

**Testimony from Administration for The Mayor's Office of
Immigrant Affairs and NYC Office of Federal Legislative Affairs**

Committee on Governmental Operations, State and Federal Legislation

250 Broadway - 8th Floor - Hearing Room 3

November 20th, 2025

Introduction:

Good afternoon, Chair Restler and Members of the Committee on Governmental Operations, State & Federal Legislation.

On behalf of the City of New York, below is the testimony by several City agencies in response to your committee's request regarding the City's efforts to protect New York City (NYC) from federal overreach. These agencies include the Mayor's Office of Immigrant Affairs (MOIA) and the Mayor's Office of Federal Legislative Affairs (FLA). Thank you for this opportunity.

On September 15, 2025, the NYC Department of Social Services (DSS), and the NYC Health + Hospitals (H+H), and the Office of Federal Legislative Affairs (FLA) provided testimony for a related oversight hearing entitled *The Impacts of Federal Budget Cuts*. This hearing followed an April 16, 2025 hearing at which the New York City (NYC) Administration for Children's Services (ACS), Department of Housing Preservation and Development (HPD), Department of Health and Mental Hygiene (DOHMH), Department of Social Services (DSS), the Police Department (NYPD), Emergency Management (NYCEM), the Office of Federal Legislative Affairs (FLA), and NYC Public Schools (NYCPS) provided testimony for a related oversight hearing entitled *Preparing NYC for Changes in Federal Funding*. As shared in that testimony, this Administration remains steadfastly committed to protecting and serving every New Yorker. That focus drives everything we do.

We appreciate the Council's continued focus on the significant and immediate impact that federal government actions have on New Yorkers, especially those who rely on critical safety-net services. Federal shifts in funding, policy, and administrative action are not abstract; they have direct, measurable consequences for the people who live, work, and raise families in our city.

As we have testified in previous hearings, New York City depends on federal support to sustain essential programs that keep New Yorkers healthy, housed, educated, and safe. In FY 2025, federal aid represents approximately \$9.7 billion, or 8.3% of total City spending, and is projected to fall to \$7.4 billion (6.4%) in FY 2026.¹ These dollars fund core programs across healthcare, childcare, education, housing, emergency management, and social services. We also share deep

concern about the devastating impacts of H.R. 1 and other federal actions on healthcare coverage and access in New York City, as well as Supplemental Nutrition Assistance Program (SNAP) coverage in New York. H.R.1 will result in devastating cuts to programs that millions of New Yorkers rely on, like SNAP, Medicaid and the Essential Plan. Additional federal policy changes will leave many noncitizens without access to critical services. Several of these actions push beyond what has traditionally been understood as the federal administration's constitutional or statutory authority, although they could be deemed appropriate if sanctioned by Congress, and they carry direct consequences for New York City's residents and economy. This is why the Adams Administration has been tracking and consistently responding to recent actions by the federal government with urgency. Today's testimony outlines some of those actions we are taking to manage and mitigate the impact of federal actions affecting NYC.

New Yorkers should be assured that this Administration remains fully committed to protecting the services they rely on, fiercely safeguarding the wellbeing and safety of every New Yorker, and defending the resources necessary to sustain them. We will continue to identify where targeted federal advocacy is warranted, because—as we have underscored in earlier testimony—preserving these critical programs demands coordinated action across every level of government. We will also continue to closely coordinate and partner with the State as part of our efforts to protect City services and public safety.

We thank Chair Restler and the Members of the Committee for convening today's hearing and for your continued collaboration as we navigate the real-world impacts of federal actions, direct and indirect, on the communities we serve.

Office of Federal Legislative Affairs:

The New York City Office of Federal Legislative Affairs (FLA) serves as the Administration's principal liaison to the United States Congress, the White House, and all federal agencies. The office is charged with monitoring federal legislative, budgetary, regulatory, and administrative actions; evaluating their implications for City operations, services, and fiscal conditions; and advancing the City of New York's priorities at the federal level.

Current Federal Landscape and Recent Developments

Since the last hearing – and following the 44-day federal government shutdown in October and November, the longest in United States history – Congress advanced an agreement to restore federal operations. On November 10, 2025, the U.S. Senate approved a continuing resolution (CR) that provides funding for major federal departments through January 30, 2026, which also included several full-year appropriations, such as Military Construction–Veterans Affairs and Agriculture. This legislation was sent to the House, and on Wednesday, November 12, 2025, the

President signed H.R. 5371, or the “Continuing Appropriations, Agriculture, Legislative Branch, Military Construction and Veterans Affairs, and Extensions Act, 2026” into law.

As part of this legislative package, Senate leadership committed to a December vote on the extension of Affordable Care Act (ACA) marketplace subsidies, a matter of significant consequence for the City’s health-care delivery system and for the hundreds of thousands of New Yorkers who rely on subsidized coverage. While the Senate has taken bipartisan action to advance this agreement, the House of Representatives has not yet scheduled consideration, and the federal funding outlook remains subject to further negotiation.

FLA’s Actions and Ongoing Intergovernmental Work

Throughout this period of federal instability, FLA has undertaken an extensive set of actions to protect the City’s interests, ensure continuity of essential programs, and maintain real-time situational awareness for City leadership and agencies. These actions include:

- **Continuous federal monitoring and analysis.** FLA conducts daily reviews of congressional proceedings, federal agency actions, appropriations developments, and administrative directives. The office produces internal assessments for City Hall and affected agencies, enabling rapid response to emerging federal changes; and provides ongoing support and briefings to City agencies.
- **Coordinated engagement with City agencies.** FLA convenes regular interagency briefings with relevant agencies, including but not limited to DSS, H+H, HPD, DOHMH, NYCEM, NYPD, NYCPS and OMB, to evaluate program-specific risks, identify operational vulnerabilities, and develop cross-agency mitigation strategies.
- **Coordinated engagement with State partners.** FLA is part of the City’s wider Intergovernmental Affairs (IGA) team, which allows City Hall to provide agencies with a source for seamless, coordinated communication about the status of issues at different government levels. For example, FLA has joined the State Legislative Affairs (SLA) team on calls related to federal actions and funding with the State and both teams meet with agencies to discuss an outlook for funding cuts.
- **Direct advocacy with Congress and federal agencies.** FLA maintains continuous contact with the New York Congressional Delegation, relevant committee staff, and senior officials across federal departments. This includes formal correspondence, submission of technical analyses, and targeted advocacy to protect funding streams and program integrity.
- **Legal and administrative support when warranted.** FLA is in close contact with the Law department. While the details of the City’s legal response to federal actions that have jeopardized the City’s access to funding or threatened statutory obligations are often protected by privilege, FLA continues to consistently stand ready to provide support and

is active in providing details when information or clarification on federal actions are needed.

- **National coalition work.** Recognizing that many municipalities face similar federal pressures, FLA has kept in contact with our colleagues and contemporaries in other municipalities, many of which have a similar presence in Washington, D.C. We have also engaged with other large-city coalitions to track unified positions amidst federal proposals affecting urban communities.
- **Ongoing public-facing analysis and information-sharing.** FLA supports City leadership in preparing formal statements and assessments reflecting the City's exposure to federal decisions, ensuring accuracy, transparency, and assisting with providing timely information for the public or our partners in Congress and at the federal level regarding evolving federal risks.

One example of FLA's work since the last hearing includes ongoing efforts to support the Mayor's ongoing efforts to respond to the SNAP crisis¹, including due to the funding lapse during the shutdown, and to ensure that eligible New Yorkers retained access to vital benefits. This has included:

- Tracking federal funding, updates, orders, regulations, policies, and law; as well as providing an assessment of the current legislative landscape to agencies and leadership. [See Addendum I for an overview of cuts created by FLA]
- Ensuring a line of clear and open communication with agencies and Congressional offices, including to review options available to support communities.
 - Such efforts included supporting offices with efforts to consider mechanisms to supplement or distribute food or funding to those who did not have access to SNAP payments – and whether the City could do this given the State, not the City, manages the most reliable methods to distribute such funds to recipients – as well as options for waivers to allow NYC public schools to send additional food with students, including and beyond the free breakfast and lunches that it provides now.
 - FLA staff also supported Hill visits from agency principals.
- Supporting agencies with opportunities to submit public comments to proposed federal rules, including one regarding the U.S. Department of Agriculture's (USDA) proposed rule: Updated Staple Food Stocking Standards for Retailers in Supplemental Nutrition Assistance Program (SNAP) [See Regulations.gov; Docket No. FNS-2025-0018]².

¹ The 2025 SNAP crisis refers to a near-shutdown of the Supplemental Nutrition Assistance Program caused by the October 2025 government shutdown, which threatened to leave millions of Americans without food assistance. Funding was initially frozen in November due to the budget impasse, but federal judges ordered the use of emergency funds, leading to a temporary suspension of benefits or the disbursement of partial benefits in many states before the shutdown ended and full benefits were restored, including to the nearly 1.8 million NYC residents that receive SNAP benefits and 17,530 retailers across the State that have accepted SNAP benefits. It should also be noted that even though the shutdown is over, millions across the country will soon lose benefits due to H.R. 1.

² Available at <https://www.regulations.gov/document/FNS-2025-0018-0001>.

- Supporting agencies and keeping in close contact on press and information releases to ensure SNAP recipients are aware of resources, risks to benefits, and how to find assistance or answers to their questions.
 - In early November, IGA hosted, and FLA participated in, a briefing for elected officials at the City, State, and Federal Levels on the SNAP crisis and City efforts to address such efforts during the Shutdown, including assisting Congressional offices with collecting information for potential follow up actions and communication.
- Under the Biden Administration, this office also supported Mayor Adams when he served on the White House Task Force on Hunger, Nutrition, and Health.

Commitment to Vigilance and Protection of New Yorkers

The Office of Federal Legislative Affairs will continue to monitor federal developments with precision, communicate real-time information to City agencies, and between agencies and federal partners, and take proactive measures to identify operational and fiscal risks for New Yorkers that result from federal actions, as they emerge. Our focus is straightforward: to support, uplift, and contribute to the Mayor and agency efforts to: defend the City’s budget, protect critical federal funding streams, ensure that New Yorkers wellbeing and safety is protected, and ensure that programs New Yorkers rely on—food assistance, health care, public safety, emergency management, and core municipal services—remain intact.

Our commitment is to stay ahead of federal actions—including those which might be considered unexpected, unprecedented, or nontraditional—give City leadership clear and timely intelligence, and take every available step to safeguard New Yorkers and ensure that federal actions do not compromise NYC’s ability to serve its residents, protect its most vulnerable communities, and uphold the continuity and effectiveness of core municipal services.

Mayor’s Office of Immigrant Affairs:

Since the beginning of 2025, federal funding disruptions, eligibility changes for federally funded programs, and a deluge of new executive orders has created immense challenges for immigrant New Yorkers. Recent federal actions have created fear amongst immigrant communities and made life in America more precarious. This includes but is not limited to the termination of Temporary Protected Status and Cuba, Haiti, Nicaragua, and Venezuela (CHNV) Parole designations for several countries, which eliminated many immigrants’ ability to live and work legally in the United States and left tens of thousands of individuals and their families in limbo. Changes in the cost and renewal of employment authorization have driven people out of the formal economy. Just this week, the federal government published a new rule related to how an

immigrant can become a “public charge,” restricting the eligibility to use certain public program to exclude most immigrants living in our city.

The escalation of arrests at Immigration and Customs Enforcement (ICE) check-ins and courthouses, most notably at 26 Federal Plaza, has spread fear amongst immigrant communities and their families, with advocates and immigration judges reporting a decline in the number of people appearing in court. Similarly, the pressure of increased ICE raids, as we saw with the raid on Canal Street on October 20, 2025, are taking a tremendous toll. These actions sow distrust in government and create a chilling effect on the use of critical city services amongst immigrant New Yorkers.

MOIA’s immigration legal services and Know Your Rights programs have become even more critical in the face of mounting pressure from the federal administration. Since the beginning of the administration, MOIA has nearly doubled funding for immigration legal services through contracts with community-based organizations (CBOs). Our 38 MOIA legal support centers operate as part of a citywide model, with hubs in the neighborhoods that immigrants live and work. To support the most vulnerable populations, MOIA has increased funding for the Rapid Response Legal Collaborative (RRLC) which provides legal assistance to immigrant New Yorkers already detained or at imminent risk of deportation. MOIA has also expanded Know Your Rights Trainings through community organizations and public schools.

Across city government, tremendous efforts are underway to support immigrant New Yorkers. Our partners at Health & Hospitals, the Department of Social Services, Department of Health, NYC Public Schools, and outreach teams citywide continue to find ways to support vulnerable communities.

MOIA will continue to work alongside City Council and our many other city partners to protect immigrant communities against federal attacks on our immigrant communities and to rebuild trust in the local government.

Conclusion:

While the City has a long history of partnering constructively with the federal government, recent actions during the Trump Administration, including unprecedented budget directives and intervention into long-standing safety-net programs, illustrate the growing impact of federal overreach on local governance. These actions – from the abrupt administrative directives and funding freezes to unprecedented reductions to core programs and immigration raids – have had both immediate and tangible consequences for New Yorkers, and especially those who rely on nutrition assistance, healthcare coverage, housing supports, and other essential services.

However, they also pose risks to the health, safety, and stability of all those in NYC, short and long-term.

We remain committed to using every tool available to protect New Yorkers and to uphold the integrity of the programs that strengthen our city and to which the people of this City have the right to expect from its federal government. The Administration remains committed to ensuring that the City's voice is heard in Washington and that our communities are protected from destabilizing federal actions. We also thank the City Council for recognizing the moment, including through significantly expanding funding for immigration legal services this fiscal year.

As we have discussed in previous hearings, recent federal proposals, beyond the federal government shutdown—including reductions to the Supplemental Nutrition Assistance Program (SNAP) and Medicaid—would constitute the largest cuts in the history of both programs, removing billions of dollars from New York City's economy and threatening the stability of hundreds of thousands of households.² These are not line-items or budget abstractions; they are meals for children, medical visits for seniors, rental assistance for families, and community-based supports for vulnerable New Yorkers across every borough.

We appreciate the opportunity to provide this testimony and urge the Council to continue partnering with us in calling for federal actions that respect local governance, safeguard essential benefits, avoid actions that harm communities; to avoid destabilizing the systems countless New Yorkers rely upon, to safeguard the well-being of all New Yorkers.

**New York City Council
Committee on Governmental Operations, State & Federal Legislation**

**Testimony by:
Muriel Goode-Truant, Esq., Corporation Counsel of the City of New York
New York City Law Department**

Oversight Hearing -- Protecting New York City from Federal Overreach

November 20, 2025

Thank you for this opportunity to inform the Council about actions the New York City Law Department has taken to defend the City's programs, policies and laws from federal overreach.

Since January 20, 2025, the Trump Administration has issued a series of executive orders, policy documents and notices impacting federal spending programs, including notices terminating federal funds payable to the City and City-related entities, such as the New York City Public Schools. The Trump Administration has also taken numerous citizenship and immigration-related actions that impact New Yorkers, from seeking to end birthright citizenship and protected immigration statuses to detaining New York City school students.

The Law Department has coordinated the City's response to all these actions. The Law Department has participated in over thirty five (35) legal proceedings against the federal government. In some of these cases, we have directly sued the Trump Administration for actions taken to terminate federal funding or condition such funding on compliance with the Trump Administration's policy priorities. Recently, in one such lawsuit, we have sought the rescission of a decision discontinuing grants for millions of federal dollars that support nineteen (19) New York City Public Schools' magnet programs. In other cases, we have intervened to ensure that the City's interests remain protected or joined coalitions of other cities and states to streamline our litigation efforts. We have also filed almost two dozen amicus briefs in cases where the City's interests were not directly implicated but where it was important for the City's voice to be heard. For example, the Law Department has submitted briefs supporting the habeas petitions of several students who were detained by federal immigration officials in locations of civic interest, including courts, schools, and churches. And where the federal government challenged the City directly—namely, its current lawsuit seeking to invalidate our sanctuary city laws—we are vigorously defending the City's laws and its right not to be conscripted into the federal government's immigration agenda.

But litigation is not our sole recourse to federal overreach.

We also have submitted formal comments to various federal agencies advising against actions that would hurt New Yorkers, such as the U.S. Department of Education's attempt to limit eligibility to the federal Public Student Loan Forgiveness Program and the U.S. Department of Health and Human Services' recent guidance to restrict the provision of public benefits to non-citizens.

Furthermore, in June the Law Department established a new unit within our Executive Division, the Executive Litigation and Policy Group. This team, which the Law Department is currently expanding, is a cohort of lawyers engaged in research, litigation, and counseling matters related to the federal government's aggressive use of its levers of power. This unit also coordinates with other divisions within the Law Department. Additionally, the Law Department coordinates with other municipal law offices from around the country as well as with the Office of the Attorney General of the State of New York to ensure New Yorkers' interests are represented.

| We look forward to -coordinating with the City Council in pursuing our shared goal of protecting the City from federal overreach.



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
BRAD LANDER

**Testimony of New York City Comptroller Brad Lander:
New York City Council Committee on Governmental Operations, State & Federal Legislation
Protecting New York City from Federal Overreach**

November 20, 2025

Good morning Chair Restler and Members of the Committee, and thank you for convening this important hearing on protecting New York City from federal overreach. This is an urgent moment. National Guard or federal troops have been deployed, against the wishes of state and local elected officials, to Chicago, Los Angeles, Portland, Washington DC, and now Charlotte, stoking fear, provoking chaos, and imposing federal power in a manner designed to undermine constitutional democracy. ICE agents are lawlessly abducting our neighbors every single day. President Trump has weaponized federal funding, using taxpayer dollars for purposes of coercion and extortion.

