



Mayor's Office of Immigrant Affairs

January 16, 2025

Testimony of Manuel Castro, Commissioner, Mayor's Office of Immigrant Affairs

Before the New York City Council Committee on Immigration

Oversight Hearing – Protection for Immigrant Communities

Thank you to Chair Avilés and members of the Committee on Immigration for the opportunity to testify today. My name is Manuel Castro, and I am the Commissioner of the New York City Mayor's Office of Immigrant Affairs, or MOIA. I am joined here today by Molly Schaeffer, Executive Director of the Office of Asylum Seeker Operations or OASO, Kelly Yzique-Zea, Director of Immigration Policy at OASO, and my colleagues at MOIA Enrique Chavira Cantu, Senior Policy Advisor for Federal Immigration, Lorena Lucero, Chief Policy Advisor, and Rebecca Engel, Director of Policy, Legislative Affairs, and Research.

As you may know, the work that we do at MOIA is incredibly personal and important to me. I came to this country as a child, crossed the border with my mother, and grew up as DREAMer in New York City. I know firsthand the anxieties, the fears, and the challenges that many of our fellow immigrant New Yorkers may be experiencing in moments like these. I clearly remember the uncertainty my family and I lived with every day, not knowing if one day I would be separated from my family and never see them again. These experiences shaped me, forming my lifelong commitment to advocating for immigrant communities. While in my current role as a Commissioner is different from my days as a community organizer, my dedication to advocating for and empowering immigrants has never been stronger – and it remains the core of who I am.

Since the summer of last year, we have engaged, along with our colleagues across City government, in transition planning in response to the potential changes in the federal administration. During this time, and in particular the last two months, we have accomplished, significant and important work in preparing for whatever comes next.

Guided by our Charter-mandate, MOIA continues to lead efforts in support of immigrant communities through innovative and community-rooted programs, as well as promote our commitment that all New Yorkers, regardless of immigration status, can access city services without fear.

Internally, MOIA has been proactively working, in partnership with the City's Law Department, to ensure that staff are thoroughly trained and fully understand the scope and meaning of New York City's local laws, including our sanctuary laws and executive orders. City agencies and offices, including contractors and vendors, are generally prohibited from assisting in immigration enforcement or utilizing city resources for such purposes. Furthermore, agencies are required to document any inquiries from federal immigration authorities related to immigration enforcement. It is crucial to note that City services are available to all New Yorkers, regardless of immigration status.

In addition, we are increasing and sustaining important lines of communications and collaborations across our internal colleagues. The interagency Immigrant Taskforce, mandated by the City Charter to meet quarterly, is meeting more often to coordinate and ensure ongoing communication across City agencies as we address issues impacting immigrant New Yorkers.

Externally, MOIA is working closely with non-profits and faith-based organizations to inform immigrant communities of their rights and about the availability of city services. We are launching the "MOIA Immigrant Rights Collaborative," which builds upon and expands our "Immigrant

Rights Workshops” program, and will deliver immigrant rights presentations to immigrant New Yorkers in shelters, faith-based organizations, schools, and other community spaces. The presentations will include information about our sanctuary city laws, the rights and protections for immigrant New Yorkers under the New York City Human Rights Law, and how individuals can report violations of their rights. The presentations will serve as additional entry points for community organizations and their clients to connect to free and quality immigration legal services. Most critically, the collaborative will work together to update presentations and materials as new updates emerge and work together to best serve and inform immigrant communities.

With these trainings, collaboration and information sharing, both within and outside of New York City government, MOIA plays a critical role in coordinating outreach to immigrant communities. While we cannot control or improperly impede the actions of the federal government, we can and will continue to do everything we can to educate and inform our residents about their rights under federal and local law and about the services available to them.

At the same time, MOIA has launched a communications campaign, so our communities are well informed of their legal rights under local and federal law. This is intended to counteract misinformation while empowering immigrant communities with accurate information about their rights and protections. This campaign will uplift our updated public material, available in multiple languages, that address the most pressing concerns of immigrant New Yorkers. We created materials that respond to the community’s most asked questions which include: “Know Your Rights with Immigration Enforcement”, “Sanctuary City Laws,” and “What to do if your friend or family member is detained.” The materials are available in print and on our website in the top 10 languages and more languages to come. We are also working closely with 311 and other City agencies to ensure they have updated content. Lastly, MOIA is coordinating with all City agency outreach staff to ensure they have access to these resources for their own outreach work.

With these efforts, both within and outside of New York City government, MOIA plays a critical role in preparing for what may come next and in coordinating outreach and support to immigrant communities. While we cannot control or improperly impede the actions of the federal government, we can and will continue to do everything we can to educate and inform our communities about their rights under local and federal law and about the services available to them.

In terms of our legal services work, we are also proud and on track to be launching MOIA’s Immigration Legal Support Centers by this summer. These centers will be more than an \$18 million investment over three years to support up to 25 community-rooted organizations providing culturally and linguistically responsive immigration legal assistance. This initiative will provide community members with a variety of legal and non-legal navigation and support services and maintain close outreach and referral partnerships with local schools, hospitals, libraries, houses of worship and other local partners, as well as provide access and referrals to city government resources and services. To best support these Centers, MOIA will also establish a legal technical mentorship program to provide critical legal technical assistance.

While New York City invests more in immigration legal services than any other city in the country, we will continue to explore ways to expand and improve these critical services for our immigrant communities.

Finally, we recognize this work extends beyond New York City and our office, for this reason MOIA continues to lead our work with national coalition partners, such as “Cities for Action” (C4A), a coalition of more than 200 U.S. mayors and county executives working together on immigration issues across the country. In December, we hosted an in-person convening of this coalition in New York City and brought together city representatives with national advocates, philanthropist, academics, and other key stakeholders. The focus of our work with this coalition is to build the infrastructure for responsive, sustainable collaboration to better equip us for what may come next that impacts our immigrant communities.

While we have made much progress during this time, we recognize that there is still much to do. MOIA stands ready to partner with the City Council, advocates, community organizations, and others to deepen our collaborations and collective impact in the weeks, months, and years to come.

As I shared at the outset, I know what it feels like to live in fear and uncertainty, and I know the strength it takes to not let fear win. That experience is shared by so many of my fellow New Yorkers and colleagues. Many of us have family members who still live in fear, and friends and colleagues who navigate the uncertainties of our broken immigration system. These realities give us the strength to continue to do everything we can to support our immigrant communities, no matter the challenges ahead.

Thank you, and I look forward to answering your questions.

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**Opening Statement of Council Member Shahana Hanif to the Committee on
Immigration**

Thursday, January 16, 2025, 10 A.M.

Council Chambers- City Hall

Good morning, I am Council Member Shahana Hanif. I am the proud daughter of Bangladeshi immigrants who made Brooklyn their home. I am here today to speak on my pre-considered resolution [T2025-2970](#), which urges the State Legislature to pass and the Governor to sign the New York for All Act. If passed, the New York for All Act would prohibit state and local resources from being used for federal immigration enforcement purposes. Thank you to Chair Avilés for being a co-prime sponsor of this resolution, adding it to today's agenda, and leading this important hearing.

Our communities in New York City have been made safer by policies that curtail city agency collaboration with Immigration and Customs Enforcement (ICE). These protections have enabled immigrant New Yorkers to perform critical functions without the fear of deportation. This could look like a survivor of domestic violence accessing life-saving support services. It could be a worker or tenant reporting unsafe conditions at their jobsite or residence. Or it could be a community member notifying a first responder about a neighbor who is in danger. The State would strongly benefit from adopting similar policies, especially given the incoming Presidential Administration's mass deportation agenda.

On the City level, we also have more to do to ensure our sanctuary policies serve their intended purpose. While city agencies are legally limited from coordinating with ICE, the lack of enforcement mechanisms for these policies undermine their impact. Previous hearings of this Committee have shined a light on prohibited communications between ICE and city agencies including NYPD, DOC, and ACS. Currently, victims of illegal information sharing have no path for remedy or recourse. Additionally, the Administration has no incentive to comply with our local laws, which is deeply concerning given Mayor Adams's stated intent to roll back due process protections for immigrants and his recent remarks that he and incoming Border Czar Tom Honan share the same goals.

My bill, [Intro. 214](#), would address these issues by creating a private right of action for our sanctuary city laws. This is one of the most important steps our City could take to defend our neighborhoods from President-elect Trump's deportation machine that seeks to tear our communities apart. While this bill is not on today's agenda, it is relevant to today's oversight topic, and I want to take this opportunity to encourage my colleagues to join the 25 Council Members who have sponsored this legislation.



**New York City Council Committee on Immigration
Oversight – Protection for Immigrant Communities
Testimony from the New York Immigration Coalition
January 16, 2025**

Bon apre midi tout moun. Bon apre midi Chair Aviles and Chair Brewer. My name is Taina Wagnac, I am the Senior Manager of State and Local Policy at the New York Immigration Coalition (NYIC), an umbrella policy and advocacy organization for more than 200 groups serving immigrants and refugees across New York State. Thank you for the opportunity to testify today. Myself along with my colleagues and everyday New Yorkers are here to urge this Council to act decisively and boldly in the face of hatred and to not be intimidated by any scare tactics from the right-wing. You are not alone, we stand with you to protect immigrant New Yorkers.

Simply put, when immigrant New Yorkers—especially those from communities of color—cannot trust that city agencies will act in their best interests, no community is safe. And we’ve seen this before with the black, African, and Caribbean communities – have faced bias, constant surveillance, and harassment from the NYPD, and our LGBTQIA communities who face constant erasure and denial of their basic dignity and human rights. Advocates and every day New Yorkers know this fundamental truth: when one community is denied their rights, we are all impacted.

Mayor Adams has talked about building a New York that is not only affordable, but livable. But how can we have and enjoy a safe, secure, and vibrant city when immigrant families, including mixed status families, cannot take their place in our communities due to fear of separation and retaliation? This fear impacts all areas of life from interactions with city agencies and seeking vital services, such as medical care or sending their children to school, to accessing fair and safe housing – all because staff, officials, landlords – people in places to provide care – could share their or their family’s information to ICE. That is not a way to live.

We cannot allow this to continue, particularly as it impacts the public safety of all our communities. In these moments where people may feel emboldened to hate and tear down their neighbors, we need strong protections, local policies, and strong action.

Not only must we ensure our communities can safely, and pro-actively, engage with our city services and resources – we must also ensure that they have access to the legal support and representation they deserve. Access to legal representation levels the playing field for detained individuals and mitigates the



disproportionate harm they face within the immigration system. In fact, individuals with legal representation win their cases up to 10.5 times the rate of those who don't have legal help. For non-detained people, two thirds with lawyers win their cases compared to 17% of those without a lawyer.

We must also ensure to continue and increase critical investments in the programs and services that uphold these values. Mayor Adams' historic budget cuts have made it difficult for New Yorkers to afford the basics and access critical timely services while creating a false narrative of a fiscal crisis and driven by a "migrant crisis" – when there is none. The mayor has weaponized and exaggerated a manageable budget deficit to carry out an ideological agenda and budgeting strategy that undermines key pillars of our history, culture, and economic stability – challenging long-standing policies like Right to Shelter, alienating the working class and diverse communities, and threatening the infrastructure upon which our city relies. In response, we must continue to protect policies and investments in key initiatives that not only protect and uplift immigrant communities, by all families and individuals seeking support and assistance during times of personal and economic hardship.

The NYIC strongly urges the City Council to stand in solidarity with their communities and fully restore the funding and programs that support them so that they can uplift our city by:

- Adopting the following to protect and uphold our sanctuary policies:
 - Introduction 214 to hold both local agencies and law enforcement accountable and empower New Yorkers who were harmed by these violations to seek justice and not hide.
 - Introduction 395 to limit the NYPD's ability to hold people on immigration detainers.
 - Introduction 396 to limit communication between the NYC Department of Correction (DOC) and ICE regarding any person in DOC custody for purposes of immigration enforcement unless a person is convicted of a violent or serious crime or there is a warrant signed by a federal judge.
- Repeal the 30/60 shelter stay limits and eviction policies that not only jeopardize the health and safety of our most vulnerable communities, but also hinder the successful integration of immigrant New Yorkers into our local communities and economies.
- Increase funding for immigration legal services to \$80M – to ensure services like consultation, pro-se assistance, full representation are appropriately funded and to ensure application fees are covered, and direct funds to nonprofit immigration legal service providers.



- Call on Governor Hochul and the State Legislature to enact and implement **Access to Representation Act (ARA)** and **New York for All (NY4All)** to ensure universal access to legal representation for immigrants and ensure every New Yorker has access to critical public services without fear of immigration-related repercussions. And to call on the State to invest \$165M not only for legal services but to also fund legal service infrastructure to train and hire additional legal teams.
- Fully renew funding for critical outreach programs for immigrants, including the Access Health Initiative and the Key to the City Initiative, which help connect thousands of immigrant New Yorkers to critical services.
- Fully fund 3-K and Pre-K programs and outreach, the only free early childhood education and care available to many immigrant families. These programs are linked to higher academic outcomes, less engagement with the criminal justice system, and higher ultimate financial stability for children who go through these programs.
- Continued investments in the Promise NYC child care voucher program in order to continue providing child care to the youngest immigrant children who are not eligible for other forms of child care vouchers.
- Ensure continuing funding for Immigrant Family Communications and Outreach.
- Fight back against the Mayor's 30- and 60-day shelter rule by allocating adequate funding in the budget to expand the CityFHEPS voucher program to ensure all New Yorkers, regardless of immigration status, are eligible for the program.
- Baseline \$5 million to maintain the citywide Community Interpreter Bank (NYC Interpreter Bank) and continue the development of language services worker cooperatives (Interpreter Co-ops) for indigenous African, Asian and Latin American languages. interpreter co-ops connect trained, professional interpreters to city agencies and city-run providers, while enabling immigrant New Yorkers to pursue careers as language services professionals.

Now is the time to ensure that our investments are protected, our people are taken care of, and that we maintain the services that allow all New Yorkers to thrive.

Thank you for the opportunity to testify.

Submitted by:

Taina Wagnac

Senior Manager of State and Local Policy



New York Immigration Coalition



Asian American Federation

Testimony for the New York City Council Committee on Immigration

January 16, 2025

Written Testimony

Thank you Chair Avilés and the Committee on Immigration for holding this hearing and giving us the opportunity to testify. I am Lisha Luo Cai, advocacy coordinator at the Asian American Federation (AAF), where we proudly represent the collective voice of more than 70 member nonprofits serving 1.5 million Asian New Yorkers.

We are here today to encourage City Council and the mayoral administration to strengthen the city's protection of immigrant communities. To paint a picture: Although often overlooked, the majority of Asian New Yorkers are immigrants, with two out of three in the city being foreign-born. Of those Asian immigrants, 47% arrived in or after 2010. Our newest neighbors who seek asylum rely on our city as a sanctuary, and of the 170,000 migrant neighbors that have arrived since 2022, about 22,000 are of Chinese descent, and 80,000 are of Indian descent. It is also imperative to note that the issues our migrant neighbors are facing reflect the issues **all** immigrant communities face in immediate terms.

As we enter 2025, immigrants continue to face numerous challenges. From years of regressive policies aimed at punishing immigrant communities, to xenophobic rhetoric related to the pandemic contributing to anti-Asian violence, a teetering economy, and the increase of our new migrant neighbors, which has highlighted the needs of all immigrant New Yorkers. As a sanctuary city, we should welcome all immigrants, documented or undocumented, with the dignity and fairness they deserve. We thank City Council for previously introducing legislation that has protected immigrants from unfair subsection to ICE deportation and detainment, and that has ensured safer interactions between immigrants of any status with city agencies.

With the growing anti-Asian sentiment throughout our state along with a new president-elect that has vowed to crack down on immigration policy and amplify mass deportation, the fear that these protections will be challenged has only magnified. Now more than ever, more needs to be done at both the city **and** state level to ensure these protections are strengthened - that is why Councilmember Hanif's and Hudson's Resolutions come at a crucial time.

To that end, we urge City Council and the mayoral administration to call on and support your colleagues in the State Legislature to reintroduce and pass the **New York for All Act** (S987/A5686). This bill will prohibit government and local agencies from disclosing immigration status or any sensitive information to ICE. Our community members have often expressed apprehension when seeking services from government and local agencies - if these protections are threatened, we will begin to see an increase of community members disenrolling from public benefits and losing their trust in government out of fear. We have already seen it happen in 2019, when Asian non-citizens disenrolled from public benefits programs like SNAP at a rate higher than Asian citizens due to the public charge rule. The negative effects of public charge still remain today - as Asian New Yorkers have re-enrolled at a much lower rate than other communities. Immigrants should not be burdened with the fear that the sensitive information they have entrusted to government and local agencies may be used to their detriment.

To ensure community members navigating immigration court have access to proper legal counsel, we also urge City Council to call on and support your colleagues in the State Legislature to reintroduce and pass the **Access to Representation Act** (S141/A270). Along with navigating a foreign legal system, the burden of finding an attorney often leaves immigrants with little to no representation. The line between having legal representation or none can have immense impacts on the outcome of a deportation proceeding. In our state where immigrants do not have a right to a government-paid attorney, we can stand out as a leader in the upliftment of immigrant communities with establishing a right to universal representation.

The presence of our newest neighbors has magnified the importance of our community-based organizations (CBOs) who are leading the way in providing numerous innovative services and programming that are both linguistically and culturally sensitive, especially considering the complexity of navigating our immigration system. With the lack of historic investment, access to critical immigration legal services for Asian New Yorkers has been near impossible to meet the demand, putting those who have limited English proficiency, with limited financial means, and who may have uncertain immigration status, at real risk of being stuck in a cycle of poverty and being vulnerable to being taken advantage of.

Despite the fact that Asian New Yorkers were disproportionately impacted by anti-immigrant policies during and after the Trump administration in comparison to their share of the population, there still exists no Asian-serving community-based organization that provides legal services to those communities.

Our member organizations in Sunset Park, for instance, have cited they host monthly legal clinics to assist with a multitude of immigration legal needs, but due to the lack of resources, capacity, and funding from the City, they are unable to meet the increased demand for this much needed resource. Many of our Asian migrant neighbors in Sunset Park are often lost to the system, without housing, languishing from the lack of timely resources and immigration assistance. That needs to change, especially now. Our CBOs are the experts on the ground, are trusted within our immigrant communities, and yet, if there is anything this past year has made painfully visible, it is that our CBOs desperately need more support to continue the work and not just keep our immigrant communities surviving, but also thriving.

At the Asian American Federation we thank you for allowing us to testify on this critical subject. We are grateful to see City Council address continued protections to keep our immigrant communities safe. We look forward to continuing this work with all of you.

**WRITTEN TESTIMONY BEFORE NEW YORK CITY COUNCIL'S
COMMITTEE ON IMMIGRATION
Submitted on January 17, 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 to the Committee on Immigration for the opportunity to submit testimony.

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 year, ILU assisted in nearly 8,600 individual legal matters benefiting over 21,100 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.

As this country and New York City wait to see how a second Trump administration will take aim at harming non-citizens, The Legal Aid Society stands ready to fight. We will not only continue to zealously represent non-citizens before the Immigration Courts and other federal immigration agencies, but we will also lean into our policy advocacy and litigation expertise to effect widescale change to protect and uplift non-citizens in our great city.

One of our paramount concerns for what we call Trump 2.0 is the false and dangerous criminalization of non-citizens in this country. We see it when Immigration and Customs Enforcement (ICE) detainer discretion laws and other sanctuary city policies are called into question.¹ We see it when our Mayor states that the U.S. Constitution and the rights of due process do not apply to non-citizens.² We see it when our U.S. Congress aims to detain and deport those who are merely arrested for low-level offenses.³ It is xenophobia at its heart, and we must call this out every single time.

LAS calls upon City Council and all New Yorkers to stand strong and join us in fighting back against the anti-immigrant and dehumanizing policies that will come our way in the next four years. Here, The Legal Aid Society will share what we expect so far under Trump 2.0, our recommendations for City Council, as well as provide a summary of how we fought during Trump 1.0.

What We Expect under Trump 2.0

President Trump has repeatedly promised the mass detention and deportation of non-citizens with the assistance of local and state government officials and federal military personnel. We expect that there will be a dramatic effort to ramp up the detention of non-citizen New Yorkers in far-flung states hundreds and even thousands of miles away from New York. We also expect that many non-citizen New Yorkers will be detained at greater rates at ICE check-in appointments and after any contact with local law enforcement.

The Legal Aid Society also expects that Trump 2.0 will attempt to bar all immigration at the US/Mexico border, significantly restrict asylum eligibility, re-introduce the public charge ground of inadmissibility to bar low-income non-citizens from lawful permanent residency, eliminate Temporary Protected Status,⁴ Deferred Action for Childhood Arrivals (DACA), and work permit

¹ See <https://www.nytimes.com/2024/12/10/nyregion/adams-migrants-sanctuary-nyc.html>.

² See <https://www.nytimes.com/2024/12/03/nyregion/adams-pardon-biden-trump.html>.

³ See <https://www.congress.gov/bill/118th-congress/house-bill/7511>.

⁴ While the Biden Administration announced last week the extension of Temporary Protected Status for El Salvador, Sudan, Venezuela, and Ukraine, the incoming Trump Administration may still seek to repeal TPS designations as outlined in Project 2025. See <https://www.federalregister.gov/public-inspection/2025-00626/temporary-protected-status-designation-of-el-salvador-extension>; <https://www.dhs.gov/news/2025/01/10/dhs-extend-temporary-protected-status-sudan>; <https://www.dhs.gov/news/2025/01/10/dhs-extend-temporary-protected-status-venezuela>;

eligibility for those waiting in years and sometimes decades-long backlogs with USCIS and the Immigration Courts. Those in Immigration Court proceedings will have little to no time to present any claims or evidence and non-citizens will be summarily ordered removed.

The Legal Aid Society's Recommendations for Trump 2.0

1) Protect New York City's sanctuary city laws, including its detainer laws

LAS calls on City Council to reaffirm our sanctuary city laws, including its detainer laws. At its heart, detainer laws are about upholding due process and accountability, and aim to ensure that ICE is held to the probable cause standard required by the Constitution before depriving someone of their liberty. They prohibit the transfer of non-citizens in New York City Police Department and New York City Department of Correction custody into immigration detention without a judicial warrant.

Sanctuary city policies rightly disentangle city resources from federal immigration enforcement. Instead of tearing down established protections and feeding more New Yorkers into the ICE deportation pipeline, we must be creative and do more to safeguard the rights of our immigrant families, neighbors, and loved ones. Every single human being in this city should be free to call the police when they are in danger or a victim of a crime, go to the hospital if they need medical attention, seek safe shelter from the elements, and send their children to school, and participate in a court hearing either as a party, respondent, or witness, without the threat of being detained and deported; our entire community is safer if we provide this protection. Undoing New York's sanctuary laws will only erode trust with immigrant communities and drive undocumented people further into the shadows.

Our state lawmakers must also end our state's complicity with ICE by enacting the New York for All Act, which would prohibit local law enforcement across the state from colluding with ICE.⁵ Immigrant communities are the fabric of New York City, and our lawmakers must do all they can to affirm that all New Yorkers can be safe and thrive.

2) Fund immigration legal services

With the promise of mass deportations and other anti-immigration policies, and in the absence of any prospect of comprehensive immigration reform, it is critical for City Council to robustly fund immigration legal representation for non-citizen New Yorkers.

The foremost priority for funding here should be with representing non-citizen New Yorkers who are detained and at risk of imminent detention.

<https://www.dhs.gov/news/2025/01/10/dhs-extend-temporary-protected-status-ukraine>;
https://static.heritage.org/project2025/2025_MandateForLeadership_FULL.pdf.

⁵ See <https://www.nysenate.gov/legislation/bills/2023/S987>.

With the generous support of City Council for over a decade now, the New York Immigrant Family Unity Project (NYIFUP) provides free, legal immigration representation to New Yorkers in ICE custody and in immigration court proceedings in New York City area immigration courts. The Legal Aid Society, The Bronx Defenders, and Brooklyn Defender Services share responsibilities to provide this immigration representation, and we have successfully built a model program for immigration legal representation for those in ICE custody.

With Trump 2.0, we anticipate a dramatic increase in the need to represent non-citizen New Yorkers who will be detained by ICE. NYIFUP providers are ready to recruit and train a new generation of immigration attorneys, but we need a funding commitment from City Council to prepare for the detention of non-citizens and their separation from their families and loved ones here in New York City.

LAS also calls upon City Council to significantly expand its support for immigration legal representation through programs such as the Immigrant Opportunities Initiative and Immigrant Children Advocates' Relief Effort (ICARE). The demand for immigration legal representation is consistently much more than LAS' current capacity allows for and, in this moment when Trump 2.0 intends to create more barriers for non-citizens to gain lawful immigration status, LAS wants to be responsive to the community need for our services.

We strongly believe that full and zealous representation is our core strength and ultimately yields the most justice to our clients and immigrant communities. LAS has deep expertise in responding to community needs with full legal representation and litigation. Competent representation is critical for every noncitizen in removal proceedings so they can avail themselves of relief from removal. Recent reporting suggests that 85% of all children without lawyers are either ordered deported or take voluntary departure, while approximately 73% of children who have lawyers are allowed to remain in the U.S.⁶ For adults in immigration detention, the benefits of representation could not be clearer: according to a study by the Vera Institute of Justice, 48% of detained cases represented by the New York Immigrant Family Unity Project (NYIFUP), of which LAS is a partner, end successfully at the Varick Street Immigration Court in New York, compared to only 4% of unrepresented cases at the court before the advent of NYIFUP – an astonishing 1,100% increase in positive outcomes.⁷

These requests for more robust funding of immigration legal representation include an acknowledgment that LAS also needs funding to fully pay for increased costs for staffing, to properly compensate our staff for their dedication and experience.

⁶ See Syracuse University, Transnational Records Access Clearinghouse (TRAC), Juveniles – Immigration Court Deportation Proceedings, at <http://trac.syr.edu/phptools/immigration/juvenile/>.

⁷ See Vera Institute of Justice, "Evaluation of the New York Immigrant Family Unity Project: Assessing the Impact of Legal Representation on Family and Community Unity," Nov. 2017, at p.6. (<https://www.vera.org/downloads/publications/new-york-immigrant-family-unity-project-evaluation.pdf>).

We also strongly encourage City Council to advocate for the Access to Representation Act ([Hoylman-Sigal S999A/ Cruz A170A](#)), which establishes a right to legal representation in immigration court proceedings. Having a statewide right to immigration legal representation in the Immigration Court system will protect non-citizen New Yorkers and their loved ones and allow them a fighting chance to obtain lawful immigration status.

3) Invest in proven impact litigation efforts

LAS has a proven record of engaging in bold and impactful litigation and respectfully asks that City Council consider supporting our efforts during Trump 2.0.

For non-citizen New Yorkers who are detained by ICE, LAS has tremendous expertise in filing writs of habeas corpus in federal district court and petitions for review in federal courts of appeal. We have repeatedly fought back against the unlawful detention and violations of due process for detained non-citizen New Yorkers. Recently, in a pair of consolidated cases before the U.S. Court of Appeals for the Second Circuit, *Black v. Decker* and *Keisy G.M. v. Decker*, 20-3224, 22-70 (2d Cir. 2024), LAS, along with Cornell Law School, New York Civil Liberties Union, and private counsel secured a landmark decision affirming due process for individuals facing deportation proceedings in immigration court. The Court ruled that ICE had unlawfully denied a bond hearing to two lawful permanent resident New Yorkers, including LAS client Keisy G.M. ICE had arrested Mr. G.M. without notice early one morning at his home, while his two young children were sleeping. ICE then detained him without a bond hearing for over 21 months, even though the agency eventually acknowledged that Mr. G.M. was neither a danger nor a flight risk. This ruling clarified that ICE cannot incarcerate individuals for unreasonably prolonged periods of time without a bond hearing while they are facing removal. The ruling also underscored the basic principle that noncitizens are protected by the U.S. Constitution, and they cannot be detained without due process of law.

We also created legal precedents while engaging in numerous impact litigation and class actions. As discussed in detail below, during Trump 1.0, LAS was at the forefront of protecting thousands of New Yorkers from when we, with pro bono co-counsel Cleary Gottlieb Steen & Hamilton LLP, filed *Doe v. ICE*, 19 Civ. 8892 (S.D.N.Y.) in response to arrests of our clients in and around New York State courthouses and following repeated attempts at legislative and direct advocacy. We did it again when we sued the federal government with our public charge litigation in *Make the Road New York v. Cuccinelli*, 19 Civ. 7993 (S.D.N.Y.), arguing that the changed federal regulations would unlawfully low-income immigrants from lawful permanent residency for receiving or being likely to receive a new, expanded list of government benefits. And yet another time with Latham & Watkins with *R.F.M v. Nielsen*, 18 Civ. 5068 (SDNY), challenging the legality of a policy change barring 18-21 year olds in New York from Special Immigrant Juvenile status. This federal class action impacted over 6,600 New York resident youth, and fought back hard against Trump 1.0's repeated efforts to deny these non-citizens lawful immigration status and protection in this country.

LAS knows that we cannot individually represent all non-citizens in New York City, but through our impact and litigation efforts, we can affect widescale change and deliver justice to all. We ask that City Council invest in our impact litigation efforts so that we can continue to do this during Trump 2.0.

4) Support limited scope immigration legal clinic models, including a pro se Family Court project for Special Immigrant Juveniles

LAS also encourages City Council to support alternative models to respond to the tremendous demand for immigration legal assistance in New York City. While LAS remains committed to providing full immigration legal representation to non-citizens whenever possible, we have developed a complementary immigration legal clinic model that provides high-quality immigration assistance and builds upon a wide network of law school students, pro bono law firms, and committed community members.

Over the past decade, LAS has repeatedly used this legal clinic model to help non-citizens apply for Temporary Protected Status, work permits, and other critical immigration legal statuses. And, in this past year alone, we conducted at minimum once weekly immigration legal clinics to serve recently arrived non-citizen New Yorkers to apply for immigration status and work permits. LAS wants to build upon the success of this immigration legal clinic model to continue to provide targeted immigration legal services and increase our capacity to meet community need.

In 2025, we will further evolve our immigration legal clinic model to screen non-citizens for their risk of ICE detention and provide comprehensive education about potential immigration legal options. We think this immigration screening and education will be critical during Trump 2.0, especially with non-citizen New Yorkers desperate for reliable immigration legal information.

LAS would also like to utilize our immigration legal clinic model to help non-citizen children and youth with preparing Family Court petitions and other needed filings, so that they may be able to ultimately pursue Special Immigrant Juvenile Status (SIJS). There are likely thousands of non-citizen children and youth in New York City who will age out of SIJS eligibility by turning 21 years old, and will forever lose their ability to seek this humanitarian-based protection. It would be an utter tragedy for these children and youth to lose out on this opportunity.

LAS needs support to address the needs of those eligible for SIJS. In the last 2 years, LAS has been a citywide leader in developing a pro se filing project for these youth, piloting in Queens Family Court the limited scope preparation of Family Court papers. We successfully rallied other immigration providers with SIJS expertise to help us in our efforts, but we cannot sustain this work or expand it to other boroughs without targeted funding.

5) Invest in community immigration legal education

During Trump 2.0, LAS expects many immigration legal policy changes, as well as a need for New Yorkers to understand what is happening, who may be impacted, and how non-citizens can protect themselves.

LAS will continue to build upon its community legal education resources to help non-citizen New Yorkers during Trump 2.0. This includes developing factsheets and other resources with reliable and responsible information for community members. Community legal education is also our best defense against notario and attorney fraud, which persistently victimize non-citizens.

Already this month, LAS has conducted or published the following immigration legal education resources, trainings, or engagements to help non-citizens, other community-based organizations, and other legal advocates:

- A monthly engagement throughout 2025 for community-based organizations to come to LAS offices to learn more about immigration policy changes and updates, ask questions, and discuss concerns and trends in immigrant communities;
- An ICE Detention Risk Assessment tool to better assess a non-citizen's risk for detention in the coming Trump 2.0 administration;
- A Detention 101 toolkit and training for community members to understand what happens with someone is detained by ICE (where will you go, how your family can find you, who might be able help you), for community-based organizations and religious institutions, and other community-specific advocacy groups;
- An Advanced Family Planning toolkit and training, to help our staff and other community advocates have excruciatingly difficult discussions with non-citizens about how to emergency plan for their families in the event of an ICE detention;
- Habeas corpus trainings, to help our staff, pro bono partners, and other attorneys to help us fight against unlawful detentions that a Trump 2.0 administration will unleash;
- Immigration bond hearing trainings, to help us fight for the release of non-citizens back to their families. We will do this in coordination with volunteers, pro bono partners, and law schools;
- Trainings about Sanctuary City laws and ICE detainers;
- A guide addressing federal harboring liability;

- A guide for organizations if ICE attempts to gain access to one's work office location; and
- A resource to help non-citizens understand and take action against notario fraud.

LAS knows that immigration legal education is powerful, and we want to be a part of empowering non-citizens and their allies. We call upon City Council to help us in these efforts by providing dedicated funding to support this important work.

6) Protect new arrivals living in City-funded shelters

Under the prior Trump administration, there did not exist a distinct shelter system separate from the Department of Homeless Services ("DHS") shelter system exclusively for new arrivals. At that time, the DHS system had safeguards in place to protect clients in DHS from ICE raids. While DHS has committed to continuing those protections under Trump 2.0, it is important that all City agencies sheltering new arrivals follow those same procedures, including the Department of Youth & Community Development (sheltering youth experiencing homelessness), the Human Resources Administration (sheltering domestic violence victims), Health & Hospitals (sheltering new arrivals), Housing Preservation & Development (sheltering long-term New Yorkers and New Arrivals), and New York City Emergency Management (sheltering new arrivals). It is vital all staff at these shelters receive training (and refresher training) on what to do if ICE appears at a shelter.

In addition, the City should immediately cease issuing 30 and 60-day notices to new arrivals in shelter. New arrivals subject to these notices have to return to a publicly known intake site every 30 or 60 days, making them easy targets for federal law enforcement. Instead, the City should focus its resources on case management and helping new arrivals access permanent housing. The City recently announced its plan to expand 60-day notices to new arrival families with children in DHS shelters, further increasing the families at risk of ICE detention when they go to reapply for shelter. This plan should be canceled, as it puts tens of thousands of families at risk of easy access by ICE.

While the City has announced it plans to eventually close all non-DHS shelters for new arrivals, many of these non-DHS shelters remain open and in very public locations, like the giant tent on Randall's Island or at Creedmoor. The City should focus on reducing the use of these large publicly known sites and instead focus on helping new arrivals access permanent housing or give them access to the DHS shelter system.

How The Legal Aid Society Fought During Trump 1.0

Throughout the first Trump administration, The Legal Aid Society engaged in federal court litigation, policy advocacy at the state and federal levels, community education efforts, and immigration legal representation. We learned from that time, including solidifying our relationships

with allies and community partners, and are using that experience to ready ourselves for what is to come.

On the litigation front, during Trump 1.0, The Legal Aid Society:

- **Kept ICE out of our courts in New York.**

On September 25, 2019, The Legal Aid Society with pro bono co-counsel Cleary Gottlieb Steen & Hamilton LLP⁸ filed *Doe v. ICE*, 19Civ.8892 (S.D.N.Y.) in response to arrests of our clients in and around New York State courthouses and following repeated attempts at legislative and direct advocacy. Unfettered access to court is a vital component of ensuring parity of justice for populations with the greatest social and economic need who already experience high levels of institutional distrust and significant access to justice issues.

This litigation was one of two related suits challenging the legality of ICE's courthouse enforcement activities. A companion case – filed at the same time by the New York Attorney General Letitia James and the Brooklyn District Attorney Eric Gonzalez – argued that ICE arrests in and around courthouses impede the administration of justice and adversely impact public safety. On June 10, 2020, the New York Attorney General won this companion lawsuit, with Manhattan Federal Judge Jed Rakoff ruling that: ICE arrests in and around courthouses are unlawful under the Administrative Procedure Act as they (1) violate New York's common law privilege against courthouse arrests and (2) the adoption of such a practice is arbitrary and capricious.

- **Prevented Damaging Changes to Public Charge Regulations**

In response to August 2019 proposed changes to the Department of Homeland Security (US DHS) federal public charge regulations, which would have, among other things, barred low-income immigrants from lawful permanent residency for receiving or being likely to receive a new, expanded list of government benefits, The Legal Aid Society filed *Make the Road New York v. Cuccinelli*, 19 Civ. 7993 (S.D.N.Y.), arguing that the changed regulations be set aside as arbitrary, capricious, unlawful, and unconstitutional. Expert reports confirmed that the new rule would disparately impact low-income immigrants of color from Central and South America. We also argued that the rule would discriminate on the basis of disability. The Court granted an injunction barring implementation of the rule because of the severe harm it would cause to many low-income immigrant New Yorkers who would forego using vital public assistance and social safety net programs – programs that play a key role in maintaining wellbeing and supporting individuals as they transition out of poverty. The U.S. Supreme Court allowed the rule to go into effect in early 2020 pending the outcome on appeal. On April 28, 2020, when we saw how the chilling effect caused by the rule prevented low-income families from accessing health care and other benefits they needed to survive the

⁸ This litigation was on behalf of an individual plaintiff and five organizational plaintiffs: The Door, Make the Road New York, New York Immigration Coalition, Sanctuary for Families, and the Urban Justice Center.

pandemic, we filed a joint motion in District Court with the New York Attorney General, the City of New York, and the Attorneys General of Connecticut and Vermont, to enjoin the Public Charge Rule for the duration of the COVID-19 pandemic. We succeeded in obtaining a second preliminary injunction of the federal rule, but ultimately that was stayed as well.

In August 2020, the Second Circuit appeals court affirmed the District Court's original decision blocking the rule. The Trump USDHS appealed the original injunction to the U.S. Supreme Court, and the Court granted certiorari. After Biden took office, the appeal of our case was dismissed, which led to the Trump rule being excised from federal regulations.

At the same time that we were litigating against the USDHS rule, we filed a case challenging the Trump administration's Department of State (DOS) public charge regulation, the Presidential Health Insurance Proclamation, and some related changes. In that case, The Legal Aid Society's litigation led to a nationwide preliminary injunction that remained in place to protect our clients until the case was dismissed when the rules changed under the Biden administration.

- **Protected Special Immigrant Juvenile Status for Abandoned, Neglected, or Abused 18-21 Year-Olds:**

In response to USCIS changes to their policy regarding SIJS eligibility for 18-21-year-olds in New York, LAS with Latham & Watkins filed *R.F.M v. Nielsen*, 18 Civ. 5068 (SDNY) in June 2018, challenging the legality of this policy change. With this federal class action that impacted over 6,600 New York resident youth, LAS sought a declaratory judgment that the new USCIS policy was arbitrary, capricious, and in violation of the Administrative Procedure Act. We also sought to prohibit the USDHS from deporting any class members denied SIJS until a remanded determination. Amicus briefs in support of our arguments were filed by the NY Attorney General, by members of Congress, and by a group of law school professors.

In March 2019, The Legal Aid Society prevailed in this litigation, with the judge in the Southern District of New York finding that the change in policy had no basis in law and had to be set aside. The court also ruled that the policy was arbitrary and capricious as it was based on erroneous interpretations of state law and had not been enacted with adequate notice. On April 9, 2019, the court then issued a final judgment requiring USCIS to reconsider the erroneous denials and change the policy going forward. The Court also entered an Amended Judgment on May 31, 2019, which granted final declaratory and injunctive relief to R.F.M. Class Members.⁹

- **Fought for Families and Children Separated at the Southern Border:**

⁹ <https://www.legalaidnyc.org/wp-content/uploads/2019/06/SIJS-Amended-Judgment.pdf>.

In response to the first Trump administration's "zero tolerance" policy to unlawful entry into the U.S., that targeted parents who had come to the United States with their minor children and then forcibly separated them, The Legal Aid Society filed a class action with help from pro bono partners Davis Polk, in July 2018. In New York, over 700 children who were forcibly separated from their parents at the border were placed in Office of Refugee Resettlement (ORR) facilities in New York City and surrounding counties.

We successfully obtained a Temporary Restraining Order (TRO) against the government, effectively obtaining relief for all separated children in New York State. This prevented the administration from moving our clients without providing 48 hours advance notice and allowing legal consultation with the child and their family to enable informed decisions about their legal rights and potential claims. The case has now been transferred to San Diego, to be litigated in the context of a class action brought by the ACLU.

- **Advocated on Behalf of Mixed Status Families in Public Housing in New York City:** The first Trump administration also planned to evict tenants who did not have eligible immigration status for a federal housing subsidy, targeting mixed status families where certain members of the household were eligible for the housing subsidy but others might not be. The Legal Aid Society filed Freedom of Information Act requests regarding this policy and then later sued in response to the federal government's failure to respond. The Trump administration did not follow through with this plan, thankfully.

The Legal Aid Society engaged in policy advocacy efforts during the first Trump Administration such as:

- **Protect Our Courts Act:** LAS joined cross-state legislative advocacy efforts to push for the passage of the Protect Our Courts Act – a new piece of legislation aimed at protecting non-citizens from civil arrest and upholding the integrity of the judicial system in New York State. Then-Governor Cuomo signed the legislation in December 2020. This legislation made it unlawful for any law enforcement officer (including ICE agents) to make a civil arrest while a person is going to, attending, or leaving court unless the officer presents a valid judicial warrant or court order. This protection would extend to any person who is a party or potential witness in a civil or criminal proceeding, including family and household members.
- In February 2018, The Legal Aid Society submitted an amicus curiae brief with New York Legal Assistance Group and Davis, Polk & Wardwell LLP to then-U.S. Attorney General Sessions regarding his efforts to limit the Immigration Courts from administratively closing or using their discretion to terminate proceedings against non-citizens based on long-standing considerations of equity and fairness. The Asylum Clinic at New York Law School, African Services Committee, Sanctuary for Families, The City Bar Justice Center, The Immigrant and Non-Citizen Rights Clinic at the CUNY School of Law, The New York Immigration Coalition,

Catholic Charities Community Services, Legal Services NYC, and Safe Horizon joined our brief.

- Throughout the first Trump administration, The Legal Aid Society submitted formal comments to the USDHS and the EOIR's numerous proposed federal regulatory changes that would harm non-citizens.

During Trump's first administration, The Legal Aid Society also conducted hundreds of community legal education efforts, from Know Your Rights presentations to limited-scope representation legal clinics for TPS and DACA to legal educational resources for non-citizen New Yorkers. We also coordinated with experts from our Criminal Defense Practice to discuss rights in the event of an arrest and our Juvenile Rights Practice to discuss the rights of parents and children in the school system and emergency planning if one or both parents were deported. We conducted these in English, Spanish, and French and collaborated with community-based organizations (CBOs) and schools serving large non-citizen communities.

The Legal Aid Society stood by our NYC communities during the first Trump administration when ICE began conducting raids in our city. In response, we quickly developed a community response hotline to track trends and provide critical and time-sensitive information about how to locate and help a detained loved one. We worked in successful partnership with 7 law firms to staff this hotline: Cleary Gottlieb Steen & Hamilton LLP; Davis Polk & Wardwell LLP; Paul, Weiss, Rifkind, Wharton & Garrison LLP; Proskauer Rose LLP; Shearman & Sterling LLP; Simpson Thacher & Bartlett LLP; and Skadden, Arps, Slate, Meagher & Flom LLP.

And, more than anything else, The Legal Aid Society provided high-quality and free immigration legal representation to non-citizens throughout the first Trump administration. We represented those who were detained, and advocated on their behalf to fight for bond, as well as through appeals before the Board of Immigration Appeals. We represented long-term lawful permanent residents in Immigration Court who were at risk of being deported from this country and separated from their families here. We continued our work representing unaccompanied children and victims of intimate partner violence, crimes, and trafficking. The Legal Aid Society fundamentally believes in the right to counsel for those in Immigration Court proceedings and all the litigation, advocacy, and community education engagements we do is bolstered by the direct immigration legal representation we provide to non-citizens in our community.

Conclusion

The Legal Aid Society is gearing up to fight on behalf of non-citizens during Trump's second administration. We will continue our comprehensive approach supporting non-citizen New Yorkers through a combination of litigation, policy advocacy, community education, and direct legal representation. We know that the next four years will be challenging, but we are prepared to fight for non-citizen New Yorkers.

New York City has always cherished our immigrant backgrounds, and we know we are stronger and safer when we respect the rights of all in our community. LAS remains hopeful that the City will fully embrace our role as a sanctuary city and as a national leader in welcoming newcomers by providing them with the equal protection and access to justice they deserve. We look forward to the opportunity to work with City Council and the Administration on these pressing issues.

Thank you.

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



**Testimony of Win (Formerly Women in Need, Inc.) for the New York City Council
Committee on Immigration Hearing
January 16th, 2025**

Thank you, Chair Aviles and the esteemed members of the Committee on Immigration for holding this hearing on protecting immigrant communities from the harmful policies of the incoming Trump Administration and for the opportunity to submit testimony.

My name is Jade Vasquez, and I am the Director of Policy and Research at Win, the largest provider of shelter and supportive housing to families with children in New York City and the nation. We operate 16 shelters and nearly 500 supportive housing units across the five boroughs. Each night, nearly 7,000 people call Win “home,” including 3,600 children. A significant portion of households in Win shelters are led by immigrants, including mixed status families, recent arrivals legally seeking asylum, and undocumented families.

Last week, Win released Project Hope, a report outlining administrative and legislative actions New York City and State lawmakers can take to protect low-income, homeless, and immigrant New Yorkers from the draconian policies laid out in Project 2025, the 900-page policy book released by conservative think tank the Heritage Foundation last year.

Project 2025 calls for significantly increasing the enforcement of extreme immigration policies throughout the United States, including the expansion of tents and detention centers; enhancing U.S. Immigration and Customs Enforcement’s (ICE) authority to expedite removals; repealing designations for Temporary Protected Status (TPS) for hundreds of thousands of immigrants; and cutting federal funding to states and localities that do not honor all immigration detainers.¹ If the proposed mass deportation plan laid out in Project 2025 is realized, tens of thousands of New Yorkers experiencing homelessness could face deportation and family separation, as well as lose crucial public benefits.

To resist Project 2025’s violent and dehumanizing immigration policies that will disproportionately impact low-income and homeless New Yorkers, we urge this Council to take the following actions:

First, the City must defend and strengthen the sanctuary laws passed under the first Trump Administration to protect immigrant New Yorkers. Councilmember Powers’ **Intro 396** would limit communication between the NYC Department of Correction (DOC) and ICE regarding any person in DOC custody for purposes of immigration enforcement unless a person is convicted of a violent or serious crime or there is a warrant signed by a federal judge. **Intro 395**, also introduced by Councilmember Powers, would limit the New York Police Department’s (NYPD) ability to hold people on immigration detainers without a judicial warrant. Furthermore, Councilmember Hanif’s **Intro 214** would create a private right of action in the City’s civil



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for Women and their Children

immigration detainer laws, enabling immigrant New Yorkers harmed by NYPD, DOC, and Department of Probation (DOP)'s violation of current detainer laws to seek justice.²

I also want to thank Councilmember Hanif for introducing the resolution in support of the New York for All Act ([S987](#) – Gounardes / [A5686](#) – Reyes), legislation that would make New York a sanctuary state. This bill would enable immigrant New Yorkers to lead more open lives and take care of family, despite the incoming Administration's cruel immigration agenda. The legislation would strengthen protections created under Governor Cuomo's 2017 [Executive Order 170](#) (extended by Governor Hochul in [2021](#)) by prohibiting New York's state and local government agencies, including police, sheriffs, school safety officers, and probation officers from questioning individuals regarding their citizenship or immigration status and regulate the disclosure of information relating to immigration status to federal immigration enforcement officers, or ICE.

Second, the City should develop and enforce data security measures for shelter and social service providers who collect sensitive information on homeless immigrants in programs like CARES, IDNYC, and Host NYC. Project 2025 calls for "total information-sharing in the context of both federal law enforcement and immigration enforcement,"³ of state and local databases to the U.S. government in exchange for federal grants. Given the amount of sensitive information that the City has collected from our most recent arrivals and the Trump Administration's mass deportation plans, the data the City has collected on immigration status poses a dangerous liability. The City must take immediate action within the next 30 days to fully secure the data collected.

Third, the City should increase funding for immigration legal services, including consultation, pro-se assistance, full representation, and application fees, prioritizing funds to experienced nonprofit immigration legal service providers, who lead the work of the City's Immigrant Opportunity Initiative (IOI), the New York Immigrant Family Unity Project (NYIFUP), and other programs that help low wage workers and unaccompanied minors. At Win, we understand the positive impacts that legal services have in helping our immigrant clients obtain status, employment, and housing. Since launching our Legal Empowerment for Asylum-Seeking and Displaced Families (LEAD) program in 2023, we have helped hundreds of unhoused migrants navigate the United States' complex immigration system and apply for work authorization. To date, the LEAD team has provided legal assistance to 492 families in our care and helped 116 individuals obtain work authorization, a crucial step in a migrant family's journey to financial independence. Through this work, LEAD has helped 111 new arrival families exit shelter, with 67 households moving out with a City or State-funded voucher.

Despite an influx of more than 225,000 new immigrants to NYC since 2022,⁴ City allocation toward immigration legal services, under the Office of Civil Justice (OCJ), has remained relatively stagnant at \$53-\$54 million per year.⁵ The City should increase its share of funding to at least \$80 million to better enable nonprofit immigration legal service providers and support



Breaking the Cycle of Homelessness
for Women and their Children

staff to meet the ever-growing demand of legal aid for New York's most recent arrivals and maintain a strong City workforce of legal service providers. Thank you, as well, to Councilmember Hudson for introducing a resolution in support of the Access to Representation Act (~~S141– Hoylman~~ /~~A270– Cruz~~), which would establish the right to legal counsel in immigration court proceedings and invest much needed resources towards immigration legal services and infrastructure.⁶

New York's individuals and families experiencing homelessness, particularly immigrant communities, will face a plethora of challenges if the proposed policy recommendations in Project 2025 are enacted under the second Trump Administration. Without City action during the first 180 days of the Trump Administration, our most marginalized communities will suffer profound irreversible damage. While these recommendations require significant investments from City and State government, as one of the largest economies in the world, New York has the ability and a moral obligation to protect homeless immigrant New Yorkers from some of the most harmful proposals of Project 2025 and the incoming Trump Administration. By implementing the proposals of Project Hope, this City Council can help our newest arrivals regain their independence, thrive in permanent housing, and inspire a brighter future for their children.

¹ Project 2025: Presidential Transition Project, 133-167.

² "ICE Out! NYC" *Immigration Defense Project*,
<https://www.immigrantdefenseproject.org/wp-content/uploads/ICE-Out-NYC-Fact-Sheet-updated-2024.pdf>

³ Project 2025: Presidential Transition Project, 138.

⁴ "Improving New York's Reception and Relocation System for New Arrivals," *Coalition for The Homeless*, January 2025, <https://www.coalitionforthehomeless.org/new-arrivals-recommendations/>.

⁵ Human Resources Administration: Office of Civil Justice FY 25 Adopted Plan. *New York City Council*, <https://council.nyc.gov/budget/fy2025/>.

⁶ "New York Must Invest in Legal Services to Defend Immigrant Communities," *New York Immigration Coalition*, <https://www.nyic.org/wp-content/uploads/2025/01/FY26-CARE4IF-one-pager.pdf>.

PROJECT HOPE

**A 180-day Action Plan for Protecting
Homeless and Low-Income New Yorkers
from Project 2025**

By Jade Vasquez, Henry Love PhD, Chris Mann,
Maya Jasinska, Christine Quinn

win



Background

In early 2024, right-wing think tank The Heritage Foundation released the detailed 900-page policy book, [Project 2025](#), to serve as a blueprint for the next conservative presidential administration.¹ The Heritage Foundation's plan includes unprecedented rollbacks to the civil rights and anti-poverty policy gains the United States has made over the past 50 years. It proposes massive rollbacks to social welfare programs critical to families experiencing homelessness and housing insecurity, including the Supplemental Nutrition Assistance Program (SNAP) and the Women, Infant, and Children (WIC) program benefits, a "mass deportation" plan, which will impact tens of thousands of homeless immigrant families, and the eradication of critical evidence-based education programs, like Head Start.

