for State-funded

Medicaid for decades based on an old application, but did not know it. He now has Medicaid and is being evaluated for a heart transplant, receives transportation to his medical appointments, and is receiving primary care he also desperately needed.

In the current environment, which in speaking to our clients has reached the level of a crisis, many of our clients are in a more vulnerable space with regard to immigration status, which has a direct impact on their health. People are hearing rumors and are fearful of seeking healthcare, as was discussed last week at the Oversight Hearing.

Our work has been responsive to the current climate of enforcement as well as the community's needs as they have represented to us. In response, our initiative has incorporated a Know Your Rights on general law enforcement interactions and a component focused health care rights for patients, providers, and immigration advocates to be carried out with our community health partners and trusted spaces where people receive healthcare. We want to counter the rumors with the power of knowledge and make sure that New Yorkers know that it is safe to access healthcare. Our training also includes safety planning and legal resources.

Many of our health care partners, doctors, and social workers want to work with their patient populations to counter the fear and to make sure that they create a safe environment for their patients. We have developed advocacy tools for patients and healthcare providers to assist their patients in advocating for themselves, should their patients encounter law enforcement. We are also working with health partners to create safety plans for their health clinics and to think proactively about the safety and well-being of their patients, which includes training their staff to understand their rights in caring for patients and how to carry out their responsibilities given the current climate of fear and skepticism.

We also have developed a cutting edge defensive program to prepare our very sick clients for unfortunate eventualities, such as being detained, which are becoming more real for people with each passing day of the Trump administration. NYLPI is focusing on preventative and proactive strategies for New Yorkers who have fragile health conditions to make sure that their health is not recklessly jeopardized or irreparably harmed.

III. NYLPI's Work as Part of the Immigrant Health Initiative, Health in Detention

The Immigrant Health Initiative funding also supports NYLPI's work seeking to improve access to healthcare in immigration detention facilities. For NYC residents held in detention, NYLPI provides individual and systemic advocacy to improve health care. For example, we provide support for City Council funded New York Immigrant Family Unity Project attorneys and have helped secure the release of seven people from immigration detention partly based on the lack of adequate medical care. We also recently released a report (which was sent to the full council) documenting the serious, often life-threatening, deficiencies in the medical care provided to people detained in New York City-area immigration detention facilities. We intend to use this report to shine a light on this population, a population of people we can only presume will increase as ICE raids happen across the country and President Trump promises more deportations. We hope to inspire advocacy and commitment to immigrant legal services.

We thank the Council again for this tremendous assistance, and ask that the funding continue in FY 2017 for both NYLPI and our community partners: Academy of Medical and Public Health Services, Bronx Health Reach, Grameen Vida Sana, and Plaza del Sol, plus an enhancement of \$100,000 for NYLPI to expand on our successful immigrant health program.

IV. Conclusion

Thank you for your time and we look forward to continuing to work the Council to improve immigrant New Yorkers access to health care.

We hope the issues we have identified above will inform the Committee's advocacy in the coming months. Please contact Sarika Saxena at (212) 244-4664 or ssaxena@nylpi.org for further information or discussion.

URBAN JUSTICE CENTER

The New York City Council
Committee on Immigration

Testimony of Lynly Egyes, Esq.
Legal Director
Urban Justice Center

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Wednesday, March 21, 2017 at 10:00 am

Good morning, members of the Committee on Immigration.

My name is Lynly Egyes and I am the Legal Director at the Sex Workers Project at the Urban Justice Center. The Sex Workers Project provides legal and social services to anyone who works in the sex industry, regardless of whether they are engaging in sex work by choice, circumstance or coercion. What you might not know about the Sex Workers Project is that that 85% of our clients receiving legal services are victims of human trafficking who need help with immigration. Within our project, we have a special focus on LGBTQ trafficking survivors. Human trafficking is an incredibly common experience for our LGBTQ clients, who are vulnerable to trafficking due to past experiences of trauma, persecution in their home countries, and lack of income options. SWP have represented over 200 LGBTQ survivors of human trafficking and have a 100% success rate in applications for these individuals.

Right now is a critical time for undocumented LGBTQ individuals. Our clients feel ICE's presence now more than ever, on the streets of NYC, in court rooms and even with the NYPD. Due to this new climate, SWP has implemented new programming to provide as much protection and support for all people who reach out to us for immigration services. However, because of our success in building trust and relationships in LGBTQ communities, we continue to have a year-long waitlist for our immigration services. Nevertheless, we try to build in safe guards for our waitlist. Before clients are placed on our waitlist, they are screened for emergency needs like Special Immigrant Juvenile Status, Asylum, a FOIA request or require immediate help reporting to law enforcement. But even with these safe guards, clients on the waitlist remain at a higher risk of detention and deportation. Further, the majority of the people on our waitlist are LGBTQ survivors of human

trafficking with visas available to them once we have the capacity to take them off the waitlist and file their application.

Our new programing to protect our clients also includes working closely with District Attorneys' offices to speed up the time it takes to vacate convictions for survivors of trafficking. Two convictions for prostitution on a client's record makes them eligible for mandatory immigration detention. Increasing the speed of vactur motions, will help ensure that trafficking victims are not placed into immigration detention. We are also strengthening our partnerships with federal law enforcement to ensure all of clients have a safe place to report their victimization.

In addition, we also provide training to law enforcement to ensure that LGBTQ survivors have a safe place to turn when they want to report their victimization. To date, we have trained the F.B.I., Homeland Security Investigators, U.S. Attorney's Offices, USCIS Asylum office and ACS. We also partner with LGBTQ organizations to ensure that staff and members understand what trafficking looks like in our communities. We have recently facilitated workshops at Ali Forney Center, The LGBT Center, AQCC, and AVP to educate community members. Due to the change in the political climate, SWP has designed special trainings for LGTBQ community members about their rights and what to do if they encounter ICE. We have also been conducting immigration screenings after all of our trainings.

SWP greatly appreciates the City Council Speaker's support that was provided last year for our LGBTQ anti-trafficking program. With continued and hopefully increased support we would able to clear our existing waitlist, increase our outreach and facilitate more trainings throughout New York City to ensure LGBTQ immigrants know their rights. Thank you so much!

Testimony of Immigrant Justice Corps

on

THE NEW YORK CITY COUNCIL FISCAL YEAR 2018 PRELIMINARY BUDGET

Presented before

The New York City Council
COMMITTEE ON IMMIGRATION

Presented by:

Immigrant Justice Corps
Jojo Annobil, Executive Director

March 22, 2017



**Testimony of Immigrant Justice Corps on
The New York City Budget for Immigration Services
March 22, 2017**

Immigrant Justice Corps (IJC) thanks the New York City Council for the opportunity to submit testimony regarding the New York City Council Fiscal Year 2018 Budget and the importance of funding for immigration legal services. We commend the City Council and the Mayor for their leadership in providing funding for critical legal services for low income New York immigrants. With increased enforcement - home raids, family and criminal court arrests and an expanded use of administrative proceedings - it is more important than ever that every non-citizen have a consultation with an attorney and have the name of an attorney at the ready in the event he or she is swept up in a raid. IJC supports continued funding for legal services providers to meet the unprecedented demand for immigration legal assistance.

Immigrant Justice Corps (IJC) is the country's first and only fellowship program dedicated to meeting the need for high-quality legal assistance for immigrants seeking a path to lawful status, citizenship and fighting deportation. IJC's goal is to use legal assistance to lift immigrant families out of poverty – helping them access secure jobs, quality health care and life-changing educational opportunities. Inspired by the Katzmman Study Group on Immigrant Representation,¹ IJC brings together the country's most talented law school and college graduates, connects them to New York City's best legal and community institutions, leverages the latest technologies, and fosters a culture of creative thinking that produces new strategies to reduce the justice gap for immigrant families, ensuring that immigration status is no longer a barrier to social and economic opportunity. Now in our third year, IJC has trained and placed over 100 Justice Fellows (law graduates) and Community Fellows (college graduates) in support of our mission to increase both the quantity and quality of immigration legal services. All of our fellows are lawyers, law school graduates, Board of Immigration Appeals accredited representatives, or in the process of becoming accredited representatives.

The Need for More Lawyers

Immigrant Justice Corps submitted testimony for the Immigration Committee hearing on Enforcement on March 15, 2017, in which we discussed the unprecedented level of fear and

¹ "Accessing Justice: The Availability and Adequacy of Counsel in Immigration Proceedings," available at http://www.cardozolawreview.com/content/denovo/NYIRS_Report.pdf; and "Accessing Justice II: A Model for Providing Counsel to New York Immigrants," available at http://www.cardozolawreview.com/content/denovo/NYIRS_ReportII.pdf.

uncertainty that our fellows' clients are experiencing. With the end of the Obama era enforcement priorities, literally every undocumented immigrant – parents, children, workers, those fleeing violence – is potentially a priority for removal². Whereas, under the Obama priority's memo, only non-citizens with serious convictions, who posed a threat to public safety and national security or who recently arrived in the United States were prioritized for removal,³ the new President's Executive Order prioritizes non-citizens who have been charged with crimes, but not convicted, and even those who "have committed acts that constitute a chargeable criminal offense."⁴

Making matters worse, the Secretary of Homeland Security, John Kelly has also signaled the Administration's plans to expand "expedited removal" from the border into the interior of the United States.⁵ This practice could require anyone who comes into contact with Immigration and Customs Enforcement to affirmatively demonstrate that he or she has been in the United States for two years or risk immediate removal without further due process.

Our fellows, spread out across every borough of New York City, are responding to the fear and uncertainty by conducting Know Your Rights trainings, and ensuring that immigrant New Yorkers understand their rights under the U.S. Constitution. Even so, what non-citizens need right now, are one-on-one consultations with qualified attorneys and representatives, and the knowledge that if they are taken into custody, they have the name and phone number of an attorney or representative who will be there to help.

Our fellows have reported that each case they accept for representation is taking more work than before. In addition to the legal work on each immigration case, fellows are consulting with clients about the need to plan for their children and access to their property in the event they are detained or removed. With extreme uncertainty in how cases will be adjudicated and whether more

² See Q&A: DHS Implementation of the Executive Order on Enhancing Public Safety in the Interior of the United States, February 21, 2017, available at <https://www.dhs.gov/news/2017/02/21/qa-dhs-implementation-executive-order-enhancing-public-safety-interior-united-states>, stating that "[a]ll of those in violation of the immigration laws may be subject to immigration arrest, detention and, if found removable by final order, removal from the United States."

³ Jeh Johnson, "Policies for the Apprehension, Detention and Removal of Undocumented Immigrants," November 20, 2014, now archived at, https://www.dhs.gov/sites/default/files/publications/14_1120_memo_prosecutorial_discretion.pdf

⁴ "Executive Order: Enhancing Public Safety in the Interior of the United States," January 25, 2017 available at <https://www.whitehouse.gov/the-press-office/2017/01/25/presidential-executive-order-enhancing-public-safety-interior-united>

⁵ John Kelly Memorandum, "Implement the President's Border Security and Immigration Enforcement Improvements Policies," February 20, 2017, https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf

immigrants will be detained, lawyers are working to file applications as quickly as possible for clients so that they can have some assurance that some request for relief is pending.

Currently, more than 60 of New York City's immigration attorneys and BIA/OLAP accredited representatives, are Immigrant Justice Corps fellows. In the three years of IJC's existence, our fellows have represented thousands of immigrants in complex and "light touch" cases while simultaneously helping community based organizations in underserved communities grow their immigration practices.

One of the most significant needs in the immigration field is capacity building at legal services organizations, community based organizations and underserved communities in New York City. To do this effectively requires hiring and training more qualified attorneys and representatives. We have had several of our fellows end their fellowship early because local non-profits have been desperate to hire highly skilled and well trained attorneys. As the immigration legal services bar grows in response to the increased anti-immigrant enforcement by the federal government, non-profit organizations need to hire more attorneys to keep up with the demand to provide legal services. Increasingly, those organizations are finding it difficult to find quality attorneys with the required language abilities to keep up with the needs of their clients.

Additionally, community-based organizations that already have an active immigrant client base and have built trust within their own communities, are eager to expand their ability to provide immigration legal services. In 2015, IJC placed an Arabic-speaking attorney and representative at Arab American Association of New York (AAANY), assisting a severely underserved population to file applications for asylum, Temporary Protected Status, naturalization, and family based petitions. After IJC helped AAANY establish a structure for the provision of legal services, AAANY further expanded its capacity through the Mayor's Office of Immigrant Affairs Action NYC program. Likewise, IJC has placed an attorney and a representative at Sauti Yetu, a community-based organization in the Bronx which serves African women. Through IJC's fellows, Sauti Yetu is expanding its capacity to assist African immigrants file for asylum and defend against removal.

IJC is uniquely positioned to recruit the best graduating law students from around the country, particularly those with foreign language abilities and ties to immigrant communities, train them, support them, and place them with legal service providers, as a way to grow the immigration field. Almost all of IJC's current fellows (96% of them) speak a second language, making it possible to provide efficient and effective quality representation. An investment in IJC's fellowship model, is an investment in quality legal services for years to come, as we serve the dual mission of immediately increasing access to legal services for immigrants across New York City, and reinvigorating and improving the immigration bar.

We have heard in numerous meetings with non-profit legal service providers, that they are having difficulties hiring excellent attorneys to fill new positions. While there are law firm attorneys who are willing to take on pro bono cases, most non-profits are so overwhelmed with their own cases that they are unable to take on mentoring. If IJC received more funding from New York City we could help fill this gap.

We are in a moment of crisis in immigration representation. Partnering with City Council, we have an opportunity to build capacity to meet the demand for legal services, to grow our immigration filed and ensure that all New York immigrants whether facing deportation, seeking lawful status or citizenship have access to a free high quality legal representative.



Catholic Charities Community Services

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**NEW YORK CITY COUNCIL
COMMITTEE ON IMMIGRATION**

PRELIMINARY HEARING

**TESTIMONY BY C. MARIO RUSSELL
DIRECTOR OF IMMIGRANT AND REFUGEE SERVICES,
CATHOLIC CHARITIES COMMUNITY SERVICES,
ARCHDIOCESE OF NEW YORK**

MARCH 22, 2017

I. INTRODUCTION AND OVERVIEW

Honorable Chairperson and committee members, my name is Mario Russell and I am the Director of Immigrant and Refugee Services of Catholic Charities Community Services, Archdiocese of New York. For more than four decades, Catholic Charities Community Services (CCCS/Catholic Charities) has been committed to welcoming New York's immigrants—be they families seeking to reunify, children, refugees, the undocumented, or workers. This commitment is rooted in respect for the human dignity of each person and for the value he or she brings to our communities of work, of family, and of faith. We are honored to testify at today's hearing before this committee, whose commitment to preserve and protect the rights of all New Yorkers, regardless of immigration status, we applaud.

We thank you for inviting all of us here today.

II. THE WORK OF CATHOLIC CHARITIES

Catholic Charities serves all individuals in need, Catholic or non-Catholic, who reside in all five New York City boroughs and seven counties of the Lower Hudson Valley. Our strength is that our work is broad, diverse, and focused on responding to individual crises as well as addressing core needs that may lead to crises. Catholic Charities provides a comprehensive range of professional human services to immigrants, including: eviction prevention; case management to help people access benefits and resolve financial and family issues; emergency food; specialized assistance for the blind and visually impaired; after-school, drop-out prevention and employment programs for low-income, at-risk and/or court-involved youth; sports and recreational programs for children and youth; and supportive housing programs for adults with mental illness.

IMMIGRANT & REFUGEE SERVICES
New Americans Hotline 800.566.7637 (in New York State) – 212.419.3737 (outside New York State)

SERVING THE BRONX • MANHATTAN • STATEN ISLAND

Our services are provided in our community centers, parishes, regional offices, NYC public schools, NYCHA housing developments, HRA offices, and partnering community-based agencies. Each year, CCCS works with thousands of households to manage crises and to help families achieve long term stability in immigration status, income, housing, and nutrition. The issues our clients face are often multi-faceted and complex, and it frequently takes the cooperation of several agencies to arrive at lasting solutions.

Catholic Charities' Immigrant and Refugee Services responds to the needs of thousands of immigrants and refugees each year, through services in five principal areas: immigration legal services, unaccompanied minors programming, English as a Second Language (ESL/ESOL) and cultural learning at our International Center, refugee resettlement services, and general informational and referral services through the New York State New Americans Hotline and the National Children's Call Center, which, together, responded to over 43,000 calls for information during the last fiscal year, and already over 23,000 calls in the first five months of this fiscal year.

III. EFFECTS OF THE EXECUTIVE ORDERS AND NEED FOR SERVICES

Immigrants and refugees are facing particularly difficult times now. Each day, Catholic Charities hears from clients and members of immigrant communities about the fear and confusion created by the recently signed executive orders excluding refugees and creating new policies for the arrest, detention, and deportation of immigrants in the United States. Whether through our immigration legal services programming, our immigration court representation initiatives, our *Terra Firma* collaborative, our case management support to thousands of children and families from Central America, our unaccompanied minors detention representation and KYR project, our refugee resettlement initiatives, our classrooms offering job and English preparation, our hotline informational services, and many others, the issue is clear: fear and uncertainty about the future are real and the need for help and assistance urgent.

We therefore respectfully request that this Council consider as budget priorities for services the following:

- expanded support of three city-wide legal initiatives: ActionNYC, ICARE/AWC, and IOI
- support for Immigration Court Helpdesk screening and *pro se* programming
- support for *Terra Firma* legal programming and expansion in NYC
- support for Refugee Resettlement case management and integration
- support for increased access to English as a Second Language instruction opportunities

IV. IMMIGRATION LEGAL SERVICES: THREE CITY-WIDE INITIATIVES

Catholic Charities legal staff actively participate in three initiatives launched by New York City government to mitigate the needs of city residents for immigration legal assistance: ActionNYC, ICARE, and IOI. These three initiatives – each based on successful collaboration among many service providers – are a hallmark of New York City's commitment to immigrants. Because these initiatives already successfully operate in our communities, their expansion can serve as the starting point of a city-wide response to recent and future executive orders that affect immigrants and refugees.

ActionNYC is a coordinated city-wide initiative that provides legal consultations, document preparation and application assistance to New York City residents through multiple access points located on the premises of community-based service providers and operated by teams of one attorney and three community navigators. Catholic Charities' ActionNYC team operates differently than the other ActionNYC teams by rotating through the city's community schools – mostly middle-schools and high schools – to provide screenings and application assistance to foreign-born students and/or their parents. This has been a successful program which we recommend should be expanded to cover more public schools on a more frequent basis. Our ActionNYC in Schools Team has screened 822 individuals since our first clinic on March 23, 2016 and accepted for representation 180 cases, successfully filing 81 cases before USCIS, EOIR, and in all five New York City family courts.

In the wake of the Executive Orders, Catholic Charities has worked with the Mayor's Office for Immigrant Affairs to add Know Your Rights presentations to the services we provide at community schools. Thus far, our ActionNYC attorney has provided one presentation, which was attended by a total of 21 students and their family members, and has several more scheduled in the weeks ahead. Through ActionNYC programming in community schools, Catholic Charities has had the opportunity to reach diverse immigration populations that are often isolated and do not typically access nonprofit legal services on their own. In this climate of fear, providing access to accurate information and legal services in a safe environment- such as a public school – is particularly important.

Catholic Charities also operates ActionNYC's phone scheduling system, helping New Yorkers make appointments at ActionNYC sites throughout the five boroughs. Because we operate the appointment system we know first-hand how fast available appointments are filled and thus how important it would be to expand the program to additional sites and to increase capacity at existing ones.

The Immigrant Children's Advocates' Relief Effort Initiative (ICARE) was funded in the summer of 2014 by the New York City Council in partnership with the Robin Hood Foundation and the New York Community Trust to provide legal representation to immigrant children who had fled violence in Central America and were facing removal (deportation) proceedings in New York's immigration court. CARE currently includes Catholic Charities, Central American Legal Assistance, The Door, KIND, The Legal Aid Society, Make the Road NY, and the Safe Passage Project. Immigrants facing deportation have no right to counsel at government expense—not even if they are children. The ICARE partners ensure that children residing in New York City who are eligible for immigration relief have access to attorneys to fight for their right to remain safely in the United States and, wherever possible, to obtain lawful permanent residence. They also provide children with health insurance and school enrollment information. From the inception of ICARE in July 2014 through the end of January 2017, Catholic Charities screened more than 800 unaccompanied minors and accepted almost 300 of their cases for representation, winning more than 20 asylum cases, getting approval for more than 60 Special Immigrant Juvenile petitions, and terminating removal proceedings against more than 80 children.

The ICARE Collaborative has been successful because it has brought together agencies that all work with children and families, but have various areas of expertise (family court, SIJ, asylum, U visas), employ different service models (in-house representation, pro bono networks, law school clinics), and offer different ancillary services (legal orientation programs, refugee resettlement services, in-house counseling, etc.) to create a representation system that covers almost every type of removal defense case, has resources to address many of the other needs experienced by unaccompanied minors and families,

and leverages staff resources in different ways to ensure continued capacity to conduct screenings, accept new cases, and continue to provide services on existing cases. Together, the ICARE partners cover every facet of removal defense. The ICARE partners also work closely together to coordinate coverage of the unaccompanied minors and adults with children dockets, ensure all minors and as many of the adults with children as possible who appear in court are being screened, and address emerging challenges with a unified front. Given the combined breadth and depth of expertise shared by the partner agencies, their omnipresence at the immigration court, and the good relationships developed with local immigration judges and Immigration and Customs Enforcement (ICE) trial attorneys, ICARE has become the face of removal defense in New York City.

Based on numbers of apprehensions at the border over the last five months, we anticipate that at least 900 new children who reside in the city will appear on the New York Court's juvenile docket without representation in fiscal year 2018, and that existing cases will take longer to adjudicate because of court backlogs and the cap on visas for nationals of El Salvador, Guatemala and Honduras (the great majority of our clients). We anticipate the number of new adults with children who will be scheduled to go to immigration court in New York to be even higher; a majority of these cases will similarly be stuck in limbo due to the backlog and the visa priority situation. In order to close the service gap for unaccompanied minors and to narrow it for adults with children, we respectfully request that funding for the ICARE program be increased and baselined.

This Council also funds Catholic Charities, Central American Legal Assistance and the Legal Aid Society to provide critical legal assistance to adults with children fleeing violence in Central America, who are in proceedings in the New York Immigration Court. A majority of the parents are women who are eligible for asylum based on their fear of domestic and gang violence, and their children who are eligible for derivative asylum or Special Immigrant Juvenile Status. This initiative strengthens family unity and assists immigrants with time sensitive deadlines for relief. CCCS has served this population at the NYC Immigration Court and through our *Terra Firma* medical legal partnership, which has expanded access for these families to both attorneys and healthcare professionals. Since July of 2015, CCCS has screened nearly 600 Adults with Children, accepted over 60 cases for representation, and filed nearly 70 applications for relief before the NYC Immigration Court and in all five NYC family courts. This important work must continue and we call for its baselining.