Now, in the wake of New Yorkers' election of Mayor-election Zohran Mamdani, Trump and his Administration are threatening to send troops here, to further ratchet up ICE agents' brown-shirted abductions across the five boroughs, and to cut off funds to which we are legally entitled. It is a critical moment for unified action by New York's local, state, and federal officials. It has been profoundly disappointing that Eric Adams has utterly failed to stand up for New Yorkers in the face of this federal onslaught; and let's be clear: that's a key reason why voters utterly rejected him at the polls. Thank you to the City Council for approaching this issue with the deadly seriousness it requires, and for convening today's hearing. This is a moment for New Yorkers to be united in our resolve.

Federal overreach has primarily taken on three forms: (1) aggressive abduction, detention, and deportation of immigrants, without sufficient legal basis; (2) weaponizing and withdrawal of federal funds; and (3) deployment of out-of-state National Guard or federal troops without sufficient rationale and over the objection of state and local officials. New York City has already seen the first two. Now, we are preparing for the third. I will talk briefly about each, and how New York can respond.

Abduction and detention of immigrant New Yorkers, without legal basis

Nearly one in three New Yorkers is an immigrant, and over half of the City's workforce is made up of immigrants or children of immigrants. These are not just numbers, they are home health aides, delivery workers, small-business owners, students getting their high school diplomas, and parents juggling two jobs. They are New York City.

Trump's cruel and often lawless mass deportation agenda violates the Constitution, and the values of this immigrant city, with that copper-plated statue in the harbor. In recent months, I have spent a great deal of time in immigration court. It is impossible to sit there, day after day, watching masked ICE agents violate the centuries-old sanctuary of courthouses, separating families and abducting individuals following the rules for seeking asylum pursuant to the global convention against torture, without identifying themselves, presenting warrants, and giving any reason for the arrests, and not feel heartbroken and furious.

And we are already seeing how quickly that agenda can devastate communities. The horrific raid on Canal Street, where immigrant street vendors were swept up in a show of force meant to intimidate an entire neighborhood, is just the first example.

In court, at ICE check-ins, and now increasingly in our neighborhoods, the consequences are not abstract. They fall on real people, with real lives and families and schools and jobs. The Trump Administration has detained or deported thousands of immigrants (and some U.S. citizens), the significant majority of whom had no criminal record and presented no public safety threat. Here are just a few of the New Yorkers we have met in recent weeks whose lives have been upended by this broken system:

- Joel, a 16-year-old junior at Gotham Collaborative High School with Special Immigrant Juvenile Status, was detained at his ICE check-in despite having lawful protection. He was taken into ORR custody and held for several weeks before a judge finally ordered his release on November 17, allowing him to return to his loved ones, his community, and his favorite classes.
- I watched ICE agents seize “George” immediately after his master calendar hearing, even though the immigration judge had simply asked him to provide additional information for his asylum application and return in April 2026. Agents detained him without verifying his identity and later released him only after realizing he was not the person they were targeting. My office helped connect him with legal services so he can prepare his asylum case.
- Following his master calendar hearing, “Connor” was detained by ICE in front of his wife and three young children and transferred to a detention facility in Louisiana. Because NYFIUP contracts restrict out-of-state representation and legal providers in Louisiana are extremely limited, he was unable to secure counsel to appeal a removal order issued against him while he was detained.

These are not isolated cases. They are snapshots of a system designed to intimidate, destabilize, and deport. And it is about to get worse. Just this week, White House Border Czar Tom Homan, who is competing to be both the crudest and cruelest member of the administration, threatened to “flood the zone” and send more federal agents here.

New York City is the largest sanctuary city in the country, home to the largest population of immigrants in the country. With a new incoming Mayor, we have a real opportunity to change course.

Thanks to the Council and immigration advocates, last year’s budget saw a major increase in funding for immigration legal services, but the need remains far greater than the resources we have. These service providers, advocates, volunteers, and mutual aid groups are doing the heavy work, twenty-four hours a day, seven days a week, to show up for immigrant New Yorkers. What is most urgent now is flexible funding that can respond to fast-changing conditions, from full representation in removal proceedings to emergency habeas petitions for New Yorkers taken to out-of-state detention centers, and to expand the capacity of our legal services providers so they can keep pace with the rising demand.

My office looked at how other sanctuary cities are responding and found promising models an incoming Mayor could replicate:

- In Los Angeles, the City coordinates rapid response efforts while trusted community groups, labor unions, and mutual aid networks lead on the groundwork, protecting sensitive data and mobilizing quickly when ICE shows up.

- In Illinois and Colorado, centralized intake systems gather key information once and route people quickly to the right help, reducing confusion and helping ensure no one falls through the cracks.
- In Colorado, nonprofits partner with a vetted network of private immigration attorneys through a shared platform, almost like a virtual law firm, which expands capacity by shifting straightforward cases to private counsel so nonprofits can focus on complex deportation defense.
- And in Chicago, the Mayor strengthened sanctuary protections through executive orders requiring clear officer identification, increasing transparency around federal enforcement, and coordinating citywide defense of residents' rights.

New York City knows how to rise to moments like this. We should advance the bills that will strengthen our sanctuary city laws, like Council Member Hanif's Trust Act and the New York for All Act at the State level. And we should look to the best practices in other cities to strengthen our legal service and rapid-response capacity today, along with the City and State task force I have called for to identify vulnerable funding streams, so that we are far more prepared for what is coming tomorrow.

My office is preparing a detailed memo for the incoming Mamdani Administration on how it can better coordinate with legal service providers, deploy the funding that the City Council allocated, address procurement issues to deploy these resources effectively, and provide legal protection, advice, and representation to as many of our neighbors as possible. We will of course be glad to provide it to the Council as well.

Weaponizing and withdrawal of federal funds

Just days after the election, my office released [Protecting NYC](#), a report that assessed the risks ahead, from threats to the City's budget, economy, and infrastructure to the rights and protections of the most vulnerable New Yorkers. It identified how federal funding cuts, immigration enforcement, infrastructure pullbacks, and civil rights rollbacks could play out in real time. Many of those risks are now coming to fruition, and still the City did next to nothing to prepare.

When we uncovered that 80 million dollars in FEMA funds, money already disbursed to New York City, had been quietly clawed back by the Trump Administration, and Mayor Adams was failing to do anything about it, we forced the Adams Administration to sue to get our money back. That case is still in court. The Law Department is working diligently to get our money back, but it is woefully understaffed.

At the same time, New York City's funds have been clawed back or jeopardized in many other areas as well. Trump has canceled or delayed \$450 million in clean energy grants, \$34 million in counterterrorism funding, millions in grants for afterschool and other public education programs, and \$18 billion in infrastructure funding. Now, following the election of Zohran Mamdani, Trump has threatened to withhold more funds, essentially seeking to punish New Yorkers for exercise our constitutional rights to elect our own representatives.

Mayor-elect Mamdani has rightly pledged to quickly hire additional attorneys, and to work closely with New York State Attorney General Tish James and Governor Hochul on more coordinated litigation to protect New York City's funds. This is critical. These are funds that were legally appropriated by Congress, and are due to New York City. We need a coordinated, aggressive legal approach to get them back.

Ultimately, I am optimistic that courts will order these funds be released to us. However, it may take many months or even years for those cases to work their way through the court system. That's why a better-coordinated financial strategy is needed.

In my Tin Cup Day remarks last year, I urged the creation of a City and State task force to identify which funding streams were most at risk from federal retaliation, and to allocate additional funding to the General Reserve to make sure we have sufficient funds to avoid sudden cuts to housing, public health, human services, or infrastructure. That work is even more urgent now.

As we approach budget season for both the State and City, I urge leaders to work together on a coordinated plan, that includes transparent identification of the funds that are at risk, coordinated legal strategy, an increase in the General Reserve, and regular updates from elected officials, in a united fashion. As we move past the shameful capitulation of the Adams Administration, I hope elected officials across levels of government will work together. Governor Hochul, Attorney General James, and Mayor-elect Mamdani can lead the way – and include legislative leaders from the State Legislature and the City Council, the State and City Comptrollers, our District Attorneys, and of course a wide array of other stakeholders as well. This is a time for united action.

National Guard and federal troop deployment

United action is what we will need as well in the face of anticipated deployment of out-of-state National Guard and federal troops. As lawyers for Portland and Chicago have argued in court, these deployments violate the Posse Comitatus Act, which limits the President's power to federalize the Guard, or for federal troops to engage in civilian law enforcement.

New York State and New York City are working together, first in efforts to persuade Trump not to deploy troops here (which is worth trying, of course, given Trump's mercurial nature), but also on aggressive legal strategies to enjoin any such deployment. I am encouraged by the cooperation of Governor Hochul and Mayor-elect Mamdani in these efforts. Though they come from different wings of the Democratic Party, they are showing a commitment to work together that can serve as a model for all of us.

Maybe, somehow, despite their cruelty, ignorance, thuggish instincts, and willingness to violate the Constitution, Trump and Homan will wise up and decide not to try to deploy the National Guard or federal troops here. They got a taste of how New Yorkers will respond on Canal Street, when dozens of regular New Yorkers – not people who had downloaded a resistance app or purchased whistles in advance – surrounded the agents, and made clear that New Yorkers revile ICE.

Through persuasion and some amount of acceptable flattery of his monstrous ego; through clarity that federal occupation will not ultimately succeed, and in fact will have a significant political backlash for Trump, as we saw in this month's elections; and through a proactive and coordinated legal strategy, hopefully we can avoid the stationing of federal troops here.

Taking action together

But if Trump proceeds with the deployment, as seems likely, we will all need to work together to respond. [Hands Off NYC](#) is a coalition of over 100 community groups, labor unions, advocacy organizations, businesses, and other stakeholders, providing New Yorkers with know-your-rights training, ICE watch, how to organize and mobilize neighborhood support, nonviolent resistance, and more.

It has been heartening to see New Yorkers taking action together by the hundreds of thousands – turning out to the No Kings and Hands Off NYC marches, participating in court watching at 26 Federal Plaza, showing up for neighbors in grassroots ways as on Canal Street, or in more coordinated actions.

Just this weekend, I was out with Councilmembers Hanif and Aviles, as we reached out to hundreds of businesses, many of whom employ immigrants, to talk about action they can take to protect employees and neighbors. Some of the steps people can take are simple but powerful. While ICE agents are allowed to come into the parts of a store where customers are allowed, if store owners or managers simply place an “Employees Only” sign on the break room, supply room, or employee bathroom, now ICE agents would need to present a judicial warrant for entry.

We are doing this work in a spirit of patriotism, building a broad coalition, and in the spirit of nonviolent civil disobedience and bearing witness. That is the spirit in which I started attending court hearings at 26 Federal Plaza in June, as a result of which I was arrested by ICE agents in June while simply trying to accompany an asylum-seeker named Edgardo out of 26 Federal Plaza. That is the spirit in which I joined with other elected officials and New Yorkers in an effort to conduct oversight of the tenth floor at 26 Federal Plaza and to see whether ICE was complying with a federal injunction limiting detention and requiring humane conditions like clean bedding, hygiene supplies, and access to counsel. Instead of transparency, we were met with obstruction and arrest.

This week, we had our first court appearance on that arrest. While the legislators received adjournments in contemplation of dismissal, I chose to move forward with trial – because the real crime is not what we did in the elevator lobby demanding access, but what ICE is doing behind those closed doors. If ICE and DHS can question why I stood in that hallway, then I will question what they were doing on the other side of it.

In federal court this week, we participated in due process. But our immigrant neighbors have not been given the same opportunity. And we intend to use our platform to ensure the rule of law.

Finally, the actions we are discussing today are consistent with our history as New Yorkers. Next year, we will celebrate the 250th anniversary of the founding of this country. Just six weeks after the founders signed the Declaration of Independence, British troops occupied New York City, following the Battle of Brooklyn. What followed was a seven-year long occupation, characterized by martial law, harsh conditions, extensive damage to the city, and cruel detentions.

New Yorkers resisted tyranny then; and we are resisting tyranny now. Let’s act together so that, when the history books are written, they reflect that Trump’s tyranny began to fail when he sought to occupy New York City, in the days after we elected Zohran Mamdani as our mayor – our first Muslim mayor, and our first immigrant mayor in generations – and New Yorkers remembered who we are, remembered what it means to wake up every day in this city with that copper-plated statue in the harbor, and relit the lamp of liberty, for the whole world to see.

New Yorkers have risen to these challenges before. We can do it again now.

Thank you again, Chair Restler, and thank you to the Council for your commitment to protecting the people who make this city home.



JUMAANE D. WILLIAMS

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON GOVERNMENT
OPERATIONS, STATE AND FEDERAL LEGISLATION
NOVEMBER 20, 2025**

Good morning,

My name is Jumaane D. Williams, the Public Advocate for the City of New York. Thank you Chair Restler and members of the Committee on Government Operations for holding this important hearing and allowing me the opportunity to testify alongside my friend and colleague NYC Comptroller Brad Lander.

Every day, the Trump administration pushes our city and the country deeper into uncertainty. Our social safety nets are being eroded, our civil and political rights are being hollowed out and violated, including those woven into the fabric of our democracy and delineated in the Constitution of the United States and our Bill of Rights.

The right to due process is indispensable to the American legal system and is essential to individuals in this country irrespective of whether they travelled, relocated or were born here. Yet every day we learn of people being kidnapped from the streets in broad daylight, held in inhumane, unsafe conditions, and even spirited away by private plane to be jailed in countries they have no connection to. If we were discussing a country in the global south where individuals were incarcerated without trial by masked individuals who display no discernable affiliation to any legitimate law enforcement agency or office, we would be calling for UN peace-keeping intervention.

The behavior of the U.S. Immigration and Customs Enforcement (ICE) not only breeds fear and distrust, but it also opens the door for bad actors masquerading as law enforcement officials, of which we've seen several instances already.

Furthermore, the mobilization and politicization of the National Guard by the President on peaceful cities around the country is a gross violation of states' rights. Our republic fought for independence from overreaching monarchical rule. We cannot normalize this abuse of power. This is a constitutional crisis that was created by the Felon in Chief—Number 47.



JUMAANE D. WILLIAMS

As a city we must:

1. Penalize financial institutions that reverse transactions in bank accounts held by the City of New York where no duly elected or appointed official acquiesced to a reversal of deposited funds;
2. Be ready to file injunctions and lawsuits when federal actors do not follow the laws of New York City or New York State; and
3. Bear witness in the courts or in the streets and serve as violence interruptors when we see another human being forcibly detained without a judicial warrant.

I look forward to working with Governor Kathy Hochul and Mayor-Elect Zohran Mamdani to protect New Yorkers from the overreaches of this federal administration. We must stand together in defending New Yorkers, our immigrant communities, and upholding the rule of law.

Thank you.

Brigadier General (Ret.) Loree Sutton, MD
New York City Council Committee on Governmental Operations, State and Federal Legislation
Hearing: “Protecting New York City from Federal Overreach”
Submitted Testimony // November 20, 2025

Chair Restler and distinguished Committee Members, Community Leaders, Advocates, and Friends:

Thank you all for being here – and for your leadership and commitment to making New York City a place with space and grace for all to claim lives of purpose, passion, dignity and respect.

I speak today wearing several hats, having served as the founding Commissioner for the NYC Department of Veterans’ Services; as a combat veteran with nearly 30 years of military service; as a psychiatrist and advocate for accelerating access to breakthrough treatments for PTSD; and as a member of the National Security Leaders for America (NSL4A), a bi-partisan, all-volunteer organization of senior national security leaders, established in 2021 to counter growing threats to our democratic institutions, constitutional norms, and the rule of law.

The recent election should remind Americans of what New York has always embodied: resilience through diversity. Mayor-elect Mamdani cannot govern alone; he’ll require stable, cooperative intergovernmental relationships to govern effectively as well as alliances that span neighborhoods, faiths, and political tribes. He’ll need a civic resilience strategy to prove that democracy still works when citizens choose cooperation over chaos; that New Yorkers can mobilize to protect the city from federal overreach.

Ensuring that federal authorities adhere to longstanding norms is a bipartisan imperative, regardless of who occupies the White House. The principles at stake are constitutional, not partisan. Federal overreach is far from theoretical – we have already seen the opening moves in cities across the nation, including improper use of the National Guard for routine policing. This dangerous overreach undercuts military readiness, flouts the rule of law and does nothing to address the root causes of crime.

These are not the actions of a federal government engaged in normal policy disagreements. These are signals designed to destabilize trust, sow fear, and divide communities. New York cannot afford passivity. Nor can it rely on hope. It must respond with structure, discipline, and unity of purpose.

This is why I urge the creation of what could be called ***Operation Gotham Strong***—a comprehensive, multi-sector strategy designed to defend the city’s local autonomy, strengthen public confidence, and protect vulnerable communities.

Key elements include:

1. Create a Civic Resilience Coalition.

Designed to coordinate safety, communications, and service continuity, the mayor-led coalition’s first action could feature a public signing ceremony for a rule of law compact pledging obedience to orders, zero tolerance for vigilantism, and full protection for press and elections staff. Earning the trust of all New Yorkers is of utmost importance—no matter whom they voted for mayor.

2. Adopt a “Truth in 30” communication standard.

Rumor spreads fear. Fear fuels authoritarianism. New York should commit to releasing verified information within 30 minutes of any viral rumor, federal action, or safety threat. False claims about raids, curfews, or unrest would meet immediate, multilingual facts through Notify NYC, 3-1-1, municipal social media, and community radio.

3. Rebuild trust, confidence, and cohesion.

After years of political whiplash and venal corruption, New Yorkers need proof that government can function under extreme duress without capitulating or collapsing. If New York governs with calm, clarity, and resolve, it can model civic resilience and sustainable democracy for the entire country.

Conclusion

In closing, New York is entering a struggle that is larger than one city and larger than one mayor. It is nothing less than a test of whether American democracy can withstand a federal government willing to intimidate and harm its own citizens. Recent federal actions risk undermining the normal, cooperative relationships between federal and municipal authorities. Such actions, if expanded, could interfere with normal governance processes and undermine confidence in election administration.