Since the 2024 presidential elections, housing and homeless advocates' concerns about the reactionary policies laid out in Project 2025 have intensified, as several of its contributors have been appointed to the highest ranks of the Trump Administration and will dictate federal policy for the next four years, including Tom Homan as his incoming "border czar" and the architect of Project 2025, himself, Russ Vought, as the White House Office of Management and Budget director.² Vought is also a lead figure in carrying out the fourth pillar of Project 2025, the highly secretive "180-Day Transition Playbook," which includes an action plan of conservative policy changes to each federal agency during the first six months of the Trump Administration.³ Although the contents of the 180-Day Playbook have not been shared with the public, it is likely that the incoming Administration plans to implement many of the policy proposals in Project 2025 and the 180-Day Playbook beginning inauguration day.⁴

Project Hope is a response to the draconian plans laid out in Project 2025, and, more specifically, what we anticipate will be aggressive, fast sweeping policy changes during the first six months of the Trump Administration that would detrimentally impact low-income individuals and families experiencing homelessness and housing insecurity. Endorsed by social service and advocacy organizations committed to ending homelessness for all, Project Hope is a call to action to New York state and local elected officials to combat the violent and inhumane policy proposals in Project 2025 and mitigate some of the immediate impacts of the ultra-conservative policy playbook.

In the wealthiest city on earth, with the highest number of billionaires, more than 130,000 people in New York City slept in a homeless shelter every night last year, the highest level on record.⁵ About 70% of the total NYC shelter population are families with children, due to the significant shortage of affordable housing, spike in post-pandemic evictions, rising costs of raising a family, and increasing rates of domestic violence.^{6,7} Black and Latinx families experiencing homelessness, approximately 90% of those in NYC shelters,⁸ will face unprecedented challenges under a second Trump term, especially those in undocumented or mixed status households. New Yorkers experiencing unsheltered homelessness—more than 4,000 individuals—⁹ will also face increased criminalization under a new Trump Administration, as he has vowed to ban encampments nationwide and force individuals sleeping on the street, many of whom struggle with mental illness or substance use disorders, to accept treatment and rehabilitation or face arrest.¹⁰

To prepare for and respond to the unique threats that the individuals we serve face under the proposed policy platform of the incoming Trump Administration, New York government officials should utilize Project Hope as an action plan to guide administrative and legislative decisions taken in the next six months. While we believe that federal elected officials should do all that they can to stop the implementation of the harmful policies laid out in Project 2025, it is imperative that New York government officials at the state and local levels act proactively to prevent and mitigate the impact that the proposed policy agenda will have on our most marginalized neighbors.

The following recommendations address ways in which New York City and New York State can act prior to the Trump Administration taking office in January 2025, as well as during the first 180 days of the new administration to ensure the protection of basic human and civil rights for low income and homelessness New Yorkers.

Housing & Homelessness

Project 2025 calls for systematic cutting of funding and limiting the reach of housing programs that are vital for low-income individuals and families experiencing or at risk of homelessness. Specifically, federal programs that help individuals achieve housing stability—such as the U.S. Department of Housing and Urban Development’s (HUD) Housing Choice Voucher (Section 8), Public Housing (NYCHA), Continuum of Care (CoC), and Emergency Solutions Grants (ESG) programs—are at great risk of loss of funding under the incoming Trump Administration. Furthermore, Project 2025 calls for draconian legislative reforms to Section 8 vouchers that would increase work requirements, limit the period during which households are eligible for rental subsidies, and “prohibit noncitizens, including all mixed-status families, from living in all federally assisted housing,”¹¹ which will cause many struggling NYC households to lose vital assistance. It also calls for the sale of our current public housing stock to the private market and banning noncitizens and mixed-status households from receiving federally assisted housing.¹²

In his first term, President Donald Trump proposed cutting HUD’s budget by \$9.6 billion.¹³ This included massive cuts to Section 8, which serves 123,000 New York City households,¹⁴ and could have led to a net loss of 10,000 vouchers for NYC residents.^{15, 16} These policy proposals, if successful, will ultimately lead to a loss of benefits that will exacerbate financial insecurity and homelessness for tens of thousands of low-income individuals and families with children in New York City and State.

These policy proposals, if successful, will ultimately lead to a loss of benefits that will exacerbate financial insecurity and homelessness for tens of thousands of low-income individuals and families with children in New York City and State.

To prevent low-income households from losing their housing and to help more individuals gain access to safe, stable, and affordable housing, *New York City government should:*

- **Allocate an additional \$263 million in funding for the CityFHEPS voucher program in the FY26 budget**

Increases in evictions, due to the loss of Section 8 vouchers, would further exacerbate the City's housing and homelessness crisis, currently at an all-time high. By increasing funding for CityFHEPS by \$263 million, the Mayor and the City Council can offset the proposed cuts to the Section 8 program and ensure that the 10,000 households at risk of losing their federal rental subsidy will not fall into homelessness. Failing to prevent these individuals and families from falling into homelessness could cost the city up to \$1 billion in shelter costs per year.

- **Pass legislation to ensure that individuals and families who reach the proposed Section 8 time-limit, under a Trump Administration, can seamlessly transfer to CityFHEPS**

In New York City, approximately 123,000 households rely on Section 8 for permanent housing.¹⁷ Project 2025's proposed time limits for Section 8 would be devastating to the housing stability of those low-income families and individuals who rely on the program. This is particularly true in New York City, where Section 8 households rely on the program for an average of 15 years.¹⁸ For many Section 8 households, the affordability offered by the program is the only thing preventing them from falling into homelessness. If the incoming Administration successfully implements time restrictions on Section 8, City Council should pass a law that would allow any household timing out of Section 8 to transfer to CityFHEPS if all other eligibility requirements are met.

- **Allocate an additional \$900 million in funding for the FY26 budget for NYCHA to address major capital improvements**

Over the past two decades, conservatives in the United States Congress have divested funding for NYCHA, starving the agency of resources needed to preserve public and affordable housing. Disrepair in NYCHA buildings has led to thousands of vacant apartments considered too inhabitable to rent.¹⁹ NYCHA projects that it will cost the agency nearly \$80 billion over the next 20 years (or \$4 billion per year) to preserve our public housing stock.²⁰ However, Congress only provides about \$700 million a year for NYCHA capital improvements,²¹ a slice of what it needs to accomplish comprehensive repair work.

Rather than investing in capital improvements for public housing, Project 2025 proposes prioritizing the sale of Section 9 public housing to private investors, an effort to eliminate public housing altogether.²² The Mayor and City Council should increase annual capital funding for NYCHA by at least \$900 million to meet the increasing capital gaps left behind by the federal government.

- **Repeal the 30/60-day shelter limits on new New Yorkers and other policies that increase homeless immigrants' risk for deportation**

Mayor Eric Adams' administration must end cruel and inhumane policies of 30/60 day shelter limits. These policies needlessly expose immigrants without homes to danger and create obstacles for them in progressing their immigration cases. Shelter placement time limits and reapplication requirements for asylum-seekers and other new arrivals make it difficult for people to receive their mail and subsequently vital notices from the immigration court about their pending cases, increases street homelessness, and increases unsheltered migrants' interaction with the criminal justice system, which can impact their immigration status.

Moreover, the 60-day shelter placement limits imposed upon families with children further disrupt schooling for students. Every 60 days a family is transferred, they may have to make new arrangements for their child to get to school, disrupting classrooms and the lives of thousands of students. Rather than creating additional barriers to shelter, the City should guarantee New Yorkers and children experiencing homelessness a safe place to sleep every night by adhering to the terms of all legal settlements, consent decrees, local laws and State social service laws that established a legal right to shelter.²³

- **Stop criminalizing homelessness and invest in community-based mental healthcare and low-barrier housing options for individuals and families experiencing homelessness**

Given the likelihood of increased criminalization and fewer resources for unhoused individuals and families under the incoming administration, it is critical that the City take immediate steps to provide the needed housing, shelter, and services for unsheltered individuals, and reduce unnecessary involvement with law enforcement. The City should immediately remove law enforcement and the Department of Sanitation from all homeless outreach functions whether conducted on the streets, subways or elsewhere, and end street sweeps of homeless people and their belongings. Instead, the City should increase outreach from trained workers who can connect people to low-barrier shelters and, ultimately, permanent supportive housing.

Homeless people experiencing mental health crises need care not forced treatment. The City should allocate additional funding in the FY26 budget for community-based mental health and housing for unsheltered homeless people experiencing mental health crises. It should invest in a spectrum of services and ensure coordination between services. This includes better discharge planning and care coordination and expanding the number of Intensive Mobile Treatment (IMT) teams.

New York State Government should:

- **Pass and allocate \$250 million in the FY26 budget for the Housing Access Voucher Program (S72 – Kavanagh / A3701B – Rosenthal)**

The New York State Legislature and Governor Hochul should pass and allocate \$250 million in funding for the Housing Access Voucher Program (HAVP), which would create a flexible and inclusive statewide voucher for people at risk of or experiencing homelessness, regardless of their immigration status or criminal record.

- **Direct all funding from New York’s Rental Supplement Program to rental assistance programs for homeless families traditionally ineligible for public benefits**

In the FY25 budget, the State allocated \$100 million to its Rental Supplement Program (RSP), which was designed to provide rental assistance “to individuals and families, both with and without children, who are experiencing homelessness or are facing an imminent loss of housing, regardless of immigration status.”²⁴ To alleviate shelter capacity, the NYC Department of Social Services developed the SHARE program, which utilizes funding from New York State’s Rental Supplement Program to provide rental assistance to the longest-term stayers, many of whom are undocumented immigrants, in the DHS system who are not eligible for other housing subsidies.²⁵

Despite the purported goals of RSP, in the last budget cycle, the State mandated New York City to use a portion of RSP funding to pay for NYS FEPS increases. The State should ensure that 100% of the \$68 million in RSP funding to New York City goes to the SHARE program, which will begin to support 950 undocumented households experiencing homelessness in 2025 and find another source of funding to pay for FEPS increases. The City needs this funding to immediately implement this program, so more undocumented households and long-term stayers in shelter can access housing resources and exit shelter sooner.

- **Pass legislation to empower New York City to extend housing benefits to New York residents regardless of immigration status (S1631 – Kavanagh / A5513 – Rosenthal)**

Many immigrant households are ineligible for most housing subsidies, due to their immigration status, a denial that is exacerbating the historically high shelter census and trapping noncitizens in shelters for incredibly long periods of time. [S1631/A5513](#) would empower the City to expand housing vouchers, including CityFHEPS, to these households in need, regardless of their immigration status. This expansion could save hundreds of millions of dollars annually, while helping the newest New Yorkers exit shelter, and freeing up space in our homelessness response system.²⁶

- **Allocate an additional \$900 million in funding for the FY26 budget for NYCHA to address major capital improvements**

Federal divestment and disrepair of NYCHA buildings has led to thousands of vacant apartments considered too inhabitable to rent. According to the Community Service Society of New York, it would cost \$4.5 billion over the next 5 years (or \$900 million annually) to preserve 15,000 NYCHA units and 25,000 units of public housing outside of NYC, as well as build 8,000 new units across the state.²⁷ The Governor and State Legislature should increase annual capital funding for NYCHA by at least \$900 million, only 20% of the State's last \$25 billion housing plan, to meet the increasing capital gaps left behind by the federal government.

- **Pass legislation to prohibit arbitrary shelter limits ([S8493](#) – Hoylman-Sigal / [A9129](#) – Cruz), or the Governor should end shelter limits through executive order**

Mayor Adams' harmful 30- and 60-day shelter limits for new arrivals are a direct threat to homeless immigrant households' safety and survival. If Mayor Adams does not repeal the harmful 30- and 60-day shelter limits, the New York State Legislature and Governor must move forward with a policy that prevents arbitrary shelter limits. The legislature can do this through the passage of [S8493/A9129](#), which would end the harms of arbitrary time limits in shelter and allow persons to receive shelter and related services in the system best suited to their individual needs. In addition, if Mayor Adams refuses to repeal the shelter limits, the Governor should also end shelter limits through executive order, mandating OTDA's compliance with all legal settlements, consent decrees, local laws and State social service laws that established the legal right to shelter for New Yorkers experiencing homelessness.²⁸

- **Stop criminalizing homelessness and invest in community-based mental healthcare and low-barrier housing options for individuals and families experiencing homelessness**

The State should immediately remove law enforcement and the National Guard from all functions involving homeless people, whether conducted on the streets, subways or elsewhere. Instead, the State should allocate funding to increase outreach from trained workers who can connect people to low-barrier shelters.

The State should also take immediate steps to provide the needed housing and supportive services for unsheltered individuals and reduce unnecessary involvement with law enforcement. Homeless people experiencing mental health crises need care and community-based services, not forced treatment. The State must invest in a spectrum of services and ensure coordination between services. This includes increasing the number of inpatient psychiatric hospital beds, better discharge planning and care coordination, and expanding the number of Assertive Community Treatment (ACT) teams.

Social Welfare

Project 2025 calls for significantly more rigid eligibility and work requirements, as well as making cuts to federal social welfare programs, including the US. Department of Agriculture's SNAP and WIC programs. For instance, Project 2025 proposes reversing changes made to the SNAP funding calculation under the Biden Administration that resulted in a permanent 23% increase in SNAP benefits.²⁹ Approximately 1.73 million New York City residents receive \$5 billion in SNAP benefits each year,³⁰ and a 23% reduction would result in a loss of \$1.15 billion in SNAP benefits to low income New Yorkers. Cuts to these vital programs will result in millions of New Yorkers going to bed hungry each night, especially people experiencing homelessness.

To offset these potential losses and support individuals and families currently struggling to meet the high cost of living in New York, the City and State Legislature should expand direct cash transfer programs, as well as increase funding to supplement anticipated SNAP cuts by enacting the following recommendations.

Approximately 1.73 million New York City residents receive \$5 billion in SNAP benefits each year, and a 23% reduction would result in a loss of \$1.15 billion in SNAP benefits to low income New Yorkers.

New York City Government should:

- **Allocate funding in the FY26 budget to supplement the SNAP program**

Project 2025 calls for a 23% cut to the SNAP program, a vital lifeline for millions of low-income New Yorkers. Currently over one million households in NYC receive SNAP benefits.³¹ To offset these cuts at the federal level, it's imperative that the City dedicate additional resources to fund the critical SNAP program.

- **Allocate \$10 million in additional funding in the FY26 budget for targeted direct cash transfer programs serving high risk populations**

In the FY2025 budget, the City Council allocated \$1.5 million to expand the Bridge Project's efforts to provide cash payments to expecting mothers experiencing housing instability.³² The City should go further and increase its funding of direct cash transfer programs to \$10 million in FY26 to fund programs that target families with children at risk of eviction as well as in shelter, single adults experiencing homelessness, and youth experiencing homelessness.

New York State Government should:

- **Allocate at least \$1.15 billion in FY26 to supplement the SNAP program**

Project 2025 calls for a 23% cut to the SNAP program. In 2022, nearly three million families across New York State, including millions of children, were food insecure, as a result of limited financial resources.³³ To offset these cuts at the federal level, the State should dedicate additional resources to fund the critical SNAP program.

- **Pass the Working Families Tax Credit ([S277C](#) – Gounardes /[A4022](#) – Hevesi)**

The Working Families Tax Credit (WFTC) would improve and expand the State's refundable tax credit by combining the Empire State Child Credit (ESCC), the Earned Income Tax Credit (EITC), and the dependent exemption (DE) into one. It would also provide the credit to families quarterly on a sliding scale based on income.

- **Pass legislative package that would increase state funding for Public Assistance and direct cash assistance**

The Governor and State Legislature should pass Cash Assistance Reform, a package of bills that would improve current cash assistance programs, including increasing the benefit amount ([S5270A](#) – Persaud/[A5500](#) – Rosenthal), establishing parity for homeless recipients ([S113](#) – Cleare) /[A108](#) – Rosenthal) and helping working recipients to save more ([S182](#) – Persaud).

- **Pass legislation to establish the Mothers and Infants Lasting Change (“MILC”) Allowance ([S4578A](#) – Ramos/[A6197A](#) – Clark)**

The MILC Allowance would provide direct cash assistance to income-eligible parents, for the last three months of pregnancy and the first 18 months of a child's life.

Immigration

President-elect Trump has made the issue of immigration one of his core policy priorities over the past decade, separating hundreds of families at the U.S.-Mexico border during his first term and making mass deportations a central component of his most recent presidential campaign. Project 2025 calls for significantly increasing the enforcement of harmful and draconian immigration policies throughout the United States, including the expansion of tents and detention centers; enhancing U.S. Immigration and Customs Enforcement's (ICE) authority to expedite removals; repealing designations for Temporary Protected Status (TPS) for hundreds of thousands of immigrants; and cutting federal funding to states and localities that do not honor all immigration detainees.³⁴ If the proposed mass deportation plan laid out in Project 2025 is realized, tens of thousands of New Yorkers experiencing homelessness could face deportation and family separation, as well as lose crucial public benefits.

If the proposed mass deportation plan laid out in Project 2025 is realized, tens of thousands of New Yorkers experiencing homelessness could face deportation and family separation, as well as lose crucial public benefits.

A significant portion of households in shelters are led by immigrants, including mixed status families, recent arrivals legally seeking asylum, and undocumented families. Project 2025's calls for "total information-sharing in the context of both federal law enforcement and immigration enforcement,"³⁵ of state and local databases to the U.S. government in exchange for federal grants. This is particularly concerning given the amount of sensitive information that the City and State have collected from our most recent arrivals and the Playbook's proposals to mandate and empower local and state law enforcement agencies to engage in immigration enforcement on behalf of ICE, violating NYC's sanctuary laws.³⁶

The following recommendations offer actions the City and State must take to resist Project 2025's violent and dehumanizing immigration policies that will disproportionately impact-low income and homeless New Yorkers.

New York City Government should:

- **Defend and strengthen New York City's sanctuary laws passed under the first Trump Administration to protect immigrant New Yorkers**

Mayor Adams' recent rhetoric and actions on immigration issues, including an incorrect statement about undocumented immigrants not being entitled to due process, a meeting with incoming "border czar" Tom Holman, and an announcement to amend NYC's sanctuary laws via executive order to make it easier for local law enforcement to conspire with the incoming Trump Administration,³⁷ is of grave concern. The City Council should pass the following bills that would restrict City officials from conspiring with ICE in the detention and deportation of individuals and families in our communities:

- **Intro 396 - Powers**: Would limit communication between the NYC Department of Correction (DOC) and ICE regarding any person in DOC custody for purposes of immigration enforcement unless a person is convicted of a violent or serious crime or there is a warrant signed by a federal judge.
- **Intro 395 - Powers**: Would limit the New York Police Department's (NYPD) ability to hold people on immigration detainers without a judicial warrant, in compliance with New York State [law](#).
- **Intro 214 - Hanif**: Would create a private right of action in the City's civil immigration detainer laws, enabling immigrant New Yorkers harmed by NYPD, DOC, and Department of Probation (DOP)'s violation of current detainer laws to seek justice.³⁸

- **Develop new data security protocols for shelter and social service providers who collect sensitive information on homeless immigrants in programs like CARES, IDNYC, and Host NYC**

Ensure that any record of an individual's immigration status being collected or stored by the City on CARES, IDNYC, and Host NYC is not retained in any form, electronic or otherwise, beyond the period necessary to complete the service requested by such individual. As the Trump Administration begins its mass deportation efforts, the data the City has collected on immigration status, specifically clients' Alien (A) number, is now a dangerous liability. The City must take immediate action within the next 30 days to ensure that the data collected is fully secured and remove clients' A numbers from all electronic documents to prevent them from being used in ICE's mass deportation efforts.

- **Increase City funding for immigration legal services to \$80 million, including consultation, pro-se assistance, full representation, and application fees and direct funds to nonprofit immigration legal service providers**

Despite an influx of more than 210,000 new immigrants to NYC since 2022, City allocation toward immigration legal services, under the Office of Civil Justice, has remained relatively stagnant at \$53-54 million per year.³⁹ In FY2025, New York State allocated \$38 million towards immigration legal services, to better support new arrivals and asylum seekers. The City should increase its share of funding to at least \$80 million to better enable nonprofit immigration legal service providers and support staff to meet the ever-growing demand of legal aid for New York's most recent arrivals and maintain a strong City workforce of legal service providers. Additional City funding should go to support the Immigrant Opportunity Initiative (IOI), the New York Immigrant Family Unity Project (NYIFUP), and the other programs that help low wage workers and unaccompanied minors.

New York State Government should:

- **Pass the New York for All Act ([S987](#) - Gounardes / [A5686](#) - Reyes)**

The Governor and New York State Legislature should pass the New York For All Act, making New York a sanctuary state. This bill would enable immigrant New Yorkers to lead more open lives and take care of family, despite the incoming Administration's cruel immigration agenda. The legislation would strengthen protections created under Governor Cuomo's 2017 [Executive Order 170](#) (extended by Governor Hochul in [2021](#)) by prohibiting New York's state and local government agencies, including police, sheriffs, school safety officers, and probation officers from questioning individuals regarding their citizenship or immigration status and regulate the disclosure of information relating to immigration status to federal immigration enforcement officers, or ICE.

- **Amend Protect Our Courts Act to include schools, hospitals, and homeless shelters that receive state funding ([S425A](#) - Hoylman-Sigal / [A2176A](#) -Solages)**

In 2020, in response to a 1,700% increased ICE arrests in or around New York courthouses under President Trump's first term,⁴⁰ the New York State Legislature passed the Protect Our Courts Act ([S425A/A2176A](#)), which protects immigrants from civil arrest by federal immigration authorities when attending court proceedings. Media reports have indicated that a longstanding federal rule designating certain sites as sensitive areas, where ICE is not currently allowed to make arrests, will be repealed under the incoming Administration as early as day one.⁴¹ State lawmakers should expand these protections, so children and families are not targeted by ICE and other immigration enforcement officials in places of sanctuary, including homeless shelters, schools, and hospitals, that receive state funding.

- **Pass the Access to Representation Act ([S141](#) – Hoylman /[A270](#) – Cruz) and invest \$165 million in the FY26 budget for immigration legal services**

The Governor and New York State Legislature should pass the Access to Representation Act, which would establish the right to legal counsel in immigration court proceedings. In addition, the State should allocate \$165 million in the FY26 budget for immigration legal services and infrastructure, including funding for the NYS Office of New Americans and for the education, accreditation, recruitment, and retention of talented and experienced immigration attorneys and support staff providing such services.⁴²

Early Childhood & K-12 Education

Project 2025 proposes an aggressive attack on public education that would have significant implications for students who are experiencing homelessness. It calls for the eradication of the Department of Education, funding cuts to education programs for low-income students, and the elimination of Head Start.⁴³ Title I of the Elementary and Secondary Education Act provides financial assistance to school districts for children from low-income families.⁴⁴ It is the largest source of funding that the New York City Department of Education (NYC DOE) and New York State Education Department (NYSED) receive from the federal government. If enacted, the education policies proposed by Project 2025 could result in a loss of \$1.4 billion in federal funding for low income and homeless students in New York public schools.⁴⁵

Furthermore, the Education for Homeless Children and Youth Program (EHCY) established under the U.S. McKinney-Vento Homeless Assistance Act of 1987, is a critical program that provides funding to school districts across the U.S. to support the educational continuity and success of homeless children, by supporting the costs of school transportation, students in temporary housing liaisons, and other needs of students experiencing homelessness.⁴⁶ State funding for the program relies on the Title I federal allocation. Eliminating the \$10 million per year in McKinney-Vento funding that the state receives would detrimentally impact the education of New York City's 146,000 students experiencing homelessness.^{47, 48} Project 2025's proposal to eliminate Head Start and Early Head Start could prevent 19,000 low-income children in NYC from accessing high quality early childhood education and care.⁴⁹ An estimated 153 Head Start and Early Head Start grantees across New York State will lose over \$835 million in funding.⁵⁰

Project 2025's proposal to eliminate Head Start and Early Head Start could prevent 19,000 low-income children in NYC from accessing high quality early childhood education and care. An estimated 153 Head Start and Early Head Start grantees across New York State will lose over \$835 million in funding.

To support students experiencing housing instability and homelessness and preserve the quality of their education, New York City government should:

- **Allocate an additional \$17 million in funding for FY26 for the NYC DOE Office of Students in Temporary Housing**

The City should allocate an additional \$17 million to the budget of NYC DOE Students in Temporary Housing, to increase the number of shelter-based community coordinators, who help students in shelter enroll in school, set up transportation, and request additional resources (IEPs and comparable service plans, if necessary). In FY25, the City appropriated \$17 million to pay for 100 community coordinators across the city. While they play a critical role in combating chronic absenteeism among students experiencing homelessness, these coordinators' efficacy is stymied by their challenging caseloads. Currently, each coordinator can work with up to 300 children. The past school year had the largest number of students experiencing homelessness in the City's history, over 146,000.⁵¹ It is critical that additional resources are allocated to support NYC DOE students in the greatest need.

- **Improve and invest additional resources in school transportation for students in temporary housing**

Students in temporary housing often face long delays in getting buses to school because of a complicated, overburdened school transportation system. This leads to unnecessary mid-year school transfers and school absences. The City should promptly implement the recommendations of [Students in Temporary Housing Transportation Taskforce](#), established by [Local Law 158 of 2021](#), to ensure school stability and full participation in school for students in temporary housing.

- **Provide continued funding for early childhood education and prioritize outreach for children who are homeless**

In the face of threats to Head Start and Early Head Start, which serve approximately 19,000 children in NYC,⁵² the City should double down on its commitment to early childhood education, with a focus on ensuring children who are homeless have access. More than \$200 million in early childhood funding in NYC is set to expire in June unless extended in the upcoming City budget. This includes funding for 3-K; preschool special education, Promise NYC, which helps children access childcare regardless of immigration status, and early childhood outreach. The City should extend, baseline, and increase this funding, launch a targeted outreach plan to help children who are homeless enroll, and commit to covering the cost of any seats lost due to actions taken by the Trump Administration.

New York State government should:

- **Add per-pupil weights for students in temporary housing to the State Foundation Aid Formula**

The Foundation Aid per pupil funding formula was intended to distribute state education funding to school districts in an equitable manner based on student needs. However, the current formula includes no added funding for students who are homeless. Reforming the Foundation Aid formula to include weights for students in temporary housing can help ensure that school districts have the resources to provide quality education to students in temporary housing, including hiring non-instructional staff to offer support to students to overcome barriers to education. These weights are especially important in the face of potential cuts to the EHCY program.

Conclusion

New York's individuals and families experiencing homelessness, particularly Black, Latinx, immigrant, LGBTQ+, and low-income households, will face a plethora of challenges if the proposed policy recommendations in Project 2025 are enacted under the second Trump Administration. New York's State and City governments must proactively craft policy solutions that will ensure the protection of our most vulnerable neighbors, especially families with children.

Without City and State action during the first 180 days of the Trump Administration, New York's most marginalized communities will suffer profound irreversible damage. While these recommendations require significant investments from City and State government, as one of the largest economies in the world, New York has the ability and a moral obligation to protect homeless and low-income New Yorkers from some of the most harmful proposals of Project 2025 and the incoming Trump Administration. By implementing the proposals of Project Hope, New York government officials can prevent the shelter system from growing even larger, which is far more expensive than keeping New Yorkers safely and stably housed, and help individuals and families experiencing homelessness, including the newest New Yorkers, regain their independence, thrive in permanent housing, and inspire children to look forward to a brighter future.

Appendix

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About Win

Win is a 501c3 nonprofit organization and the largest provider of family shelter and supportive housing in New York City and the nation. Win offers transitional housing and permanent supportive housing to current and formerly homeless families alongside programs and services that promote long-term housing stability. Each night, nearly 7,000 people call Win “home,” including 3,800 children.



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January 16, 2025

Committee on Immigration

New York City Council

City Hall Park

New York, NY 10007

RE: Oversight Hearing – Protection for Immigrant Communities

Dear Chair Avilés and members of the Committee:

Thank you for the opportunity to testify at today's hearing. I submit this testimony on behalf of Volunteers of Legal Service (VOLS), where I am the Director of the Immigration Project at Volunteers.

At VOLS, we work in close collaboration with New York City's leading law firms and corporations to facilitate the provision of pro bono legal services to low-income New Yorkers. Our mission is to bridge the gap in access to justice for some of our city's most vulnerable residents, empowering them to navigate complex legal systems with the support they deserve.

Based on our longstanding work in immigration legal services, we would like to share three key recommendations vital to protecting our immigrant clients and all noncitizen New Yorkers: (1) preserving and expanding sanctuary city policies, (2) increasing support for long-term noncitizen residents, and (3) holding city leaders accountable when harmful, anti-immigrant rhetoric impacts safety and trust within immigrant communities.

1. Sanctuary City Policies

New York City's sanctuary city policies and supporting legislation are foundational to the safety and well-being of our immigrant communities. These policies ensure that our city agencies do not engage in unnecessary cooperation with federal immigration enforcement, reinforcing trust between immigrant New Yorkers and local government. At a time when immigrant communities face ongoing threats and uncertainty, it is imperative that we maintain—if not strengthen—these protections.

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A cornerstone of New York City's sanctuary policies is the strong detainer law, which prevents city agencies from granting ICE access without a judicial warrant, as well as laws that limit city agencies' ability to share information with ICE. These protections are vital for maintaining the safety and stability of immigrant families. At VOLS, we work primarily with youth and young adults, the vast majority of whom are students in NYC schools. For these young people, school is not just a place to learn—it's a sanctuary. When we build rapport with clients, one of the easiest ways to connect is by asking about school. Their faces light up as they talk about their favorite class, a beloved teacher, or the friends they've made. School provides a sense of safety, community, and stability that is transformative for young people navigating uncertainty and trauma.

Many of our clients live in shelters, environments that can feel far from home, and endure the stress of the immigration court process, with regular trips to court and meetings with lawyers. But at school, they can just be kids. The stability and sense of normalcy schools provide is critical for their mental and emotional well-being, allowing them to heal and find joy even in challenging circumstances. NYC's laws limiting ICE access to schools and shelters ensure these spaces remain places of refuge, where young people and their families can feel safe and supported. Without these protections, a child could return home from school to find their family has been torn apart.

It's equally important to consider how these protections—or their absence—impact access to legal services. Many immigrants already feel scared, confused, and intimidated when seeking legal help. For noncitizens unfamiliar with the U.S. legal system—some of whom may distrust attorneys or government workers due to experiences in their home countries—this fear can be paralyzing. Imagine the chilling effect if ICE were allowed to show up at legal service organizations. Such actions would discourage people from seeking critical legal support, leaving them more vulnerable to exploitation and deportation. Protecting these spaces is essential to ensuring immigrants can access justice without fear, enabling them to navigate complex systems and remain connected to their families and communities.

Our organization, and our clients, have been deeply distressed by city officials' public statements regarding a willingness to repeal these sanctuary

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protections.¹ Eliminating these safeguards would not only endanger families but erode the trust immigrant communities have in our city. Preserving—and strengthening—these policies will be critical in the years ahead to resist federal overreach and protect immigrant families.

Another pillar of New York City’s inclusive approach is the idNYC program, which provides all New Yorkers—regardless of immigration status—with a form of government-issued photo identification. This initiative fosters a sense of belonging, allows individuals to access essential services, and reduces barriers to participation in civic life. However, challenges persist in the program’s implementation, particularly when city agencies rely too heavily on federal Department of Homeland Security (DHS) documents to verify personal information.

For example, one of our clients faced significant hurdles in obtaining an idNYC because his DHS paperwork listed an incorrect date of birth, even though he possessed a copy of his birth certificate reflecting the correct date. While allowing DHS documents to verify identity can be helpful, these records often contain errors, such as misspellings of names or incorrect birth dates. This overreliance on flawed records creates unnecessary obstacles for immigrants.

We encourage City Council to establish a policy and implement training on how to handle discrepancies between DHS documents and other forms of identification. If an applicant, like our client, provides a birth certificate or foreign passport that clearly matches the information in the DHS records aside from minor errors, both should be considered valid for proving identity. Deference should be given to the government-issued document from the applicant’s home country when there is sufficient evidence to establish identity. By addressing these inconsistencies, the program can become more inclusive and better serve the immigrant communities it was designed to help.

Critics of sanctuary policies, like the designation of sensitive locations and creation of the idNYC program, often argue that they drain resources on undocumented immigrants at the expense of other city residents. However, this assertion ignores the significant economic and social contributions of

¹ Giulia McDonnell Nieto del Rio, *Mayor Adams’ NYC Sanctuary City Stance Tested Amid Growing Pressure from ICE, Public*, DOCUMENTED (Dec. 11, 2024), <https://documentedny.com/2024/12/11/nyc-sanctuary-city-ice-adams/>.

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immigrant communities. Immigrants—both documented and undocumented—play a critical role in New York City’s workforce, filling essential jobs in industries like healthcare, construction, and hospitality.

Furthermore, sanctuary policies foster trust between immigrant communities and local authorities, encouraging cooperation with law enforcement and public health initiatives, which benefits the safety and well-being of all New Yorkers. By creating an environment where all residents feel secure accessing services and participating in civic life, sanctuary policies strengthen the fabric of our city rather than depleting its resources.

As we navigate the challenges of the coming years, these policies and initiatives must remain cornerstones of New York City’s commitment to its immigrant communities. Sanctuary city protections and equitable access to programs like idNYC are not only moral imperatives but practical tools for ensuring that all New Yorkers can live and thrive with dignity and security.

2. Supporting New York’s Long-term Residents

The initiatives led by the Mayor’s Office of Immigrant Affairs (MOIA), such as the Asylum Application Help Center and funding opportunities to assist recently arrived individuals and families, have been invaluable in addressing the immediate needs of new arrivals in the past several years. These programs provide critical legal and social services to individuals who have endured significant hardship and are navigating complex immigration processes. However, we must not lose sight of the fact that some of the most vulnerable individuals in our immigrant communities are those who have lived here for years, decades, or most of their lives without legal status.

For recently arrived individuals, their entry into New York City often coincides with being placed in removal (deportation) proceedings, frequently after expressing a credible fear of persecution that may form the basis of an asylum claim. While their cases are pending, they are generally afforded a measure of safety from deportation, especially if they file for asylum. In contrast, long-term residents without status face far greater risks. For these individuals, a chance encounter with Immigration and Customs Enforcement (ICE) could result in immediate deportation without the opportunity for a hearing or due process.

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The prior Trump administration's efforts to expand expedited removal underscore the precariousness of this reality. Expedited removal allows federal immigration authorities to deport individuals without a hearing before an immigration judge. Initially limited to individuals apprehended within 100 miles of the border and within 14 days of entry, the Trump administration expanded this process nationwide, applying it to immigrants unable to prove continuous presence in the United States for at least two years.² This sweeping policy left countless individuals vulnerable to immediate deportation without due process, disproportionately impacting long-term residents living under the radar. If similar expansions are pursued again, these individuals will face heightened risks unless city protections are fortified.

Additionally, many long-term residents have never spoken with an immigration attorney or accredited representative due to fear or lack of trust. It is possible that some of these individuals may be eligible for legal status but are unaware of it. Others may even already have legal status but not realize they have additional options that could afford them greater protection. For example, many lawful permanent residents (green card holders) may be unaware of the requirements for naturalization or fear the process. With appropriate legal support, these individuals could become citizens, adding far more stability and safety to their lives and their families.

Anecdotally, the number of new arrivals—especially those who have not already received assistance through the Asylum Application Help Center or other city-funded initiatives—is decreasing. According to the city, New York State has committed \$4.3 billion in funding for asylum seeker costs statewide in State Fiscal Years 2023-24 and 2024-25, with an estimated \$3.1 billion allocated directly to New York City. Of this, the city has received \$750 million in advance payments.³ There are currently under 51,000 migrants receiving city shelter services, down from a high of over 69,000 in January 2024.⁴ This

² Am. Immigr. Laws. Ass'n, *Trump Administration Expands Expedited Removal Nationwide*, AILA (last updated Oct. 21, 2019), <https://www.aila.org/library/trump-administration-expands-expedited-removal>.

³ Office of Mgmt. & Budget, *Funding Tracker*, NYC.gov, [https://www.nyc.gov/site/omb/as-fund-tracker.page#:~:text=Funding%20Commitments%20by%20Source%20\(FY23%20%2D%20FY26\)&text=New%20York%20State%20has%20committed,%24750%20million%20in%20advance%20payments](https://www.nyc.gov/site/omb/as-fund-tracker.page#:~:text=Funding%20Commitments%20by%20Source%20(FY23%20%2D%20FY26)&text=New%20York%20State%20has%20committed,%24750%20million%20in%20advance%20payments) (last visited Jan. 11, 2025).

⁴ Press Release, *Office of the Mayor, Mayor Adams Announces New Round of Migrant Shelter Closures, Including One of City's Largest*, NYC.gov (Jan. 11, 2025), <https://www.nyc.gov/office->

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tracks with our experiences at VOLS—many of the individuals we speak with who have arrived in the past two years have already received initial assistance through city-funded initiatives by the time they reach us.

As the number of new arrivals declines and stricter border policies under the Trump administration are anticipated, the risks for long-term NYC residents are increasing. It is critical that the city ensures adequate funding for legal services organizations to support these individuals. For example, consider two hypothetical clients. Client A, who arrived in October 2023, is already in the immigration court process. With help from the Asylum Application Help Center, they've filed an asylum application and received a work permit. Their next court hearing isn't until fall 2025. In contrast, Client B was brought to the U.S. as a child in 2009 and has lived in NYC ever since. Unbeknownst to them, their family has an old deportation order that could be reinstated by ICE at any time. Recently, Client B became a victim of an assault and now seeks legal advice, hoping this might change their circumstances.

Legal services organizations, many of which are overwhelmed with calls for help, might be compelled to prioritize Client A due to funding tied specifically to new arrivals. Yet it is Client B who faces the greater immediate risk, especially if attacks on sensitive location policies expose them to ICE enforcement during court appearances related to being the victim of an assault. This illustrates the urgent need to shift resources and energy to ensure long-term NYC residents—often at greater risk of ICE enforcement—have access to quality legal advice.

New York City must balance its resources to ensure that long-term residents, many of whom have deep ties to their communities and contribute significantly to our city's social and economic fabric, are not left behind. This includes expanding access to legal services and ensuring that all residents feel safe and protected regardless of their immigration status. By addressing the needs of both recent arrivals and long-term noncitizen residents, New York City can reaffirm its commitment to equity, safety, and inclusion for all.

3. Harmful Rhetoric About Immigrant Communities

One of the less discussed yet profoundly impactful forces contributing to the safety or danger of immigrant New Yorkers is the language we use to describe

of-the-mayor/news/019-25/mayor-adams-new-round-migrant-shelter-closures-including-one-city-s-largest.

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them. The way we talk about immigrant communities shapes public perception and policy, often in ways that can either foster inclusivity or incite harm.

The recent coverage of the December 5 stabbing and murder of 17-year-old Yeremi Colino in downtown Manhattan provides a stark example of how language can influence narratives. Initially, news reports stated that the teenage victims had been asked if they spoke English before they were attacked. On December 6, ABC 7 News reported, “Two migrants were stabbed, one fatally, in Lower Manhattan by a group of men who first asked if they spoke English, police say.”⁵

Just four days later, the narrative shifted. ABC 7 reported that police were now claiming, “the victims are members of Venezuelan migrant gangs taking hold in New York City-run hotels around 42nd Street.”⁶ On the same day, Gothamist published an article stating that city officials “cast doubt on [the victims being asked if they spoke English] at a press conference, saying it ‘wasn’t in any documentation or any of the interviews’ around the incident.”⁷ This directly contradicted at least one survivor’s account of the attack.

While it is not our role to determine the veracity of these claims or whether the attack is being investigated as a hate crime, it is evident that there is, at the very least, a factual dispute about whether the teens were questioned about their English proficiency. Why would city officials appear to publicly dismiss this possibility so deliberately, even going so far as to suggest the teens were involved in gang activity? Both survivors, their families, and the family of Yeremi Colino have expressed confusion and distress over these allegations, which have only compounded their trauma and heightened their sense of vulnerability.

⁵ ABC7 New York Staff, *Migrant Teen Stabbed, Killed in Lower Manhattan*, ABC7NY (Jan. 11, 2025), <https://abc7ny.com/post/migrant-teen-stabbed-killed-lower-manhattan-ny/15625039/>.

⁶ ABC7 New York Staff, *NYC Crime: Stabbing of Migrant Teens in Lower Manhattan Stemmed from Dispute Between Rival Gangs, Police Say*, ABC7NY (Jan. 11, 2025), <https://abc7ny.com/post/nyc-crime-stabbing-migrant-teens-lower-manhattan-stemmed-dispute-between-rival-gangs-police/15634958/>.

⁷ Matt Katz, *NYPD Releases Surveillance Footage of Suspects in Teen Stabbing in Financial District*, GOTHAMIST (Jan. 11, 2025), <https://gothamist.com/news/nypd-releases-surveillance-footage-of-suspects-in-teen-stabbing-in-financial-district>.

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The language used by leadership matters. Choices to focus on unfounded claims of gang involvement or to publicly contradict survivors' accounts can cause real harm, eroding trust and amplifying the fears of immigrant communities. As anti-immigrant sentiment grows nationally, potentially exacerbated by federal leadership in the coming years, it is imperative that New York City's leaders are intentional and careful about their words.

Our country is grappling with rising anti-immigrant sentiment, which federal leadership may exacerbate in the coming years. The recent passage of the Laken Riley Act in the House of Representatives is a stark example of how this sentiment is shaping harmful policies. This legislation mandates the detention of certain noncitizens, including undocumented individuals and DACA recipients, for theft-related offenses as minor as shoplifting—even if charges are never filed. It also grants state attorneys general, including some from states with deeply anti-immigrant policies, unprecedented influence over federal immigration policy. Alarming, several of New York City's own representatives voted for this bill,⁸ despite representing districts with significant immigrant populations.⁹ Such decisions undermine trust and highlight the importance of accountability at every level of government.

Although City Council does not control federal representatives, it can serve as a vital check on rhetoric and policy that harm immigrant communities. Leaders and other public officials must act with care and intention, countering narratives that perpetuate fear and division. We urge this Committee to hold leaders accountable for the language and narratives they choose to amplify. Words have power, and how we speak about immigrant New Yorkers will play a critical role in determining whether they feel safe, included, and valued in our city.

In conclusion, the strength of New York City lies in its diversity and its unwavering commitment to inclusivity. Maintaining critical sanctuary policies,

⁸ U.S. House of Representatives, Roll Call Vote No. 256, 119th Cong., 1st Sess. (2025), <https://clerk.house.gov/Votes/20256>.

⁹ Bensonhurst, a neighborhood within the 11th Congressional District, once had the city's second-highest number of foreign-born residents, just after Washington Heights. See Nina Golgowski, *The Incredible, Diverse World of New York City's Immigrants in 8 Big Facts*, HUFFPOST (Dec. 23, 2013), https://www.huffpost.com/entry/new-york-city-immigrants_n_4475197. According to 2022 United States Census data, 33.4% of Bronx County, NY residents (483k people) were born outside of the United States. Data USA, Bronx County, NY, <https://datausa.io/profile/geo/bronx-county-ny/> (last visited Jan. 11, 2025). Most sections of the North and South Bronx fall within New York's 15th Congressional District.

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like the designation of sensitive locations and the protections offered by idNYC, is essential to ensuring safety and equity for immigrant communities. These policies build trust and stability for residents navigating immense challenges. But we must also recognize and respond to the shifting needs of our immigrant population. Long-term noncitizen residents, who have contributed to our city for decades, face unique vulnerabilities that demand creative solutions and targeted resources. Expanding access to legal services, supporting pathways to stability and citizenship, and ensuring no one is left behind will reaffirm our city's commitment to equity.

Equally important is the role of rhetoric in shaping immigrant communities' sense of safety and belonging. Leadership, particularly at the city level, must exercise care in how we speak about immigrants and the policies that affect them. Words and narratives can either foster trust or deepen fear. Whether it's the executive, law enforcement, or any other branch of our city's government, the language we use has profound implications. This Committee, through its work and oversight, has the opportunity to hold our leadership accountable and ensure that New York City remains a beacon of inclusion and integrity.

As we face an uncertain future, with potential federal overreach and growing anti-immigrant sentiment, New York City must continue to lead by example. By safeguarding inclusive policies, addressing the unmet needs of long-term residents, and fostering trust through intentional actions and rhetoric, we can ensure that every resident, regardless of immigration status, feels safe, valued, and protected. Thank you for your work and for the opportunity to speak today. I look forward to collaborating to uphold these shared values.

Sincerely,

Keighly Rector, Esq.

Director, Immigration Project

*former Chair



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Committee on Immigration

"Oversight - Protection for Immigrant Communities"

Testimony from African Communities Together January 16, 2025

Good morning everyone and thank you to the Committee on Immigration for holding today's hearing.

My name is Airenakhue B. Omoragbon and I am the proud daughter of immigrants from Trinidad and Nigeria. I am also the New York Policy Manager at African Communities Together, located on 127th Street in West Harlem.

I am standing here today, to urge the City Council to act swiftly and assume a fighting stance to protect the safety of new and longstanding immigrant communities living in New York City.

Since launching as an organization, ACT has been at the frontlines of supporting arriving migrants with immigration legal services, navigating New York's social service agencies, and advocating for quality housing placements.

In response to the 200,000+ New Arrivals and asylum seekers who have arrived in the city since 2022, ACT has scaled up its efficacy in the immigration space by challenging the City to provide Muslim prayer spaces, halal meals, language interpretation, and other culturally-sensitive services to Africans living in the city's shelter system. We have also led seven policy campaigns aimed at getting new Temporary Protective Status designations and work permits for Africans coming from countries in conflict.

The African community is fully aware of the hardship that is to come in the next administration. In looking at ACT's membership you will see that:

- 60-65% of our members are women;
- Two-thirds of the members of our NY Chapter are Muslim; and
- Even though we are a cross-class organization, the majority of our members are low-income and living below the Federal Poverty Line (FPL).

The majority of our members hail from countries like Senegal, Guinea, Mali, Ivory Coast, Ethiopia, Sudan, and Mauritania, just to name a few. They were [forced to leave their home countries](#) due to extremist groups, drought, ethnic tensions, sexual and gender-based violence against women and girls, food insecurity, and being subjected to arbitrary arrests, threats, and physical assault for being members of the LGBTQIA+ community.



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During the first Trump Administration, Immigrations and Customs Enforcement (ICE) detained Africans in subway stations, at their homes, workplaces, and immigration appointments. Our community members were detained and transferred away from their homes, with little to no access to legal services and interpreters who can speak languages like Wolof, Mandingo, and Pular. Private bond companies even took advantage of the anti-immigrant sentiments in the city, and used it to overcharge African immigrants, who were desperate to be released from immigration detention - terrified of the idea of having to return to their home country.

For many of our members of New York's African community, delayed asylum applications, Muslim bans, and the like, are not simply unfortunate circumstances: These decisions are a matter of life and death. ACT believed President Trump, Mayor Adams, and Border Czar Tom Homan's intimidations the moment we heard them, and we are planning accordingly. We are expecting the New York City Council to come with that same energy and meet these threats of ICE collusion and deportation with oversight, enforcement, and innovation.

Here is what ACT is calling on you to do:

- **Number 1:** City Council needs to pass Intro 214, which would ensure people who are wronged by violations of our laws can seek justice in the court.
- **Number 2:** You need to advocate for the passage of a historic funding package for Immigration Legal Services, to counterbalance the increase we expect to see in demands for legal services. This funding would need to be flexible and give providers the opportunity to adapt their services in response to changes in federal policies.
- **Number 3:** Let us secure compliance with Local Law 228, which would prohibit the use of city resources for immigration enforcement. We need to hold city agencies accountable for their compliance with this law, and we need to make sure the public knows the written policies and protocols they can use to call them out for it. We especially want to see signs on relevant City properties prohibiting the entrance of ICE.
- **Number 4:** Pass the resolutions that CM Hanif, Hudson, and Avilés introduced calling for the passage of New York for All Act, and Access to Representation Act, respectively. These resolutions would prohibit the disclosure of immigration status by New York State entities and establish the right to legal counsel in immigration court proceedings.

If any of you were at the rally this morning, you heard migrants, advocates, immigrants, and asylum seekers chanting "When immigrants are under attack, we stand up and fight back". The people have spoken and it's time for the City Council to get in formation. We look forward to continuing to be in partnership with you on this matter.

Submitted by:

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TESTIMONY OF:

Ellen Pachnanda

Director, Immigration Practice

BROOKLYN DEFENDER SERVICES

Presented before

The New York City Council

Committee on Immigration

Oversight - Protection for Immigrant Communities

January 16, 2025

My name is Ellen Pachnanda, and I am the Director of the Immigration Practice at Brooklyn Defender Services. BDS is a public defense office whose mission is to provide outstanding representation and advocacy free of cost to people facing loss of freedom, family separation and other serious legal harms by the government. Brooklyn Defender Services (BDS) is grateful to the Council for holding this timely and critical hearing. We recognize that there are many questions about potential changes to federal immigration policies and enforcement that may have a significant impact on New York City's immigrant communities. We want to thank the Committee on Immigration, particularly Chair Avilés, for inviting us to testify today about how we can continue to collaborate in protecting New York City's immigrant communities.

For over 25 years, BDS has worked, in and out of court, to protect and uphold the rights of individuals and to change laws and systems that perpetuate injustice and inequality. We represent approximately 22,000 people each year who are accused of a crime, facing loss of liberty, their home, their children, or deportation. Our staff consists of specialized attorneys, social workers, investigators, paralegals and administrative staff who are experts in their individual fields. BDS is fortunate to have the support of the City Council to supplement the services we provide as a public defender office in Brooklyn. Through specialized units, we provide extensive wrap-around services to meet the needs of people with legal system involvement, including civil legal advocacy, assistance with educational needs of our clients or their children, housing, and benefits advocacy, as well as immigration advice and representation.

BDS works at the intersection between the criminal legal and family court systems and the immigration legal system. We witness everyday how these systems treat immigrant New Yorkers unequally. Even minor criminal offenses, often the result of over-policing, can lead to mandatory incarceration in the Department of Homeland Security (DHS) detention facilities, or permanent

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separation from family and exclusion from this country because of the entanglement of the criminal or family legal systems and our federal immigration laws.

As a result, “the immigration system’s historic reliance on criminal arrests and convictions to inform discretionary decisions about whom to detain and deport incorporates these disparities directly into the immigration system”¹ results in the over-policing of Black and brown communities. An arrest alone, even where the district attorney declines to prosecute or where a judge dismisses and seals the case, can lead to immigration detention.

BDS’ Immigration Practice works to minimize the negative immigration consequences of family court and criminal charges for non-citizens, represent people in applications for immigration benefits, and defend people against Immigration and Customs Enforcement (“ICE”) detention and deportation. Since 2009, BDS has counseled, advised, or represented more than 22,000 people in immigration matters including deportation defense, affirmative applications, and immigration consequence consultations in Brooklyn’s criminal court system. Our *Padilla* team attorneys are criminal-immigration specialists who provide support and expertise on thousands of cases, including advocacy regarding enforcement of New York City’s detainer law, individualized immigration screenings, and legal consults.

New York Immigrant Family Unity Project (NYIFUP)

NYIFUP continues to be a model of access to justice nationwide and has inspired replication in many states and cities that want to stand beside their immigrant communities to ensure families are not separated by deportation because they cannot afford counsel. In 2013, with funding from the City Council, BDS became one of the three legal providers for the New York Immigrant Family Unity Project (NYIFUP), the nation's first-ever universal representation program for detained immigrants facing deportation. Along with the Bronx Defenders and The Legal Aid Society, BDS specializes in representing people who are detained while they await their deportation hearing. We also provide continued representation on immigration matters to our previously detained immigrant clients after securing their release from ICE custody. Since the inception of the program, we have represented over 1,852 people in deportation proceedings.