An investment in legal services for these immigrant children and families will bear witness to the tradition of our great city to provide refuge to those vulnerable and opportunities to better their lives, as well as the fabric, culture and economy of our great city. An investment in these young people and their families today is an investment in the economy and future of our city tomorrow: thousands of people, grateful for the safety they have been extended, will get an education and work for the future of New York and of our nation.

Immigrant Opportunities Initiatives – Catholic Charities is participating in the Citywide Immigrant Legal Empowerment Collaborative (CILEC), a consortium of service providers working together to provide representation in immigration and employment matters to indigent immigrants in New York City and which is funded by the city's Human Resources Administration through the Immigrant Opportunity Initiative (IOI). CCCS' partners include the following legal service providers: Urban Justice Center (the lead agency), Catholic Migration Services, and Make the Road New York. The four agencies accept referrals from eight base-building groups: African Communities Together, Chinese Staff

and Workers' Association, Damayan Migrant Workers Association, Desis Rising Up and Moving, MinKwon Center for Community Action, National Mobilization Against Sweatshops, New Immigrant Community Empowerment, and Workers' Justice Project. From July 1, 2016 to date, CCCS has served more than 540 immigrants through this collaborative.

CILEC is an effective collaborative because it channels referrals from community-based groups, trusted by their constituents, to established legal programs. In addition, IOI funding complements the city's ActionNYC program. While Action NYC funds straight-forward affirmative applications for immigration benefits, IOI funds complex cases, including representation in removal proceedings. Recently, complex case referrals from ActionNYC have outstripped our capacity to absorb them. Continued funding for IOI complex cases is imperative in this climate, where everyone who is undocumented and cannot prove continuous presence for at least two years is subject to expedited removal without the protection of a hearing in immigration court, unless he or she can establish a credible fear of persecution and thus *prima facie* eligibility for asylum.

V. THE IMMIGRATION COURT HELPDESK – A UNIQUE MODEL

The Immigration Court Helpdesk (ICH) program is a new and important program in New York. It is a non-detained deportation counterpart to the screening process that exists for the New York Immigrant Family Unity Project and needs expanded support and coverage. It was initially created by the Department of Justice to assist immigrants in removal proceedings in understanding their rights and learning to navigate the immigration system effectively. Unlike in criminal court, immigrants facing removal from the United States are not appointed free or low-cost lawyers. As a result, many navigate the removal process without counsel, while others become vulnerable to exploitation and fraud. At the New York City Immigration Court, Catholic Charities provide immigrants facing removal with information about the immigration court process, how to access and utilize available resources, and referrals to competent representation. The principal purpose of ICH is to give immigrants support, information and guidance through the immigration court process. This includes group presentations, individual sessions, *pro se* clinics, and information about pro bono resources available to those without legal representation. To facilitate the work we provide through ICH, Catholic Charities has established strong collaborative partnerships with several firms and law schools, and we rely on volunteers to be able to provide effective services each week in court.

CCCS supervision and provision of services at the New York City Immigration Court Helpdesk (ICH) commenced in August of 2016 and has served hundreds of immigrants facing removal including assistance with the *pro se* filing of nearly 60 applications for asylum by Adults With Children who are unable to secure representation and rapidly approaching their one year deadlines for filing. CCCS currently appears at the court a minimum of 10 days per month to provide general know your rights presentations, individual information sessions, and relief assistance to immigrants facing removal at our City's local court.

It will not come as a surprise that funding for this initiative may be vulnerable. We therefore encourage the Committee to support further presence of access to high caliber, trusted, free legal information and assistance at the court for those in proceedings defending their right to remain without representation to be available every day that the court operates.

VI. TERRA FIRMA - A FIRST IN MEDICAL-LEGAL PARTNERSHIPS

Terra Firma is the first medical-legal partnership in the United States specifically for unaccompanied immigrant children. Founded in 2013, Terra Firma provides integrated legal, medical, and mental health services to unaccompanied immigrant children and families at a community health center in the South Bronx. Terra Firma's clients are among New York's most vulnerable children. "Unaccompanied alien children" ("UAC")—as they are called by the federal government—are under 18 years old, without immigration status, and without a parent or guardian in the United States able to provide for their care. They lack the legal benefits of refugees, the medical services accessible to most children, and adult guidance. They arrive fleeing human trafficking, gang recruitment, and domestic violence, trauma sometimes compounded by experiences in immigration detention. Terra Firma offers free legal services, comprehensive medical and mental health services, and social supports to address unmet needs. This combination of intensive services helps stabilize their lives.

In 2014, nearly 70,000 UAC came to the United States, primarily fleeing violence in Honduras, El Salvador, and Guatemala. In 2016, nearly 60,000 children sought shelter in the U.S.; approximately 1,500 of these children arrived in New York City. Another 3,000-plus started new lives nearby in Long Island and the Lower Hudson Valley. At the same time, record numbers of mothers with children ("Adults with Children") have been fleeing to the U.S. for similar reasons; almost 80,000 arrived in FY 2016. The need has not abated. November and December 2016 saw the highest number of unaccompanied minors entering the country since 2014.

These families face severe dangers: women in El Salvador are more likely to be murdered than women in any other country; the United Nations estimates that 98% of homicide cases in Guatemala – many against women or children – are never prosecuted; and the UNHCR reports that children deported to Honduras are in danger of being killed. Immigration legal services are key to ensure that families are not sent back into perilous circumstances. Medical, mental healthcare, and case management services are the pathways to productive integration in new communities and enable children and families to pursue immigration relief.

CCCS seeks the City Council's support to continue its collaboration with our current partners, The Children's Hospital at Montefiore and the Children's Health Fund, and to expand successful programming for both UAC, AWC, and other vulnerable immigrants. Using Terra Firma as a blueprint, CCCS will fold in existing City Council-funded programs, such as I-CARE and the Immigrant Health Initiative, to collaborate with hospitals, community clinics, and other healthcare institutions in order to provide a "one-stop shop" for New York's immigrant community. This wrap-around model helps vulnerable immigrant New Yorkers gain access to legal, medical, and mental health services—all under one roof.

Terra Firma's mission is to integrate medical and legal services to facilitate protection of children and families under the law, improve mental and medical healthcare, and enhance resilience and self-sufficiency for immigrant children and families.

Funding from the New York City Council will enable and facilitate the following outcomes:

Outcomes

- I. Legal impact (\$200,000)
 - 100 UACs/AWCs in deportation proceedings will receive legal representation
 - 100 UACs/AWCs will receive “Know Your Rights” orientations and/or consultations
 - 30 expert medical and/or psychological affidavits to support UAC/AWC legal cases
- II. Medical/Mental Health impact (\$150,000)
 - Facilitated referrals to free medical and/or mental health care for 100 UACs/AWCs
 - Case management services and transitional supports for 50 UACs/AWCs
- III. Policy impact (In-kind)
 - The Terra Firma legal director will participate in conversations with legal, medical, mental health, and/or social service providers to encourage replication of the model in New York City, New York State, and nationally.
 - The Terra Firma legal director will engage stakeholders to inform immigration policy and quality of care.

The above outcomes support three main goals:

- I. Success in immigration cases, aided by medical advocacy, ensuring immigrant safety and support.
- II. Developing medical-legal partnerships to increase the efficiency and improve the quality of legal services for immigrants.
- III. Reducing health disparities in immigrant communities by increasing access to medical and mental health services via legal referrals, collaborations, and pathways.

In the last two years, Terra Firma has broadened its offerings; in addition to core medical and legal services, Terra Firma provides food assistance and homelessness prevention, and it offers enrichment activities, including English/ESL, Zumba, photography, soccer, and nutrition classes. This programming has made Terra Firma a center of community that facilitates acculturation and resilience. More programs of its kind are needed.

Terra Firma is an innovative project designed as a holistic intervention, and to that end connects with City Council-funded initiatives in every borough. CCCS partners most closely with the Children’s Health Fund and Montefiore Children’s Hospital, but has also connected with other city partners, including Mt. Sinai Hospital, Maimonides Hospital, and the Roberto Clemente Center. Terra Firma receives referrals from CCCS attorneys funded through the I-CARE project, as well as from I-CARE funded attorneys and clients from nearly every major immigration legal services organization in New York. CCCS has also collaborated with Memorial Sloan-Kettering’s Immigrant Cancer Disparities Services PROMISE program, providing medical interpreters for immigrant children during asylum office interviews. Terra Firma has also helped put New York City’s leadership in the spotlight, meeting

with national organizations like the Children's Defense Fund and international organizations like UNICEF to collaborate on advocacy issues for refugees and children.

VII. NOT LEAVING REFUGEES BEHIND: RESETTLEMENT IN A TIME OF NEED

Refugee resettlement agencies rarely petition this council for assistance. But in this time of extraordinary threat to refugees, with their reunification in peril and the slashing of integration support funding to come, their needs are extraordinary. For this reason a group of five New York City refugee resettlement agencies have come together to put forward a funding request of \$335,000 to provide case management, employment and support to refugees, asylees, and other humanitarian entrants in New York City.

In the past three years, NYC has become home for 3,000 refugees and asylees. Their arrival and transition into New York City is supported by Catholic Charities Archdiocese of New York, Catholic Charities Brooklyn and Queens, the International Rescue Committee, CAMBA, and HIAS. Working in every borough, these five resettlement agencies provide case management, employment assistance, education programming and legal services to help refugees and asylees regain a sense of stability, safety, and to become self-sufficient, contributing members of our community.

But funding for services for refugees is in jeopardy. Despite the recently issued Temporary Restraining Order by the U.S. District Court in Hawai'i, refugee arrivals this year will be cut from 110,000 to 50,000. Funding for support services at the federal level will be commensurably cut. Thus, organizations that oversee resettlement programming will have fewer resources to serve refugees who are already here and any more that might arrive.

Catholic Charities seeks this funding not only to directly assist families but, also, to support its leveraging of community resources. Since the election, the Refugee Resettlement Department of CCCS has been handling a four-fold increase in volunteer inquiries. People, communities and civic groups of goodwill are deeply interested in finding ways to assist refugees and asylees in need in meaningful ways. In response, CCCS has leveraged this increased interest to directly help refugees in diverse ways:

- CCCS has developed a community co-sponsorship model to screen, orient and train organized groups interested in committing themselves to welcome a refugee or refugee family. CCCS has matched two refugee cases with community co-sponsors. In both cases, the co-sponsorship groups provided housing, furniture, airport welcome, warm meals, orientation and transportation to appointments in the first months. This is accomplished with support from CCCS case managers who ensure that all of the core services are provided in a timely manner.
- CCCS has also launched the "Welcome a Refugee Family" project. Less intensive than co-sponsorship, the project nevertheless provides direct and individualized support to a refugee family in need. CCCS case managers identify a family in particular need and share a brief vignette along with a wish list of needed items, such as winter clothing, a set of sheets, or a gift card to a grocery store, and then the group – a parish, a school, or a community organization – gathers the items and delivers them directly to the family.
- CCCS is also developing opportunities for faith groups, businesses and community groups wanting to host a Refugees Welcome Dinner, or do a small-scale drive of much needed items, such as diapers, toiletries, umbrellas, scarves, hats and gloves, or Metro Cards.

CCCS is committed not only to continuing to serve refugees and asylees in NYC, but also sees great value in engaging with the broader public to educate people about refugee issues. On an even more basic level, it is heartening to see refugees commune with New Yorkers. At a recent Refugees Welcome Dinner, one refugee said it best when she expressed that she was impressed that she had the chance to talk with New Yorkers. She felt that people cared about her and her story. She said it made her feel that she was not alone.

Last, an invitation: CCCS is currently planning for the 2017 World Refugee Day celebration, which takes place every year in June. This year, CCCS is collaborating with our fellow refugee resettlement agencies in NYC, as well as scores of other immigrant-serving organizations to host an event on June 10th. CCCS has secured a commitment from the Brooklyn Conservatory of Music to host the event. CCCS would appreciate the engagement of City Council members on this important day. In a year in which refugees have been derided on the national stage, let us together celebrate refugee resilience, strength, and the diversity of our welcoming communities here in New York City.

VIII. ENGLISH AS A FOUNDATION

Knowledge of English is a cornerstone for building future success. For this reason Catholic Charities not long ago took on as one of its priorities the classroom instruction of English to new refugees, asylees, undocumented, children, and those seeking citizenship. Let us tell you about some of the students we are currently serving:

- a young man from Ethiopia who was recently released from detention and granted asylum and now wants to improve his English so he can work;
- an undocumented mother of two who wants to communicate more fluently with the teachers and administrative staff at her children's school;
- a refugee couple from Syria who have been reunited with their family and are learning English so they can navigate their new city;
- a woman from Myanmar who has worked as a home health attendant for the past five years and is now trying to improve her English so she can apply for her citizenship.

Now more than ever immigrant communities need access to quality Adult Literacy programming. Immigrants who lack English proficiency are less likely to access the city services they most need and are more likely to be taken advantage of. NYCCAL estimates that 2.2 million individuals lack English proficiency and/or a high school diploma- with programs able to serve only 3% (61k) of those students. We currently place students on a waiting list, as do many adult literacy programs, because of limited funding and uncertainty about future funding.

Catholic Charities provides ESOL programming to over 600 newly arrived immigrants, refugees, asylees, and undocumented students each year. Our programs help students improve their English and build confidence so they can become self-sufficient and productive members of their communities. In addition to our on-site classes, we work in collaboration with community-based organizations serving immigrant communities in Manhattan, the Bronx, and Staten Island. Among our current offerings are ESOL classes for Day Laborers in the South Bronx, Citizenship preparation classes for immigrants in the Hightbridge section of the Bronx, and Conversational English focused on rights and responsibilities

for learners in the Port Richmond neighborhood of Staten Island. Our students come from myriad backgrounds and over 80 different countries, but all have the same goals of improving their English so they can join the workforce, help their children in school, and gain the confidence and skills to advocate for themselves, their families, and their communities.

The need for ESOL services is more important now than ever before and with federal funding for adult literacy at risk, the City must show their support. Help us increase the number of seats available to interested students by base-lining funding so programs can expand in meaningful ways to serve their communities. Without stable funding, programs cannot retain quality staff or effectively serve their students. A renewal and baselining of \$12m for adult literacy programs will help the adult literacy committee to continue and expand our programming and address the long-standing and now very urgent need for adult literacy services in New York City.

IX. CONCLUSION

In closing, we thank the New York City Council, the Human Resources Administration, the Department of Youth and Community Development, and the Mayor's Office of Immigrant Affairs for their vision, leadership, and commitment to protect all newcomers, immigrants, and refugees who have made this city a better home for all of us. And, of course, we thank this committee, in advance, for its leadership and partnership in the important work of welcoming newcomers.

Matthew Kennis
Libertas Center for Human Rights, NYC Health + Hospitals/Elmhurst
NYC Council Committee on Immigration
Preliminary Budget Hearing, March 22, 2017
Written Testimony, NYC Council Committee on Immigration

Good Afternoon. Thank you to Chairman Menchaca, and Distinguished Council Members for this opportunity to speak before the Immigration Committee today.

My name is Matthew Kennis and I am the Program Director with the Libertas Center for Human Rights, located at Elmhurst Hospital in Queens. The Libertas Center helps address the multifaceted needs of immigrants who have survived torture and persecution in their home countries. Through the provision of 1700 health and social encounters, the Libertas Center serves hundreds of clients and their families per year by helping them cope with and recover from high levels of PTSD and Major Depression and overcome challenging social and immigration situations.

90% of our clients are asylum seekers, and they have typically endured multiple forms of trauma, such as torture, beatings, stress positions, deprivation, death threats, and sexual violence. Asylum seekers arrive with few resources and all live with the ongoing effects of trauma but struggle to access services. In 2015 (the last year for which statistics are available) the New York City Immigration Court received over 45,000 applications for asylum.

In the Libertas Center's experience, clients' immigration, medical and mental health, and social status are closely intertwined, with improvements or setbacks in one area impacting the others. Furthermore, there is evidence that winning asylum or another legal immigration status can improve mental health.¹ This is why our program and the over 30 colleague rehabilitation centers nationally have designed a comprehensive service approach to holistically meet the needs of our clients.

¹Raghavan, S., Rasmussen, A., Rosenfeld, B., & Keller, A. S. (2012). Correlates of symptom reduction in treatment-seeking survivors of torture. *Psychological Trauma: Theory, Research, Practice and Policy*, 30, 1-7.

In NYC, this observation has led to an effort to identify what other unmet needs exist. In a series of interdisciplinary meetings of health and social service providers, immigration attorneys, and local advocates, two critical areas where asylum seekers needed additional services were identified as forensic evaluations and mental health/social services.

1) In a forensic evaluation, expert health professionals conduct a physical or psychological examination of an individual in order to provide a written piece of evidence assessing the consistency of that person's protection claim. These evaluations provide crucial evidence of torture and persecution and significantly increase the chances of clients winning their asylum case (~90% success rate vs. 43% without). Given the new administration's anti-immigrant and anti-refugee rhetoric and policies, we are concerned that the need for forensic evaluations will increase as the government demands more evidence from asylum seekers and denies more cases. And without greater access to forensic evaluations, immigration attorneys will begin to lose more cases, with the consequence that clients will be deported and risk persecution, torture, or even death at home.

2) Mental health challenges resulting from trauma, as well as social isolation and an inability to meet basic needs, often make it challenging or impossible for asylum seekers to work with their immigration lawyers to draft a personal statement or prepare to recount their torture or persecution history during asylum interviews or court hearings. Access to mental health and social services that help clients to overcome these challenges improves the effectiveness of immigration legal services and increases the chances of a successful immigration outcome.

Request for Support from City Council:

Allocate \$800,000 for forensic evaluations and mental health/social support for asylum seekers and other vulnerable groups seeking humanitarian relief.

Testimony to New York City Council Committee on Immigration Preliminary Budget Hearing

March 22, 2017

Lauren Pessa, Director, Human Rights Clinic, HealthRight International

Chairman Menchaca, Members of the Immigration Committee, thank you for the opportunity to provide testimony at this important hearing. My name is Lauren Pessa, Program Director of the Human Rights Clinic at HealthRight International. I'd like to speak with you briefly today about our program and the clients we serve.

Our Human Rights Clinic (or "the HRC") was founded in the Bronx in 1993. Since then, we have mobilized the health sector to support nearly 5,000 immigrant survivors of torture and abuse to rebuild their lives in the New York metropolitan area and many other locations throughout the U.S.

Our program trains, mentors and deploys a network of hundreds of volunteer physicians and mental health professionals who provide clinical evaluations and expert testimony that document survivors' physical and psychological scars of abuse.

Very few asylum seekers bring evidence of their persecution with them when they flee, so these evaluations provide critical evidence in survivors' legal cases in immigration court. They can be *the* deciding factor in whether a survivor is able to remain in the U.S. free of torture and abuse. Approximately 90% of asylum seekers and other immigrants who receive such evaluations are granted legal relief, compared to a 43% general asylum grant rate (as of 2016).

We have also found that our trained evaluators are in a unique position to screen immigrant survivors for additional needs and connect them with appropriate community-based services. We work with a wide array of partner organizations to ensure that our clients can access the medical, psychological, social and other services that they need to pursue healthy, productive lives in the U.S.

Our work, and that of our partner organizations, impacts some of the most vulnerable and marginalized immigrants in our communities—those who have experienced horrific traumas, but who arrive outside of the formal refugee resettlement system and are therefore forced to prove their suffering in order to guarantee their safety. These include survivors of political torture, human trafficking, intimate partner violence, LGBT-related persecution, and child abuse and neglect.

Programs like ours have been inundated with requests from attorneys for forensic evaluations every year, but this year in particular. Since January of this year, we have already provided nearly half of the total number of evaluations we provided in all of 2016. However, the current

need far outstrips existing capacity both within and outside of our program. At the same time, interest among potential volunteer clinicians in NYC to be trained to engage in this work is at an all-time high.

A group of partner organizations has requested an earmark of \$800,000 for forensic evaluations and mental health and social support for asylum seekers and other vulnerable groups seeking humanitarian relief in the NY metro area.

These services are needed now more than ever. We thank you for your consideration.

Thank you, Chairman Menchaca and distinguished members of the Immigration Committee for your time and interest. I would be happy to answer any questions you may have. Thank you very much.

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Asian American Federation

STATEMENT SUBMITTED TO THE COMMITTEE ON IMMIGRATION OF THE NEW YORK CITY COUNCIL

March 22, 2017

Preliminary Budget Hearing

Thank you to Chairperson Menchaca and the Committee on Immigration for convening this hearing. I am Howard Shih, research and policy director of the Asian American Federation. The Federation's mission is to raise the influence and well-being of the pan-Asian American community through research, policy advocacy, public awareness, and organizational development.

As the leadership convener for over 60 Asian social service organizations in New York City, the Asian American Federation (AAF) has played a key role in highlighting and advocating for the most pressing needs of the pan-Asian American community since 1989. We produce comprehensive research publications to highlight emerging needs in the Asian community and advocate for policy changes to improve access to essential services. We also convene informational, strategic, and policy-focused meetings between Asian community leaders and city and state officials to raise the visibility of the Asian community's needs.

Additionally, one of our pillar programs is providing technical assistance to our member agencies to help build their capacity to serve growing and emerging immigrant communities. The program includes one-on-one consultations about strategic planning and other areas of need; fundraising workshops and funding opportunities; leadership development trainings; and fiscal support services.

The Asian population continues to be the fastest-growing group in New York City, averaging an annual growth of 2.7% from 2000 to 2015, a rate that outpaces the Hispanic population, which only grew at a rate of 0.9% in that same time period. Asians now represent 10 percent or more of residents in 26 out of 51 Council Districts. A largely immigrant population, with 7 in 10 Asians having been born abroad, many Asians face many challenges integrating into their new city. For instance, statistics show that one in four Asians live in poverty in New York City. In addition, half of Asian residents in the City have limited English ability.

The increase in enforcement activity by the federal government has brought fear and uncertainty to the Asian immigrant community. MPI estimates there are almost 150 thousand undocumented Asian immigrants living in NYC in 2014. There were 796,903 Asian immigrants in NYC in 2014. Therefore, about 19% or one in five Asian immigrants may be undocumented in NYC. (Note: MPI only estimates by select counties. Staten Island was not one of them. For 4 Boroughs in NYC with data, the estimate was 148,000.) With the 2014 American Community Survey showing that 95% of Asian children in NYC have at least one immigrant parent, it is extremely likely that thousands of Asian families will be impacted by deportation. For comparison, 60% of Hispanic children and 39% of non-Hispanic White children had at least one immigrant parent.