But New York has a chance to prove the opposite: that civic resilience is still possible, that governance can outlast grievance. Rising above the din of politics as usual, New Yorkers must meet the demands of this moment—together, with unwavering strength and shared purpose.

Thank you for your leadership in addressing the critical challenge of building civic resilience and protecting NYC from federal overreach. I look forward to your comments and questions.

**Testimony of Common Cause New York before the
Committee on Governmental Operations, State & Federal Legislation
November 20, 2025**

Thank you for allowing me to testify on this most important topic at this hearing. I am Susan Lerner, Executive Director of Common Cause/NY. Common Cause is a nonpartisan, nonprofit organization founded to serve as a vehicle for citizens to make their voices heard in the political process. We fight to strengthen public participation and faith in our institutions of self-government. We are part of Hands Off NYC, a coordinated effort supported by unions, faith leaders, and community groups, standing together in nonviolent resistance to the federal government's threatened attack on New York City.

As a good government group, we are keenly aware of the unprecedented times we are living in, with daily, if not hourly, new threats to our democracy by a federal government led by a president who is in the process of deliberately destroying our institutions, the rule of law and civil society. Donald Trump and various members of his administration regularly threaten to send the military into our streets and have empowered federal agents to terrorize New Yorkers, acting with deliberate and unaccountable lawlessness, threatening residents' safety, our city's sovereignty, and economy as well as due process and New Yorkers' constitutional rights and rights of self-governance. We urge all City Council Members to stand with us in resisting any federal incursion into New York City by signing the [Statement of Commitment to Support Hands Off NYC Campaign](#).

We strongly support the various measures that have been introduced in the state legislature as well as in this Council that our colleagues at New York Civil Liberties and other organizations have testified to, including Intros. 214, 1412, 1176, and 1268, as well as the MELT Act, NY for All and the Protect Our Schools Act, the subject of this Council's Resolution 929, sponsored by Council Member Brewer and approved by the Council on Sept. 25. We are the organizational sponsors of Senate bill S8533, Protecting New York from Invasion by Other States' National Guard, introduced by Senator Gounardes. That bill would require other states to receive our Governor's permission before deploying their National Guard troops in New York. We strongly support the introduction and approval of a resolution of this Council calling on the New York Legislature to pass and the Governor to sign this measure into law. In light of the reported intention of federal agents to raid houses of worship during the holiday season, the Council should also consider passing a resolution of support of A8139/S4121, Protection of Sensitive Locations, in the State Legislature.

We strongly urge this committee to use the full measure of its oversight powers to protect New Yorkers from federal incursions on our municipal sovereignty and right of self-governance and to ensure that New York's sanctuary status is fully and appropriately followed. When city agencies refuse this committee's "invitation" to testify, this committee's subpoena power, pursuant to Council Rule 7.150 should be used. This committee should conduct a survey of all formal and informal agreements between any city agency and any federal entity

to share information regarding city residents, starting with the Law department, which negotiates and approves all formal agreements.

We urge committee members to examine ways in which City Councils in other cities are also addressing the threat posed by federal incursions into their cities. Boston has passed a number of measures as well as the Chicago City Council. Chicago's response to the federal incursion provides several helpful models. Most importantly, Chicago's City Council has taken actions which show that clear, codified prohibitions on municipal participation in civil immigration enforcement are essential, but has to be paired with active monitoring..

For example, we believe that the actions taken by the Chicago City Council to investigate the conduct of City agencies in relation to a particular ICE raid provides a good model for this committee's oversight. Order [Or2025-0012810](#) demonstrates a way to utilize legislative oversight to enforce city laws- not only passing policy, but ensuring compliance. The order was introduced after the June 4, 2025 incident at 2245 S. Michigan Ave., where ICE detained multiple individuals. The order requires the Chicago Police Department, Office of Emergency Management and Communications, and the Mayor's Office to produce all communications related to DHS/ICE presence that day in order to determine whether city agencies violated the Welcoming City Ordinance (Chicago's sanctuary policy) by acting as support for ICE. The order triggered a public hearing in the Committee on Immigrant & Refugee Rights. We recommend that this committee take similar action to examine what information city agencies obtained. and whether they coordinated with ICE regarding the infamous raid on Canal St on October 22, 2025, as well as on-going operations undertaken by ICE agents at 26 Federal Plaza.

We hope to see more actions like that taken by the Council Speaker and other members on October 23, 2025, when the New York City Council held a press conference alongside faith leaders and advocates to tell President Trump that a deployment of the military and militarized teams of federal law enforcement is unnecessary and unwelcome in New York City and would undermine public safety and the city's economy. We also urge individual Council members to support and sponsor grassroots education and mobilization efforts to inform residents of their rights and organize local support networks.



**TESTIMONY BEFORE NEW YORK CITY COUNCIL'S
COMMITTEE ON GOVERNMENTAL OPERATIONS, STATE AND FEDERAL LEGISLATION**

Oversight Hearing - Protecting New York City from Federal Overreach

Submitted on November 21, 2025

My name is Deborah Lee, and I am the Attorney-in-Charge of the Immigration Law Unit at The Legal Aid Society (LAS). Thank you for the opportunity to submit testimony. Legal Aid is grateful for your steadfast support of programs like the New York Immigrant Family Unity Project that recognize that noncitizens are the foundation and fabric of New York City, and that we are lesser when noncitizens' rights are threatened.

LAS is built on one simple but powerful belief: that no New Yorker should be denied the right to equal justice. We want to remain a beacon of hope for New Yorkers who feel neglected, regardless of who they are, where they come from, or how they identify. From our start nearly 150 years ago, our growth has mirrored that of the city we serve. Today, we are proud to be one of the largest and most influential social justice law firms in New York City and nation-wide. Our staff deliver justice in every borough, working tirelessly to defend our clients and dismantle the hidden, systemic barriers that can prevent them from thriving. As passionate advocates for individuals and families, LAS is an indispensable component of the legal, social, and economic fabric of our City.

In the past year, LAS served over 480,000 individuals and their families who benefitted from our holistic direct services through our Civil, Criminal, and Juvenile Rights Practices. Our work across these Practices together provides us with unique insights into the challenges facing marginalized communities in NYC and an unparalleled ability to effect change on a greater scale. Our Civil Practice works with low-income New Yorkers experiencing a broad range of civil legal issues that, without assistance, can escalate into situations with cascading effects that threaten their stability and keep families locked in cycles of poverty. Our specialized units cover the full spectrum of civil legal needs, including housing and homelessness; homeowner stabilization, family law and domestic violence; immigration; special education; health; community development; consumer issues; employment;

government benefits and disability; taxes; and holistic services for vulnerable populations including the elderly, adults and children with disabilities, and people living with HIV/AIDS.

For almost 40 years, LAS has maintained a citywide Immigration Law Unit (ILU) within the Civil Practice. ILU, now comprised of nearly 100 staff, is a recognized leader in the delivery of free, comprehensive, and high caliber immigration legal services to low-income immigrants in New York City and surrounding counties. Staff represent immigrants before U.S. Citizenship and Immigration Services (USCIS), in Immigration Court removal proceedings before the Executive Office for Immigration Review (EOIR), on appeals to the Board of Immigration Appeals (BIA), and in federal court on habeas corpus petitions and petitions for review. In addition to representing clients, staff conduct outreach clinics at community-based organizations throughout New York City, intake clients at immigration detention centers, and conduct trainings in various venues throughout the city. Over the most recent fiscal year, ILU assisted in nearly 8,600 individual legal matters benefiting over 22,000 New Yorkers citywide. In addition to providing direct legal services, ILU staff provide regular training to immigrant-serving advocates from community-based organizations, State and local agencies, and judicial and legislative staff. Partnerships with other non-profit organizations and coordination of a successful pro bono program with 53 participating law firms enable the ILU to maximize resources to meet the increasing demand for representation.

Today, the greatest threat facing noncitizens is federal immigration detention. Without a doubt, this federal administration has a singular aim: detain and deport as many noncitizens as it can. When a loved one is detained, families go days without knowing where they are. Conditions are inhumane, and many non-citizens are coerced into abandoning their cases and requesting deportation. Once someone is detained, the families they leave behind in our city will likely never see them again.

The prospects for detained noncitizens are dire. After detention, families may go days without knowing where their loved one is or how to reach them. Individuals may be held at 26 Federal Plaza, then transferred across the region—or even the country.

Beyond poor conditions and lack of access to counsel, the greatest threat detained noncitizens face today is the near-total elimination of bond. Most will remain in custody for months, often through

multiple levels of appeal, with no guaranteed timeline for release. Of particular note are these multiple changes in precedential law and policy impacting who is mandatorily detained and thus not eligible for release from immigration detention:

- On January 29, 2025, President Trump signed into law the Laken Riley Act, which subjects noncitizens to mandatory detention for a wide range of offenses, including low level theft and shoplifting offenses.¹ This mandatory detention would be triggered not only when someone has been convicted of certain offenses but also when merely accused of them.²
- On May 15, 2025, the administrative appellate body of the Immigration Courts nationwide, the Board of Immigration Appeals (“BIA”), issued a precedential decision in *Matter of Q. Li*.³ This decision broadened who may be subject to mandatory immigration detention to those who were “detained without a warrant while arriving in the United States, whether or not at a port of entry, and subsequently placed in removal proceedings.”⁴
- On July 8, 2025, ICE issued internal guidance that all noncitizens who are applying for admission are subject to mandatory detention pursuant to INA § 235.⁵ This will potentially lead to millions of individuals who will be subject to mandatory detention.⁶
- On September 5, 2025, the BIA issued another precedential decision in *Matter of Jonathan Javier Yajure Hurtado*,⁷ finding that Immigration Judges lack authority to consider bond for non-citizens who are present in the United States without admission.⁸ This now means that all non-citizens who entered without inspection⁹ are subject to mandatory detention, despite the length of time they have

¹ See Laken Riley Act, S.5, 119th Cong. § xx (2025), <https://www.congress.gov/119/plaws/publ1/PLAW-119publ1.pdf>.

² See *id.*

³ See 29 I&N Dec. 66 (BIA 2025), <https://www.justice.gov/eoir/media/1400431/dl?inline>.

⁴ See *id.* at 69.

⁵ See *ICE Issues Memo Eliminating Bond Hearings for All Applicants for Admission*, IMMIGR. POL’Y TRACKING PROJECT, <https://immpolicytracking.org/policies/ice-issues-memo-eliminating-bond-hearings-for-undocumented-immigrants/> (last visited October 31, 2025).

⁶ See Maria Sacchetti & Carol D. Leonnig, *ICE Declares Millions of Undocumented Immigrants Ineligible for Bond Hearings*, WASH. POST (July 15, 2025), <https://www.washingtonpost.com/immigration/2025/07/14/ice-trump-undocumented-immigrants-bond-hearings/>.

⁷ See 29 I&N Dec. 216 (BIA 2025), <https://www.justice.gov/eoir/media/1413311/dl?inline>.

⁸ See *id.* at 228–29.

⁹ See https://immigrantsrising.org/wp-content/uploads/Immigrants-Rising_Defining-Undocumented.pdf.

been present in this country.

DHS is also aggressively appealing grants of status and blocking release at every turn, even for those who may have been granted immigration status or the right to release on bond by an Immigration Court judge. This results in noncitizens being detained for months or years, and effectively coerces many noncitizens to abandon their immigration case entirely and request their own deportation.

For many, the only viable path to release is through habeas petitions in federal court. Immigration representation remains essential, and a robust habeas practice is now a critical, distinct tool to defend against removal. In our client's habeas case in *J.G.O. v. Francis, et al.*, which precisely tracks the federal immigration authorities' current efforts to block the release of virtually all noncitizens, the Hon. Arun Subramanian of the U.S. District Court for the Southern District of New York held that our client should be released immediately in accordance with the original Immigration Court and Board of Immigration Appeals decisions affirming his release on bond. The federal district judge here powerfully noted how our client's detention "has been improperly prolonged by a constantly moving set of goalposts. That ends now." We attach that publicly available decision to our testimony as a testament to a single New Yorker's struggle for justice and freedom.

We at Legal Aid are representing many detained noncitizens like J.G.O. – both in their Immigration Court and federal court proceedings, as well as training up staff across our organization, and pushing out Know Your Rights resources to educate community members. But we know we need to do more. The highest priorities now are:

- habeas-focused trainings for a wide cohort of attorneys, social workers, pro bono partners, and other allies;
- developing an immigration-focused resource toolkit for criminal defense attorneys city-wide, including a curriculum for immigration-focused habeas petitions;
- assisting with immigration-focused habeas petitions and related immigration case-handling needs, as many detained non-citizens may have been *pro se* in their immigration proceedings and may be placed in fast-tracked immigration court proceedings once in ICE custody;
- counseling clients about their risks of federal immigration detention; and

- supporting and providing legal resources to clients, their families, and community members affected by immigration detention.

Legal Aid is working hard in the face of overwhelming need but we, like others fighting on behalf of noncitizen New Yorkers, need more support to meet this daunting moment.

With the election of Zohran Mamdani as the next mayor of New York City, we are expecting redoubled efforts by the Trump Administration to target the city for immigration enforcement. Federal militarization will have devastating ripple effects: people will be too afraid to leave their homes, access medical care, ride the subway, go to work, or even buy food for themselves and their families. This is not just a legal crisis—it is a humanitarian one. Communities must know their rights, where to turn for help, and how to stay safe in the face of these aggressive tactics.

ICE raids are already happening throughout this city— on Canal Street, in Corona, in Sunset Park, in Bensonhurst. These actions, and the promise of dramatic escalations by this federal administration in the days, weeks, and months to come, threaten all our civil liberties.

Alongside legal partners, and community members across the city, The Legal Aid Society will continue to fight against injustices against non-citizens and is actively monitoring these federal actions against non-citizens to see how we can best contribute. We remain steadfast in our commitment to defending New York and New Yorkers—and we will not be intimidated. But we cannot do this alone. Together, let us fight to protect due process and the rule of law.

Respectfully submitted,



Deborah Lee
Attorney-in-Charge
Immigration Law Unit
The Legal Aid Society

TESTIMONY

The New York City Council
Committee on Governmental Operations,
State & Federal Legislation

Re: Protecting New Yorkers from
Federal Overreach

NAACP Legal Defense
& Educational Fund, Inc.
40 Rector Street, 5th Floor
New York, NY 10006

November 20, 2025

Dear Council Members:

On behalf of the Legal Defense Fund (LDF), we thank the committee for this opportunity to provide testimony regarding potential deployments of National Guard members and increased presence of federal law enforcement in New York City’s local communities, and the strategies that the New York City Council can take to protect its residents.

I. Introduction

LDF is the nation’s first and foremost civil rights and human rights law organization. Since its founding over eighty years ago, LDF has worked at the national, state, and local levels to pursue racial justice and eliminate structural barriers for the Black community in the areas of criminal justice, economic justice, education, and political participation.¹ As part of that work, LDF has forged longstanding partnerships within New York City to challenge and reform unlawful and discriminatory law enforcement practices. In 2010, LDF joined with co-counsel The Legal Aid Society and pro bono counsel to file *Davis, et al. v. City of New York, et al.*, challenging the New York City Police Department’s (NYPD) policy and practice of stopping and arresting New York City Housing Authority (NYCHA) residents and visitors for trespass without the requisite level of suspicion and in a discriminatory manner.² In 2015, the *Davis* plaintiffs reached a settlement with the City that included full participation in the ongoing federal court monitoring of the NYPD, ordered in *Floyd, et al. v. City of New York*.

LDF has also fought to protect the rights and dignity of Black immigrants. For example, in 2018, LDF filed a lawsuit on behalf of the National Association for the Advancement of Colored People (NAACP) against the Department of Homeland Security, arguing that the Trump Administration’s rescission of Temporary Protected Status for Haitian nationals denied them their right to due process and equal protection under the Fifth Amendment.³

LDF is greatly concerned about the harm that militarized federal law enforcement activity is already inflicting on residents, and about potential harm that may occur in the near future. We appreciate this opportunity to share our expertise on this matter and highlight measures that the City Council can take to protect New Yorkers.

II. Recent deployments of National Guard troops and federal law enforcement have devastated local communities around the country.

LDF is a national organization with strong ties to local communities around the country—especially communities with significant Black populations led by local Black leadership—that have endured recent surges in federal law enforcement and National Guard deployments, including

¹ *About Us*, Legal Def. Fund, <https://www.naacpldf.org/about-us/> (last visited Nov. 20, 2025).

² *Davis v. City of New York*, Legal Def. Fund, <https://www.naacpldf.org/case-issue/davis-v-city-new-york/> (last visited Nov. 20, 2025).

³ NAACP Legal Defense & Educational Fund, Inc., *LDF Issues Statement on the Restoration of Haiti’s Temporary Protected Status*, NAACP LDF (May 22, 2021), <https://www.naacpldf.org/press-release/ldf-issues-statement-on-the-extension-of-haitis-temporary-protected-status/>.

in Memphis and Washington, D.C. We have witnessed how these deployments have deepened existing injustices while also creating new ones.