Nationwide, there are now over 50 localities that have committed public dollars to deportation defense, with NYIFUP as the gold standard and the model. This includes expanded funding in New Jersey and Pennsylvania’s renewed program, PAIFUP (the Pennsylvania Immigrant Family Unity Project). BDS has regularly provided support and training to those programs. Additionally, we routinely provide training and technical assistance on federal work for organizations in New Jersey.

¹ Policy Brief, *Disentangling Local Law Enforcement from Federal Immigration Enforcement*, National Immigrant Justice Center (Jan. 13, 2021), available at <https://immigrantjustice.org/research-items/policy-brief-disentangling-local-law-enforcement-federal-immigration-enforcement>



BDS seeks to preserve family unity for people facing deportation, keep individuals living and working in their communities, protect the legal rights of immigrants, reduce the number of people in immigration detention, and strengthen the fabric of immigrant communities. Our work is centered on our clients and, in addition to providing legal representation and counsel, we support the health and stability of people facing deportation and their family members by connecting them to essential services, such as healthcare, counseling, BDS' civil legal services, and other community-based support.

As part of NYIFUP, BDS immigration staff conduct intake and are assigned the cases of anyone who qualifies for our legal services. Though we screen each person's case for immigration relief, we represent every individual who qualifies for our legal services. Our staff work tirelessly to avoid deportation and to keep our clients with their families, in their communities. With the support of this Council we are also able to provide education and resources to the broader community and other legal providers.

NYIFUP Providers are Well-Positioned to Address Anticipated Immigration Policy Changes

In 2018, NYIFUP saw a 40% increase in detained cases based on federal immigration policies. Our offices pivoted to address increased detention, utilizing our expertise in detained removal defense and federal practice to secure release and immigration relief for clients. During the previous presidential administration, immigration enforcement policies and guidance focused on increased efforts to arrest and detain all removable noncitizens, and a revised policy intended to increase the use of detention for civil immigration enforcement.² There were increasingly aggressive incidents involving ICE enforcement in sanctuary jurisdictions throughout the country.³

BDS stands ready to respond to the anticipated rapidly changing policies of the incoming administration. From 2016 to 2020, and then during the period of COVID, the NYIFUP providers

² See, e.g., ICE, "ICE ERO immigration arrests climb nearly 40%," available at <https://www.ice.gov/features/100-days> (noting "In the 100 days since President Donald J. Trump signed Executive Orders (EOs) regarding immigration enforcement priorities, U.S. Immigration and Customs Enforcement (ICE) has arrested more than 41,000 individuals who are either known or suspected of being in the country illegally. This reflects an increase of 37.6 percent over the same period in 2016. Between Jan. 22 and April 29, 2017, ICE Enforcement and Removal Operations (ERO) deportation officers administratively arrested 41,318 individuals on civil immigration charges. Between Jan. 24 and April 30, 2016, ERO arrested 30,028."

³ The Marshall Project reports, "In the eight months after Trump's inauguration, ICE arrests in the New York area jumped by 67 percent compared to the same period in the previous year." See *New York on ICE*, The Marshall Project in collaboration with New York Magazine (Jul. 23, 2018) available at <https://www.themarshallproject.org/2018/07/23/new-york-on-ice>; Pew Research Center details that "The number of interior arrests made by ICE...rose 30% in fiscal 2017...[and] went up again in fiscal 2018." See Gramlich, J., *How border apprehensions, ICE arrests and deportations have changed under Trump*, Pew Research Center (March 2, 2020), available at <https://www.pewresearch.org/short-reads/2020/03/02/how-border-apprehensions-ice-arrests-and-deportations-have-changed-under-trump/>

quickly pivoted to these changes. We filed more federal actions to secure release of clients, preserved their rights in immigration court by filing more appeals, and used our motion practice before the courts to fight off advancement of cases that would have prejudiced their rights. We also developed We Have Rights, an empowerment campaign to aid our immigrant communities in preparing for and safely defending their rights in the face of ICE enforcement. Videos are available here <https://www.wehaverights.us/> and available in seven languages. With another expected surge in ICE detention, the NYIFUP program will require enhanced funding to meet the increased needs of New York's immigrant communities.

Anticipated Immigration Policy Changes

ICE has the authority and discretion to detain individuals in any state or territory in the United States. We anticipate an increase in the detention of New York City residents, and subsequent transfer to locations far away from their families and homes, possibly to places where they will not have access to legal services. The incoming presidential administration has stated it will prioritize “immigration-related executive actions within days, including a dramatic shift in immigration enforcement in the interior of the United States.”⁴ We anticipate, not just an escalation in immigration enforcement efforts, but also enforcement efforts that are hyper focused on individuals who come into contact with the criminal and family legal systems. We further anticipate increased efforts by ICE to arrest individuals at and around their homes and places of work. There are recent reports of plans to rescind a long-standing policy which has prevented immigration enforcement at protected areas/sensitive locations except under certain circumstances.⁵ Should this policy be eliminated, we will begin to see ICE arrest immigrants outside New York City schools, hospitals and other healthcare facilities, and places of worship.⁶ With enhanced funding, NYIFUP will work to meet the demands of increased ICE enforcement.

⁴ Orozco, A., “What Will Mass Deportations Look Like?”, *Immigration Impact*, American Immigration Council (Dec 6, 2024) available at <https://immigrationimpact.com/2024/12/06/what-will-mass-deportations-look-like/>

⁵ Ainsley, J. and Martinez, D., *Trump plans to scrap policy restricting ICE arrests at churches, schools and hospitals*, NBC News (Dec. 11, 2024) available at <https://www.nbcnews.com/investigations/trump-scrap-restriction-ice-arrests-churches-schools-rcna183688>

⁶ In 2011, ICE issued a memorandum on “Enforcement Actions at or Focused on Sensitive Locations,” describing its policy on immigration enforcement actions (such as arrests, interviews, searches, and surveillance operations) at what it calls “sensitive locations.” John Morton, Memorandum on “Enforcement Actions at or Focused on Sensitive Locations,” (Oct. 24, 2011), available at <https://www.ice.gov/doclib/ero-outreach/pdf/10029.2-policy.pdf> U.S. Customs and Border Protection (CBP) also released its own memo regarding its operations at sensitive locations in 2013. In 2021, Secretary of Homeland Security Alejandro N. Mayorkas replaced the sensitive locations guidance with the issuance of “Guidelines for Enforcement Actions in or Near Protected Areas,” an updated memorandum which described a unified, Department-wide policy to guide CBP and ICE enforcement actions, such as arrests, interviews, searches, and immigration enforcement surveillance operations, in or near areas that require special protection. Alejandro N. Mayorkas, Memorandum on “Guidelines for Enforcement Actions in or Near Protected Areas,” (Oct. 27, 2021) available at https://www.dhs.gov/sites/default/files/publications/21_1027_opa_guidelines-enforcement-actions-in-near-protected-areas.pdf

We also anticipate that prosecutors in immigration court will no longer be required to utilize their discretion to resolve or dismiss cases. Thus, the immigrant New Yorkers will remain in removal proceedings for years. Additionally, as we saw from 2016 to 2020, there will be rapid changes in policies and legal authority - during that period, the U.S. Attorney General weekly certified cases to himself so that he could change the law regarding immigration relief. We anticipate that once again policies will shift to limiting bases for asylum relief, for example denying relief for victims of domestic violence. We also saw Special Immigration Juvenile Status (“SIJS”) be suspended - taking away relief for children who were neglected or abandoned by their parents.

New York City Detainer Laws

The New York City Council continues to be a leader in ensuring the protection of all New Yorkers. In October 2014, the Council passed groundbreaking legislation (detainer discretions laws) that removed ICE from Rikers Island and prevented the New York City Department of Corrections (“DOC”), the New York City Police Department (“NYPD”), and the Department of Probation (DOP) from unlawfully detaining non-citizens without a judicial warrant.

These detainer discretion laws were intended to prevent non-citizens detained in DOC and NYPD custody from being transferred to immigration detention. However, given the intransigence of ICE’s aggressive apprehension and detention policies, and the agency’s enforcement priorities, years later, it is evident that our criminal legal system continues to cause non-citizens to be apprehended by ICE as the vast majority of New York City residents detained by ICE have had contact with the criminal legal system. This is especially concerning given the provisions of the Laken Riley Act, now pending before the U.S. Senate, that would allow for mandatory detention of those merely accused of crimes.⁷

During an oversight hearing before the New York City Council in February 2023, DOC testified that it interprets the 2014 detainer discretion laws to contain a loophole which allow DOC to notify the Department of Homeland Security (DHS) of an individual’s release based on a finding of “dangerousness,” as established by a recent criminal conviction for one of the enumerated 177 offenses, or inclusion on the FBI’s terrorist watch list.⁸ Once ICE is notified of the person’s impending release, ICE is free to show up at the DOC facility and take custody of the person directly from DOC.

We understand that DOC facilitates the transfer of individuals to ICE custody based on the notification loophole, when people have a qualifying conviction. The spirit behind these laws was

⁷ H.R.7511 - 118th Congress (2023-2024): Laken Riley Act

⁸ New York City Council Hearing “Oversight - New York City’s Detainer Laws,” Committee on Immigration Jointly with the Committee on Criminal Justice, February 15, 2023 10:00 AM, meeting video available at <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=1078800&GUID=54D0B5D1-9B0B-4A5D-B7C3-F6E67806FBC5&Options=info%7C&Search=#>

to ensure that New York City protected its residents, and NYC should not be denying New Yorkers this protection because of a criminal conviction.

The City Council should make clear that city agencies cannot communicate with ICE about an individual for the purposes of civil immigration enforcement without the presentation of a judicial warrant. DOC's interpretation of the law as allowing communication with ICE without a judicial warrant is not in line with the law. The city cannot adequately protect New Yorkers, or uphold the detainer discretion laws, without upholding the requirement that ICE present a judicial warrant in interactions with city agencies about an individual for the purpose of civil immigration enforcement.

Protect Our Courts Act ("POCA")

Prior to the passage of the Protect Our Courts Act (POCA) in 2019, ICE and oftentimes, court personnel, used courtrooms, hallways, entrances and exits of court buildings to aggressively target and apprehend immigrants attending court proceedings in local criminal, family, housing, civil or other courts. This not only created suffering for the people who were arrested and subsequently detained, but it also created fear among litigants and witnesses who were afraid to appear in court to resolve their cases which resulted in mayhem in courthouses across the state. POCA was passed in 2019 for the specific purpose of stopping this egregious behavior and disallowing federal immigration agents from engaging in civil arrests in New York Courts. POCA applies to all state and local courts—criminal, family and civil courts, town and village courts as well as traffic and summons courts. The law specifies that immigration agents may not make an arrest unless they have a judicial warrant, identify themselves, show a copy of the judicial warrant to court officers and judges, and await a sitting judge to authorize execution of the civil warrant.⁹

Recommendations

1. Renewed commitment to defending immigrant New Yorkers by investing in expanding NYIFUP.

For over a decade, the New York City Council funded NYIFUP program has been the national model for universal representation for immigrants facing deportation. Our offices have provided robust and comprehensive legal representation and wraparound support services for people in detained deportation proceedings. During this time, our offices have represented thousands of people in deportation proceedings, providing representation and expertise in the complex legal issues that arise in these immigration cases. We continue to represent these clients and add new cases to our docket every year. With anticipated increase in need, we ask the Council to continue

⁹ Protect Our Courts Act, New York State Senate Bill S425A, available at <https://www.nysenate.gov/legislation/bills/2019/S425>



its support and expand the resources available to meet the pressing needs of the families served by this program.

2. Strengthen New York City's Detainer Laws by passing Intro 214.

When local agencies share sensitive information about individuals with ICE, such as immigration status, it can lead to the unjust targeting of vulnerable populations. This Council should prioritize the use of our city's resources to meet the needs of all New Yorkers, not to engage in the enforcement of immigration law which localities do not have the authority to enforce as that is the responsibility of federal agencies, such as ICE.

This Council should enact new, and strengthen any existing, policies that keep communities' personal data private. By doing so, New York City can ensure that immigrant communities are not subject to unlawful surveillance or data-sharing practices. For example:

- minimize, as much as possible, the amount of data that is collected and stored by city agencies;
- avoid the retention, transmission, or storing of sensitive data such as immigration status;
- enact transparent policies on data sharing with federal agencies.

This Council should also augment New York City's detainer discretion laws - those harmed by violations of the law must have the ability to hold the government accountable. needs to include the ability to enforce the law if or when it is not followed. Intro 214 creates a private right of action for individuals who experience harm as the result of a violation of the detainer discretion laws.

3. Work with city and state partners to reduce criminal legal system contact for immigrant New Yorkers:

Call on the state legislature to Pass Youth Justice and Opportunities Act (Myrie S3426)

Young people in the communities we serve are particularly vulnerable to police interaction, especially when they are still continuing to grow and mature into their mid-twenties and grappling with peer pressure and decision-making skills. Contact with the criminal legal system for our non-citizen youth also increases the risk of deportation. Without the protections of youthful offender laws, young people are subjected to harsh mandatory minimum sentences and are similarly being coerced into guilty pleas because they are afraid to assert their rights and go to trial. Many of these guilty pleas can have serious immigration consequences. However, when a young person resolves their criminal case with youthful offender status, the risk of deportation is significantly decreased. This is because youthful offender status is not considered a conviction for immigration purposes. For this reason, we ask the Council to support and pass a resolution urging the state legislature to pass and Governor Hochul to sign the Youth Justice and Opportunities Act (Myrie S3426). The

Youth Justice & Opportunities Act expands eligibility for youthful offender status (“YO”) by making YO mandatory for most low-level offenses and gives judges discretion to grant YO, including opportunities for programs and other alternatives to incarceration and immediate record sealing. The bill will also reduce state and local spending on youth incarceration—money that should be invested in communities to alleviate poverty and homelessness, ensure quality education, and fund other needed resources. In turn, this bill would help stabilize communities, increase public safety, reduce the risk of wrongful convictions, and decrease the risk of youth deportation.

4. Call on the New York State Legislature to pass the New York for All Act (S.987/A.5686)

Immigrant New Yorkers make invaluable contributions to our city and state. Yet, many of New York’s 4.4 million immigrants live in growing fear of detection, apprehension and arrest by ICE or Customs and Border Protection (“CBP”).¹⁰ New York for All is a piece of legislation that will help to protect immigrant families across New York by prohibiting the use of state and local resources for the enforcement of federal immigration laws and sharing of sensitive information with ICE. The bill prohibits ICE from entering non-public areas of state and local property without a judicial warrant. It also ensures that people in custody are given notice of their rights before being interviewed by ICE and starts the process of limiting ICE access to state information databases. We support Council Members Hanif and Aviles’ Resolution before this Committee that calls on the state legislature to reintroduce and pass, and the governor to sign this important piece of legislation.

5. Fund Know Your Rights and public education efforts

NYC should continue to support and fund efforts directed at educating immigrant communities to understand their rights. Community education campaigns can be a powerful tool in combating fearmongering targeted at immigrant communities.

By providing accurate information about existing laws and individual’s rights, public education efforts can help to counter misinformation. When individuals are educated about their legal protections and know their rights, they are less likely to succumb to fear. Community education campaigns are also a helpful way to help combat immigration services fraud.¹¹

¹⁰ While CBP enforces immigration laws at the border and ports of entry, ICE is tasked with apprehending unauthorized immigrants in the interior of the country. Office of Homeland Security Statistics, Immigration Enforcement, available at <https://ohss.dhs.gov/topics/immigration/immigration-enforcement>

¹¹ According to the Gothamist “complaints to the statewide Office of New Americans immigration hotline more than doubled over the last year, from 21 in 2023 to 58 thus far in 2024.” Sundaram, A., *Surge in NYC migrants fuels rise in immigration services fraud complaints*, Gothamist (Dec. 13, 2024) available at <https://gothamist.com/news/surge-in-nyc-migrants-fuels-rise-in-immigration-services-fraud-complaints>



Conclusion

All New Yorkers benefit when our diverse communities can thrive together. As this Council has always noted, immigrants, regardless of their status, are the backbone of our city, our culture and our economy. New York City has long made efforts to reassure our communities that the city welcomes and protects all New Yorkers, including its immigrant community. We applaud our City Council's leadership in forging city policies and laws that center the protection of all New Yorkers. However, immigrant communities continue to face an enormous threat in an era of increased surveillance and immigration enforcement. The city can and should do more to ensure that residents are not unnecessarily targeted for detention or deportation because of some action or failure to act by the city.

The City Council has played a critical role in safeguarding New York City's immigrant community and established itself as a national leader in the creation and ongoing support of the NYIFUP program. We thank the New York City Council for its continued support of low-income immigrant New Yorkers. This support and the need for our services is more acute than ever.

If you have any questions, please feel free to reach out to me at epachnanda@bds.org.



New York City Council Fiscal Year 2025

Executive Budget Hearings

Committee on Immigration

January 16th, 2025

Testimony of Miral Abbas, Health Partnerships Coordinator

Coalition for Asian American Children and Families

Good Afternoon, my name is Miral Abbas, and I am the Health Partnerships Coordinator at the Coalition for Asian American Children and Families, or CACF. ***I'm here today to discuss the Access Health NYC initiative and urge the Council to include \$4 million for Access Health NYC in the FY 2025 budget. With this addition, Access Health NYC can uplift and fund new community organizations to meet the growing needs of our diverse immigrant communities.***

I'd like to thank the Health Committee Chair Alexa Aviles, and members of the Immigration Committee for their extraordinary commitment.

Access Health NYC is a city-wide initiative that supports 37 community based organizations across all 5 boroughs of NYC and enables community organizations to provide education, outreach, referrals & assistance to hard-to-reach populations about accessing vital healthcare, such as those who are uninsured, who are undocumented, who have limited English proficiency, have disabilities, are LGBTQ+, and who are unhoused. Access Health is led by 4 key agencies that train, evaluate, and provide guidance to Access Health organizations, one of which is CACF, the Coalition for Asian American Children and Families.

CACF is the nation's only Pan-Asian Children and Families' advocacy organization. Our mission is to advocate for equity and opportunity for marginalized AAPI children and families. Every day, we work with our 90+ member organizations, youth and parent leaders, and community allies to push for systemic changes and vital resources to support New Yorkers that struggle the most.

Access Health NYC's Awardee organizations largely serve immigrant communities by providing a plethora of resources for its immigrant populations. More than 3 quarters of Awardees conduct benefits navigation, in community health education, and referrals to social services, such as SNAP or healthcare, and health outreach, education, and referral services to those seeking asylum in NYC. For context, CACF has recently spoken to organizations working with refugees from Afghanistan/Middle East.

For our community members, Access Health NYC hosts regular training on dense topics such as hospital finance or language accessibility that they struggle with. Annually, AHNOC organizations provide



language accessible and culturally responsive health information to over **339K** individuals through media outreach and **28K** through training and workshops. **75% of AHNOC organizations** have reported providing vital health outreach, education, and referral services to asylum-seekers. Furthermore, in the last year alone, **over half of Awardee organizations have reported reaching 2000+ individuals** through their vital health education and outreach work.

Recently, Awardees were critical to the City's response to the COVID-19 pandemic, at a time when the initiative received no increases in funding. Almost all organizations reported expending more resources than they had received from Access Health on staffing vital health outreach programs. **Access Health organizations are *vastly under-funded for the important work they do.***

Over multiple years, Access Health NYC has built the capacity of its Awardees to provide critical services through local, trusted community members and cultural-responsive and accessible avenues. These avenues include in-person community events, educational sessions, and outreach sessions that are regularly delivered through local community advocates and trusted community members.

Awardees have established modalities of reaching communities through innovative methods + established trust and community knowledge which puts Access Health NYC in the position to be at the forefront of reaching immigrant populations. Examples of culturally-responsive outreach range from creating and distributing health information at halal food pantries and faith based institutions during Islamic months, to communicating in-language about disease prevention at community festivals, and challenging misinformation about COVID-19 vaccinations through ethnic social media (i.e.: Whatsapp, WeChat, Kakao, etc.). **Through a recent 'Learning Circle,' or quarterly meeting hosted for AHNOC Awardees to network and discuss pertinent matters, innovative outreach practices were discussed:**

1. **'Consulates' are convenient locations used by multiple immigrant-serving organizations.** Many new migrants arrive at Consulates to find existing outreach workers who may easily facilitate healthcare enrollment, translation and health resources. Awardees uniquely recognize the convenience of conducting health outreach and consulates given the consulates' proximity and accessibility of migrants who are seeking health services.
2. **Local barbershops, nail and hair salons are convenient locations for immigrants.** These areas are notable for the frequency of particular immigrant populations (i.e.: Nepali South Asians, Caribbeans, etc.) and the close relationship of the barbers or salonists to their clients, allowing for these centers to be prime locations for health outreach and education.
3. **Awardees often deploy their own 'community health workers'; individuals hired directly from the communities they aim to serve, that can conduct linguistically accessible and culturally responsive health outreach and provide direction to needed services.** Through discussions and health education built on trust and cultural understanding, community health workers dispel stigmas, distrust, and misinformation. Awardees report that these community health workers



are conveniently based in accessible areas and are mobile. *Given the fact that their community health workers are rooted from the community they serve, they have a deep understanding of what's affecting their communities, their needs, and how best to serve them.* Furthermore, these roles provide a purpose to these individuals from the community, thereby making them more aware of their community's matters, and empowered to make change from within.

AHNYC Awardees are embedded in communities, hire community members, and have strong community trust and knowledge of health needs. They are able to educate and dispel harmful misinformation through innovative and culturally accessible methods. This community trust is vital in the utilization of necessary resources for a population with limited health care accessibility, utilization and literacy. **Furthermore, Awardees' built trust and community understanding allows them to easily translate and transmit pertinent information about health benefits and policies, health care enrollment, to immigrant populations who face cultural and linguistic barriers and legal fears due to immigration status. Immigrant communities are often unreached by mainstream city agencies and media, and mis-/disinformation. AHNYC Awardees play a critical role by working at the forefront to address these fears, dispel myths, and provide clarity on policies and healthcare in methods that are easily understood.**

In the light of potential administrative and political changes forthcoming to immigrant health and legal benefits, Awardees will play a vital role in translation and providing support/clarity for immigrants. In the previous Trump administration, Awardees report many immigrants disenrolling from necessary health benefits out of fear (i.e.: policies such as Public Charge), and having to step in to correctly inform on these policies and share relevant resources that prevented disenrollment.

We ask the committee of immigration to consider supporting the Access Health initiative, and in partnership with the committee on health, to consider an expansion for necessary funding to \$4 million. We support promoting initiatives such as Access Health NYC that are best equipped through their built trust and community knowledge to support immigrant and refugee populations. Uplifting and investing in said initiatives is warranted to equitably and effectively reach said communities. The enhancement will ensure that the City can better target challenging health needs through trusted community-based support. This initiative provides an opportunity for NYC as an effective investment to equitably address the growing health needs of New York's most vulnerable populations. We ask for an expansion of funding for Access Health NYC to \$4 Million.

Thank you very much for your time.



Good morning. My name is Kulsoom Tapal, I am the Education Policy Coordinator at the Coalition for Asian American Children and Families (CACF), the nation's only pan-Asian children and families advocacy organization.

Amid rising anti-immigrant sentiment, it is crucial for the Mayor's Office of Immigrant Affairs (MOIA) and city agencies to strengthen protections and ensure immigrants can safely access services and seek justice. **While local laws limiting city agencies' cooperation with federal immigration enforcement are vital, weak enforcement and accountability leave immigrants—especially AAPI individuals facing language barriers and limited legal access—vulnerable to rights violations, unwarranted detainment, and even deportation.**

To prepare for these challenges, CACF urges the council to:

1. Pass Intro 214 and offer accountability for city agencies that collaborate with federal immigration enforcement and engage in rights violations that lead to unlawful detention and deportation.
2. Require city agencies to publicly report any instances of cooperation with federal immigration enforcement and detail steps taken to rectify violations. Empower MOIA to investigate and address violations of sanctuary city laws.
3. Reinforce existing sanctuary city laws by explicitly prohibiting the use of city resources to facilitate federal immigration enforcement and expanding protections to cover gaps in the current legislation.
4. Allocate additional resources to provide free or low-cost legal services, mental health support, and other essential services to immigrant communities.
5. Invest in public education campaigns to inform immigrant New Yorkers of their rights under sanctuary city legislation and how to report violations.
6. Develop citywide emergency response plans to address potential escalations in federal immigration enforcement activities.

Additionally,

7. MOIA should lead efforts to address mischaracterizations of sanctuary city policies and
8. Agencies should collaborate with trusted community-based organizations, such as CACF, to properly serve immigrant communities, amplify accurate information about sanctuary city protections and combat harmful stereotypes.

All of this must be done with language access in mind - CACF's Community Review of Translations guide among other resources should be utilized to support this effort.

Now more than ever, it is imperative that we dedicate our efforts to protect immigrant communities from harm. Thank you for your time.



Testimony

New York City Council Committee on Immigration Hearing on Oversight - Protection for Immigrant Communities

Thursday, January 16, 2025

**Submitted by Margaret Martin,
Co-Director, Division of Immigrant & Refugee Services
Catholic Charities Community Services, New York**

Good morning, Council Chair Avilés and members of the New York City Council Committee on Immigration. I am Margaret Martin, Co-Director of the Immigrant and Refugee Services Division of Catholic Charities Community Services, Archdiocese of New York (CCCS). Thank you for the opportunity to provide testimony today regarding protections for immigrant communities in New York City.

INTRODUCTION

CCCS is proud of our decades-long tradition of welcoming New York's immigrants and refugees and ensuring that they can access the protection of local, state, and federal laws and policies. We have a long history of partnering with New York City, New York State, and other local nonprofit organizations on protecting immigrant communities. Our New York City programs include comprehensive legal programming such as ActionNYC, IOI, the Haitian Response Initiative, and UAM; case management and related services; support for day laborers in the Bronx; the immigration hotline; and ESOL and other educational opportunities. Collectively, this work directly impacts tens of thousands of New York City immigrants each year.

PROTECTING NEW YORK CITY'S IMMIGRANT COMMUNITIES

The incoming Trump administration has promised drastic changes to immigration policy and practice, including mass arrests and deportations. These announcements and the anticipation of new policies have already generated fear and anxiety in New York and elsewhere; that will only grow as the incoming presidential administration takes office and much of the anti-immigrant rhetoric becomes policy, practice, and federal law. The new Trump policies will disrupt

communities, separate families, jeopardize public safety, and compel people to take proactive measures to try to protect themselves and their families.

As we anticipate and prepare for the sweeping changes the new federal administration will bring, we urge New York City Council to unequivocally confirm and demonstrate the City's commitment to protecting immigrant communities, so that they may continue to thrive and safely contribute to the richness and diversity of the City. In particular, we urge the City Council to:

- **Reaffirm, clearly communicate, and uphold current New York City law protecting immigrants.**

While immigration law and policy are largely federal, many local governments and some states have taken actions that directly impact immigrants, often referred to as sanctuary laws. New York City, one of the welcoming cities, first codified protections for immigrants from federal overreach in 1989. The current laws, from 2014, ensure that City resources are not used for federal enforcement purposes, and that people suspected, arrested, or charged of crimes will not be turned over to Immigration and Customs Enforcement (ICE) for immigration arrest and deportation. These laws are critical to reassuring immigrant communities that they, like all New Yorkers, can access New York City services without fear.

Currently, many New Yorkers are confused about the meaning of the law and whether it will be followed, adding to the fear and anxiety of many vulnerable New Yorkers. Many immigrants are concerned about putting themselves and their families at risk of being arrested by ICE, including whether any encounter with a New York City police officer or other City official could lead to an arrest by ICE. We have learned from calls and one-on-one interactions that people are not sure if it is safe to send their children to school or access other services, for fear that doing so could lead to an ICE arrest. If people believe that NYC police and other officials work with ICE to arrest immigrants, many may choose not to seek help in emergencies, such as when they are victims of or witnesses to crimes. This level of fear and uncertainty about local laws and policies is unacceptable in a city that welcomes and needs immigrants to thrive.

The New York City Council can counter this confusion and address the understandable apprehension by messaging that:

- New York City does not discriminate on the basis of immigration status;
- All New Yorkers, regardless of immigration status, have equal access to City services, including sending their children to public schools; availing themselves of police, fire, and other emergency assistance; taking themselves and their families to NYC hospitals for care; and getting and using the municipal IDNYC;
- All New Yorkers will receive due process under City law, regardless of immigration status; and
- New York City law strictly limits the City's cooperation with federal immigration authorities and City officials can cooperate with immigration enforcement only in certain, limited circumstances where someone has been convicted of a serious or violent crime.

- **Ensure sufficient funding to provide legal and supportive services to immigrants, particularly those who are most at risk.** In particular, funding should be made available for:
 - **Legal representation.** New York City continues to fall short of ensuring representation for people in immigration court proceedings and before USCIS. The need for high-quality legal help will be especially critical during the Trump administration, which may institute expedited court calendars and pressure immigration judges to decide cases quickly rather than give respondents time to seek counsel. Also, as during the last Trump administration, applicable laws may change significantly, such as those governing asylum and procedure, which can be difficult for unrepresented people to track. While pro se programs provide critical services, they are not a substitute for legal representation. Quality legal representation ensures that respondents understand the proceedings and can make informed decisions, as well as providing the best opportunity for a respondent to successfully argue their case in immigration court.
 - **Rapid response.** As ICE increases enforcement in NYC, particularly in the event of raids, immigrant communities will turn to legal service providers. Legal services for people arrested by ICE generally must be provided quickly, before someone is sent out of state or an existing removal order is executed, and to keep ICE from detaining someone not yet detained. Funding will be needed to set up teams to provide robust legal responses so that arrested people can at least consult with immigration attorneys to understand their legal rights and options. Additionally, families whose parents or other breadwinners are arrested will need support with basic needs and case management, which NYC can provide through supporting nonprofit partners such as CCCS.
 - **Community engagement and information.** CCCS and others are already receiving numerous requests for presentations and materials to help people understand their rights and what to do and expect in a Trump administration. Record numbers of people have attended our recent, regular Know Your Rights presentations. To meet the demand for increased services and engagement, we are operating beyond capacity, which is unsustainable. Trusted providers such as CCCS need the resources to quickly and reliably communicate with New York City's immigrant communities about their rights and responsibilities; changes in law, practice, and policy; and where to get help; so that we can continue to equip New Yorkers with accurate, up-to-date information and combat misinformation and fraud.
 - **Replace critical federal programming.** Federally funded immigration programs face the possibility of cuts or elimination. CCCS runs several legal programs in NYC funded through the U.S. Department of Homeland Security, the Office of Refugee Resettlement, and the Department of Justice. At greatest risk of cuts are our legal programs in the NYC immigration courts, the Immigration Court Helpdesk (ICH) and Family Group Legal Orientation Program (FGLOP), as they are not mandated by

statute. Elimination of these programs would be a significant loss to NYC. ICH and FGLOP provide services to unrepresented people in the three NYC immigration courts nearly every weekday, which helps thousands of immigrant respondents and increases the efficiency of the courts. Respondents as well as the immigration judges and court staff have heavily relied on these programs since 2016.

- **Urge the New York State Legislature to pass and Governor Hochul to sign the New York for All Act and Access to Representation Act.**
 - Call on the New York State Legislature to reintroduce and pass, and the Governor to sign, the New York for All Act, to prohibit state and local officers from enforcing federal immigration laws and sharing sensitive information, such as immigration status, with federal immigration authorities. The act also prohibits Immigration and Customs Enforcement and Customs and Border Patrol from entering non-public areas of state and local property without a judicial warrant. These measures are crucial to the well-being of many of our immigrant neighbors, who may rightly be concerned about accessing resources in New York.
 - The Access to Representation Act would ensure access to legal counsel for individuals in immigration court proceedings, a need that the New York City Council has recognized. Legal counsel is critical to immigrants facing deportation, who do not have the right to a lawyer if they cannot afford one. This need is particularly acute right now, given the likelihood of significantly increased arrest and detention. While New York City has a robust immigration bar, including many nonprofits providing legal services, we still face a significant gap in legal representation for immigrants.

Thank you for the opportunity to testify and for your commitment to protecting New York City's immigrant communities. If you have any questions about this testimony, please contact margaret.martin@catholiccharitiesny.org. We look forward to continuing to work with you on serving New York City's immigrants.

**Chinese-American Planning Council, Inc.
Testimony Before the New York City Council Committee On Immigration
Council Member Alexa Avilés, Chair
January 16th, 2025**

Thank you Chair Avilés and members of the City Council for the opportunity to testify today. The mission of the Chinese-American Planning Council, Inc. (CPC) is to promote social and economic empowerment of Chinese American, immigrant, and low-income communities. CPC was founded in 1965 as a grassroots, community-based organization in response to the end of the Chinese Exclusion years and the passing of the Immigration Reform Act of 1965. Our services have expanded since our founding to include five key program areas: Early Childhood Education, School-Age Child Care, Education & Career Services, Senior Services, and Community Services.

CPC is the largest Asian American social service organization in the U.S., providing vital resources to more than 80,000 people per year through more than 50 programs at over 30 sites across Manhattan, Brooklyn, and Queens. CPC employs over 700 staff whose comprehensive services are linguistically accessible, culturally sensitive, and highly effective in reaching low-income and immigrant individuals and families. To that end, we are grateful to testify about issues that impact the individuals and families we serve, and we are grateful to the Council for their leadership on these issues.

We witnessed widespread fear and anxiety among our community members during the first Trump administration and we are now experiencing another wave of these sentiments with the incoming second Trump administration. The fear and anxiety that our community members are experiencing today are not abstract, they are deeply felt in real stories and real lives.

Asian Americans have long had the fastest-growing undocumented population, [tripling over a 15-year period, from 2000 to 2015](#), and the number of [Chinese nationals crossing into the U.S.](#) has skyrocketed in recent years. Between fiscal years 2022 and 2024, the number of undocumented Chinese nationals crossing both the northern and southern borders has tripled from just more than 27,000 to more than 78,000- now the highest population crossing the southern border into the US.

The ongoing threats of deportation and the erosion of immigrant rights from the incoming administration is not only alarming but a reality that many of our community members have to contend with. We cannot ignore the rhetoric and the actions coming from certain political figures, particularly the president-elect himself, who during his campaign, openly targeted Chinese immigrants for deportation. His administration pledged to target undocumented Chinese nationals for deportation, with claims that they were "forming an army against the U.S."

For many of our community members, the fear of deportation is not just hypothetical—it is a daily reality. One of our staff members, a Green Card holder, received a letter from USCIS during the last Trump administration stating that her job could be performed by an American citizen, and she was ordered to return to China for two years, separated from her husband. This family has since been reunited, but the fear of being deported again is ever-present. Another staff member, a U.S. citizen, was stuck abroad when the Trump administration's travel ban was enacted. He could not make it back to say goodbye to his dying grandfather and has expressed concerns that his elderly grandmother may face the same fate.

These are not isolated incidents. Many of our community members, particularly those who rely on public services like SNAP benefits, are questioning whether those benefits will be taken away. Others are wondering if they should pull their children out of school, afraid that ICE could enter the premises. And some, like one community member who fled an abusive relationship in China, are wondering if marriage is the only way to reduce their chances of deportation. There is an urgent and critical need for expanded protections and support and it's up to our local levels of government to step up when our Federal government is directly attacking those protections.

This includes increasing funding for community-based organizations that are seeing a rise in demand for services that are both linguistically and culturally appropriate. Organizations like ours have built trust and strong relationships with the communities we serve over several decades, continuing to be a critical line of defense from potential dangerous policies passed by the incoming administration.

There must be an expansion of wraparound legal services and language accessible services and resources. Our immigration legal system is overloaded, and for many Limited English Proficient (LEP) speaking individuals, access to legal resources is an enormous challenge. In our community, the demand for Mandarin and Cantonese-speaking attorneys is overwhelming. We have seen how the lack of support directly impacts people's ability to defend themselves or seek help when they need it the most. We need more legal service funding regardless of their language or immigration status to have the access to the justice they deserve.

We cannot forget that we are also facing systemic gaps in language access, which exacerbate the struggles of AAPI immigrants. Language barriers prevent individuals from understanding their rights, accessing services, and navigating complex legal systems. Expanding language services is not just a matter of convenience, it is a matter of equity and justice. It is a moral imperative to ensure that all New Yorkers, regardless of their background, have the resources they need to succeed.

Our City relies on immigrants to thrive and should continue to strengthen protections. CPC supports the following State legislation and urges the City Council to continue advocating for its passage:

- Pass the New York for All Act, which would prohibit and regulate the discovery and disclosure of immigration status by New York State and local government entities.
- Pass the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.

Additionally, we urge the City to invest deeply in resources for immigrant communities, including legal services and wraparound support, language access, and resource navigation.

We appreciate the opportunity to testify on these issues that so greatly impact the communities we serve, and look forward to working with you on them. If you have any questions, please contact Ashley Chen, Policy Analyst at achen9@cpc-nyc.org.



Testimony of Juan Diaz
Citizens' Committee for Children of New York
Submitted to The New York City Council Subcommittees on Immigration
Oversight – Protection for Immigrant Communities
January 16th, 2025

Thank you, Chair Avilés, and members of the Committee on Immigration for the opportunity to submit testimony at this hearing regarding Protection for Immigrant Communities in New York.

Since 1944, Citizens' Committee for Children of New York has served as an independent, multi-issue child advocacy organization. CCC does not accept or receive public resources, provide direct services, or represent a sector or workforce; our priority is improving outcomes for children and families through civic engagement, research, and advocacy. We document the facts, engage, and mobilize New Yorkers, and advocate for solutions to ensure that every New York child is healthy, housed, educated, and safe.

The incoming federal administration has openly shared intentions of mass deportations and enhanced immigration enforcement. Protecting immigrant children, families, and communities must be a priority for city and state leaders in New York. Children with undocumented parents already experience heightened stress and a greater likelihood of experiencing poverty concentration, educational barriers, and fewer employment opportunities.ⁱ Furthermore, recently arrived immigrant children face difficulties adjusting to a new school system and language, as well as heightened risk of prejudice and discrimination, harming their educational and economic potential.ⁱⁱ

Over half of New York City households have at least one immigrant parent, and New York's children will be severely impacted by federal immigration enforcement and attacks on immigrant-serving programs and services. New York City immigrant and mixed-status families already face far more barriers to access to services and programs due to language and eligibility criteria. A recent [CCC report](#) revealed that immigrants are five times more likely than citizens to lack health insurance. The same reports highlighted that immigrant children are enrolled less in early childhood education programs than their peers and English Language Learners in public schools have the lowest passing rates in state tests.

Now more than ever, New York leaders must pass legislation and funding to support immigrant communities facing federal cuts and threats of deportation or heightened immigration enforcement. Additionally, City leaders must advocate and work with State

leaders to invest in services and programs to support vulnerable New York families, regardless of immigration status.

City Investments

Housing Support

CCC is a steering committee member of the Family Homeless Coalition (FHC), a coalition comprised of 20 organizations representing service and housing providers, children's advocacy organizations, and people with lived experience with family homelessness. We are united by the goal of preventing family homelessness, improving the well-being of children and families in shelter, and supporting the long-term stability of families with children who leave shelter. We urge city leaders to take the following steps to support immigrant communities:

- Implement and fund the CityFHEPS expansion, which would significantly remove administrative and eligibility barriers and would expedite access to housing support for families in the community and in shelters, regardless of immigration status.
- Eliminate the 60-day rule for migrant families with children. 60 days is not sufficient time for shelter staff to work with families to secure public benefits assistance and find permanent housing, and migrant students often miss weeks of school due to mid-year transfers. As such, the 60-day rule should be eliminated to provide sufficient time for migrant families with children to gain self-sufficiency and thrive.
- Increase the budget for Homebase by \$37.9 million to a total of \$100 million. Since the pandemic, Homebase providers have taken on tremendous increases in caseload as well as an ever-expanding set of responsibilities. This has not been accompanied by funding levels to match the new post-Covid reality. As a result, wait times have increased for critical Homebase services like help with eviction prevention, emergency rental assistance and obtaining benefits. Mixed-status families face additional barriers to access Homebase essential services.

Economic Support

- Invest \$80 million for Legal Services for Migrant Families. Immigrant families in New York City face unprecedented legal challenges. We urge the City Council to advocate for more legal resources to prevent family separation and more suffering for migrant children.
- Restore \$5 million for Community Interpreter Bank and Language Services.
- Invest \$3 million in Workforce Development Programming for immigrants.
- Expand Fair Fares income eligibility to 200% of FPL to ensure that all low-income families have access to public transportation.

Education and Child Care Support

- Baseline \$4 million in funding for Immigrant Family Communications and Outreach at the Department of Education
- Baseline \$25 million for Promise NYC.
- Baseline \$5 million for outreach and education regarding Early Care and Education options, and enhance community-based, multilingual outreach to immigrant communities

State Investments to Support Immigrant Families

Housing Support

- Support a State-funded housing voucher: The current housing affordability and shelter capacity crises call for a more inclusive statewide housing voucher. Currently, there is legislation and widespread support from advocacy groups and key stakeholders to pass and fund a housing voucher program that would mirror Section 8. More notably, it will be more inclusive by having a higher income threshold to qualify, and it will support families regardless of immigration status.

Economic Support

- Support legal services for migrant families: We urge State elected officials to support \$150 million to fund deportation defense legal services for immigrant New Yorkers.
- Increase by 100% the NYS cash assistance program, which funds services including cash aid, shelter, and utilities assistance for low-income families. Cash assistance grants are available to any eligible household with a child with a valid social security number, which includes thousands of mixed-status families throughout the state.
- Increase the Empire State Child Credit (ESCC) credit amount from \$330 per child to \$1,500. Additionally, expand the reach of the ESCC to include low-income families with children who are currently excluded due to a minimum earning requirement. Households who file taxes with an Individual Tax Identification Number (ITIN) number are eligible for this benefit.

Anti-Hunger support

- Create a state funded nutrition program for that ineligible for federal SNAP because of immigration status

Additionally, CCC supports:

- **Resolution 2970 (Hanif)** - The New York for All Act, which would prohibit and regulate the discovery and disclosure of immigration status by New York state and local government entities.
- **Resolution 2971(Hudson)** - Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof (A.270/S.141).

Thank you for the opportunity to testify. We look forward to working together on behalf of New York City immigrant families.

ⁱ Yoshikawa, H., Kholoptseva, J., & Suárez-Orozco, C. (2013). The role of public policies and community-based organizations in the developmental consequences of parent undocumented status. *Social Policy Report*, 27(3), 1-17.

iii Adelman, H., & Taylor, L. (2015)

ⁱⁱ Adelman, H., & Taylor, L. (2015). Immigrant Children and Youth in the USA: Facilitating Equity of Opportunity at School. *Education Sciences*, 5(4), 323–344.



Testimony of

Coalition for the Homeless

before the Committee on Immigration
of the New York City Council

on

Oversight – Protection for Immigrant Communities

submitted by

Alison Wilkey, Esq.
Director of Government Affairs and Strategic Campaigns
The Coalition for the Homeless

January 16, 2025

The Coalition for the Homeless (“Coalition”) is the court- and City-appointed independent monitor of the DHS shelter system and counsel in the historic *Callahan*, *Eldredge*, and *Boston* cases that created the right to shelter in NYC. We are also the court-appointed independent monitor of the non-DHS shelters for New Arrivals under the March 15, 2024 stipulation of settlement in *Callahan* (“Stipulation”). We are actively engaged in assisting and defending the rights of New Arrivals and advocating for increased resources to help the newest New Yorkers move from shelter to permanent housing and stability.

New York City has always been a city of immigrants bringing cultural vibrancy, hard work, and vitality to our neighborhoods. Throughout history, our city has welcomed those who come to the United States to make a better life or to find a safe haven from persecution, violence, and trauma. This reputation as a place of refuge is critical to our identity, and is something we are, and should be, proud of.

Immigrants are critical to New York City’s economy — accounting for 43 percent of our workforce and contributing \$61 billion in tax revenue.¹ For these reasons, it is imperative that the City take immediate measures to protect both immigrants who have long resided in our community as well as the newest New Yorkers from the draconian and harmful actions being threatened by the incoming presidential administration in the new year.

President-elect Trump built a campaign based on misinformation and flat-out untruths about immigrants, and fueled that campaign by stoking xenophobic and racist fears among the electorate. He has pledged to carry out mass deportations of millions of hard-working individuals, even threatening to use the military against civilians to effectuate his plan. While there are obviously legal, financial, and logistical hurdles to such extensive removals, in the days since the election he has made clear his resolve to move quickly to begin implementation.

These very clear and real threats have raised fears among New York’s immigrant population irrespective of how long they have been living in our city as valued members of our community. These fears are well-founded, given the actions taken during his previous term in office, including the separation of children from their families and the arrests of immigrants at courthouses.

The City must take steps to ensure that New York City retains its proud heritage as a city of immigrants, a city dedicated to the principles that we have long expressed to the entire world through the welcoming words on the Statue of Liberty. We urge the City to take immediate action in the ways enumerated below to protect and provide reassurance to the countless immigrants who call our city home, including the newest arrivals.

1. **Confirm that the City will protect immigrants in facilities serving those without homes.**

- While we applaud the City for moving quickly to close shelters serving only New Arrivals and large facilities serving families with children, like Floyd Bennett Field,

¹ New York City Comptroller. *Facts, Not Fear: How Welcoming Immigrants Benefits New York City*. 4 Jan 2024. <https://comptroller.nyc.gov/reports/facts-not-fear-how-welcoming-immigrants-benefits-new-york-city/>.

single adults in the emergency shelters system remain a significant target. The City recently announced that it would open a large facility in the Bronx for single adult men New Arrivals being transferred from Randall's Island and other facilities. A large facility, with 2,200 planned beds, puts the single adults transferred there at risk of being targeted by ramped up deportation efforts.

- It is imperative that the City continue taking steps to ensure that no facility is occupied solely by New Arrivals.
- For agencies that do not already have such, issue updated policies to all City-funded sites that administer, contract, or operate shelters and related facilities for people experiencing homelessness outlining what to do in the event U.S. Immigration & Customs Enforcement (ICE) agents or other law enforcement entities working on their behalf seek access to or are otherwise present within 100 feet of the premises; and ensure that staff are trained and that there is a hotline available 24/7 to reach City legal staff for emergency situations. This includes shelters outside of the DHS system, including emergency, domestic violence, and Department of Youth and Community Development shelters.

2. End policies that needlessly expose immigrants without homes to danger and create obstacles to progressing on their immigration cases.

- Cease imposing any shelter placement time limits and reapplication requirements for asylum-seekers and other new arrivals, which make it difficult for people to receive notices from the immigration court about their pending cases.
- Also, immediately stop the NYPD/DSNY sweeps of areas where individuals experiencing homelessness gather, to reduce the risk that unnecessary contact with law enforcement poses to undocumented and other vulnerable individuals living unsheltered on the streets.

3. Provide quality case management services designed to help New Arrivals over a sufficient amount of time necessary to achieve stability.

- Quality case management is the linchpin to New Arrivals' ability to address their immediate needs, get on the path toward employment, and exit quickly to permanent housing.
- The level of case management needed to help people find stability and exit shelter cannot be accomplished in two or three meetings, as the City currently provides. Intensive case management is needed to help people move quickly out of shelter into permanent housing, and must be available after individuals exit shelter.
- Case management should be culturally appropriate, with reasonable caseload ratios of 1:30 and appropriate supervision staffing. The City's RFP for HERRCs requires only one generalist case worker for every 100 New Arrivals, and has no minimum requirements for on-site social workers or supervision of case managers.
- Ensure that there is sufficient staffing to increase shelter move-outs for New Arrivals, including by processing CityFHEPS applications for all qualified shelter residents as expeditiously as possible to facilitate avenues out of the shelter system.

4. Increase legal assistance to New Arrivals.

- Mandate that every eligible New Arrival currently in the shelter system or who enters the shelter system who has not already applied for asylum or applicable immigration status is provided an appointment and screened for available immigration relief and work authorization through rapid-response services. Ensure that all New Arrivals provided with legal assistance by the City can receive follow-up assistance with notices and determinations attached to their initial application filing, as well as support in replacing lost documentation.
- Invest in immigration legal services in anticipation of rapidly changing policies and community needs. Adequately resource recruitment, retention, training of legal teams, and infrastructure, both to support the wealth of expertise that already exists among our providers and to grow the pipeline of immigration lawyers to meet the need for representation.

5. Enhance Identity Protection.

- Ensure that any record of an individual's immigration status being collected or stored by the City is not retained in any form, electronic or otherwise, beyond the period necessary.
- Ensure that there is sufficient staffing for the IDNYC program so that sensitive data collected for IDNYC applications is not being retained in any form. Furthermore, the City should:
 - o Fund additional staff to expand access to appointments for IDNYC to reduce the potential harm caused to those without identification during any possible contact with law enforcement.
 - o Fund additional staff to develop and implement a process for community-based organizations to be able to complete IDNYC applications onsite and submit them directly to be processed.
 - o Consider the impact of using addresses associated with the City's HERRCs that would identify clients who use this documentation with law enforcement.

In addition to these recommendations to support immigrants living in shelter, particularly asylum-seekers and other new arrivals, we also support City Council resolutions in support of the New York for All Act and the Access to Representation Act. If enacted by the State, these bills would provide additional protections across the state and ensure that those targeted for deportation by the incoming presidential administration have legal counsel to assist them in immigration court proceedings.

We urge the City, to take these steps swiftly to ensure the safety of all New Yorkers, and especially those who are most vulnerable in this uncertain time. We must protect all those who have come here – whether many years ago or only recently – to join our community, start new lives, and contribute to the cultural wealth and economic strength that has long defined our city.

About Coalition for the Homeless

The Coalition, founded in 1981, is a not-for-profit advocacy and direct services organization that assists more than 3,500 homeless and at-risk New Yorkers each day. The Coalition advocates for proven, cost-effective solutions to address the crisis of modern homelessness, which is now in its fifth decade. The Coalition also protects the rights of homeless people through litigation involving the right to emergency shelter, the right to vote, the right to reasonable accommodations for those with disabilities, and life-saving housing and services for homeless people living with mental illnesses and HIV/AIDS.

The Coalition operates 11 direct-services programs that offer vital services to homeless, at-risk, and low-income New Yorkers. These programs also demonstrate effective, long-term, scalable solutions and include: permanent housing for formerly homeless families and individuals living with HIV/AIDS; job-training for homeless and low-income women; and permanent housing for formerly homeless families and individuals. Our summer sleep-away camp and after-school program help hundreds of homeless children each year. The Coalition's mobile soup kitchen distributed nearly 400,000 hot, nutritious meals to homeless and hungry people on the streets of the city this past year – up from our usual 320,000. Finally, our Crisis Services Department assists more than 1,000 homeless and at-risk households each month with eviction prevention, individual advocacy, referrals for shelter and emergency food programs, and assistance with public benefits as well as basic necessities such as diapers, formula, work uniforms, and money for medications and groceries. In response to the pandemic, we are operating a special Crisis Hotline (1-888-358-2384) for homeless individuals who need immediate help finding shelter or meeting other critical needs.