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Anti-immigrant bias is also leading many green card holders to seek citizenship to secure their status. Center for Migration Studies estimates there are nearly 200K immigrants from Asia who would be eligible for naturalization in NYC (estimated for year 2014). There were 368,724 non-citizen Asian residents in NYC. Therefore more than half (55%) of Asian non-citizens were eligible for naturalization.

Despite the rapid growth in the Asian community and the persistent demand for culturally competent services, only 1.4 percent of contract dollars from city social service agencies went to programs run by Asian-led community organizations or programs aimed at serving mostly Asian clientele. This shortfall in contract dollars reflects both the lack of opportunities for smaller Asian organizations to compete for contracts and also the need to build capacity within the Asian community to run and administer contracts.

For these reasons, we urge the Committee on Immigration to invest in our immigrant communities. Following in the footsteps of the other umbrella convener organizations, the Asian American Federation seeks to work with our member agencies so that Asian New Yorkers can overcome the daunting challenges of poverty, education, and health without the additional burdens of language and cultural barriers.

We urge the Committee and the City Council to:

- 1) Invest \$12 million into community-based adult literacy programming to address the gap between community needs and education opportunities for all immigrants, not just young immigrants.
- 2) Protecting vulnerable immigrants –Increased immigrant legal services are necessary to ensure that all immigrants have access to representation. Including \$13.3 million in funding in IOI for legal services would address the increased demand for immigrant legal services. Another major challenges in the Asian community is building awareness about the ever changing federal immigration policies and the resources that are available. Our social service partners are some of the only trusted sources for our most vulnerable immigrants. These partners are often overburdened and understaffed and do not have the capacity to provide legal services and do not have the expertise to even discuss immigration issues. That is why the Federation has been seeking to fund capacity building in the Asian community to address immigration issues. We hope that the Council will fund training programs to help Asian-led community organizations develop the expertise to understand immigration issues and develop partnerships and networks with the variety of legal assistance organizations and programs that are available.
- 3) Preventing Hate Crimes – Recent surge in hate crimes directed towards refugees, Muslims and even Chinese Americans requires not only increase law enforcement resources, but also opportunities to build understanding and tolerance. There is also an incredible need to help communities protect their mental well-being. Our community partners are in perfect position to not only hear about hate incidents and crimes that might not be reported to law enforcement, but also are best positioned in the community to hold trainings and outreach efforts to combat discrimination and to create space to build tolerance and understand. We hope that the Council will support our community partners as they take on this work.

- 4) Economically Empowering New Immigrants – Whether through workforce training or small business assistance, new programs tailored to the diverse needs of the Asian communities of New York are needed to help low-income Asian immigrants climb the economic ladder. Funding for language training for non-English speakers has lagged increasing demand for services in the Asian community. The focus should be on language immersion to better prepare non-English speakers for the applied use of the language in everyday as well as work settings. Workforce funding should include short-term, “portable” skills, and soft skills training as an alternative to longer term career skills training. Short term, portable skills allow for more flexibility for learners to find suitable employment from a broader range of career options, better withstand changing industrial trends, and allow for a quicker skills acquisition time for those who cannot afford lengthy training period and need immediate employment
 - a. There should be a renewed emphasis on language training for non-English speakers, but focus is to be on language immersion to better prepare non English speakers for the applied use of the language in everyday as well as work settings
 - b. Funding support should be given to community based entrepreneurial assistance programs with an emphasis in partnering CBOs with entrepreneurs in a joined venture relationship where CBOs provide micro-financing and consultative support to actively engage in the startup stage of the micro-enterprise and slowly phase out when the enterprise gradually gets on track
 - c. Continue to support and grow paid internship programs as career exploration, exposure, and mentorship vehicle to disconnected youth. Insert compensated hours for interns to attend work readiness classes that help them to acquire “portable” and soft skills in order to solidify their foundation of employability
 - d. Funding should be made to train or re-train aging workers for unsubsidized employment to reduce, delay, or avoid early reliance on government social benefits
- 5) Help small community-based organizations sustain their work
 - a. Enact legislation allowing contractors to complete VENDEX certification forms online. This will substantially streamline unnecessary red tape and contract delays.
 - b. Include a 12% increase in funding for all human services contracts.
 - c. Continue the work of the Mayor’s Nonprofit Resiliency Committee and provide resources to ensure implementation of its recommendations.
 - d. Create opportunities for smaller contract awards that allow smaller community-based organizations address the needs of new and emerging immigrant communities in our city.

PUBLIC TESTIMONY

ON:

NEW YORK CITY COUNCIL FISCAL YEAR 2018 PRELIMINARY BUDGET,
MAYOR'S FY'17 PRELIMINARY MANAGEMENT REPORT AND
AGENCY OVERSIGHT HEARINGS

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL
COMMITTEE ON IMMIGRATION

PRESENTED BY:

MELISSA BRENNAN,
SUPERVISING ATTORNEY, IMMIGRANTS' RIGHTS
COMMUNITY DEVELOPMENT PROJECT
URBAN JUSTICE CENTER

Hello, my name is Melissa Brennan. I am the Supervising Attorney for the Immigrants' Rights Practice at the Urban Justice Center's Community Development Project, also known as CDP. CDP's mission is to strengthen the impact of grassroots organizations in New York City's low-income, immigrant and other excluded communities. We partner with community-based organizations to win legal cases, publish community-driven research reports, assist with the formation of new organizations and cooperatives, and provide technical and transactional assistance in support of their work towards social justice. Through our Immigrants' Rights practice, we provide immigration legal services to foreign-born New Yorkers on a wide range of complex and straightforward immigration matters. I thank the Committee on Immigration for the opportunity to present testimony today.

CDP is extremely grateful to the Council for the investments it has made in the provision of immigration legal services. As the lead organization in the Citywide Immigrant Legal Empowerment Collaborative (CILEC), a consortium of immigrant service providers and a recipient of Immigrant Opportunities Initiative (IOI) funds, we are extremely proud to work with the Council in service to New York's immigrant communities. My testimony today will briefly describe some of the critical immigration legal work that IOI funds have enabled in the last year. I will also speak to the urgent need for continued funding to allow CDP and other members of service provider coalitions to provide complex immigration legal services to immigrants in need.

CDP's Immigrants' Rights Practice

CDP's dynamic Immigrants' Rights practice assists foreign-born clients referred to us by community-based partners such as African Communities Together (ACT), Chinese Staff and Workers' Association (CSWA), Damayan Migrant Workers Association (Damayan), Desis Rising Up and Moving (DRUM), New Immigrant Community Empowerment (NICE), and Workers' Justice Project (WJP), among others. CDP is unique among legal service providers in that we typically meet our clients in the neighborhoods where they live and work. We operate weekly legal clinics in the offices of community-based organizations across the city, where we offer legal information and advice to low-income immigrants. We also offer full representation to individuals deemed eligible for immigration relief. Because our community-based partners are known and trusted by the immigrant communities they serve, our model ensures that even the

most isolated and fearful immigrants have ready access to critical legal services.

The Urgent Need for Continued Funding for Complex Cases

Last year, the City generously awarded funds to support legal representation on complex cases. These funds have enabled CDP and our partners in the CILEC consortium (namely, Catholic Charities, Catholic Migration Services, and Make the Road New York) to take on challenging and time-intensive immigration cases for immigrants who otherwise might have gone unrepresented, never applied for relief, and, in the worst of cases, been deported. Our complex immigration case work includes preparation of affirmative applications that require intensive writing and evidence-gathering such as asylum, Special Immigrant Juvenile Status, T visas, U visas, VAWA Self-Petitions and more. We also handle removal defense cases, complicated family-based matters, and appeals, among other case types.

CDP and our partners in the CILEC consortium have accepted dozens of complex cases for immigrants since the start of the fiscal year and, with immigrants' rights under assault by the Trump administration, the demand for our services is higher than ever. Over the last two months, immigrants across the City have begun seeking legal help in droves, motivated by the very real fear of deportation and the desire to formalize their status. Complex remedies are often the only pathway to lawful status for an immigrant. Yet without a lawyer, few will succeed in making an application for a complex form of relief.

We urge the City Council to allocate funds to support the complex case work of CDP and other members of service provider coalitions to ensure that we can continue, in collaboration with our community-based partners, to help immigrant New Yorkers navigate the complex and intricate web of immigration laws, and avail themselves of protection from deportation. We also ask that the Council urge the City to increase IOI funding levels, including support for complex case work.

The Need to Fund Complex Case Work through Multi-Year Contracts

Finally, we are grateful to the City for its support for complex immigration case work but wish to note that the award of these funds for only a single year poses challenges for legal service providers. Complex cases are time-intensive and often take years to complete.

Acceptance of a complex case where there is uncertainty about the stability of funding poses serious challenges for service providers. To ensure continuity of high-quality immigration representation, we ask that the Council urge the City to fund complex casework through the use of multi-year contracts.

Conclusion

Thank you again for the opportunity to testify before you today. New York City has already established itself as a leader in defending the rights of immigrants but more support is desperately needed. Efforts by the federal government to pressure New York and other “sanctuary” cities to back away from their support for immigrants must be met with a strong and unequivocal response. Now more than ever, it is essential that the City invest significant resources in legal services to defend immigrants from deportation and keep families together. In funding immigration legal services, the City is making an investment not only in the wellbeing of immigrant communities but in New York City as a whole. We look forward to our continued partnership with the City Council, city agencies, community-based organizations and our fellow legal service providers to ensure that New York’s immigrant communities have access to the high-quality legal services they need.



**Theo Oshiro, Deputy Director, Make the Road New York
Committee on Immigration | Preliminary Budget Hearing
| March 22, 2017**

Good afternoon. I am Theo Oshiro, Deputy Director of Make the Road New York. Thank you, Council Member Menchaca and members of the committee for allowing me the opportunity to represent MRNY today. With over 20,000 members, Make the Road New York is the largest grassroots immigrant organization in New York City, working to build the power of Latino and working class communities to achieve dignity and justice.

This Committee has demonstrated impressive leadership in building safe and inclusive communities for immigrant New Yorkers. Based on the experience of our communities, I would like to push this committee to support six key initiatives in the Fiscal Year 2018 budget.

First, the NYIFUP program, one of our City's greatest programs to protect immigrants from deportation, provides counsel to detained immigrants facing removal. Every day we meet with families who have had a loved one detained by ICE or who live in fear that their family member will be detained. The guarantee of universal representation at the heart of the NYIFUP program is more critical than ever as a means both to ensure the most basic measure of due process to immigrants but also to help prevent panic in our communities. We applaud the Council for their steadfast commitment to this program and urge the Administration to baseline this flagship program with the full funding required to represent every detained immigrant facing deportation.

Second, we thank the City Council and Mayor for investing \$12 million in adult literacy for FY17 and ask that the Council baseline this amount so that thousands of immigrants can continue to learn English and access economic opportunity. In addition, we ask for funds to be allocated via a new RFP and contracts, so that providers can get reimbursement rates that capture the true cost of providing high-quality programs and continue to meet a growing need. Adult education is a critical piece of the opportunity structure, especially in a city with 1.7 m residents who lack English proficiency and/or a high school diploma. Literacy and basic skills are necessary for full participation in the society. Literacy is connected to everything - employment and economic mobility, school performance, health, immigration, community safety. We ask for your support in this important area.

Third, we request your support for \$700,000 in City Council funding for the Rapid Response Raids Initiative. As many of us know, since January 20, panic has spread throughout

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QUEENS
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STATEN ISLAND
161 PORT RICHMOND AVENUE
STATEN ISLAND, NY 10302
TEL 718 727 1222
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LONG ISLAND
1090 SUFFOLK AVENUE
BRENTWOOD, NY 11717
TEL 631 231 2220
FAX 631 231 2229

New York's immigrant communities in response to the federal government's harsh threats of ICE enforcement. Even those not at high risk are fearful.

This important and timely Initiative would rely on coordinators to work on the ground and provide technical assistance and training. Rapid Response Coordinators would work to respond to raids in real time, to confirm or dispel reports of ICE activity, to coordinate with City government in response to ICE raids, and to work directly with affected families. We hope the Council will provide this kind of crucial support at this important moment for immigrant communities.

Fourth, we ask that you support increased funding for general legal services for immigrants. The demand for immigration and workers' rights lawyers remains extraordinarily high. We must create increase access to legal services so people can apply for relief and pursue justice.

Fifth, we ask that the City increase the budget for the Human Rights Commission to \$6.2 million. At this critical moment, it is important that Commission be able to increase its staff and decrease the delay in adjudicating cases.

Sixth, MRNY requests that the city continue allocating \$5 million for the Access Health NYC initiative so that MRNY and other CBOs can reach out to immigrant families with crucial information about their rights and available health resources. The city should also continue allocating \$1.5 million in funding for the Immigrant Health Initiative, to support programs that address health care disparities that exist in immigrant communities.

Thank you again, Council Member Menchaca and members of the Committee for your time today. MRNY has always appreciated our partnership with each one of you to ensure the respect and dignity of immigrant families in New York City. I hope you will give additional consideration to the requests I have made before you today, and we look forward to working together in Fiscal Year 2018.



Testimony presented to the New York City Council Committees on Youth and Community
Development
FY2018 Immigrant Services Budget Hearing
March 23, 2017

El Fachtalia El Maadadi
ESOL Student
Make the Road New York

My name is El Fachtalia El Maadadi. I am from Morocco and I have lived in New York for about 6 years. I started to learn English in classes at Make the Road New York in January. Before that I studied English at Opportunities for a Better Tomorrow for a year.

I'd like to continue studying at Make the Road NY- I'd like to improve my English for many reasons. First of all I live with people in my community who are talking English! Also, I want to help my children in their homework- my son is 13 years old and my daughter is 5 years old. I like to participate in conferences with my children's teachers.

I want to find more opportunities and to adapt to live in the US, to be successful and to help make a better society.

When I came here I had a lot of difficulty because I only spoke Arabic and French. I thought with only a little English I'd be ok because I thought people would speak a little French. The problem was that nobody spoke French!

When I went to the parent conferences and the hospital I didn't talk well in English. I asked the Dr, "Do you speak French?" but nobody did. I felt bad because nobody understood me. I cried a lot.

Now I feel like I have power--- I can talk, I can go to the hospital, I can go to parent conferences. I feel good- much better than before.

I need to and would love to go to college to continue my studies. I need to produce, to give more to this country and want to get a good job. I don't want to be negative. Just eating and staying home doesn't give anything positive to the community.

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If there weren't free English classes it would affect me and my family a lot. If this happened I could not continue to study English. I couldn't improve my speaking, reading and writing in English and get a job or help my children.

Please continue to help and give money to adult education and keep classes free. If there are no free classes, no education for adults, this won't just hurt individual people, but it will hurt the country too.

**New York City Council
Committee on Immigration
Honorable Carlos Menchaca, Chair
Testimony of Martha Lopez, OBT Student
Preliminary Budget Hearing
March 22, 2017**

Good Morning, my name is Martha Lopez and I am currently taking English classes at Opportunities for a Better Tomorrow. I came to the United States from Mexico looking for a better opportunity for me and my family. I have 3 children who are now 19, 15, and 5. When I came to this country my oldest son was only 3 years old. When he was in pre-k I used to help out during the day and the teachers liked me. I was then offered a job at his school to be an office assistant. When I went for the interview I did not get the job because I did not know English. I was very disappointed because I really wanted to work there, and I knew that I could have done a great job because I was a very hard worker. All I ever wanted was a good job.

For the last 16 years I have only been working in factories and could not go to school because I had to support my family. I was not treated well by my past employers and because I did not know English I could not defend myself.

When my 19 year old son was in High School he got in trouble for something he did not do, but because I didn't not know English I could not defend him. I felt like I had no voice and it hurt me so much to see that I could not stand up for my own child. Even though I was always at the parent teacher meetings to support my son, I never really understood what was happening.

I could not take this any longer and knew that I had to learn English in order to really help my children and become more independent. I took Basic English classes at Make the Road, and now at OBT I am taking advanced classes. In the last year that I have been at OBT I have learned a lot. I have made lots of friends who study with me and support me. My teacher, Ms. Brown and everyone at OBT is very dedicated to the students. These classes have really changed my life because I finally know how to speak English.

After so many years, now when I go to parent teacher meetings I understand the teachers and feel like I have a voice. I love to help my 5 year old son with his homework and that I can be more active in my son's life. When I speak to my doctor I can actually understand him too! This is something that is probably very simple to others, but makes me feel very happy.

I am working with OBT to find a better job in an office because I know I am capable of doing more. I am not going to give up on myself or my family. I ask that you don't give up on me either. Please continue to help give programs like OBT more money because they need it, and the community needs your support. We need your help! Help us help our children!

Thank you.



Testimony by Allan Wernick
Director, CUNY Citizenship Now!

The New York City Council, Committee on Immigration

Wednesday, March 22, 2017

Good morning Chairperson Menchaca and members of the New York City Council Immigration Committee. My name is Allan Wernick. I am the Director of CUNY Citizenship Now! the largest university-based citizenship and immigration law service provider in the United States. I am also a professor at Baruch College where I teach Immigration Law and Policy. Testifying with me today is Rosanna Eugenio, Coordinating Attorney, Citizenship Plus City Council Project. Also with me today is Monique Francis, Citizenship Now!'s Deputy Director.

We like to call CUNY the nation's most immigrant-friendly university. CUNY's policies and programs reflect an ongoing and always-expanding effort to serve immigrants, no matter their immigration status. CUNY Citizenship Now! is one of those programs. This year Citizenship Now! celebrated our 20th anniversary. We began as a small university effort to help our permanent residents become U.S. citizens. Today, our services are available to all New Yorkers with locations in all boroughs, including at 32 City Council Members' offices. Last year alone, Citizenship Now! helped almost 12,000 individuals on the path to U.S. citizenship. Of these almost 7,000 individuals were served at events or offices funded by the City Council. And of these, 2209 were helped with naturalization and citizenship applications. More than 1200 individuals were assisted with fee waiver applications. Other services provided include family petitions, Deferred Action for Childhood Arrivals, Temporary Protective Status.

One of Citizenship Now!'s strengths is our ability to pivot to meet emergency demands for immigration legal services. One example is our work in assisting more than 120 DACAmented youth who received permission to travel abroad and return prior to President Trump's inauguration on January 20. Chairman Menchaca, your having traveled with the students, you are aware of our effort, but I think the rest of the committee would be pleased to learn about CUNY's special commitment to serving immigrant youth.

On December 13th, the Jaime Lucero Institute for Mexican Studies at Lehman College, CUNY, confirmed that it had secured funding to send up to 100 students to study in Mexico in the week prior to the inauguration. As you are aware, the President had promised to end DACA on his

first day in office, so getting students permission to travel and return was urgent. In addition to have the opportunity to study abroad, and for many, the chance to see family members for the first time in many years, traveling abroad and returning with USCIS permission provides students with substantial immigration benefits.

By the next day, Wednesday, December 14th, we had a plan in place to assist the students. Wednesday, Thursday and Friday evenings, Citizenship Now! attorneys, paralegals and administrative assistants, worked with students and their families at our central office to complete their USCIS advance parole applications. Others were helped at City Council Member sites. Meanwhile, working closely with USCIS, we arranged for emergency appointments, which at that time were not available for educational travel. Ms. Eugenio and another Citizenship Now! attorney accompanied the students to Mexico. They all returned safely and were admitted into the United States. Ms. Eugenio and Ms. Francis deserve special recognition for coordinating this effort.

Another unique strength of CUNY Citizenship Now! is our robust volunteer program. We have close to 500 active volunteers. We hold monthly trainings on the basics or advanced topics in citizenship and naturalization assistance. Since the election, the interest in our volunteer corps has exploded. Trainings are filled the same day they are announced. Beyond our weekend citizenship assistance events, we are now utilizing our volunteers in city council offices, in our campus-based offices and in other projects.

While our Citizenship Plus City Council project is one of our most successful service programs, the community's demand for assistance at Council Member offices, which provide a convenient, friendly, and safe place for immigrants to seek legal services faces several challenges:

Increased Requests for Know Your Rights and Community Education Forums

The change in the presidency and the subsequent Immigration and Customs Enforcement roundups have resulted in a dramatic increase from City Council members for attorneys to come to their districts to participate in educational forums. We consider these events of great value, but the volume of requests is challenging for our attorney staff.

Long Waiting Lists Remain for Constituents

Despite having increased services and having substantially reducing wait times this fiscal year, the demand to see our attorneys has amplified since the elections. Within the last two months, several Council Members in districts with high concentration of immigrants have asked us to offer more days of service in the coming fiscal year.

Allan Wernick- CUNY Citizenship Now!

Our citizenship application events with appointments slots for 150 green card holders are completely booked in less than two weeks, and we can no longer maintain waiting lists. The urgency for immigrants to naturalize or get “their papers” is overwhelming.

To help us meet these challenges, we hope that the Council continues and expands our Citizenship Plus services, allowing us to open new community service centers, increase days of service at Council Member’s offices and provide additional community educational events.



Testimony by Rosanna Eugenio
Coordinating Attorney, CUNY Citizenship Now! City Council Program

The New York City Council Committee on Immigration

Wednesday, March 22, 2017

Good morning Chairperson Menchaca, members of the New York City Council Immigration Committee. My name is Rosanna Eugenio, the Coordinating Attorney for services provided in New York City Council member districts. I also currently provide legal services at Councilmembers Ferreras-Copeland and Gibson's office and have previously provided services at various sites in the Bronx and Queens. Today, I would like to testify about how we provide our services and the impact of our work in your communities.

Through our services model, initial screening and all follow-ups are completed with the same attorney that is assigned to the same Council location, ensuring consistency of services. Our staff triages all immigration cases that walk through the door, regardless of income, case type, or any other limiting factor. Over the course of our now four-year program, we have become the equivalent of an "emergency room" for each unique community across our 32 sites. For cases like naturalization or green card renewals, we quickly address the constituents' needs by providing application assistance services. For cases that require more time than is available at our Council offices, we are able to prep constituents and directly refer them to our "specialists", at one of our six full time immigration centers located throughout the city. For cases that fall outside of our scope of services, we still provide a detailed assessment of their case, directed referrals, and preparation services like Freedom of Information Act and RAP sheet requests. Our goal is to make sure that no one leaves one of our offices without some kind of assistance provided.

Although our scope of services was initially limited to DACA, Naturalization, and Temporary Protected Status, we have adapted our services to meet the needs of the communities in each Council district. Often our Council attorneys take on complex cases themselves to better serve constituents. Take for example, the case of Katelyn, a young woman who was adopted from Korea, as an infant, by U.S. citizen parents. She came to one of our offices pregnant, without stable housing or benefits, and never having had any immigration documents since she came to

this country. In short, she has no idea what to do and needed guidance. With assistance from our attorney, she was able to file for her green card and a Certificate of Citizenship since she derived Citizenship from her adopted parents. Throughout the process, the attorney explained how to secure benefits during her pregnancy and made sure to communicate with Katelyn via email every few months while the applications were pending. Today, Katelyn is stable, has a happy baby boy, and proof that she is a U.S. citizen.