In Memphis, the Trump Administration launched a “Memphis Safe Task Force” that brought together the National Guard and 30 local, state, and federal agencies to promote “hypervigilant policing, aggressive prosecution,” and “large-scale saturation of . . . law enforcement personnel” in a city with a majority-Black population.⁴ Since the task force was launched, Black and Brown residents have been terrorized over low-level or non-existent offenses, and pedestrians have been interrogated by heavily armed, masked, and unidentified officers about their citizenship or immigration status.⁵ Black Memphians have long been subjected disproportionately to frequent and intense traffic stops resulting in excessive force, as found by the Department of Justice following their extensive pattern or practice investigation.⁶ The brutal killing of Tyre Nichols in 2023 is one well-known example of the severe consequences of this discriminatory practice. Unfortunately, the task force has relied heavily on such traffic stops, exacerbating a longstanding injustice in the city.⁷

Even though Washington, D.C. has experienced a significant decline in violent crime in recent years,⁸ in August, the administration deployed National Guard members and federal law enforcement to aggressively enforce immigration laws and minor offenses.⁹ These deployments aggravated existing problems, as D.C. was already heavily and unnecessarily saturated with police activity¹⁰ that subjected Black residents to aggressive policing tactics.¹¹ In the weeks that followed the administration’s surge of federal officers, members of Courtwatch D.C. saw a sharp increase in the number of arraignments, the number of drug-related arrests on a given day, and the frequency in which pretrial detention was requested and granted¹²—all of which have inundated the city’s

⁴ Donald J. Trump, *Memorandum on Restoring Law and Order in Memphis*, The White House (Sept. 15, 2025), <https://www.whitehouse.gov/presidential-actions/2025/09/restoring-law-and-order-in-memphis/>.

⁵ Wendi C. Thomas & Katherine Burgess, “I Don’t Feel Safe”: *Black Memphis Residents Report Harassment by Trump’s Police Task Force*, ProPublica (Nov. 3, 2025), <https://www.propublica.org/article/memphis-safe-task-force-police-harassment>.

⁶ United States Department of Justice, Civil Rights Division & U.S. Attorney’s Office, W.D. Tenn., *Investigation of the Memphis Police Department and the City of Memphis* (Dec. 4, 2024), <https://www.justice.gov/crt/media/1379096/dl>.

⁷ Thomas & Burgess, *supra* note 5.

⁸ U.S. Attorney’s Office, District of Columbia, *Violent Crime in D.C. Hits 30-Year Low*, U.S. Dep’t of Justice (Jan. 3, 2025), <https://www.justice.gov/usao-dc/pr/violent-crime-dc-hits-30-year-low>.

⁹ Donald J. Trump, *Memorandum on Restoring Law and Order in the District of Columbia*, The White House (Aug. 11, 2025), <https://www.whitehouse.gov/presidential-actions/2025/08/restoring-law-and-order-in-the-district-of-columbia/>.

¹⁰ Eliana Block, *Verify: Does DC Have More Police per Capita than Any Other US City?* WUSA (July 15, 2020), <https://www.wusa9.com/article/news/verify/verify-does-dc-have-more-policeper-capita-than-any-other-us-city/65-9fae328a-5da3-4e0f-8e54-009f48b97>.

¹¹ See, e.g., ACLU DC, *Stop and Frisk FAQ: What You Need to Know in D.C.*, (Feb. 4, 2025), <https://www.acludc.org/news/stop-and-frisk-faq-what-you-need-know-dc/> (“Between 2022 and 2023, Metropolitan Police Department officers stopped about one person every ten minutes in D.C. Seventy percent of those people were Black, even though Black people make up 44 percent of the D.C. population.”).

¹² Ida B. Free, *What’s Really Happening in the D.C. Courts*, Courtwatch DC, https://www.canva.com/design/DAGxehiXmkg/FE6zeTHpc3mNbaWcPsApdA/view?utm_content=DAGxehiXmkg&utm_campaign=designshare&utm_medium=link2&utm_source=uniquelinks&utm_id=hf2f6b35f32 (last visited Nov. 20, 2025).

already-overburdened court system.¹³ The increased federal law enforcement actions have been so extreme that members of the local judiciary have remarked about them on the record, with one judge asserting that a case before him involved “without a doubt the most illegal search I’ve ever seen in my life.”¹⁴

In Chicago, a surge of federal immigration enforcement has sparked widespread protests, which in turn has been met by violent and repressive tactics by Department of Homeland Security (DHS) officers and other federal agents.¹⁵ DHS officers have fired tear gas, rubber bullets, and pepper balls at protesters and members of the press alike,¹⁶ prompting a federal judge to issue a temporary injunction, preliminarily barring DHS officers from using these abusive tactics or issuing crowd dispersal orders at all.¹⁷ A preliminary injunction that temporarily prohibits DHS from brutalizing journalists and protesters was similarly issued in Los Angeles after findings of violent tactics to suppress lawful protest in that city.¹⁸

III. The City Council can take immediate action to protect New Yorkers.

While the Trump administration continues to threaten American cities with National Guard and militarized law enforcement deployments,¹⁹ federal law enforcement officers have already increased their activity and use of aggressive tactics in New York City. ICE officers have been tearing families apart in the hallways of courthouses for months.²⁰ In October of this year, masked officers descended on Canal Street with an armored vehicle and assault rifles to arrest Black and Brown street vendors.²¹ Last week, New York City Police Department (NYPD) officers responded to reports of armed men pulling people out of cars in Washington Heights, only to find that those armed men were, in fact, plainclothes federal immigration agents.²²

Future deployments of the National Guard or other federal law enforcement pose a severe risk to Black and Brown communities, as we have seen in Washington, D.C. and Memphis, and to protesters and journalists, as we have seen in Chicago and Los Angeles. There are several steps

¹³ John Noll, *Biden and Congress Must Fix D.C.’s Broken Court System*, Washington Post (Jan. 30, 2024), <https://www.washingtonpost.com/opinions/2024/01/30/biden-congress-dc-courts-broken/>.

¹⁴ Ryan Lucas, *Trump’s D.C. Takeover Has Led to More Arrests*, NPR (Sept. 5, 2025), <https://www.npr.org/2025/09/05/g-s1-86991/trump-dc-national-guard-police-federal-crime-stats>.

¹⁵ *Chicago Headline Club v. Noem*, No. 25-cv-12173 (N.D. Ill. filed 2025).

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Los Angeles Press Club v. Noem*, No. 2:25-cv-05563-HDV-E, Order Granting Plaintiffs’ Mot. for Preliminary Injunction (C.D. Cal. Sept. 10, 2025).

¹⁹ Erica L. Green & Katie Rogers, *Trump Says He Is Prepared to Send ‘More Than the National Guard’ Into U.S. Cities*, N.Y. Times (Oct. 28, 2025), <https://www.nytimes.com/2025/10/28/us/politics/trump-japan-national-guard-us-cities.html>.

²⁰ Julia Ingram, *ICE Agents Target New York City Immigration Courts More Often Than Others*, *New Analysis Suggests*, CBS News (Oct. 8, 2025), <https://www.cbsnews.com/news/ice-agents-new-york-city-immigration-courts-analysis/>.

²¹ Luis Ferré-Sadurní & Olivia Bensimon, *ICE Raid Hits Canal Street in Chinatown as Tension Mounts*, N.Y. Times (Oct. 21, 2025), <https://www.nytimes.com/2025/10/21/nyregion/nyc-raid-canal-st-agents-ice.html>.

²² Charles Lane, *NYPD Says 2 Officers Injured During Washington Heights ICE Chase*, Gothamist (Nov. 12, 2025), <https://gothamist.com/news/nypd-says-2-officers-injured-during-washington-heights-immigration-action>.

the City Council can take to protect New Yorkers from current and future abuse by federal law enforcement agencies:

i. Pass Int. 798, the bill to abolish the NYPD Gang Database

The NYPD's Criminal Group Database (the "Gang Database") is a system of files kept by the NYPD that associate approximately 8,000 New Yorkers with gangs or "crews," often based on racial stereotypes. Almost every person entered into the database is Black or Latino, and people are commonly included simply because of where they live, the clothes they wear, and the people in their community.²³ Most people in the Gang Database have no prior felony records and no relationship to gun violence. Yet, the people entered into the database are frequently subjected to constant stops and interrogations, often leading to arrests for minor offenses.²⁴

There is a significant risk that this database is fueling or could fuel the federal administration's mass deportation operations. ICE has a long history of relying on local gang databases to arrest immigrants,²⁵ and we have already seen the administration weaponize unreliable gang allegations, similar to the ones relied upon in the NYPD Gang Database, to hastily deport people to a notorious prison in El Salvador without due process.²⁶ Earlier this year, journalists discovered that a gang database operated by the New York State Police feeds directly into ICE information systems.²⁷ This month, it was revealed that Chicago police had shared details from the city's gang database with DHS,²⁸ even though a local oversight body outlawed Chicago's database in 2023 because it was unreliable and racially discriminatory.²⁹ Nevertheless, DHS gathered that information to arrest immigrants at airports and border crossings.³⁰ This abusive use of a banned and unreliable, municipal gang database demonstrates the need to abolish the NYPD's gang database and permanently delete its contents.

ii. Protect First Amendment rights by passing Int. 1176 (the CURB Act).

As events in Los Angeles and Chicago have demonstrated, the federal administration's deployments of National Guard and federal law enforcement officers have led to the brutal suppression of peaceful protests. Unfortunately, New Yorkers have already experienced repressive

²³ *Plaintiffs 1-3 v. City of New York*, No. 25-CV-2397 (BMC), Complaint (E.D.N.Y. 2025).

²⁴ *Id.*

²⁵ Christie Thompson, *How ICE Uses Secret Police Databases to Arrest Immigrants*, The Marshall Project (Aug. 28, 2017), <https://www.themarshallproject.org/2017/08/28/how-ice-uses-secret-police-databases-to-arrest-immigrants>.

²⁶ See, e.g., Juliet Macur, *Kilmar Abrego Garcia's Tattoos Alone Do Not Prove MS-13 Membership*, *Experts Say*, N.Y. Times (May 8, 2025), <https://www.nytimes.com/2025/05/08/us/kilmar-abrego-garcia-tattoos-ms-13.html>; Lauren Efros, *ICE Claims Tattoos Tie Migrants to Venezuela's Tren de Aragua Gang. Experts Disagree*, CBS News (May 2, 2025), <https://www.cbsnews.com/news/ice-tattoos-tren-de-aragua-venezuela-gang/>.

²⁷ Chris Gelardi, *The New York State Police Are Feeding ICE a Gang Database*, N.Y. Focus (Apr. 23, 2025), <https://nysfocus.com/2025/04/23/trump-ice-new-york-gang-database-deportation>.

²⁸ Dell Cameron, *DHS Kept Chicago Police Records for Months in Violation of Domestic Espionage Rules*, WIRED (Nov. 12, 2025), <https://www.wired.com/story/dhs-kept-chicago-police-records-for-months-in-violation-of-domestic-espionage-rules/>.

²⁹ Heather Cheron & Nick Blumberg, *Police Oversight Board Votes to Permanently Scrap New Chicago Gang Database*, WTTW (Sept. 7, 2023), <https://news.wttw.com/2023/09/07/police-oversight-board-votes-permanently-scrap-new-chicago-gang-database>.

³⁰ Cameron, *supra* note 28.

policing of lawful protests by its own police department. For instance, in 2020, the NYPD used pepper spray, batons, kettling, and even vehicles to physically assault and intimidate protesters.³¹ The NYPD's Strategic Response Group was particularly prominent in police violence at these protests, including at a demonstration in the Mott Haven neighborhood of the Bronx where protesters were kettled, beaten, and detained for long periods of time.³² Aggravated uses of force also occurred at the Occupy Wall Street Protests in 2011,³³ and the NYPD's use of mass arrests during 2004 protests of the Republican National Convention resulted in an \$18 million settlement between the City and almost 500 people who were impacted.³⁴

Passing Int. 1176, known as the CURB Act, is a crucial protective measure that will ensure the NYPD does not serve as a force multiplier for federal personnel that engage in violence towards protesters. The CURB Act would prohibit the NYPD's notorious Strategic Response Group from responding to First Amendment events like protests, and further prohibit the NYPD from engaging in repressive tactics, such as kettling and the use of tear gas, pepper spray, and long range acoustic devices, to disperse events protected by the First Amendment.³⁵ While the City Council is limited in its ability to regulate the conduct of federal officers, it can at least ensure that local police do not participate in or facilitate law enforcement violence directed at people exercising their First Amendment rights.

iii. Strengthen the City's sanctuary status by passing Int. 214 (The NYC Trust Act).

New York City has committed to protecting immigrants' rights by ensuring that local agencies do not comply with many requests issued by federal immigration authorities to hold individuals suspected of violating immigration laws. These requests, known as "detainers," are intended to ensure a person can easily be transferred to federal immigration custody for the purpose of arrest or deportation. In New York City, local agencies are not permitted to comply with detainers unless the federal authority presents a judicial warrant and (1) the individual being held has been convicted of a "violent or serious crime" or (2) is identified as a "possible match" on a U.S. terrorist watch list.³⁶ These exceptions actually may facilitate too much information-sharing between local and federal authorities, given the wide breadth of what is considered a "violent or

³¹ Simon McCormack & Jesse Barber, *New Database Provides an Unprecedented Look at NYPD's History of Abuse*, NYCLU (Aug. 25, 2020), <https://www.nyclu.org/commentary/new-database-provides-unprecedented-look-nypds-history-abuse>.

³² Human Rights Watch, "Kettling" Protesters in the Bronx: Systemic Police Brutality and Its Costs in the United States (Sept. 30, 2020), <https://www.hrw.org/report/2020/09/30/kettling-protesters-bronx/systemic-police-brutality-and-its-costs-united-states>.

³³ Mark Memmott, *NYPD Will Examine Use of Pepper Spray on 'Occupy Wall Street' Protesters*, NPR (Sept. 28, 2011), <https://www.npr.org/sections/thetwo-way/2011/09/28/140881795/nypd-will-examine-use-of-pepper-spray-on-occupy-wall-street-protesters>; *Marlin v. City of New York*, No. 1:15-cv-2235 (S.D.N.Y.) (In 2011, Jason Marlin was injured when several NYPD officers dragged him through a crowd of protesters and flung him to the ground, causing a fractured elbow and torn ligaments.); *Gersbacher v. City of New York*, No. 12-cv-7600 (S.D.N.Y. 2015) (noting that, in 2011, five NYPD officers, without justification or provocation, pinned protester Eric Gersbacher to the ground and punched him repeatedly, causing cuts, bruises, and an asthma attack).

³⁴ Ed Pilkington, *New York Agrees \$18 m Settlement With 2004 Republican Convention Protesters*, The Guardian (Jan. 15, 2014), <https://www.theguardian.com/world/2014/jan/15/new-york-agrees-settlement-2004-republican-convention>.

³⁵ N.Y. City Council, Int 1176-2025 (2025).

³⁶ N.Y.C. Admin. Code § 9-131 (McKinney); N.Y.C. Admin. Code § 14-154 (McKinney).

serious crime”³⁷ and existing concerns about the reliability and accuracy of U.S. terrorism watch lists.³⁸

Unfortunately, even with these exceptions, City agencies have not always complied with these rules. For example, in 2023, emails exchanged between ICE and the New York City Department of Corrections (DOC) indicated collusion between the two agencies to hold and transfer immigrants from City custody to federal custody without satisfying statutory prerequisites.³⁹ Even though local laws prohibit City agencies from honoring many detainer requests, there is currently no recourse for individuals who are harmed by violations.⁴⁰ As a result, immigrants and their families have few, if any, avenues for accountability when they or their loved ones are illegally transferred from a city agency into federal custody. The NYC Trust Act would correct this significant problem by amending City law to ensure people have a private right of action to sue the City for violating its obligations to protect them from detainers.

iv. Pass legislation to limit surveillance technology and local participation in federal law enforcement operations.

There are a number of surveillance technologies that pose particular risks to immigrants and protesters alike, and the current moment calls for the City Council to enact measures that prohibit or limit the use of these problematic tools. For example, the NYPD has used drones⁴¹ and facial recognition technology⁴² to track protesters, and police departments around the country have used automated license plate readers and cell site simulators for similar purposes.⁴³ These technologies have also been used to track immigrants, including in situations where local police

³⁷ There are 155 statutes cited as “violent or serious” crimes in N.Y.C. Admin. Codes § 9-131 and § 14-154. The list includes NY Penal Law 215.51 (Criminal Contempt in the First Degree), for which a person can be convicted if they refuse to be sworn in as a witness at a Grand Jury. *People v Di Maria*, 481 N.Y.S.2d 244 (N.Y. Sup. Ct. 1984). Given the federal administration’s targeting of courthouses for immigration enforcement, it may be improper to classify a non-citizen’s refusal to participate in court proceedings as “violent or serious.” Further, a conviction for this law can be sustained even if the defendant was acting pursuant to an attorney’s direction. *People v. Lee*, 526 N.Y.S.2d 1011 (N.Y. App. Div. 2d Dep’t 1988).

³⁸ Jeremy Scahill & Ryan Devereaux, Watch Commander: Barack Obama’s Secret Terrorist-Tracking System, by the Numbers, *The Intercept* (Aug. 5, 2014), <https://theintercept.com/2014/08/05/watch-commander/>; Rachel Levinson-Waldman & José Guillermo Gutiérrez, *Overdue Scrutiny for Watch Listing and Risk Prediction: Reining In Civil Liberties Abuses and Assessing Efficacy*, Brennan Ctr. for Justice, (Oct. 19, 2023), <https://www.brennancenter.org/media/11828/download/BCJ-152%20Risk%20Assessment.pdf>; Rachel Levinson-Waldman & José Guillermo Gutiérrez, *Oversight Board’s Terrorist Watchlist Report Underscores Need for Major Overhaul*, Brennan Ctr. for Justice, (Feb. 21, 2025), <https://www.brennancenter.org/our-work/analysis-opinion/oversight-boards-terrorist-watchlist-report-underscores-need-major>

³⁹ LatinoJustice PRLDEF, *Council Hearing to Stop the City from Conspiring with ICE Reveals Deep Collusion Between Dept. of Corrections and ICE*, Press Release (Feb. 15, 2023), <https://www.latinojustice.org/en/press/council-hearing-stop-city-conspiring-ice-reveals-deep-collusion-between-dept-corrections-and>.