The Coalition was founded in concert with landmark right-to-shelter litigation filed on behalf of homeless men and women (*Callahan v. Carey* and *Eldredge v. Koch*) and remains a plaintiff in these now consolidated cases. In 1981, the City and State entered into a consent decree in *Callahan* through which they agreed: “The City defendants shall provide shelter and board to each homeless man who applies for it provided that (a) the man meets the need standard to qualify for the home relief program established in New York State; or (b) the man by reason of physical, mental or social dysfunction is in need of temporary shelter.” The *Eldredge* case extended this legal requirement to homeless single women. The *Callahan* consent decree and the *Eldredge* case also guarantee basic standards for shelters for homeless men and women. Pursuant to the decree, the Coalition serves as court-appointed independent monitor of municipal shelters for homeless single adults, and the City has also authorized the Coalition to monitor the municipal shelter system serving homeless families. In 2017, the Coalition, fellow institutional plaintiff Center for Independence of the Disabled – New York, and homeless New Yorkers with disabilities were represented by Legal Aid and pro-bono counsel White & Case in the settlement of *Butler v. City of New York*, which is designed to ensure that the right to shelter includes accessible accommodations for those with disabilities, consistent with Federal, State, and local laws. During the pandemic, the Coalition worked with Legal Aid to support homeless New Yorkers, including through the *E.G. v. City of New York* Federal class action litigation initiated to ensure Wi-Fi access for students in DHS and HRA shelters, as well as

Fisher v. City of New York, a lawsuit filed in New York State Supreme Court to ensure homeless single adults gain access to private hotel rooms instead of congregate shelters during the pandemic.

Testimony re: Protecting Immigrant Communities
Submitted to New York City Committee on Immigration
Submitted by Francesca Perrone, Senior Policy Analyst at Hispanic Federation
January 16th, 2024

Thank you, Chair Aviles, and all other committee members, for taking the time to read this testimony presented by Hispanic Federation; a non-profit organization seeking to empower and advance Hispanic communities through programs and legislative advocacy.

Hispanic Federation is presenting this testimony in support of Resolution calling on the New York State Legislature to pass and the Governor to sign A.270/S.141, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof. Additionally, Hispanic Federation supports the passage of the New York for All Act A.5686 / S.987, which prohibits the discovery and disclosure of immigration status by state entities, including law enforcement.

Call to Protect Incoming Immigrants

In light of recent federal policy shifts and the ongoing challenges faced by immigrant communities, it is imperative for New Yorkers to actively support and protect our most vulnerable populations. Hispanic Federation has been at the forefront of this effort, providing essential services such as legal representation, direct relief for refugees and asylees, and educational support for newly arrived families.

Immigrants, including undocumented individuals, play a vital role in the U.S. economy, contributing significantly through taxes and labor despite facing systemic barriers. In 2022 alone, undocumented immigrants paid an estimated \$96.7 billion in federal, state, and local taxes, according to the Institute on Taxation and Economic Policy (ITEP). Remarkably, over one-third of these tax contributions funded payroll taxes for programs that undocumented workers are barred from accessing, underscoring the inequities they endure. States such as California (\$8.5 billion), Texas (\$4.9 billion), and New York (\$3.1 billion) each garnered over \$1

billion in tax revenue from undocumented immigrants.¹ Furthermore, in 40 states, undocumented immigrants contribute a higher share of their income in state and local taxes than the wealthiest 1 percent of households. These figures highlight not only the economic impact of immigrants but also the need for policy reforms that align contributions with access and opportunity, and protections in the states in which they reside.

Now, more than ever, New Yorkers must step up to ensure that our city remains a sanctuary for those seeking a better life. By supporting organizations like the Hispanic Federation, we can help provide the necessary resources and advocacy to uphold the rights and dignity of all residents, regardless of their immigration status.

How New York Can Protect Individuals by Establishing a Comprehensive Right to Counsel via the Access to Representation Act:

Comprehensive access to representation is a critical measure to ensure fairness and justice in immigration proceedings. According to a study published in the *Fordham University Law Review*, immigrants appearing in New York immigration courts without legal representation have only a three percent success rate in defending their right to remain in the United States.² This statistic indicates the vital role that legal counsel has in navigating complex immigration laws and procedures. Providing universal representation not only upholds due process but also strengthens the integrity of the judicial system by ensuring that every individual, regardless of financial means, has a fair chance to present their case.

The right to legal representation does not extend to immigration courts. Sixty percent of detained immigrants and 27% of non-detained immigrants in New York do not have legal counsel. Having representation greatly impacts the client's experience in detention and probability of relief from removal. In fact, individuals who have legal counsel in removal proceedings are ten times more likely to have a successful outcome.

New York can strengthen its commitment to fairness and justice by establishing a robust pipeline for counsel for immigrants facing deportation. By ensuring access to legal representation for all, regardless of their financial means, the state can protect individuals from the harsh consequences of navigating the immigration

¹ <https://itep.org/undocumented-immigrants-taxes-2024/>

² <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=6049&context=flr>

system alone.

A comprehensive representation system would involve investing in training and expanding capacity for public defenders, legal aid organizations, and pro bono attorneys to provide high-quality counsel to those in need. This approach would not only increase the chances of a fair outcome for individuals but also promote community stability by preventing unnecessary family separations and wrongful deportations. By creating a sustainable system for legal support, New York can set a national example for how states can protect vulnerable populations, ensure due process, and uphold the rights of all individuals within their borders.

Protecting Immigrant Communities and Establishing Community Trust via the New York for All Act:

The New York for All Act reinforces New York's commitment to immigrant inclusion and equity. By prohibiting state and municipal entities from disclosing immigration status or collaborating with federal immigration enforcement, the Act safeguards immigrant New Yorkers from unnecessary exposure to federal enforcement actions. The Act promotes accountability by requiring public reporting of communications between local entities and immigration enforcement, bolstering transparency and community trust. Through these measures, the New York for All Act ensures that immigrant New Yorkers can access critical services and engage with their communities without fear, fostering a safer, more inclusive, and prosperous state.

Hispanic Federation and its network of organizations bring a trusted presence within the community, combining culturally and linguistically competent resources, and expertise necessary to implement and sustain these vital efforts effectively. Protecting the immigrant community represents a pivotal move toward ensuring New York provides equitable solutions for its residents.

Thank you again for the opportunity to present this testimony. Hispanic Federation is committed to protecting vulnerable communities through comprehensive immigration programs. We appreciate that the New York City Council has prioritized protecting the Immigrant community, and we look forward to collaborating on efforts in this upcoming year.

New York City Council Committees on Immigration
January 16, 2025 at 10AM
Oversight - Protection for Immigrant Communities

Testimony of Marie Mark, Executive Director, Immigrant Defense Project

Thank you to this Committee for holding this hearing. My name is Marie Mark and I am the Executive Director of the Immigrant Defense Project. IDP was founded over 27 years ago to combat the targeting of immigrants for mass deportation and to fight for justice for ALL immigrants - in particular, those targeted by the racist criminal and immigration legal systems. We are also a lead organization in the ICE Out! NYC coalition which brings together dozens of organizations with a simple mission: to unequivocally end the use of our local resources to facilitate the mass deportation of our neighbors.

Sanctuary is many things - it is a policy, it is a set of laws, but it is also a value. Sanctuary is how we say that as a city, we support and respect immigrants within our community. It is how we acknowledge their place as a vital part of the fabric of our city. Concretely, we're demanding that the city guarantee us that the people who work for our local institutions, like our schools and hospitals, will not be secret agents of ICE. No parent registering their child for public school should be concerned the information they give will be used to deport them. And it is unjust for immigrant New Yorkers - disproportionately Black immigrants and other immigrants of color who are targeted for arrest by NYPD and jailed by DOC- to have to worry that their own city will doubly punish them - by funneling them to ICE for detention and deportation.

Our city is struggling and we have an incoming federal administration that has vowed to attack the immigrants among us. It is therefore incomprehensible that at this moment, our Mayor and Governor are abdicating their responsibility to serve all New Yorkers by proposing using resources that could help us to instead facilitate mass deportation and undermining the key protections we fought for years ago. We are encouraged that this Committee and the Speaker have stood by our laws at a time of heightened fear for our immigrant family members, friends, neighbors, and loved ones. Yet, we need action.

Two years ago, we sat before this Council at an oversight hearing of our sanctuary laws - together with many of those here today. We shone light on how violations of our existing laws result in severe, life-changing, consequences to the lives of immigrant New Yorkers. We also unveiled thousands of pages of email correspondence between the Department of Corrections and ICE showing a deep culture of collusion between DOC and ICE showing:

- *routine* illegal communication,
- frequent delays and slow downs of people's release to facilitate their arrest by ICE, and
- an email signed #teamsendthemback and evidence of regular, unrecorded communication.

To date, this administration has done nothing to address this, the Mayors Office of Immigrant Affairs has refused to meet with us to discuss the issue at all, and the DOC has denied our FOIL requests for

an update. The harm that will flow from these practices and culture will be multiplied by the president-elect who has vowed to enact mass deportations. **But the City Council can take action.**

We are calling on this Committee to hold a hearing on Intro 214, which would ensure that city agencies cannot ignore and misinterpret our sanctuary laws and instead will be held accountable - including through money damages - if they violate them. This law would help prevent family separation, and ensure that local laws we fought for years ago are enforced, not disregarded by a mayor attempting to take unilateral action. The bill, led by Council Member Shahana Hanif, and sponsored by 25 Council Members, including most members of this Committee, is pending now.

We are also calling on the Council to pass a resolution in support of the New York for All Act - which would ensure immigrants are protected from local collusion throughout our state, and not only in select localities. With the combined threats of the incoming president and the current mayor, we must take real action now - action that applies equally to *all immigrant New Yorkers*. We must pass laws that help mitigate the racism and inequality that plague the criminal legal system by ending the criminalization to deportation pipeline and frustrating efforts to doubly punish people with criminal contacts by pushing them into a deportation system.

Today we call on our Council to act clearly and boldly. We cannot as a city say that this is a welcoming city for immigrant New Yorkers - while colluding with ICE to funnel community members directly into their immigration jails. The time is now - it is yesterday - it is today - for NYC to step up as a leader and send a clear message to our Mayor and to the president-elect: our City stands *with* our immigrant communities.



**Testimonial Letter to the New York City Council Committee on Immigration
Presented by Immigration Equality**

Hon. Chairperson Alexa Avilés
Jan. 16, 2025

Introduction

Immigration Equality welcomes this opportunity to testify before the New York City Council (the “Council”) on Protection for Immigrant Communities. Immigration Equality is a New York City based non-profit that provides free legal services and advocacy for LGBTQ and HIV-positive immigrants. In more than 80 countries, it is either a crime or profoundly dangerous to be LGBTQ. Immigration Equality’s mission and expertise are centered around securing safety and freedom for these LGBTQ and HIV-positive individuals, as well as reuniting LGBTQ bi-national couples and families.

Immigration Equality’s in-house legal team and network of 100+ pro bono law firms are currently providing full legal representation to more than 500 individuals seeking asylum or other related benefits. In addition, our team answers thousands of inquiries annually regarding LGBTQ and HIV-related immigration issues. Immigration Equality also supports and trains attorneys and community members, publishes a comprehensive manual on the preparation of asylum claims related to sexual orientation, gender identity, and HIV-status, and provides training on the adjudication of LGBTQ asylum cases to asylum officers within DHS.

For more than 30 years, Immigration Equality has represented LGBTQ asylum seekers, who are in extreme need because many of them have endured persecution in their countries of origin on account of their sexual orientation, gender identity and/or HIV status. Many of them have fled to the United States, with no safety net to speak of, to pursue a better future free from harm. Asylum provides that future and is an absolutely necessary human right for the queer community. However, the incoming Trump administration threatens to destroy the vibrant communities that asylum seekers are a part of, and to force LGBTQ people back to nations where they face mortal danger. The Council must act to protect our families, friends, and neighbors by following the recommendations presented herein.

A. Strengthen New York City’s detainer laws and laws pertaining to non-cooperation with federal immigration enforcement.

LGBTQ individuals experience high rates of homelessness, poverty, unemployment, discrimination, and violence – all of which cause them to be overrepresented in the criminal justice system.¹ As such, the arrest-to-deportation pipeline disproportionately impacts low-

¹ See The Sentencing Project, “Incarcerated LGBTQ+ Adults and Youth,” 2022, *available at* <https://www.sentencingproject.org/app/uploads/2022/10/Incarcerated-LGBTQ-Youth-and-Adults.pdf>.



income, queer and trans immigrants of color.² This means that the harsher immigration policies that President-elect Trump intends to implement will cause a great number of LGBTQ New Yorkers to be at risk of removal to unsafe nations.

Furthermore, President-elect Trump has indicated that he intends to greatly increase the number of immigrants who will be detained while their cases are decided. This will be a disaster. In detention, LGBTQ immigrants are routinely subjected to physical and sexual violence, improper and prolonged solitary confinement, and inadequate medical care among other forms of systemic abuse and neglect.³ ICE has repeatedly demonstrated that it cannot safely detain LGBTQ individuals. Additionally, immigration detention tears apart families and harms and traumatizes the immigrant's loved ones and communities. The Council must act to protect the city's LGBTQ immigrants from detention by strengthening its disentitlement policies in the following ways:

1. Pass the preconsidered resolution calling on the New York State Legislature to reintroduce and pass, and the Governor to sign, the New York for All Act.⁴

ICE often relies on local law enforcement and government agencies to aid in federal immigration enforcement. Because of this, many immigrants live in fear that going about their daily lives could lead to them being deported. This can lead to mistrust of local law enforcement and may prevent immigrants from reporting crimes, which would negatively impact the safety of all New Yorkers. Immigration Equality has represented many LGBTQ asylum seekers in New York who were subjected to violent crimes in the United States, but who chose not to report the abuse because of their fear of being deported.

New York State should not utilize state resources to put LGBTQ asylum seekers in danger of deportation. This is why it is important that the Council pass the preconsidered resolution calling on the New York State Legislature to reintroduce and pass, and the Governor to sign, the New York for All Act. If enacted, the proposed law would prohibit New York's state and local government agencies, including law enforcement, from colluding with ICE, diverting personnel or other resources to further federal immigration enforcement, or disclosing sensitive information. It would also prohibit transfers of immigrants to ICE custody without a judicial warrant, thus eliminating any confusion on whether state and

² See The Sentencing Project, "Incarcerated LGBTQ+ Adults and Youth," supra n.1; see also Gruberg, Sharita, The Center for American Progress, "How Police Entanglement with Immigration Enforcement Puts LGBTQ Lives at Risk," Apr. 17, 2017, available at <https://www.americanprogress.org/article/police-entanglement-immigration-enforcement-puts-lgbtq-lives-risk/>.

³ Doubossarskaia et al., Immigration Equality, "No Human Being Should be Held There: The Mistreatment of LGBTQ and HIV-Positive People In U.S. Federal Immigration Jails," June 2024, available at <https://immigrationequality.org/wp-content/uploads/2024/06/No-Human-Being-Should-Be-Held-There-THE-MISTREATMENT-OF-LGBTQ-AND-HIV-POSITIVE-PEOPLE-IN-U.S.-FEDERAL-IMMIGRATION-JAILS.pdf> ("Detention Report").

⁴ S2235, 2025-2026 Legislative Session; S987/A5686, 2023-2024 Legislative Session.



local agencies are allowed to hold or detain an immigrant for transfers to ICE based on prior convictions alone.

2. Pass Intro 185-2022⁵ and Intro 184-2022.⁶

While New York City has enacted local laws that restrict correction employees and law enforcement from honoring civil immigration detainers, these laws are often not followed or are misinterpreted.⁷ There are loopholes in the laws that enable collusion with ICE. Intro 185 and Intro 184 would close these loopholes.

Intro 185 would get rid of the provision that arguably permits the New York City Department of Correction to transfer an immigrant into ICE custody in response to a detainer, when the immigrant has prior criminal convictions. In addition, Intro 184 removes the provision that NYPD interprets as allowing them to hold an immigrant beyond their release date even when the NYPD is not provided with a judicial warrant.

3. Pass Intro 158-A-2022.⁸

Because the New York City's detainer and non-cooperation laws are often violated, immigrants should have remedies to hold the Department of Correction, the NYPD, and other city agencies accountable for violating the law. Intro 158-A addresses this very problem by allowing wronged immigrants to bring civil action for legal and other equitable relief. When passed, Intro 158-A would give teeth to the city's disentanglement laws and help hold local agencies accountable.

B. Pass the preconsidered resolution calling on the New York State Legislature to pass, and the Governor to sign, the Access to Representation Act.⁹

Immigrants in removal proceedings who have attorneys are far more successful in their cases than immigrants who do not have an attorney.¹⁰ Unlike in criminal proceedings, immigrants do not have a right to a government-paid attorney in immigration court. Immigration legal service providers in New York state are concentrated around New York City and Buffalo, leaving immigrants in other parts of the state without many options. Additionally, due to a lack of capacity and funding, even legal service providers in New

⁵ New York City Council, File# Int 0185-2022.

⁶ New York City Council, File# Int 0184-2022.

⁷ See Immigrant Defense Project, Memo on Summary of key documents produced in response to FOIL of DOC records, Feb. 23, 2023, available at <https://www.immigrantdefenseproject.org/wp-content/uploads/Immigrant-Defense-Project-Memo-DOC-ICE-FOIL-2.22.23.pdf>; see also Annie Correal and Ed Shanahan, *He Was Caught Jaywalking. He Was Almost Deported for It.*, N.Y. TIMES (March 11, 2021), available at <https://www.nytimes.com/2021/03/11/nyregion/daca-ice-nycimmigration.html>.

⁸ New York City Council, File# Int 0158-2022.

⁹ A270/S141, 2025-2026 Legislative Session.

¹⁰ See American Immigration Council, "Access to Counsel in Immigration Court," Sept. 2016, available at https://www.americanimmigrationcouncil.org/sites/default/files/research/access_to_counsel_in_immigration_court.pdf.



York City are limited in the type and volume of services they provide. New York State can make sure that immigrants have a fighting chance to win their immigration cases by passing the Access to Representation Act. If passed, the act would help ensure that immigrant New Yorkers are afforded due process and have the access to justice they deserve.

- C. Pass a resolution calling on the New York State Legislature to reintroduce and pass, and the Governor to sign, the Dignity Not Detention Act.¹¹

ICE detention is inhumane and dangerous for immigrants, especially LGBTQ immigrants.¹² Despite this fact, immigrants are detained by ICE in jails and prisons across New York. While New York has already banned private prisons in the state, counties in the state still profit from the detention of immigrants.¹³ If passed, the Dignity Not Detention act would prohibit New York governmental entities from entering into immigration detention contracts, from renewing any existing contracts, and from receiving payments related to immigration detention. The act would also require the termination of any existing detention contracts. Furthermore, the act would extend the ban on private prisons in the state to include privately owned and/or operated immigration detention facilities.

- D. Pass a resolution calling on the New York State Legislature to pass, and the Governor to sign, the Clemency Justice Act.¹⁴

Immigrants with criminal convictions may face harsh immigration consequences because of these convictions. LGBTQ immigrants with convictions may be deported back to their countries of origin, where they may be killed or severely harmed because of their sexual orientation, gender identity, or HIV status. This is true even for fairly minor convictions that may be decades old. Clemency is a tool by which the Governor of New York State can commute the sentences of people who are currently incarcerated or pardon a person's conviction. Both of these forms of clemency can be lifesaving for an immigrant facing removal proceedings or imminent deportation. However, the clemency process is convoluted and inaccessible. Applicants are unable to track their applications or request that adjudication be expedited in case of an emergency such as imminent deportation. The Clemency Justice Act would make the clemency application process more accessible by creating a standardized system for processing such applications, requiring written or electronic notifications of actions taken on the application, allowing applicants to check the status of the application, allowing applicants to mark their applications as urgent, and providing a firm deadline for the adjudication of urgent applications.

¹¹ S316, 2025-2026 Legislative Session; S306/A4354, 2023-2024 Legislative Session.

¹² See Detention Report, *supra* n. 3.

¹³ See NY Dignity not Detention, "Immigrant Detention in New York," upd. Dec. 14, 2021, *available at* https://nydignitynotdetention.org/wp-content/uploads/2022/01/Immigrant-Detention_DND-resource-packet-v2.pdf.

¹⁴ S394/A403, 2025-2026 Legislative Session.



Conclusion

As a major urban center that draws immigrants from all over the world, New York City has a unique opportunity to express how much it values immigrants by taking steps to protect them. At a time of ongoing national controversy as to the role local and municipal governments should play in enforcing federal immigration law, it is important that New York City take a decisive stand and show the nation that it will not be coerced into handing over immigrants for deportation, subjecting LGBTQ asylum seekers to great danger and tearing apart families and communities.

Should you have any questions or need further clarification, please do not hesitate to reach out to Amitesh Parikh at aparikh@immigrationequality.org

Testimony of Camille Mackler

Founder and CEO, Immigrant ARC

Before the New York City Council

Oversight Hearing on Protection for Immigrant Communities

January 16, 2025

Good morning, Councilwoman Avilés and members of the Committee. My name is Camille Mackler, and I am the Founder and CEO of Immigrant ARC. I am honored to testify today on the critical role of cities in advancing protections for immigrant communities and driving policies that reflect the realities of today's global migration.

Immigration: A Local Issue with National Implications

Across the United States, immigrants are facing increasingly dire challenges. Anti-immigrant sentiment and misinformation are on the rise, fueled by political rhetoric that seeks to cast immigrants as scapegoats for broader societal issues. Many immigrants live under the constant threat of detention and deportation, often without access to legal counsel or the ability to navigate a complex and unforgiving immigration system.

For those seeking safety, outdated asylum laws have left them vulnerable to punitive border policies and restrictive measures that often deny them a fair opportunity to present their cases. Immigrants working in essential industries frequently face exploitative conditions, with little recourse due to their immigration status. And even those who contribute to our communities daily—our neighbors, co-workers, and friends—are denied pathways to stability and citizenship.

This hostile environment affects not just immigrants but also the communities they enrich. Without comprehensive immigration reform and strong local protections, the barriers faced by immigrants ultimately erode our shared social and economic resilience.

The last decade or so has highlighted how immigration while operating under a federal construct, is fundamentally a local issue requiring local strategies. With the return of Donald Trump to the White House next week, it has never been more urgent for cities to lead the way in protecting our communities from aggressively anti-immigrant agendas and to seek solutions to the growing global displacement crisis that upholds the fundamental humanity and dignity of each individual.

Investing in immigrant communities helps safeguard cities' cultural, economic, and democratic resiliency. Immigrants fill critical workforce gaps, drive entrepreneurship, and enhance global competitiveness, strengthening local and national economies. Inclusive immigration policies at the city level can counter the rise of nationalism and authoritarianism by promoting democratic values, social cohesion, and trust in public institutions. And finally, cities can set the tone for how we receive - and benefit from - immigrants throughout the country by showing that balanced and generous policies serve as down payments for years of economic growth and opportunities for all.

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These truths - and the risk posed by those determined to ignore them - have forced cities like New York to bear the brunt of bad policy choices. Community members desperate to reunite with families or help others flee from harm face seemingly insurmountable navigating an opaque and unduly adversarial legal system. Local businesses face aging workforces, declining populations, and labor shortages, while a lack of long-term legal pathways stymies immigrants eager to contribute. And aggressive rhetoric and policies designed to incite fear erode trust in law enforcement and all levels of government.

New York City's Leadership in Sanctuary Protections

New York City has long been a leader in addressing the gaps in federal immigration policy through local action. The City's sanctuary-related laws for example—Local Law 228 of 2017, Local Law 246 of 2017, and Local Law 247 of 2017—are critical examples of how local governments can protect immigrant communities and promote trust, and the investments in legal services have led to some of the most innovative and impactful program designs that have paved the way across the country.

We are not in 2016 anymore, when President Trump was first elected to office on a wave of anti-immigrant sentiment. Nor are we in 2022, when the Governors of Texas and Arizona chose to use immigrant lives as political pawns in an effort to call out New York City's so-called hypocrisy. While those pivotal years showed us the depth of the ideological divide over how to address immigration, it was also a moment for many New Yorkers to stand up and remind each other and the country that, regardless of what elected leaders may say, our commitment to immigrant communities remains unwavering.

From those years of adapting, organizing, and resisting, we have created networks that are stronger than ever. Immigrant ARC is one such example - born out of the legal effort at JFK Airport during the Muslim Ban, we have spent the last eight years improving on how legal services can collaborate and support each other to ensure a maximum number of people get access to legal help as they navigate the immigration system. We know that the lessons we've learned and the foundation we have built will carry us through the next four years.

At the same time, New York City must continue to wear its leadership status with pride when it comes to common sense policies that protect immigrants and their families. To do so, we urge the New York City Council and the Mayor's Administration to:

- Listen to and support the organizations that are addressing the needs directly. Those closest to the problem are closest to the solution, and providers have worked tirelessly for nearly a decade, responding to each successive crisis. Support the non-profit sector by providing them with funding not only to hire adequate staff but to pay those staff a living wage and provide them with professional development and career growth opportunities. Reform contract processes so that organizations do not take on financial risks simply to receive funding from the City, and so that small organizations, particularly those rooted in the communities they serve and/or who are immigrant-led, are not de-facto excluded from City funding because of onerous and overly-technical application

and reporting requirements.

- Heal the rifts between providers and government that have become all too prevalent since 2022. Government agencies now operate at a high deficit of trust with many in the non-profit sector, who have felt the brunt of unrealistic expectations for little to no funding over the last three years. The non-profit sector has always played a critical role in bridging the gap between government and constituents, particularly in low-income and immigrant communities. That role should be recognized and the partnerships solidified, not broken apart.
- Make it clear beyond any shadow of a doubt that New York City stands behind its sanctuary protections - both those codified in law and those enacted through policy. Uphold the separation of criminal and civil systems, and leave no doubt that we will not let a broken criminal system fuel an unjust immigration one.
- Create natural pathways for New Yorkers to support immigrant communities, through internship programs, partnerships with local law schools, and connections between New York City's many various corporate sectors, the City can use its role as a convener to bring all together and help find ways to provide volunteer opportunities.

The Role of Cities in Advocating for Comprehensive Solutions

Local governments like New York City also play a crucial role in advocating for broader reforms. This includes supporting resolutions like the New York for All Act, which would codify privacy and non-cooperation policies statewide, and the Access to Representation Act, which I had the privilege of working on since its inception. These measures reflect the understanding that access to justice and protection from harmful federal policies are not privileges but rights that ensure equity and dignity for all residents. As such, we wholeheartedly support the resolutions calling for passage of both of those bills.

The Importance of Immigration Legal Services Funding

Finally, and as we enter this year's budget process, the City's investment in immigration legal services must be maintained and expanded. Programs like the New York Immigrant Family Unity Project have set a national standard by ensuring that immigrants facing deportation have legal representation. This funding not only protects individuals and families but also stabilizes entire communities. Without it, we risk the destabilization of families, the displacement of workers, and the erosion of trust in government institutions.

A Call to Action

New York City has an opportunity—and a responsibility—to lead by example. Our sanctuary-related laws, robust funding for immigration legal services, and commitment to legislative advocacy are models for other cities to follow. But we cannot stop here. We must continue to push for comprehensive reform at the state and federal levels while addressing the urgent, immediate needs of our communities.

I urge the Council to reaffirm its commitment to immigrant protections, increase funding for legal services, and support the resolutions under consideration today. Together, we can ensure that New York remains a beacon of hope, fairness, and opportunity for all who call it home.

Thank you for the opportunity to testify. I look forward to your questions.



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TESTIMONIAL LETTER TO THE COUNCIL OF THE CITY OF NEW YORK

COMMITTEE REPORT AND BRIEFING PAPER OF
THE HUMAN SERVICES AND GOVERNMENTAL AFFAIRS DIVISIONS

COMMITTEE ON IMMIGRATION

Hon. Alexa Avilés, Chair

January 16, 2025

Oversight: Protection for Immigrant Communities

Thank you to Chair Avilés and the Committee on Immigration for the opportunity to provide this testimonial letter. On behalf of Immigrant Justice Corps, my name is Lauren Migliaccio, and I am pleased to provide testimony on: Oversight - Protection for Immigrant Communities for the New York City Council Committee Immigration.

Immigrant Justice Corps (hereinafter “IJC”) is the country’s first and only legal fellowship program dedicated exclusively to meeting the need for high-quality legal assistance for immigrants fighting deportation and seeking a path to lawful status and citizenship.¹ IJC’s goal is for legal representation to lift immigrants out of poverty, by helping them understand their rights, attain lawful status and access to secure jobs, quality health care and life-changing educational



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opportunities. Inspired by the Katzmman Study Group on Immigrant Representation,² IJC galvanizes the country's most talented law school and college graduates, places them with premier legal services providers and community-based organizations nationwide, leverages the latest technologies, offers in-depth and ongoing access to substantive as well as professional wellness trainings, and fosters a culture of creative thinking that produces new strategies to reduce the justice gap for immigrant families, ensuring that immigration status is no longer a barrier to social and economic opportunity.

Now, in our tenth year, IJC has trained and placed over 500 Fellows in support of our mission to increase both the quantity and quality of immigration legal services. While we are headquartered in New York City, our collective experience is national in scope, with fellows placed at immigration legal service providers in 34 states, and the District of Columbia. IJC is deeply committed to serving immigrant New Yorkers as we have forty-five IJC Alumni serving as staff attorneys and legal supervisors and over forty of our current Fellows placed with immigration legal service providers in New York City.

I. The Trump Administration will ramp up immigration enforcement and aims to end rights and protections currently afforded to immigrants.

Now is the time to protect immigrant communities in New York. On January 20, 2025, the Trump Administration will usher in a new wave of anti-immigrant policies targeting the most vulnerable populations. New York is a Sanctuary City and can take affirmative steps to ensure our



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immigrant neighbors are informed, represented and shielded from aggressive federal actions. While it is not possible to predict all the turmoil likely coming to immigration law, there is an outline and blueprint of the previous Trump Administration and other policy statements that offer insight into the upcoming changes.

A. The first Trump Administration used key strategies to attack immigrant New Yorkers.

The first Trump administration took office in 2017 with a strong anti-immigrant agenda. At that time, the key elements included a massive immigration police force, an increasingly fortified southern border, a rapidly expanding surveillance state—including expansive data-sharing and collaboration between local police and ICE, and the growing role of the tech industry to identify and track vulnerable immigrant populations—and a sprawling network of prisons for immigrants. By analyzing the key strategies used by the federal government at that time, New York City can be prepared with defensive advocacy and procedure in place to minimize harm to our immigrant communities if these strategies are employed again.

B. Project 2025, closely linked to the Trump administration, lays out a plan to curtail rights and freedoms of immigrants nationwide.

Project 2025 is a federal policy agenda and blueprint for a radical restructuring of the executive branch authored and published by former Trump administration officials in partnership



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with The Heritage Foundation¹. This a longstanding conservative think tank that opposes abortion and reproductive rights, LGBTQ rights, immigrants' rights, and racial equity. *Id.* Project 2025's largest publication, "Mandate for Leadership," is a 900-page manual for reorganizing the entire federal government agency by agency to serve a conservative agenda. Project 2025 calls for hundreds of individual policy changes impacting our constitutional freedoms and every aspect of our lives.

With regards to direct impact on New York's immigrant communities, we would like to highlight the following Project 2025 policy proposals.

i. Mass Deportations

The incoming federal administration's planned mass deportation efforts threaten to fundamentally reshape our communities, targeting not just recent arrivals but long-term residents who have built lives, businesses, and families in New York.² It is anticipated that the administration will use additional federal funding and assistance from local law enforcement or U.S. military to execute extrajudicial removal orders. For example, expedited removal can be used to separate families and communities. Extrajudicial removal orders can be issued by low-level Immigration and Customs Enforcement (hereinafter "ICE") and Customs and Border Protection (hereinafter "CBP") officers.

¹ Available at: <https://www.project2025.org/>

² <https://www.americanimmigrationcouncil.org/research/testifying-subcommittee-immigration-integrity-security-and-enforcement-presidential-power?emci=24c0b449-7edd-ee11-85fb-002248223794&emdi=4326b1b3-8ddd-ee11-85fb-002248223794&ceid=12060950>



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While expedited removal is the most common extrajudicial removal order used in the interior states, stipulated removal orders are far more commonly used³. Many of the extrajudicial removal orders do not require review by an immigration judge or neutral fact finder. This can result in many immigrant New Yorkers being removed from their families and communities without their day in court. Importantly, extrajudicial removal orders will enable ICE to facilitate faster removals and deportations.

In addition, ICE can contract with local law enforcement under the INA § 287(g)⁴ program to expand bedspace and capacity for immigration detention. Increased interior ICE enforcement within the U.S. will lead to larger numbers of New Yorkers and vulnerable immigrant communities detained in ICE custody.

ii. Federal Authorities' Access to New York Immigrants' Personal Information

For all the rhetoric around sanctuary cities and protecting vulnerable immigrant communities, nearly all major metropolitan cities, including New York, are compliant with the provisions in Secure Communities. The Criminal Alien Program⁵ allows the Department of

³ American Immigration Council, Expedited Removal Explainer *available at*: <https://www.americanimmigrationcouncil.org/research/expedited-removal#:~:text=Expedited%20removal%20is%20a%20process,full%20extent%20permitted%20by%20law.>

⁴ <https://www.ice.gov/identify-and-arrest/287g>

⁵ <https://www.ice.gov/identify-and-arrest/criminal-apprehension-program>



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Homeland Security to see anyone flagged as a “criminal alien” and move to enact surveillance and detention. Information system sharing, such as NCIC and FBI databases, are currently in place under the Secure Communities program. Secure communities could be expanded if the FBI is put under the supervision of the Assistant Attorney General of the Criminal Division. Project 2025 also outlines a federal technical assistance program, wherein the Department of Justice and the FBI could be tasked with providing “technical assistance” to local law enforcement. If successful, the Attorney General could remove the FBI from the Deputy Attorney General’s direct supervision and place it under general supervision of the Assistant Attorney General of the Criminal Division. This is problematic for many reasons, but primarily because the FBI has access to local law enforcement databases and can target noncitizens that are arrested in over-policed communities. The FBI could also designate noncitizens as domestic terrorists and target vulnerable populations, resulting in targeted enforcement of vulnerable communities without due process.

iii. Targeting Vulnerable Populations

The incoming Trump administration is likely to target the most marginalized, vulnerable immigrant populations for enforcement operations, detention, and deportation. Targeted populations and subsequent collateral arrests will lead to augmented numbers in immigration detention and increased mass deportation.

1. Eliminating Important Relief and Protections for Immigrant Children



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The incoming administration is likely to prioritize eliminating humanitarian immigration relief intended to protect unaccompanied and other immigrant children. For example, Deferred Action for Childhood Arrivals (DACA), which has already been stripped of most of its efficacy, is likely to be eliminated altogether, and relief such as Special Immigrant Juvenile Status (SIJS) for children abused, neglected or abandoned by one or both parents may also be targeted. The *Flores* Settlement Agreement, which outlines how the federal government must treat unaccompanied children in immigration custody, is likely to be overturned, once again subjecting immigrant children to unsanitary and unsafe conditions.

2. Increased Attacks on Sanctuary Cities

Sanctuary cities, which were a target of the previous Trump administration, will once again be under attack by the incoming administration. These jurisdictions have historically attempted to limit local law enforcement cooperation with federal immigration enforcement by passing sanctuary policies that protect immigrant populations. However, cuts in federal funding and other supportive programming will jeopardize sanctuary protections and lead to increased internal enforcement in areas once considered to be safe.



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II. New York City must act affirmatively to prevent mass detention and deportation of its immigrant communities.

New York City's immigrant communities rightfully fear how a second Trump administration will impact their ability to lead safe, secure lives. This fear is exacerbated by the threat of cooperation between the city's institutions, including local law enforcement, and immigration. Leading into the new administration, New York City must work to build increased trust among immigrant communities and immigration legal service providers by implementing robust protective oversight and accountability measures.

Indeed, the proposals in Project 2025 target legal service providers, attorneys and non-profit organizations that represent immigrants. Federal contracts given to nonprofits to represent noncitizens are going to be under review. Project 2025 does say that priority should be given to U.S. citizens and not immigration legal service providers. Without access to federal funds, many immigrant New Yorkers will not have adequate representation, leading to an overwhelming demand and strain on existing nonprofit organizations providing services to impacted community members.

IJC proposes a focus on the following actions as the most effective and comprehensive ways to protect immigrants throughout New York City.



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A. All immigrants facing removal proceedings at any of the three NYC-area immigration courts⁶ should be afforded access to NYC-funded legal services, regardless of where they reside.

The Department of Homeland Security detains and deports immigrants in New York City. Inequity in access to NYC-funded immigration legal services disparately impacts immigrants in legal desert regions such as Long Island and the Lower Hudson Valley. Immigrant communities in these areas supply integral workforce capacity to the city of New York. Despite their contributions to NYC's five-borough commuter economy, immigrants from these areas who face removal proceedings at one of the three NYC-area immigration courts are prohibited from accessing city-based LSPs because of where they reside. These immigrant communities faced heightened, targeted immigration enforcement between 2017-2020, a trend that is likely to become reality as mass deportations ramp up during the incoming Trump administration.

Data demonstrates that having legal representation can mean the difference between family unity and family separation. Immigrants with counsel are significantly more likely to successfully present their cases, meet critical deadlines, and secure relief when eligible. Yet for most, legal representation remains out of reach due to high costs and limited availability of pro bono services.

⁶ The three NYC-area immigration courts are: (1) New York – Federal Plaza Immigration Court, located at 26 Federal Plaza, 12th Floor, Room 1237, New York, NY 10278; (2) New York – Broadway Immigration Court, located at Ted Weiss Federal Building, 290 Broadway, 15th Floor, New York, NY 10007; and (3) New York – Varick Immigration Court, located at 201 Varick Street, 5th Floor, Room 507, New York, NY 10014.



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Expanding access to NYC-funded immigration legal services would provide much-needed resources to underserved, marginalized immigrant communities in the face of escalating immigration enforcement. The Council has a meaningful opportunity to promote inclusive access at a critical moment in history and to continue to champion justice for all immigrants.

B. The Council should prioritize efforts to disrupt the prison-to-deportation pipeline affecting NYC's immigrant communities and expand access to representation and services provided to individuals detained in ICE custody.

i. Data Protection and Information-Sharing

The Council should implement measures to protect NYC resident data from ICE access. Indeed, the safety and security of immigrant communities throughout NYC is compromised due to various information-sharing schemes currently in place.

New York State took action to protect immigrant communities by enacting the Driver's License Access and Privacy Act known as the Green Light Law.⁷ The Green Light Law restricts CBP access to New York's database of information on home addresses. This enabled many immigrant New Yorkers to obtain a lawful driver's license and comply with safety regulations and laws. The Council should take measures to protect these law-abiding community members and protect their information from predatory federal agencies.

⁷ <https://www.ice.gov/news/releases/remarks-ice-acting-director-matthew-t-albence-new-york-state-green-light-law-press#:~:text=For%20those%20not%20aware%2C%20New,Department%20of%20Motor%20Vehicles%20informati on.>



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In addition, through public record and information-sharing agreements, ICE can obtain copies of an individual's state criminal records, including RAP sheets, criminal complaints, certificates of disposition, and final judgments in a criminal case, as explained *supra*. Information stored in state registries, including data fed into national databases tracking matters such as orders of protection and sex offender registration, may be accessed by ICE and utilized to ramp up internal enforcement.

ii. Legislative and Policy Advocacy to Hold Law Enforcement Personnel Accountable

The Council should push for stronger detainer laws to ensure local law enforcement does not cooperate with ICE in the absence of a federally issued judicial warrant. This will, in turn, require the implementation of mandatory, comprehensive training for all law enforcement personnel on detainer and collaboration policies, as well as policies intended to protect crime victims.

iii. Expansion of NYC's Existing Rapid Response Network

In this moment of crisis, we have witnessed an extraordinary response by legal services providers to meet this challenge with innovative solutions. The Council should support the expansion of NYC's existing rapid response network so that advocates on the ground are responsive to the ever-evolving needs of immigrant communities in the city. This includes but is not limited to having rapid response teams in place to challenge unlawful arrests and raids initiated by ICE; developing efficient pathways for advocates to share information based on immigration



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enforcement trends and engage in capacity-building so a higher volume of impacted individuals receive services.

iv. Strengthen Collaboration Between NYC's Immigration Legal Service Providers and Expand Access to Legal Services for Individuals Impacted by the Prison-to-Deportation Pipeline

The New York Immigrant Family Unity Project (hereinafter “NYIFUP”) stands out as model universal representation program that has been emulated and duplicated in other major U.S. cities⁸. The Council has long taken the lead on ensuring New Yorkers have access to universal representation in removal proceedings. NYIFUP is essential in providing access to counsel and being a force that stands between the prison-to-deportation pipeline. Since the Trump Administration is looking to ramp up enforcement and detention, now is the time for the Council to bolster universal representation programs like NYIFUP.

Increased access to services and capacity building efforts for universal representation irrespective of contact with the criminal legal system is essential. The Council can empower advocates to stand up for immigrant communities in New York. Having universal representation models in place like NYIFUP will grow a network of experts a set a gold standard for the nation in immigration representation. Having universal representation programs in place will allow for a

⁸ <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/new-york-immigrant-family-unity-project>



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rapid response to challenge unlawful arrests and ICE raids that occur in our communities, place of employment, homes, and neighborhoods.

v. Support Development of Robust Bail Funds

The Council should advocate for increased funding for bail funds to assist individuals in criminal and ICE custody. It is impossible to win a removal case without the assistance of counsel. Only five percent of those who won relief between 2007 and 2012 did so without an attorney⁹. People who are released from detention and are at liberty to fight a deportation case are *eleven times*¹⁰ more likely to win and remain in the United States.

C. The Council should enhance targeted support for vulnerable immigrant populations in NYC.

Rapport- and trust-building among NYC immigrant populations will be strengthened through targeted support efforts ensuring individuals have better access to resources and legal services. First, the Council should both support and contribute to enhanced capacity-building efforts by legal service providers to increase legal representation for NYC's immigrant communities, including promoting universal representation for individuals in immigration

⁹ Ingrid V. Eagly and Steven Shafer, "A National Study of Access to Counsel in Immigration Court," *University of Pennsylvania Law Review* 164, no. 1 (2015), 22-24 & figure 4, <https://perma.cc/7J65-CZCM>.

¹⁰ chrome-extension://efaidnbmnnnibpcajpcgiclfindmkaj/https://www.americanimmigrationcouncil.org/sites/default/files/research/access_to_counsel_in_immigration_court.pdf



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detention. *See supra*. Second, the Council should promote the use of immigration hotlines such as 311 so anyone in need of representation can access information about legal service providers.

Training and Know-Your-Rights Initiatives

Access to information about legal service providers is an essential part of representation. New York funded hotlines that connect callers to legal resources, including Know-Your-Rights information will be axiomatic once ICE enforcement increases. NYC should support organizations hosting pro se clinics, to maximize access of immigrants to legal information and make informed choices. This will provide vital resources to many who cannot retain legal counsel and protect vulnerable New Yorkers from notario fraud and misinformation.

Know-Your-Rights sessions and information sharing will be necessary during the Trump administration. Immigration laws will change quickly and getting that information out to communities and individuals will be a crucial tool to protect vulnerable populations. Train the trainer programs are going to be needed for organizations and community spaces looking to educate the public. IJC has extensive train the trainer experience and is currently partnering with the Mayor's Office for Immigrant Affairs to deliver Train the Trainer events for frontline immigration service providers in social service settings, community-based organizations, and city-funded service providers.



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Safe spaces currently are not subject to ICE enforcement¹¹. While that is likely to change, IJC could prepare updated KYR and safety planning materials for churches, day laborer sites, food pantries, afterschool and daycare facilities or any other community forums where people might feel comfortable accessing information. The Pro Se Plus Project can be expanded to include legal support for immigrants seeking status outside of asylum protection and can increase capacity through Train the Trainer efforts for assessment and safety planning for individuals with temporary relief, on orders of supervision, and with final orders of removal.

The Council should ensure access to mental health services and support to all New Yorkers, regardless of immigration status. Children who have parents who are at risk of detention and deportation should also be prioritized. The Council should also recognize and acknowledge that ICE's definition of a "public safety threat" too often includes individuals with serious medical and mental health issues who have historically been denied much-needed social services and are at a heightened risk for targeted immigration enforcement.

III. Support for & Solidarity with New York Immigration Service Providers

New York City Immigration Legal Services Providers provide immigrant communities with invaluable legal information and assistance throughout the five boroughs. Access to free and low-bono legal services is critical for individuals affirmatively applying for immigration relief or

¹¹ <https://www.ice.gov/about-ice/ero/protected-areas>



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fighting removal in proceedings before an immigration judge. During the previous Trump administration, legal service providers nationwide were under constant attack, and the proposals contained in Project 25 make it clear that the incoming administration will target LSPs, nonprofits, and the staff members doing such critical immigration work.

Indeed, there is deep concern among NYC-based immigration LSPs about future attacks on grants and other sources of funding, the elimination of programs that provide important immigration legal services to impacted communities, the risk and consequences of employing individuals with temporary or limited status, and other efforts by the administration to undermine both the efficacy and ability to serve immigrants in the city.

Immigrant Justice Corps stands in solidarity with New York Immigration LSPs and respectfully requests that the Council provide protection and support to these providers and their staff during the new Trump administration so that immigrant populations in the city continue to have access to quality immigration legal services. The Council's support will help ensure that New York City's immigrant populations are able to continue building safe and secure lives for themselves as they seek stable, more permanent immigration status in the United States.

IV. Conclusion

The City has the benefit of applying knowledge from prior experience and a comprehensive wish list of right-wing policy to anticipate future attacks on New York City's immigrant



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communities. As enforcement efforts intensify, the gap between available legal support and community needs widens dangerously. By putting affirmative policy in place, we can keep all New Yorkers safe.

Respectfully submitted,

Immigrant Justice Corps

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Adam Ring, Coordinator, Indivisible Brooklyn

Thank you for holding this hearing on protection for immigrant communities. My name is Adam Ring and I'm an organizer with Indivisible Brooklyn. Indivisible Brooklyn is an all-volunteer, grassroots organization formed in 2016 in response to the crisis facing our democracy. We have members from all over Brooklyn who get together to promote civic engagement around democracy and civil rights, climate justice, and an inclusive economy. We don't limit ourselves to just one issue, and we don't limit ourselves to just one way of organizing: we show up to hearings like this one, we meet with elected officials and write letters and make calls to them, we organize public events and electoral actions, and we do outreach to people in the community to empower them with the means to deliver the changes that they're seeking.

I am testifying here today because the people of New York will not tolerate the deportation of our friends and neighbors. We oppose the Mayor's threat to abuse his powers in order to circumvent this Council's duly enacted laws. We reject the hateful lies that some of our elected representatives have been spreading about their own constituents. And we call upon the Council to provide New Yorkers with ways to protect themselves when their rights under existing law are violated.

Over the past few months, this has been the top concern that the people of New York have been talking about. I've seen it myself: at home with our families, after services in our houses of worship, at work, and over pizza at our kids' birthday parties, our conversations keep returning to the question of: What can we do to make sure that it doesn't happen here? Indivisible Brooklyn has onboarded over 100 new members over the past couple of months who are looking for answers to this question and ways to take action to make it so. And we have been organizing to spread the word in our communities in Brooklyn and to the other Indivisible groups across the city that now is the time for this Council to secure compliance with existing protections for immigrant communities by passing Intro 214, a bill currently before this committee that would make New York safer for everyone.

Everyone is safer when New Yorkers can go to work and school and see the doctor with the confidence that they can come back home at the end of the

day, regardless of immigration status. Everyone is safer when New Yorkers can call the police and testify in public with the confidence that their participation in the civic life of this city will not bring them harm because of their immigration status. And everyone is safer when city officials and employees understand that they must follow the law or they will be held accountable for violating it. That is why Indivisible Brooklyn supports Intro 214. And we call upon the City Council to pass this straightforward proposal to create a private right of action so that New Yorkers can enforce their rights under existing law.

For many decades and across many administrations and changing political environments, New York has promised to welcome immigrants with dignity. I was born and raised here, and whenever I meet someone who's just moved to the city, I always say: Welcome, you're a New Yorker now. It could be someone who's just moved here from across the country or someone who's just moved here from across the world. New Yorkers know that this city belongs to everyone who calls this city home. And we call upon the City Council to take action so we can keep it that way by passing Intro 214.

Thank you.

Adam Ring
Coordinator, Indivisible Brooklyn



Good Afternoon,

I would like to thank Chairperson Alexa Avilés and the members of the Committee on Immigration for the opportunity to testify today. I am Thinley Wangchuk, Data Analysis & Communications Coordinator, at the Korean American Family Service Center (KAFSC).

For over 36 years, KAFSC has provided life-saving services to immigrant survivors of gender-based violence, domestic violence, and other forms of violence, along with their children. Our services include counseling, case management, transitional housing, economic empowerment initiatives, youth programs, and 24/7 access to our bilingual hotline and emergency shelter. KAFSC is also a member of The Collective, the only coalition of culturally specific, gender justice organizations in New York City.

Each year, KAFSC serves over 3,000 individuals. In 2024, KAFSC responded to over 5,000 calls related to gender-based violence, domestic violence, sexual assault, child abuse, and trafficking to our 24hr hotline. 98% of our clients identify as immigrants and 98% live below the poverty line. A significant portion of our clients are undocumented and face barriers to accessing basic services. Recognizing these needs, we have expanded programs to include mental health services, cash assistance, public benefits access, health insurance navigation, food security support, and more.

Given the changing political landscape, the upcoming administration's policy shifts may pose risks to funding for immigrant services, restrict pathways to legal status, and create heightened fear of deportation within immigrant communities. These uncertainties compound the existing struggles and barriers faced by our clients, particularly undocumented survivors, who remain excluded from resources. To address these barriers, KAFSC, along with our community-based partners, urge the City to invest in culturally and linguistically competent services by prioritizing funding for community-based organizations that provide culturally tailored, language-accessible, and survivor-centered approaches. Expanding affordable housing options and eligibility for undocumented survivors is essential so that survivors have immediate access to safe, affordable housing to escape abusive environments and rebuild their lives. And implementing inclusive local policies that protect undocumented survivors and ensure access to basic income, healthcare, and other supports is imperative.

The Korean American Family Service Center remains committed to working collaboratively with the City Council and our partners to address the pressing needs of immigrant survivors and their families. Thank you.



New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Dhaliem Alban - Youth Leader at Make the Road New York

My name is Dhaliem and I am a youth leader at Make the Road New York and a senior at an international high school. I missed school today, so I could come here to testify and urge the City Council, Mayor Adams and Chancellor Aviles-Ramos to take immediate action to support and protect immigrant young people like me in our city.

I came to this country about two years ago, in search of more opportunities and a better education. It was very scary to be alone in this new country with just my grandmother. With all these changes going on, my teachers helped orient me to a new school and a new language. The one thing I can't adjust to is the amount of school police always present, it makes students feel like we did something wrong. Every afternoon the school cops get loud and aggressive, urging us to immediately leave the school property.

Since arriving, I've seen Mayor Adams increase local and state police presence throughout the city. Racism is at the core of the United States' systems of policing, incarceration and immigration. All of these enforcement systems use discrimination and violent tactics to criminalize Black, brown and Latine people. Just yesterday, Governor Hochul said in her State of the State that even more police will be added to train stations. Seeing state troopers makes me feel like a war is going to happen at any point. This summer a state trooper at the train yelled at me because I was passing a coffee to my friend through the metal gate. It is terrifying to be surrounded by so many cops because I know any interaction is more likely for us to get pushed into the school-to-deportation pipeline.

Donald Trump will take office in four days. He has been bragging about launching dozens of executive orders targeting my community, mass deportations and rolling back ICE's sensitive locations policy on his first day in office.¹ At this moment, the City Council must hold the line with our detainer laws, so immigrants are not afraid of interacting with city agencies or schools. So that I am not afraid to go to school.

¹ Julia Ainsley & Didi Martinez, *Trump Plans to Scrap Policy Restricting ICE Arrests at Churches, Schools, and Hospitals*, NBC NEWS (Dec. 11, 2024, 11:34 AM), <https://www.nbcnews.com/investigations/trump-scrap-restriction-ice-arrests-churches-schools-rcna183688>.