The reality now, more than ever, is that there are those who seek to take advantage of the current political climate by preying on the fear and uncertainty affecting our immigrant communities. The Council program provides a free place for constituents to turn to for services right in their neighborhood. This in turn prevents immigrants from seeking services from notarios and fraudulent services providers. Right now, some of our offices have wait times of between two and six weeks. In the past year, Citizenship Now! has made great strides in reducing backlogs at the Council sites. We now utilize legal assistants to help the attorneys increase capacity at selected sites. We have shifted some of our Council backlogs to our Saturday community events if constituents need assistance with naturalization. We have also implemented a referral system from our Council sites to the CUNY immigration centers where constituents receive follow up assistance within two weeks of their initial Council appointments. Despite these efforts, the election has caused a profound uptick in demand for services, which we cannot address without more resources to increase capacity.

Screening constituents in a timely manner not only prevents them from seeking fraudulent services, it also allows the attorneys to address cases where time is of the essence. We had a case where a 17-year-old DACA eligible student was going to accrue unlawful presence upon turning 18 years old a few months later. Our attorney spotted the student on a waitlist and prioritized the case, which was approved just three months after the student turned 18, thus preserving options for permanent resident status. Had the student remained on the waitlist, a pathway to status would be much more difficult. Citizenship Now! is committed to ensuring that a waitlist is not an impediment to obtaining the best possible outcome for each individual, but we need resources to make this commitment firm.

Lastly, while at their Council sites, many times our attorneys identify issues or concerns outside of immigration, where a constituent is directed to a council staff member to address. These issues range from public benefits and housing to participatory budgeting. The Council program is an introduction to constituent's local government office as a safe space to address their concerns.

Thank you for the opportunity to testify before you today and we ask for your continued support for our services.

Rosanna Eugenio, CUNY Citizenship Now!



**Before the New York City Council's Committee
on Immigration: Preliminary Budget Hearing**

**Testimony of Francisca Colon
Presented on March 22, 2017**

My name is Francisca Colon. I have lived in New York City for almost thirty years and became a lawful permanent resident of the United States in 1996. I have a United States citizen son, 9 United States citizen siblings, and many citizen cousins, nieces, and nephews.

I worked as a home health aide for most of my time in New York. Around ten years ago I was convicted of two crimes involving using a credit card that was not in my name. These mistakes were made during a very difficult time in my life financially and emotionally. I had lost two of my children at young ages to muscular dystrophy. My youngest child passed away soon after in 2006, also of muscular dystrophy. All of my children were born in New York City.

In 2016, after returning to New York from visiting my aging mother in Honduras for the holidays, I was stopped by immigration officials. I was later detained by immigration when reporting back to JFK airport. I had paid the restitution for my crimes in the past, and I never thought that they would come back to haunt me. My family and friends were all so concerned about me while I was in ICE detention.

Once I met with The Legal Aid Society, they told me I was eligible for a form of relief called Cancellation of Removal for Certain Permanent Residents. They filled out an application with me, gathered all the evidence for my case, and prepared me for my hearing in front of an Immigration Judge. Last week, the immigration judge granted my case and I was released from ICE custody. I was detained for 4 months.

Without the New York Immigrant Family Unity Project (NYIFUP), I do not think I could have afforded an immigration attorney to fight my case in court. I am grateful that I had a good lawyer to help me. I am glad that other people like me can get the same help so they have a chance to fight their case and stay in this country.

By: Francisca Colon



**Before the New York City Council's Committee
on Immigration: Preliminary Budget Hearing**

**Testimony of Kayode Oseni, Jr.
Presented on March 22, 2017**

My name is Kayode Oseni, Jr. I entered the United States in 1996 at the age of six. My parents and I fled Nigeria because we faced persecution. We were granted political asylum in the United States. Eventually, I became a lawful permanent resident. I graduated from high school and enrolled Brooklyn College, but just before beginning classes, I found myself facing adversity. During this period of darkness, I enrolled in undergraduate courses at Marist College and received straight A's. Regardless of my progress, I eventually faced deportation proceedings.

I was ordered removed by two Immigration Judges: I won my first pro se appeal because of a non-jurisdictional issue, but then was ordered removed again years later. While I was detained by the immigration authorities in Batavia, NY, I met another Nigerian who knew of my father and told me more about why my family fled Nigeria (my parents never spoke to me about this). I filed a pro se motion to reopen and change venue from the Court in Batavia to the one at Varick Street, premised upon the latter and my knowledge of the NYIFUP project. In fact, my motion to change venue included a clipping of an article on NYIFUP! Thankfully, after careful litigation, the court granted both my motion to reopen and my motion to change venue.

It was very difficult being in immigration detention and extremely devastating to face deportation to a country that was unfamiliar. The more I learned about why my family fled Nigeria in the first place and what the current situation is there, the more my worryment loomed. I knew my case for protection under the Convention Against Torture should be granted, but because of detainment, I needed a diligent lawyer who would fight endlessly for this relief.

I was so relieved when my case was transferred to New York and I met a Legal Aid Society attorney. My attorney represented me in my application for protection under the Convention Against Torture (CAT). My Legal Aid attorney came to meet with me many times at the jail to talk about my case, help me write a declaration, and to prepare me for my final hearing. She also found and prepared an expert witness, and compiled an extensive country condition packet. She gave me copies of all the documents she submitted to the court for me, like news articles on the situation in Nigeria and human rights reports.

I am happy to report that with the assistance of Legal Aid, my application for CAT deferral of removal was consequently granted by the immigration court in January 2016, and the government waived appeal.

Now that I have CAT deferral, I am no longer at risk of being deported, and can live and work in the U.S. My mother is a lawful permanent resident. I am a full-time student at LaGuardia Community College. I would like to get my college degree and then go to law school.

Without the NYIFUP project, I might not be here today. I encourage the City Council and Mayor's Office to support this vitally important program.

Thank you.

By: Kayode Oseni, Jr.

Testimony of the Immigrant Children's Advocates Relief
Effort (ICARE) Coalition

on

Fiscal Year 2018 Preliminary Budget Hearing

Presented before:

The New York City Council
Committee on Immigration

Presented by:

Eve Stotland, Esq.
Director, Legal Services Center
The Door – A Center for Alternatives, Inc.

March 22, 2017

Dear Council Member Menchaca and Members of the Immigration Committee:

Today we are providing group testimony prepared by the legal services agencies that comprise the Immigrant Children's Advocate Relief Effort—the ICARE coalition. Our members include The Legal Aid Society, The Door, Catholic Charities, Central American Legal Assistance, Make the Road New York, The Safe Passage Project, and Kids in Need of Defense (KIND).

We would like to start by thanking the Mayor, City Council, the Robin Hood Foundation, and New York Community Trust for your support in launching and sustaining our work. We also want to thank you for your steadfast defense of the crucial role that immigrants play in making New York a strong and vibrant city.

ICARE represents children and families who have fled violence in Central America and are fighting deportation in New York's immigration court. As you know, immigrants in removal proceedings are not entitled to counsel at government expense. Across the country, the federal government requires children as young as toddlers to represent themselves in life-or-death immigration hearings. ICARE was created in 2014 to close the justice gap by providing representation for unaccompanied children in deportation proceedings. In 2015, we expanded to provide representation to parents with children as well.

The fact that New York City is providing representation for minors and families with children is unprecedented in the nation and the hallmark of a sanctuary city at its best. We now seek funding for the entire initiative from the City in order to institutionalize it and give it stability in the current anti-immigrant climate sweeping the nation. To continue screening children and families and representing those who cannot afford counsel, we respectfully request **\$4.8 million** in funding for the Unaccompanied Minor and Children's Initiative for fiscal year 2018.

Since the inception of our project in July 2014, ICARE has:

- Met with almost **11,000** detained children in **nine children's detention facilities** in the New York City area.
- Provided legal orientations to **4,000** minors and their caregivers.
- Screened over **3,200** children and families on-site in immigration court.
- Been retained to provide full immigration representation to almost **1,500** children and families.
- Won asylum or lawful permanent residence (otherwise known as a green card) for more than **140** unaccompanied children, with new wins coming every day.

The impact of ICARE's work is felt across the city. ICARE partners currently represent children in **47 of the 51 City Council districts** (see attached chart).

The federal government's commitment to ramping up immigration enforcement makes ICARE's work more important than ever. Under the new Administration, there is no doubt that children and families who lose their immigration cases, or who fail to appear in court, will be rounded up and deported. Three years into our work, the children we represent remain safely in the United States. With expanded support from the City, ICARE will continue to successfully protect

children and families from deportation. Without our work, the children and families we represent will likely lose their immigration hearings and be forcibly returned to countries where their safety is at risk.

Despite our success, ICARE is deeply concerned about the impact that the new federal policies are having on the children we represent. Just last week, one of our attorneys received a call from a guidance counselor at a Bronx high school about one of our young clients. The young woman, who I will call Jessica, was having a panic attack. The reason was clear. Her guardian, a beloved older brother, had been picked up in a workplace raid and had been deported in a matter of days. Fifteen-year-old Jessica is also in removal proceedings, and she was certain that she would be next.

In a sense, Jessica is lucky. She has an ICARE attorney who cares deeply about her and is likely to win her immigration case. Jessica also has a school and a guidance counselor who understand what she is going through and are there to help her. We need to make sure that every undocumented child in NYC has a lawyer and a school like Jessica's. To that effect, ICARE partners have been offering immigration workshops to schools throughout the city, to train educators to support the immigrant children and families they serve. We have also been offering Know-Your-Rights workshops to our clients and their communities, to help them prepare for increased enforcement. Finally, we are also working with families in which the primary caregiver is at risk of deportation, to help them plan for the worst-case scenario.

Our clients consistently tell us that having an attorney provides them with much more than legal representation. It also provides them with a sense of security. As they go through their daily lives, attending school and work, going to church and the grocery store, they know that, if ICE comes knocking, they have someone to call who has their back. Because they have counsel, they are better able to move forward with their lives and to care for themselves and for their families. We also help them with non-legal needs, such as access to education, healthcare, and emergency shelter.

In particular, we struggle to meet the mental health needs of our Central American clients. Many of the clients have witnessed or been victims of violence including beatings, rape, murders, and extortion. The fear that has taken over their families and communities is exacerbating their existing struggles. A significant number are suffering from depression, anxiety, and post-traumatic stress disorder. There is a dearth of Spanish-speaking mental health providers to attend to these children, which has created terrible challenges for our legal work. Mental health and social services are essential for these vulnerable children and families to thrive in their new environment.

Although ICARE has successfully forestalled the deportation of over 1,500 children and families, our work for them is not done. The process of obtaining lawful status for the unaccompanied children is particularly time consuming, taking an average of 24-36 months. At the same time, the violence in El Salvador, Guatemala and Honduras continues, and in some places, has intensified. Honduras and El Salvador have the first and second-highest homicide rates in the world. As a result, additional children and families are arriving in New York City

every day, and we anticipate that the number of children and families fleeing will remain high throughout the coming year. Just like those who came before, the new arrivals will need ICARE's representation to fight deportation.

The ICARE providers are currently at maximum capacity. To continue screening children and families and representing those who cannot afford counsel, we will need a total of **\$4.8 million** in funding for the Unaccompanied Minor and Children's Initiative for fiscal year 2018.

Of the 900 new children estimated to need legal assistance in immigration court proceedings in FY2018, ICARE and other non-profits will be able to assist about additional 300 children with existing resources, leaving a gap of about 600 children. To close this service gap, while continuing to represent existing unaccompanied minor clients,¹ ICARE respectfully requests **\$3.87 million to represent 1,525 children.**

To decrease the service gap for families with children, ICARE proposes more than doubling the number of individuals to whom we provide legal representation. An additional \$400,000 for attorneys, paralegals and case managers will allow us to represent an additional 125 adults with children fleeing violence in Central America, for a **total of 225 family members for \$930,000.**

As new challenges arise for our clients under new Executive Orders, be it the reclassification of unaccompanied minors who are reunified with parents, or the specter of expedited removal haunting young parents with small children who arrived less than two years ago, the ICARE partners are seeking one source of funding for a city-wide initiative that addresses the legal needs of both populations. Combining the two initiatives will also allow us the flexibility to respond quickly to shifts in immigration enforcement and processing.

Thank you for the opportunity to testify. We are tremendously grateful to have you as a partner as we work to enhance access to justice for children and families in removal proceedings.

¹Currently, all ICARE attorneys are handling more than the original estimate of 50 cases per attorney for direct representation and 75 for mentored *pro bono*. Given current caseloads, the partners estimate being able to accept 300 new cases for representation as existing cases are closed, at the current funding level.

Immigrant Children Advocates Relief Effort (ICARE)

Cases Accepted for Representation
July 1, 2014 to September 30, 2016

Includes the following ICARE providers: Atlas DIY, CALA, CCCS,
KIND, LAS, MTRNY, Safe Passage, & The Door

Council Member	District	ICARE Clients
Margaret Chin	District 1	2
Corey Johnson	District 3	1
Helen Rosenthal	District 6	1
Mark Levine	District 7	8
Melissa Mark-Viverito	District 8	66
Inez E. Dickens	District 9	11
Ydani Rodriguez	District 10	19
Andrew Cohen	District 11	8
Andy King	District 12	6
James Vacca	District 13	12
Fernando Cabrera	District 14	37
Ritchie Torres	District 15	76
Vanessa Gibson	District 16	44
Rafael Salamanca	District 17	116
Annabel Palma	District 18	58
Paul Vallone	District 19	19
Peter Koo	District 20	49
Julissa Ferreras-Copeland	District 21	94
Costa Constantinides	District 22	7
Barry Grodenchik	District 23	7
Rory I. Lancman	District 24	54
Daniel Dromm	District 25	24
Jimmy Van Bramer	District 26	4
I. Daneek Miller	District 27	54
Ruben Willis	District 28	45
Karen Koslowitz	District 29	12
Elizabeth Crowley	District 30	13
Donovan Richards	District 31	49
Eric Ulrich	District 32	23
Stephen Levin	District 33	5
Antonio Reynoso	District 34	26
Laurie Cumbo	District 35	6
Robert Cornegy	District 36	10
Rafael Espinal	District 37	39
Carlos Menchaca	District 38	60
Brad Lander	District 39	28
Mathieu Eugene	District 40	28
Darlene Mealy	District 41	2
Inez Barron	District 42	2
Vincent Gentile	District 43	27
David Greenfield	District 44	18
Jumaane Williams	District 45	12
Alan Maisel	District 46	9
Mark Treyger	District 47	33
Chaim Deutsch	District 48	22
Deborah Rose	District 49	19
Joe Borelli	District 51	1
Grand Total		1264



TESTIMONY OF:

**Nyasa Hickey – Supervising Attorney, Immigration Practice
BROOKLYN DEFENDER SERVICES**

**Presented before
The New York City Council
Budget Hearing on Immigration
March 22, 2017**

I. Introduction

My name is Nyasa Hickey. I am the supervising attorney of the Padilla Unit and Youth and Communities Project at Brooklyn Defender Services (BDS). I thank the City Council for this opportunity to testify about the impact of increased immigration enforcement and the need for significantly increased funding in order to meet the needs of the communities we serve.

BDS is the largest legal services provider in Brooklyn, representing nearly 40,000 low-income New Yorkers each year who are arrested, charged with abuse or neglect of their children or face deportation. Since 2009, BDS has counseled, advised or represented more than 7,500 immigrant clients. In 2016 alone, we handled more than 1500 immigration matters across a full spectrum of services. Our immigration practice is composed of 17 full-time immigration attorneys, two law graduates, five paralegals accredited by the Board of Immigration Appeals, one full-time and one part time social worker, two legal assistants and two Immigrant Justice Corp Legal Fellows representing more than 1,000 immigrant New Yorkers every year. We are a Board of Immigration Appeals-recognized legal service provider.

Our three immigration practice areas include:

- **The BDS Padilla Unit** advises BDS's criminal defense attorneys and their noncitizen clients on the immigration consequences of guilty pleas to help avoid or minimize negative immigration consequences. About a quarter of BDS's 35,000 criminal defense clients are foreign-born, roughly half of whom are not naturalized citizens and therefore at risk of deportation or loss of opportunity to obtain lawful immigration status as a result of their criminal case. Our six criminal-immigration specialists provide support and expertise on more than 1000 cases that survive arraignment involving non-citizen clients and our Padilla specialists are called at least once, and often multiple times, in each arraignment shift to advise on the ramification of a plea offer at arraignment.
- **The New York Immigrant Family Unity Project (NYIFUP)** is New York City's groundbreaking, first-in-the nation program providing quality counsel to immigrant New Yorkers who are detained and facing deportation and separation from their families and communities. BDS is proud to be a NYIFUP provider, along with The Bronx Defenders (BXD) and The Legal Aid Society (LAS). Since the project's inception three years ago, BDS NYIFUP attorneys have defended more than 700 people in deportation proceedings. As of December 2015, 52 percent of pilot clients have been reunited with their families. NYIFUP attorneys have won 71 percent of their trials. NYIFUP is projected to increase the percentage of immigrants who will win the right to remain in the United States by 1,000 percent, compared with prior success rates for detained, unrepresented immigrants.
- **BDS's Immigrant Youth and Communities Project** has represented thousands of Brooklyn immigrants in their applications for lawful immigration status and in defending against deportation in non-detained removal proceedings. Highlights of our work include assisting more than 320 young clients in their pursuit of Special Immigrant Juvenile Status (SIJS), Adjustment of Status, U visas, Deferred Action for Childhood Arrivals (DACA) and other immigration benefits or removal defense, and assisting more than 1,000 Haitian New Yorkers with their applications for Temporary Protected Status, work authorization, and other immigration benefits or removal defense.

II. Client Stories

The following three client stories¹ illustrates how coordination between all of BDS' practice areas is critical for protecting immigrant New Yorkers from deportation and its attendant collateral consequences. Public defender offices like BDS are uniquely situated to advocate for New Yorkers whose criminal or family court involvement threatens their ability to modify their immigration status and lawfully remain in New York with their children and families.

¹ All names have been changed to protect our clients' identities.

Our civil justice team helps mitigate collateral consequences for NYIFUP clients.

Ray Browning is a permanent resident who has called Crown Heights, Brooklyn home since he was seven years old and had never returned to Guyana, where he was born. Immigration and Customs Enforcement (ICE) detained him outside his home and charged him as deportable based on a single 17-year old non-violent offense for which he had served 30 days in jail. Mr. Browning has a close-knit and loving family that includes his adult siblings and his U.S. citizen fiancée and stepdaughter, all of whom depended on him financially and emotionally. His detention devastated him and his family, and his fiancée was served an eviction notice when she fell behind on her rent. Mr. Browning was assigned a NYIFUP attorney who was able to harness the family's strong support to litigate his case as fast as possible when the judge appeared sympathetic to the case. His NYIFUP attorney collaborated with a Padilla attorney to investigate potential avenues of relief and prepare for trial. His NYIFUP attorney accepted an expedited trial date, prepared a large evidence submission in under two weeks, prepared the client and witnesses on the weekend, and won the client's case less than a month after his first court appearance, allowing Mr. Browning to reunite with his family for Thanksgiving. In addition, our civil justice team worked with Mr. Browning's fiancée to avoid eviction and clear the arrears that accumulated when Mr. Browning was detained and unable to help pay the rent. Mr. Browning and his family were able to remain in their home and Mr. Browning is now back at his job so that he can support his family.

Our family defense practice is an invaluable resource for our clients who are facing loss of their children because of immigration detention.

BDS first represented Larry Lewis in a misdemeanor criminal case in 2012. Mr. Lewis is originally from the Caribbean and has been a lawful permanent resident (LPR) of the U.S. for nearly thirty years. Our Padilla team worked with his criminal defense attorney to ensure a plea that would not further threaten his immigration status. Nonetheless, ICE detained Mr. Lewis at the conclusion of his criminal case because of two twenty-year-old misdemeanor convictions that made him deportable. After negotiating with ICE attorneys, Mr. Lewis's BDS Padilla attorney obtained bond and his release from detention. Yet while Mr. Lewis had been incarcerated, his children had been placed in foster care. BDS's Family Defense Practice stepped in as assigned counsel to ensure that Mr. Lewis could obtain visitation with his children and maintain their loving relationship. While out on bond, Mr. Lewis's Padilla attorney began preparing for a 212(c) waiver application (a special immigration waiver for LPRs whose prior deportable convictions are from 1997 or earlier) and impending trial before the Immigration Court. Immigration judges have discretion to issue the relief and therefore, the waiver application requires the LPR to present sufficient positive equities to outweigh negative factors.

Thanks to a BDS immigration practice social worker, Mr. Lewis' case grew stronger with a report demonstrating his good character and positive relationship with his children. Fortunately for Mr. Lewis and his family, his Padilla attorney was able to show the judge that Mr. Lewis warranted the grant of the waiver. The judge's approval of the 212(c) waiver allows Mr. Lewis to remain in the U.S. with his family and maintain his status as lawful permanent resident.

Another BDS client was able to avoid deportation because of our "Padilla plus" assistance.

Maria Lodi came to the U.S. as a teenager and is now a CUNY graduate with a bachelor's degree in science and the mother of two USC children, including one child who is severely autistic and non-verbal. She fled her native Nigeria where she faced terrible stigma and persecution related to her mental illness. Once in the U.S., she filed an asylum claim, but was denied because at that time mental illness was not a cognizable reason for relief and an immigration judge ordered her removed. In 2012, she came to BDS for a misdemeanor charge that stemmed from her mental illness and the stress of caring for her two sons. Our Padilla team worked with her criminal defense attorney to ensure an immigration-safe disposition. We also realized that she had a pending DACA application while the criminal case was ongoing. We amended the DACA application to address the arrest and disposition and her DACA was granted. Ms. Lodi then married a U.S. citizen, so we filed a motion to reopen the order of removal and negotiated a termination of the proceedings for adjustment. During the pendency of the adjustment application, Ms. Lodi was hospitalized twice due to mental health breakdowns. Both times, the BDS team appeared at her civil commitment hearing and ultimately helped her to be released from the hospital and properly prepped in time for her adjustment interview. The adjustment application was granted and in January of 2017 she was granted a green card.

While hundreds of our Padilla clients have the potential to modify their status, we are unable to take on the majority of their cases because we lack the capacity. Cases like Ms. Lodi's last for many years and may require significant resources, as her story shows. It is critical that the City fund immigration cases for people caught in the "justice trap" – to ensure that our community members can modify their status, remaining in their homes and with their families and precluding the collateral consequences we saw in Mr. Browning and Mr. Lewis's cases. Public defenders can take on and often favorably resolve the cases that other organizations cannot, cases that pose extra challenges because of the client's criminal court or family court involvement; cases that are now a priority for deportation under the new immigration enforcement scheme.