⁴⁰ N.Y.C. Admin. Code § 9-131 (McKinney); N.Y.C. Admin. Code § 14-154 (McKinney).

⁴¹ Surveillance Technology Oversight Project, *S.T.O.P. Condemns NYPD Drone Surveillance of BLM Juneteenth Celebration*, Press Release (June 20, 2024), <https://www.stopspying.org/latest-news/2024/6/20/stop-condemns-nypd-drone-surveillance-of-blm-juneteenth-celebration>.

⁴² International Center for Not-for-Profit Law, *Protesting in an Age of Government Surveillance: Legal Reforms to Protect Demonstrators in the United States* (Feb. 2023), <https://www.icnl.org/post/analysis/protesting-in-an-age-of-government-surveillance>.

⁴³ *Id.*

departments have shared data from their surveillance technologies with federal immigration authorities.⁴⁴ These technologies pose grave risks to residents and visitors of New York City; the City Council should act swiftly to investigate them and implement appropriate prohibitions on their use.

The City Council also has an opportunity to examine the myriad ways in which local law enforcement collaborates with federal authorities, such as voluntary cooperation agreements, participation in federal task forces, and other information sharing avenues such as fusion centers. The City Council should consider eliminating local cooperation beyond the requirements mandated by federal law to prevent the use of local resources in abusive federal law enforcement conduct. We encourage the City Council to consider these additional measures to protect New Yorkers in this unprecedented period.

* * *

The City Council has an opportunity to ensure that the NYPD and local institutions are not weaponized by the federal government against New Yorkers in the event of increased federal intervention. Int. 798 will dismantle the Gang Database—a tool that can be and has been used by ICE to carry out unjust deportations around the country; Int. 1176 will ensure that the NYPD will not contribute to any efforts by federal authorities to violently stifle the First Amendment rights of New Yorkers engaged in lawful protest; and Int. 214 will protect immigrant New Yorkers by ensuring there is a legal remedy for violating the rights established under New York City’s “sanctuary city” laws. With immigration enforcement activity already wreaking havoc and causing unconscionable harms, and with the threat of additional federal intervention looming, the time to act is now. We call on the City Council to take these actions immediately, and to consider additional measures to protect the lives, rights, and dignity of all New Yorkers and especially those who are most vulnerable during these turbulent times.

Respectfully submitted,

David Moss
JPP Counsel, Justice in Public Safety Project
NAACP Legal Defense and
Educational Fund, Inc.

⁴⁴ See, e.g., Khari Johnson & Mohamed Al Elew, *California Police Are Illegally Sharing License Plate Reader Data With ICE and Border Patrol*, CalMatters (June 13, 2025), <https://calmatters.org/economy/technology/2025/06/california-police-sharing-license-plate-reader-data/>.

**The New York City Council Committee on
Governmental Operations, State & Federal Legislation
Honorable Lincoln Restler, Chair
Oversight - Protecting New York City from Federal Overreach**

**Written Testimony of the New York Immigration Coalition
November 20th, 2025**

Good morning Chairman Restler, and members of the Committee. Thank you to the Committee for highlighting this necessary problem that faces the Council and Administration, and for the opportunity to testify today on the steps our state and local entities must take to protect New York City from unprecedented federal overreach. My name is Vlad Tlali, and I am the Senior Policy Strategist at the New York Immigration Coalition (NYIC). The NYIC is a statewide network of more than 200 organizations that support immigrants and refugees across New York.

The scenes have become chillingly familiar across the country, from DC, LA to Chicago, and Portland to Memphis and Charlotte: major American cities have become the primary target of the Trump Administration's overt abuse of federal authority. The Trump Administration has deployed National Guard troops against the wishes of state and local leaders, and ICE has rolled out massive enforcement and removal operations that have caught thousands and thousands of immigrant families in its indiscriminate dragnet.

In New York City, federal overreach is a real, tangible threat that has already hurt New Yorkers and continues to worsen as federal agents act in greater impunity as the Trump administration incessantly threatens greater federal overreach. At 26 Federal Plaza, the nation's epicenter of immigration courthouse arrests, masked federal agents have cruelly arrested and disappeared teenagers, men, and women attending their routine immigration appointments. Families are being

separated by force daily. In Manhattan’s Chinatown, over 50 federal agents flooded the streets targeting immigrant street vendors with military-grade rifles and vehicles in tow. In Elmhurst, federal agents busted down the door of a mother and her four children and held them at gunpoint without a warrant in the middle of the night. This has become the new reality of federal overreach in our neighborhoods, and in our communities across the city.

New York City has strong sanctuary laws that ensure that our city’s resources do not assist with federal civil immigration enforcement. But this moment requires greater action, and proactive steps – especially now that we have learned from our municipal counterparts from around the country and their efforts to restrict federal overreach in their respective cities. In [Los Angeles](#), the local Emergency Declaration allows additional support from state resources, plus additional aid from cities and philanthropic groups to “augment the county’s offering of rent relief, free legal services, and food subsidies.” In Chicago, the Mayoral administration launched the Protecting Chicago Initiative, where the Mayor, in coordination with the Governor, declared a [local State of Emergency](#) in response to the heightened scale of immigration raids in the city and its surrounding neighborhoods. This executive order and subsequent [orders](#):

- Created “ICE-Free Zones” which prohibited the use of city property for civil immigration staging,
- Directed citywide agencies to “identify and address community needs resulting from the threats of federal law and immigration enforcement and military deployment,”
- Directed relevant city agencies to regularly submit FOIA requests to DHS to understand the scale, tactics, and operational information regarding ICE

enforcement activity within the city.

In the event of an escalated federal takeover of NYC, there are several steps that the Council and Administration must enact at the municipal level, and call on state governing counterparts to enact at the state level.

First, the Administration must declare a local state of emergency, and the City Council should publicly call on the Governor to declare a state of disaster emergency. As we've seen from other localities, state of emergencies are the necessary tool to allow for city agencies to make emergency modifications to their operation regulations and meet the urgency that the federal takeover would require.

Second, the Council should identify, mobilize, and appropriate emergency resources to partner with CBOs to respond to the emergency. This support should include dedicated funding for emergency legal services accessible where communities are: libraries, hospitals, schools, mobile legal clinics, and remotely via phone and online.

City agencies should support distributing know-your-rights materials and guidance on what individuals should know when faced with federal agents. The Council should also mobilize emergency resources for emergency food access, continued healthcare access and mobile clinics, and supports for small businesses, street vendors, and independent workers affected by the federal takeover.; Finally, the Council should lean on the Mayor and the Chancellor to enable education continuity through asynchronous and remote learning.

Third, the Council should work with the Administration to declare or legislate that city property cannot be used for ICE staging or any other form of immigration enforcement, including parking lots, parks, maintenance yards, city-owned property, public rights-of-way, and other city-owned spaces for staging for the purposes of civil immigration enforcement.

Fourth, the Council and Administration should ensure that no city data is being used for the purposes of civil immigration enforcement, ensure that the Chief Privacy Officer (CPO) is already auditing our systems for vulnerabilities. The CPO should determine if the City holds contracts with third-party vendors including data brokers and license plate readers that are sharing information with federal authorities, as has been discovered in Colorado, Virginia, and Illinois, among other states. The Administration must terminate any and all such contracts.

Finally, the Council and Administration should work with the NYPD and DOC to ensure compliance with our city's laws that prohibit collusion between local law enforcement and federal civil immigration enforcement.

Thank you again to the Committee and to Chair Restler for championing the fight for New Yorkers and protecting our city from federal overreach in an era of federal attacks across American cities.

Respectfully submitted by:

Vladimir Tlali
Senior Policy Strategist
New York Immigration Coalition (NYIC)

Jason W. Forrester
Former Deputy Assistant Secretary of Defense for
Reserve Affairs, Manpower and Personnel

New York City Council Committee on Governmental Operations, State and Federal
Legislation

Hearing: "Protecting New York City from Federal Overreach"
Submitted Testimony // November 20, 2025

Good morning, Council Members.

I'm Jason Forrester, and I'm representing National Security Leaders for America, a bipartisan, all-volunteer organization of national security leaders established in 2021 to counter growing threats to our democracy.

Today, I'll address the dangerous possibility of deploying National Guard troops for domestic policing in New York City.

Before my presentation, here's some background info. Starting almost 20 years ago, I was an advocate for the National Guard in the context of their heavy utilization during the wars in Iraq and Afghanistan. Later, I was appointed by President Obama to serve as a Deputy Assistant Secretary of Defense, where I developed manpower and personnel policies for the Guard and Reserve.

Now to the heart of my testimony:

Misusing the National Guard to police our streets is dangerous to our democracy, ineffective at reducing crime, and potentially unlawful.

FIRST, IT'S DANGEROUS.

Using the Guard for policing blurs the line between military and civilian authority. Our troops swear to defend the nation against external threats, not to patrol our neighborhoods.

A recent Pentagon memo establishes something deeply troubling: a permanent, federally monitored civil-disturbance force -- 500 personnel per state, identical riot gear, and monthly federal reporting. This weakens the authority of governors and normalizes what should be exceptional.

Federally commanded armed soldiers on city streets chill free speech, intimidate residents, and discourage civic engagement. When we normalize such patrols at home, we weaken the trust that keeps our democracy strong.

SECOND, IT'S INEFFECTIVE.

Guard units are not trained for community-oriented police work.

Also, the data doesn't support deployment since NYC is experiencing declining violent crime rates.

Effectively addressing crime requires well-funded civilian solutions. Deploying troops ignores root causes and risks making matters worse.

THIRD, IT'S POTENTIALLY UNLAWFUL.

The Posse Comitatus Act makes it a crime to use the military as a domestic police force. The President can federalize the Guard under the Insurrection Act, but only for narrow conditions.

Ordinary street crime doesn't meet this threshold. A federal judge in Los Angeles found Guard deployment "improper" because there was no rebellion and civilian law enforcement was capable. In addition, cross-state deployments without a governor's consent violate state sovereignty.

CONCLUSION

Council Members, domestic use of the military must not outpace the law. New York City deserves real public safety solutions—not a military occupation.

I urge you to **support** law-bounded, governor-led actions. **Prioritize** de-escalation over coercion. **Demand** transparency and oversight.

The National Guard should defend the nation, not patrol its neighborhoods.

Thank you.

Jason Forrester Biography

From 2013-2015, Jason W. Forrester served as the Deputy Assistant Secretary of Defense (Manpower and Personnel) in the Office of the Assistant Secretary of Defense (Reserve Affairs). He was responsible for reserve component manpower, personnel, compensation, and medical matters, as well as multiple related functions supporting the 1.1 million members of the National Guard and Reserve. Mr. Forrester also served in other defense policy positions, including Special Assistant to the Assistant Secretary of the Army (Manpower & Reserve Affairs); Advisor for DoD's "Don't Ask, Don't Tell" review; Team Chief (Personnel & Readiness); and on the Efficiencies Initiative (reprioritizing DoD resources).

Twice between 2004-2009, he was a Visiting Fellow at the Center for Strategic and International Studies (CSIS). From 2005-2006, he was Legislative Assistant to Senator Jay Rockefeller (D-WV). He served as Research Director for the Nuclear Threat Reduction Campaign, and researcher in the Foreign Policy Studies Program of the Brookings Institution.

Jason is a member of the Council on Foreign Relations. He received an M.A.L.D. from the Fletcher School of Law and Diplomacy at Tufts University and was graduated Phi Beta Kappa with a B.A. in political science from the Sewanee: The University of the South.



New York Civil Liberties Union
125 Broad Street, 19th Floor
New York, NY 10004
(212) 607-3300
www.nyclu.org

**Testimony of the New York Civil Liberties Union
before the New York City Council
Committee on Governmental Operations, State & Federal Legislation
regarding how to
Protect New York City from Federal Overreach**

November 20, 2025

The New York Civil Liberties Union (NYCLU) is grateful for the opportunity to submit the following testimony regarding steps that can be taken to protect New York City from federal overreach. The NYCLU advances civil rights and civil liberties so that all New Yorkers can live with dignity, liberty, justice, and equality. Founded in 1951 as the state affiliate of the national ACLU, we marshal an expert mix of litigation, policy advocacy, field organizing, and strategic communications. Informed by the insights of our communities and coalitions and powered by 90,000 member-donors, we work across complex issues to create more justice and liberty for more people.

The NYCLU's work includes protecting the rights of immigrant New Yorkers, guarding against unlawful surveillance, and making sure that policing practices do not unlawfully target New Yorkers, deprive them of their right to due process, or act to curtail their exercise of protest rights. There are actions that the Council—and the city—can take now to help advance these objectives in a way that protects those in NYC from federal overreach.

I. Protect Immigrants in NYC

In order to protect the rights of immigrants in NYC, the Council must strengthen the city's sanctuary protections and make it abundantly clear that U.S. Immigration and Customs Enforcement (ICE) is prohibited from operating on New York City Department of Correction (DOC) land.

There are several important steps that the Council can take to improve sanctuary protections:

- The Council must pass the New York City Trust Act (Intro. 214). To truly protect immigrant New Yorkers against the threats of the federal regime, our longstanding sanctuary laws must have teeth. When city employees violate local laws against colluding with ICE, there is no express mechanism to ensure accountability. The New York City Trust Act would change that by creating a private right of action to allow those harmed by unlawful collusion to sue for damages, thus providing a much-needed deterrent to prevent city agencies from violating sanctuary laws.

- Remove carveouts from NYC sanctuary laws. New York City was a national leader in enacting strong laws to prohibit city employees from colluding with ICE. At the center of the city’s sanctuary scheme are the city’s detainer laws, which restrict the DOC and NYPD from honoring ICE requests to hold a person in custody longer or provide notification of their release.¹ These laws, while meaningful, contain unfortunate exceptions that are interpreted to continue to allow officers to transfer people to ICE custody based on their prior contact with the criminal legal system. The Council must take up and pass legislation to remove these carveouts and ensure that all New Yorkers receive due process.

In addition, legislation passed by the Council in 2014 prohibited ICE from maintaining a presence at Rikers.² That prohibition went unquestioned for more than a decade, until Mayor Adams attempted to undermine it by issuing a 2025 executive order to allow ICE officers to return to the jail for certain purposes.³ While that directive was swiftly blocked in court,⁴ we must make sure that no future mayor exploits perceived loopholes to undermine the Council’s clear intent. The Council must pass legislation to make clear that ICE cannot be allowed to maintain quarters on DOC land for any purpose by passing Intro. 1412.

II. Protect Against Government Surveillance and Overreach

Federal-state-local intelligence and data sharing partnerships—such as Joint Terrorism Task Forces (JTTFs) and fusion centers—are opaque and unaccountable and can be weaponized to target and surveil New Yorkers who are exercising their constitutional rights. This is of particular concern when we are faced with a federal administration that threatens to exploit dangerous and invasive technologies to undermine our rights and freedoms by supercharging mass deportations, policing, and militarization.⁵

JTTFs are FBI-operated task forces that are intended to work with state and local law enforcement agencies to conduct counterterrorism investigations. Shockingly little is disclosed about what JTTFs do, what policies and rules they follow, what agencies or individuals are involved in them, what types of information they have access to, what information they share and with whom, and what invasive surveillance technology they use.

¹ NYC Admin. Code §§ 9-131, 14-154.

² NYC Admin. Code § 9-131(h)(2).

³ Reuven Bleu and Gwynne Hogan, *Adams Administration Inks Executive Order Allowing ICE Back on Rikers Island*, The City, Apr. 9, 2025, <https://www.thecity.nyc/2025/04/09/rikers-island-ice-executive-order/>.

⁴ Luis Ferré-Sadurní, *Judge Blocks ICE Plan to Open Rikers Office Indefinitely*, NY Times, Jun. 13, 2025, <https://www.nytimes.com/2025/06/13/nyregion/ice-rikers-island-judge-mayor-adams.html>; Erica Brosnan, *Judge Blocks Adams from Reopening ICE Office on Rikers Island*, Spectrum News NY1, Sept. 9, 2025, <https://ny1.com/nyc/all-boroughs/news/2025/09/09/judge-blocks-adams-from-reopening-ice-office-on-rikers-island>.

⁵ For example, Project 2025 explicitly calls for even more data collection and sharing, through government entities and private data brokers alike, with the stated goal of “total information-sharing in the context of both federal law enforcement and immigration enforcement,” particularly to obtain information about immigrants in sanctuary jurisdictions including through direct “access to department of motor vehicles and voter registration databases.” The Heritage Foundation, *Mandate for Leadership: The Conservative Promise* (2024). Similarly, Project Esther provides a dangerous roadmap for the surveillance and punishment of any pro-Palestinian speech, targeting protesters, students and educators on campus, and free speech at large. National Task Force to Combat Antisemitism, *Project Esther: A National Strategy to Combat Antisemitism* (2024).

JTTFs are not only notoriously opaque and unregulated, but they pose serious risks to our civil liberties. They’ve been used to spy on Black Lives Matter protesters and other political activists for years.⁶ And, with President Trump’s September issuance of a National Security Presidential Memorandum called “Countering Domestic Terrorism and Organized Political Violence” (also referred to as NSPM-7),⁷ it is clear that JTTFs are not only a tool—but in the words of White House Deputy Chief of Staff, Stephen Miller, “the central hub”⁸—the Administration can use to target political opponents.