While the Chancellor has sent guidance to schools around ICE, she can take steps right now to make the protocols stronger. ICE should not be able to come into schools without a judicial warrant. All school staff should be trained to protect students. My data should be protected. There should be signs at the front entrances of all schools saying ICE is not welcome in our schools. The Chancellor has the power to make all of these protocols into Regulations. Protecting young people from ICE is not just red tape procedure, it is the job of the New York City Public Schools. Every student deserves to feel safe in schools, regardless of their immigration status. And let me be clear, when me and my friends talk about what safe schools look like, it never includes more school cops. We want more mental health support and restorative justice. We want New York City to invest in US, not school cops. Police and ICE are not welcome in our schools!!

Mayor Adams, City Council, Chancellor Aviles-Ramos, we need you to step up and do everything in your power to protect the rights of all New Yorkers, especially young people. I do not want to wonder if it is safe to finish my senior year. I want to be able to walk into my school knowing that my school has my back. I want to continue planning for my college dreams, and planning for my future career in psychology. Protect me, protect young people, protect all immigrants! Thank you.

Testimony in Support of Sanctuary City Policies

Good afternoon, honorable members of the City Council,

My name is Rokhaya Ba, and I am the Community Organizing Coordinator at MALIKAH Safety Center. I would like to express my strong support for the passing of Intro.214 and the continuation of NYC as a Sanctuary City.

New York has historically been a sanctuary city, upholding values of compassion, fairness, and justice. This city has made it a goal to prioritize the safety, dignity, and rights of all residents, regardless of their immigration status. I am urging you to uphold this New York ideal and continue to protect the immigrant population by ensuring city agencies face consequences for conspiring with ICE.

As we look at the diverse makeup of our community, it is clear that immigrants are an integral part of our city's social fabric, contributing in countless ways — as workers, neighbors, entrepreneurs, students, and friends. Sanctuary policies help foster an environment in which immigrants can contribute fully to society without living in constant fear of deportation or detention. When families feel safe and supported, they are better able to participate in civic life, engage in the workforce, and ensure their children thrive.

In conclusion, passing Intro.214 is a step toward ensuring that everyone — regardless of where they were born — can live in safety and dignity. I urge you to pass this important resolution in support of sanctuary city policies and to send a message that NYC stands as a place of safety, justice, and compassion for all.

Thank you for your time and consideration.

Sincerely,

Rokhaya Ba

Astoria, NY, 11103

organizing@malikah.org



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Testimony Presented to the New York City Council Committee on Immigration regarding “Oversight: Protection for Immigrant Communities”

January 16, 2025

Good morning.

Thank you to the New York City Council Committee on Immigration for the opportunity to share my testimony today. My name is Justin Srey, and I am the Southeast Asian Defense Coordinator for Mekong NYC.

Mekong NYC is a social justice organization dedicated to uplifting the Southeast Asian community in the Bronx and across New York. Through community organizing and movement building; fostering healing via arts and culture; and providing a robust social safety net, we aim to build community power.

Our community is largely made up of Cambodian and Vietnamese refugees who first arrived in the U.S. in the 1980s as part of the largest refugee resettlement program in this country’s history. This migration was fueled by the devastating impacts of war, genocide, and mass carpet bombing in Southeast Asia, policies driven by the U.S. military in what many of us know as the “Vietnam War”. Once in the U.S., the resettlement process here was far from easy. Our community faced ongoing struggles for survival in economically, socially, and politically neglected areas like the Bronx and Brooklyn, where thousands of our community members resettled. They dealt with systemic poverty, over-policing, lack of access to living-wage jobs, over-reliance on government benefits, underfunded schools, and high rates of mental health issues.

Today, almost fifty years later, many of our community members still live on the margins of society, despite the promises made by the U.S. government for a new start. According to the Asian American Federation’s 2021 Report, “Hidden in Plain Sight: Asian Poverty in the New York Metro Area,” a significant percentage of our community remains trapped in poverty. For the Cambodian community, 30% live in poverty with an additional 15% living near poverty, and for the Vietnamese community, 12% live in poverty with an additional 19% living near poverty. These statistics highlight the economic struggles of the Southeast Asian community, which are also connected to other complex challenges such as dependence on government benefits, high rates of mental health issues, etc.



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While immigration is not often viewed as an Asian American and Pacific Islander (AAPI) issue, this country's immigration and deportation policies have created a deportation crisis for the Southeast Asian community for the past 20 years. Across the U.S., including here in New York, almost 20,000 Southeast Asian refugees face the threat of deportation due to past criminal convictions—even though many have already served their time, rebuilt their lives, and have no connections to the Southeast Asian countries the U.S. threatens to deport them to. During the first Trump administration, deportations within the Cambodian community surged by 279% from 2017 to 2018. Given this history, we fear that Trump 2.0 will accelerate this trend, with the Trump administration carrying out mass deportations even more aggressively and quickly starting on January 20th.

The impacts of deportation are numerous and multi-layered for our community. Deportations will result in the physical separation of Southeast Asian individuals from their families and communities, especially for those who have lived in New York for decades and have only known the U.S. as their home. Many of these individuals initially arrived as refugee babies or children and have established deep ties to their communities. In addition to the refugee community, there has been an influx of immigrants from Cambodia, Laos, and Vietnam in recent years who now find themselves undocumented – and also fearing separation from their loved ones.

In addition to physically separating Southeast Asian families and communities, Trump's deportation plans will also lead to many other harmful effects. Many of our community members already live on the margins of society, and the threat of deportation would push them even further from the services, programs, and institutions they rely on. This includes vital resources and institutions such as schools, hospitals, housing courts, and social security offices, which in turn would exacerbate a family's economic instability; threaten their housing status; harm the education and well-being of children; and trigger pre-existing trauma related to war, violence, and displacement of our community. This resulting lack of trust and fear of government agencies creates an atmosphere of anxiety that undermines our community's ability to heal and thrive.

It is critical that our city's leaders stand with our immigrant and refugee communities. Especially given the Mayor's concerning receptiveness to Trump's immigration agenda, we urge the City Council to stand with immigrants and take decisive action to protect New York's immigrant populations. We call on you to:



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1. **Ensure that New York City remains a Sanctuary City:** NYC has long been a beacon of safety and protection for immigrant communities, and it is crucial that we strengthen, not weaken, our sanctuary city policies.
 - a. **Specifically, we urge you to pass Int. 214** which would create a mechanism for immigrant New Yorkers harmed by violations of the detainer laws to seek justice. This policy is part of a broader effort to prevent our local government from conspiring with ICE in the detention and deportation of immigrant New Yorkers.
2. **Invest in the long-term safety and well-being of Southeast Asian communities.** While protecting immigrant communities from deportation is essential, we also need to make substantial investments in the resources and programs that allow our communities to be healthy and thrive in the long run.
 - a. **Support the 18% and Growing initiative** which advocates for increased funding to AAPI organizations to ensure that Southeast Asian and other immigrant communities have access to the services and support they need.
 - b. **Support the Access Health NYC initiative** which invests in community-based organizations such as Mekong NYC so we can provide culturally responsive and linguistically accessible health outreach and education services to hard to reach populations including the Southeast Asian community.
 - c. **Expand Language Justice** in terms of resources and funding, as well as the scope of designated languages identified under Local Law 30 to also include languages such as Khmer and Vietnamese.

In closing, I urge this Committee to not only protect our community from deportation but also ensure that our communities are supported with the resources and opportunities to thrive. Our work is far from done, and we need your leadership now more than ever.

Thank you.



New York City Council Committee on Immigration
Thursday, January 16 at 10am
Testimony of David Alexis, Chair of New York Communities For Change Flatbush Chapter

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is David Alexis, Chair of the New York Communities For Change Flatbush Chapter. Today, I testify to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers who are facing grave threats from both federal and local challenges.

As a first-generation Haitian American residing in East Flatbush, home to one of the largest Caribbean diasporas in New York City, I deeply understand the struggles and sacrifices immigrants endure to build better lives for their families. These sacrifices must not be in vain. It is imperative that our City Administration stands firm in providing protections and information for immigrant New Yorkers, particularly in the face of a federal administration intent on demonizing and attacking people like me and my community.

When immigrant New Yorkers lack confidence that City agencies will protect their rights and refrain from collaborating with ICE, trust is eroded, and fear takes hold. A January 2022 report found that fear and other barriers often prevent immigrants from accessing public services they are eligible for.¹ This mistrust—fueled by past federal policies and local violations—has discouraged immigrants from accessing essential services, benefits, healthcare, and even law enforcement. Such fears perpetuate harm, including unreported domestic violence and other crimes.

Strong local policies are essential to counteract these fears. Policies that explicitly prevent local agencies from collaborating with ICE can build trust and ensure that immigrant communities feel safe accessing critical resources. However, these policies must be enforced. Violations by city agencies such as the Department of Corrections (DOC), New York Police Department (NYPD), and Administration for Children's Services (ACS) have caused profound harm, including family separations and unwarranted detentions. For example, a February 2023 Council hearing revealed blatant violations by the DOC, which colluded with ICE to transfer immigrants into federal custody, often fueled by anti-immigrant sentiments. Communications from the DOC even included xenophobic hashtags such as #TeamSendThemBack.²

Our existing sanctuary protections need teeth. For this reason, I urge the passage of Intro 214, which would create a "private right of action" enabling individuals harmed by violations of sanctuary laws to seek justice in court. This measure would hold city agencies accountable, ensure compliance, and prevent further harm to immigrant New Yorkers and their families.

The harm caused by ICE—family separations, community disruptions, and inhumane detentions—cannot be overstated. Conditions at facilities like Orange County Jail in Goshen, NY, where many ICE detainees are held, are notoriously abusive. Reports highlight unsanitary conditions, inadequate food, physical violence, and racial abuse. For example, in February 2022, ICE detainees organized a hunger strike to protest these conditions, only to face retaliation including solitary confinement and sudden transfers.³ Such egregious treatment underscores the urgency of strengthening local protections to prevent funneling New Yorkers into these violent environments.

The Council must meet these threats with oversight, enforcement, and innovation. Proactive measures to secure compliance with existing protections are critical. Furthermore, the Council should collaborate with state and federal allies to establish a robust framework of rights and protections for immigrants. This

includes supporting state-level legislation such as the New York for All Act (A2328/S3076B) and the Dignity Not Detention Act (A4354/S306)⁴, which aim to curtail ICE's abuses and strengthen protections for immigrant communities.

This is a pivotal moment for the most progressive New York City Council in history to take decisive action. By reinforcing sanctuary protections, holding agencies accountable, and working alongside advocates and state legislators, we can ensure that New York City remains a beacon of safety and dignity for all its residents, regardless of citizenship status.

Thank you for your attention to this critical matter and for your commitment to protecting the rights and well-being of immigrant New Yorkers.

1 Alulema, Daniela and Paviol, Jacquelyn, "Immigrants' Use of New York City Programs, services and Benefits: Examining the Impact of Fear and other Barriers to Access.: (January 31, 2022)

<https://cmsny.org/publications/nyc-programs-services-and-benefits-report-013122/>

2 "New York City Hearing Reveals Deep Collusion Between Department of Corrections and ICE"

<https://www.immigrantdefenseproject.org/new-york-council-hearing-reveals-deep-collusion-between-dept-of-corrections-and-ice/>

3 Parra, Daniel, "Hunger-Striking ICE Detainees Sue Over Conditions at NY's Orange County Jail."

<https://citylimits.org/2023/04/05/hunger-striking-ice-detainees-sue-over-conditions-at-nys-orange-county-jail/>

4 Mansoor Sanya, "The Fight to Stop New York Cops From Conspiring with Ice,"

<https://theintercept.com/2024/11/26/the-fight-to-stop-new-york-cops-from-conspiring-with-ice/>

2025 Memorandum

Subject: Protect Immigrant New Yorkers

President Trump has unapologetically made vilifying and targeting immigrants the core of his political identity, overseeing some of the most brutal immigration enforcement tactics in our country's history during his first four years in office. A second Trump administration will not merely be a return to the cruelty of the first – it promises to be far worse. Trump has repeatedly pledged to carry out the largest mass deportation program in the nation's history, threatening that it will be a “bloody story.”¹ His incoming administration is openly planning to rely on extreme and legally dubious tactics to bring deliberate trauma on—and destabilize—immigrants, their families, and their communities. These tactics include plans to marshal the National Guard and deploy military troops domestically to arrest and deport immigrants,² as well as to use local law enforcement to execute his immigration agenda,³ expanding collusion between U.S. Immigration and Customs Enforcement (ICE) and police that has persisted for years. Trump's top advisors have even spoken of deporting U.S.-born citizens in direct violation of the U.S. Constitution.⁴

Immigrants are an invaluable part of New York's social fabric and workforce. Trump's mass deportation agenda threatens to destabilize our economy, rip apart families, and deport pillars of our communities to countries they have never known. New York lawmakers can—and must—take immediate and proactive measures to protect the rights of immigrant residents and create a welcoming environment for everyone. First and foremost, the state legislature must pass the **New York For All Act**⁵ before Trump takes office. This bill would protect people's sensitive information and broadly prohibit the misuse of state and local resources for civil immigration enforcement, ensuring that public employees across the state do not go out of their way to do ICE's job. The legislation would put New York in the

¹ Melissa Gira Grant, *The Incomprehensible Scale of Trump's Deportation Plans*, The New Republic, Oct. 17, 2024, <https://newrepublic.com/article/186641/trump-mass-deportation-plan-incomprehensible-scale>.

² Rebecca Santana, *Trump says he'll use National Guard to deport migrants, doubling down on anti-immigration rhetoric*, Associated Press (April 30, 2024), <https://apnews.com/article/immigration-trump-deport-migrants-national-guard-bdbbc8e78c66adb66047e331ced6c2d3>.

³ *Transcript: Interview with Donald Trump*, Time Magazine (April 30, 2024), <https://time.com/6972022/donald-trump-transcript-2024-election/>.

⁴ Mike Levine, ‘Shock and awe’: What Trump ‘border czar’ Tom Homan has said he plans to do starting on Day 1, ABC News (Nov. 18, 2024), <https://abcnews.go.com/US/shock-awe-trump-border-czar-tom-homan-plans/story?id=115972346>.

⁵ S.987-Gounardes/A.5686-Reyes in the 2023-24 legislative session.

company of other states like California, Washington, Illinois, and New Jersey that have refused to be complicit in mass deportation.

The state must also adopt the **Dignity Not Detention Act**,⁶ which will ban contracts between ICE and local governments to hold people detained for civil immigration violations in county jails. The immigration detention system is rife with abuse, and local jails should not be profiting from mass incarceration of immigrants. Prohibiting these contracts—as several states have already done⁷—is an essential step in making sure New York is not complicit in ICE’s cruelty.

Beyond disentangling itself from immigration enforcement and detention, New York can take affirmative steps to assist residents facing deportation with fighting their cases in court by passing the **Access to Representation Act**.⁸ This bill would guarantee New Yorkers in removal proceedings access to state-funded counsel to fight deportation by expanding on immigration legal services funding that the legislature has provided for several years and giving those litigating prolonged cases the certainty that they’ll have a lawyer by their side.

The legislature must also bring transparency and consistency to the state’s clemency process by passing the **Clemency Justice Act**.⁹ Even low-level criminal convictions may have a decisive impact on a person’s ability to avoid deportation or obtain immigration status. The Clemency Justice Act would ensure that those with an urgent need for clemency, such as a pending deportation proceeding, receive a decision within 90 days.

New York’s legislative leaders have long spoken about the importance of protecting immigrant communities, recognizing the contributions foreign-born New Yorkers make to our economy and social fabric. However, those words have not always been backed up by legislative action. While New York cannot control federal immigration enforcement, it can mitigate the harms to immigrant communities and ensure that it is not a willful participant in ICE’s cruelty. At this critical moment, the legislature must make good on its commitment to protect immigrant New Yorkers and pass legislation to safeguard their rights.

⁶ S.306-Salazar/A.4354-Reyes in the 2023-24 legislative session.

⁷ Legislation similar to the Dignity Not Detention Act has been passed in California, Illinois, Maryland, New Jersey, and Washington.

⁸ S.999.A-Hoylman-Sigal/A.170.A-Cruz in the 2023-24 legislative session.

⁹ S.222.A-Myrie/A.155-Solages in the 2023-24 legislative session.



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**Testimony of the New York Civil Liberties Union
to
The New York City Council Committee on Immigration
regarding
Protection for Immigrant Communities**

January 16, 2025

The New York Civil Liberties Union (NYCLU) respectfully submits the following testimony with respect to the New York City Council Committee on Immigration oversight hearing concerning protection for immigrant communities.

I. Introduction.

The NYCLU, the New York State affiliate of the American Civil Liberties Union, is a not-for-profit, nonpartisan organization with eight offices across the state and over 100,000 members and supporters. The NYCLU defends and promotes the fundamental principles and values embodied in the Bill of Rights, the U.S. Constitution, and the New York Constitution, through an integrated program of litigation, legislative advocacy, public education and community organizing.

Today's hearing comes at a critical moment for New York's immigrant communities. In a matter of days, President-Elect Trump will take office after running a campaign built on xenophobia and demonization of immigrants. The incoming administration has threatened to implement some of the cruelest, most extreme anti-immigrant policies in recent memory, boasting that it will be a "bloody story."¹ Trump has promised to carry out the largest mass deportation plan in our nation's history, deport entire family units, end birthright citizenship, remove longstanding restrictions on immigration arrests at sensitive locations, deploy the military to assist with immigration enforcement, and eliminate vital temporary

¹ See, e.g., Melissa Gira Grant, *The Incomprehensible Scale of Trump's Deportation Plans*, The New Republic, Oct. 17, 2024, <https://newrepublic.com/article/186641/trump-mass-deportation-plan-incomprehensible-scale>.

protection programs.² Many of these policies present serious logistical barriers or are plainly unlawful, and legal challenges are a certainty. But no one should doubt the brazenness of this incoming administration's intentions, and no one should be sanguine about their inability to follow through.

This dark moment in our national story comes, not coincidentally, at a time when New York City's own commitment to its immigrant residents is being called into doubt. The city has long embraced its unique status as a magnet for people from all over the world, with immigrants making up more than 40% of our city's population.³ Our commitment to upholding that legacy is embedded in our local laws and policies. New York City has laws requiring city agencies to provide services in multiple languages⁴ and expressly prohibiting discrimination in public accommodations and employment on the basis of one's immigration status.⁵ The city was a national leader in bolstering access to counsel for immigrants through the creation of the New York Immigrant Family Unity Project (NYIFUP).⁶ Perhaps most importantly for the present moment, New York City has laws broadly limiting the use of local government resources for immigration enforcement – often referred to as disentanglement or “sanctuary” laws.⁷

Yet just as New York's non-citizen residents are bracing for the realities of a second Trump administration, our mayor appears poised to abandon our city's longstanding commitment to immigrants. Mayor Adams has falsely said that undocumented immigrants are not entitled to due process because “the Constitution is for Americans.”⁸ He has met with Trump's incoming “border czar” to discuss ways that he and U.S. Immigration and Customs Enforcement (ICE) can better work together.⁹ In early 2024, Adams began calling for New York's disentanglement laws

² See, e.g., Melissa Gira Grant, *The Incomprehensible Scale of Trump's Deportation Plans*, The New Republic, Oct. 17, 2024, <https://newrepublic.com/article/186641/trump-mass-deportation-plan-incomprehensible-scale>.

³ NYC Mayor's Office of Immigrant Affairs, *2023 Annual Report on New York City's Immigrant Population and Initiatives of the Office*, p.4, https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA-Annual-Report-2023_Final.pdf.

⁴ NYC Admin. Code § 23-1102.

⁵ NYC Admin. Code § 8-107.

⁶ Vera Institute of Justice, *New York Immigrant Family Unity Project*, <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/new-york-immigrant-family-unity-project>.

⁷ NYC Admin. Code § 10-178; NYC Admin. Code § 9-131; NYC Admin. Code § 14-154.

⁸ Elizabeth Kim, *Mayor Adams says undocumented New Yorkers aren't owed due process, defying Constitution*, Gothamist (Dec. 4, 2024), <https://gothamist.com/news/mayor-adams-says-undocumented-new-yorkers-arent-owed-due-process-defying-constitution>.

⁹ Luis Ferre-Sadurni and Dana Rubenstein, *Mayor Adams Meets Trump's 'Border Czar' as Immigration Crackdown Looms*, N.Y. Times (Dec. 12, 2024), <https://www.nytimes.com/2024/12/12/nyregion/adams-homan-meeting-migrants.html>.

to be changed.¹⁰ More recently, he has hinted at using an executive order to get around the city's disentanglement laws,¹¹ and some reporting has suggested the mayor may use the charter revision process to undermine those laws.¹²

New York City cannot abandon its more than three million immigrant residents at a time when strong local action is most needed. Immigration is fundamentally the responsibility of the federal government, and localities have no obligation to assist federal authorities to enforce immigration law. The City Council has a crucial role to play in continuing to welcome our immigrant communities and rejecting attempts to roll back our hard-fought protections. Our testimony focuses on how the Council can ensure compliance with the city's disentanglement laws, make improvements to those laws, and push for reforms beyond New York City.

II. Ensuring compliance with New York City's disentanglement laws.

New York City's disentanglement laws and policies go back more than three decades, and have been embraced by mayors of both political parties. The city's first formal disentanglement policy came in the form of an executive order issued by Mayor Koch in 1989 limiting information-sharing with federal authorities.¹³ The rationale for that order recognized that working with immigration authorities would make it more difficult to administer city services, affecting the quality of life for all New Yorkers.¹⁴ The order was continued by Mayor Dinkins and Mayor Giuliani.¹⁵ Under Mayor Bloomberg, a pair of updated executive orders restricted city employees from inquiring about a person's immigration status and disclosing confidential information.¹⁶

In 2011, the Council codified express protections for immigrants into law by prohibiting the Department of Correction (DOC) from honoring civil immigration detainers, with exceptions for people with criminal convictions or outstanding

¹⁰ Emily Ngo, *Adams calls for change to New York City's sanctuary laws in harshest statement yet*, Politico (Feb. 27, 2024), <https://www.politico.com/news/2024/02/27/adams-sanctuary-city-laws-new-york-00143705>.

¹¹ Elizabeth Kim, *Mayor Adams says he'll use executive order to change sanctuary laws after border czar meeting*, Gothamist (Dec. 12, 2024), <https://gothamist.com/news/eric-adams-sanctuary-border-czar-tom-homan>.

¹² Chris Sommerfeldt, *Adams unveils new NYC charter revision panel with housing focus that can block council effort*, Daily News (Dec. 12, 2024), <https://www.nydailynews.com/2024/12/12/adams-unveils-new-nyc-charter-revision-panel-with-housing-focus-that-can-block-council-effort/>.

¹³ NYC Executive Order No. 124 (Aug. 7, 1989), available at https://www.nyc.gov/html/records/pdf/executive_orders/1989EO124.PDF.

¹⁴ *Id.*

¹⁵ Andrew Kaczynski, *Rudy Giuliani fought federal government to defend undocumented immigrants as NYC mayor*, CNN (Nov. 16, 2016).

¹⁶ NYC Executive Order No. 34 (May 13, 2003), available at <https://www.nyc.gov/assets/immigrants/downloads/pdf/eo-34.pdf>; NYC Executive Order No. 41 (Sep. 17, 2003), available at <https://www.nyc.gov/assets/immigrants/downloads/pdf/eo-34.pdf>.

warrants.¹⁷ At the urging of advocates, amendments were enacted in 2013¹⁸ and 2014¹⁹ to strengthen these laws and limit their exceptions further. In 2017, during the first year of the first Trump administration, the Council bolstered these protections by extending restrictions to all city agencies as a matter of law.²⁰

Today, there are three pillars to the city's disentanglement laws. First, the DOC is prohibited from honoring immigration detainers by holding a person for additional time or informing ICE of their release date unless presented with a judicial warrant *and* the person has been convicted of certain offenses within the previous five years or is a match on a terrorist watchlist.²¹ Second, the NYPD is similarly prohibited from honoring immigration detainers, with limited exceptions.²² Third, all city employees are prohibited from using city resources, including their time on duty, for immigration enforcement.²³ We refer to these laws at the DOC detainer law, the NYPD detainer law, and the city resources law.

Taken together, the city's disentanglement laws provide strong – if imperfect – assurances for immigrants that their city government will not go out of its way to do the job of immigration authorities. Yet we know that compliance with these laws has been mixed. Documents obtained by the Immigrant Defense Project and Black Alliance for Just Immigration have detailed how the DOC has illegally transferred people to ICE who do not fall into the detainer law's exceptions and generally maintain a culture of disregard for the law.²⁴ The city has also acknowledged past errors applying the detainer law that resulted in unlawful cooperation with ICE.²⁵

Compliance with the more generally applicable city resources law is difficult to assess. It is unclear what, if any, training employees receive regarding the law. Though the law requires that the city compile quarterly reports from all city agencies about their requests from ICE and responses, such reports often contain minimal information from just a few city agencies. Until recently, the city did not

¹⁷ NYC Local Law No. 62 (2011).

¹⁸ NYC Local Law No. 21 (2013); NYC Local Law No. 22 (2013).

¹⁹ NYC Local Law No. 58 (2014); NYC Local Law No. 59 (2014).

²⁰ NYC Local Law No. 228 (2017).

²¹ NYC Admin. Code § 9-131(b).

²² NYC Admin. Code § 14-154.

²³ NYC Admin. Code § 10-178.

²⁴ Immigrant Defense Project, *Summary of key documents produced in response to FOIL of DOC records*, Feb. 22, 2023, <https://www.immigrantdefenseproject.org/wp-content/uploads/Immigrant-Defense-Project-Memo-DOC-ICE-FOIL-2.22.23.pdf>.

²⁵ Annie Correal and Ed Shanahan, *He Was Caught Jaywalking. He Was Almost Deported for It.*, N.Y. Times (March 11, 2021), <https://www.nytimes.com/2021/03/11/nyregion/daca-ice-nyc-immigration.html>.

make these reports accessible online, though one report for 2024 now appears on the website for the Mayor's Office of Immigrant Affairs.

There are several steps the Council could take immediately to ensure better compliance. Most importantly the Council must pass Intro. 214-2024 (Hanif), which would create a private right of action for people and their families who are harmed by violations of the city's disentanglement laws. Our local laws cannot function without accountability. There is currently no express mechanism in the city's administrative code for people to seek relief in court when the disentanglement laws aren't followed. Intro. 214 would fill this gap and help deter city employees who might seek to maliciously violate the law.

The Council can also use its legislative power to mandate city agencies to properly implement our disentanglement laws. Following the passage of the city resources law, guidance was issued to city agencies on how to implement the law, but it did not require agencies to adopt their own protocols or training. The Council should develop legislation that requires agencies to create agency-specific written policies, train employees on the law within the context of their day-to-day jobs, and post signage reminding employees of their obligations.

Finally, the Council should create an independent oversight commission charged with monitoring compliance with disentanglement laws. That commission should conduct its own investigations, publish regular reports, and make recommendations to the Council and the mayor's office. The Council has periodically exercised its oversight authority in this area through hearings and probing testimony, and today's hearing is a welcome opportunity. However, as the stakes for immigrants rise, the Council should create a dedicated structure for ongoing oversight while also not hesitating to exercise its own oversight powers to their fullest extent.

III. Improving New York City's disentanglement laws.

In light of Mayor Adams's statements about rolling back our disentanglement laws, it is understandable that the primary focus would be on upholding the laws we have in place. But the Council should not lose sight of the limitations of our current laws and how they can be improved. Specifically, the Council should continue to pursue legislation that eliminates distinctions in the detainer laws that

allow law enforcement to funnel people into ICE custody based on past convictions without a judicial warrant.²⁶

These carveouts impose double punishment on people who have already been sentenced under our criminal legal system. Exceptions in the NYPD detainer law that purport to allow people to be held beyond their release date without a judicial warrant are contrary to a 2018 judicial decision in the Second Department holding that such prolonged detention is not authorized under state law.²⁷ Removing these carveouts and plainly requiring a judicial warrant in all circumstances would also simplify the detainer laws, which are convoluted and invite confusion by those charged with implementing them.

IV. Protecting immigrants beyond New York City.

New York City has been a national leader in adopting local laws that welcome and protect immigrants. But outside the city, immigrants have far fewer protections. Unlike other states like California, Washington, Oregon, and Illinois, New York has no comprehensive statewide law that restricts state and local law enforcement from colluding with ICE. Rather, outside the five boroughs, there is a patchwork of local laws and policies regarding how police and other government bodies can engage in immigration enforcement.

We welcome and support pre-considered Resolution No. 2970-2025 (Hanif), calling on the state legislature to pass and the governor to sign the New York For All Act. New York For All would establish uniform statewide boundaries between both state and local law enforcement and immigration authorities, ensuring that New Yorkers are not subject to different protections when traveling throughout the state.

We also welcome and support pre-considered Resolution No. 2971-2025 (Hudson), calling on the state legislature to pass and the governor to sign the Access to Representation Act (ARA). This bill would build on the successes of the NYIFUP program by guaranteeing people in removal proceedings an immigration attorney funded by the state. No one should have to navigate the complexities of immigration court without a lawyer. The ARA would make New York a national leader and represent a landmark step towards universal representation.

²⁶ See NYC Admin. Code § 9-131(h).

²⁷ See *People ex rel. Wells o.b.o. Francis v. DeMarco*, 168 A.D.3d 31 (N.Y. App. Div. 2018).

V. Conclusion.

The threats posed by the incoming administration are unprecedented, and the impact on New York City's immigrant communities will be enormous. Now more than ever, New York City must uphold its legacy as a city that embraces immigrants, and resist those who would have us abandon our longstanding commitments. We urge the Council to defend and fortify the city's disentanglement laws, and use its influence to expand protections for immigrants across the state.

**Testimony by the New York Legal Assistance Group (NYLAG) before the NYC Council
Committee on Immigration regarding:**

Oversight—Protection for Immigrant Communities

January 16, 2025

Chair Avilés, Council Members, and staff, good morning and thank you for the opportunity to speak to the Immigration Committee about protecting immigrants in New York from the possibility that city government agencies may share their personal identifying data with immigration enforcement officials in contravention of the law. My name is Lauren Reiff, and I am the Associate Director of the Immigrant Protection Unit at the 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, financial counseling, and community education. NYLAG serves immigrants, seniors, the home-bound, 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.

We appreciate the opportunity to testify to the Immigration Committee regarding protection of immigrant New Yorkers from unlawful disclosure of their personal identifying data. Stronger regulation protecting immigrants from data disclosure would ensure that immigrant New Yorkers feel safe interacting with city government in such areas as registering their children for school, seeking shelter, accessing benefits, and accessing medical care. We also appreciate the Committee's consideration today of resolutions in support of the New York For

All Act and the Access to Representation Act, both of which would provide important protections to immigrant New Yorkers.

NYLAG's Programming

Through our programming – most particularly serving shelter residents and individuals who are post-removal order – NYLAG has a unique insight into the collection of sensitive immigration related data by city agencies, as well as the risks associated with that data collection and the failure to protect that data. The Immigrant Protection Unit is a proud partner of Women In Need (WIN), the largest provider of family shelter in New York City. Through this partnership, we have spoken with hundreds of residents of New York City Shelters about their immigration matters and concerns. What we have learned through this partnership is that the data collected and retained by the city is both unnecessarily broad and unduly harmful to immigrant New Yorkers. It is also in violation of city law. Together with Make the Road New York and Unlocal, NYLAG is also a member of the Rapid Response Legal Collaborative (RRLC), through which we provide services to immigrant New Yorkers at imminent risk of deportation. This program allows us to serve immigrants who have been ordered removed by an immigration judge and has given us particular insight into why immigrants are ordered removed, and what the removal process looks like, from detention to execution. Based on NYLAG's experience with WIN and the RRLC, we are extremely concerned that the collection of unnecessary immigration data and the unlawful sharing of that data may place vulnerable immigrants – most of whom are doing the best to comply with the law – at great and unnecessary risk.

Unlawful Sharing of Data and High Rates of In Absentia Orders Because of Anti-Immigrant Policies

The New York City Administrative Code Section 23-1202 forbids city employees from collecting identifying information, and from disclosing collected identifying information outside of the agency that collected it, unless such collection or disclosure furthers the mission of the agency or is required by law. Unfortunately, when it comes to immigrant New Yorkers living in shelters, this protective law is not being followed by city agencies.

We understand from our partners that the city has created a database of immigrant shelter residents, NYC HOST. This database contains personal information with immigration implications about each resident of shelters, including their alien number and country of origin, that is wholly irrelevant to the agency's mission. Indeed, prior to approximately 2022, none of this identifying information was even collected by the agency at all. The database is shared between the agency and employees of all shelter contractors, with each contractor having access to the information for each and every individual in the shelter system. No steps have been taken to limit access to data to only parties who need it to perform their duties.

In addition to wide ranging availability of personal identifying information of immigrants in shelter among city employees and employees of city contractors, this information has been shared further afield. We have heard from our clients that representatives from the National Guard have approached them in their homes in possession of specific information about their date of entry to the United States and whether they have applied for any immigration status. Our clients have informed us that if they decline to engage, the National Guard returned repeatedly until they answered questions about the steps they have taken on their immigration matters. For a person fleeing their country because they are being targeted by its government, the trauma of having an armed, uniformed official knock on the door repeatedly cannot be overstated. Beyond the unnecessary distress caused by this oversharing of information, however, in many cases the

result of this information sharing combined with other policies that disregard the city's responsibility to all New Yorkers has been to the detriment of the immigration cases of New Yorkers dependent on city services.

This collection and sharing of data is particularly problematic given the increasing number of immigrants ordered removed without having the protections of due process to which they are entitled under law, notwithstanding their best efforts to comply with their legal obligations. What we have found through our work in RRLC is that in many cases, the immanency of the risk of deportation is the direct result of city policies intended to harm immigrants. For example, the 30- and 60-day shelter rules have caused a significant number of immigrants in removal proceedings to not receive notice of their upcoming immigration court hearings because they have been forced to move repeatedly without having their mail forwarded to them. Through no fault of their own and despite their best efforts, without notice of their hearings, these immigrants residing in shelter have missed those hearings and been ordered removed *in absentia*.

In one notable case, a NYLAG client who escaped slavery and fled his country of origin was detained and very nearly deported as a result of the city's irresponsibility. Our client arrived in New York and was temporarily residing in shelters. Because he was moved, he did not receive notice of a hearing and was ordered removed without his knowledge. However, as a result of the city's tracking of individuals in its care, he was notified by the city that his time in the shelter had expired and he must seek services at the Asylum Application Help Center (AAHC), run through the City's new Office of Asylum Seekers Operations. A volunteer attorney at the AAHC filed a motion to reopen his case without asking threshold questions to determine grounds to reopen, and provided no advice on his rights or risks. Shortly thereafter, his motion to reopen

was denied and he was detained by ICE. It is only because the intervention of a team of five attorneys from multiple legal services providers that his removal was stayed and he remains in the United States to pursue his claim for asylum. Of particular note is the fact that no one ever asked this client whether he was in need of legal services. At the time he was pressured into receiving services at the AAHC, he was already consulting with a non-profit that had done a thorough review of his case and intended to provide a robust consultation and advice.

Even though shelter residents do not have the benefit of a stable mailing address, the city has tracked their locations and all the information that would be necessary to discover that they had a removal order in the unsecured databases that shelters are required to maintain. In this way, the city has simultaneously precluded immigrant residents of shelter from pursuing their applications for immigration status while also making the fact of their removal order dangerously public. In the case discussed above, it was an ICE check-in that led to his detention. The risk of personal information ending up with federal enforcement authorities—which the City admits is a strong possibility despite prohibitions currently in place—could lead to someone’s detainment because they sought shelter and had to share their information to do so.

Potential Solutions

In the event such illegal distribution of information was to happen, there is currently no private right of action that would allow a victim of unlawful disclosure of information to be made whole. Thus, there is very little incentive to comply with Administrative Code Section 23-1202. In a world in which the rule of law is not enough on its own to compel lawful behavior, the adverse impact to immigrant New Yorkers is all too obvious.

Another way in which the city can ensure that the personal information of immigrants is protected is by ceasing to collect data that is unnecessary to the missions of the agencies providing services to immigrant New Yorkers, as is already required by Administrative Code Section 23-1202. Privacy Officers at city agencies should comply with their duty to protect sensitive identifying information and carefully consider what information is actually necessary to provide services. For example, a database containing alien numbers is not relevant to determining eligibility for benefits; rather, employees can simply return to prior practice of reviewing receipt notices or employment authorization documents to determine eligibility, without retaining copies of those documents. Neither alien number nor country of origin serve any meaningful purpose in determining eligibility for benefits or services and should not be collected.

Finally, robust investment in legal services, and particularly full representation of immigrants, is critical to ensuring that immigrant New Yorkers receive the support they need to achieve stability in the United States. Investment in legal services can and should include support for screenings, *pro se* support, and presentations, but the funding of those services should not replace or diminish legal services organizations' ability to use their deep expertise to provide full representation to immigrant New Yorkers who would benefit from that assistance.

I want to once again take the opportunity to thank Chair Avilés and the members of the committee for their exceptional leadership. The importance of ensuring adequate compliance with laws intended to protect residents of this city from undue harm is a matter of urgency, which would be supported by the passage of the New York For All Act, as well as the Access to Representation Act, both of which the committee will be discussing today. The Council's commitment to overseeing and strengthening compliance with the law through the scheduling of

today's hearing is well appreciated. I welcome the opportunity to discuss these matters with the Committee further.

Respectfully submitted,

Lauren Reiff
New York Legal Assistance Group



**New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Sophie Dalsimer, Co-Director of Health Justice,
New York Lawyers for the Public Interest (NYLPI)**

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Sophie Dalsimer, and I am a Co-Director of the Health Justice Program at New York Lawyers for the Public Interest (NYLPI). In this political moment, we are facing grave threats of the incoming federal administration, and we are further disturbed by the fact that our hard-fought protections in New York City are being violated, challenged, and threatened by our own mayor and agencies. For these reasons, I am testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers.

NYLPI's Health Justice Program brings a racial equity and immigrant justice focus to health care advocacy, including ongoing work addressing the human rights crisis in immigration detention and advocating for healthcare for all New Yorkers. We provide both direct service, systemic advocacy, and coordinate a medical-legal partnership on behalf of immigrant New Yorkers living with serious medical conditions and disabilities.

In particular, NYLPI has for years documented the egregious conditions within ICE detention centers where many New York City residents have suffered medical neglect and lack of disability accommodations causing severe health consequences and other dignitary harms. Far from keeping us safe, immigration enforcement has disastrous impacts on the health and well-being of New York City families and communities. As a deportation defense attorney for many years, I know that immigration enforcement affects not only recently arrived New Yorkers, but also long-time NYC residents with extensive family and community ties. When a noncitizen New Yorker is arrested and detained by Immigration and Customs Enforcement (ICE), they lose access to the healthcare they received in their communities. At the same time, their children and other family members of those detained frequently experience worsening physical and psychological health outcomes with the removal of their primary caretakers or providers.

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Sophie Dalsimer, Co-Director of Health Justice,
New York Lawyers for the Public Interest (NYLPI)

We urge the Council to pass legislation that will uphold and strengthen existing laws to protect our noncitizen community members as matters of health and disability justice.

Risks When Immigrant New Yorkers Fear Engaging with City Agencies

When immigrant New Yorkers lack confidence that City agencies and their representatives won't communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, this gives way to mistrust and fear. A January 2022 report found that fear and other barriers often prevent immigrants from accessing public services they are eligible for.¹ When immigration policies worsened under the first Trump administration, this perpetuated fear of accessing services - fears that have persisted, such as access to public benefits, access to health services and access to law enforcement and the courts. Some immigrants are hesitant to call the police, report crimes or testify in court out of fear of exposing themselves to immigration enforcement. However, when strong local policies are in place that clearly protect against localities communicating and colluding with ICE, domestic violence and other crimes are more likely to be reported.

At NYLPI, we have heard repeatedly from our immigrant clients that they are hesitant to access healthcare at local medical facilities and hospitals due to a fear of immigrant enforcement. This chilling effect was well documented during the first Trump administration² and has taken root again.

Medical providers themselves observed the deleterious impact of ICE enforcement not only on their noncitizen patients, but in their communities:

“As per the examples provided, ICE presence in the community led to increased fear of deportation, not only among undocumented immigrants, but also among their US citizen children and networks of families and friends. **This pervasive fear led to health care avoidance, stress and anxiety, all of which have profound effects on physical and mental health.** While the impact of deportation fear has been reported elsewhere

¹ Alulema, Daniela and Pavilon, Jacquelyn, “Immigrants’ Use of New York City Programs, Services and Benefits: Examining the Impact of Fear and Other Barriers to Access.: (January 31, 2022) <https://cmsny.org/publications/nyc-programs-services-and-benefits-report-013122/>.

² See American Journal of Community Psychology, “Statement on the Effects of Deportation and Forced Separation on Immigrants, their Families, and Communities” (July 31, 2018), available at: <https://onlinelibrary.wiley.com/doi/10.1002/ajcp.12256>.

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Sophie Dalsimer, Co-Director of Health Justice,
New York Lawyers for the Public Interest (NYLPI)

[internal citations omitted] this is one of the first studies to find that health providers identified sequelae of this environmental stressor in their patients.”³

We witnessed during this first Trump administration how these fears are compounded any time ICE is present in local hospitals. For example, ICE may bring someone to a hospital for medical attention if they are injured or suffer a health event during an enforcement action in the community. This occurred in the Sunset Park neighborhood during the first Trump administration and widespread fear of entering the local hospital reverberated throughout the community as a result. Alternatively, a person in correctional custody with an ICE detainer may be taken to Bellevue or another hospital for treatment. Anything that risks ICE presence in our hospitals and health centers will compromise the health and safety of all New York City residents.

Intro 214 and Seeking Justice for Immigrants Harmed by Violations of Our Local Laws

Our Council has legislated over the past dozen years to ensure that our local agencies do not conspire with ICE in the separation of our families and that agencies are constrained from sharing information under many circumstances. However, city agencies - especially the New York Police Department (NYPD) and the Department of Corrections (DOC) - have violated these laws, resulting in grave harm to immigrants for whom detention and deportation can be very difficult to stop. Yet, there is no way to hold city agencies accountable for infringing on the rights of immigrant New Yorkers.

In February of 2023, the Council detainer oversight hearing revealed that DOC had been overtly colluding with ICE to transfer immigrants from DOC to ICE custody in violation of our laws. Communications obtained through a FOIL request unequivocally showed clear violations and extreme anti-immigrant sentiment within the agency with [email communications to ICE from the Department of Corrections using the hashtag #teamsendthemback](#).

We have continued to see instances of collusion with blatant disregard for our local laws by city agencies - including the DOC, NYPD and ACS - with no recourse to the New Yorkers who were

³ Hacker K, Chu J, Arsenaault L, Marlin RP, *Provider's perspectives on the impact of Immigration and Customs Enforcement (ICE) activity on immigrant health*, J Health Care Poor Underserved (May 2012), 23(2):651-65, available at: [https://pmc.ncbi.nlm.nih.gov/articles/PMC3753075/#:~:text=Seventy%2Dfive%20\(48%25\)%20of,health%20care%20recommendations%20and%20access.](https://pmc.ncbi.nlm.nih.gov/articles/PMC3753075/#:~:text=Seventy%2Dfive%20(48%25)%20of,health%20care%20recommendations%20and%20access.)

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Sophie Dalsimer, Co-Director of Health Justice,
New York Lawyers for the Public Interest (NYLPI)

harm. [New Yorkers like Jennifer](#), a mother who sought help from shelter staff in NYC only to have ACS contacted and then her information shared with ICE, resulting in her detention by ICE for one month, during which time she was separated from her children.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. **For this reason, we urge passage of [Intro 214](#), a bill currently before this committee which will create a “private right of action”—which allows a private person to take legal action to enforce their rights** — so that people wronged by violations of these laws can seek justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. [This bill would make sure that DOC, NYPD and all city agencies be held accountable](#) when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

Passage of Intro 214 is essential to safeguard healthcare access for immigrant New Yorkers and their communities.

Conditions in ICE Detention

New York City’s protection of our immigrant communities’ matters because ICE causes irreparable harm by separating families, disrupting communities, and putting people in cages simply because they were not born in this country. ICE detention in New York State is inhumane. Most people who are arrested by ICE in New York City are detained at Orange County Jail in Goshen, NY. Orange County Jail is notoriously dangerous and abusive. In previous hearings before this council, directly impacted New Yorkers testified about the conditions in the jail. People reported unsanitary conditions, exceedingly cold temperatures, inedible and inadequate food. Testimony and legal claims have also highlighted that officers at Orange County jail are abusive: they make xenophobic and racist comments, including using the N word; scream at detainees for not speaking in English; threaten to put detainees in solitary confinement for wearing a sweater in freezing temperatures; and regularly fail to provide appropriate meals and prayer spaces. There are widespread reports of physical violence and excessive force by Orange County Jail officers, including pepper spraying, kicking, and punching people involved in nonviolent protest. The detainer laws must be fixed so we can prevent more of our New York City neighbors from being funneled into these violent places.

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Sophie Dalsimer, Co-Director of Health Justice,
New York Lawyers for the Public Interest (NYLPI)

Indeed, NYLPI has for many years documented medical abuses experienced by people detained in immigration custody. We are able to witness these violations through our Medical Provider Network, whereby volunteer doctors review medical records of individuals detained by ICE to assess the adequacy of their healthcare and the health risks they face. Many individuals enter detention with medical issues that require regular treatment, including medical problems exacerbated by health disparities affecting immigrant communities. People report that medication they were taking when they entered detention, often for years to decades, is discontinued or altered once they are detained. Even with clear directions regarding prescription medication and its importance, ICE and jails refuse to continue proven treatment, often with negative health consequences. For seriously ill people cut off from their continuing care in the community due to detention, interrupted treatment can have severe consequences, up to and including death.⁴

In 2020, NYLPI published a report with results from interviews with people with serious health conditions currently or recently confined to immigration detention. The results identified were serious, recurrent deficiencies in medical care for those interviewed, from denial of courses of treatment ongoing before detention, deficient medical records, language access barriers, lengthy delays in receiving medical treatment, to inadequate treatment for acute pain and failure to evaluate and manage chronic illnesses and mental health problems.⁵

Lack of adequate healthcare pervades every moment an individual is detained. These failures often reach beyond the months or years the person is detained, with ramifications after release that include ongoing health problems due to substandard care, and medical records that fall short of professional standards related to time in detention that undermine one's ability to swiftly receive appropriate care in the community.

More recently, NYLPI's medical advocacy has centered on the Orange County Jail in Goshen, NY, where medical neglect is rampant. In particular, we have documented four categories of gaps of care: (1) neglect of follow-up care, (2) lack of ongoing care for chronic conditions, (3) lack of medication access, and (4) improper management of medical conditions.

⁴ See American Civil Liberties Union, Physician for Human Rights & American Oversight, *Deadly Failures: Preventable Deaths in U.S. Immigration Detention*, June 21, 2024, available at: <https://www.aclu.org/publications/deadly-failures-preventable-deaths-in-us-immigrant-detention>.

⁵ New York Lawyers for the Public Interest, *Still Detained and Denied: The Health Crisis in Immigration Detention Continues*, April 2020, available at: <https://www.nylpi.org/wp-content/uploads/2020/06/NYLPI-report-detainment.pdf>.

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Sophie Dalsimer, Co-Director of Health Justice,
New York Lawyers for the Public Interest (NYLPI)

For example, appropriate follow-up care is a cornerstone of medical practice. After a medical event, such as an illness or injury, it is imperative that patients receive continuing care and counseling to determine the cause of the event and prevent future instances. However, Orange County Jail has been evidenced to neglect adequate follow-up care for our clients in various aspects. This lack of follow-up can lead to significant consequences, up to and including death.

One case, “Mr. J,” exemplifies the stark failure of OCJ to provide proper follow-up care. Unfortunately, Mr. J had multiple instances of inadequate or absent follow-up care that likely led to deterioration of his health. Mr. J’s health problems centered around a stroke he had prior to his time in detention. His stroke history at a relatively young age raised concerns for multiple underlying problems. While he was incarcerated, Mr. J experienced symptoms concerning for another stroke. However, he was not evaluated until weeks later when he was finally brought to the hospital. In a patient like this with a stroke history, particularly of unknown cause, any symptoms concerning for stroke should have been addressed immediately. If his symptoms had been caused by a stroke, lack of proper care could have caused him severe lifelong disability, or even death.

Tragically, worsening health outcomes – including preventable deaths due to inadequate medical care – are not exceptional occurrences in ICE detention. The Council must act swiftly to protect New Yorkers from these harms.

The New York City Council Must Take Bold Action

The City Council must meet these local and federal threats with oversight, enforcement, and innovation—taking proactive action and strengthening our City’s immigrant protection legislative scheme. For these reasons, we urge all possible action be taken to secure compliance with existing protections for immigrant communities, and that this Council work with advocates to amend and clarify our existing laws to meet new threats and tactics. To protect our communities, we urge the Council to:

- Pass Intro 214, Intro 396 and Intro 395;
- Hold a public hearing on Intro 214 and convene representatives of relevant city agencies including NYPD, DOC and DOP; alongside MOIA;
- Ensure all city employees receive adequate training on existing sanctuary laws and that guidance on implementation of these laws is widely disseminated;

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Sophie Dalsimer, Co-Director of Health Justice,
New York Lawyers for the Public Interest (NYLPI)

- Continue and expand support for vital immigrant legal services including IOI, ActionNYC, NYIFUP, Rapid Response Legal Collaborative *and* the Immigrant Health Initiative (IHI) which supports our work to provide medical advocacy on behalf of detained New Yorkers and improve access to healthcare for immigrant New Yorkers.

With the Trump Administration threatening the security, livelihoods, and health of immigrant communities, the City can continue to protect New Yorkers via the **Immigrant Health Initiative (IHI)**, which has directly supported programs aimed at improving the health and well-being of immigrant New Yorkers and their families through health education, outreach, and sustained policy advocacy.

IHI funding has led to increased enrollment by eligible immigrants in state-funded Medicaid and the Essential Plan with life-changing and often life-saving effects for our clients. In 2024, we were able to provide immigration and health screenings to 145 seriously ill people in the community and in detention. We provided direct legal representation for over 60 cases. We obtained state-funded healthcare for more than 30 previously uninsured immigrants. IHI funding also allowed NYLPI to advocate on behalf of over 20 clients who, even with our support in becoming eligible for state-funded healthcare, needed further advocacy with healthcare administration entities to ensure their enrollment.

Finally, the Council should add specific implementation requirements to our existing protections for immigrant communities. The 2017 law prohibiting the use of city resources for immigration enforcement (i.e. “Local Law 228”) was followed by [guidance](#) on agency implementation that recommends agencies develop protocols, but does not require it, leaving New Yorkers vulnerable to agencies that do not ensure compliance and staff who are unaware of what the law requires. The Adams Administration has failed to properly train agency personnel and to take essential steps to ensure compliance with existing law. Existing guidance which has been observed in the breach, should be codified requiring, among other things: (i) written policies and protocols of all agencies on compliance with local laws which are made accessible to the public, (ii) standardized trainings for all agency staff, and (iii) the posting of signage on relevant City properties prohibiting the entrance of federal immigration officials.

**New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Sophie Dalsimer, Co-Director of Health Justice,
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Conclusion

Thank you for the opportunity to present testimony today in this critical moment. We look forward to continuing our work to protect immigrant New Yorkers and promote our City's health and well-being. **Health is a human right.**

**Sophie Dalsimer, Health Justice Program
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NYLPI has fought for more than 40 years to protect civil rights and achieve lived equality for communities in need. Led by community priorities, we pursue health, immigrant, disability, and environmental justice. NYLPI combines the power of law, organizing, and the private bar to make lasting change where it's needed most.



moving victims of violence from crisis to confidence

January 16, 2025

New York City Council
Committee on Immigration
Hon. Alexa Avilés, Chair

Testimony of Evangeline Chan, Associate Vice President, Anti-Trafficking, Immigration, and Legal Services, Safe Horizon

On Protecting Immigrant Communities

Good morning and thank you for the opportunity to submit testimony to the Committee on Immigration. My name is Evangeline Chan, and I am the Associate Vice President of Anti-Trafficking, Immigration, and Legal Services at Safe Horizon, the nation's largest non-profit victim services organization. Safe Horizon offers a client-centered, trauma-informed response to 250,000 New Yorkers each year who have experienced violence or abuse. We use a lens of racial equity and justice to guide our work with clients, with each other, and in developing the positions we hold.