III. The Effect of Increased Enforcement on our Immigration Practice

The need for City support of immigration legal services has never been more acute. The President's Executive Order upends the prior enforcement priorities for undocumented people and people with legal immigration status alike. It used to be that some immigrants who were convicted of minor crimes were not deemed enforcement priorities. In addition, non-citizens were not considered priorities just by virtue of having been accused of a crime. After the new executive order, anyone with any criminal history or open charge is a priority, as well as anyone who has committed acts that constitute a chargeable criminal offense.

The recent change in rhetoric and enforcement has sown fear and confusion in our immigrant clients and impacted all three of our immigration practice areas.

a. Criminal defense/Padilla unit:

i. *NYPD fingerprinting and Broken Windows policy leads ICE directly to our clients*

NYPD's policy is to fingerprint anyone who is arrested, even if only for a low-level offense like fare evasion. Some police armed with tablets are even fingerprinting people in their neighborhoods, without even making an arrest that leads to a trip to the precinct and processing at Central Booking.² Fingerprints collected by the NYPD are transmitted to the FBI, who in turn can share them with the Department of Homeland Security, potentially leading to an arrest by ICE and deportation. Even if a district attorney declines to press charges, an immigrant is put at immediate risk of being found by ICE. Broken windows policing, or the criminalization of the most minor offenses, even without a resulting conviction, thus directly sends thousands of immigrants and their fingerprints to the federal government every year.

Over the past three years, the BDS immigration practice has represented dozens of detained clients in deportation proceedings for underlying "crimes" like possession of small amounts of marijuana, turnstile jumping, and possession of "gravity knives" (really work tools carried by laborers, often required by their union contracts, and purchased legally at major retailers like Home Depot). Many of these clients are legal permanent residents who had been living in the U.S. for dozens of years with these minor convictions on their record before they were swept up by ICE.

ii. *Once in court, we are far more limited in our ability to provide Padilla advice to non-citizen clients.*

The current state of affairs endangers our ability to provide effective counsel under the standard articulated in *Padilla v. Kentucky*. In 2010, the U.S. Supreme Court held in *Padilla* that the Sixth Amendment requires criminal defense counsel to provide

² Tatiana Schlossberg, *New York City Police to Be Equipped with Smartphones and Tablets*, N.Y. TIMES, Oct. 24, 2014, available at <https://www.nytimes.com/2014/10/24/nyregion/new-york-city-police-to-be-equipped-with-smartphones-and-tablets.html>.

affirmative, competent advice to a noncitizen defendant regarding the immigration consequences of a guilty plea.³ One in four of BDS's criminal defense clients are not U.S. citizens and, under the president's new enforcement priorities, they are all now priorities for deportation by virtue of having been arrested.

ICE regularly arrested our clients in Brooklyn courtrooms in recent years but as a result of anti-immigrant rhetoric and broad enforcement against immigrant communities, courthouse arrests are receiving much more media attention in 2017. The vulnerability of our non-citizens clients in court settings instills fear in our clients, thus making them even more reluctant to appear in court to deal with their ongoing criminal case. The burgeoning fear of increased use of courthouse arrests is particularly troubling because our clients cannot modify their immigration status if they have an open criminal case, and they cannot resolve their criminal or family case if they fail to appear in court.

Our internal records indicate more than one dozen BDS clients have been arrested in Brooklyn courthouses and taken into ICE custody in the past four years. A BDS client from Guatemala had the story of her courthouse arrest chronicled in the *N.Y. Times* in 2014.⁴ Most recently, in November 2016, a criminal defense client who was receiving treatment services through the Brooklyn Mental Health Court was arrested by ICE in the hallway of Brooklyn Supreme Court while he waited with his attorney for his case to be called. Our client had been reporting regularly to the criminal court for the past six months in accordance with his mental health court treatment plan. Our client has mental health diagnoses and had been hospitalized just prior to his ICE arrest in relation to his diagnoses.

b. Federal Immigration Court

i. *Rising caseloads*

This month, the immigration docket at the federal courthouse at Varick Street added a third intake day, increasing our monthly intake by 50% (up to 90 cases per month across all NYIFUP providers from a previous 60 cases per month). The courts are moving so quickly with cases that we cannot pick up cases fast enough. If intake numbers remain constant as they are now for the rest of the fiscal year, we will exceed our case target numbers by 180 to 250 cases by July 2017. And so far, these are cases that were brought into the system during the Obama administration. We have not yet seen the people who were arrested by ICE after President Trump took over. The third intake day is already exceeding our capacity to serve our existing clients, yet we expect further increased caseloads as we begin to see the results of the new enforcement priorities.

To make matters worse, not only are we seeing more cases, but we see that ICE has become harsher towards our clients than they were even just last year.

³ *Padilla v. Commonwealth of Kentucky*, 559 U.S. 356 (2010).

⁴ Kirk Semple, *Advocates Seek to Make Courthouses Off Limits for Immigration Officials*, N.Y. TIMES, May 26, 2014, available at <https://www.nytimes.com/2014/05/27/nyregion/advocates-seek-to-make-courthouses-off-limits-for-immigration-officials.html>.

ii. Asylum seekers no longer being released on bond

For existing cases, we are seeing decreases in the use of prosecutorial discretion and discretionary release. Before last week, we had not had an asylum seeker released on bond in more than six weeks. It appears that the White House's January 25 executive order on border enforcement had the effect of ICE refusing to release detained asylum seekers even where they had passed an initial screening interview and had a sponsor or family member with lawful status ready to house and support them. We have had a few releases since starting to file federal habeas corpus litigation against this practice, but remain concerned that going forward ICE's default will be to detain everyone, including asylum seekers, parents, and victims of violence and trauma, and to fight release however we seek it.

iii. ICE targeting people who won relief but have not yet received their visas or green cards

We are also seeing that NYIFUP clients who have been granted relief but have not yet received their green cards are being sought out by ICE and re-arrested. For example, we represent a 16-year-old client from Central America who has an approved Special Immigrant Juvenile Status (SIJS) application who was arrested by the ICE gang unit and is now in secure detention. While his SIJS application was approved, he has not yet received his visa number from USCIS. It is unclear to us why he was taken into detention by ICE, as he was not arrested by the NYPD or did not try to re-enter the U.S., two reasons that people are sometimes re-detained after release.

iv. Arrests in the courthouses

Our immigration clients, like our criminal defense clients, are scared to go to court. ICE agents now roam the hallways and last fall we often observed ICE agents arresting people in the courts. This was uncommon in recent years. For example, we represent a client who was re-detained by ICE when he appeared for an immigration court date last year. How can we adequately counsel our clients about the importance of attending their immigration court appearances to fight against deportation when they face the threat of coercive immigration detention every time they enter the courthouse doors?

v. ICE OSUP check-ins

In some cases, ICE may decide not to execute a final removal order and might instead issue an "Order of Supervision," or OSUP. A "post-order-of-removal" Order of Supervision may be issued under limited circumstances, such as when ICE determines the individual cannot be removed due to his or her country's refusal to accept them, or when it is otherwise impracticable or contrary to the public interest to remove the individual. An Order of Supervision is considered to be a "humanitarian act" on the part of ICE, and may be available if the non-citizen is the primary care giver to a child with a medical condition, or if they themselves are receiving medical treatment for a serious

condition, etc. The Order of Supervision will direct the non-citizen to appear at regular ICE check-ins, usually every few months and at least once a year.

Our clients who have been attending regular OSUP check-ins for years are now terrified to appear before ICE. One of our NYIFUP clients who was released from detention because he had a heart attack while in custody was recently hospitalized because of the stress and fear of deportation. Clients who previously checked in once or twice a year are now being asked to return in a couple of weeks or a month with their passports, ostensibly to facilitate deportation.

Our attorneys and office staff who are already overworked are doing their best to accompany our clients to OSUP check-ins, but we simply do not have the capacity to meet the need and quell the well-founded fears of our clients and threats of detention and deportation.

c. In the Community

i. *Clamoring for Know Your Rights*

Since the presidential election last fall, our office has received increasing requests from the community to present Know Your Rights trainings to the community. Since the first immigration Executive Order was announced we are now receiving near daily requests for assistance from elected officials, community-based organizations, city agencies, religious institutions and the press. We are doing our best to meet the demand, but regularly have to turn down requests because we do not have the capacity.

ii. *Daily Calls from Current and Former Clients*

All of our attorneys and paralegals have seen a huge increase of panicked calls from our clients, current and former, about what to do if ICE is at their door, whether or not they can travel, what they should be doing with their US citizen children, whether they should appear in court, requesting immigration legal services for their loved ones, and more.

In short, our communities are in crisis and need the support of legal service providers more than ever. We want to continue to support all of our former and current clients, as well as serve more people, but our capacity is limited by the resources currently available to us.

IV. Increased Need for FY2018

a. *NYIFUP*

NYIFUP attorneys have never been more important. We are a human shield for our clients, doing everything in our power to show them compassion in a system that increasingly views our clients as deportable others – “criminals” or “aliens” with rights

that can and are regularly trampled on. Even when we lose our client's case, we provide them with the opportunity to share their story with the prosecutor and judge and make the case why they deserve to remain in this city with their family and community.

Furthermore, NYIFUP has created a sea change in improved outcomes for detained immigrants. Prior to NYIFUP, a meager 3% of unrepresented detained immigrants won their removal cases. During the NYIFUP study period, over 30% of NYIFUP clients won their removal cases. Meaning that for every ten individuals who NYIFUP spares from deportation, nine would have been deported without NYIFUP. We know from the NYIRS study that release is a huge factor in ultimate success and that the financial and human benefits of being able to reunite families are unquestionable. Thus, it is critically important that NYIFUP wins release for approximately 30% of its clients as compared to only 14% of unrepresented immigrants who were able to win release prior to NYIFUP.

The Council's commitment to universal representation for every detained person who meets the income requirements of NYIFUP is critical to ensure that every person who comes before immigration court in New York City is afforded the right to make their case, no matter their background. We have had cases with clients convicted of crimes that we later successfully vacated because they were innocent or wrongly charged. By building trust and rapport with our clients, many of whom are survivors of incredible violence and trauma back in their home countries, we investigate and present evidence about why our clients' "criminal acts" are often the direct result of the trauma they have suffered. We have uncovered that many clients were actually U.S. citizens, but often never had the resources or tools to find the evidence to prove their citizenship until they were appointed a NYIFUP attorney. NYIFUP is the strongest example of our City's commitment to immigrant New Yorkers, made stronger still by your commitment to universal representation – the belief that all people are worthy of representation.

This year, City-wide NYIFUP providers are jointly asking for a significant increase in funding so that we can continue to provide superior legal representation to detained people facing deportation in New York City. Since the pilot program's inception in 2013, we have had to limit the parameters of the program because we have not had the capacity to serve all of the detained people who appear at intake in Varick Street. We fear that the numbers of New Yorkers requiring detained deportation defense services will jump significantly in the months to come based on increased intake numbers since the new federal administration took office in January. This is our highest priority, as NYIFUP attorneys, social workers and paralegals are already working beyond capacity in the courts and the communities to quell fear and provide legal advice to people rightfully fearful of deportation.

The NYIFUP Coalition jointly requests \$12,000,000 to fully fund the New York Immigrant Family Unity Project in FY2018 to ensure that every detained New Yorker has legal representation when facing deportation.

b. Continuous representation for Padilla client stuck in the justice trap

More than 20% of our criminal defense clients were born outside of the U.S. We meet and exceed the obligations required by the U.S. Constitution under *Padilla*, however we are not able to provide Padilla representation plus further immigration representation to all of the non-citizen clients whose immigration status is affected because they are caught in the justice trap. Many non-citizen clients who we represent in criminal or family defense cases would benefit from our continuous representation in affirmative or defensive immigration cases, including clients that may have straightforward applications that are complicated merely on the basis of an arrest or justice system involvement.

Last year, in 2016, we were able to provide these Padilla plus integrated immigration services to 216 clients referred to my team from other practice areas. We believe that we have double that number of clients who could benefit from Padilla plus additional immigration services, if not more. Indeed, we used to have a waitlist for these services but no longer keep one because, unless a case is an emergency, we do not have the capacity to take on additional representation.

The most efficient way for the City to fund immigration legal services for people with criminal and family court involvement is to fund continuous representation for Padilla clients through the criminal and family defense contracts negotiated and administered by the Mayor's Office of Criminal Justice (MOCJ). As noted above, we are unable to serve hundreds of non-citizen justice trapped clients who come through our doors every year because we do not have the in-house resources to help all of our clients address their unique immigration needs.

The Padilla plus integrated immigration services that we did last year was funded jointly by Immigrant Justice Corp, the New York State Office of Indigent Legal Services, the federally funded Community Service Block Grant administered by HRA, and City Council. First of all, these funding sources each have their own limitations and, like all of the service providers here today, we spend a significant amount of time applying for and reporting on various small funding sources. Instead, if we are able to negotiate Padilla plus integrated immigration services into our MOCJ defender contracts as critical to minimizing collateral consequences in the same way that social workers and housing attorneys are, we will be better able to serve our clients stuck in the justice trap and maintain a continuity of representation that is impossible with year-to-year funding streams.

c. Immigrant Opportunities Initiative (IOI)

Even if the Mayor's Office of Criminal Justice does not fund Padilla plus integrated immigration services representation through our criminal and family defense contracts, the City Council and the Mayor can demonstrate their commitment to untangling immigrant New Yorkers from the cycle of the justice trap by granting our request for IOI funds.

This year Brooklyn Defender Services requests \$200,000 for our Immigrant Youth and Communities Project to provide immigration legal services to low-income Brooklyn youth and adults. With IOI funding, BDS can maintain and grow our Project staff to provide community education, legal screening, advice and full representation to low-income Brooklyn immigrant youth and adults borough wide, in their pursuit of affirmative immigration benefits such as citizenship, lawful permanent residence, asylum, Special Immigrant Juvenile Status, special trafficking and victims' visas, VAWA relief, TPS, and DACA, and in their defense against deportation in non-detained deportation proceedings. Over the past few months, our office has received increasing requests from the community to present Know Your Rights trainings, immigrant family emergency preparation guidance and free legal services to the community. Yet since the first immigration Executive Order was announced we are now receiving near daily requests for assistance from elected officials, community-based organizations, city agencies, religious institutions and the press. We want to increase our capacity to serve New York's diverse immigrant communities, but we require a significant increase in funding to allow us to take on even more cases outside of our criminal, family and deportation defense caseloads.

We ask that the Council support our IOI ask of \$200,000 to expand our ability to provide integrated immigration legal services to our criminal and family defense clients caught in the justice trap and to provide Know Your Rights trainings and legal screenings to low-income New Yorkers.

Conclusion

We believe that New York can truly become a sanctuary city, but we require significantly more funding if we are to serve the influx of community members who are already desperate for free legal services, must less the thousands more who will need our support if current enforcement trends continue. The way to help protect the rights of New Yorkers is by ending Broken Windows policing, removing ICE from our courthouses, shelters and other city buildings, and providing immigrant communities with education, legal counsel and support. BDS works to support immigrants and their families and communities every day, but the need for our services and the services provided by the dozens of other legal service providers and grassroots organizations is more acute than ever. We hope that you will support our budget asks and enable us to continue to ensure the best possible outcomes for our most vulnerable clients and their families.

***TESTIMONY
of
La Colmena***

Presented to:
New York City Council Committee on Immigration
Hon. Carlos Menchaca, Chair
March 20, 2017

Prepared By:
Gonzalo Mercado
Executive Director

La Colmena
774 Port Richmond Ave. 2 FL
Staten Island NY 10302

My name is Gonzalo Mercado, executive director of the La Colmena Community Job Center and regional coordinator of the National Day Laborer Organizing Network (NDLON). I would like to thank Chairperson Menchaca and all the members of the Committee on Immigration for the opportunity to testify before you today concerning an issue that deeply impacts some of the most vulnerable New Yorkers.

La Colmena is a community based, non for profit organization working to empower day laborers and other low wage immigrant workers through education, organizing and economic opportunities. Our founding members are day laborers, domestic workers and community allies and our three program areas are Workers Rights, Youth Empowerment and Transnational Organizing.

I am here to speak on behalf of the Day Laborer Workforce Development Initiative (the Initiative), which supports the expansion and development of Day Laborer Centers across the five boroughs and provides essential services to Day Laborers working in New York City. Along with La Colmena, the initiative partners include Worker's Justice Project (WJP), Northern Manhattan Coalition for Immigrant Rights (NMCIR), New Immigrant Community Empowerment (NICE), and Catholic Charities of the Archdiocese of New York, each of whom have a long history of engaging immigrant communities and working with Day Laborers in all five boroughs. The Federation of Protestant Welfare Agencies (FPWA) is working with us in this initiative.

La Colmena is thankful for the support that City Council provided the Initiative in FY18 and **urges the Council to invest \$1.8 million in the Day Laborer Workforce Initiative** for the next fiscal year.

Day Laborers in Staten Island

Staten Island has a long history of day labor work. Some day laborers stand in corners such as the one at Forest Ave and 440 South which started towards the end of the 1990's attracted by a boom in residential construction as well as other industries such as landscaping and home improvement.

Thanks to this initiative we were able to open a workers center a block away from the day laborer corners and are doing constant outreach to provide day laborers with critical services and opportunities for leadership development and organizing. We also are able to provide a safe and dignify space for workers. Including basic needs such as access to a bathroom.

Wage theft and workplace accidents are the two most common issues and we are working to not only respond when a worker is injured or have not been paid but also to provide education and training so workers can prevent being a victim of such practices.

Day laborers on Staten Island were quick to respond in the aftermath of hurricane Sandy and provided countless hours of community service as well as performing some of the most dangerous and difficult jobs of cleanup and demolition and reconstruction. This follows a national pattern of day laborers responding in times of crisis and natural disasters such as hurricane Katrina or wildfires in California

Conclusion

We thank the City Council for the opportunity to testify. We hope that you will consider our budget priorities and recommendations during this year's budget negotiation process. As we navigate this difficult post election time we are especially worried about the day laborer community and we have seen an increase in harassment at the corner mostly from passing cars. We look forward to continue working closely with you to ensure that one the most vulnerable workforce amongst us and their families have opportunities to achieve economic advancement and create shared prosperity for all New Yorkers.

Meredith Fortin
Asylum Program Officer, Physicians for Human Rights
Testimony before the NYC Council Committee on Immigration
Preliminary Budget Hearing, March 22, 2017

Good Afternoon. Thank you to Chairman Menchaca and Distinguished Council Members for the opportunity to speak before the Immigration Committee today.

My name is Meredith Fortin, and I am the Asylum Program Officer at Physicians for Human Rights (PHR). Headquartered in New York City, PHR, a 1997 Nobel Peace Prize co-laureate, was founded on the idea that physicians, scientists, and other health professionals possess unique skills that lend significant credibility to the investigation and documentation of human rights abuses. The Asylum Program at PHR supports access to justice for survivors of torture, persecution, and other violence through a volunteer *pro bono* forensic medical service program. We have served over 2,000 immigrants and asylum seekers in New York City, and demand continues to grow: Requests have nearly doubled in the past eighteen months, and our program is working a maximum capacity.

Forensic evaluations are a crucial legal tool, and immigration attorneys in New York City have frequently stressed to us that access to them is one of the most important, and often most challenging, aspects of building a successful case. In a forensic evaluation, expert health professionals conduct a physical or psychological examination of an individual in order to provide a written piece of evidence assessing the consistency of the physical and psychological evidence to the reported history. Of the cases PHR places with our volunteer clinicians, 90% of reported outcomes are positive, whereas the national grant rate for asylum cases hovers between 40-50%. That this should be the case is not surprising: In a legal system that places the full burden of proof on the asylum seeker, who is often indigent, without English fluency, and suffering from the ongoing effects of trauma and displacement, access to evidence will obviously have an enormous impact on case outcomes.

New York City has invested admirably in legal resources for asylum seekers and others eligible for humanitarian protection, but the unique challenges of this population make additional interventions necessary, particularly in today's climate. In recent meeting of mental health service providers, immigration attorneys, forensic providers, and local advocates, it was stressed that critical service gaps remain, most urgently with respect to both forensic and psychosocial support of asylum seekers.

This speaks to the unique challenges facing immigration attorneys who represent traumatized individuals. These clients will frequently struggle to prove their own story due to the effects of trauma – their memory is often impacted, their affect may be flat when recounting the most extreme horrors, and the physical scars that remain are not always evident to the fact-finder. Without a forensic evaluation providing clear documentation of symptoms and scars, a judge or immigration officer faced with such a case may instead conclude that the applicant is fundamentally not credible. Recent executive orders and memoranda give us reason to believe that the climate for asylum applicants will become more hostile in the coming years, and that lawyers will be burdened with a need to provide more and more evidence in order to succeed on behalf of their clients. Responding to the evidentiary needs of these clients, as well as their underlying psychological needs, is paramount – and allows resources devoted to legal services to be more impactful.

Request for Support from City Council:

Allocate \$800,000 for forensic evaluations and mental health/social support for asylum seekers and other vulnerable groups seeking humanitarian relief.

AR INC.

Celebrating 10 Years of Community Based Services

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Advisory Board
Bobby Digi
Annemarie Castronovo
Jack Saul, PhD

WHO WE ARE

African Refuge is a community-based organization established in 2002, which aims to improve the quality of life for marginalized youth, families, senior citizens, immigrants and refugees. We aim to enhance the well-being of people who have faced abuse, poverty, desertion, depression and the effects of war. To achieve our mission, we promote community engagement and facilitate access to meaningful resources and activities that promote the dignity, development and health of youth and families. All services are offered through our core services which include our: *Drop-In Center, Youth Center, Health Program, Human Rights & Advocacy Program.*

WHAT WE DO

Annually, AR Inc. conducts co-sponsors 1-3 community health fairs; serves more than 200 youth through Homework Help, Music Exploration, Young Entrepreneurs, CACFP, Summer Youth Employment, Summer Escapes, NY Cares Weekend Recreation & Wagner College Work-study & NDA OY Services. More than 150 Community group meetings are held at our youth center. While our Drop-In Center provides free internet, copying, phone & interpretation services to everyone. Computers are available for adult learners. Many of our adult learners are seeking citizenship and must be able to read and write to pass the citizens test. We also offered Sandy Recovery TA & Women Business Development. We distribute more than 3000 pantry bags, 100 coats and toys and make 75+ referrals. We also reached more than 5000 households with information on the NYS Health Care Market Place.