NSPM-7 appears to be designed to crackdown on activists and non-profits, and (based on the list of political views the document targets) the Trump Administration could use the memorandum to go after anyone who isn’t a MAGA faithful. Under the logic of NSPM-7, the Trump Administration categorizes views it equates with “anti-Americanism,” “anti-Christianity,” “extremism on migration, race, and gender,” or “hostility towards those who hold traditional American views on family, religion, and morality” as indicia of domestic terrorist threats.⁹

JTTFs are just one of several types of law enforcement entities combining federal, state, and local law enforcement resources and funding and operating almost completely in the dark. Fusion centers—which the Department of Homeland Security describes as entities that “gather, analyze, and share comprehensive crimes, hazards, and terrorism information to inform local, regional, and national threat analysis and prevention efforts”¹⁰—are another such entity.¹¹

Fusion centers have reportedly spied on “racial justice protesters, environmental activists, and counselors at an Israel-Palestine peacebuilding camp,”¹² and been used to surveil

⁶ ACLU of Colorado, *Spy Files Documents Reveal Political Spying by FBI’s Joint Terrorism Task Force*, <https://www.aclu-co.org/spy-files-documents-reveal-political-spying-fbis-joint-terrorism-task-force/>.

⁷ The White House, Presidential Memoranda: Countering Domestic Terrorism and Organized Political Violence, Sept. 25, 2025, <https://www.whitehouse.gov/presidential-actions/2025/09/countering-domestic-terrorism-and-organized-political-violence/>.

⁸ Ken Klippenstein, *National Security Directive Declares War on Those Who Don’t Support Trump Agenda*, Truthout, Sep. 29, 2025, <https://truthout.org/articles/national-security-directive-declares-war-on-those-who-dont-support-trump-agenda/>.

⁹ Presidential Memoranda: Countering Domestic Terrorism and Organized Political Violence, *supra* note 7.

¹⁰ U.S. Department of Homeland Security, Fusion Centers and Joint Terrorism Task Forces, <https://www.dhs.gov/fusion-centers-and-joint-terrorism-task-forces>.

¹¹ A third type of federal-state-local collaboration are the High Intensity Drug Trafficking Areas (HIDTA) programs. According to the Drug Enforcement Agency, these programs provide “assistance to federal, state, local, and tribal law enforcement agencies operating in areas determined to be critical drug-trafficking regions of the United States.” United States Drug Enforcement Administration, HIDTA, <https://www.dea.gov/operations/hidta>.

HIDTA’s are just another cog in America’s decades-long failed war on drugs that incarcerates millions of mostly Black and brown people while doing nothing to stop the flow of drugs, addiction, or other harmful impacts from drugs. However, HIDTA’s operations appear to have expanded into much broader, generic areas: For example, the NYPD regularly utilizes facial recognition services provided by HIDTA through an online portal. As the New York City Department of Investigation report notes: “How long these [facial recognition] records are kept, in what format, and with whom the records could be shared are all controlled by HIDTA.” Jocelyn Strauber & Jeanene Barrett, *An Assessment of NYPD’s Response to the Post Act*, New York City Department of Investigation: Office of the Inspector General for the NYPD (OIG-NYPD), Nov. 2022, at 24, https://www.nyc.gov/assets/doi/reports/pdf/2022/POSTActReport_Final_11032022.pdf.

¹² Alice Speri, *The Defund Police Movement Takes Aim at Fusion Centers and Mass Surveillance*, The Intercept, Apr. 21, 2021, <https://theintercept.com/2021/04/21/maine-defund-police-fusion-centers-mass-surveillance/>.

nonpolitical cultural events.¹³ They've also been used by ICE to tap into local law enforcement databases to track down and deport immigrants.¹⁴ Here in New York, Governor Hochul has repeatedly increased funding for the state's primary fusion center, the New York State Intelligence Center (NYSIC). For example, in 2022, Hochul was able to secure over \$500,000 in funding to expand NYSIC's social media surveillance team and the following year \$700,000 was allocated for social media surveillance.¹⁵

Federal-state-local intelligence and data sharing partnerships are opaque, lacking even minimal public transparency or oversight. While these partnerships have metastasized far beyond their initial purposes and lack any semblance of local or democratic control, every year our state leaders spend millions of New Yorkers' taxpayer dollars to fund and expand them.

Local leaders should take immediate action to cut funding to federal-state-local data sharing partnerships, adopt executive orders to drastically limit cooperation with such partnerships,¹⁶ or end participation in such partnerships altogether.¹⁷ Taking such measures is especially critical at a time when the Trump Administration is using these programs to target law abiding people, activists, immigrants, students, and other groups.

III. Adopt Policing Practices that Protect Constitutional Rights

There are several measures before the Council that would help avoid federal overreach and reform New York Police Department (NYPD) practices to avoid unlawful surveillance and protect due process and protest rights.

First, the Council should adopt Intro. 798 to delete the racially-biased gang database. The NYPD's gang database—like JTTFs and fusion centers—is vast, unaccountable, and is used to surveil members of traditionally marginalized communities. The database includes thousands of people who the NYPD claims are members of gangs. However, while the NYPD claims this is an evidence-based tool, the criteria for including someone in the

¹³ Mara Hvistendahl, *Austin Fusion Center Spied on Nonpolitical Cultural Events*, *The Intercept*, Nov. 30, 2020, <https://theintercept.com/2020/11/30/austin-fusion-center-surveillance-black-lives-matter-cultural-events/>.

¹⁴ Surveillance Technology Oversight Project, *Deportation Data Centers: How Fusion Centers Circumvent Sanctuary City Laws*, Nov. 19, 2024, <https://www.stopspying.org/deportation-data-centers>.

¹⁵ Chris Gelardi, *The New York State Police are Feeding ICE a Gang Database*, *NY Focus*, Apr. 23, 2025, <https://nysfocus.com/2025/04/23/trump-ice-new-york-gang-database-deportation>; see also Chris Gelardi, *The State Police Sent You a Friend Request*, *NY Focus*, Jun. 13, 2022, <https://nysfocus.com/2022/06/13/fake-accounts-state-police-social-media-monitoring/>; Governor Kathy Hochul, Executive Order No. 18: Preventing and Responding to Domestic Terrorism (May 18, 2022), <https://www.governor.ny.gov/executive-order/no-18-preventing-and-responding-domestic-terrorism>.

¹⁶ Chad Marlow, *How Governors and Mayors can Protect Nonprofits from Trump's NSPM-7*, Oct. 28, 2025, <https://www.aclu.org/news/national-security/how-governors-and-mayors-can-protect-nonprofits-from-trumps-nspm-7>; see also ACLU, *Model Mayoral Executive Order*, Oct. 28, 2025, <https://www.aclu.org/documents/protecting-non-profits-and-charitable-foundations-from-politically-motivated-targeting-by-the-federal-government>.

¹⁷ ACLU NorCal, *Press Release, Community, Civil Rights Groups Welcome San Francisco Police Department Suspending Participation in the Federal Government's Joint Terrorism Task Force*, Feb. 2, 2017, <https://www.aclunc.org/news/community-civil-rights-groups-welcome-san-francisco-police-department-suspending-participation>; see also Katie Utehs, *San Francisco Temporarily Suspends Ties to FBI Joint Terrorism Task Force*, *ABC 7 News*, Feb. 2, 2017, <https://abc7news.com/post/sf-temporarily-suspends-ties-to-fbi-joint-terrorism-task-force/1733119/> (noting that the announcement came “amid growing concerns of spying on Muslim Americans by the new Trump Administration”).

database are vague and ripe for abuse. These flawed practices have led to a database that is 99 percent Black and Latinx boys and men and that subjects them to a heightened risk of surveillance and profiling.¹⁸ And—notwithstanding New York’s sanctuary protections—the database represents an attractive target for an overreaching federal government. Intro. 798 would put an end to these harms and the threats that the gang database’s continued existence poses to New Yorkers by requiring the NYPD to abolish the database.

Second, in a society where it is often the case that “policing institutions overwhelmingly treat protests, assemblies, and other gatherings as security threats that should be discouraged,”¹⁹ and when we are faced with a federal administration that has used protest as a rationale for deploying military personnel to cities, it is essential that NYC do everything in its power to protect the right to protest—a core democratic right. The Council can help accomplish this objective now by passing the Communities United to Reject Brutality (CURB) Act (Intro. 1176).

The NYPD’s policing of protest has long been a source of criticism and litigation, and the Strategic Response Group (SRG), has been the notoriously violent face of an overly aggressive and abusive response to protests and demonstrations.²⁰ New Yorkers need to know that their right to protest in this city—including and especially in response to threats from the Trump Administration—is sacrosanct. The CURB Act will protect the right to protest by reining in the NYPD’s most abusive tactics. It will prohibit the SRG’s deployment to protests and ban the unit’s most notorious and unwarranted tactics from being used by any NYPD officer at protests going forward.

IV. Conclusion

At a time when the federal administration is aggressively targeting immigrant New Yorkers, has threatened to deploy the military to our city’s streets, and is adopting measures to squash dissent and stifle opposition, there are steps our city can take to protect its residents from federal overreach. The NYCLU urges the Council to adopt the measures outlined in our testimony above and take definitive steps to shore up sanctuary protections and protect those in our city from unlawful surveillance and abusive policing practices.

¹⁸ See, e.g., Nina Pullano, *Civil Rights Groups Blast NYPD Gang Database as Racist, Arbitrary*, Courthouse News, May 1, 2025, <https://www.courthousenews.com/civil-rights-groups-blast-nypd-gang-database-as-racist-arbitrary/>; Daryl Khan, *New York City’s Gang Database is 99% People of Color, Chief of Detectives Testifies*, Juvenile Justice Information Exchange, Jun. 14, 2018, <https://jjie.org/2018/06/14/new-york-citys-gang-database-is-99-people-of-color-chief-of-detectives-testifies/> (showing that the gang database’s targeting of people of color has remained consistent for years).

¹⁹ International Network of Civil Liberties Organizations and the International Human Rights Clinic of the University of Chicago Law School, *Defending Dissent: Towards State Practices that Protect and Promote the Rights to Protest* (2019), at 6, <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1007&context=ihrc>.

²⁰ See, e.g., NYCLU, Testimony of the New York Civil Liberties Union Before the New York City Council Regarding the NYPD’s Strategic Response Group, Mar. 1, 2023, https://www.nyclu.org/uploads/2023/03/230301-hearing_testimony_srg.pdf (outlining the creation of the SRG and recounting violent tactics that have been deployed by the unit).

Testimony by the New York Legal Assistance Group (NYLAG)

**before the NYC Council Committee on Governmental Operations, State & Federal Legislation
regarding:**

Protecting New York City from Federal Overreach

November 20, 2025

Chair Alexa Avilés, Council Members, and staff, good afternoon and thank you for the opportunity to speak to the Oversight Committee about legal services for immigrant New Yorkers. My name is Jodi Ziesemer, and I am the Policy Director, Immigration Emergency Response, at New York Legal Assistance Group (NYLAG). NYLAG uses the power of the law to help New Yorkers in need combat social, racial, and economic injustice. We address emerging and urgent legal needs with comprehensive, free civil legal services, impact litigation, policy advocacy, and community education. 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 survivors, 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.

All of our practice areas serve immigrant New Yorkers, with five units with that provide immigration law services to New Yorkers across a breadth of legal matters: from humanitarian applications for survivors of sexual and gender based violence and people in need of medical support, to removal defense, to federal litigation and habeas petitions, to appellate work, citizenship, and more. In FY25, across NYLAG's immigration practice areas we provided services in 18,463 immigration cases, benefiting 48,721 individuals, including children.

The Immigration Landscape

There has been a dramatic sea change in local and national immigration sphere in the ten months since the second Trump Administration has assumed power. These changes encompass high profile, unprecedented enforcement action throughout the country, violent arrests, exponential increase in detentions, and rapid deportations including to third countries. Between January and July 2025, nearly 5,000 New Yorkers have been arrested by Immigration and Customs Enforcement (ICE), more than the entire total of people arrested in 2024.¹ This new enforcement landscape has been marked by chaos and illegal actions by ICE and the Government, making the practice of immigration law challenging and unpredictable. While as of August 2025, there are 340,000 cases currently pending before New York State immigration courts, this number does not capture the full scale of immigration enforcement against New Yorkers, who are being put into expedited removal proceedings, having their immigration cases dismissed before trial, transferred by ICE to other states, and being detained at numbers double those from a year ago.²

In addition to well-documented enforcement action, there has been less visible policies to undermine and revoke lawful status, delay processing of documentation, and increased enforcement actions for immigrants in all parts of the immigration process from visas to naturalization. The Trump Administration has attempted, through a multi-prong approach, to eviscerate our asylum system and dismantle the neutral adjudications at USCIS, Department of State, and Immigration Courts. There are very few checks on enforcement and the recent infusion of substantial funding to DHS to establish more robust infrastructure and staffing for immigration enforcement will have lasting effects for decades.

¹ <https://www.wxxinews.org/local-news/2025-08-19/ice-arrests-in-new-york-surpass-2024-totals-after-recent-surge>

² https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative/immigration-court-legal-representation-dashboard?token=4FrZTPZ-AANDchNGxbQcgxF_-cRsiyF2

New York anticipates that the federal government will increase its targeting of New York City and New York states in the upcoming months.³ State National Guard troops have been deployed to Washington D.C.,⁴ Los Angeles, Chicago, Portland⁵ and Memphis⁶ on the pretext of addressing crime but actually supporting or assisting in federal immigration enforcement actions. While a state judge recently ruled that New York officials cannot be forced to cooperative with federal authorities in immigration arrests,⁷ this does not mitigate the risk of out of state actors being brought in to enact the aggressive deportation agenda of this Administration. ICE arrests throughout the country have been violent and racist and violative of local as well as Constitutional norms. ICE enforcement efforts have extended beyond immigrant communities to target activists and faith-leaders,⁸ journalists,⁹ U.S.citizens,¹⁰ and elected officials,^{11, 12 13} creating an environment of fear and lawlessness.

1. Develop policies and protocol for investigating ICE violence and criminal behavior, NYPD role in protests and bystanders resistance to ICE action

In past years, ICE in New York City shot a bystander in the face while making a civil immigration apprehension¹⁴, hospitalized a journalist who was filming ICE actions¹⁵, and violently

³ https://www.wsj.com/us-news/new-york-officials-to-team-up-with-wall-street-to-keep-national-guard-out-a3e391c9?gaa_at=eafs&gaa_n=AWetsqc8yGOxEret-QnNHvqj6psi3RxYwLFfMyId2QNkMGIR7TolAMTrK_x11AbAitQ%3D&gaa_ts=691ca1a2&gaa_sig=_cMU1kTu59Lcr6e1CnS6J0tdM-j_Yh43htwyXP-URKJF_LBbuIK_AboHtB4juhXIKe9yJBZRMe9Tk947UDxUrQA%3D%3D

⁴ <https://www.pbs.org/newshour/nation/while-wary-of-trumps-motives-some-d-c-residents-uneasily-back-parts-of-the-national-guard-deployment>

⁵ <https://www.npr.org/2025/11/16/nx-s1-5610485/national-guard-chicago-portland-texas-california>

⁶ <https://www.nbcnews.com/news/us-news/tennessee-judge-rules-national-guard-deployment-memphis-unlawful-rcna244552>

⁷ [BREAKING: Judge Rules New York Need Not Aid ICE Arrests](#)

⁸ <https://www.reuters.com/legal/government/nearly-two-dozen-arrested-faith-leaders-protest-outside-chicago-area-ice-2025-11-14/>

⁹ <https://www.cnn.com/2025/09/30/us/ice-new-york-immigration-court-journalists>

¹⁰ <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>

¹¹ <https://www.reuters.com/legal/government/new-york-democratic-politicians-arrested-ice-jail-manhattan-2025-09-19/>

¹² <https://www.nytimes.com/2025/09/18/nyregion/elected-officials-arrested-ice-new-york.html>

¹³ <https://wisconsinexaminer.com/2025/05/09/newark-mayor-detained-by-federal-agents-during-protest-at-ice-jail/>

¹⁴ <https://www.nytimes.com/2020/02/11/nyregion/ice-officer-shooting.html>

¹⁵ <https://www.cnn.com/2025/09/30/us/ice-new-york-immigration-court-journalists>

abused, maimed, and assaulted vulnerable immigrants, including pregnant women, children, and otherwise vulnerable individuals.¹⁶ A security guard at the federal building in downtown Manhattan raped an immigrant who was accessing services in the federal building.¹⁷ Earlier this year, an ICE officer opened fire in L.A. injuring two people.¹⁸ Nationwide, ICE has also arrested more than 170 U.S. citizens in 2025¹⁹ and made criminal arrests of city officials²⁰, activists²¹, and lawyers²², including tear-gassing LAPD officers.²³ Currently, NYPD does not have a protocol for investigating or charging criminal activity by federal officials, including ICE.

The New York Attorney General's office has developed an online portal for the public to report illegal ICE activity and criminal behavior.²⁴ Illinois has similarly developed a hotline and email to report ICE tampering with Illinois license plates after a video recorded an ICE officer saying that they replace the license plates on their vehicles every day to conceal their identity during ICE arrests and raids.²⁵ States from California to Colorado have threatened to prosecute ICE officials for violations of state law.²⁶ New York would benefit from expanding the Attorney General's reporting portal but also the development of other reporting mechanisms not connected to any government entity to coalesce information from the public and stakeholders to facilitate accountability by misconduct and illegal activity by federal and state agents.