Safe Horizon's Immigration Violence Law Project (ILP) provides expert legal advice and representation to victims of crime, violence, abuse, trafficking, and torture. ILP staff help guide our clients through complex immigration proceedings and assist them in VAWA self-petitions, petitions for U nonimmigrant status and Special Immigrant Juvenile Status (SIJS), applications for asylum, adjustment of status and citizenship, as well as in removal defense. In FY24, ILP provided full representation, advice, and consults to nearly 800 clients and responded to over 5,000 calls for information, consultations, and referral services. ILP strives to provide the highest quality services to a very vulnerable population. Clients live in all five boroughs and experience a multitude of victimizations including domestic violence, sexual assault, and other crimes.

As a result of the steady transfer of arrivals from the southern border to New York City, Safe Horizon has seen a dramatic increase in survivors seeking our immediate assistance. In addition, the city's overwhelmed systems have left countless in tenuous circumstances - food and housing insecure and desperate for work - making them even more vulnerable to abuse, exploitation, and trafficking and in need of our support and services. Safe Horizon will continue to provide comprehensive support services for survivors while advocating for policies that allow all survivors to find safety, justice, and healing in ways that are right for them. But we need our city and state governments to step up to ensure that all New Yorkers, regardless of immigration status, have the supports they need to find safety, healing, and justice.

President Trump, who will be inaugurated next week, has clearly stated that he will be targeting immigrants across the country, including in New York and New York City. Crucial legal remedies, programs, and policies that protect survivors of violence and trafficking are under threat. Programs such as the U- and T-visa program, which shields from deportation survivors who come forward and assist law enforcement in the investigation and prosecution of the crimes committed against them. Without these programs, survivors will be disincentivized from coming forward, and local law enforcement will lose a valuable tool in holding perpetrators accountable, thereby making our communities less safe.

Other policies that have enabled immigrant survivors to access basic services and exercise their rights are also in peril. For example, the long-standing policy that keeps Immigration and Customs Enforcement (ICE) agents from arresting undocumented people at or near “sensitive locations,” including houses of worship, schools, hospitals, and public demonstrations, will likely be abandoned. With the fear of an ICE encounter preventing survivors and their families from going to school, seeking medical care, or accessing justice, the health, safety, and well-being of entire communities will be impacted.

The Laken Riley Act, which makes any undocumented person arrested for small, nonviolent crimes subject to mandatory, indefinite immigration detention and possible deportation, is on track to pass Congress and be signed into law very soon. By striking fear in immigrant communities, this law only enables abusers and traffickers, who often use the threat of arrest and deportation to silence their victims, thereby decreasing public safety.

All of this, and more, will only harm survivors, destabilize communities, and threaten public safety for everyone. The Mayor and City Council, and the Governor and Legislature, must work together to ensure that immigrant New Yorkers are protected from what will be an aggressive, anti-immigrant federal government. And they must work together to ensure that immigrant New Yorkers are provided with the wraparound supports they need to find stability, safety, and healing.

To begin, they can start by equitably investing in the nonprofit civil legal providers that have the expertise to assist with complex immigration cases. Our staff and the staff of our sibling organizations are trained and experienced in working with survivors of trauma and violence from diverse cultures and are able to provide services in a wide variety of languages. We conduct comprehensive screenings to ensure that immigrant New Yorkers are assisted with applying for appropriate relief and connect them to vital basic services. However, without additional resources and funding, we are simply unable to serve everyone who seeks our help.

Investing in the work of ILP and our sibling organizations is critical to prevent escalating crises and help build public safety. When immigrant survivors and other immigrant New Yorkers are deprived of the resources they need, i.e. legal representation, shelter, and wraparound services, we increase their chances of being exposed to further exploitation, trafficking, and violence. We also need to shift the narrative away from demonizing and dehumanizing immigrants. Repeated use of anti-immigrant rhetoric only serves to further isolate and stigmatize Black, brown, immigrant and LGBTQI+ survivors, who already face the most formidable barriers to safety and healing.

Although we believe that the Mayor should invest must more deeply in immigration legal services and wraparound services in his Executive Budget, we are also asking the City Council to increase

initiative and discretionary funding for immigration legal services. The City Council currently supports ILP through the **Immigrant Opportunities Initiative (IOI)** and the **Young Women's Initiative (YWI)**. To help ensure that we continue to have the capacity to respond to pressing legal cases for immigrant and undocumented survivors, including those who submitted an asylum application but now need representation and/or screening for additional immigration options beyond asylum, we are seeking an enhancement to \$100,000 through IOI and an enhancement to \$100,000 through YWI in FY26.

Lastly, we join the New York City Council in calling on the New York State Legislature to reintroduce and pass and the Governor to sign the **New York for All Act**, which would prohibit and regulate the discovery and disclosure of immigration status by New York state and local government entities, and in calling on the New York State Legislature to pass and the Governor to sign the **Access to Representation Act**, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.

Together we can ensure that New York City remains an inclusive, welcoming city to all, including the immigrants that make New York, New York.

Thank you.



Thank you to the City Council Immigration Committee for inviting testimony today. My name is Alexandra Rizio and I am the Managing Attorney for Policy and Partnerships at Safe Passage Project, a non-profit legal services organization that provides free representation to immigrant children facing deportation. We currently serve over 1,400 children who live in the five boroughs of New York City and in the two counties of Long Island. Safe Passage Project works closely with partner organizations through the ICARE Coalition, with the goal of providing high-quality legal representation to as many unaccompanied minors as possible. Once we accept a client, we commit to sticking with them until we achieve the best possible outcome for them, usually a green card. Our clients' cases take 3-6 years due to delays in visa availability and court backlogs. We receive funding from the City Council through the UMFI funding stream.

I would like to highlight several ways that the City of New York can protect our immigrant neighbors during the coming presidential administration.

ICE Out of All Courthouses, Schools, and Hospitals

Physical locations of the justice system—whether criminal court or family court—should be preserved for people who need it, regardless of their immigration status. Once ICE is allowed unfettered access to the court system, it compromises the courts' very purpose. Courthouse staff should not participate with ICE by detaining immigrants or alerting ICE to any person's presence at court. Courthouses should be places of trust for *all* members of the community. In particular, undocumented immigrants need to maintain access to family courts to ensure the safety of children. An undocumented parent who is trying to plan for their child's future and safety by requesting custody, or an aunt who is trying to put a guardianship in place so that she can make medical decisions for her family member, should not have to risk capture and detention at the hands of ICE. Likewise, other sensitive locations like schools and hospitals should be safe places where all people can learn or get the care they need. There is absolutely no reason for these locations to participate with ICE for the purposes of arresting undocumented people.



In order to ensure that these locations are in fact secure for all people, staff members should receive specific training about how to turn ICE away when they do not have the proper warrants to enter the premises.

Increased Funding for Legal Services

Organizations on the ground are best poised to protect our community members through rapid response legal representation and advocacy. While Safe Passage appreciates the City Council's consistent funding of the ICARE collaborative, no organization within our collaborative has received an increase in funding in five years, despite requests for increases every year, and despite the fact that we serve an ever-increasing number of youth with the money we do receive. For the past several years, Safe Passage has requested \$1,251,800 in funding, but we have been allocated \$1,051,800.

During the last Trump administration, we saw a greater number of immigrant youth detained and deported, despite not having any criminal history. In particular, we had to fight for clients who had already been designated Special Immigrant Juveniles, which means that a state family court has issued an order that it is not in the young person's best interest to return to their home country, AND the immigration agency, USCIS, agreed by granting their visa petition. Despite court orders to the contrary, ICE would consistently argue that Special Immigrant Juveniles should be deported. Safe Passage had to devote more resources to fighting these cases in immigration court, and sometimes in federal court as well.

We anticipate that every case will become more difficult and will require more staff time. We request that the City Council continue to support our work on behalf of immigrant youth.

New York City Council Committee on Immigration
Thursday, January 16, 10AM
Oversight - Protection for Immigrant Communities
Testimony of SURJ NYC Immigration Justice Working Group

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. This testimony is being submitted on behalf of the Immigration Justice Working Group of the New York City chapter of Showing Up for Racial Justice (SURJ NYC).

Our city and our communities face grave threats from the incoming presidential administration. Not only that, but hard-won protections in New York City are being violated, challenged, and threatened by our city's own mayor and agencies. Therefore we are submitting this testimony, urging the Council to act swiftly and strategically to reassure and protect immigrant New Yorkers.

SURJ NYC, founded in 2015, is the all-volunteer local chapter of SURJ National, which was established in 2009, in the wake of Barack Obama's election as president and the racist backlash that followed. The purpose of SURJ is to organize white people *against* white supremacy and *for* racial and economic justice. Given the history of the immigration system in the United States, designed to [sort desirables from undesirables](#), [control immigrant populations as a labor force](#), and [preserve whiteness](#), with the [U.S. Border Patrol operating as a force for racial vigilantism](#), immigration justice for us is clearly central to this mission.

New York City Council has legislated over the past dozen years to ensure that local agencies do not conspire with ICE in the separation of families and that city agencies are constrained from sharing information under many circumstances. Yet city agencies—especially the New York Police Department (NYPD) and the Department of Corrections (DOC)—have repeatedly violated these laws, resulting in grave harm to immigrants. Despite this, there is no way to hold these agencies to account for infringing on the rights of immigrant New Yorkers.

In February 2023, the Council detainer oversight hearing revealed that DOC had been overtly colluding with ICE to transfer immigrants from DOC to ICE custody in violation of our city laws. Communications obtained through a FOIL request unequivocally showed clear violations and extreme anti-immigrant sentiment within the agency with [email communications to ICE from the Department of Corrections using the hashtag #teamsendthemback](#).

There have continued to be instances of collusion with blatant disregard for local laws by city agencies—including the DOC, NYPD and ACS—with no recourse for New Yorkers who were harmed. [New Yorkers like Jennifer](#), a mother who sought help from shelter staff in NYC only to have

ACS contacted and then her information shared with ICE, resulting in her detention by ICE for one month, during which time she was separated from her children.

Our city's existing sanctuary protections need to be enforced for immigrant communities to be able to access all of the services the city has to offer, and to which they have a right. Violations that cause family separation and anxiety, or lead to detention, are unacceptable. **For this reason, we urge immediate passage of [Intro 214](#), which that would create a “private right of action”—allowing a private person to take legal action to enforce their rights—so that people wronged by violations of these laws can seek justice in court, including the payment of money.**

Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. [This bill would make sure that DOC, NYPD and all city agencies are held accountable](#) when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

//

The most important reason for New York City to protect our immigrant communities is to stand in the way of the irreparable harm ICE causes when it separates families, disrupts communities, and puts people in cages simply for not having been born in this country. *ICE detention in New York State is inhumane.* Most people who are arrested by ICE in New York City are detained at Orange County Jail in Goshen, NY. Orange County Jail is notoriously dangerous and abusive. In previous hearings before this council, directly impacted New Yorkers have testified about conditions in the jail, reporting unsanitary conditions, exceedingly cold temperatures, inedible and inadequate food. Testimony and legal claims have also highlighted that [officers at Orange County Jail are abusive](#): they make xenophobic and racist comments, including using the N-word; scream at detainees for not speaking in English; threaten to put detainees in solitary confinement for wearing a sweater in freezing temperatures; and regularly fail to provide appropriate meals and prayer spaces. There are [widespread reports of physical violence and excessive force by Orange County Jail officers](#), including pepper spraying, kicking, and punching people involved in nonviolent protest. The detainer laws must be fixed so we can prevent our New York City neighbors from being funneled into these violent places.

The Immigration Justice Working Group at SURJ NYC is part of the campaign to pass the [New York Dignity Not Detention Act](#), and on lobby days at the state capitol in Albany we have heard firsthand from our immigrant friends, comrades, and neighbors who have been in ICE detention about the abuse and inhuman conditions they have suffered there, sitting side by side with them as they have bravely shared the trauma they underwent while in immigration detention, including anti-Black, anti-trans, and homophobic abuse, even as the reason they came to this country in the first place was to escape these same sorts of abuse and violence in their homelands. Their determination to survive gives them strength to organize, and they are an essential part of the Dignity Not Detention campaign, but the point of the campaign is precisely to ensure that no one has to suffer those indignities anymore.

The [stories of Ms. Q, Ms. G, and Mr. D](#), held in ICE detention in the jails of Rensselaer County and Orange County, illustrate why it is urgent for our city to do all it can to resist the incoming presidential administration's agenda of mass deportation, including by passing Intro 214.

Thank you for your attention.

To: New York City Council Committee on Immigration
Re: Oversight - Protection for Immigrant Communities
From: Nadia Qurashi, Director, Immigrants' Rights Practice, TakeRoot Justice

Date: January 19, 2025

TakeRoot Justice provides legal, participatory research and policy support to strengthen the work of grassroots and community-based groups in New York City to dismantle racial, economic, and social oppression. Our Immigrants' Rights Practice partners with immigrant organizing groups to provide their members with individual legal representation, community education, advocacy and support for community-based defensive strategies. We have worked alongside thousands of poor and working-class immigrant New Yorkers to stabilize their immigration status, to reunite them with family members and to defend against removal and deportation.

In this moment, we are gravely concerned that the people elected to represent New Yorkers are taking the wrong message from the current political landscape. Our communities are facing dangerous threats from the incoming federal administration, and instead of resistance and reassurance, our hard-fought protections in New York City are being violated, challenged, and threatened by our own mayor and agencies. We implore this Council to act swiftly and strategically to dispel fears and protect immigrant New Yorkers.

Messaging to Reassure New Yorkers

In September 2021, we were horrified by photos of Haitian asylum seekers at the Del Rio bridge being chased by U.S. Customs and Border Patrol agents on horseback. Despite the brutality from U.S. Border Patrol agents, and the extreme political unrest in Haiti, the Biden Administration continued deportations to Haiti and refused to create a clear process to extend parole for Haitian nationals. The Trump campaign then placed communities of Haitians living in the U.S. under attack by spreading vicious rumors at a national debate. Reports from Springfield, Ohio recounted bomb threats at schools and violence against Haitian communities. It is impossible to overstate the material consequences of this type of rhetoric coming from those in the highest positions of power.

For two decades, TakeRoot Justice has worked in partnership with Haitian Women for Haitian Refugees, a Black women led organization that is a cornerstone of the Little Haiti neighborhood in Brooklyn. We are concerned about the treatment of the Haitian community by both private actors and the incoming Trump administration. We urge the city council to speak out against the xenophobia and anti-Black racism that has become a centerpiece of the Trump administration's

platform and do everything in its power to protect this community from further marginalization and legal attacks.

The Trump administration also has threatened to end access to medical care for transgender youth and possibly adults, keep transgender young people out of schools, and potentially ban all trans people from using restrooms in federal buildings that align with their gender identity. TakeRoot works in partnership with Colectivo Intercultural Transgrediendo, which promotes human rights and access to healthcare for all transgender and non-binary and Queer and gender expansive New Yorkers. We are concerned for the safety of queer and transgender immigrants whose hard-fought visibility has been used to foment hate and gain political power at every level of government across the country.

We know that transgender New Yorkers have a history of being disproportionately targeted by law enforcement.¹ Before the 2014 law was enacted to limit cooperation between NYC DOCS and ICE, every time one of our immigrant transgender clients was arrested, we raced to arraignments to advocate for their release, knowing that local incarceration would trigger a dangerous and unnecessary pipeline to violent conditions in The majority of our transgender clients had their criminal cases dismissed and were placed on a clear legal path towards U.S. Citizenship. I firmly believe that the 2014 laws created an interruption of this pipeline that saved many lives.

Desis Rising Up and Moving (“DRUM”) is a longtime partner of TakeRoot Justice and has been organizing working class South Asian and Indo-Caribbean New Yorkers since 2001. The group organized through the federal government’s institution of the NSEER’s program after 9/11, which unlawfully targeted Arab and Muslim men based on religion and national origin, until it was finally disbanded in 2016. DRUM members have faced unlawful attacks and surveillance of their places of worship and excessive scrutiny of their immigration cases. One of the worst moments of my career was sitting through a 6-hour naturalization interview for a family of DRUM members, who were peppered with questions like, “Is Islam a violent religion?” A centerpiece of the first Trump presidency was the Muslim ban, which despite the litigation and outcries against it, remains in place, albeit in a watered-down form, to this day. It is vital that our representatives safeguard the civil liberties of Muslim New Yorkers and protect our communities from unlawful federal encroachment.

There are layers of City and State protections in place that form the Sanctuary Laws, which help to keep all New Yorkers protected from federal immigration enforcement and ensure that our immigrant neighbors, family members, colleagues and friends remain a vital part of our New York City home. We

¹ <https://www.npr.org/2021/02/03/963513022/new-york-repeals-walking-while-trans-law>

urge the City Council to hold fast to these protections, and to continue to pass legislation that forms a shield against the encroachment of a rabidly xenophobic federal administration.

Further, New Yorkers must have a counterpoint to the xenophobic rhetoric that has been so politically expedient for President Trump's administration. For members of City Council and agencies who firmly believe that New York is lost without its immigrants, you have the opportunity and responsibility to be a beacon for all New Yorkers. To declare, "We see you; we value you, and we will do everything in our power to protect you" would be a powerful balm for the most vulnerable in our city.

Risks When Immigrant New Yorkers Fear Engaging with City Agencies

When immigrant New Yorkers believe that City agencies and their representatives communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, it creates a culture of mistrust and fear. When immigration policies worsened under the first Trump administration, we received calls from clients scared to access basic services. Clients wondered whether they could go to the hospital, send their children to school, or attend a court appearance. We fielded calls from clients questioning whether they could safely go to a library, a restaurant, ride the subway, or seek help after experiencing harm, without exposing themselves to immigration enforcement. However, when strong local policies are in place that clearly protect against localities communicating and colluding with ICE, immigrants feel able to access the vital goods and services necessary to maintain the health and safety of all New Yorkers.

Intro 214 and Seeking Justice for Immigrants Harmed by Violations of Our Local Laws

Our Council has legislated over the past dozen years to ensure that our local agencies do not conspire with ICE in the separation of our families and that agencies are constrained from sharing information under many circumstances. However, city agencies - especially the New York Police Department (NYPD) and the Department of Corrections (DOC) - have violated these laws, resulting in grave harm to immigrants for whom detention and deportation can be very difficult to stop under increasingly inhospitable and inhumane immigration laws. Yet, there is no way to hold city agencies accountable for infringing on the rights of immigrant New Yorkers.

In February of 2023, the Council detainer oversight hearing revealed that DOC had been overtly colluding with ICE to transfer immigrants from DOC to ICE custody in violation of our laws. Communications obtained through a FOIL request unequivocally showed clear violations and

extreme anti-immigrant sentiment within the agency with [email communications to ICE from the Department of Corrections using the hashtag #teamsendthemback](#).

We have continued to see instances of collusion with blatant disregard for our local laws by city agencies - including the DOC, NYPD and ACS - with no recourse for the New Yorkers who were harmed. [New Yorkers like Jennifer](#), a mother who sought help from shelter staff in NYC only to have ACS contacted and then her information shared with ICE, resulting in her detention by ICE for one month, during which time she was separated from her children.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. **For this reason, we urge passage of [Intro 214](#), a bill currently before this committee which will create a “private right of action”—which allows a private person to take legal action to enforce their rights** — so that people wronged by violations of these laws can seek justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. [This bill would make sure that DOC, NYPD and all city agencies be held accountable](#) when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

The New York City Council Must Take Bold Action

The City Council must meet these the growing federal threats with oversight, enforcement, and innovation—taking proactive action and strengthening our City’s immigrant protection legislative scheme. For these reasons, we urge all possible action be taken to secure compliance with existing protections for immigrant communities, and that this Council work with community advocates to amend and clarify our existing laws to meet new threats and tactics.

Respectfully,



Nadia Qurashi, Director
Immigrants’ Rights Practice, TakeRoot Justice



THE BISHOP OF NEW YORK

To Members of the City Council:

As threats to sanctuary and sensitive site protections grow, the Episcopal Diocese of New York commits to protecting our newest New Yorkers and the communities that keep them safe.

New York is a city of immigrants. Their presence helps make our city great.

As Christians, the most important thing we do is care for each other. Our care reflects God's unconditional love. Nearly 200 congregations, chaplaincies, and schools across our Diocese provide care to all who enter our doors. We welcome everyone—people of all statuses, races, abilities, identities, and creeds—into communities of safe belonging.

Open doors are what sanctuary means. Our communities are at risk every day because of whom we welcome in worship and whom we reach with our service programs.

Sanctuary is foundational to our religious tradition and civic fabric. Revoking protections for sensitive sites would undermine our religious freedom, not only for our neighbors in need but also for the safety and security of our clergy, lay leaders, and community members. Sanctuary is also deeply embedded in the history of New York. Our hospitals, shelters, libraries, and schools have long offered dignity, safety, and care to all people.

We're grateful for the City Council's affirmation of our responsibility as sanctuary. We ask for your leadership to help us protect our people and uphold our traditions. We're grateful for our partnerships within the Administration to support asylum seekers over the last several years. We call on Mayor Adams to keep New York safe by respecting the sensitive sites that provide care and safe belonging. At this moment, New York City needs our moral courage and solidarity.

Grace & Peace,

The Rt. Rev. Matthew Heyd
Bishop of New York

**New York City Council
Committee on Immigration
Oversight - Protection for Immigrant Communities
January 16, 2025, 10am**

**Written Testimony of Rosa Cohen-Cruz, Director of Immigration Policy and Karla Ostalza
Managing Director of the Immigration Practice, for The Bronx Defenders**

Chair Aviles and Committee Members, thank you for holding this hearing today to address the critical issue of protections for immigrant communities, especially right now as we prepare for increased attacks on immigrant New Yorkers, which will impact all of our communities across this city. The Bronx Defenders (“BxD”) is a public defender non-profit that is radically transforming how low-income people in the Bronx are represented in the legal system. Our staff of over 450 includes interdisciplinary teams made up of criminal, civil, immigration, and family defense attorneys, as well as social workers, benefits specialists, legal advocates, parent advocates, investigators, and team administrators, who collaborate to provide holistic advocacy to address the causes and consequences of legal system involvement. Through this integrated team-based structure, we have developed a groundbreaking, nationally recognized model of representation called holistic defense that achieves better outcomes for the people we represent. Each year, we defend more than 20,000 low-income Bronx residents in criminal, civil, family regulation, and immigration cases, and reach thousands more through our community intake, youth mentoring, and outreach programs. Through impact litigation, policy advocacy, and community organizing, we push for systemic change at the local, state, and national levels. We take what we learn from the people we represent and communities we work with and launch innovative initiatives designed to bring about real and lasting change.

INTRODUCTION

The incoming presidential administration promises an agenda of mass deportation and detention¹, yet rather than strengthen our protections for immigrant communities in New York, this administration has waived on the commitment that New York is a place where immigrants are welcome. Instead, during Mayor Adam’s tenure, city agencies have continued to collaborate

¹ Becker, Amanda, “How the Trump Administration Could Make Project 2025 a Reality” Teen Vogue, (January 16, 2025)

with Immigration Customs Enforcement (“ICE”), increasing a culture of fear and distrust between many immigrant communities and government actors. Mayor Adams has not hidden his disdain for the city’s sanctuary laws², going so far as saying that being accused of a crime is enough reason to deport someone³.

Central to protecting immigrant New Yorkers is eliminating policing and surveillance and tightening our city’s laws that disentangle New York City from furthering ICE’s racist and xenophobic agenda. That’s why **The Bronx Defenders supports Resolution 2970 in support of The New York for All Act**, which would end collusion between ICE and agencies on the state and local level in New York, and create Attorney General enforcement power if those laws are violated. The Bronx Defenders also **urges the City Council to pass Intro 214**, which creates a private right of action for violations of the existing anti-collusion laws. The city must also **require all agencies to have guidance on compliance with the existing sanctuary laws and make such guidance publicly available**. In the streets of New York, where Black, Latine, and other marginalized people are under constant threat, the New York City Council must take immediate corrective action by securing an end to city agency collaboration with ICE.

Finally, the New York City Council must also **increase funding for the New York Immigrant Family Unity Program** (“NYIFUP”), to ensure that immigrant New Yorkers who are caught up in ICE detention, will have access to representation, giving them the best possible chance to fight their cases and achieve favorable outcomes.

A. City Agency Violations of Existing Protections for Immigrants

In February of 2023, the New York City Council Committee on Immigration jointly with the Criminal Justice Committee held an oversight hearing on the New York City Detainer Laws in which advocates and impacted people testified at length to pervasive collaboration between city agencies and ICE.⁴ During that hearing, emails between the Department of Corrections (“DOC”) and ICE were presented and revealed the extent to which the DOC had been knowingly violating city laws to collaborate with ICE, with overt anti-immigrant sentiment.⁵ Since then, not only has there been no accountability by the violating agencies, but New York City has witnessed increasingly brazen collaboration between DOC, The New York City Police Department

² The term sanctuary laws is a general term referring to enumerated protections against use of resources and information sharing between New York City agencies and ICE. They include: NYC Admin. Code § 9-131(a)(7)(i); NYC Admin. Code § 9-131(b)(1)(i); Local Law 228;

³ Schultz, Cindy, “*Eric Adams Wants to Deport Migrants Who are Accused of Serious Crimes*,” The New York Times, (February 27, 2024) <https://www.nytimes.com/2024/02/27/nyregion/adams-deport-migrants-crime.html>

⁴ See generally New York City Council, *Joint Hearing of Committee on Immigration and Criminal Justice on NYC Detainer Laws Transcript* (February 15, 2023)

⁵ Arya Sundaram and Matt Katz, “*#teamsendthemback*: Emails reveal cozy relationship, cooperation between NYC correction officers and ICE,” Gothamist (Feb. 16, 2023), <https://gothamist.com/news/teamsendthemback-private-emails-reveal-cozy-relationship-cooperation-between-nyc-correction-officers-and-ice>.

(“NYPD”) and ICE, and the Mayor has publicly called for the sanctuary policies that exist to be rescinded.⁶

At the Bronx Defenders, we have represented many people who have faced harm at the hands of New York agencies colluding with ICE. As lawyers working in both the criminal and immigration courts, we know that ICE involvement undermines due process for those who have been charged with crimes, and creates chaos in both the criminal and immigration legal systems. As one example, when someone is detained by ICE with an open criminal case, ICE routinely fails to bring the person to court for their appearance. Meanwhile in immigration court, immigration judges deny bail because of the open criminal case--a case that remains open because of ICE’s inaction. Our clients thus remain trapped, incarcerated because of the interplay between conflicting state and federal priorities and practices.

Immigrant New Yorkers, like all New Yorkers who face charges, have a right to due process, to defend themselves, and to be presumed innocent. Instead, ICE wants to rip people from their families, remove them from their local court process, and funnel them into detention and deportation. New York should do everything in our power to protect residents from this assault on due process.

The consequences of state and local government collusion with ICE go beyond due process. They undermine our communities and our functioning society altogether. New York is a city of millions of immigrants. Some have been here just a few days, and others have been here for decades. Our city cannot function if so many of our community members fear interaction with local officials. All New Yorkers want to know that their neighbors will feel safe calling for help if they witness an emergency- be it for a fire, a medical emergency, or any call for city assistance. All families deserve for our children to feel safe in public schools, though often the first face they see each morning is a school safety officer, under the jurisdiction of the NYPD. Everyone deserves to know that they can commute to their jobs and homes, and throughout the city without fearing interactions with the hundreds of police officers now occupying our subways. As New York City⁷ and State⁸ increase reliance on policing as their primary public policy solution, it is more critical than ever that we make clear that these police will not be acting on ICE’s behalf.

Additionally, many of the people we represent at BxD are living in shelters managed by the Department of Homeless Services where they are subject to increased surveillance and policing by the NYPD and Administration for Children’s Services (“ACS”). For immigrant New Yorkers,

⁶Okaye, Fisayo, “*Mayor Adams Considers Executive Orders to Repeal City Sanctuary Laws*,” Documented (December 11, 2024) <https://documentedny.com/2024/12/11/nyc-sanctuary-city-ice-adams/>

⁷ Saba, Sadia “*Opinion: Policing, Surveillance, and False Promises of Safety*,” City Limits, (January 9, 2025)

⁸ Stark-Miller, Ethan, “*State of the State: Hochul gears up for reelection fight with affordability and crime focus*,” AM NY (January 14, 2025) <https://www.amny.com/news/state-of-the-state-hochul-2025/>

contact with these agencies is terrifying, and often initiates an irrevocable process in immigration court that can destroy their opportunity to remain in this country, regardless of the outcome of a family or criminal legal system case.⁹

At that February 2023 hearing, Michael Clarke, The Director of Legislative Affairs for the NYPD, said “It’s important to state unequivocally that the NYPD does not engage immigration enforcement.” He went on to say, “if certain groups of New Yorkers do not feel confident they can interact with the police, they will become permanent victims to be preyed upon by criminals with no fear of the consequences of their actions¹⁰.” The sentiment that the NYPD shared two years ago: that their collusion with ICE would cause communities to be at risk of victimization and violence is one we can agree with. Sadly, it’s clear now that it has been the NYPD and other city agencies that have violated immigrant’s rights, causing violence, fear, and harm in their communities, and without accountability to our sanctuary laws, it is these agencies that have no fear of the consequences of their actions.

Take for example, the highly publicized story of Kevin Servita-Arocha, who was caught up in the infamous Times-Square incident last year, and was falsely accused of being a gang member and assaulting a police officer.¹¹ Media frenzy surrounding the incident led to Governor Kathy Hochul calling for the detention and deportation of Kelvin and others involved, yet when the truth came to light, that in fact it was the NYPD that initiated the physical assault against a man staying in a migrant shelter, the media, the governor, and other politicians who had tried to capitalize on the incident to roll back sanctuary protections, were noticeable silent.¹²

In the meantime, the NYPD assisted ICE in breaking down the door of Kelvin’s apartment in the middle of the night in the middle of Winter, holding his family under house arrest, and terrorizing them, including the young children residing there. Kelvin was disappeared into ICE custody, denied access to counsel, was never presented to an immigration judge for an opportunity to seek bond, and then sent to Rikers Island as a borrowed prisoner, so that he would be trapped between the criminal and immigration custodial systems. Even if he had paid bail, he would have remained in jail in ICE custody.¹³

⁹ Correal, Annie and Shanahan, Ed, “*He Was Caught Jaywalking. He Was Almost Deported for It*”, N.Y. Time (March 11, 2021) <https://www.nytimes.com/2021/03/11/nyregion/daca-ice-nyc-immigration.html>; Schonfeld, Zoe and Farhang, Yasmine, “*Op-Ed | As Trump vows to target immigrants, NYC must take action now to protect families*,” AM NY (November 23, 2024)

<https://www.amny.com/opinion/nyc-must-take-action-protect-immigrant-families/>

¹⁰ See, Testimony of Clarke, Michael, Director of Legislative Affairs for the New York City Police Department, New York City Council, *Joint Hearing of Committee on Immigration and Criminal Justice on NYC Detainer Laws Transcript* (February 15, 2023)

¹¹ Dinan, Stephen, “*ICE seizes two Venezuelan gang members after NYC police assault*,” The Washington Times, (Thursday, February 15, 2024)

<https://www.washingtontimes.com/news/2024/feb/15/kelvin-servita-arocha-wilson-juarez-who-attacked-n/>

¹² Servita-Arocha, Kelvin Josue, “*The NYPD and ICE Unfairly Abused Me*,” The Daily News, (October 4, 2024)

¹³ Hogan, Gwynne, “*Migrants at Margins of Times Square Police Scuffle Face Upended Lives*,” The City, (April 5, 2024) <https://www.thecity.nyc/2024/04/05/migrants-times-square-scuffle-upended-lives/>

Kelvin's story is just one of countless examples. At the City Council hearing in February of 2023 The Bronx Defenders testified at length about the pervasive violations of the 2014 detainer laws, and detailed numerous city agency communications with ICE without ICE ever producing a signed judicial warrant. We detailed the ways in which city agencies wrongfully prolong a person's detention and facilitate transfers of immigrant New Yorkers into ICE custody, and the ways in which violations of our detainer laws prejudice people resolving their criminal cases.¹⁴ These practices have gone on for far too long, and after multiple hearings, the city is well aware of the violations of law across agencies. It is time for the City Council to take action and give teeth to these laws so there will be consequences for the further violations that are sure to come.

B. Increase funding for NYIFUP

The New York Immigrant Family Unit Project - the first-in-the-nation - universal representation program for detained New Yorkers provides critical protection for our city's immigrant communities and must be funded at a level proportional to the anticipated rise in detention and deportations.

Since its inception a decade ago, thousands of immigrant New Yorkers have relied on NYIFUP for support during their most difficult times. NYIFUP attorneys, social workers, and advocates ensure that detained immigrants receive due process, increase immigrants' chances of success in deportation cases by an astonishing **1,100%**¹⁵, connect families to community-based organizations and public benefits to support their long-term stabilization, and help maintain connections between detained individuals and their families in the community.

NYIFUP also saves New York state millions of dollars by reducing foster care costs, preventing employer turnover expenses, and recovering tax revenue that would otherwise be lost to detention and deportation.¹⁶

The work of NYIFUP advocates is both complex and life-changing. Consider the story of Ms. J., a 60-year-old lawful permanent resident and mother who has lived in New York City since her 20s. Despite being a survivor of domestic violence and the primary caretaker of a disabled U.S.

¹⁴See, Written Testimony of The Bronx Defenders, New York City Council, *Joint Hearing of Committee on Immigration and Criminal Justice on NYC Detainer Laws*, (February 15, 2023) (Attached herein as addendum)

¹⁵ Jennifer Stave, Peter Markowitz, Karen Berberich, Tammy Cho, Danny Dubbaneh, Laura Simich, Nina Siulc, and Noelle Smart. *Evaluation of the New York Immigrant Family Unity Project: Assessing the Impact of Legal Representation on Family and Community Unity*. New York: Vera Institute of Justice, 2017, <https://vera-institute.files.svdcn.com/production/downloads/publications/new-york-immigrant-family-unity-project-evaluation.pdf>

¹⁶ New York Family Unity Project: Good for Families, Good for Employers, and Good for All New Yorkers (Center for Popular Democracy, The Northern Manhattan Coalition for Immigrant Rights, The Kathryn O. Greenberg Immigration Justice Clinic at Cardozo School of Law, Make the Road New York) https://populardemocracy.org/sites/default/files/immgrant_family_unity_project_print_layout.pdf

citizen, Ms. J. was detained by ICE due to an old criminal conviction for which she never served jail time. Thanks to her NYIFUP team, Ms. J. was released, her conviction was vacated, and her permanent residency was protected.

However, she continues to live in fear because members of her family remain vulnerable to ICE enforcement. Her story underscores the stakes for thousands of New Yorkers in mixed-status families.

On Monday, a new federal administration committed to mass deportations will take office. Our experience representing detained immigrant New Yorkers during the first Trump administration has shown us the devastating impact ICE can have on our communities from day one. During Trump's first term, immigration arrests by ICE increased by 104%. Now, with nearly double the detention capacity in the New York City area, the harm could be even greater. We expect to see widespread raids and detentions starting next week.

NYIFUP advocates have the expertise, dedication, and ability to take on this fight. They can also recruit and train others to protect immigrant families, but they will need resources proportional to the magnitude of this imminent mass deportation campaign.

NYIFUP's promise is that no detained immigrant New Yorker will have to fight against family separation and deportation alone. We urge the Council to renew its longstanding commitment to this program and ensure that we can keep our promise to New Yorkers during their most difficult times.

CONCLUSION

New York City and State both have solutions at their disposal to achieve a more just city that can stand up for our immigrant neighbors in the face of Trump's agenda. At the city level we urge the New York City Council to pass Intro. 214 to ensure a private right of action so people harmed by violations of our sanctuary laws have some mechanism for redress. By passing Intro. 214, this Council will take a meaningful step to implement some protections for immigrants in the face of a presidential agenda of mass deportation and detention, and affirm the humanity of those who will be impacted. By fully funding NYIFUP, the city will be better equipped to fight for each impacted New Yorker, and mount the most robust defense to detention and deportation possible. At the State level we need to continue to pressure the legislature and Governor Hochul to pass The New York for All and Dignity not Detention Acts, and make sure our State's resources are not being funneled into enforcement and detention. We have the power to do all of this. We just need to have the courage.

ADDENDUM

**New York City Council
Committees on Immigration and Criminal Justice
Oversight Hearing on The New York City Detainer Law
February 15, 2023**

Written Testimony of The Bronx Defenders

Chairs Hanif and Rivera and Committee Members, we are immigration advocates at The Bronx Defenders (“BxD”).¹ Thank you for your attention to these critical matters and for the opportunity to testify before you today. We are testifying today in support of Intros. 184 and 185 as a way to protect immigrant community members and strengthen the limitations on any communications between New York City agencies, including Department of Corrections (“DOC”) and the New York Police Department (“NYPD”) and Immigration and Customs Enforcement (“ICE”), and lastly to pass Intro.158, to allow those unlawfully transferred to ICE custody a private right of action.

INTRODUCTION

Immigrants comprised **37.2 percent (3.14 million)** of New York City’s population in 2017. This population includes naturalized citizens accounting for **55.0 percent (1,727,000)**, and the remaining noncitizen population is composed of 942,000 immigrants with green cards or other legal status; and **507,000** are undocumented immigrant community members². Since 2017, these

¹ The Bronx Defenders is a public defender non-profit that is radically transforming how low-income people in the Bronx are represented in the legal system, and, in doing so, is transforming the system itself. Our staff of over 350 includes interdisciplinary teams made up of criminal, civil, immigration, and family defense attorneys, as well as social workers, benefits specialists, legal advocates, parent advocates, investigators, and team administrators, who collaborate to provide holistic advocacy to address the causes and consequences of legal system involvement. Through this integrated team-based structure, we have pioneered a groundbreaking, nationally-recognized model of representation called *holistic defense* that achieves better outcomes for our clients. Each year, we defend more than 20,000 low-income Bronx residents in criminal, civil, child welfare, and immigration cases, and reach thousands more through our community intake, youth mentoring, and outreach programs. Through impact litigation, policy advocacy, and community organizing, we push for systemic reform at the local, state, and national level. We take what we learn from the clients and communities that we serve and launch innovative initiatives designed to bring about real and lasting change.

² <https://www1.nyc.gov/assets/opportunity/pdf/immigrant-poverty-report-2017.pdf>

numbers have continued to rise, and the need to take action for a safer New York for us all, has never been greater.

Freedom to live without fear of being arrested by ICE and ending the terror of family separation is at the heart of this testimony, and in the hearts of all New Yorkers. Until the City takes the necessary steps to protect immigrant communities, New York City's inaction and compliance with ICE leaves many immigrant New Yorkers at risk. The City Council must strengthen New York City's detainer laws, originally passed by this Council in 2014. Failing to strengthen these laws ignores the reality that the Department of Corrections ("DOC"), the New York Police Department ("NYPD"), and the Department of Probation ("DOP") repeatedly evade their obligations to comply with City law to instead hand over immigrant New Yorkers for ICE arrest, detention, and deportation.

State and local law enforcement conspiring with ICE not only undermines the laws this City Council set forth in 2014, but also intensifies the harms of a racist and xenophobic systems of policing, criminalization, and incarceration. When New York law enforcement agencies violate local laws passed by this City Council to protect immigrant New Yorkers, it dishonors the basic rights of immigrant New Yorkers and creates pervasive fear and distrust that ultimately deepens the belief that New York City is not safe. New York law enforcement agencies must respect our local laws and prioritize the safety and wellness of our community. In the streets of New York, where Black, Latinx, and other marginalized people are under constant threat, the New York City Council must take immediate corrective action by:

- Passing Intro 184, which ensures that NYPD cannot communicate with ICE without a judicial warrant;
- Passing Intro 185, which ensures that DOC & DOP cannot communicate with ICE without a judicial warrant; and
- Passing Intro 158, which creates a private right of action for violations of the detainer laws.

DOC, DOP, and NYPD regularly and flagrantly exploit aspects of the 2014 detainer laws that allow communication with ICE without ICE ever producing a signed judicial warrant. In doing so, these city agencies wrongfully prolong a person's detention and facilitate transfers of immigrant New Yorkers into ICE custody. In this testimony we will detail several types of violations that BxD has tracked when representing immigrant New Yorkers, including:

- A. Despite ICE never producing a signed judicial warrant, DOC transfers people convicted of a "violent or serious crime" into ICE custody;
- B. Recently released documents of DOC/ICE correspondence corroborate BxD's long-time suspicions that DOC unlawfully communicates with ICE about people in its custody;

- C. NYPD and DOP collaboration with ICE in making arrests and sharing information; and
- D. NYC Detainer Laws Prejudice People in Resolving Criminal Cases.

The Council will also hear from community members and advocates detailing explicit violations of the City’s detainer law.³ Taken together, these violations demonstrate the serious weaknesses in our existing detainer laws and highlight the urgent need to create a meaningful and responsive shift to protect immigrant New Yorkers. In addition to detailing violations of the detainer law, we must not forget that part of what is at stake is conditions in ICE detention in New York State, so the final portion of our testimony will be to remind City Council why these laws matter and why we must protect our communities from the harmful and inhumane conditions experienced in ICE detention.

A. Despite ICE never producing a signed judicial warrant, DOC transfers people convicted of a “violent or serious crime” into ICE custody.

- i. DOC guidance “defies the plain reading of the statute to circumvent the 2014 detainer laws.*

New York City’s detainer law prohibits New York City law enforcement agencies from transferring immigrant New Yorkers from DOC custody to ICE federal custody unless that person has been convicted of a “violent or serious conviction”⁴ (“177 offense”) as defined in city law *and* federal immigration authorities have presented a signed judicial warrant authorizing the arrest of that same person.⁵ The statutory text is clear that both requirements must be met for DOC to effectuate transfer of custody to ICE, both when honoring an ICE detainer and ICE requests for notification of a person’s release from DOC custody.⁶

Despite the requirement of a signed judicial warrant, this fundamental due process protection is regularly circumvented by DOC, whose interpretation of ICE “requests for notification” defies both the intent and plain reading of the applicable law.⁷ Five years after the detainer laws took effect, DOC issued an Operations Order entitled “Interactions with Federal Immigration

³ Correal, Annie and Shanahan, Ed, “*He Was Caught Jaywalking. He Was Almost Deported for It*”, N.Y. Times (March 11, 2021) <https://www.nytimes.com/2021/03/11/nyregion/daca-ice-nyc-immigration.html>).

⁴ NYC Admin. Code § 9-131(a)(7)(i).

⁵ NYC Admin. Code § 9-131(b)(1)(i).

⁶ At the February 15, 2023 New York City Council Hearing, DOC General Counsel confirmed that they have never received any request to transfer custody of a person to ICE because they appear as a possible match in the terrorist screening database.

⁷ See generally NYC Admin. Code § 9-131(b)(1)(i) (“The department may only honor a civil immigration detainer by holding a person beyond the time when such a person would otherwise be released from the department’s custody, in addition to such reasonable time as necessary to conduct the search specified in subparagraph (ii) [177 offenses or terrorist screening database], *or by notifying federal immigration authorities of such person’s release*, if: [a judicial warrant is presented]; *and* [177 offenses or terrorist screening database match].”). (emphasis added).

Authorities,”⁸ detailing its procedures for compliance with DHS detainers and requests for notification:

[DOC] intends to cooperate with DHS's written request for advance notice of release, whether such request appears on an Immigration Detainer or otherwise, and cooperation in transferring custody of the inmate to DHS on [DOC] property by notifying DHS of the time the inmate would ordinarily be released. *In other words, the pick up by DHS shall not extend the time normally needed to complete the discharge process*, and the Department will not detain such an individual beyond the time authorized under New York State and local law.

Id. (emphasis added).

According to this guidance, so long as a person is not detained beyond the time it takes to complete the regular discharge process, DOC can readily respond to ICE’s requests for notification and transfer custody of that person to ICE. In this way, DOC can deftly — yet inconsistently — testify that they have not violated the detainer laws when honoring ICE “requests for notification” as they have not held people for longer than the discharge process required while simultaneously admit that since 2014 enactment of the City’s detainer laws DOC has never received a signed judicial warrant from ICE.⁹ DOC General Counsel Paul Shechtman similarly reiterated this DOC position at the February 15, 2023 New York City Council hearing, stating “We’re not holding onto ‘em if ICE isn’t there” and that DOC hadn’t received a signed judicial warrant in the past five years.¹⁰ These jaw-dropping admissions are relevant for several critical reasons.

- ii. *DOC’s non-transparent discharge processes further gut the 2014 detainer laws by preventing timely and impactful accountability for immigrant New Yorkers seeking to challenge their ICE transfer.*

While DOC has consistently testified at two City Council hearings that they have not received a signed judicial warrant from ICE, in practice, DOC is non-transparent about its discharge processes, thereby revealing that the City’s detainer laws are effectively gutted. As a matter of standard practice, DOC provides practically no transparency about its discharge process when

⁸ The City of New York Department of Corrections Operations Order No. 9/19.

⁹ See generally New York City Council, *Committee on Immigration Hearing Transcript on NYC Detainer Laws Transcript* (June 9, 2021), <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4972029&GUID=8F48A1CF-7885-4CFC-AD9A-6FA452D31892&Options=&Search=>.

¹⁰ Arya Sundaram and Matt Katz, ‘#teamsendthemback’: Emails reveal cozy relationship, cooperation between NYC correction officers and ICE, *Gothamist* (Feb. 16, 2023), <https://gothamist.com/news/teamsendthemback-private-emails-reveal-cozy-relationship-cooperation-between-nyc-correction-officers-and-ice>.

ICE issues a detainer request or request for notification. As public defenders managing these bureaucratic, carceral systems every day, DOC honoring a “request for notification” often looks like DOC indefinitely holding a person until ICE picks them up for arrest without ever producing a signed judicial warrant, or ICE ever even issuing a detainer. In practice, DOC’s distinctions appear meaningless yet the harms remain the same.

As an example, in March 2021, a BxD client finished a six-month sentence on Rikers Island for a 177 conviction and was informed by DOC officials that he was going to be released alongside two other people on the same day. On his actual release day, he was the only person transported from his housing unit to a separate holding cell to wait without any explanation. Two hours later, officers entered the holding cell and told him to follow them. It was only then that he learned the officers were ICE and that he was being transferred to ICE detention to face deportation. This BxD client never received any copy of a judicial warrant for his arrest, and as DOC has testified, they have not received a signed judicial warrant from ICE in this time period.

DOC’s actions speak for themselves in explaining how this is a violation of NYC’s detainer laws. As detailed by their own guidance interpreting the 2014 detainer laws, DOC is permitted to only notify ICE of the time of a person’s release, but they are not permitted not to hold a person in their custody for any additional time beyond the regular discharge process.¹¹ Here, DOC never accounted for the time he was detained in the holding cell, yet an immigrant New Yorker nonetheless waited in DOC custody for two hours, without explanation, after completing his sentence instead of being freed to his community. Then, ICE officers physically entered a Rikers Island holding cell, ordered him to follow them, ushered him out of the cell, and then handcuffed him to initiate the ICE deportation process. And this all occurred without a judicial warrant ever being produced.

That we as advocates and public defenders are left to decipher DOC’s non-transparent discharge practices is a consistent theme in our experiences representing criminalized immigrant New Yorkers held at Rikers Island. In October 2017, a BxD immigration attorney went to Rikers Island to meet with a client scheduled for release after completing his sentence. The attorney called DOC a day in advance to inform that she would meet with the client at 10:00AM to ensure his safe and timely release. DOC informed the attorney that ICE issued a detainer and that ICE would be permitted until midnight on the release day to take the client into ICE custody. The attorney asked DOC if ICE produced a signed judicial warrant, but was not given a direct answer. Accordingly, the next day the BxD attorney arrived at Rikers Island at 9:00AM and remained there until approximately 2:00PM. During this time, the attorney repeatedly asked DOC to meet with her client but consistently denied the opportunity to speak to or see the client. She was instead told by DOC officers to wait, to talk to other officers, and even shuttled back and forth between different buildings. After waiting for over four hours, DOC informed the

¹¹ *Id.*

attorney that the client had been transferred to ICE during the time she had been waiting at Rikers Island.

As evidenced in this lived experience, DOC's lack of transparency is harmful as it limits advocates' ability to challenge whether a person is held beyond the time necessary to effectuate the discharge process and ultimately whether DOC violates the City's detainer laws. Though the detainer law authorizes DOC to continue detention past release for a reasonable amount of time to verify whether they may communicate with ICE about a particular individual,¹² what constitutes a "reasonable amount of time" is not defined. Similarly, when advocates inquire about the existence of a judicial warrant, DOC is either non-responsive or otherwise refers to its compliance with ICE as honoring a "request of notification", in effort to somehow mollify and justify its actions despite a nonexistent judicial warrant as consistent with the City's detainer laws when it is not. Finally, DOC's allegiance to ICE not only violates its own internal policies by extending a person's time in DOC custody to facilitate an ICE arrest, but they compromise a person's right to counsel.

DOC's lack of transparency not only allows the agency to evade accountability by immigrant New Yorkers and their advocates, but it also allows them to regularly conspire with ICE agents to further harm immigrant New Yorkers. Transferring a person into ICE custody is a physically violent, terrifying experience: a shackled person in a cage is temporarily unshackled by DOC officers, only to then be immediately re-shackled by ICE officers, to then be transported to an unknown location and placed in a ICE cage for an indefinite amount of time, to face permanent exile by deportation. DOC facilitating an ICE arrest without a signed judicial warrant ever being presented as required by City law clearly violates the letter and intent of the law, and eviscerates the protections the detainer laws are meant to confer. To put simply, DOC has concocted a bad faith reading of local law in an attempt to bureaucratically gloss over the harms they inflict on immigrant New Yorkers in their custody who otherwise should be free. This City Council has a responsibility and opportunity to rectify these harms in passing Intros. 158 and 185, and we urge you to follow through on the prior Council's promise to immigrant New Yorkers.

iii. Even where people are not transferred to ICE custody, DOC's inefficient, non-transparent assessment of whether to comply with an ICE detainer wrongfully prolongs non-citizen's detention.

DOC's lack of transparency and accountability is a serious issue, even for people who are not ultimately transferred to ICE custody. In our experience, people in jail with immigration holds remain in custody longer after their scheduled release time than those without lodged detainers. In the 2021 City Council hearing on NYC's detainers laws, DOC claimed that they would not be

¹² N.Y.C. Admin. Code § 9-131(b)(1).

able to account for the reason for delay in release,¹³and, as detailed *infra*, DOC is eager to extend people's detention regardless of the pain, trauma, and fear they instill in people in detention and the families who are doing whatever they can to reunite with their loved ones.

In late August 2020, DOC's Department of Custody Management confirmed, upon inquiry by a BxD attorney, that a detainer would not be honored for the BxD client. Nevertheless, on September 2, 2020, when the client's family arrived to pay bail, a DOC Captain informed the client's family that a "special warrant" had been lodged *prior* to our conversations with DOC and that DOC was required to call ICE about their family member's release from DOC custody. The Captain further informed the client's family that it "wouldn't make sense" to bail him out because ICE would take custody of our client. Consequently, the family was told they would not be able to pay bail. Two days later, the client's family was still not able to pay bail until our office intervened again and reminded DOC there was no lawful ground for his detention in their custody and that DOC must immediately release the client. While two days may not mean much to DOC, it is an eternity for a family trying to be reunited. For them, these were a terrifying, stressful, and painful two days of not knowing if they would all be together again. Had the Bxd client been a U.S. citizen, this never would have happened.