WHAT WE NEED

AR Inc. serves one of the largest settlements of Liberian, West Africans outside of Liberia. Many live under Temporary Protective Custody (TPS) or Deferred Enforcement Departure (DED). As victims of torture, war and Ebola, many now call America home. They have not lived in the shadows, but legally gained entry, into the US. They are easily tracked and traced. Many are productive citizens. Others are elderly and others unable to speak English, still others sign their names with X. Sadly, some will never gain command of the English language and therefore unable to become US Citizens. Global efforts, brought Ebola under control and the war ended. But homes, villages and towns remain places of trauma and in dis-repair. US Homeland Security has determined that it is now safe for West Africans to return home because the fear of Ebola has been adequately addressed. By May of this year, the TPS will be deactivated and West Africans in the US (as a result of Ebola), must leave or be deportation. If a precedent is set, and the DED is not reauthorized, West Africans in the US under DED, as a result of the Civil war may also, become subjects of deportation. This would be tragic. As we confront this bubble, we need your help to ensure that resources to advocate for pathways to citizenship are available, our core services remain intact, culturally sensitive community educational on responding to Immigration Customs Enforcement are available & safe spaces are maintained.

HOW YOU CAN HELP

AR Inc. is requesting additional support for immigration services. Funds will be used both locally and for Citywide Advocacy, Staffing for our Drop In Center and Afterschool Program for Elementary School Children. These programs ensure that critical needs are met.

Thank You,

The Reverend Judy L. Brown, MPS - Executive Director (917) 370-8289

Testimony of
Shani Adess
Senior Supervising Attorney, Immigration Law Project
Safe Horizon, Inc.

On the Mayor's Fiscal Year 2018 Preliminary Budget

Committee on Immigration
Hon. Carlos Menchaca, Chair

New York City Council

March 22, 2017

Domestic Violence Initiative and enhanced funding through the City Council's Immigrant Opportunity Initiative (IOI) in Fiscal Year 2018.

Safe Horizon's Immigration Law Project

It is no longer enough to say that immigrants form the foundation of our communities and our city, although they do. New York City is a city of immigrants. Our neighborhoods, schools, hospitals, stores, offices, restaurants, homes – every part of our daily life is a constant amalgamation of individuals and groups from diverse backgrounds and from around the world. We are all a part of the community that is known as “immigrant New York.”

In this context, then, the impact of the recently issued Executive Orders on immigration, and the increased actual and expected immigration enforcement activities in our communities has been immediate and frightening. People are afraid to go about their daily activities, to seek assistance, or to engage with systems (formal or informal) for fear that they might be picked up by immigration authorities without warning, placed in detention, and never given the opportunity to say goodbye to their families and children. This environment of fear created by the Executive Orders and accompanying enforcement activities makes all New Yorkers less safe, especially our most vulnerable neighbors.

Undocumented victims of crime – including domestic violence, sexual abuse, and assault – face tremendous pressure when deciding whether or not to report a crime or seek social services or legal assistance. Unfamiliarity with criminal justice system, fear of law enforcement personnel, and financial dependence on the abuser may all contribute to an unwillingness to

Inauguration in late January, is overwhelmed with the number of crime victims seeking immigration relief. Many of our clients come from within Safe Horizon's network of programs – including our five Child Advocacy Centers, three 24-hour Hotlines, our Court and Community Programs in each borough and our eight Domestic Violence Shelters. Our staff in these other programs provide a range of services including shelter, case management, crisis intervention, and safety planning, but only our Immigration Law Project can address the specific legal issues related to their ability to safely reside in the United States with their children. In addition, we have seen a marked increase in clients seeking assistance on more complex matters, such as asylum and removal defense, and are aware that many of our clients who were not previously priorities for detention or removal now are- which will add to the burden on our already small resources. We have already seen this in practice, and expect the number of clients we serve needed this additional assistance will only continue to rise.

To help us provide a more robust, immediate response to the many hundreds of undocumented crime victims who seek our assistance each year, Safe Horizon is respectfully requesting an IOI funding increase to our Immigration Law Project to \$100,000 in FY18. This additional funding will help us provide critical legal services to victims of domestic violence, sexual assault and other crimes and help keep New York City's neighborhoods safer and more welcoming to all of our families.

FY18 Funding Request through Immigrant Survivors of Domestic Violence Initiative/YWI - \$55,000

consultations. The majority of these cases include clients or families where there is a survivor of domestic or sexual violence, where the direct or indirect victim is between the ages of 16 and 24. We are grateful that the City Council selected Safe Horizon to participate in this funding initiative in FY17 and ask that the funding be fully restored in FY18.

Thank you for your consideration of our request, and I am happy to answer any questions you may have.

CENTRAL AMERICAN LEGAL ASSISTANCE

Ayuda Legal Para Refugiados Centroamericanos

240 Hooper Street Brooklyn New York 11211 (718) 486-6800 Fax (718) 486-5287

Statement of Anne Pilsbury, Director, to New York

City Council Budget Hearings March 22, 2017.

Central American Legal Assistance (CALA) comes before the City Council seeking funding of \$454,000 to maintain and even increase our ability to offer a rigorous defense for immigrants facing removal and deserving of asylum protection. Asylum is practically the only defense an unauthorized border-crosser can make to prevent his or her deportation.

After immigrants from Muslim countries, no other population is as much in the cross-hairs of the new administration as the people from El Salvador, Honduras and Guatemala fleeing those countries' vicious armed gangs, the MS (Mara Salvatrucha) and its competitor Calle 18. The havoc gang control has brought to the daily lives of Central Americans is only beginning to dawn on policy-makers in the U.S. CALA has been watching and responding to the crisis for years, as the gangs took over where the death squads left off at the end of El Salvador's brutal civil conflict. Immigration law has been reluctant to recognize the validity of asylum claims based on death threats from gangs. We are working to reform the law through good appellate litigation.

There are a number of ominous policy changes on the horizon that will make our removal defense work even more difficult: the threat to declare the whole country a border zone, subjecting any immigrant encountered in the interior subject to what is called "expedited removal" which precludes a hearing for an immigration judge, and the effort – announced but not yet implemented – to detail our local judges to the border to try, in effect, to short-circuit the removal defense hearing process.

These draconian proposals will effect all immigrants, not just those from Central America. It will effect especially adults since there are certain protections for children that the Trump Administration cannot easily ignore.

CALA currently defends women and children from Central America through the Council-funded **ICARE** coalition. CALA concentrates on asylum cases and some Family Court work while other members do just the reverse, thus optimizing scarce city dollars by having legal service providers focus on the work they know best and can do most effectively. This special program deserves to be re-funded. Continued funding is essential because many cases take well over a year to resolve.

In addition to its ICARE funding, CALA has received funds from the **Immigrant Opportunity Initiative (IOI)** to help cover the cost of attorneys for adults – from Central America and elsewhere. (CALA has a significant number of asylum cases from Colombia, Mexico, Peru, Ecuador.) These funds are vital going forward because single adults have had and will continue to have the most difficulty getting to a hearing. They face high bonds, detention at the border, and new efforts to speed up their removals before they can find representation. The need is greater than in past years. Our current IOI funding is \$84,000. That needs to be maintained, if not increased.

About 60% of CALA's clients live in New York City, Queens being home for the most followed now by the Bronx. CALA allows free, unscheduled walk-ins for any immigrant recently released from the border and facing removal proceedings in NYC. These people are usually relatives of long time NYC residents. These face-to-face orientation sessions are invaluable given the constantly shifting rules and policies of this Administration.

"Know your rights" flyers and talks which have proliferated since the new Administration took office are useless unless there are lawyers ready, willing and able to take on cases in large numbers. That is what CALA does and we depend on New York City funds to continue to do so.

We are very grateful to the commitment this Council, the Speaker, and the Mayor have shown to standing firm as a sanctuary city. History is on our side. Do not back down!

Sincerely yours,

/s/ Anne Pilsbury, Esq.



**Written Statement
Preliminary Budget Hearing – Committee on Immigration
Kids in Need of Defense (KIND)
March 22, 2017
New York City Council Chambers**

Thank you for Chairman Menchaca and Members of the Committee for the opportunity to submit testimony for this hearing.

Immigrants need representation and protection more than ever before. With an Administration that prioritizes vastly increased deportation over due process, tens of thousands of immigrants in New York City alone rightly fear sudden family separation and deportation—children taken from parents and other caregivers, and parents and caregivers being taken from children. It is almost unimaginable that this is happening in the United States in 2017, but it is, and the terror of families across the city is palpable.

We are incredibly fortunate that New York City is a national leader in supporting and protecting these families and children through the coalition of nonprofit organizations known as ICARE, of which KIND is enormously proud to be a part. ICARE serves children placed on the juvenile dockets and ensures that as many children as possible in New York City, and beyond, receive free legal screenings, attorneys, and other services they desperately need, including access to health insurance, education, and mental health services, which are vital to child survivors of trauma, as many are.

KIND provides representation to unaccompanied immigrant and refugee children in 10 field offices across the United States, using both direct representation and pro bono representation through our more than 405 law firm, corporate, law school, and bar association partners. KIND has been referred more than 14,000 children nationwide since we opened our doors in 2009. No immigration experience is necessary to volunteer with KIND. KIND trains and mentors volunteer attorneys throughout their cases; we have trained more than 17,000 to date, creating a national network of pro bono attorneys with expertise to help these children now, and many more into the future.

KIND's New York City office serves children living in the five boroughs, as well as in Nassau, Suffolk, and Westchester counties. The office has one of KIND's highest caseloads. KIND

matched 240 unaccompanied children with a pro bono attorney in 2016. The office is currently mentoring teams representing more than 450 children.

KIND is proud to serve in a city where the New York City Council, the Mayor's Office, the Human Resources Administration, and others in city government have been—and continue to be—leaders in ensuring that these uniquely vulnerable children have lawyers to help them make their claim for U.S. protection in their deportation proceedings. As a result, thousands of children in New York City have counsel and a fair chance to make their claim. They otherwise would have been unrepresented and very likely given a removal order.

It is nearly impossible for children to represent themselves in immigration proceedings. At the New York Immigration Court between 2005 and 2017, approximately 83 percent of unrepresented unaccompanied minor children in removal proceedings were ultimately ordered removed. In contrast, only 8 percent of unaccompanied minors with counsel were ordered removed.¹ Nationally, only one in 10 children without representation succeeds in gaining protection. Children with representation are five times more likely to have a successful case outcome.²

Unaccompanied children continue to come to the United States seeking safety in large numbers. More than 60,000 came in Fiscal Year 2016, significantly more than the 40,000 who came in Fiscal year 2015, although not as high as the historic numbers of Fiscal Year 2014, when more than 68,000 children came to the U.S. alone. Representation of these children remains a challenge; nationwide, about half of the more than 170,000 children who came to the U.S. in the last several years do not have attorneys.

It is not surprising that families and unaccompanied children continue to come to the United States. The root causes of their flight have not been addressed; governments in the region remain unable or unwilling to protect families and children from pervasive gang violence. El Salvador, Honduras, and Guatemala remain among the most murderous countries globally. All three have among the highest femicide rates in the world.

As if we needed more reminders about the vital importance of representation, the Trump Administration's chilling repeated assertion that it is seriously considering policies to separate immigrant families coming to the United States and to create "unaccompanied" children who would then be placed in federal custody to deter families from making the dangerous journey to the United States is as brutal as it is poor policy. Desperation drives these families and children to the United States; mothers preferring to risk death and sexual violence along the journey than nearly certain death of their children in their home countries. KIND's unaccompanied child clients have repeatedly told us that they had "to flee or die." Astrid's story is sadly not all that uncommon:

¹See Transactional Records Access Clearinghouse, <http://trac.syr.edu/immigration/juvenile>; accessed March 17, 2017.

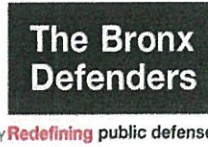
² Ibid.

When Astrid was 14 years old she was attacked by several masked men while walking to a store nearby her indigenous Mayan community in Guatemala. The men drugged her and raped her for four days. Her family, worried when Astrid did not come home, contacted the police but nothing was done to search for their missing child. Astrid was eventually released when her family was able to pay the ransom the kidnappers had demanded. Astrid and her family reported the kidnapping to the Guatemalan police and asked for help. Despite clear medical evidence of sexual violence, the police refused to help. With no one to protect her, Astrid was terrified of leaving the house and unable to go to school. A year later, her family started receiving calls and threats that Astrid would be attacked again. Facing near certain violence and perhaps death, Astrid decided to make the journey to the United States. She was referred to KIND, which matched her with a pro bono attorney who helped her gain asylum.

Compounding the urgent need for attorneys is the recent news that the U.S. Justice Department is developing plans to temporarily reassign immigration judges from around the country to 12 cities, including New York City, to speed up deportations of immigrants who have been charged with crimes underscores even further the desperate need for attorneys.

We must remain vigilant in our support of unaccompanied children and families. New York City has shown true leadership in its commitment to the values of fundamental fairness and protection of the most vulnerable that are the building blocks of our nation's legal system.

Thank you for all you have done—and continue to do—for these children. There is no question that because of your actions, many more are living in safety and free from fear, some for the first time in their lives, and have opportunities for a future most never dreamed was possible.



**New York City Council
Committee on Immigration
Preliminary Budget Hearing
March 22, 2017**

**New York Immigration Family Unity Project (NYIFUP)
Testimony Submitted by Jennifer Friedman,
Managing Director of the Immigration Practice, The Bronx Defenders,
On Behalf of the NYIFUP Providers**

Good morning. My name is Jennifer Friedman. I am Managing Director of the Immigration Practice of The Bronx Defenders, and I submit this testimony on behalf of the three legal service providers under the New York Immigrant Family Unity Project (NYIFUP): The Legal Aid Society (LAS), Brooklyn Defender Services (BDS) and The Bronx Defenders (BXD). I want to thank Chairman Menchaca and the entire Committee on Immigration for the opportunity to testify today. I am testifying in support of the New York City Council's continued and expanded funding for NYIFUP, the nation's first program guaranteeing legal representation for low-income immigrants facing deportation.

The NYIFUP providers, along with the NYIFUP Coalition -- made up of Northern Manhattan Coalition for Immigrant Rights, The Center for Popular Democracy, Make the Road New York, the Vera Institute of Justice, the Immigration Justice Clinic at Cardozo Law School, and scores of other immigrant rights, legal services, and progressive organizations -- are together asking that the City make NYIFUP a continuing reality in Fiscal Year 2018 and beyond.

The Need

Fiscal Year 2018 threatens to bring the biggest challenge NYIFUP has faced since its inception. The federal government has promised to make the detention and deportation of our neighbors its top priority. This will tear families apart without regard for due process, justice, or humanity. Since before Inauguration Day, the Trump Administration has been strongly anti-immigrant and has made clear that it intends to throw its full force behind terrorizing immigrant communities with the fear of detention and deportation. President Trump has promised not only to build a wall, but to dedicate massive new resources to the detention of noncitizens within our borders and to their prompt deportation. He dramatically expanded the enforcement priorities such that huge swaths of the population are now at risk of being caught up in the dragnet of

deportation. The immigrant community in New York City is in a state of panic because of these ongoing threats.

New York City proudly calls itself a Sanctuary City, but if we are going to make good on this promise we need to make sure that we continue to honor our commitment to provide a lawyer to each and every detained immigrant who cannot afford one. We applaud the City's commitment to reducing the number of New Yorkers who fall into the detention and deportation system in the first place, and appreciated the opportunity to testify earlier this month about issues like ICE in our criminal courts and the need for reform of "broken windows" policing that puts New Yorkers onto ICE's radar. But the reality is that despite these efforts many immigrants in New York are going to be arrested and detained, and NYIFUP will continue to be the City's last line of defense to prevent wrongful deportations of people who do have valid legal claims and a way to remain with their families and communities. It is a fundamental tenet of due process and justice that nobody be detained and deported without a lawyer by their side. As New Yorkers, we cannot allow the federal government to strip refugees fleeing persecution of their rights, or to allow those seeking protection in the shadow of Ellis Island and the Statute of Liberty to be railroaded through a process without a fair shot.

NYIFUP has cast a long shadow as the first-ever universal representation project for noncitizens, and we must not back down from the commitment we have made to provide representation to all who need it.

NYIFUP has lived up to its promises: we have successfully shielded over 330 noncitizens from removal. During the New York Immigrant Representation Study, only 3% of *unrepresented* detained immigrants won their removal cases. In the first two years of NYIFUP, over 30% of clients won their removal proceedings – a ten-fold increase in success, which means that for every ten people who won the right to remain in the U.S., nine would have been deported without NYIFUP. NYIFUP has had a profound impact not only on the number and rate of deportations, but also on obtaining release from detention. More than 400 people have been released from detention under the program. NYIFUP wins release for approximately 30% of its clients, compared to the only 14% of unrepresented immigrants who won release prior to NYIFUP – an improvement of the success rate of more than 100%. Release allows noncitizens to work and remain at home with their children and families while they pursue relief from deportation, and is a huge factor in securing ultimate success because it makes it much easier for them to assist in their defense.

The Budget Request

For Fiscal Year 2018, we request both that NYIFUP funding be baselined for long-term stability and that we receive an increase in funding for a total of \$12 million dollars, or \$4 million per organization, which is the amount necessary to equip us to meet the growing demands of this important work given the dramatically increased need.

If the City is to continue to be a leader in immigration defense and to take seriously its commitment to immigrant New Yorkers, NYIFUP's funding must be baselined. Baselining is the only way to create the predictability and stability necessary to ensure the delivery of quality immigration defense.

Baselining alone, however, will not ensure that the vision of providing a defense to all detained New Yorkers is realized. The scope of our task and the complexity of our practice require a greater investment. For this reason, and based upon the success of NYIFUP to date as well as the marked increase in detention and removal proceedings, the providers calculate that the total need for FY 2018 is \$12 million. This is based on intake projections consistent with current intake, which is steadily increasing. This level of funding will allow NYIFUP to guarantee that we can continue to provide complex, high-quality legal services to all detained low-income people appearing in the immigration courts in our jurisdiction. Funding stability also would ensure stability in staffing, which facilitates hiring, training and maintaining the most qualified staff attorneys for these challenging cases.

As you know, in Fiscal Year 2014, the Council launched NYIFUP with pilot funding of \$500,000. Based on the pilot's success, for Fiscal Year 2015 the Council committed \$4.9 million to fund NYIFUP's service of *all* detained low income New Yorkers facing deportation proceedings, as well as all New York City residents facing deportation while detained in nearby New Jersey. This funding was renewed for fiscal year 2016 for \$4.9 million, with an additional mid-year budget amendment of \$330,000 based on higher-than-anticipated intake. Funding was renewed for fiscal 2017 in the amount of \$6.22 million. This year we agreed on a case range with a target of 1,140, and a maximum of 1,254 cases. We met our target and are currently on the verge, more than three months before the end of the fiscal year, of reaching our maximum. In order to allow our organizations the stability to maintain a staff of zealous advocates, including attorneys, support staff, and social workers, and to allow us to focus on providing necessary representation instead of having to coming back mid-year to request an increase, we are projecting what we are confident is the right amount to fund the work.

The NYIFUP contract caseload varies from year to year depending on fluctuations in the number of detained cases and other factors, including enforcement patterns that influence the type of cases and the amount of work required. In order to adequately and competently provide the range of legal services required in these complex cases, flexibility for the providers is essential. For all these reasons, a simple "cost-per-case" analysis is impossible. For FY2018, we anticipate providing legal and social work services to anywhere from 1,600 to 2,150 detained New Yorkers facing removal, requiring a total budget of \$12 million.

NYIFUP is also uniquely structured to allow for flexibility and redeployment of our legal resources if, as is unlikely, it should turn out that we overestimated the need in the detained docket. For example, in FY 2015, detained intake numbers were down and we had capacity, so in partnership with the City Council we agreed to help meet the unmet need for legal representation of mothers and children fleeing the violence of Central America. The structure of our contracts allows flexibility so that if the need proves different than anticipated, we can, in

close collaboration with the City, turn to three additional buckets of case types that we can represent in the alternative.

The budget also contemplates different types of cases requiring different levels of resources. Some of our cases resolve quickly, especially when our clients are not eligible for relief and can be spared the financial and emotional toll of languishing in detention without a legal remedy. Other cases may resolve within a few months, after a relatively straightforward path from intake to a trial with a final resolution. However, many of our cases encompass complexities well beyond the immigration courtroom, which may implicate the need for a broad range of services necessary to adequately represent detained immigrants facing removal. These can include, for example: collateral proceedings in criminal or family court; detention challenges in immigration and federal court; appeals of merits and custody decisions to the Board of Immigration Appeals (BIA); referrals to social, medical and mental health services; and regular detention visits in New Jersey and Orange County, NY (where NYC Immigration Court respondents are detained). All of our cases present the challenges of representing noncitizens who are detained in jails outside of New York City, travel to which, for even a brief visit, can consume an entire day. In immigration proceedings, we bear the burden of proof, which translates into immense outpourings of time and effort into collecting documents, meeting with family members to draft affidavits, and tracking down medical, educational, and financial records. Finally, the famously labyrinthine world of immigration law requires lengthy motion practice in addition to our substantive court appearances, for each of which we must spend many hours preparing our clients.

NYIFUP's commitment to the model of universal representation is central to its success. Sometimes, cases that appear impossible at first glance reveal themselves to be the most compelling after we have developed relationships with our clients and fully assessed the merits. By spending time getting to know our clients, their families, and their communities, we find that even the most scared, traumatized, and distrustful clients will open up to us and share deeply personal stories that provide the basis for our legal strategies. There are also times when our investment in our relationships with our clients helps them to make the most difficult decision of their lives -- to give up the fight and accept a deportation. In every case, zealous representation means representing our clients to the end, win or lose.

Since its inception in the fall of 2013, NYIFUP legal services providers have represented more than 2,200 immigrants facing deportation. Because of NYIFUP, hundreds of families have been reunited through releases from detention and courtroom victories, and not a single NYIFUP client has been wrongfully deported simply because he or she could not afford an attorney. Since fiscal year 2015, NYIFUP has provided representation for *all* New Yorkers facing deportation at the Varick Street immigration court, as well as all New York City residents facing deportation while detained in New Jersey. These individuals otherwise would have been left to fend for themselves in a complex system, a situation that the New York Immigrant Representation Study showed would result in a 97% chance of deportation. Not only has NYIFUP concretely demonstrated that the City of New York is the nation's leader in protecting the rights of immigrants, it has kept New York families intact and made the removal process at the Varick Street immigration court infinitely fairer.

Conclusion

We are extraordinarily grateful to the City Council and the City for establishing the nation's first guaranteed right to counsel program for low-income immigrants facing deportation and thereby promoting fairness and ensuring due process for New York City's immigrant communities. New Yorkers have come to rely on NYIFUP, knowing that we will be there to represent you if you don't have a lawyer, no matter how difficult your case.