¹⁶ <https://abc7ny.com/post/ice-officer-relieved-duties-violent-confrontation-manhattan-courthouse-26-federal-plaza-goes-viral/17888417/>

¹⁷ <https://www.nytimes.com/2023/06/05/nyregion/migrant-rape-security-guard-charged-nyc.html>

¹⁸ <https://www.latimes.com/california/story/2025-10-23/ice-raids-dangerous>

¹⁹ <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>

²⁰ <https://www.reuters.com/legal/government/new-york-democratic-politicians-arrested-ice-jail-manhattan-2025-09-19/>

²¹ <https://www.theguardian.com/us-news/2025/oct/21/new-york-city-chinatown-ice-raids-protests>

²² <https://www.npr.org/2025/04/09/nx-s1-5357455/attorney-detained-by-immigration-authorities>

²³ <https://www.latimes.com/california/story/2025-10-23/ice-raids-dangerous>

²⁴ <https://thehill.com/homenews/state-watch/5568435-letitia-james-ice-investigation/>

²⁵ <https://www.ilsos.gov/news/2025/october-22-2025-giannoulas-to-ice-agents-dont-mess-with-illinois-license-plates.html>

²⁶ <https://www.washingtonexaminer.com/news/justice/3863118/doj-draws-red-line-interfering-ice-state-democrats-escalate-threats/>

NYLAG encourages the support of two pieces of state legislation to create a private right of action for holding federal and state officials accountable for unconstitutional conduct. New York Senate Bills 3280 (2025–26 Leg., Reg. Sess. (N.Y. 2025))²⁷ and 176 (2025–26 Leg., Reg. Sess. (N.Y. 2025))²⁸. Both of these civil rights bills offer a potential pathway for pursuing damages against federal officials who act unconstitutionally. These bills would bring New York in line with other states such as California, Maine, New Jersey, and others to authorize damages actions against federal officials for federal constitutional violations.²⁹ These bills are essential for accountability and ensuring that no government official is beyond the law.

As ICE increases its presence and the violence and frequency of raids and arrests in New York City, there will be a consequent increase in federal agents encounters with bystanders, protesters, community members, and city officials. New York City should develop similar processes for collecting reports on potential criminal acts by federal agents committed within New York City and devise a protocol for investigating, and charging criminal acts by federal officials. As we are seeing ICE action across the country, New York City can learn from these incidents and plan in advance of ICE officials making a concerted, targeted effort to attack New York City residents. Through safe reporting methods for violations of law and abuse by any state or federal agent, private rights of action for governmental misconduct, and individual accountability, we can better protect all New Yorkers.

2. Strengthen NYC sanctuary laws by championing proposed city legislation on accountability

²⁷ <https://www.nysenate.gov/legislation/bills/2025/S3280>

²⁸ <https://www.nysenate.gov/legislation/bills/2025/S176>

²⁹ https://statedemocracy.law.wisc.edu/featured/2025/explainer-state-created-damages-remedies-against-federal-officials/#_ftn18

New York City should follow the example of Chicago's Mayor Brandon Johnson in creating an Executive Order for "ICE Free Zones" which creates clear mechanisms to prohibit federal immigration agents from using any City-owned property in their ongoing operations.³⁰ Our current sanctuary laws prohibit the sharing of information or the cooperation of city officials in ICE enforcement activity and attempt to limit the use of City property in the targeting and arrest of New York City residents; however, these city ordinances have no enforcement mechanisms and compliance is hard to track or monitor. New York City has an ordinance in our city Administrative Code (§2-410) which limit federal enforcement access to city property; however, the number of exceptions and lack of enforceability have rendered this ordinance largely ineffective. We should strengthen our laws to shield our residents from ICE activity at city run shelters, schools, hospitals, parks, and administrative offices. The use of City resources for ICE arrests erodes trust between immigrant communities and the City, weakening the relationships that are essential to ensuring community safety and constitutional policing.

New York City Council has passed laws limiting when the New York Police Department and Department of Corrections will honor ICE detainers and whose information they can share with ICE officials. Despite the goals of the law, the City has kept funneling New York City residents into ICE custody. New York City needs stronger protections to restrict any official within our City from cooperating . The City Council should pass should champion three key pieces of city legislation to strengthen our City's sanctuary laws and create a private right of action for accountability in our existing laws. The first is the NY Trust Act, which will create a private right

³⁰ https://www.chicago.gov/city/en/depts/mayor/press_room/press_releases/2025/october/city-property-executive-order.html

of action for people harmed by the violation of NYC's sanctuary laws.³¹ The second is Proposed City Council bill 396,³² which would prohibit collusion between the Department of Corrections and ICE, effectively preventing further Executive Orders or actions, like the recently vacated mayoral order 50, which allowed ICE to operate in our city jails.³³ Finally, City Council should further limit NYPD and NYC Department of Corrections from cooperating with ICE in holding immigrants in city jails and police stations to facilitate transfer to ICE detention.³⁴

3. Support City, State, and Federal legislation to End Federal Agents' Use of Identify-Masking Tactics

It is well-documented that Federal Agents engaged in immigration enforcement action use identity-masking tactics such as wearing full-face masks, improvised covers for their faces, dressing in plain clothes without badges or uniforms that identify them as federal agents.³⁵ These tactics are designed to intimidate and create fear in the communities in which they are operating and to create confusion as to the agents' authority and purpose of their actions.³⁶ Masking the individual identity of federal agents likely has the effect of encouraging more violent, brutal, and unlawful conduct as it potentially shields them from personal accountability for their individual actions.³⁷ There was a video of a federal agent violently abusing a woman while arresting her in the federal building this September. Because of his face-mask, it was challenging to identify the agent and neither ICE nor DHS has confirmed this identification.³⁸ This practice has been so

³¹ https://www.immigrantdefenseproject.org/wp-content/uploads/IDP_NY-Trust-v2.pdf;
<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6557545&GUID=6001C297-C4FA-46E3-A61A-8BDB4FB6FC21>

³² <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6557965&GUID=FAEA2D4D-BF6E-4215-B2BB-50E3067406EE>

³³ <https://www.immigrantdefenseproject.org/community-organizations-advocates-celebrate-court-order-blocking-mayors-attempt-to-bring-ice-back-to-rikers/>

³⁴ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6557964&GUID=A9C68971-D174-4CC6-910A-2D218CEB0A65>

³⁵ <https://www.theatlantic.com/politics/2025/11/ice-immigration-masks/684868/>

³⁶ *Id.*

³⁷ *Id.*

³⁸ https://migrantinsider.com/p/scoop-ice-list-identifies-agent-who?utm_source=post-email-title&publication=

unpopular that various levels of the government from the FBI,³⁹ to state Governors⁴⁰ to private organizations such as the New York State Bar Association,⁴¹ have demanded that ICE stop their agents from wearing masks while conducting public missions.

New York State has proposed a piece of legislation to prohibit this practice in New York. The Mandating the End to Lawless Tactics (MELT) Act (A08908/S08462) introduced by Senator Fahy and Assemblymember Simone, would ban the use of face coverings and would mandate that ICE wear uniforms and identification while operating in their official capacity.⁴² This bill echoes a recently passed law in California that criminalizes the practice of any law enforcement concealing their identity while performing their official duties.⁴³ The MELT Act adds penalties to law enforcement for an analogous bill signed into law by Governor Hochul this summer to criminalize the practice of facial concealment to evade identification in connection with a criminal act.⁴⁴

There is pending federal legislation that would prohibit federal agents from wearing face masks while on duty. The Visible Identification Standards for Immigration-Based Law Enforcement or VISIBLE Act, bars federal agents from using face masks during public operations. Proponents of the bill note that face coverings create a climate of fear and make it difficult to identify ICE agents who commit wrongdoing, creating a lack of accountability and creates an environment where impersonation of federal agents becomes easier to perpetrate and more challenging to curb.⁴⁵

³⁹ <https://www.the-independent.com/news/world/americas/us-politics/fbi-ice-mask-crime-impersonators-b2859575.html>

⁴⁰ <https://newjerseymonitor.com/2025/10/21/nj-governor-ice-agents-masks/>

⁴¹ <https://www.nycbar.org/press-releases/statement-on-wearing-of-masks-by-ice-agents/>

⁴² <https://www.nysenate.gov/newsroom/press-releases/2025/patricia-fahy/senator-fahy-introduces-melt-act-prohibit-masking-ice>

⁴³ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB627

⁴⁴ <https://www.amny.com/news/hochul-lawmakers-public-mask-restrictions-budget-2025/>

⁴⁵ <https://barragan.house.gov/2025/07/29/spectrum-news-lawmakers-introduce-visible-act-to-require-ice-agents-to-lose-their-masks/>

NYLAG encourages New York City Council to support both the state and federal legislation to end the practice of ICE and other federal agents acting under the auspicious of the Department of Homeland Security from using face masks to terrorize our community. NYLAG staff have witnessed firsthand the confusion, fear, and violence of arrests by masked-ICE agents. At a minimum, people have a right to understand that they are being approached or apprehended by an agent of the U.S. government in their official capacity—knowledge that is currently obfuscated by face-masks, lack of uniforms and badges. This legislation would ensure this basic level of accountability.

4. Support New York For ALL Bill

The New York for All Act, S.2235 (Gounardes) / A3506 (Reyes), would help immigrant New Yorkers lead more open lives and take care of family, preserves state and local resources for our communities, and ensures New York dollars cannot be diverted to carry out a cruel, politicized immigration agenda. The legislation prohibits New York’s state and local government agencies, including police and sheriffs, from colluding with ICE, disclosing sensitive information, and diverting personnel or other resources to further federal immigration enforcement. While New York City has city ordinances and executive action to prevent city officials from colluding with federal immigration enforcement action, few other jurisdictions in New York state curtail cooperation with federal authorities and we have seen, particularly in Suffolk and Nassau counties that city and county officials have illegally colluded with ICE to arrest and detain many of their residents, including school children.⁴⁶ Support for New York for All Act, would cultivate safe and vibrant communities for all New Yorkers, regardless of immigration status.

⁴⁶ <https://www.notus.org/immigration/immigrant-detention-verdict-local-police-cooperation>

NYLAG appreciates the convening of this hearing to receive testimony from the community impacted by federal overreach and the organizations who work within and alongside affected immigrant communities. As policies and practice change, we hope that there will continue to be spaces for ongoing conversation and feedback on how we can ensure our City is upholding the rule of law for every person that lives within our City and calls it home.



November 20, 2025

The Honorable Lincoln Restler
Chair, Committee on Governmental Operations, State & Federal Legislation
New York City Council
Delivered via Electronic Submission

Re: Nov. 20, 2025 Oversight Hearing on "Protecting New York City from Federal Overreach"

Dear Chairman Restler and Members of the Committee:

Thank you for providing this opportunity to testify on the critical task of preventing politically-motivated and inappropriate deployments of the National Guard and federal law enforcement in New York City. Protect Democracy welcomes the opportunity to work with local and state leaders to strengthen the Empire State's sovereignty and mitigate any harm to civilians stemming from these missions.

Protect Democracy is a cross-ideological nonprofit dedicated to defeating the authoritarian threat. Our experts use litigation, advocacy, research, and technology to stop the consolidation of power, defend dissent, protect our elections, and build a thriving, multiparty democracy. Recent efforts include:

- Securing a judicial order protecting protestors and the press from unconstitutional and excessive force by DHS officers in Chicago¹
- Representing retired high-ranking national security leaders in briefs highlighting the dangers of politicizing the military and deploying troops domestically²
- Suing the Trump Administration to challenge the unlawful cancellation of \$400 million in research funding for Columbia University in an attempt to suppress speech³

Given the interest in this hearing and the volume of testimony submitted to the committee, we will keep this testimony brief. By now, you already understand the tenuous legal framework under which the Trump administration has authorized deployments around the country, to cities like Los Angeles, Chicago, Portland, and Washington D.C. False claims of "war ravaged"⁴ communities have been invoked to justify sending troops to provide support to the Department of Homeland Security's (DHS) Customs and Border Patrol (CBP) and Immigration and Customs Enforcement (ICE). While DHS has conducted operations in New York City, military personnel

¹ <https://protectdemocracy.org/work/protecting-protesters-and-the-press-from-unconstitutional-federal-force-in-illinois/>

² <https://protectdemocracy.org/work/amicus-brief-on-los-angeles-military-deployment/>

³

<https://protectdemocracy.org/work/faculty-unions-sue-trump-administration-no-halting-science-research-to-suppress-speech/>

⁴ <https://www.theguardian.com/us-news/2025/oct/19/portland-oregon-residents-trump-housing-drugs>

have not yet been activated in support—and this escalation along with heightened DHS enforcement is expected upon the inauguration of mayor-elect, Zohran Mamdani on January 1, 2026.

Protect Democracy stands ready to support legislative, regulatory, or administrative bulwarks against unnecessary, politicized deployments at the state and local levels. Today, we'd like to highlight two specific bills pending in the state legislature that would 1) prevent deployments from out-of-state National Guard personnel under the command of another state's governor; and 2) provide a civil right of action against federal officials who violate a person's rights under the United States Constitution. We respectfully request that the Council adopt a resolution expressing support for these bills and encouraging the State Legislature to adopt them promptly.

The first bill, [S8533](https://www.nysenate.gov/legislation/bills/2025/S8533),⁵ is sponsored by Brooklyn-based State Senator Andrew Gounardes. This legislation would simply require the permission of the Governor of New York prior to deployment of National Guard units under the command of another state's governor for military purposes. The legislation also includes an optional clause allowing the Attorney General of New York to bring a civil action to enforce that requirement. While the U.S. Constitution already prohibits such inter-state deployments, expressly reinforcing this prohibition in state law sends an unmistakable message that New York will not accept invading forces from other states and ensures the availability of immediate judicial relief should such a deployment be attempted. Such state law prohibitions have been in place around the country for decades, and similar legislation was adopted in Washington state earlier this year.

The second bill, [S8500](https://www.nysenate.gov/legislation/bills/2025/S8500),⁶ introduced by another Brooklyn legislator, State Senator Zellnor Myrie, addresses another fundamental problem facing our democracy: the *de facto* immunity that federal officers have when they violate Americans' constitutional rights—an immunity that will leave many New Yorkers without an effective remedy even if they can show that federal agents knowingly violated their constitutional rights. In particular, unlike state and local officials who have been subject to suit under federal law since 1871 for violating the U.S. Constitution, no similar federal law authorizes suit against federal officials for constitutional violations. The result is that, in many instances, individuals are left with no remedy at all when federal officials violate their constitutional rights.

S8500 would address that accountability asymmetry by creating a cause of action allowing New Yorkers to sue any officer—federal, state, or local—who violates their constitutional rights. That way, New Yorkers will not have to simply trust federal officials' good faith that they are following the Constitution; instead, New Yorkers injured by unconstitutional acts will have the ability to seek a remedy from an independent and impartial tribunal.

And, critically, SB8500 stands on firm constitutional ground. While the specter of federal preemption is often raised when states attempt to check federal overreach, here the Constitution itself demonstrates the constitutionality of Senator Myrie's proposal. Under the

⁵ <https://www.nysenate.gov/legislation/bills/2025/S8533>

⁶ <https://www.nysenate.gov/legislation/bills/2025/S8500>

Constitution, federal law only supersedes state law when federal authority is exercised "in Pursuance" of the Constitution. And the unconstitutional acts prohibited by SB8500 are the definition of acts not taken "in Pursuance" of the Constitution. Unsurprisingly then, both past Supreme Court decisions, *see United States v. Lee*, 106 U.S. 196, 220-21 (1882), and leading constitutional scholars⁷ have recognized the permissibility of state causes of action like that contained in SB8500 to enable Americans to seek relief for constitutional violations by federal officers.

These two bills will not, on their own, prevent a deployment of the military by President Trump and his allies to New York, nor will they expel DHS agents from neighborhood restaurants and businesses. However, they represent an appropriate exercise of New York's sovereign powers by the people, as guaranteed under the 10th Amendment. A new federalism is emerging in response to a federal government which has demonstrated a callous disregard for human and civil rights. State and local policymakers are an essential backstop against a tyrannical central government, and are responsible to their constituents for exerting maximum pressure to preserve those rights. A principled and definitive policy response to federal overreach must provide policymakers with every tool and resource possible to defend the law robustly.

We commend this committee for taking proactive steps to engage the community and stakeholders in this critical conversation and request that you consider adopting a resolution urging the New York State Legislature to adopt Senate Bills 8500 and 8533, along with related legislation to address the egregious abuses of federal law enforcement powers to rule through fear, rather than govern with compassion. Protect Democracy looks forward to continued engagement with this body and stakeholders throughout the city and state as we work together to protect New Yorkers.

Thank you for your consideration.

⁷ See, e.g., Akhil Reed Amar, *Of Sovereignty and Federalism*, 96 Yale L.J. 1425, 1512-17 (1987); Seth P. Waxman & Trevor W. Morrison, *What Kind of Immunity? Federal Officers, State Criminal Law, and the Supremacy Clause*, 112 Yale L.J. 2195, 2247 (2003).



40 Rector Street, 9th Floor
New York, New York 10006
www.StopSpying.org | (212) 518-7573

**STATEMENT OF
ALISSA JOHNSON, LEGAL FELLOW
SURVEILLANCE TECHNOLOGY OVERSIGHT PROJECT (“S.T.O.P.”)**

**BEFORE THE COMMITTEE ON GOVERNMENTAL OPERATIONS, STATE &
FEDERAL LEGISLATION,
NEW YORK CITY COUNCIL**

PROTECTING NEW YORKERS FROM FEDERAL OVERREACH

**PRESENTED
November 20, 2025**

Good morning, members of the New York City Council Committees on Technology and Public Safety. Thank you for organizing this important hearing.

The Surveillance Technology Oversight Project (“S.T.O.P.”) is a New York-based civil rights and anti-surveillance group that advocates and litigates against discriminatory surveillance. S.T.O.P. supports the City Councils efforts to combat federal overreach in immigration enforcement and invasive monitoring of New York immigrant communities. S.T.O.P. would like to take this opportunity to highlight three policy interventions aimed at protecting New Yorkers from federal actors seeking to violate their civil rights.

1. Abolish the Gang Database and Prevent Data Sharing with ICE

New York City laws limit NYDOC and NYPD cooperation with ICE and restrict city agencies from honoring ICE detainer requests.¹ But these laws have not stopped NYPD officers² and corrections investigators³ from sharing immigrants’ information with federal agencies. Rampant oversurveillance of communities of color puts vulnerable New Yorkers at risk—from the NYPD themselves, but also from persecution from ICE and DHS.