Similarly, on March 12, 2021, a BxD client was ordered released on their own recognizance by the criminal court, but held past his release date at Rikers Island due to an ICE detainer. This client did not have a qualifying conviction so an ICE detainer could not be honored under the law. Despite that, our client was not released until early in the morning on March 13, 2021. During the evening of March 12, our office tried to contact Captain Rainey and DOC Counsel's office but received no response. Ultimately, we contacted representatives from the Mayor's Office of Immigrant Affairs to assist in securing the client's release.

Even if DOC could provide a minute-by-minute accounting of the time this or any other person is held when determining whether to honor an ICE detainer or release a person to their community, the fundamental problem would remain: DOC prioritizing their relationships with ICE over their own duty to abide by City law, let alone their duties to the people in their custody.

B. Recently released documents of DOC/ICE correspondence corroborate BxD's long-time suspicions that DOC unlawfully communicates with ICE about people in its custody.

- i. DOC violates the 2014 detainer laws by communicating with ICE about people in their custody who do not have a qualifying 177 conviction.*

¹³ New York City Council Committee on Immigration, Testimony of Kenneth Stukes, Bureau Chief of Security, New York City Department of Corrections, June 9, 2021.

DOC not only fails to account for discharge timing, but also fails to adequately account for their communications with ICE. Recently, the Immigrant Defense Project (“IDP”) and the Black Alliance for Just Immigration (“BAJI”) obtained communications between DOC and ICE through a Freedom of Information Law (“FOIL”) request documenting the regular correspondence between DOC and ICE. While the documents obtained by IDP and BAJI indicate that ICE and DOC communicate by e-mail, they similarly establish that DOC staff frequently communicate with ICE by phone yet fail to log the timing and substance of those phone conversations¹⁴. Like transparency around DOC’s discharge processes for people who ICE issues detainers or “requests for notification”, the timing and substance of DOC communications with ICE are important in ensuring DOC’s basic compliance with its legal obligations under local law. This lack of transparency is also particularly harmful where it appears that DOC communicates with ICE even where a person has not been convicted of a 177 offense.

Even though it is undisputed that DOC cannot respond to a request for notification or an ICE detainer unless the subject of the request has actually been *convicted* of a 177 offense, we have had reason to believe DOC regularly communicates with ICE about people who are not convicted of a 177 offense. We suspect ICE receives advance notice of plea dates where clients are charged with and ultimately plead to a 177 offense by observing ICE appearing moments after a BxD client accepts a plea to a 177 offense in criminal court. For example, in April 2022, we represented a non-citizen with no prior criminal convictions who was charged with one of the 177 enumerated offenses. Despite not being *convicted* of a 177 offense, DOC told the client’s friend “not to bother” paying bail because DOC believed there was an ICE hold. The BxD attorney advised the client’s friend to pay bail, but DOC continued to deny the client’s release, requiring the BxD attorney to escalate the wrongful delay to the DOC Legal Department and the Mayor’s Office of Criminal Justice (“MOCJ”). MOCJ responded stating that a “special unit” was looking into the ICE detainer and would get back to us after they reviewed the detainer. The client was held for two additional hours, *despite no prior criminal conviction history and only a pending 177 charge*.

The FOIL records obtained by IDP and BAJI have also confirmed our suspicions that DOC has not only communicated about people where there are no 177 offenses, but violated the law gleefully and with clearly articulated disdain for the people we defend. In a lengthy back and forth exchange, in November 2015 DOC identified a non-citizen New Yorker soon to be released to his community at the request of ICE despite knowing that the person in DOC custody did not have a qualifying conviction. Clarifying that the person was in DOC custody for a parole violation, DOC disturbingly signed off its e-mail with the hashtag “#teamsendthemback”, presumably to communicate DOC’s solidarity with ICE’s enforcement efforts. After the DOC Legal Department clarified that the person should be processed for discharge to the community, Capt. Rainey informed ICE the bad news: “The court provided this office with a receipt for his

¹⁴ See attached addendum

paid bail back in 2006. They are satisfied with the bail conditions and with no judicial warrant our legal division states he should be process for discharge. SORRY” (sic). Later that day, ICE replied: “No worries, it is what it is! Can’t fight city hall, literally! Thanks for the info, we’ll go out and get him. I already have a team ready to go find him.” Three days later, DOC replied with another “update”: “Here is an update. Judge placed another \$1.00 bail on the case. He paid the bail in court and is on his way back to DOC. I will be discharging him to the community. He should be discharged sometime tonight or wee hours in the morning. FYI=next court date 12/15/16. SORRY”.¹⁵

In a 2017 e-mail exchange between Captain Deshan Rainey and ICE Officer Robert Speruggia, ICE sent a list of people in DOC custody. In response, DOC explained that one person on ICE’s list is “sentenced however his case must be sealed or adjudicated as a youthful Offender nothing shows in the CRIMS or Rap sheet and he doesn’t have a detainer lodged on him.” DOC further clarified that another two people on ICE’s list had not yet been sentenced. In response, ICE asked: “The two that are pending sentence, upon conclusion of sentencing, would their detainees be honored?” DOC responds: “Yes. Let’s hope they both go upstate.”¹⁶ This communication was on its face illegal under the detainer law. There were no qualifying convictions to allow DOC to communicate any information about the people in their custody to ICE.

These communications are malicious and show a culture of anti-immigrant animus within DOC. DOC must be given a clear and simple directive: there can be no communication with ICE under any circumstances unless ICE produces a judicial warrant.

ii. In clear defiance of City law, DOC affirmatively communicates with ICE to facilitate ICE arrests.

DOC's actions actually demonstrate an eagerness and enthusiasm to collaborate with ICE. In an e-mail dated September 26, 2017 between DOC Captain Deshan Rainey¹⁷ and ICE Officer Nicole Francis, Captain Rainey assured ICE that DOC would continue to detain someone for a day past their release date to allow ICE the opportunity to pick them up for arrest.¹⁸ In another email dated April 5, 2017, Captain Deshan Rainey notified ICE that a community member’s release time depends on when ICE will arrive to make the arrest, stating: “Please advise me what your arrival time will be so I may inform the facility and have the subject waiting for your arrival.”¹⁹ From these communications we know that DOC not only transferred people without ICE ever producing a signed judicial warrant, but DOC in fact delayed the timely release of an

¹⁵ Rainey, Deshan. Email to ICE Officer Robert Speruggia, November 16, 2015, *See Addendum, pages 15-24*

¹⁶ Rainey, Deshan. Email to ICE Officer Robert Speruggia, December 18, 2017, *See Addendum, pages 6-14*

¹⁷ Captain Deshan Rainey is a DOC Supervisor in the Custody Management/ICE Unit, who oversees reviews of ICE detainees and requests for notification.

¹⁸ Rainey, Deshan. Email to ICE Officer Nicole Francis, September 26, 2017, *See Addendum, page 1-4*

¹⁹ Rainey, Deshan. Email to “VRKEROSUPERVISOR” ICE, April 5, 2017, *See Addendum, page 5*

immigrant New Yorker from Rikers Island to facilitate an ICE arrest. These are clear violations of the detainer law, and cast new light on our experiences with release delays that have allowed our clients to be arrested by ICE.

C. NYPD and DOP collaboration with ICE in making arrests and sharing information.

NYPD's relationship with ICE has understandably fueled distrust among many immigrant communities. One of the most pervasive reasons for this distrust is that ICE frequently identifies themselves as police, or even NYPD when attempting to arrest individuals in their homes. ICE also sometimes engages the NYPD to assist it in making an arrest for a purely civil immigration matter. In other instances, NYPD supports ICE in effectuating arrests together in the community, and ICE similarly supplies NYPD protection in the community. These interactions are terrifying for the communities we serve. During the June 2020 George Floyd protests, ICE provided protection for NYPD precincts and NYPD also worked with ICE to arrest and detain a protester who was Puerto Rican and a U.S. citizen.²⁰ In February 2020, ICE hospitalized Gaspar Avendano-Hernandez after tasing him more than six times. In that same interaction, ICE tasered and shot Eric Diaz-Cruz in the hand and face, also resulting in his hospitalization.²¹ NYPD then escorted ICE officers as they transferred Mr. Avendano-Hernandez to ICE detention after he was discharged from the hospital.²² ICE uses the NYPD as an intimidation tool, and NYPD often willfully obliges.

NYPD, like DOC, wrongfully cooperates with ICE to enforce immigration laws in our city. In May 2020, a BxD client was woken up by loud knocking on his door. The three officers at his door began yelling, "If you don't open the door, we're going to knock it down and arrest everyone." They yelled threats and said they would knock the door down without asking someone to open it first. No one in the apartment opened the door because they were terrified. As a result, the officers continued banging so hard that they damaged the door, later requiring its replacement. BxD obtained the apartment building's video footage of this incident, which showed NYPD officers with ICE officers attempting to enter our client's apartment by force.²³

²⁰ See Matt Katz, *ICE Helped To Protect NYPD Station Houses During Protests*, WNYC (June 9, 2020), <https://www.wnyc.org/story/ice-helped-protect-nypd-station-houses-during-protests/>; see also Mazin Sidahmed, *Video Shows ICE Agents Arresting a Protestor in NYC*, Documented (June 5, 2020), <https://documentedny.com/2020/06/05/video-shows-ice-agents-arresting-a-protestor-in-nyc/>.

²¹ Wes Parnell, Rocco Parascandola, Thomas Tracy and Larry McShane, *ICE agents, while arresting undocumented Mexican immigrant, wind up shooting second man in wild Brooklyn street brawl*, NY Daily News (Feb. 6, 2020), <https://www.nydailynews.com/new-york/nyc-crime/ny-ice-agent-shoots-man-in-face-in-brooklyn-20200206-7db5cmlbqff2hflbs5pnssipuu-story.html>.

²² Wes Parnell, *'He was crying, crying': Family of ICE detainee held after Brooklyn raid-turned-shooting share story* (Feb. 17, 2020), <https://www.nydailynews.com/new-york/ny-ice-detainee-mistreatment-brooklyn-raid-shooting-20200217-gd3b7ooapfdb5gep3dfq3uuc3e-story.html>.

²³ Our attempts to verify NYPD's presence on the video were unsuccessful as they raised privileges or were otherwise unresponsive to the substance of our FOIL requests.

When our client went to the local precinct to find out more information he was told there was no record of the NYPD being at his apartment that morning.

With respect to the detainer law, NYPD is permitted to honor an immigration detainer under a three-pronged analysis: if an individual has been convicted of a violent or serious crime *and* has been previously deported and returned to the United States without permission *and* they are presented with a judicial warrant.²⁴ Absent a judicial warrant, the statute authorized NYPD to hold someone who meets the above criteria for up to 48 hours in order for ICE to attempt to secure a judicial warrant. This allowance is at odds with the court's decision in *Francis* and should be amended per our recommendations below²⁵.

A common scenario for our clients occurs at arraignments. Typically, an ICE detainer will be lodged while someone is in arraignments and the judge or prosecutor will be made aware of the detainer. We see this impact our clients negatively in two ways. First, often judges will not release people if they are concerned that ICE is targeting them for detention. In the second scenario, a judge may release someone, either through bail or on their own recognizance, but the person will remain detained for a prolonged period of time while NYPD considers how to respond to the detainer. Even a brief period of prolonged detention is detrimental to the person held in a cage and separated from their loved ones. Simplifying the detainer law to requiring a judicial warrant would hasten the process and make clear immediately whether or not NYPD could comply.

The Department of Probation ("DOP") has also collaborated with ICE in violation of the NYC detainer laws. In November 2022, a non-citizen represented by The Bronx Defenders took a plea to a misdemeanor with a sentence of probation. However, the probation report presented to the court stated that the client and their siblings were "illegal aliens" and that "based upon information provided to ICE, the law enforcement support center could not find a match in the database." This statement provided directly from DOP speaks for itself: DOP wrongfully communicated with ICE. In another instance, in January 2020, a BxD client was contacted by law enforcement to appear at a police precinct in the Bronx as a requirement of their probation. Upon arriving at the precinct, the BxD client was immediately detained by ICE and shipped to an ICE detention in New Jersey, where they remained for more than a year at the height of the COVID-19 pandemic.

To state the obvious: NYPD and DOP do not work for ICE but the City of New York. In 2014, the City of New York passed laws to limit NYPD's ability to collaborate with ICE in arresting immigrant New Yorkers for deportations and these laws were extended to the DOP.²⁶ Any

²⁴ NYC Admin. Code § 14-154(b)(1)(ii).

²⁵ *People ex rel. Wells o.b.o. Francis v. DeMarco*, 168 A.D.3d 31 (N.Y. App. Div. 2018).

²⁶ local law AC 14-154 of 2017

violations of these laws by both agencies are inexcusable. New York City agency employees are first and foremost accountable to New Yorkers. This is true no matter where a person was born or criminal arrest history. Colluding with ICE dangerously shifts that dynamic and cases like these demonstrate that DOC employees will put the requests of ICE above City law, their own duties to people in their custody, attorneys they interact with, and New Yorkers as a whole because ICE relies on them to facilitate arrests.

D. NYC Detainer Laws Prejudice People in Resolving Criminal Cases.

Finally, even the possibility of communication with ICE by DOC or NYPD negatively impacts immigrant New Yorkers as they navigate the criminal legal system. Immigrants who are incarcerated while their cases are pending have fewer safe case resolutions at their disposal due to the City's collaboration with ICE. An incarcerated immigrant who would benefit from and wishes to participate in inpatient treatment programs outside of DOC may not be able to risk paying bail or seeking a disposition from the court that includes programming if they believe that ICE will arrest them as soon as they are released from jail.

Many criminal defense attorneys without immigration counsel do not understand the parameters of the detainer law. Our deportation defense attorneys who represent clients in the NYIFUP program regularly encounter clients who did not realize they were taking a plea to an offense that would cause them to lose detainer law protections. Even if a client is properly advised about the legal consequences that a particular disposition might have on their immigration status, they might not have been advised of the consequences that such a plea might have on enforcement consequences. Indeed, given the opaque, unpredictable patterns and behavior of our City's agencies described in the testimony above, even if aided by competent *Padilla* counsel, a criminal defense attorney might not be able to fulfill their constitutional duty²⁷ to properly advise a client about the enforcement consequences of a plea.

This is also why we must eliminate the list of 177 offenses in the detainer laws. Permitting the DOC and NYPD to conspire with ICE and transfer people into federal custody based on a person's criminal history or match on a government watch list is deeply misguided. This approach exacerbates the disproportionate impact of the criminal legal system, which unequally targets Black and brown people and is highly prejudicial in immigration court proceedings. While the current bills do not eliminate the list of 177 criminal convictions, we urge this Council to include amendments that would strengthen the judicial warrant requirement without the additional list of 177 offenses. As demonstrated *supra*, these offenses are often used by local law enforcement officials to wrongly initiate contact with ICE. They also result in stripping immigrant New Yorkers of critical due process protections, including access to representation in

²⁷ *Padilla v. Kentucky*, 559 U.S. 356 (2010).

deportation cases²⁸. The list of 177 offenses take on a life of their own when left to the discretion of local law enforcement, and ultimately communicates that New York City does not owe an equal duty of protection to all residents. That is not the case and we must end this practice.

CONCLUSION AND RECOMMENDATIONS

We urge the New York City Council to pass Intros. 184, 185, and 158. Together, this set of bills will strengthen the City's pre-existing detainer laws and ensure city agency compliance. Intros 184 and 185 aim to close the regularly exploited loopholes detailed above and ultimately reduce the number of detainer law violations by City agencies. We specifically support amendments to Intros. 184 and 185 that eliminate the 177 offenses as a metric and instead rely on a stronger requirement for a judicial warrant so that all immigrants in NYC custody will be equally protected. We similarly urge the New York City Council to pass Intro. 158 to ensure a private right of action so people harmed by these violations have some mechanism for redress. Local law enforcement agencies' failure to comply with local law has a long-lasting impact on the lives who these agencies disregard when violating the City's detainer laws. By passing Intro. 158, this Council will take a meaningful step to prevent such future harm and instead affirm the humanity of those impacted.

²⁸ Coltin, Jeff, "NYC Covers Immigrants Legal Cost for those without a Criminal Conviction", City and State (June 14, 2018)<https://www.cityandstateny.com/politics/2018/06/nyc-covers-immigrants-legal-costs-for-those-without-a-criminal-conviction/178375/>

To: New York City Council Committee on Immigration & Committee on General Welfare
From: Mackenna Vickery, Paralegal; Claire Chang, Paralegal; Isabel Lewin-Knauer, Paralegal & DOJ-Accredited Representative; Ellinor Rutkey, Esq., The Door's Legal Services Center
Re: Oversight Hearing: Protection for Immigrant Communities

Date: January 16, 2025

The Door is a comprehensive youth development organization that has been supporting vulnerable youth in New York City since 1972. Each year, we provide services to nearly 9,000 young people between the ages of 12 and 24, many of them immigrants. The services we provide include healthcare, education, supportive housing, food and nutrition, career development, arts and recreation, mental health counseling, and legal assistance — all under one roof. We are also a Department of Youth and Community Development (DYCD) Runaway and Homeless Youth drop-in center, providing food, clothing, showers, laundry, and case management services to young people who are unhoused or unstably housed. At The Door, we emphasize empowering and engaging the young people we serve, and we are committed to creating a safe, equitable, and inclusive space for young people and staff.

The Legal Services Center at The Door is an office of over 50 individuals, including attorneys, social workers, and support staff. We specialize in serving vulnerable children and young people, including many clients who are unhoused, undocumented, and/or LGBTQIA+. Our attorneys represent youth in removal proceedings before immigration courts, as well as those seeking to regularize their status through the filing of affirmative humanitarian applications. In the fiscal year 2023, we handled 3,282 immigration matters for young people. We also operate several free legal clinics, including a weekly drop-in legal clinic for runaway/homeless youth, which primarily serves recent immigrants.

I. New York City Has a Responsibility to Immigrants

Immigrants coming to New York City are facing an unprecedented assault on their right to migrate and seek safety at the local, state, and national level. As racist, xenophobic rhetoric soars to unbelievable new highs spurred by both media and public officials, it is important to remember that the right to migrate is enshrined in international human rights law, whether or not individuals are fleeing persecution.¹

New York City has some of the most robust protections for immigrants in the country, allowing those with or without status to continue to access important social services and participate in society. It is imperative that, in the wake of a punitively anti-immigrant federal government, the City pass legislation that continues to protect and advance the rights of immigrants. The City must also fully commit to resisting attacks on immigrants' rights, which includes promoting

¹ "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810 at 71, Art. I-II (1948).

accurate information and coverage of the challenges immigrants face as well as holding those who mischaracterize the situation of immigrants accountable.

a. Immigration is a Critical Aspect of New York City Life

Immigration has always been an integral part of the character of New York City. Immigrants in New York City have formed vibrant and diverse communities, without which New York City would not be the social, cultural, and economic hub that it is globally recognized as today. New York City fundamentally depends on and benefits from the presence and contributions of immigrants. As such, enshrining protections for immigrants must be a priority of the New York City government in order to preserve and promote the values on which this city has been built.

New York City has long been a safe place for immigrants, and protections for immigrants are deeply imbedded in the legal and cultural history of the City. In 1989, then-Mayor Ed Koch signed an executive order barring city officials from sharing information about a person's immigration status with federal immigration authorities.² This order and subsequent policies amount to New York City's "sanctuary city" designation, meaning that New York City officials— particularly from the New York City Police Department (NYPD) or the Department of Corrections (DOC) — are not required to facilitate contact between immigrants and federal agencies.³ An additional key element of the City's sanctuary city policy is the treatment of Immigration and Customs Enforcement (ICE) detainees. ICE detainees are requests made by ICE to city agencies to hold or detain noncitizens so that ICE may more easily take them into custody and remove them from the United States.⁴ As agencies within a sanctuary city, the NYPD and DOC are not permitted to comply with ICE detainer requests unless ICE can produce a judicial warrant or proof that the noncitizen has been convicted of a serious crime.⁵

New York's status as a sanctuary city makes *everyone* safer. For one, New York's sanctuary city policy allows immigrants to more confidently engage with New York City officials without fear that doing so will bring them to the attention of the federal government. This in turn makes it substantially easier for immigrants to take actions that benefit themselves and the broader New York City community, such as seeking healthcare or reporting a crime. Additionally, crime is markedly lower and labor force participation is significantly higher in sanctuary counties compared to counties without sanctuary policies.⁶

II. Young People Face Fear and Uncertainty with the Upcoming Trump Administration

² Office of Mayor Ed Koch, Exec. Order No. 124 (Aug. 7, 1989), https://www.nyc.gov/html/records/pdf/executive_orders/1989EO124.PDF.

³ Gwynne Hogan & Rachel Holliday Smith, *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/>.

⁴ U.S. Immigr. and Customs Enforcement, *Immigration Detainers* (Dec. 3, 2024), <https://www.ice.gov/immigration-detainers>.

⁵ *See id.*

⁶ *The Effects of Sanctuary Policies on Crime and the Economy*, Ctr. for Am. Progress (Jan. 26, 2017), <https://www.americanprogress.org/article/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>.

a. Young Recent Immigrants are Extremely Vulnerable

Recent immigrants to New York City—especially young adults—are in extremely vulnerable positions. Many of them have only recently arrived in the United States after a long, perilous, and often traumatic journey from their countries of origin. Even before setting out on that journey, many of these young people have already experienced significant trauma in their lives.

For example, one Door client, “Maria,” became pregnant in her home country at age thirteen after being forced into sex work by her father. After discovering what had happened, Maria’s mother arranged for her travel to the United States, where she now lives with her mother and young son in a family shelter. Here in New York, Maria is able to apply for immigration relief, access counseling services, and attend school with the support of her mother, who also takes care of Maria’s son. Unfortunately, Maria’s mother does not have any immigration status, putting her at risk of deportation. If her mother were to be deported, Maria would be left alone at the age of fifteen to navigate the city and care for her toddler son. In such cases, forced family separation by deportation can have detrimental effects on the emotional, physical, and psychological well-being of already vulnerable young people.

Other young people at the Door have experienced significant trauma due to familial abuse, neglect, or abandonment. One Door client came to the United States after traveling by plane, bus, and by foot from his home country in North Africa. The young person had made the difficult decision to leave his home country after rebel forces broke into his family’s home, raped his sister, and beat his brother to death before his eyes.

With the above circumstances in mind, it does not stretch the imagination to consider the resilience demonstrated by immigrant young people as they arrive and settle in New York City. On top of the often-traumatic situations they have weathered in their home countries and on the journey to the United States, immigrant young people now face even greater risk due to the incoming Trump administration.

b. Young Recent Immigrants Need More Legal Service Providers

This risk is especially great for recent immigrants who do not have legal representation and are navigating the complicated immigration process alone. Many of these individuals—including many young people—are still stuck on long wait lists for legal representation, as organizations that specialize in this work have limited capacity to take on new cases.

Now more than ever, it is vital that young immigrants receive free and competent legal services. Door staff members have noticed that immigration hearings are being scheduled particularly quickly, leaving young people with even less time than usual to find a lawyer. Without a lawyer, it can be difficult—or even impossible—for a young person to successfully self-petition for relief, even if they have an extremely strong case. Additionally, many of these young people who are not able to find legal representation are in removal proceedings, meaning that they risk being removed to the very country that they fled to get here. As discussed, these young people are

often fleeing horrific situations, and for many, being returned to their home country could be deadly.

Although resources like the Red Cross Asylum Application Help Center can be helpful for young people filing initial immigration applications, these resources are not equipped to provide young people with the level of support they need to navigate their immigration cases, especially as protections for immigrants are eroded in the coming months. While these resources help young people to submit their applications, they are not equipped to provide support to young immigrants before or after the application is filed. Particularly for young people involved in immigration court, legal support that falls short of full representation is simply not adequate, especially when these young people are at the risk of being removed from the United States. Young immigrants need comprehensive legal services, and it is necessary for the City to provide more funding to such legal services providers or other competent immigration lawyers to meet such a great need.

b. Young Immigrants Living in Shelter Need Increased Protections

Recent immigrants are not only vulnerable due to their life experiences prior to arriving in the United States, but also due to their living situations here in New York. Many recent immigrants arrive in New York without a safe or stable place to live. As a result, they – like so many other members of our community – turn to the City’s shelter system for support.

Despite the fact that there is a right to shelter in New York, the Adams Administration has established a separate shelter system for recent immigrants, in effect creating an underclass of people who are afforded fewer rights than others.⁷ While non-immigrants and immigrants who did not enter the United States recently enjoy full access to the City’s shelter systems, recent immigrants are literally and metaphorically marginalized. They are sheltered in makeshift tent cities (mostly Humanitarian Emergency Response and Relief Centers (HERRCs)), many of which are located toward the outer edges of the city, and face eviction – from a *homeless shelter* – every 30- to 60- days. Moreover, many of those who reside in the HERRC system are young adults who have been turned away from the Department of Youth and Community Development (DYCD) youth shelter system due to lack of capacity, including young adults who entered the United States as unaccompanied minors and were detained by the Office of Refugee Resettlement (ORR). These vulnerable young adults deserve support and security – neither of which is offered in any meaningful way within the HERRC system.

In these shelters, recent immigrants face myriad challenges, including insufficient access to food, a lack of privacy, and inadequate supportive services. Starting next week, though, recent immigrants residing in the HERRC system are likely to face a new challenge: ICE presence. Because the HERRC system is only available to recent immigrants, HERRCs are an alarmingly easy target for ICE raids. If ICE officers wish to find a large number of people who are unlikely

⁷ See *The Callahan Consent Decree*, Coalition for the Homeless (Aug. 2014), <https://www.coalitionforthehomeless.org/wp-content/uploads/2014/08/CallahanConsentDecree.pdf>.

to have legal status, they need only visit one of the dozens of large congregate facilities that house only recent immigrants – who of course, are unlikely to have legal status.

Therefore, it is critical that the City take immediate steps to prevent ICE from threatening the tens of thousands of recent immigrants who live within the HERRC system. For one, the City must prohibit ICE from accessing HERRCs and must take all possible measures to prevent ICE officers from surveilling HERRCs from offsite. HERRC residents will not be safe if ICE presence is permitted. If the City doesn't immediately take steps to ensure that ICE may not access HERRCs, any semblance of a shelter system for recent immigrants will be entirely eroded.

Further, the City must ensure that immigrants' data and personal information is kept confidential and inaccessible to the federal government. Although sanctuary policies currently prevent ICE from accessing information about people in shelters without a judicial warrant, the locations of shelters are public, and the City maintains personal information about those who are placed in shelters. It is thus imperative that the City take immediate steps to secure immigrants' data and affirm its refusal to share such data with ICE.

Young shelter residents are more than aware of the threat that ICE poses to their safety. Door members have recently expressed fears that they will be subject to ICE raids at their shelters. Some have even sought advice about whether they should leave shelter in favor of sleeping on the streets out of concern that remaining in shelter will lead to detainment and deportation. It is entirely unacceptable that young immigrants are suffering this emotional turbulence and trauma. It is within the City's power to take steps that meaningfully alleviate these emotional hardships, and it is imperative that the City do so.

c. Young Immigrants Need Increased Protections in Order to Attend School

Just as they depend on safe access to shelters, young immigrants depend on safe access to New York City schools. Undocumented young people have a right to attend public school and are not required to provide documents related to immigration status to enroll.⁸ In cases where young people are seeking Special Immigrant Juvenile Status (SIJS) as a pathway to achieving legal status in the United States, lack of school enrollment can present a barrier to receiving SIJS, making it extremely important that immigrant youth have safe access to education.

Even so, Door clients have expressed fear about attending school during the upcoming administration. One client, who immigrated to New York during the first Trump administration to join her mother, expressed that she was afraid to leave the house for weeks after her mother missed an immigration court hearing, even missing school. Although the client's case was separate from her mother's, she was afraid that she would be picked up by ICE while at school, and that her mother would consequently be detected and detained by ICE.

⁸ *School Eligibility*, The City of New York (last visited Jan. 15, 2024), <https://portal.311.nyc.gov/article/?kanumber=KA-02974>.

Other Door members have expressed fears that ICE will locate them at school and then attempt to remove them from the country. For a young person, such anxiety and detachment from formative educational activities can be detrimental, especially considering how many young people have already had interrupted formal education due to extenuating circumstances in their countries of origin. Many Door members have at some point been taken out of school to work, even as children, or have missed school due to poverty, distance, or fear of violence from community members who threaten them at school. For example, one Door member's father often made him miss school to work, then confiscated the money he earned at work. Living in New York City with his aunt and uncle, this same young person was able to graduate high school last year. Another Door client missed about a month of school in his home country after his younger brother was killed by police during a political demonstration, for fear that he would be a target if he left his house. Yet another Door client was unable to go to school for many years as a result of his poor financial situation after both of his parents died. Additionally, the journey to the United States can take weeks or even upwards of a month, during which time young people are exposed to difficult and often traumatic conditions, far away from their support systems. Considering these circumstances, it is extremely important that when young people arrive in New York City they are not prevented from exercising their right to attend school by fears that doing so would put them at risk of being detained or deported.

We urge the city government to circulate information that dispels fears around schools and assures new New Yorkers that schools will continue to be safe places where young New Yorkers can learn and engage in City life without fear that they or their communities will be put at risk by their attendance. It is also necessary that the City backs up these promises by enacting policies that affirm that ICE will not be allowed in and/or around our schools. The upcoming Trump administration signals a potential shift in policy around ICE at schools, and New York City needs remain a safe place for students regardless of immigration status.

d. Young People's Families and Communities are Vulnerable to Threats of Deportation

Many young immigrants, especially those involved in SIJS proceedings, depend on parents or guardians living in New York for financial support, guidance, emotional support, and overall well-being. Young people often make the difficult journey to the United States to reunite with family members or close family friends who can take care of them, and it is a great relief for them to be able to live safely within their communities in New York. Other young people come to the United States on their own, forming important bonds and support networks with other recent immigrants.

The immigration status of a young person's mentors and adult family members is often of particular concern for young people applying for SIJS. In New York, the most common pathway to SIJS begins with obtaining family court orders appointing a legal guardian for the young person. An adult is legally allowed to serve as a legal guardian and support a young person's SIJS case regardless of their own immigration status. To be granted guardianship orders, the proposed guardian typically needs to attend family court and testify alongside the young person.

The family court generally also requires that the proposed guardian, as well as every person over the age of 18 living in the proposed guardian's home, submit personal information so that a background check may be performed. Proposed guardians and adult household members are generally also required to be fingerprinted by the court. Proposed guardians and their household members often hesitate before providing this information, worried that doing so would put them at risk of an encounter with ICE.

Of particular concern is the fingerprinting requirement. In the past, fingerprints taken by New York family courts were shared with ICE, who used the information to detain and deport immigrants without legal status.⁹ As a result, undocumented people were all but prevented from becoming legal guardians, as the risk of detainment or deportation was far too great. This in turn made it more difficult for young people to apply for SIJS.

Many young people who have recently arrived in New York do not have expansive community networks; in the initial stages of integrating into life in the city, they may have just one or two trusted adults who could serve as their legal guardians. In such cases, if a proposed guardian is undocumented and feels unsafe going through the family court process, there may be no one available to serve as a young person's guardian, thereby depriving them of the opportunity to receive the support of a legal guardian and to pursue their legal right to SIJS. This is deeply unfair. A young person's family members and friends should not be put at risk because the young person is pursuing legal immigration relief. Similarly, a young person's opportunity to pursue immigration relief should not be jeopardized by the requirements of the very proceedings that would result in relief. To allow undocumented individuals to support young people by becoming guardians, and to protect the right of youth to pursue immigration relief, the City must continue to adopt policies that prevent family courts from sharing information with the federal government. Information shared with New York City family courts must remain confidential and inaccessible to immigration officials.

III. Vulnerable Young People are Endangered by Immigration-Related Mis- and Dis-Information

In tandem with nonprofits and mutual aid organizations, the city government also has a responsibility to provide accurate, accessible information to young people so that they may engage in city life with relative peace of mind. This includes giving increased funding to legal services organizations and immigrant rights organizations so that they have capacity to provide additional know-your-rights trainings to immigrant young people. Further, the City Council should proactively dispel misinformation about immigrants and immigration on their website and on social media.

a. Immigration to New York City is Mischaracterized to the Public

⁹ See *Secure Communities*, Immigr. and Customs Enforcement (May 10, 2024), <https://www.ice.gov/secure-communities>.

A lack of clear and accessible information describing what it means for New York to be a “sanctuary city” and intentional mis- and disinformation about immigrants, spread by both the media and the public, produces an environment in which citizens and immigrants alike are unclear on what protections exist for new New Yorkers. This misinformation makes it difficult for new New Yorkers to safely and confidently access the benefits that do indeed exist for them, including those to which they are legally entitled.

Many of these immigrants (including those without legal status) are legally allowed to receive benefits and social services. As a sanctuary city, New York City allows all individuals without regard to their immigration status to access important, basic, necessary services like healthcare, shelters, education, and access to food. The law has made it clear that everyone, *regardless of immigration status*, is entitled to basic human rights and necessities like food and shelter.

b. Immigrants Often Lack Access to Critical Information due to Language and Literacy Barriers

On top of xenophobic mis- and disinformation, a lack of widely available, detailed, accurate information in the many languages spoken by new immigrants makes it difficult for them to be empowered in their knowledge of their rights. Such lack of information creates disproportionate fear around possible encounters with ICE and other law enforcement agencies, which makes it difficult for recent immigrants to safely go about their lives and access the services and spaces that they are legally allowed to access. It also creates fear about going to important appointments such as immigration court dates or ICE check ins, where a missed appointment could also mean a deportation order *in absentia*.

This fear has been especially great in light of president-elect Donald Trump’s promise to implement mass deportations. Many young people at The Door have reported feeling very concerned and fearful about what this campaign promise could mean for themselves and their family members. Several Door clients whose immigration cases are still in their initial stages expressed concern that they would be deported before their cases have a chance to be heard by an immigration judge. Though that would be against the law and contrary to the standards of due process, even threats that cannot be carried out take a great toll on the emotional wellbeing of our clients. Door staff members have had to dedicate increased time and resources to attempting to dispel myths believed by our clients about what policies the president-elect could implement in the coming months.

It can be very emotionally taxing for recent immigrants – especially the young adults with whom we work at The Door – to sort through these dangerous myths. Many young Door clients have faced extremely traumatic circumstances in their home countries. Overwhelmingly, they come to the United States to flee crime, violence, and other societal instabilities. They are adjusting to life in a new country, learning a new language, and balancing the responsibilities of a legal case, all while grappling with the normal social situations and pressures of teenage and young-adult life. They are overwhelmed, and a lack of accessible information about the United States immigration

system, their rights as young immigrants, and their access to crucial social services in a language they understand only furthers this sense of helplessness and confusion.

Many of our clients express a desire to learn English so they can have more agency over their cases, but English classes may be difficult to access due to cost barriers and time constraints (especially for young people who work or who are in school – or both). But even for young people who understand English, know-your-rights materials must be tailored to a non-legal audience to truly permit youth to understand their cases and advocate for themselves. This is of particular concern for the very many youth who have experienced interruptions to their formal educations and may have more limited literacy levels. Thus, it is imperative that the City actively support the creation of quality know-your-rights materials in a variety of languages and formats, including formats accessible to those with low literacy levels and/or with disabilities.

Without quality information available from trusted sources, Door members have reported turning to informal networks to learn the state of immigration policy. For instance, Door members report joining large WhatsApp group chats with names like “asylum” or “immigration,” where other recent immigrants from similar backgrounds share advice. While that advice is almost always well-meaning, it is too often misinformed. For example, Door members have reported being warned via WhatsApp about ICE raids at school and have consequently developed fears around going to school. If these individuals were instead provided with timely, accurate, and comprehensible information in their native languages, they would not be forced to rely on informal means to learn crucial information. The City has a responsibility to ensure that such quality information is in fact provided to immigrants and made widely available to all New Yorkers.

IV. Recommendations

In light of the particular vulnerabilities of immigrant communities and the substantial increase in risk they face under a xenophobic, hostile presidential administration, the City’s wholehearted support of immigrants has never been more necessary.

a. The City Should Support the Circulation of Accurate, Accessible Information

Non-profits and mutual aid organizations across New York City play a critical role in providing know-your-rights materials and addressing misinformation among immigrant communities. However, these efforts alone are insufficient to combat the widespread disinformation and confusion that many immigrants face. The City must proactively reduce the spread of misinformation and disinformation by providing trustworthy, accurate, and accessible information in multiple languages and formats. Doing so would empower immigrants with the knowledge they need to understand their legal rights and access critical services without fear.

b. City Council Should Support Bills that Protect Immigrants and Their Rights

City Council has an opportunity to uphold and strengthen protections for new New Yorkers by supporting key pieces of legislation that address harmful collaboration with ICE and ensure accountability:

- **Intro 396:** This bill aims to end the DOC's communication with ICE regarding a person's release unless ICE provides a judicial warrant.¹⁰ Current practices allow DOC to notify ICE of release times for individuals flagged due to felony convictions or matches on often inaccurate government watchlists, even in the absence of a judicial warrant.¹¹ This policy disproportionately impacts immigrants who have interacted with a criminal legal system marked by systemic racism, leading to unnecessary family separations and long-term trauma.¹² Intro 396 would make it clear that DOC cannot communicate with ICE for enforcement purposes without a warrant signed by a federal judge, upholding due process and protecting immigrant communities.¹³
- **Intro 395:** This legislation closes a legal loophole that currently permits the NYPD to detain individuals for ICE without a judicial warrant under certain conditions, such as previous convictions or reentry after a prior removal.¹⁴ This practice violates New York State law, which prohibits any law enforcement agency from holding someone past their release date unless ICE has a warrant signed by a federal judge.¹⁵ By prohibiting NYPD detentions for ICE without such a warrant, Intro 395 ensures compliance with state law, protects immigrants from wrongful detention, and strengthens the sanctuary policies that make New York City safer for all residents.¹⁶
- **Intro 214:** This bill addresses the egregious violations of local detainer laws that continue to harm new New Yorkers.¹⁷ Despite sanctuary protections, city agencies such as the DOC and NYPD have colluded with ICE in transferring individuals to ICE custody without judicial warrants, leading to devastating consequences.¹⁸ For example, in 2019, Javier Castillo Maradiaga was transferred to ICE custody for jaywalking in direct violation of detainer laws, resulting in his detention for 15 months.¹⁹ Similarly, in 2023, an immigrant mother, "Jennifer," was detained by ICE after shelter staff improperly shared her information with federal authorities.²⁰ These cases highlight the critical need for accountability. Intro 214 would establish a private right of action, empowering new New Yorkers who have been harmed by violations of detainer laws to hold city agencies and officers accountable in court.²¹ Immigrants who have suffered due to unlawful

¹⁰ *ICE Out!*, Immigr. Defense Project, (last visited Jan. 16, 2025), <https://www.immigrantdefenseproject.org/what-we-do/advocacy/>.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *ICE Out! Seeking Justice for Immigrants Harmed by Violations of Our Laws*, Immigr. Defense Project (last visited Jan. 16, 2025), <https://www.immigrantdefenseproject.org/wp-content/uploads/Intro-214-PROA-Final-5.15.24.pdf>.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

detentions or the facilitation of their transfer to ICE custody would be able to seek justice and compensation.²² The existence of this mechanism would also serve as a deterrent, ensuring that city agencies adhere to the law and reducing the likelihood of family separations and community harm caused by noncompliance with local detainer policies.²³ This bill ensures that DOC, NYPD, and other city agencies face consequences for failing to comply with local laws, thereby fostering trust between immigrant communities and city actors who are supposed to serve and keep all New Yorkers safe.²⁴

By passing these bills, the City Council has the chance to reinforce New York City's sanctuary city commitments, resist unjust immigration enforcement practices, and affirm the city's dedication to equity, justice, and inclusion. These measures are critical for safeguarding the rights and dignity of new New Yorkers and ensuring that they can fully and safely participate in the city's life.

c. City Council Should Support Resolutions that Protect Immigrants and Their Rights

Moreover, the City Council should pass the two proposed resolutions to call on the New York State Legislature to take action to protect immigrants and immigrant communities:

- Preconsidered Resolution (Hanif and Avilés): Resolution calling on the New York State Legislature to reintroduce and pass, and the Governor to sign, the New York for All Act, which would prohibit and regulate the discovery and disclosure of immigration status by New York state and local government entities.
- Preconsidered Resolution (Hudson and Avilés): Resolution calling on the New York State Legislature to pass and the Governor to sign A.270/S.141, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.

V. Conclusion

As a sanctuary city, New York has a proud legacy of protecting its immigrant population, ensuring that they have access to critical services and the opportunity to thrive. However, this legacy is under attack, and vulnerable young people are bearing the brunt of these challenges. We urge the City Council to take decisive action to reaffirm and strengthen New York City's sanctuary policies, protect immigrant youth from harmful displacement and systemic barriers, and prioritize accurate, accessible information for all immigrants. By doing so, the City can continue to uphold its values of inclusion, equity, and humanity, ensuring that immigrant youth can build secure, fulfilling lives while contributing to the vibrant fabric of New York City. Let us work together to ensure that New York remains a city where all young people, regardless of their immigration status, feel safe, supported, and empowered to reach their full potential.

²² *Id.*

²³ *Id.*

²⁴ *Id.*

Thank you.



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**Testimony to the New York City Council City Council
Committee on Immigration
Oversight: Protection for Immigrant Communities**

January 16, 2025

Good afternoon. My name is Carina Kaufman-Gutierrez and I am the Deputy Director at the Street Vendor Project. I would like to thank Chair Aviles and the Committee for the opportunity to testify today.

I want to tell you about a call I received on New Year's Day from a vendor. She called me crying because she had been selling hats and glasses for new years the night before, when an NYPD officer stopped her, and asked for her license. She didn't have one - through no fault of her own - and the officer gave her a ticket. A family member of hers who was there was filming, which they have a right to do, and the officer got upset at how the vendor was having a conversation with the family member, and decided to put the vendor in handcuffs and bring her back to the station, where she was issued a criminal summons for vending without a license, which can be prosecuted as a misdemeanor charge. Now this vendor is undocumented. She called crying because she is terrified that when she goes to Criminal Court on the 21st, the day after Trump takes office, that she won't make it home to her family. That she will be picked up by ICE, or get a criminal record.

This type of interaction happened because our City Government has for too long failed our city's smallest businesses, has allowed street vendors to be caught up in a system designed to fail, designed to criminalize poverty - leaving NYC's vendors vulnerable to federal enforcement and anti-immigrant policies from the Trump administration. This particular vendor was caught in one of our Mayor's ongoing 'quality of life' operations, showing just how real it is that these harsh enforcement actions can quickly ensnare vendors and have much more drastic consequences.

Of note is that DSNY - the 'lead' enforcement agency' - has publicly stated in front of this council, in this very room, that they will NOT issue criminal summonses, however, the NYPD with the same commissioner, is playing an outsized role in vending enforcement and does routinely issue them. In the last year, criminal summonses to vendors have skyrocketed. In the first 3 quarters of 2024, NYPD has already surpassed the number of criminal summonses issued to street vendors than were issued in all of 2023. In 2023, 1,244 criminal summonses were issued, and in just the first 3 quarters of 2024, 1,504 were issued. This inconsistency in policy is not just poor management of the city's operations, it's dangerous.

We are calling on the City Council to take urgent action. This Council can and must enact policies that protect New Yorkers against Trump's mass deportation agenda, and resist the Mayor's practices of criminalizing low income and immigrant New Yorkers. Now more than ever, we need the City Council to take action on the Street [Vendor Reform Platform Package](#), a set of four key measures defining and protecting fair rights and opportunities for vendors including Intros 431, 408, 47 and 27. It will not only protect NYC's immigrant communities but it will improve the safety of goods sold, increase compliance on our sidewalks, raise tax and fee revenues for the city during this fiscally difficult time.

Street vendors, like all New Yorkers, deserve a fair chance to work hard and make a living, free from harassment. Vendors who are immigrants make our city's vibrant food culture, and embody NYC's entrepreneurial spirit. When they are allowed to flourish, vendors create jobs, anchor communities, and provide healthy and affordable food. Not taking action is an abdication of responsibility.

January 17, 2025

The Honorable Alexa Avilés
Chair, Committee on Immigration
250 Broadway
New York, NY 10007
aaviles@council.nyc.gov

Testimony of the Vera Institute of Justice Regarding:

“Oversight—Protecting Immigrant Communities Amid Federal Threats”

Submitted to the Committee on Immigration of the New York City Council

Dear Chairwoman Avilés,

On behalf of the Vera Institute of Justice (Vera), I submit this testimony urging the New York City Council to stand firm in protecting immigrant communities across New York City in the face of increasing federal immigration threats that would decimate the city’s families, communities, and workplaces. As the return of an anti-immigrant Trump administration looms, bringing with it the specter of draconian policies and heightened enforcement, it is more urgent than ever for the city to champion robust sanctuary policies, invest in universal legal representation, and shield immigrant New Yorkers from harm.

Vera’s mission is to end mass incarceration, protect immigrants’ rights, ensure dignity for people behind bars, and build safe, thriving communities. Our work advocating for universal representation—the right to legal counsel for everyone facing deportation—has shown time and again that high-quality legal services not only promote fairness and dignity but also help ensure community stability. Now is the time for New York City to strengthen its commitment to immigrant communities by maintaining and expanding protections, resources, and investments in legal services.

Federal Threats Require Local Leadership

Both during the 2024 campaign and following his victory, President-elect Trump has been clear that his administration will revive and expand cruel federal policies targeting immigrants. From reinstating family separation to increasing deportation raids and mass deportations, these policies are designed to instill fear and destabilize communities. Locally, the Mayor’s Office of Immigrant Affairs (MOIA) and the Mayor’s Office of Asylum-Seeker Operations (OASO) must play critical roles in combating harmful criminalizing rhetoric, distributing know-your-rights resources, and ensuring that all city agencies uphold local entanglement and privacy laws.

These local protections—entanglement and privacy laws—are a lifeline for the city’s immigrant communities, especially long-term undocumented residents and members of mixed status families who face heightened risks under the incoming federal policies. Entanglement and privacy policies prevent the city’s resources from being weaponized for federal immigration enforcement, promoting trust in government and protecting New Yorkers at risk of deportation. The city council must resist any attempts to roll back these essential protections, particularly in light of recent calls for local law enforcement resources to be diverted to carrying out Immigration and Customs Enforcement (ICE)’s agenda.¹

Universal Representation as a Solution

Investing in immigration legal services is one of the most impactful ways to ensure the city’s stability and support immigrant communities in this precarious moment. Legal representation dramatically improves outcomes for individuals facing deportation, yet more than half of immigrants in New York’s immigration courts are unrepresented.² As of December 2024, more than 160,000 pending cases in New York immigration courts are unrepresented, leaving families at risk of separation and individuals vulnerable to deportation.³

New York City has long led the nation in defending immigrants, supporting programs like the New York Immigrant Family Unity Project (NYIFUP) that have set the standard for deportation defense nationwide and demonstrated the power of legal representation to protect families, promote economic stability, and strengthen communities.⁴ We urge the council to prioritize funding for NYIFUP and other immigration legal services in Fiscal Year (FY) 2026 to ensure that the city’s legal service providers can continue their vital work. This investment not only safeguards immigrant New Yorkers but also builds momentum toward establishing a federally funded deportation defense program.⁵

Supporting Statewide Protections

In addition to robust local investments, we commend the council for its past support of state-level legislation that aligns with New York City’s values of dignity and justice for all, and we urge it to renew that support this year by passing Councilmember Crystal Hudson’s resolution in support of the **Access to Representation Act** (ARA, A.270/S.141, sponsored by Assemblymember Catalina Cruz and Senator Brad Hoylman-Sigal).⁶ The ARA would guarantee universal representation for immigrants across New York State, and its passage is critical to ensuring that no one faces deportation without a lawyer.

We also urge the council to renew its support for the **New York for All Act** (S. 2235, sponsored by Senator Andrew Gounardes and Assemblymember Karines Reyes), by

passing the resolution of Councilmembers Shahana Hanif and Alexa Aviles in support of the bill. The New York for All Act would prevent local resources across New York State from being used for federal immigration enforcement.

Finally, we urge support for New York State passage of the **Dignity Not Detention Act** (S.316, sponsored by Senator Julia Salazar and Assemblymember Karines Reyes), and the **Clemency Justice Act** (A.403/S.394, sponsored by Senator Zellnor Myrie and Assemblymember Michaelle Solages) —both of which are essential to limiting the reach of federal immigration enforcement in New York and protecting our communities. The Dignity Not Detention Act would end U.S. Immigration and Customs Enforcement (ICE) detention contracts in state facilities. The Clemency Justice Act would create a fairer and more transparent clemency process, providing a crucial lifeline for immigrants and others impacted by the criminal justice system, ensuring they have an opportunity to rebuild their lives without fear of deportation.

New York City's adoption of these resolutions will demonstrate strong support for state laws that will reduce the number of people unjustly harmed by the detention and deportation system, reduce the overall need for (and cost of) deportation defense services, and show that real solutions in support of humane and sensible immigration policy are possible.

Standing Firm Against Harmful Rhetoric

As harmful rhetoric threatening and demonizing immigrants escalates, MOIA and OASO must continue to counter misinformation and uplift the contributions of immigrants to New York City's economic and cultural vitality.

Immigrant communities are integral to the city's identity and prosperity. Immigrants comprise more than 44 percent of the city's workforce and are critical to addressing labor shortages that threaten economic growth.⁷ Investing in policies and programs that protect immigrant New Yorkers is not only morally imperative but also essential to the city's future.

Conclusion

We call on the city council to remain steadfast in protecting immigrant communities by:

1. passing strong funding for immigration legal services, including NYIFUP, in FY 2026;
2. upholding and strengthening laws and other protections to prevent collaboration with federal immigration enforcement;
3. supporting state legislation like the Access to Representation Act, the New York for All Act, the Clemency Justice Act, and the Dignity Not Detention Act; and

4. empowering MOIA and OASO to counter harmful federal rhetoric and provide critical resources to immigrant communities.

By taking these steps, New York City can reaffirm its commitment to justice and equity for all its residents and set a national example of leadership in the face of federal threats.

Thank you for the opportunity to share this testimony. Please feel free to contact me at smueckay@vera.org or (347) 685-7204 if the Vera Institute of Justice may provide further information or support.

Sincerely,

Santiago Mueckay
Associate Director of Advocacy
Vera Institute of Justice

¹ For example, see Gabe Gutierrez and Olympia Sonnier, “Local Law Enforcement Prepares to Ramp up Ice Partnership amid Trump’s Mass Deportation Plans,” NBC, November 26, 2023, <https://www.nbcnews.com/politics/immigration/local-law-enforcement-ice-trump-deportation-plan-rcna181717>.

² Campaign for Access, Representation, and Equity (CARE) for Immigrant Families, “Pass the Access to Representation Act (S999/A170) to Guarantee Immigrants Facing Deportation a Right to Counsel—and Invest in Immigration Legal Services in FY24,” March 15, 2023, https://vera-advocacy-and-partnerships.s3.amazonaws.com/UREP_Pass%20the%20ARA.pdf.

³ Vera Institute of Justice, “Immigration Court Legal Representation Dashboard,” accessed December 12, 2024, <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative/immigration-court-legal-representation-dashboard>. Out of 373,171 total proceedings at New York State immigration courts, 162,972 did not have legal representation.

⁴ Jennifer Stave, Peter Markowitz, and Karen Berberich, et al., *Evaluation of the New York Immigrant Family Unity Project: Assessing the Impact of Legal Representation on Family and Community Unity* (New York: Vera Institute of Justice, 2017), <https://www.vera.org/publications/new-york-immigrant-family-unity-project-evaluation>.