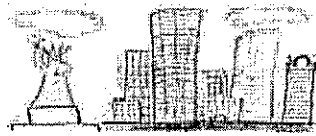
With the Trump Administration's deportation machine gearing up in terrifying fashion, now is the time to take the next step towards protecting noncitizens threatened with deportation in our City by ensuring the long-term stability of NYIFUP through baselining. In FY 2018, New York City needs to stand stronger than ever before behind our commitment to being a Sanctuary City by both baselining NYIFUP and funding it at a level that will ensure that no one will be detained and deported in our City without a lawyer by their side. Our increased funding request of \$12 million dollars will achieve this crucial goal.

Thank you again for the opportunity to share with you today how important and impactful the NYIFUP initiative has been in protecting New Yorkers, maintaining family unity, and protecting our diverse noncitizen communities.

Respectfully submitted,

Jennifer Friedman
Managing Director, Immigration Practice
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Bronx, NY 10451
(718) 508-3408
jenniferf@bronxdefenders.org

New York Immigrant Family Unity Project Our Clients and Our Impact



The New York Immigrant Family Unity Project (NYIFUP), the country's first assigned counsel program for detained immigrants facing deportation, has served over 2,200 immigrants and their families since its inception in 2013. Because of NYIFUP, hundreds of families have been reunited through releases from detention and courtroom victories, and no NYIFUP client has been wrongfully deported simply because he or she could not afford an attorney.

NYIFUP Clients:

- Are 84% male and 13% female
- 47% have children, and 86% of those children have immigration status in the U.S.
- Over 1900 children have had their parents represented by a NYIFUP attorney
- Live in all 5 boroughs and 49 out of 51 City Council districts in New York City
- Were born in dozens of countries: most commonly, were born in Mexico, Central America (Honduras, Guatemala, El Salvador), and the Caribbean (Dominican Republic, Jamaica, Haiti, Trinidad)
- Include undocumented individuals, asylum seekers, victims of violence, 18-20 year olds eligible for Special Immigrant Juvenile Status, grandparents, individuals with mental health needs, green card holders, and even U.S. citizens
- 31% of NYIFUP clients in 2014-16 were green card holders (LPRs)
- Nearly 2/3 of NYIFUP clients were employed at the time they were detained by ICE
- The top occupations for NYIFUP clients are services (34%), construction (22%), and repair/maintenance (22%)

NYIFUP Services:

- NYIFUP attorneys and staff give in-depth advice and zealous representation to every client and represent clients before the immigration court and Board of Immigration Appeals
- NYIFUP attorneys have handled more than 200 "ancillary" matters, including family court petitions for clients eligible for SIJS, criminal appeals and post-conviction work, habeas corpus litigation in federal district court and petitions for review at the U.S. Court of Appeals for the Second Circuit
- NYIFUP's in-house social workers have assisted over 200 clients and their families each year. These referrals included mental health programs, domestic violence and trafficking programs, substance abuse programs and work with issues LGBTQ clients face
- NYIFUP regularly contracts with medical and academic experts to evaluate clients and provide expert opinions on country conditions, hardship, medical issues, and mental health and competency challenges – sometimes the first time a client has ever had a proper mental health diagnosis and treatment plan
- Even when clients accept a removal order or voluntary departure, NYIFUP staff give a full advisal, contact family members, and assist with collecting identity documents and personal effects to make the departure process smooth and done with dignity

NYIFUP's Impact:

- Since NYIFUP's expansion in 2014, NYIFUP has prevented deportation in over 330 cases, with hundreds more cases pending and seeking relief from deportation
- Because of NYIFUP, over 400 clients were released on bond or parole and reunited with their families while their cases were pending
- NYIFUP prevents wrongful deportations: 100 clients had their removal cases terminated because the client was not subject to deportation in the first place or because DHS agreed to terminate the case to let the client pursue a green card or visa after our advocacy
 - **At least four of these clients were U.S. citizens!**
- NYIFUP has won relief for clients who:
 - Showed family hardship and contributions to our community: 84 grants of cancellation of removal, waivers, adjustment of status and other discretionary relief
 - Faced persecution or torture: 81 grants of asylum, withholding of removal, or Convention Against Torture protection
 - Merited an exercise of discretion: 68 grants of administrative closure because of discretion, mental incompetency, or to seek a visa from USCIS, often for Special Immigrant Juvenile Status or a U visa for crime victims
- NYIFUP is a national model for access to counsel for detained immigrants, spurring national press coverage, study groups and research in cities across the U.S., and local and state legislative action in Los Angeles and the Bay Area to replicate the NYIFUP pilot
- The success of the New York City NYIFUP pilot persuaded the New York State Legislature to start NYIFUP pilot projects in Batavia, New York, and Ulster, New York, to provide counsel at severely underserved detained immigration courts
- NYIFUP's habeas corpus litigation on behalf of detained clients resulted in a landmark Second Circuit case, *Lora v. Shanahan*, that expanded access to bond hearings for hundreds of detained immigrants in New York state
- NYIFUP's presence in intake at the detained immigration court every week allows NYIFUP staff to report to the City, advocates, and immigrant community in real time how ICE enforcement is developing, including trends in community arrests in the city and state

For more information about NYIFUP's clients and its impact in New York and nationally, please contact the NYIFUP legal service providers: Jennifer Friedman, The Bronx Defenders, jenniferf@bronxdefenders.org; Andrea Saenz, Brooklyn Defender Services, asaenz@bds.org; and Sarah Gillman, The Legal Aid Society, STGillman@legal-aid.org.



BROOKLYN
DEFENDER
SERVICES



THE
LEGAL
AID
SOCIETY

MAKING THE CASE FOR HUMANITY

**The Bronx
Defenders**

Redefining public defense

New York Immigrant Family Unity Project Recent Success Stories – FY 2017

Dale – A Brooklyn Father Reunited With His Family

Dale Levy is a lawful permanent resident (LPR) from Jamaica who has lived in Brooklyn for 25 years. Mr. Levy graduated from Canarsie High School, where he was co-captain of the soccer team. He married his high school crush, and today they have three U.S. citizen children. Mr. Levy's U.S. citizen wife petitioned for his green card, but the application was denied due to his sole criminal conviction: attempted possession of cocaine in 1997. In 2016 Mr. Levy was detained by ICE, making his wife a single-parent to three young children. Facing deportation and with his single 20-year old drug arrest blocking his path to a green card, Mr. Levy's NYIFUP counsel filed an application for "prosecutorial discretion," requesting that ICE choose to close his deportation case given his strong equities. These requests are almost never granted for detained clients with criminal history. After nearly 6 months of detention, Mr. Levy was released on a bond and shortly thereafter, ICE granted the application for prosecutorial discretion.

John – Recovering From Persecution and Neglect

John is a successful engineer and bisexual man from Nigeria, a country infamous for its harsh anti-homosexual laws. Soon after coming out to his friends and family, John was kidnapped and severely beaten by an anti-gay, vigilante task force supported by the Nigerian government. He miraculously escaped and fled to the US in June 2016. He has no criminal history, but was not released by ICE because he was categorized as an "arriving alien" who was ineligible for even a bond hearing before a judge. While in detention in Bergen County, NJ, John suffered immensely as he did not receive proper medical care for the injuries he sustained while in captivity in Nigeria. John passed a credible fear interview and, after advocacy by his NYIFUP attorneys, was granted humanitarian parole. He was released from detention in December 2016, reunited with his brother who lives in Brooklyn, and is now able to access the medical attention he needs.

Mr. Kim – A U.S. Citizen Nearly Deported

Jong-suk Kim is a 48-year old resident of Queens, NY who was born in South Korea but has called the U.S. home since age 9. Mr. Kim was arrested and detained by ICE based on a past drug conviction. His NYIFUP attorney realized that Mr. Kim had likely automatically derived U.S. citizenship as a child through his father, and began working with the family to obtain documents from Korea to meet the complicated requirements of derivative citizenship. The attorney filed a motion to terminate with the Immigration Court, submitting all her evidence. In the meantime, she advocated to ICE for Mr. Kim's release. Upon reviewing the evidence, ICE released Mr. Kim after 3 months of detention and he was reunited with his family. Two months

later, the court granted the motion and terminated Mr. Kim's case, finding that he had derived U.S. citizenship. Mr. Kim's NYIFUP attorney assisted him in applying for a certificate of U.S. citizenship, and in December 2016, Mr. Kim was sworn in and received his official certificate.

Yasmin Rodriguez – Rebuilding After Domestic Abuse

Yasmin Rodriguez is a 25 year old single mother from Mexico who has lived in the U.S. since she was 6 years old. Ms. Rodriguez was detained by ICE after two convictions for driving while intoxicated, which stemmed from an alcohol problem that began after being repeatedly raped and abused by the father of her young U.S. citizen son. After the second conviction, Ms. Rodriguez stopped drinking and completed alcohol programs. Ms. Rodriguez's NYIFUP attorney filed multiple defenses to her deportation, including a special form of cancellation of removal for victims of serious abuse. A NYIFUP social worker was critical to her support, and NYIFUP staff worked to protect her when her abusive partner threatened to show up at her court hearing. Ms. Rodriguez's NYIFUP attorney submitted close to 500 pages of supporting evidence, including medical records showing abuse during her pregnancy, tax records, letters from co-workers and friends, certificates of completion for alcohol programs, and records of Ms. Rodriguez's son's learning disability and exposure to violence. Ms. Rodriguez's case was granted and she received her green card. She has reunited with her young son and is working on rebuilding her life.

Jose – A Beloved Grandfather

Jose, a 63-year old native of the Dominican Republic who has been an LPR and New Yorker since 1992. He has worked steadily as a mechanic, hotel worker, and restaurant worker. Jose is the primary caregiver for his LPR wife, who suffers from medical conditions that have caused her to have thyroid surgery and have toes amputated. Jose is very close to his young U.S. citizen granddaughters and spends time with them every week. In 2011, Jose was arrested for the first time in his life, and was convicted of a single drug possession offense. He was sentenced only to probation, and was complying fully when ICE detained him. His detention devastated his family, especially his granddaughters, and his wife came close to losing their apartment. Jose himself suffers from heart and prostate problems that require constant medication. Jose's NYIFUP attorney determined that he was eligible for cancellation of removal and worked hard to file evidence showing why he deserved a second chance. Weighing Jose's family ties and long residency, the fact that deportation would very likely be a death sentence because of a lack of medical care, and the fact that Jose demonstrated genuine remorse and rehabilitation, the immigration judge granted cancellation in September 2016, and Jose was released to his family.

Andres – Seeking Safety and Family in New York

Andres is a young man from Honduras who presented himself at the U.S. border seeking asylum, after he and his family experienced threats and attacks by gang members in his small town. He hoped to reach his U.S. citizen uncle and LPR aunt living in the Bronx and his younger sister, who is also in the United States seeking asylum. Andres is the son of an evangelical pastor in Honduras, and his asylum claim was based on his family's opposition to the dangerous MS-13 gang and the resulting persecution that they faced, including the murder of his older brother. In addition to pursuing an asylum claim, Andres's NYIFUP lawyers also prepared a Special Immigrant Juvenile guardianship petition and provided jurisdictional briefing for the family court. They also fought for his release, filing a parole request and a federal court habeas petition based on his prolonged detention. Andres was granted asylum and is now living with his family.



**Department of
Youth & Community
Development**

**NEW YORK CITY COUNCIL
COMMITTEE ON IMMIGRATION**

FISCAL YEAR 2018 PRELIMINARY BUDGET

**BILL CHONG
COMMISSIONER**

MARCH 22, 2017

Good morning Chairman Menchaca and members of the Committee on Immigration. My name is Bill Chong, and I am the Commissioner of the Department of Youth & Community Development (DYCD). Thank you for the chance to testify on how DYCD serves New York City's immigrant communities.

With additional investments included in our preliminary budget, Mayor de Blasio has demonstrated yet again, his unwavering commitment to youth, families and communities. These new investments will build on the growth of DYCD's budget, which has risen by 81% since the Mayor took office. Practically every one of our program areas, from COMPASS and School's Out NYC after school programs, Beacon and Cornerstone community centers, the Summer Youth Employment Program, and Runaway and Homeless Youth shelter beds, has seen increased investment under Mayor de Blasio. Quite simply, our growth has been remarkable!

Over the past few years, it has been extremely gratifying for DYCD and its contracted community based organizations to reach tens of thousands more youth and adults through our programs, including immigrant New Yorkers. For example, through our School's Out NYC – SONYC – middle school afterschool expansion, we now have more programs that reach the City's growing Muslim, Tibetan and Liberian communities.

And as you saw Chairman Menchaca, from our visit together to the SONYC program at my old junior high school, the successful delivery of DYCD funded programs and the ability to serve immigrant communities well, are our partnerships with nonprofit community based organizations. DYCD's funding model recognizes that community-based organizations (CBOs) are best equipped to meet the cultural and language needs of youth, families and communities. Included in our Request for Proposals are linguistic and cultural competency requirements. We select providers using evaluation criteria that reflect these requirements. The organizations that we fund, hire staff and design programs in accordance with the needs of their participants. DYCD's providers include organizations that focus on serving certain racial/ethnic and immigrant communities and mainstream nonprofits with the linguistic and cultural competency to serve New York's immigrant communities.

In Fiscal Year 2017, DYCD is glad to have administered an increase in adult literacy programs. We thank the City Council and Council Member Menchaca for working with the Mayor to increase funding. Improving one's English literacy skills is a key strategy that fosters greater economic security and social and civic engagement.

DYCD's adult literacy programs support community-based organizations that provide instruction in Adult Basic Education, High School Equivalency and English for Speakers of Other Languages. Due to the increased funding, DYCD's adult literacy programs are projected to serve 5,388 more students in Fiscal Year 2017, for a projected total of 13,061 students. A portion of the increased funding is also being used to strengthen program capacity and quality, so that students can achieve better learning outcomes. For example, community based literacy providers were able to attend increased professional development trainings offered by the Literacy Assistance Center, which is DYCD's literacy technical assistance provider.

In the past year we also worked to connect DOE's adult literacy programs to DYCD's Beacon and Cornerstone programs. The DOE's programs provide teachers, and DYCD's Beacon and Cornerstone community centers have space that can house classes. By helping facilitate such co-location partnerships, we are maximizing the resources of our agencies.

When Fiscal Year 2018 begins on July 1st, five new programs of DYCD's Comprehensive Services for Immigrant Families portfolio will begin. The programs will incorporate a new service delivery model that will connect all family members to the services they require, while providing follow-up to ensure that the services have been received. The target population is recently arrived families with limited English proficiency. We also targeted community districts with higher numbers of newly-arrived immigrants and persons living in poverty, compared to other community districts within the same borough. Through this new program model, we anticipate that more immigrant New Yorkers will be served than in the past.

DYCD is also partnering with IDNYC to expand the number of young people who can obtain the IDNYC card. We are working together to identify SYEP providers who can host IDNYC pop-up sites at the same time as when SYEP enrollment occurs. This will maximize the chance that an SYEP participant can apply for and obtain the card. Recently added benefits such as a 10% discount from Modell's Sporting Goods, and discounts to sporting and entertainment events, should make the IDNYC card extra attractive for our City's young people.

At this critical moment for our nation, DYCD remains committed to serving immigrant New Yorkers in all of our programs. A few weeks ago, MOIA presented at a meeting of DYCD staff and providers to answer questions and offer updates on the Trump administration's first travel ban and ICE activity. We will continue to partner with MOIA to keep DYCD's staff and providers updated on the status of immigration policies originating from the federal government.

Mayor de Blasio's investments in DYCD has led to historic growth for our agency, allowing us to serve more New Yorkers, including the City's diverse immigrant population. We look forward to continuing to work with the City Council, on essential programs and strategies to support immigrant New Yorkers. Thank you again for the chance to testify today.



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Good afternoon. My name is Avigail Ziv and I am the Executive Director for the International Rescue Committee (IRC) in New York. I would like to thank Speaker Mark-Viverito, Chairman Menchaca, members of the New York City Council and Committee members for giving us the opportunity to submit testimony on the International Rescue Committee in New York and the refugee and asylee services we provide.

The IRC is a global organization that responds to the world's worst humanitarian crises and is at work in over 40 countries around the world, while also working in 28 U.S. cities to oversee refugee resettlement and provide services to asylees and other immigrants. The IRC in New York is the oldest office in IRC's network and has been resettling refugees here for over 75 years. Since 1975, IRC in New York has resettled over 28,000 people in New York City and continues to resettle the largest number of refugees among resettlement agencies operating within the five boroughs. Today, the IRC in New York assists over 3,000 refugees, asylees and other immigrants annually through a network of holistic programs and services including case management, free English language learning and other adult education courses, housing assistance, job training, youth academic support programs, and immigration assistance. Our Immigration Department serves approximately 800 individuals from across the City each year with citizenship, green cards and family reunification applications.

The resettlement process is a humanitarian effort to help people displaced by war and persecution to rebuild their lives and thrive in New York City. On March 7, President Trump announced a revised travel ban that once again targeted refugees. Despite the recently issued Temporary Restraining Order by the U.S. District Court in Hawai'i, this order dramatically cuts the number of refugee arrivals this year from 110,000 to 50,000 individuals. Not only is the President taking disastrous steps against a program that has provided families who have lost everything the opportunity to create a new life without fear or violence, but it also means a reduction in funding and revenue for the organizations that oversee resettlement programming. Resettlement agencies including the International Rescue Committee, CAMBA, Catholic Charities Archdiocese of New York, Catholic Charities Brooklyn/Queens and HIAS are allocated funding on a per arrival basis through a contract with the U.S. State Department. Moreover, funding through other State and Federal agencies is also formulated based on the national refugee arrival numbers.



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This puts in jeopardy the capacity for resettlement agencies to provide continued services for those refugees and asylees that are already here and in need of case management, employment and other support services.

We are proud that the New York City Council has affirmed its commitment to refugees, asylees, and other immigrants in the City, including the Committee on Immigration's Resolution in July 2016 to increase the number of refugees in the U.S. We see the need for this continued leadership more than ever as the refugee resettlement program faces threats and uncertainties. As such, the five resettlement agencies in New York City have come together to put forward a funding request of \$335,000 to provide case management, employment and support to refugees, asylees, and other humanitarian entrants in New York City. This would include developing and refining job skills, connecting clients to professional work, offering English language instruction and other educational opportunities, providing access to legal services, and linking clients to community resources to thrive in a new environment.

We thank the New York City Council Immigration Committee for this opportunity to provide testimony.

The International Rescue Committee of New York

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**Written Testimony of Sanctuary for Families
Submitted to the New York City Council, Committee on Immigration
Chair, Council Member Carlos Menchaca
(Hearing on March 22, 2017)**

Sanctuary for Families, home to the nation's largest immigration legal practice for domestic violence and trafficking victims, respectfully submits this testimony to the City Council's Committee on Immigration for its review. We are very grateful for New York City's extraordinary leadership and vision in recognizing the immense contributions immigrant New Yorkers make to our diverse city, and decision to ensure broad immigrant access to legal protections. The support of both the City Council and agencies like the Human Resources Administration/ Department of Social Services (HRA/DSS) to ensure representation of detained immigrant New Yorkers in removal proceedings, and creating the large-scale ActionNYC Program, have been life-saving for many vulnerable members of our community.

In spite of the City's robust efforts in this area, immigrants in New York and nationwide are more at risk now than at any time in recent history. The new federal administration's promises and its actions—from Executive Orders that threaten immigrants from majority Muslim countries, to greatly heightened daily enforcement practices by U.S. Immigration and Customs Enforcement—has generated intense fear and anxiety among immigrants. Due to the existing immigration court system backlogs, thousands who have filed for legal immigration status are stuck in procedural limbo—often waiting months or years for a court date. These immigrants are at serious risk of deportation while they await the lawful status for which they have applied in good faith. Indeed, in the current climate, it is clear that anyone who is not a U.S. citizen may be at risk of deportation.

For victims of domestic violence, trafficking, and related forms of gender violence, it has created a particularly dangerous “new normal”—one in which it may seem safer to endure abuse and exploitation rather than calling the police or seeking an order of protection in court. Needless to say, this situation confronting too many immigrant victims threatens the very foundation of our city's broadly accessible criminal justice system.

A small handful of organizations like Sanctuary—those with specialized expertise in the full range of legal remedies for which immigrant abuse victims may be eligible, and with broad cultural and linguistic capacity to reach immigrants from all over the world—are uniquely poised to make an impact in this dangerous situation. In the last five years alone, Sanctuary's 15 full-time immigration staff attorneys—supported by the work of more than 500 *pro bono* attorneys annually—have represented **4,000 clients in immigration matters that put them on a path to secure legal status** with a near 100% success rate. This includes representation in complex cases, such as removal proceedings, gender-based asylum, and T-visas, which few legal providers have the capacity to handle. Hundreds of clients have been reunified with their children, often after many years of separation across international borders.

Sanctuary's immigration attorneys have been leaders not just in protecting immigrant rights but in securing permanent immigration status for them. Most recently, following the Presidential election, these attorneys proactively reached out to the most at-risk clients to discuss safety plans and reassess their cases to best protect them from removal. They have made great efforts to share real-time information with clients to allay unfounded fears while ensuring that they know how to stay safe. They were among the first to respond at JFK Airport in February, recruiting over 100 attorneys from firms and nonprofit legal providers to provide emergency legal aid, and directing the efforts of dozens of less-experienced attorneys.

In the year ahead, Sanctuary's immigrant clients face increased threats of detention, removal, and hate crimes being perpetrated even in our City. And at this inopportune moment, Sanctuary's legal programs also face serious threats due to proposed federal funding cuts. We stand to lose up to \$400,000 in funding **specifically for immigration legal services through two programs targeted for cuts**: both the Violence Against Women Act (VAWA) and Community Service Block Grants.

We were profoundly grateful to the City Council last year, for preserving the Immigrant Opportunities Initiative (IOI) funding for Sanctuary and several other organizations which had been shut out of the IOI RFP process. As we described to the Immigration Committee last year, that RFP privileged a handful of the largest and most well-funded legal service providers at the expense of small and mid-sized specialists like Sanctuary, and required huge caseloads that would make assistance with complex legal cases all but impossible for contractors to sustain financially. Sanctuary nonetheless partnered with one of the city's large legal service providers—a close community partner of ours—to file an application, but the proposal was not funded.

In fact, much of the City's current funding for immigration legal services ties funding to impossibly high performance goals, forcing legal services organizations—out of necessity—to concentrate on serving those immigrants who need only the simplest legal remedies. City initiatives geared towards outreach to immigrant communities and mass legal screening have helped in alerting immigrants to potential eligibility for relief—but do not adequately address the need for high-quality legal representation.