Among the troves of data the NYPD maintains about New Yorkers is the notoriously racist gang database, which can expose people of color to suspicion and police stops for reasons as innocuous as wearing the wrong clothes, staying out late, or attending the Puerto Rican Day parade. The gang database almost exclusively surveils Black and Brown New Yorkers: in 2022, 98% of the people identified in the database were Black or Hispanic men under the age of 42.⁴

Gang databases facilitate the worst abuses of our criminal justice system—including federal overreach and mass deportations. A recent New York Focus investigation uncovered that the New York State Police gang database, containing information on more than 5,100 people, has been quietly merged into a federal gang database, which is then funneled directly to ICE and used to identify immigrants for deportation.⁵ Allowing city agencies to maintain similar databases, with their racial biases and deeply flawed inclusion parameters, paints a target on New York’s most vulnerable communities without meaningfully contributing to public safety.

For these reasons, S.T.O.P., alongside our partners in the G.A.N.G.S. coalition, urges the City Council to pass Intro 798, abolishing the gang database and preventing successor databases from taking its place. At the very least, the City Council must ensure that ICE is not given access, under any conditions, to surveillance profiles contained within the database.

¹ Rachel Holliday Smith and Gwynne Hogan, “What Exactly Is a Sanctuary City and What Does That Mean for NYC?” *The City* (Feb. 13, 2024), <https://www.thecity.nyc/2024/02/13/sanctuary-city-explainer-nyc/>.

² Jake Offenhartz, “NYPD shared a Palestinian protester’s info with ICE. Now it’s evidence in her deportation case,” *AP News* (May 2, 2025), <https://apnews.com/article/nypd-ice-leqaa-kordia-trump-palestinian-protests-90c6f446f431e8ccc23a93172e1eb0b8>.

³ Emily Ngo, “NYC staffer violated ‘sanctuary’ laws by sharing migrant info with feds: report,” *Politico* (Sep. 25, 2025), <https://www.politico.com/news/2025/09/25/nyc-staffer-violated-sanctuary-laws-by-sharing-migrant-info-with-feds-report-00580799>.

⁴ Tandy Lau, “Why Black and Brown People Wind Up on NYPD Gang Database – Even if They’re Not in Gangs,” *Word in Black* (Oct. 23, 2025), <https://wordinblack.com/2025/10/why-black-and-brown-people-wind-up-on-nypd-gang-database-even-if-theyre-not-in-gangs/>.

⁵ Chris Gelardi, “More Than 5,000 People Are on a NY State Police Gang Database That’s Talking to ICE,” *The City* (Apr. 24, 2025), <https://www.thecity.nyc/2025/04/24/gang-database-new-york-trump-immigration-enforcement/>.

2. Call on New York Legislators to Pass S182/A710 to End Qualified Immunity in New York State

Qualified immunity continues to restrict New Yorkers' ability to seek redress in court for officer misconduct, including for improper collaboration with federal law enforcement. Introduction 2220-A, passed in 2021, was a critical step forward in promoting officer accountability, creating a civil cause of action for officer use of excessive force or unreasonable search and seizure. The council could continue down this path by eliminating qualified immunity for other City law causes of action, such as abuse of authority, false arrest or unjust imprisonment, reckless driving, or witness tampering.

S.T.O.P. and our partner coalition, EndQI New York, also ask the City Council to pass a resolution calling for the passage of S182/A710 to end qualified immunity in New York State. Qualified immunity creates a near impassable legal bar preventing New Yorkers from holding state officers accountable for their violation of our rights—a problem made all the more pressing when these officers are emboldened by federal immigration policies to harass Black and Brown communities.

3. Press New York State Legislators to Pass NY for All

New York City has passed a number of sanctuary laws to prevent, for example, NYPD collaboration with ICE immigrant detention.⁶ But several jurisdictions in New York State have not passed such laws and continue to share data and manpower with federal immigration operations.⁷

From mass aggregation of our data by DOGE,⁸ to arrests of our elected officials at 26 Federal Plaza,⁹ to denying congresspeople access to their incarcerated constituents,¹⁰ to masked and anonymous raids on immigrant communities,¹¹ to endless other infringements of our civil rights, the Trump administration has demonstrated time and time again their commitment to tearing families apart and trampling on our liberty.

Now is the time to act and protect New Yorkers from federal overreach. We call on the City Council to urge New York State legislators to pass S.2235/A3506 (the NY For All Act) and affirm to all New Yorkers that our lawmakers stand alongside immigrant communities.

Thank you for the opportunity to testify today.

⁶ Rachel Holliday Smith and Gwynne Hogan, "What Exactly Is a Sanctuary City and What Does That Mean for NYC?" *The City* (Feb. 13, 2024), <https://www.thecity.nyc/2024/02/13/sanctuary-city-explainer-nyc/>.

⁷ Austin C. Jefferson, "Amid increased ICE raids, state Legislature fails to act on sanctuary state bill," *City & State New York* (Jun. 16, 2025), <https://www.cityandstateny.com/policy/2025/06/amid-increased-ice-raids-state-legislature-fails-act-sanctuary-state-bill/406105/>.

⁸ Makena Kelly & Vittoria Elliott, "DOGE Is Building a Master Database to Surveil and Track Immigrants," *Wired* (Apr. 18, 2025), <https://www.wired.com/story/doge-collecting-immigrant-data-surveil-track/>.

⁹ Gwynne Hogan, "Homeland Security Arrests 11 NY Elected Officials Inside 26 Federal Plaza," *The City* (Sep. 18, 2025), <https://www.thecity.nyc/2025/09/18/dhs-arrests-brad-lander-democratic-lawmakers-26-federal-plaza/>.

¹⁰ *Id.*

¹¹ Austin C. Jefferson, "Amid increased ICE raids, state Legislature fails to act on sanctuary state bill," *City & State New York* (Jun. 16, 2025), <https://www.cityandstateny.com/policy/2025/06/amid-increased-ice-raids-state-legislature-fails-act-sanctuary-state-bill/406105/>.

Hands Off NYC

Hannah Stauss

Testimony Before the Committee on Governmental Operations, State & Federal
Legislation

New York City Council

November 20, 2025

Chair Restler and Members of the New York City Council Committee on Governmental Operations, State and Federal Legislation,

My name is Hannah Stauss, I'm an organizer with 50501NYC and Strong Economy for all, and one of the co-leaders of Hands Off NYC - and I submit this testimony on behalf of Hands Off NYC.

Hands Off NYC is a campaign, supported by over 150 organizations in the city, from labor unions to faith leaders to grassroots organizations and many others, to preempt, prepare for, and stand up to federal incursions in our city.

I testify today to emphasize the need for the City Council to use all its powers, be it through oversight, or other levers of power to stand up to federal incursions - be it military troops or any of the federal agencies like ICE, Border Patrol, in our streets.

New York City is our home. We are diverse, vibrant, fiercely committed to democracy, and on the verge of new leadership in City Hall. New York City has always been a place where our communities shape how we live, work, and care for each other. But that only works when our municipal leaders hear their constituents and use both the authority and the backbone that the City Charter gives them.

We are living through a dangerous time as those holding the reins of federal governmental power inch closer to authoritarian rule. The Trump administration has

signaled plans to turn New York City into a “training ground” for the military and a target for increased federal enforcement.

Already, we have seen increased federal escalation on the streets of New York. Just 2 days ago, White House border czar Tom Homan announced plans to further boost ICE operations in New York City. I cite, *“I plan on being in New York City in the near future. We’re going to do operations in New York City. We know, in New York City, me, Mayor Adams, and at one point had an agreement to let ICE into Rikers Island ... but the city council shut it down,”* Homan said. *“So we’re going to be coming to New York City,”*

The threats are real, the timeline is short, and the political terrain is volatile.

Hands Off NYC was formed to organize New York City’s coordinated response against any federal incursion, and to build a citywide, decentralized, resilient, pro-democracy resistance infrastructure — a network of people, institutions, and narratives capable of defending New York against authoritarian escalation while modeling the next generation of democratic self-governance. We are building a citywide campaign that will ensure every neighborhood is ready for community defense and mutual support. Hands Off NYC will act as a central hub for NYC’s resistance – providing resources, training, and organizing strategies, while constructing key infrastructure for developing and maintaining neighborhood groups and rapid response networks. And right now, New Yorkers need this Council and the Mayor to fully wield their **powers** to protect us from federal incursions.

There are **three concrete steps** the City can take:

First: Aggressive oversight of any cooperation between city agencies and federal entities—including but not limited to DHS, ICE, and DOJ. We know that federal agencies often attempt to pressure local departments into information-sharing and joint operations that violate the spirit—if not the letter—of our sanctuary values. The Council must regularly require reporting, hold public hearings, and audit agency practices to ensure that no department is overstepping or quietly complying with federal demands, and that federal agencies are not violating our local laws..

Second: Use the legislative and budgetary powers of the Council to set clear boundaries. If federal authorities attempt to commandeer our police, our data systems, our infrastructure, or our social service networks, the City must proactively legislate safeguards. You have the authority to restrict data-sharing, limit participation in federal operations, and require transparency whenever federal agencies request city resources.

Third: Publicly and consistently defend New Yorkers' rights. Oversight is not just internal. It's political. When federal actors target immigrant communities, threaten protest rights, undermine labor protections, or attempt to override local policies, New Yorkers look to City leadership to stand firm. That means public resolutions, legal interventions, and visible solidarity with, and support for, the communities placed in harm's way.

New York City has always led the nation in defending civil liberties, in welcoming immigrants, and in insisting that government exists for the common good. In this moment, when federal overreach is not hypothetical but daily, Hands Off NYC is looking forward to working with the City Council to ensure that all New Yorkers are protected.

Our vision is for a united New York, joyous and defiant in who we are, our power, and our rights, standing up for our neighbors and ourselves, and elevating what we really need to address the issues we face together.

Thank you for your time and for your commitment to this city.



**Testimonial Letter to the New York City Council Committee on Governmental Operations,
State and Federal Legislation,
Hon. Lincoln Restler, Chair**

Hearing Date: November 20, 2025

Thank you to Chair Restler and the City Council for letting me come before you today to talk about domestic deployment of the National Guard. As an Iraq combat veteran and a New York resident, I am very concerned about the possibility that the National Guard might be deployed to New York City to support the city and state's law enforcement activities.

Deploying military forces to New York City, or any other American city, absent a real emergency is a misuse of power. It undermines civilian control, weakens democracy, and places both communities and service members in harm's way. The National Guard is meant to serve neighbors in times of disaster, not to patrol streets for political theater. These service members are not trained to be the police; they are trained for war.

If the National Guard is deployed to New York City, it is important that it be the New York State National Guard and it be deployed by New York's Governor, Kathy Hochul. So I urge the City Council to support State Senator Andrew Gounardes' bill S8533 expressly stating this.

As a veteran, I know the importance of lawful authority, clear missions, and the line between military and civilian life. During my deployment, I saw what happens when that line disappears. Using the armed forces for political purposes erodes trust in the military, strains families, and damages one of the last remaining institutions Americans broadly trust.

When military deployments are forced on communities without local consent, accountability shifts from leaders elected by the people to the federal government. This strips residents of control, undermines local strategies, and destabilizes neighborhoods. This is something New York City doesn't need.

Finally, National Guardsmen didn't sign up to be used as props in political battles and communities don't want soldiers in their streets. Deployments such as these threaten the long-term public safety of communities by weakening trust between civilians and service members.

Sincerely,

Kristofer S. Goldsmith
Former US Army Sergeant

New York City Council Committee on Governmental Operations, State and Federal Legislation

Protecting New York City from Federal Overreach: A Veteran's Perspective

Sophia-Helene Mees de Tricht
Nov 20, 2025

Committee Chair, honorable members,

In 2001, mere months after the horrible tragedy of September 11th, I entered the Delayed Entry Program to enlist in the United States Navy. Four days after completing high school, I was in boot camp. I was a sailor for eight years and when I got out, I joined the Coast Guard. As an E-4 in the United States Coast Guard, I was considered a federal law enforcement officer. And as a sailor, I conducted Coast Guard special operations on my first ship. I have spent many, *many* years steeping in the nuances of law enforcement operations including use of force against detainees and large groups.

In my naivete and idealism, I was under the impression that all federal law enforcement officers, and all law enforcement officers more broadly, were subject to the same "Use of Force Continuum" training that I was. The murder of George Floyd, Brianna Taylor, Mike Brown, Philando Castile, and too many others to name, and the protests that followed demanding *reform*, shattered that illusion in me. At the time, I lived in Iowa. What I saw and experienced in the Des Moines protests, will stay with me forever because as a law enforcement officer, I thought I knew the rules we all abide by.

I won't recount my experiences in those dark times, but I will recount some of the abuses on open display by ICE and CBP in this year, 2025, alone. ICE has raided day laborer sites like Home Depot and actual farms, in violation of their promise to only go after the worst of the worst. ICE has raided schools and preschools, detaining parents and giving the other parent an arbitrarily short time to pick up their child before CPS is called. The commander of CBP operations in Chicago personally deployed chemical weapons next to a school, and was later found to be lying when he said he had a rock thrown at his head as justification. As of today, 24 people have died in ICE custody, largely due to inhumane and inhuman detention conditions. ICE famously arrested a sitting member of the US congress who was exercising her constitutional right to inspect an ICE detention facility, and the mayor of Newark who somehow does not have that right. In Chicago, an ICE officer is accused of pointing a lethal, presumably loaded weapon directly at a peaceful protester, and saying "bang bang, you're dead, liberal," as

well as firing less lethal ammunition at protesters in ways *strictly* forbidden by use of force guidelines. Perhaps the most egregious example of this is the incident where a pastor, mid-prayer, was shot in the head with a pepperball.

Were I to display the kind of wanton disregard for rules of engagement and basic weapons safety in the military, I would be stripped of my weapons, my qualifications would be pulled, I would be severely disciplined, and I would likely spend some time in the brig. When, not if, but *when* these outsiders do violate our laws, I suggest we react in that same way: Harsh, severe discipline, including arrest pending investigation and adjudication.

It is shocking to me that we, as residents and citizens of the United States, cannot expect the same measured application of force and humane detention conditions in the pursuit of civil peace that our principles and guidelines on use of force and international law afforded people who we caught red-handed smuggling drugs. In this country, our government can brutalize us in ways that would call for a war crimes tribunal at the Hague if it were done to lawful combatants. Our black and brown neighbors know all too well that this repulsive injustice isn't *coming*, it's already here. This is absolutely *unacceptable* behavior and it cannot be allowed.

And I just want to reiterate, committee members, this is what is coming to our city. It's already here! It's *been* here! We in this city and in this state have laws about what law enforcement officers can and cannot do. And in these unprecedented times, we have the ability to hold visiting law enforcement to those laws. Our police have the motto "to protect and serve," and in the coming days and weeks, we will need them to actually protect and serve us, the people who make this city work. ICE and CBP need accountability. These are not our own people. These are outsiders, and they *will* violate our laws.

These outside forces who don't understand our city and don't care to understand will destroy us to achieve their arbitrary and racist ends. They will devastate the workforce that keeps this city, this economic and cultural juggernaut, running. Police officers across the nation have spoken out against ICE and expressed concern about their racial profiling practices, among other issues.

My military experience taught me one overarching lesson: carrying a weapon is a colossal responsibility. If you carry the means and the authority to end human life under any circumstance, you bear a proportionate responsibility to *protect* human life. Those responsibilities are written in law. We are a nation of laws. We are a city of laws. Any failure to abide by the law on my part is certainly not tolerated, and we **MUST NOT** tolerate this invasive disregard of life and rights and law in our city.

I am calling on the committee to publicly and flatly refuse to cooperate with ICE or CBP, and to empower and indeed compel NYPD to arrest those officers who violate our residents' rights protected by our laws.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

14

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

in favor in opposition

Date: 11/20/2025

(PLEASE PRINT)

Name: Deborah Lee

Address: 49 Thomas Street, NY, NY 10013

I represent: The Legal Aid Society

Address: same as above.

**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: Vladimir Tali

Address: _____

I represent: The New York Immigration 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: 11/20/2025

(PLEASE PRINT)

Name: Carolina Moreno

Address: _____

I represent: Nixteca

Address: 245 23th Street, Brooklyn NY 11220.

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: 11/20/25

(PLEASE PRINT)

Name: SUSAN LERNE

Address: 48 Wall St.

I represent: Common Cause NY

Address: 48 Wall 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: _____

(PLEASE PRINT)

Name: Sophia-Helene Mees de Tricht

Address: [REDACTED] NY NY 10029

I represent: Common Defense

Address: 751 W 30th St, NY NY 10001

**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: 11/20

(PLEASE PRINT)

Name: Alexandra Kizo

Address: _____

I represent: Make The Road NY

Address: [REDACTED] 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: BRAD LANDER

Address: 1 Centre St.

I represent: NYC Council

Address: 1 Centre 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: _____

(PLEASE PRINT)

Name: KATIE BISHOP

Address: [REDACTED] BK

I represent: 5 BORO VETERANS

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: 20 Nov 2025

(PLEASE PRINT)

Name: LOREE SUTTON

Address: [REDACTED]

I represent: NATI Sec LEADERS FOR AMERICA

Address: WASHINGTON DC

*Comm. on
Gov. Operations;
STATE & FED
LEGISLATION*

**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: 11/20/25

(PLEASE PRINT)

Name: JASON FORRESTER

Address: 337 E. 62ND ST

I represent: National Security Leaders for

Address: SAME America

**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: Quinn Raymond

Address: [REDACTED] place

I represent: Protect Democracy

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: DAVID MOSS

Address: _____

I represent: LEGAL DEFENSE FUND

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: Hannah Strauss
Address: [Redacted] Brooklyn 11216

I represent: Hands off NYC

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: Michael Matos
Address: _____

I represent: Five Borough Veterans

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: 11/20/21

(PLEASE PRINT)

Name: Christopher Leon Johnson
Address: [Redacted]

I represent: SCIP

Address: _____