At Sanctuary we don't see many of the simple, easy-to-file cases—many of those go to organizations that don't have our specialized expertise, and can handle them quickly. The vulnerability of our clients means that nearly all of our cases require a substantial investment of time. Helping an immigrant victim of trafficking secure the prosecution of their trafficker and the right to remain in the U.S., or helping an immigrant victim of domestic violence cancel deportation proceedings to allow them to remain here with their children, require an average of 50-60 attorney hours. Support for representation in life-saving cases like these—each of which provide a path to citizenship and lift entire families out of poverty—is desperately needed. Unfortunately, such support is in short supply in a funding climate emphasizing high-volume caseloads of light-touch cases just to be able to pay for a first- or second-year attorney.

With these issues in mind, this year we hope the City will **restore and increase** funding for Sanctuary's best-in-class immigration legal services—to ensure that we are able to

maintain current service levels, to protect these services against deeply at-risk federal funding, and ultimately to EXPAND our legal services to meet the overwhelming new need. While programs like ActionNYC make an impact for thousands of immigrants, these programs demand caseloads that make assistance in complex cases all but impossible for providers to sustain financially. With the new federal administration, we also expect a substantial increase in our vitally important appellate work, as we vigorously appeal cases to ensure that aggressive new immigration policies and practices do not prevail.

We are confident that the City will continue to be a leader in supporting our incredible immigrant population. Thank you for this opportunity to testify—and thank you for your work on behalf of our city's most vulnerable immigrants.

For more information, please contact John Wyeth at Sanctuary for Families: Jwyeth@SFFNY.org or 212 – 349 – 6009 (X266).

Preliminary Budget Hearing – Committee on Immigration**Testimony Submitted to
NYC Council, Committee on Immigration****Testimony Submitted by
Fryda Guedes
Director of Immigration and Civic Engagement
Hispanic Federation****March 22, 2017**

Good afternoon, my name is Fryda Guedes and I am the Director of Immigration and Civic Engagement at the Hispanic Federation (HF). Chair Menchaca and committee members, thank you for the opportunity to testify on behalf of Hispanic Federation and our member agencies.

Hispanic Federation is the premier Latino membership organization in the nation founded to address the many inequities confronting Latinos and the nonprofits that serve them. For more than 25 years, Hispanic Federation has provided grants, administered human services and coordinated advocacy for our broad network of agencies that serve more than 2 million Latinos in areas of immigration, health, education, economic empowerment, and civic engagement.

The Federation would like to commend the Council's Committee on Immigration for your leadership and support in ensuring that New York City is a place where immigrants can prosper and feel safe. Since 2015, New York has seen the creation of the IDNYC program and Action NYC, two tremendous programs that aim to assist hundreds of thousands of immigrants.

To secure the existence of these and other programs that aim to serve the immigrant community and safeguard New York City as an immigrant sanctuary, Hispanic Federation recommends that the New York City Council continue to allocate funding to the following:

Immigrant Opportunity Initiative, Adult Literacy Services Initiative & Action NYC

New York City's Immigrant Opportunity Initiative (IOI) provides access to crucial services to NYC's immigrant community, providing funding for English for Speakers of Other Languages (ESOL) classes, citizenship and permanent residency application assistance, and support with employment authorization and issues. The entire community benefits from these immigration programs. As immigrants learn English, their chances of obtaining jobs with better pay increases, leading to bigger tax contributions to the City and empowering immigrants to civically contribute to their communities.

Funding for IOI has steadily decreased since its height of \$11.25 million in 2008 to the \$2.6 million in 2016. However, NYC's foreign-born population is steadily growing. Currently, over 37% of NYC's population is foreign-born. Over the past 6 years, state and federal funding for immigrant services has drastically decreased, putting a burdensome strain on immigrant service providers. In order to meet the need for immigrant services in this great city, Hispanic Federation recommends that the NYC council allocate a total **of \$13 million for IOI, or at the very least, double the baselined amount of funding for IOI.**

ActionNYC was designed to develop an immigrant legal services and outreach infrastructure in New York. Regardless of the Deferred Action Program's trajectory at the Federal Level, ActionNYC provides necessary services for our immigrant community – among them, screenings for existing forms of immigration benefits. ActionNYC is a way for our immigrant brothers and sisters to obtain free, quality immigration legal help in their community. **Hispanic Federation recommends funding ActionNYC at 8.3 million for FY 2018.**

Hispanic Federation also recommends that the **NYC Council baseline the amount of funding for NYC's Adult Literacy Services at \$15 million dollars.** With state and federal funding for literacy services also at a decline, community-based organizations are constantly struggling to stay afloat to provide staple services such as Adult Basic Education (ABE), ESOL and GED preparation classes. As these organizations are trusted by community-members and located within the heart of affected neighborhoods, adult literacy service providers are among the best qualified and most effective in New York City. They provide a comfortable and intimate setting for participants to become educated, gain indispensable skills and obtain their degrees. As more individuals complete these programs, the entire city benefits: every GED/high school diploma earned generates net benefits in the amount of \$324,000 for the City.

New York Immigrant Family Unity Project

In 2013, the NYC Council provided \$500,000 in funding to launch a pilot program called the New York Immigrant Family Unity Project (NYIFUP). The goal of the NYIFUP is to provide legal representation to indigent immigrants in removal proceedings in New York City. To date, NYIFUP has been a tremendous success. However, the need is great for all New Yorkers in removal proceedings, not just those who find themselves in detention.

The right to legal representation does not extend to immigration courts. Sixty percent of detained immigrants and 27% of non-detained immigrants in New York do not have legal counsel. There are over 70,000 immigrants who are facing imminent deportation in New York City's immigration courts – including thousands in detention. Many lack access to counsel in these removal proceedings, and these numbers are expected to grow as new immigration enforcement priorities are implemented. Having representation greatly impacts the client's experience in detention and probability of relief from removal. In fact, individuals who have legal counsel in removal proceedings are ten times more likely to have a successful outcome.

The Federation strongly encourages the NYC Council to increase funding for NYIFUP in the FY 2018 budget to **\$12 million to enable the program to provide legal representation to at least 3,600 NYC residents** and allow agencies to deliver quality services to those truly in need, keeping families together, ensuring due process and equal access to representation.

New York City's Unaccompanied Minors & Families Initiative

According to U.S. Customs and Border Protection, since 2013, the Department of Homeland Security has apprehended over 175,060 children fleeing human rights abuses, violent gangs, domestic violence, drug traffickers, human trafficking, and economic deprivation at the southern border. Since 2013, New York State received almost 15,098 unaccompanied minors and about one third of those minors reside in New York City.

These children fled the unspeakable violence of their home countries, suffered the physical and emotional stress of their journey, and endured the confinement of detention centers. Post-border crossing, these youth spend months – if not years – entangled in immigration and family court proceedings which forced them to revisit their trauma on a regular basis.

Between 40% and 60% are estimated to be eligible for immigration relief. But, if they don't have an attorney, they don't know what they qualify for in the process of obtaining the legal relief.

New York City's Unaccompanied Minors and Families Initiative seeks to provide every unaccompanied minor in New York City with an attorney, and to provide this population with legal services, health care, education, and social services. **Hispanic Federation recommends that NYC increase funding for this program at \$4.5 million.** These funds would cover attorneys for the 2,290 unaccompanied minors living in New York City in need of legal services.

Immigrant Health Initiative

New York City's Immigrant Health Initiative focuses on decreasing health disparities among foreign-born New Yorkers by: improving access to health care, addressing cultural and language barriers; and targeting resources and interventions. Given the increased uncertainty in access to healthcare among immigrants throughout the country, Hispanic Federation urges that **NYC fund this program at \$1.6 million** and provide these essential services to its immigrant community.

IDNYC

With nearly 1 million IDNYC cardholders, IDNYC is the largest municipal ID program in the country and we must allocate adequate resources to this program to continue its success. In these times of uncertainty and fear, we need to support IDNYC so that all city residents can feel confident interacting with police, entering their child's school, and accessing city services. **Hispanic Federation recommends allocating \$18.8 million to the IDNYC program.**

Thank you for your time and attention to these important issues. It is our hope that making these investments in the final FY 18 Budget will improve Latino community-based organizations that provide essential services and build a stronger New York City for us all.



Immigrant Bridge

Immigrant Bridge was a \$1M citywide pilot program launched by the New York Economic Development Corporation in 2013. Over its 2-year implementation period, the program helped link 600 unemployed and under-employed immigrants with professional experience and academic credentials to jobs in high growth industries in NYC. Since immigrants account for nearly half of the NYC labor force and one-third of NYC immigrants have 2 or 4 year college degrees, CAMBA, Goodwill Industries of New York and Northern New Jersey, Inc., and Upwardly Global provided specialized services to connect these immigrant professionals with NYC employers offering high quality jobs in industries such as technology, engineering, finance and accounting which are facing a shortage of skilled workers. Funding for the program officially ended on December 31, 2014. Our 3 organizations have formed a collaborative to continue the model and systemically take advantage of the value skilled immigrants can deliver to NYC employers and the economy.

Robust Program Model

- Citywide program that serves immigrants from all 5 boroughs and neighborhoods as diverse as Parkchester, Bronx, to Astoria, Queens to Coney Island, Brooklyn
- Instruction on career development, re-credentialing, job search processes, and US work culture delivered in person and online. Providers have ability to deliver program and work with employer partners in all 5 boroughs.
- Development of long-term roadmaps to target positions
- Networking with professionals in fields of interest
- Individualized career advisement up until time of placement
- Emphasis on placing participants in competitive, gateway/advanced positions with strong pay thereby supporting struggling families and boosting local consumer spending and tax revenues
- Focus on growth industries and in-demand skill sets with a special interest in STEM, finance/accounting and healthcare fields. Example positions achieved include Financial Analyst, Medical Resident, and Computer Programmer.

Outcomes

- **Over 720% Return on Investment** generating \$8.2M in annual new income directly attributable to the program
- 600 clients enrolled
- 90% training completion rate
- 60 % job placement rate
- Average starting salary \$45K; 10% earning \$75k or above

Benefits of Skilled Immigrant Integration

- Addresses the skills gaps
- Sparks job creation
- Improves tax revenue, reduces outlays, reduced demand for public supports
- Fosters economic independence for families
- Relieves low-skills job crowding

Looking Forward

CAMBA, Goodwill Industries of New York and Northern New Jersey, Inc., and Upwardly Global respectfully request a **\$1M investment in the Immigrant Bridge Program**. This investment will allow us to continue to provide these invaluable services to immigrant professionals and generate millions in taxable income for the City.



**FOR YOUTH DEVELOPMENT
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY**

**New York City Council
Committee on Immigration
Honorable Carlos Menchaca, Chair**

**Testimony of YMCA of Greater New York
Presented by Rachael Rinaldo, YMCA New Americans Initiative**

**Preliminary Budget Hearing
March 22, 2017**

My name is Rachael Rinaldo, Director of the Staten Island YMCA New Americans Welcome Center, and I will be testifying on behalf of the YMCA of Greater New York. Before presenting my testimony, I wanted to thank Council Member Menchaca for his leadership, as well as Speaker Mark-Viverito, Finance Chair Ferreras-Copeland and the Immigration and Finance Committee members for holding this Preliminary Budget Hearing on Immigration.

New York City's YMCA is committed to building a healthier, stronger and more connected city. Our organization of over 4,000 employees works every day to help people make positive changes in their lives and we invest in the communities we serve. With 24 YMCA physical branches and more than 100 community sites across the city, the YMCA is among the city's largest providers of youth and immigrant services and an important anchor, convener and catalyst for transformational change in underserved communities.

Nearly a century ago, in 1918, the YMCA introduced English language classes for new immigrants. The Y met immigrants coming off boats at Ellis Island to offer services and support for building a new lives. And our commitment to helping New Americans succeed has continued for nearly a century. In 1981, the YMCA established the New Americans Initiative that has become one of the city's largest non-profit adult literacy program providers, serving more than 4,200 participants in 2016 the the Y's New Americans Welcome Centers (NAWCs).

NAWCs were established in 2007 to help newcomers achieve literacy, cultural competence, and self-sufficiency. Located in seven YMCA branches across all five boroughs, these centers offer equitable opportunities in education, such as English as a Second Language, Adult Basic Education, High School Equivalency and Computer Literacy. In addition to community outreach, community orientation and civic engagement opportunities, the Y's NAWCs also offer job training, legal services, citizenship preparation classes, family and individual counseling, case management for access to social services and health care, and a host of capacity-building workshops focused building a successful life in the United States,.

As you are well aware, there are currently more New York City residents lacking a high school diploma, English proficiency or both than there are classroom seats. I would like to tell you a story about Barry, a student in our New Americans program who emigrated from West Africa in 2010 seeking political asylum from an abusive government that sentenced him to death for challenging the ruling elite as an investigative journalist. Barry's story is a clear testament to how legal services, English literacy instruction and basic adult education greatly enhance New Americans' abilities to obtain gainful employment, support the academic success of their children and navigate the health care system.

Barry could not be with us here today, so I will now read to you the testimony that Barry provided:

"The New Americans Welcome Center has changed my life in ways I could have never imagined. In 2010, I came to the NAWC with no place to live, no job and my belongings fit in one bag. I couldn't speak a word of English. Today, I write this story in English, and I have a safe place to go to where I study English and have achieved all of the goals I set out to achieve.

"See, I came to the U.S. because I was arrested, tortured and a death warrant was put out for me in my home country. I had no choice but to leave my wife and five children behind. Separating myself from them was the hardest thing I could do, but I did not want them to bury me. When I finally arrived in Staten Island, I found the NAWC. I immediately started studying English and soon after began to trust the program's coordinator. I went to her office one day to tell her my story and, from that moment on, she and her staff have helped me in ways I couldn't have imagined.

"Today, I read, write and speak English. Today, I have a job and a place to live. Today, I have legal status in the U.S. and have petitioned to bring my family here. Today, I have the desire to live and for that I am grateful."

After close to four years apart, DNA testing, USCIS interviews and investigations, Barry and his family were reunited, and they are living in Flatbush where his wife is taking ESL classes at the Flatbush YMCA. His children are thriving in school and college, and he is gainfully employed as a taxi driver.

To meet the needs of more immigrants like Barry, the YMCA is recommending that the Administration baseline a **\$12 Million Investment in Adult Literacy Services** to support [REDACTED] students in adult literacy programs, including English for Speakers of Other Languages (ESOL), Basic Education in Native Language (BENL), Adult Basic Education (ABE), and High School Equivalency preparation (HSE). As New York currently has 2.2 million residents who lack English proficiency and/or a high school diploma, the baselining of funds would safeguard thousands of adult learners' ability to seek opportunities through education.

The YMCA would like to thank the City for its strong leadership and investments in opportunities for immigrants over the past several years. We, along with fellow CBOs and

providers, believe it is crucial for the City to make additional investments in literacy programming, which would help to achieve the field's goal of universal literacy.

Thank you for the opportunity to testify. We believe that together we can all people who live in New York City learn, grow and thrive, and we look forward to continuing our successful collaboration and to working with your committee and the City of New York for many years to come.

If you have any questions, please feel free to reach out to Sharon Levy, Vice President of Public Affairs (slevy@ymcanyc.org or 212-630-9640) or me (rrinaldo@ymcanyc.org or 718-981-4382).

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jennifer Alexa Martinez Arzu

Address: Bronx, NY

I represent: ICARE - SAFE PASSAGE

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3-22-15

(PLEASE PRINT)

Name: FRANCISCA COLON (CLIENT)

Address: LEGAL AID SOCIETY, 199 WATER ST.

I represent: LEGAL AID SOCIETY MC 10038

Address: 199 WATER ST 3rd FLOOR 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Theo Oshiro

Address: 301 Grove St Brooklyn NY

I represent: Make the Road New York

Address: same as above

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MATTHEW KENNIS

Address: _____

I represent: LIBERTAS CENTER for Human Rights

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MEREDITH FORTIN

Address: MATTHEW KENNIS

I represent: PHYSICIANS FOR HUMAN RIGHTS

Address: LIBERTAS CENTER for Human Rights

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MEREDITH LAUREN DESSO

Address: MATTHEW KENNIS

I represent: PHYSICIANS FOR HUMAN RIGHTS

Address: HEALTH RIGHT INTERNATIONAL

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/17

(PLEASE PRINT)

Name: Jim Sun Park

Address: _____

I represent: New York Legal Assistance Group (NYLAG)

Address: 7 Hanover Sq, 18th Fl, New York, NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Kelly Agnew Borjas

Address: 80 Maiden Lane, 13th Fl, NY, NY 10038

I represent: Catholic Charities

Address: " "

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Brett Stark

Address: 80 Maiden Lane, 13th Floor, NY, NY 10038

I represent: Catholic Charities

Address: " "

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Elaine Roberts

Address: 80 Maiden Lane

I represent: Catholic Charities Community Services

Address: 80 Maiden Lane

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Shani Adess

Address: Safe Horizon, 2 Lafayette St. ~~Box~~ NY, NY

I represent: Safe Horizon

Address: 2 Lafayette St. NY, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Eve Stotland

Address: 121 Ave of Americas

I represent: ICARE Coalition

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/17

(PLEASE PRINT)

Name: Commissioner Nisha Agarwal

Address: Mayor's office of Immigrant Affairs

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Commissioner Burke

Address: _____

I represent: DSS

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: March 22, 2017

(PLEASE PRINT)

Name: Nyasa Hickey

Address: _____

I represent: Brooklyn Defender Services

Address: _____

▶ Please complete this card and return to the Sergeant-at-Arms ◀

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: Howard Shih

Address: 4 Ivy Ridge Ct., Mt. Kisco, NY

I represent: Asian American Federation

Address: 120 Wall St. 9th Fl, New York, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/17

(PLEASE PRINT)

Name: Leslee Oppenheim

Address: 51 Anderson St Bklyn NY

I represent: CUNY

Address: 205 E 42nd St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3-22-17

(PLEASE PRINT)

Name: SARIKA SAXENA

Address: 151 W. 30th St. 11th Fl. NYC

I represent: New York Lawyers For The Public Interest

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jennifer Friedman

Address: _____

I represent: The Bronx Defenders - NYIFUP Coalition

Address: 360 E. 161st St Bronx NY 10457

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: RICH LEIMSIDER

Address: 185 W BROADWAY

I represent: SAFE PASSAGE PROJECT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: CATHOLIC CHARITIES -

Address: RAIUCA ONCLOIU

I represent: KELLY AGNEW-BARAJAS

Address: BRETT STARK

Address: ELAINE ROBERTS

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: El Fachtalia El Maadadi

Address: Make the Road Adult

I represent: Literacy Student

Address: Affected Individual for 18 panel

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: Kevin Douglas / United Neighborhood

Address: Houses

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: Betsy Plum / New York Immig Coalition

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: Steve Choi / NY Immig. Coalition

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: Kim Sykes / NY Immig Coalition

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: Claudia Calhoon / NY Immig Coalition

Address: _____

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/17

(PLEASE PRINT)

Name: Rachael Rinaldo (Rinaldo)

Address: 5 West 63rd Street NYC 10023

I represent: YMCA of Greater NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/17

(PLEASE PRINT)

Name: BILL CHONG, COMMISSIONER

Address: 123 William Street

I represent: DYCD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: OCMAN ARMSTRONG

Address: 40 BROAD ST, 5th FLOOR, NY, NY 10004

I represent: FPWA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Ligia Cuyalpa

Address: _____

I represent: WOMEN'S JUSTICE PROJECT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/17

(PLEASE PRINT)

Name: Gonzalo Mercado

Address: 774 Port Richmond Ave. 2FL

I represent: La Colmena - NDLON

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: CARIN CANOIO FLORES

Address: _____

I represent: WOMAN'S JUSTICE PROJECT

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Rev. Dr. Janice M. Harris

Address: 125 York Ave S.I.N.Y. 10301

I represent: African Refuge Inc

Address: 185 Park Ave Suite LB S.I.N.Y. 10304

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Ibra Yankwitt

Address: 850 Broad St. Apt 5E 10452

I represent: The NYC Coalition for Adult Literacy

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Lourdes dela Cruz

Address: 1505 Townsend Ave. Apt 5E 10452

I represent: Literacy partners

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: Anna Zaki

Address: 770 9th Ave Apt D Brooklyn NY

I represent: AAANY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: Anna Zaki

Address: 770 9th Ave Apt D Brooklyn NY

I represent: AAANY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/2017

(PLEASE PRINT)

Name: Iman Udayhi

Address: 7602 Nassau Av

I represent: AAANY

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3-22-17

(PLEASE PRINT)

Name: BETH KRAUSE

Address: 199 WATER ST 3rd FL NYC 10038

I represent: LEGAL AID SOCIETY (ICARE)

Address: 199 WATER ST 3rd FL 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3-22

(PLEASE PRINT)

Name: HASAN SHAFIQUILLAH

Address: 199 WATER ST 3rd FL NYC 10038

I represent: LEGAL AID SOCIETY (NYIFUP)

Address: 199 WATER ST 3rd FL NYC 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3-22-17

(PLEASE PRINT)

Name: KAYODE OSENI (CLIENT)

Address: 40 199 WATER ST 3rd FL NYC 10038

I represent: LEGAL AID SOCIETY

Address: 199 WATER ST 3rd FL NYC 10038

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3-22-17

(PLEASE PRINT)

Name: Nyasa Hickey

Address: 177 Livingston Street, Brooklyn NY 11201

I represent: Brooklyn Defender Services

Address: 177 Livingston Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Lynlys Egges

Address: 40 Rector St. NY, NY 10065

I represent: Urban Justice Center - SWP

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/17

(PLEASE PRINT)

Name: Melissa Brennan

Address: _____

I represent: The Community Development Project

Address: 123 William St, 16th Fl, NY, NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/17

(PLEASE PRINT)

Name: Jojo Annobil

Address: 17 Battery Place

I represent: Immigrant Justice Corps

Address: 17 Battery Place

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Jesse Laymon

Address: _____

I represent: NYC Employment and Training Coalition

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/1/17

(PLEASE PRINT)

Name: Martha Lopez

Address: 372 Chestnut Street

I represent: Opportunities for a Better Tomorrow

Address: 280 Wyckoff Avenue, Brooklyn, NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Monique Francis

Address: _____

I represent: CUNY Citizenship Now

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 3/22/17

(PLEASE PRINT)

Name: RALUCA OTICIDILU

Address: 80 MAIDEN LANE

I represent: CATHOLIC CHARITIES (immigration

Address: 80 MAIDEN LANE Legal)

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Rosanna Eugenio

Address: _____

I represent: CUNY Citizenship Now

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Leslee Oppenheim

Address: _____

I represent: CUNY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: John Kotowski

Address: _____

I represent: CUNY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Allen Wernick

Address: 100 Benth Ave

I represent: CUNY

Address: _____

▶ Please complete this card and return to the Sergeant-at-Arms ◀