⁵ For more information, see Vera and the National Partnership for New Americans, “Fairness to Freedom: The Campaign for Universal Representation,” <https://www.vera.org/fairness-to-freedom>.

⁶ New York City Council, Resolution 0556-2023, “Resolution calling on the New York State Legislature to pass and the Governor to sign A.170/S.999, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the

administration thereof,” adopted December 20, 2023,
<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6165403&GUID=1A030401-F313-4021-BC4A-BC26135E5D1A&Options=ID%7CText%7C&Search=556>.

- ⁷ Office of the State Deputy Comptroller for the City of New York, *New York City’s Uneven Recovery: Foreign-Born in the Workforce* (Albany, NY: Office of the New York State Comptroller, 2024), <https://www.osc.ny.gov/files/reports/osdc/pdf/report-20-2024.pdf>, 1. On city and state labor shortages, see for example, Erin Delmore, “Could Migrants Be the Answer to New York’s Restaurant Labor Shortage?” Marketplace, April 19, 2024, <https://www.marketplace.org/2024/04/19/migrants-new-york-city-restaurants-hospitality-labor-shortage>; U.S. Bureau of Labor Statistics, Northeast Information Office, “New York Job Openings and Labor Turnover—June 2024,” News release, August 28, 2024, https://www.bls.gov/regions/northeast/news-release/jobopeningslaborturnover_newyork.htm; and Ella Ceron, “From New York to Denver, US Cities Are Seeking Migrants for Jobs,” Bloomberg, August 9, 2024, <https://www.bloomberg.com/news/articles/2024-08-09/us-local-cities-lean-on-migrants-to-fill-manual-labor-jobs?embedded-checkout=true>.



Violence Intervention Program, Inc.

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**City Council of the City of New York
Committee on Immigration
Protection for Immigrant Communities**

Testimony submitted by: Ashley Peguero, Program Manager

Thursday, January 16th, 2025, 10:00am

Good afternoon Council Members,

My name is Ashley Peguero, I am the Manager for the Queens Community Program at the Violence Intervention Program. VIP is the only organization in New York City providing culturally specific services to address domestic and sexual violence in Latinx communities. Our programs serve over 1,700 survivors plus their children yearly. VIP also is a member of The Collective, the only coalition of culturally specific, gender justice organizations in New York City that are dedicated to supporting immigrant and BIPOC survivors through policy-making efforts to address gender-based violence.

The individuals we serve are mainly single mothers of color, many having two or more children or an annual income less than \$15,000. More than 70% of our survivors are ineligible for governmental relief programs or subsidies due to their status.

Immigrant survivors served by VIP face extremely low wages. They live in overcrowded apartments due to the high cost of living. They're exposed to worsened health outcomes due to lack of healthcare access. Immigrant survivors face greater risk of violence and isolation out of fear they may be retaliated against due to their legal status.

Perhaps one of the most difficult obstacles they face is the risk of deportation, especially since there is little to no legal representation they can afford. Families are living in a constant state of anxiety that something terrible will happen to them. Many survivors have escaped their countries from an abusive partner, a family member, or authorities, where they found no justice.

One of our clients is "Ana"- a 42-year-old survivor from Ecuador. Since leaving her abusive husband, Ana has spent significant time seeking employment; however, she's always faced with discrimination and ridicule. On one occasion, a retail job offered her \$6 an hour, part-time, which is impossible to support two young children with. Ana struggled for years to find legal support because she cannot afford it and many legal aid clinics do not have capacity for additional clients.

I urge this committee to champion stronger protections for immigrant survivors of gender-based violence. It's critical for the Council to preserve that New York City remain a sanctuary city, push for expanding legal aid and clear pathways to citizenship. These crucial steps empower survivors and their children to break free from abuse. Thank you for your consideration.

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Bonnie Kerker, Refugee Task Force of Congregation Beth Elohim

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Bonnie Kerker and I am the co-chair of the Refugee Task Force (RTF) of Congregation Beth Elohim (CBE), a large synagogue in Brooklyn, NY. In this political moment, we are facing grave threats of the incoming federal administration, and we are further disturbed by the fact that our hard-fought protections in New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, we are testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers. The RTF consists of CBE and community members committed to protecting and supporting refugees and immigrants. Most of us are descendants of immigrants ourselves, and we feel grateful for the opportunities our ancestors were given. We believe that every newcomer to this country deserves to be treated fairly and justly, and we cannot stand by and watch people's rights be violated.

For several years, the RTF has worked with families and individuals seeking asylum in the U.S. We have developed deep relationships with our new neighbors. They are mothers, fathers, sisters, brothers, sons, daughters, aunts, uncles, grandparents and friends who fled to the U.S. for safety and security for themselves and their families. As parents, many of us can relate to the difficult decisions hundreds of thousands have made to leave their homes, extended family, culture and language behind in search of a better life for their children.

When immigrant New Yorkers lack confidence that City agencies and their representatives won't communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, this gives way to mistrust and fear. A January 2022 report found that fear and other barriers often prevent immigrants from accessing public services they are eligible for. When immigration policies worsened under the first Trump administration, this perpetuated fear of accessing services - fears that have persisted, such as access to public benefits, access to health services and access to law enforcement and the courts. Some immigrants are hesitant to call the police, report crimes or testify in court out of fear of exposing themselves to immigration enforcement. However, when strong local policies are in place that clearly protect against localities

communicating and colluding with ICE, domestic violence and other crimes are more likely to be reported.

Based on what we saw in the previous Trump administration, we are concerned that families will refuse social, educational and medical services out of fear, and we worry about the pain, suffering, and even death that can result. No one should be afraid to get the care they need. Children belong in school; as we saw in the COVID pandemic, keeping them at home can lead to social and emotional challenges and set them up for educational and employment difficulties for years to come. Delayed healthcare services can also lead to increased costs to the medical system, which are ultimately passed on to other healthcare consumers.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. **For this reason, we urge passage of [Intro 214](#), a bill currently before this committee which will create a “private right of action”—which allows a private person to take legal action to enforce their rights —** so that people wronged by violations of these laws can seek justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. [This bill would make sure that DOC, NYPD and all city agencies be held accountable](#) when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

New York City’s protection of our immigrant communities matter because ICE causes irreparable harm by separating families, disrupting communities, and putting people in cages simply because they were not born in this country. ICE detention in New York State is inhumane. Most people who are arrested by ICE in New York City are detained at Orange County Jail in Goshen, NY. Orange County Jail is notoriously dangerous and abusive. In previous hearings before this council, directly impacted New Yorkers testified about the conditions in the jail. People reported unsanitary conditions, exceedingly cold temperatures, inedible and inadequate food. Testimony and legal claims have also highlighted that officers at Orange County jail are abusive: they make xenophobic and racist comments, including using the N word; scream at detainees for not speaking in English; threaten to put detainees in solitary confinement for wearing a sweater in freezing temperatures; and regularly fail to provide appropriate meals and prayer spaces. There are widespread reports of physical violence and excessive force by Orange County Jail officers, including pepper spraying, kicking, and punching people involved in nonviolent protest. The detainer laws must be fixed so we can prevent more of our New York City neighbors from being funneled into these violent places.

We have seen the impact of family separation and detention on parents and children firsthand. The RTF has worked with mothers who were detained at the border while their children were taken elsewhere. The trauma this causes can last for years and harm children's ability to succeed in school, gain and maintain employment, and have healthy relationships with partners and their own children. Families belong together, and as Americans we must do what we can to ensure that all people are treated humanely.

The City Council must meet these local and federal threats with oversight, enforcement, and innovation—taking proactive action and strengthening our City's immigrant protection legislative scheme. For these reasons, we urge all possible action be taken to secure compliance with existing protections for immigrant communities, and that this Council work with advocates to amend and clarify our existing laws to meet new threats and tactics.

Thank you.

A handwritten signature in black ink that reads "Bonnie Kerker". The script is cursive and fluid, with the first name "Bonnie" and last name "Kerker" clearly distinguishable.

Bonnie Kerker
Co-Chair
Refugee Task Force of Congregation Beth Elohim

Dear City Council,

I urge you to strengthen New York City's status as a sanctuary city. The incoming presidential administration has promised to implement a mass deportation and Mayor Adams seems to have turned his back on the immigrant community in order to increase his probability of receiving a presidential pardon. Therefore, it is up to you, honorable City Council to protect our immigrant community. I am sure you are all aware that New York became the largest economy of any city in the United States, with a GDP higher than even most states, on the backs of our immigrant community. New York is known as the crossroads of cuisine, where one can experience countless dining options from 6 continents because of our immigrant community. But now, the immigrant community is at tremendous risk. Without your help, hundreds of thousands of hard working, law abiding New Yorkers will be deported. Please keep New York a sanctuary city. Thank you for your time and consideration.

Sincerely,

Adam Kwapich

January 16th, 2025

City Council Hearing: Oversight - Protection for Immigrant Communities
Make the Road New York Member

Esteemed council members, My name is Daniel Lopez I am submitting my testimony once more to urge the city council to protect immigrants like myself, who have been deeply harmed by the collusion between ICE and local law enforcement, by securing our detainer laws and rebutting any attempts from our mayor to collaborate with ICE and use immigrants as a bargaining chip for his gain.

My story begins back in the summer of 2020, when the NYPD deliberately helped ICE in detaining me. Unbeknownst to me, ICE arrived at my house and began to violently knock on my front door. Since they did not identify themselves as ICE, I was scared and hid in my bedroom and feeling that my life was at risk—I called the police. When the police officers arrived, they told me to come out of my bedroom to talk to them and assured me that nothing was wrong and that no one was around to harm me. When I came out of my room, I realized that something was off, and suddenly a police officer told me I had to go with the ICE agents, who were waiting in the hallway, and allowed me to be detained by them—contrary to what the NYPD officers had told me. Despite my protest and confusion, I was detained and eventually deported back to Mexico.

You can imagine my shock and disappointment that the police, who I reached out to for help, were the ones that aided and abetted ICE in my arrest. In NYC we have clear detainer laws that protect against any collaboration and collusion between the police and ICE, yet that is not what happened in my situation. If I had known that the NYPD would willingly collaborate with ICE, I would never have called them. My deportation caused extreme stress and trauma to my family and myself. I was distraught in Mexico thinking that I would never see my family again, but also having to familiarize myself with a place I no longer recognized as home.

Through the tremendous advocacy of Make the Road New York, I was able to come back to NY and reunite with my loved ones, but the scars of that summer remain. Hearing that the mayor wants to find loopholes in our detainer laws and willingly meet with Trump's separation czar makes my family and I concerned for our future and that of immigrant New Yorkers. It is of

tantamount importance for the City Council to hold the line and protect our detainer laws so that community members do not have to go through similar situations like mine. New Yorkers should not be afraid to interact with city agencies, schools, hospitals, etc., due to a fear that their lives could be upended by ICE at any moment.

It is also important to note, that if their rights are violated, there are pathways to hold ICE accountable, given that they are such an unregulated agency. This council has an opportunity to step up and do the right thing by passing Intro. 214, which would allow an individual to seek a “private right of action” that would hold agencies liable if their rights are violated. This is the only way that immigrants like myself can truly feel safe and protected.

I urge you once more to stand up for immigrants against the looming threats of the upcoming administration, and protect us.

Thank you for your time.

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Gale Kaufman

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Gale Kaufman and I am a resident of Brooklyn. In this political moment, we are facing grave threats of the incoming federal administration, and we are further disturbed by the fact that our hard-fought protections in New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, I am testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers. In particular, I urge this Council to (1) strongly and swiftly resist any attempts by the Mayor to roll back Sanctuary City protections or to collaborate in any way with the anti-immigration actions, including mass deportations, that have been threatened by the new Administration; (2) Pass Intro 214, which will provide appropriate remedies for those whose rights have been violated; (3) Announce its strong support for statewide legislation protecting immigrants: the New York for All Act and the Access to Representation Act.

I am the ancestor of Jewish Eastern European immigrants, who came to this country with almost nothing, fleeing persecution and violence, much like those who come here today. I have gotten to know several new immigrant families in the past year. Each of these families fled dire circumstances in their countries and is just looking for safety, stability and the opportunity for a better life for their families. As an American and a Jewish person, I believe it is my sacred duty to protect these new arrivals to our City, and I cannot stand by and watch as people's rights are violated.

Intro 214 and Seeking Justice for Immigrants Harmed by Violations of Our Local Laws

Our Council has legislated over the past dozen years to ensure that our local agencies do not conspire with ICE in the separation of our families and that agencies are constrained from sharing information under many circumstances. However, city agencies - especially the New York Police Department (NYPD) and the Department of Corrections (DOC) - have violated these laws, resulting in grave harm to immigrants for whom detention and deportation can be very difficult to stop. Yet, there is no way to hold city agencies accountable for infringing on the rights of immigrant New Yorkers.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. This bill would make sure that DOC, NYPD and all city agencies be held accountable when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

The New York for All Act (S987/A5686)

The New York for All Act 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. By passing the New York for All Act, we'll be one step closer to cultivating safe and vibrant communities for all New Yorkers, regardless of status.

When immigrant New Yorkers lack confidence that City agencies and their representatives won't communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, this gives way to mistrust and fear. A January 2022 report found that fear and other barriers often prevent immigrants from accessing public services they are eligible for. When immigration policies worsened under the first Trump administration, this perpetuated fear of accessing services - fears that have persisted, such as access to public benefits, access to health services and access to law enforcement and the courts. Some immigrants are hesitant to call the police, report crimes or testify in court out of fear of exposing themselves to immigration enforcement. However, when strong local policies are in place that clearly protect against localities communicating and colluding with ICE, domestic violence and other crimes are more likely to be reported

The Access to Representation Act

The Access to Representation Act (ARA) would build long-term stability in New York's immigration legal services, support strong communities, and foster economic stability. The ARA establishes a right to universal representation, meaning anyone at risk of deportation who cannot afford a lawyer will be provided one. The stakes could not be higher: detention in dangerous facilities, permanent family separation, and deportation to unsafe conditions.

Unlike in criminal proceedings, where defendants will be given a lawyer if they cannot afford one, immigrants do not have a right to a government-paid attorney in immigration court. Those who cannot afford to hire a private attorney must find a nonprofit able to help or represent themselves. But immigrant New Yorkers lack affordable legal services,

especially outside of New York City. Moreover, the uncertainty around continued funding for immigration legal service providers has made it hard for organizations to hire and retain staff, and to guarantee clients they will have lawyers for the duration of their cases.

Having a lawyer represent someone in deportation proceedings makes an enormous difference. 60% of not detained immigrants with lawyers win their cases, versus 17% who don't have legal help. Detained immigrants with legal representation are 10 times more likely to win their cases compared to those who lack counsel, and are seven times more likely to be released from custody than those without counsel.

The New York City Council Must Take Bold Action. The City Council must meet these local and federal threats with oversight, enforcement, and innovation – taking proactive steps and strengthening our City's immigrant protection legislative scheme. For these reasons, I urge the Council to take all possible action to secure compliance with existing protections for immigrant communities, and that this Council work with advocates to amend and clarify our existing laws to meet new threats and tactics.

Testimony

New York City Council Committee on Immigration

Thursday, January 16 at 10AM

Oversight - Protection for Immigrant Communities

Testimony of Jacqueline Ambrosini

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Jacqueline Ambrosini. We face a challenge in the country and our city in the face of the clearly stated policies and intent of the incoming federal administration. New York City has been a beacon for immigrants and accordingly, we have hard-fought protections to ensure that people who have migrated are able to pursue their rights lawfully and peacefully. But today, the lawfully enacted protections afforded by New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, I am testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers.

As an individual long-time resident of New York City, I have lived in Brooklyn for more than 20 years. I have seen first-hand how immigrants contribute in the City, to its economy and cultural vitality. During the first Trump administration, my church has had a congregant who has been deported, ripping away from his American family a father, a husband, and a source of economic stability. I fear that more draconian federal immigration policies will rip away many more of our friends and neighbors without due process. As a New Yorker, I'm grateful that our leaders enacted laws that prohibit working with ICE. But these protections are meaningless if there is nothing to stop this collusion. For these reasons, I support Intro 214 giving people a private right of action so people can take legal action to enforce their rights under the laws New York enacted.

Testimony

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Jeff Turrentine

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Jeff Turrentine. We face a challenge in both the country and our city in the face of the clearly stated policies and intent of the incoming federal administration. New York City has always been a beacon for immigrants, and, accordingly, we have established hard-won protections to ensure that people who have migrated here are able to pursue their rights lawfully and peacefully. But today, the lawfully enacted protections afforded by New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, I am testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrants in our city. I first moved to New York City in 1991, and over the decades I, like my millions of fellow New Yorkers, have personally witnessed how immigrants have contributed to the cultural, economic, and civic vitality of my home. I have also seen how racism and xenophobia combine in the form of policies that rip families and communities apart, by allowing for the rounding up and deporting of individuals -- many of them hard-working and tax-paying residents who have lived here for many years -- without any form of due process.

As a New Yorker, I'm grateful that our leaders have enacted laws that prohibit working with ICE. But these protections are meaningless if there are no substantive legal means for preventing this collusion. For these reasons, I support Intro 214, giving individuals a private right of action so that they can take legal measures to enforce their rights under the laws New York has already enacted.

The NYPD and ICE Tried to Destroy My Life. Here's the Truth.

My name is Kelvin Servita Arocha, and I want to share my story. Not because it's easy, but because it's necessary. I'm not here in person today because I am still in ICE detention. While you sit in liberty right now, remember that I am in a cage.

I'm still in shock at how little protection there is for immigrants, both long-time residents and newly arrived New Yorkers like me, and how quickly those in power will abandon the law when it suits them. But what shocks me the most is how quickly elected officials rushed to judgment without knowing the facts.

The Governor [went on TV](#) and said people like me should be locked up. She didn't care about the truth—only about looking tough. The NYPD didn't care about my rights either—only about protecting their pride. And when the facts came to light, none of them were forced by the media to answer for them, including why the NYPD and ICE worked together in violation of the law.

In January of 2024, my life was turned upside down. The NYPD claimed I was part of a violent attack on officers in Times Square. They branded me a gang member and a fugitive. And they implied that because of laws designed to protect immigrants like me from abuse, that they were unable to stop us from doing something dangerous.

All these claims were lies. I never left New York; I was here the whole time, waiting for my court date. I was never part of a gang either. And it was the NYPD who initiated the violence that day, as [video evidence](#) later revealed. I never assaulted a police officer and that charge was dropped. I plead guilty to a misdemeanor for kicking a police radio after witnessing officers brutally attack my friends. But now that the dust has settled, you don't hear about any of this, or the further violations to me and my family.

The injustice started the night I was arrested. On a cold and snowy February night, NYPD and ICE officers stormed into my apartment – together – guns drawn, shouting. I was barefoot, half-asleep, and terrified. They ignored my pleas to not scare the children and for shoes, dragged me into the freezing snow, and told me I was being deported.

For days, my family was trapped inside the apartment by NYPD officers guarding outside. They couldn't leave, even for food. Children [went hungry](#). Why was ICE there? The NYPD says the law prevents them from working with ICE. But not that day. Not when they wanted to make an example out of me.

After my arrest, they threw me into an immigration jail in Orange County. It was like being buried alive. I couldn't shower, drink water, or even make a phone call. I never saw an immigration judge, never had a chance to ask for bond. Then they sent me to Rikers Island to wait for my criminal case. Even if I'd posted bail, I wouldn't have been released because I was there as a borrowed prisoner from ICE.

It's terrifying to realize how vulnerable we are as recently arrived New Yorkers. The laws that are supposed to protect us are barely holding on, and when they work, the NYPD violates them anyway without any consequences to them. This isn't about letting anyone get away with anything; I care about living in a safe city. But it cannot come at the expense of our rights and separating families based on lies and broken laws.

Immigrants shouldn't be afraid to interact with the government. And the government shouldn't make New Yorkers afraid of each other either. And when they do so based on lies or ignoring the law, there should be accountability. That's why I support a proposed law (Intro 214 and The Resolution in support of The New York for All Act) that would give people like me the power to sue when the NYPD breaks the law and causes harm. If the police have nothing to hide, they shouldn't fear any scrutiny.

The fight for justice shouldn't depend on where you were born. It should depend on the truth. And the truth is, we all deserve to be treated with dignity and respect, no matter how long we've been here. That's the New York I believe in, and I believe most New Yorkers want that too.

####

From: [Laura Conwesser](#)
To: [Testimony](#)
Subject: [EXTERNAL] Committee on Immigration
Date: Thursday, January 16, 2025 5:11:10 PM

[REDACTED]

To the Committee,

It is imperative that New York City stands up to protect those who have come here to seek refuge from fear and harm. I am speaking as an individual who has volunteered for several years to help those who are seeking asylum.

Although New York is a sanctuary city, Mayor Adams and others are trying to back away from protecting immigrants whose rights are being threatened by the Mayor and city agencies. The increasingly xenophobic rhetoric from Trump and his supporters had created an atmosphere of terror for these immigrants. They are afraid to send their children to school, to seek out health care, to go to work, in anticipation of raids by ICE. They do not report crimes that are being committed against them for fear that they themselves will be arrested and deported.

Our Council has legislated over the past dozen years to ensure that our local agencies do not conspire with ICE in the separation of our families and that agencies are constrained from sharing information under many circumstances. However, city agencies - especially the New York Police Department (NYPD) and the Department of Corrections (DOC) - have violated these laws, resulting in grave harm to immigrants for whom detention and deportation can be very difficult to stop. Yet, there is no way to hold city agencies accountable for infringing on the rights of immigrant New Yorkers.

In February of 2023, the Council detainer oversight hearing revealed that DOC had been overtly colluding with ICE to transfer immigrants from DOC to ICE custody in violation of our laws.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. For this reason, we urge passage of Intro 214, a bill currently before this committee which will create a “private right of action”—which allows a private person to take legal action to enforce their rights — so that people wronged by violations of these laws can seek

justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws.

I appeal to your humanity, as well as your respect for New York City legal precedent, to keep our immigrant community safe.

Yours truly,
Laura Conwesser

A solid black rectangular box used to redact the signature of Laura Conwesser.

New York, NY 10025

Testimony

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Lee Crawford

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Lee Crawford. We face a challenge in the country and our city in the face of the clearly stated policies and intent of the incoming federal administration. New York City has been a beacon for immigrants and accordingly, we have hard-fought protections to ensure that people who have migrated are able to pursue their rights lawfully and peacefully. But today, the lawfully enacted protections afforded by New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, I am testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers.

As an individual long-time resident of New York City, I have lived in Brooklyn for more than 20 years. I have seen first-hand how immigrants contribute in the City, to its economy and cultural vitality. During the first Trump administration, my church has had a congregant who has been deported, ripping away from his American family a father, a husband, and a source of economic stability. I fear that more draconian federal immigration policies will rip away many more of our friends and neighbors without due process. As a New Yorker, I'm grateful that our leaders enacted laws that prohibit working with ICE. But these protections are meaningless if there is nothing to stop this collusion. For these reasons, I support Intro 214 giving people a private right of action so people can take legal action to enforce their rights under the laws New York enacted.

From: [Leslie Weber](#)
To: [Testimony](#)
Subject: [EXTERNAL] Re: Committee on Immigration Hearing
Date: Thursday, January 16, 2025 4:49:17 PM



New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities

Testimony of Leslie Weber, Submitted Electronically, Jan. 16, 2025

Thank you to the Committee on Immigration for holding today's public hearing to address the urgent need to protect our immigrant communities in New York City. In this political moment, we are facing grave threats from the incoming federal administration, and I am concerned that our hard-won protections in New York City are being violated, challenged, and threatened by our own mayor and agencies.

I am writing/testifying to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers.

I have friends and colleagues who are immigrants; and have employed immigrants many times over the years, either directly or through contractors or agencies. At this very moment, an immigrant employed by Home First via the Medicaid home care program is helping to care for my 92-year-old mother, and an immigrant employed by a local contractor is making repairs and painting in my home. The idea that these contributing members of our community providing invaluable services, supporting their families, and paying their taxes may be at risk of harassment, family separation, threats of arrest or deportation, or actual deportation, by the very agencies charged with protecting and supporting them, is frankly horrifying.

The below is information which I believe has been shared with you at the hearing. I include it here to emphasize my support for Intro 214, as well as for a resolution calling on the State Legislature to pass A270/S141 (right to counsel) and a resolution calling on the State Legislature to pass the New York for All Act, which would prohibit and regulate the discovery and disclosure of immigration status by New York state and local government entities, to help protect and ensure recourse for immigrants whose rights have been violated.

Risks When Immigrant New Yorkers Fear Engaging with City Agencies

When immigrant New Yorkers lack confidence that City agencies and their representatives won't communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, this gives way to mistrust and fear. A January 2022 report found that fear and other barriers often prevent immigrants from accessing public services they are eligible for. When immigration policies worsened under the first Trump administration, this perpetuated fear of accessing services - fears that have persisted, such as access to public benefits, access to health services and access to law enforcement and the courts. Some immigrants are hesitant to call the police, report crimes or testify in court out of fear of exposing themselves to immigration enforcement. However, when strong local policies are in place that clearly protect against localities communicating and colluding with ICE, domestic violence and other crimes are more likely to be

reported.

Intro 214 and Seeking Justice for Immigrants Harmed by Violations of Our Local Laws

Our Council has legislated over the past dozen years to ensure that our local agencies do not conspire with ICE in the separation of our families and that agencies are constrained from sharing information under many circumstances. However, city agencies - especially the New York Police Department (NYPD) and the Department of Corrections (DOC) - have violated these laws, resulting in grave harm to immigrants for whom detention and deportation can be very difficult to stop. Yet, there is no way to hold city agencies accountable for infringing on the rights of immigrant New Yorkers.

In February of 2023, the Council detainer oversight hearing revealed that DOC had been overtly colluding with ICE to transfer immigrants from DOC to ICE custody in violation of our laws. Communications obtained through a FOIL request unequivocally showed clear violations and extreme anti-immigrant sentiment within the agency with [email communications to ICE from the Department of Corrections using the hashtag #teamsendthemback](#).

We have continued to see instances of collusion with blatant disregard for our local laws by city agencies - including the DOC, NYPD and ACS - with no recourse to the New Yorkers who were harmed. [New Yorkers like Jennifer](#), a mother who sought help from shelter staff in NYC only to have ACS contacted and then her information shared with ICE, resulting in her detention by ICE for one month, during which time she was separated from her children.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. **For this reason, I urge passage of [Intro 214](#), a bill currently before this committee which will create a “private right of action”—which allows a private person to take legal action to enforce their rights** — so that people wronged by violations of these laws can seek justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. [This bill would make sure that DOC, NYPD and all city agencies be held accountable](#) when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

Conditions in ICE Detention

New York City’s protection of our immigrant communities matter because ICE causes irreparable harm by separating families, disrupting communities, and putting people in cages simply because they were not born in this country. ICE detention in New York State is inhumane. Most people who are arrested by ICE in New York City are detained at Orange County Jail in Goshen, NY. Orange County Jail is notoriously dangerous and abusive. In previous hearings before this council, directly impacted New Yorkers testified about the conditions in the jail. People reported unsanitary conditions, exceedingly cold temperatures, inedible and inadequate food. Testimony and legal claims have also highlighted that officers at Orange County jail are abusive: they make xenophobic and racist comments, including using the N word; scream at detainees for not speaking in English; threaten to put detainees in solitary confinement for wearing a sweater in freezing temperatures; and regularly fail to provide appropriate meals and prayer spaces. There are widespread reports of physical violence and excessive force by Orange County Jail officers, including pepper spraying, kicking, and punching people involved in nonviolent protest. The detainer laws must be fixed so we can prevent more of our New York City neighbors from being funneled into these violent places.

The New York City Council Must Take Bold Action

The City Council must meet these local and federal threats with oversight, enforcement, and innovation—taking proactive action and strengthening our City’s immigrant protection legislative scheme. For these reasons, we urge all possible action be taken to secure compliance with existing protections for immigrant communities, and that this Council work with advocates to amend and clarify our existing laws to meet new threats and tactics.

[Learn More:](#)

Tactics, Threats and Harm during the first Trump administration:

- In 2018, during the first Trump administration, ICE sent [threatening letters to NYC residents](#), contributing to a “climate of fear.”
- In [February 2020](#), during the first Trump administration, ICE hospitalized Gaspar Avendano-Hernandez [after taser him more than six times](#). In that same interaction, ICE tasered and shot Eric Diaz-Cruz in the hand and face, also hospitalizing him. [NYPD then escorted ICE officers as they kidnapped Mr. Avendano-Hernandez as he was discharged from the hospital and transported him to ICE detention at the Hudson County Correctional Facility.](#)
- In [October 2020](#), during the first Trump administration there were repeated kidnaps of immigrant New Yorkers conducted by [NYPD and ICE alike](#).

Rhetoric and Threats of the Adams Administration:

- <https://www.thecity.nyc/2024/11/12/sanctuary-city-eric-adams-donald-trump/>
- <https://gothamist.com/news/mayor-adams-says-undocumented-new-yorkers-arent-owed-due-process-defying-constitution>
- <https://www.nytimes.com/2024/12/12/nyregion/adams-homan-meeting-migrants.html>

City Agencies Collusion with ICE

- In [December 2019](#), NYC’s Department of Corrections admitted that they violated local law in transferring Javier Castillo Maradiaga to ICE custody. This story of a Bronx community member unlawfully funneled to ICE by the city as reported in the [New Yorker](#) and [NYTimes](#)
- During the summer 2020 uprising, [ICE provided protection for NYPD precincts \(WNYC story\)](#). [NYPD also worked with ICE to arrest and detain a protester who was in fact Puerto Rican and a U.S. citizen, thereby showcasing how such arrests are dictated by both agencies’ rampant racist policing.](#)
- In November 2022 ICE [released the private information](#) of over 6,000 detained people fleeing persecution and torture.
- The [DOC FOIL](#) released in 2023 from IDP and the Black Alliance for Just Immigration showing DOC ongoing collusion outside of the scope of the law
- [Op ed about Jennifer, the mother who was detained by ICE as a result of ACS](#) unlawfully sharing her information (below I am also pasting the email that ACS later sent after violating the law - yet outside of this mere email, they have no written policy that has been shared)
- [Op ed from Kelvin, the Bronx Defenders client who was arrested by ICE in unlawful collusion with NYPD and the related Gothamist article on background](#)
- Information on [the devastating impacts of the NYPD arrest to deportation pipeline and the NYPD’s history of targeting Black immigrants.](#)
- [Article about the DOE preparations for this moment](#) and why Int 214 helps to protect our schools
- Intro 214 [one pager](#) explainer on the bill

Impacts of ICE detention on Immigrant New Yorkers:

- Conditions in ICE detention in NYS: [COVID-19](#) outbreaks, [sexual abuse](#) by guards,, [denial of health care](#), [harassment by guards](#), and [unsanitary conditions](#).

Leslie H. Weber

[REDACTED]

Brooklyn, NY 11215

[REDACTED]

[REDACTED]

Testimony of María Isabel Jiménez in Support of New York as a Sanctuary City

My name is María Isabel Jiménez, and I want to share my story and to stand in support of New York as a sanctuary city.

Three years ago, I arrived in this city with my 4-year-old son, searching for peace, freedom, and a better quality of life. We fled Venezuela, escaping political persecution. My life was in danger because I dared to speak out against the injustices in my country. The government's goal was to imprison me and ultimately take my life—because that is the fate of many political prisoners in Venezuela, where torture and human rights violations are the norm.

Leaving my home was not a choice I wanted to make, but it was a necessity to protect my son and give him a chance to grow up in a place where his rights would be respected. New York welcomed us with open arms when we had nowhere else to turn.

Being in a sanctuary city like New York means more than just physical safety. It means being treated with dignity and humanity. It means being able to rebuild our lives without living in constant fear of being separated from my son. It means giving him the chance to go to school, play, and dream like any other child.

New York's sanctuary status has given us hope and the opportunity to start over. It represents the values of compassion, justice, and diversity that make this city a beacon for so many immigrants.

I ask all of you to continue supporting New York as a sanctuary city. Immigrants like me are not here to take away from this city but to contribute to it. We bring our strength, resilience, and hope for a better future. Sanctuary cities protect the most vulnerable among us, and in doing so, they uphold the values that define us all as human beings.

Thank you for listening to my story and for standing with immigrants. Together, we can ensure that New York remains a safe haven for those who need it most.

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of: Marisa Harford

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Marisa Harford and I have been a proud resident of NYC since 2001, having lived in Manhattan, the Bronx, and Brooklyn, and having served for 7 years as a NYC public school teacher prior to moving to a nonprofit position, also serving NYCPS schools and students. In this political moment, we are facing grave threats from the incoming federal administration, and we are further disturbed by the fact that our hard-fought protections in New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, I am testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers.

I am the proud grandchild of immigrants and refugees, and have seen first hand the energy, drive, good citizenship, and contributions made to my community here in NYC by immigrants. As a city of immigrants, we have a moral imperative to continue to welcome those who want to come here, or who need to come here for reasons of personal safety, political persecution, or climate crisis-related disasters. We have a long tradition of protecting our immigrant and refugee populations because we know they are the lifeblood of New York City and key members of our community, whether or not they have yet been able to navigate our draconian, broken, and nearly-impossible immigration system to attain a Green Card or other official documentation. We stand to lose hundreds of thousands of hard-working, tax-paying community members who want to be here in NYC through the Trump administration's threatened deportations. We must not cooperate or collaborate.

When immigrant New Yorkers lack confidence that City agencies and their representatives won't communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, they may be hesitant to call the police, report crimes or testify in court, out of fear of exposing themselves to immigration enforcement. However, when strong local policies are in place that clearly protect against localities communicating and colluding with ICE, domestic violence and other crimes are more likely to be reported.¹

As a NYC public school teacher, and later as part of an organization that collaborates with NYCPS, I saw how critical engagement in school was for young immigrant students or first-generation students – providing stability, a vehicle for learning English and accessing support and social services, and for finding community in NYC. I am very concerned that families will – understandably – be very hesitant about registering their children for school or engaging with school staff to support their children's education if they fear that ICE will deport them or otherwise use their undocumented status against them. This will lead to a large group of children who become isolated and fall behind in their education, limiting how they can engage in the community in their new country and ultimately how they and their families succeed here.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or

¹ *Id.*

lead to detention are unacceptable. **For this reason, we urge passage of [Intro 214](#), a bill currently before this committee which will create a “private right of action”—which allows a private person to take legal action to enforce their rights** — so that people wronged by violations of these laws can seek justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. [This bill would make sure that DOC, NYPD and all city agencies be held accountable](#) when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

The City Council must meet these local and federal threats with oversight, enforcement, and innovation—taking proactive action and strengthening our City’s immigrant protection legislative scheme. For these reasons, we urge all possible action be taken to secure compliance with existing protections for immigrant communities, and that this Council work with advocates to amend and clarify our existing laws to meet new threats and tactics.

Thank you for the opportunity to provide testimony in support of our immigrant and refugee communities here in NYC.

Marisa Harford

[REDACTED]

Brooklyn, NY 11238

[REDACTED]

New York City Council Committee on Immigration

Thursday, January 16 at 10AM

Oversight - Protection for Immigrant Communities

Testimony of Megan Taylor

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Megan Taylor. In this political moment, we are facing grave threats of the incoming federal administration, and we are further disturbed by the fact that our hard-fought protections in New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, I am testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers.

This issue is important to me because I grew up in Miami, FL and have lived in Queens, NY for over 10 years. I have neighbors, friends, and family who have immigrated to the US, which is a fraught and stressful process even without the additional threats of the incoming administration. These people are part of what makes my communities so special, and I'm counting on you to protect them.

Risks When Immigrant New Yorkers Fear Engaging with City Agencies

When immigrant New Yorkers lack confidence that City agencies and their representatives won't communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, this gives way to mistrust and fear. A January 2022 report found that fear and other barriers often prevent immigrants from accessing public services they are eligible for. When immigration policies worsened

under the first Trump administration, this perpetuated fear of accessing services - fears that have persisted, such as access to public benefits, access to health services and access to law enforcement and the courts. Some immigrants are hesitant to call the police, report crimes or testify in court out of fear of exposing themselves to immigration enforcement. However, when strong local policies are in place that clearly protect against localities communicating and colluding with ICE, domestic violence and other crimes are more likely to be reported.

Intro 214 and Seeking Justice for Immigrants Harmed by Violations of Our Local Laws

Our Council has legislated over the past dozen years to ensure that our local agencies do not conspire with ICE in the separation of our families and that agencies are constrained from sharing information under many circumstances. However, city agencies - especially the New York Police Department (NYPD) and the Department of Corrections (DOC) - have violated these laws, resulting in grave harm to immigrants for whom detention and deportation can be very difficult to stop. Yet, there is no way to hold city agencies accountable for infringing on the rights of immigrant New Yorkers.

In February of 2023, the Council detainer oversight hearing revealed that DOC had been overtly colluding with ICE to transfer immigrants from DOC to ICE custody in violation of our laws. Communications obtained through a FOIL request unequivocally showed clear violations and extreme anti-immigrant sentiment within the agency with email communications to ICE from the Department of Corrections using the hashtag #teamsendthemback.

We have continued to see instances of collusion with blatant disregard for our local laws by city agencies - including the DOC, NYPD and ACS - with no recourse to the New Yorkers who were harmed. New Yorkers like Jennifer, a mother who sought help from shelter staff in NYC only to have ACS contacted and then her information shared with ICE, resulting in her detention by ICE for one month, during which time she was separated from her children.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. **For this reason, we urge passage of Intro 214, a bill currently before this committee which will create a “private right of action”—which allows a private person to take legal action to enforce their rights** — so that people wronged by violations of these laws can seek justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. This bill would make sure that DOC, NYPD and all city agencies be held accountable when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

Conditions in ICE Detention

New York City’s protection of our immigrant communities matter because ICE causes irreparable harm by separating families, disrupting communities, and putting people in cages simply because they were not born in this country. ICE detention in New York State is inhumane. Most people who are arrested by ICE in New York City are detained at Orange County Jail in Goshen, NY. Orange County Jail is notoriously dangerous and abusive. In previous hearings before this

council, directly impacted New Yorkers testified about the conditions in the jail. People reported unsanitary conditions, exceedingly cold temperatures, inedible and inadequate food. Testimony and legal claims have also highlighted that officers at Orange County jail are abusive: they make xenophobic and racist comments, including using the N word; scream at detainees for not speaking in English; threaten to put detainees in solitary confinement for wearing a sweater in freezing temperatures; and regularly fail to provide appropriate meals and prayer spaces. There are widespread reports of physical violence and excessive force by Orange County Jail officers, including pepper spraying, kicking, and punching people involved in nonviolent protest. The detainer laws must be fixed so we can prevent more of our New York City neighbors from being funneled into these violent places.

The New York City Council Must Take Bold Action

The City Council must meet these local and federal threats with oversight, enforcement, and innovation—taking proactive action and strengthening our City’s immigrant protection legislative scheme. For these reasons, we urge all possible action be taken to secure compliance with existing protections for immigrant communities, and that this Council work with advocates to amend and clarify our existing laws to meet new threats and tactics.

Learn More:

Tactics, Threats and Harm during the first Trump administration:

- In 2018, during the first Trump administration, ICE sent threatening letters to NYC residents, contributing to a “climate of fear.”

- In February 2020, during the first Trump administration, ICE hospitalized Gaspar Avendano-Hernandez after tasing him more than six times. In that same interaction, ICE tasered and shot Eric Diaz-Cruz in the hand and face, also hospitalizing him. NYPD then escorted ICE officers as they kidnapped Mr. Avendano-Hernandez as he was discharged from the hospital and transported him to ICE detention at the Hudson County Correctional Facility.

- In October 2020, during the first Trump administration there were repeated kidnaps of immigrant New Yorkers conducted by NYPD and ICE alike.

Rhetoric and Threats of the Adams Administration:

- <https://www.thecity.nyc/2024/11/12/sanctuary-city-eric-adams-donald-trump/>

- <https://gothamist.com/news/mayor-adams-says-undocumented-new-yorkers-arent-owed-due-process-defying-constitution>

- <https://www.nytimes.com/2024/12/12/nyregion/adams-homan-meeting-migrants.html>

City Agencies Collusion with ICE

- In December 2019, NYC's Department of Corrections admitted that they violated local law in transferring Javier Castillo Maradiaga to ICE custody. This story of a Bronx community member unlawfully funneled to ICE by the city as reported in the New Yorker and NYTimes

- During the summer 2020 uprising, ICE provided protection for NYPD precincts (WNYC story). NYPD also worked

with ICE to arrest and detain a protester who was in fact Puerto Rican and a U.S. citizen, thereby showcasing how such arrests are dictated by both agencies' rampant racist policing.

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- The DOC FOIL released in 2023 from IDP and the Black Alliance for Just Immigration showing DOC ongoing collusion outside of the scope of the law

- Op ed about Jennifer, the mother who was detained by ICE as a result of ACS unlawfully sharing her information (below I am also pasting the email that ACS later sent after violating the law - yet outside of this mere email, they have no written policy that has been shared)

- Op ed from Kelvin, the Bronx Defenders client who was arrested by ICE in unlawful collusion with NYPD and the related Gothamist article on background

- Information on the devastating impacts of the NYPD arrest to deportation pipeline and the NYPD's history of targeting Black immigrants.

- Article about the DOE preparations for this moment and why Int 214 helps to protect our schools

- Intro 214 one pager explainer on the bill

Impacts of ICE detention on Immigrant New Yorkers:

- Conditions in ICE detention in NYS: COVID-19 outbreaks, sexual abuse by guards, denial of health care, harassment by guards, and unsanitary conditions.

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Michaela, New York Communities for Change Bronx Member

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Michaela, and I am a member of NY Communities for Change. In this political moment, we are facing grave threats of the incoming federal administration, and we are further disturbed by the fact that our hard-fought protections in New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, I am testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers.

Specifically, I am asking this Council to work to ensure that New York remains a sanctuary city. I have been here 20 years, and so many people come here to work for the American dream and build a family of their own in the process, having and raising their kids in this city. Our kids deserve to live in this country we've worked so hard for, as do we. In my home country, the conditions were not safe when I left 20 years ago so we cannot return there. We needed to live – it wasn't just a choice to find a better life for our family.

As immigrants, we contribute to this country, we pick up trash, and we work on everything that other people here do not want to do. So, if we are kicked out, then the city and the country itself will suffer. So we are asking NYC to continue to be a sanctuary city so the immigrants here can continue helping the city, their families, and the country as a whole. We aren't hurting anybody. We aren't asking for much, just to stay in this country as we have been doing for years.

Risks When Immigrant New Yorkers Fear Engaging with City Agencies

When immigrant New Yorkers lack confidence that City agencies and their representatives won't communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, this gives way to mistrust and fear. A January 2022 report found that fear and other barriers often prevent immigrants from accessing public services they are eligible for.¹ When immigration policies worsened under the first Trump administration, this perpetuated fear of accessing services - fears that have persisted, such as access to public benefits, access to health services and access to law enforcement and the courts. Some immigrants are hesitant to call the police, report crimes or testify in court out of fear of exposing themselves to immigration enforcement. However, when strong

¹ Alulema, Daniela and Paviol, Jacquelyn, "Immigrants' Use of New York City Programs, Services and Benefits: Examining the Impact of Fear and Other Barriers to Access." (January 31, 2022)
<https://cmsny.org/publications/nyc-programs-services-and-benefits-report-013122/>

local policies are in place that clearly protect against localities communicating and colluding with ICE, domestic violence and other crimes are more likely to be reported.²

My family and I are scared to call the police or deal with any emergency because what if ICE is called and arrests us? I'm worried for my son more than anything. He's 11 years old. I'm scared to go to the hospital to get in trouble or have him get in trouble. What will happen to our kids if something happens to us?

Intro 214 and Seeking Justice for Immigrants Harmed by Violations of Our Local Laws

Our Council has legislated over the past dozen years to ensure that our local agencies do not conspire with ICE in the separation of our families and that agencies are constrained from sharing information under many circumstances. However, city agencies - especially the New York Police Department (NYPD) and the Department of Corrections (DOC) - have violated these laws, resulting in grave harm to immigrants for whom detention and deportation can be very difficult to stop. Yet, there is no way to hold city agencies accountable for infringing on the rights of immigrant New Yorkers.

In February of 2023, the Council detainer oversight hearing revealed that DOC had been overtly colluding with ICE to transfer immigrants from DOC to ICE custody in violation of our laws. Communications obtained through a FOIL request unequivocally showed clear violations and extreme anti-immigrant sentiment within the agency with [email communications to ICE from the Department of Corrections using the hashtag #teamsendthemback](#).

We have continued to see instances of collusion with blatant disregard for our local laws by city agencies - including the DOC, NYPD and ACS - with no recourse to the New Yorkers who were harmed. [New Yorkers like Jennifer](#), a mother who sought help from shelter staff in NYC only to have ACS contacted and then her information shared with ICE, resulting in her detention by ICE for one month, during which time she was separated from her children.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. **For this reason, we urge passage of [Intro 214](#), a bill currently before this committee which will create a “private right of action”—which allows a private person to take legal action to enforce their rights** — so that people wronged by violations of these laws can seek justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. [This bill would make sure that DOC, NYPD and all city agencies be held accountable](#) when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

² *Id.*

One day ICE came and knocked on my door looking for somebody that didn't live here. I've lived here for 13 years in this apartment, and I didn't know the person they named. They almost broke down the door. It caused me and my family so much fear. We didn't even know the person they were looking for. That's what's been on my mind lately. What if I'm taking my son to school, and they ambush me outside my apartment? That scares me more than anything.

Conditions in ICE Detention

New York City's protection of our immigrant communities matter because ICE causes irreparable harm by separating families, disrupting communities, and putting people in cages simply because they were not born in this country. ICE detention in New York State is inhumane. Most people who are arrested by ICE in New York City are detained at Orange County Jail in Goshen, NY. Orange County Jail is notoriously dangerous and abusive. In previous hearings before this council, directly impacted New Yorkers testified about the conditions in the jail. People reported unsanitary conditions, exceedingly cold temperatures, inedible and inadequate food. Testimony and legal claims have also highlighted that officers at Orange County jail are abusive: they make xenophobic and racist comments, including using the N word; scream at detainees for not speaking in English; threaten to put detainees in solitary confinement for wearing a sweater in freezing temperatures; and regularly fail to provide appropriate meals and prayer spaces. There are widespread reports of physical violence and excessive force by Orange County Jail officers, including pepper spraying, kicking, and punching people involved in nonviolent protest. The detainer laws must be fixed so we can prevent more of our New York City neighbors from being funneled into these violent places.

The New York City Council Must Take Bold Action

The City Council must meet these local and federal threats with oversight, enforcement, and innovation—taking proactive action and strengthening our City's immigrant protection legislative scheme. For these reasons, we urge all possible action be taken to secure compliance with existing protections for immigrant communities, and that this Council work with advocates to amend and clarify our existing laws to meet new threats and tactics.

In solidarity,

Michaela

New York Communities for Change Bronx Member

New York City Council Committee on Immigration

Thursday, January 16 at 10AM

Oversight - Protection for Immigrant Communities

Testimony of Miriam Clark

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Miriam Clark and I am an attorney and a resident of Brooklyn. In this political moment, we are facing grave threats made by the incoming federal administration, and we are further disturbed by the fact that our hard-fought protections in New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, I am testifying today to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers. In particular, I urge this Council to (1) strongly and swiftly resist any attempts by the Mayor to roll back Sanctuary City protections or to collaborate in any way with the anti-immigrant actions, including mass deportations, that have been threatened by the new Administration; (2) Pass Intro 214, which will provide appropriate remedies for those whose rights have been violated; (3) Announce its strong support for statewide legislation protecting immigrants: the New York for All Act and the Access to Representation Act.

I am a grandchild of Jewish Eastern European immigrants, who came to this country with almost nothing, fleeing from persecution and violence, much like those who come here today. I believe it is my sacred duty as an American and as a Jewish person, to protect those who arrive as my grandparents did, seeking only a safe haven and a better life.

Intro 214 and Seeking Justice for Immigrants Harmed by Violations of Our Local Laws

Our Council has legislated over the past dozen years to ensure that our local agencies do not conspire with ICE in the separation of our families and that agencies are constrained from sharing information under many circumstances. However, city agencies - especially the New York Police Department (NYPD) and the Department of Corrections (DOC) - have violated these laws, resulting in grave harm to immigrants for whom detention and deportation can be very difficult to stop. Yet, there is no way to hold city agencies accountable for infringing on the rights of immigrant New Yorkers.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore or misinterpret local detainer laws. [This bill would make sure that DOC, NYPD and all other city agencies be held](#)

accountable when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

The New York for All Act (S987/A5686)

This 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. By passing the New York for All Act, we'll be one step closer to cultivating safe and vibrant communities for all New Yorkers, regardless of status.

When immigrant New Yorkers lack confidence that City agencies and their representatives won't communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, this leads to mistrust and fear. A January 2022 report found that fear and other barriers often prevent immigrants from accessing public services they are eligible for. When immigration policies worsened under the first Trump administration, this perpetuated fear of accessing services - fears that have persisted, such as access to public benefits, access to health services and access to law enforcement and the courts. Some immigrants are hesitant to call the police, report crimes or testify in court out of fear of exposing themselves to immigration enforcement. However, when strong local policies are in place that clearly protect against localities communicating and colluding with ICE, domestic violence and other crimes are more likely to be reported

The Access to Representation Act (S00081-B/A01961A)

The Access to Representation Act (ARA) would build long-term stability in New York's immigration legal services, support strong communities, and foster economic stability. The ARA establishes a right to universal representation, meaning anyone at risk of deportation who cannot afford a lawyer will be provided one. The stakes could not be higher: detention in dangerous facilities, permanent family separation, and deportation to unsafe conditions.

Unlike in criminal proceedings, where defendants will be given a lawyer if they cannot afford one, immigrants do not have a right to a government-paid attorney in immigration court. Those who cannot afford to hire a private attorney must find a nonprofit able to help or represent themselves. But immigrant New Yorkers lack affordable legal services. Moreover, the uncertainty around continued funding for immigration legal service providers has made it hard for organizations to hire and retain staff, and to guarantee clients they will have lawyers for the duration of their cases.

Having a lawyer represent someone in deportation proceedings makes an enormous difference. 60% of not detained immigrants with lawyers win their cases, versus 17% who don't have legal help. Detained immigrants with legal representation are 10 times more likely to win their cases compared to those who lack counsel, and are seven times more likely to be released from custody than those without counsel.

The New York City Council Must Take Bold Action

The City Council must meet these local and federal threats with oversight, enforcement, and innovation—taking proactive steps and strengthening our City’s immigrant protection legislative scheme. For these reasons, I urge that the Council take all possible action to secure compliance with existing protections for immigrant communities, and that this Council work with advocates to amend and clarify our existing laws to meet new threats and tactics.

New York City Council Committee on Immigration
Thursday, January 16 at 10AM
Oversight - Protection for Immigrant Communities
Testimony of Rabbi Stephanie Kolin

Thank you to the Committee on Immigration for holding this public hearing to address the urgent need to protect our immigrant communities in New York City. My name is Stephanie Kolin. This testimony reflects my personal rabbinic perspective. In this political moment, we are facing grave threats from the incoming federal administration, and we are further disturbed by the fact that our hard-fought protections in New York City are being violated, challenged, and threatened by our own mayor and agencies.

For these reasons, I offer this testimony to urge this Council to act swiftly and strategically to reassure and protect immigrant New Yorkers. I have been a rabbi for more than eighteen years, and in those years, I have had the honor of working with many interfaith coalitions for the protection of immigrants, refugees, and asylum seekers across the country. I have witnessed first hand the courage, patriotism, hard work, and deep love that drives immigrant families toward seeking a safe and hopeful life in this country. Moreover, the Jewish people are made up of individuals who emigrated to this country, from all over the world, escaping unspeakable dangers, pogroms, and suffering. The newest wave of New Yorkers have faced their own horrors and the moment is calling us to live up to our deepest Jewish values of "welcoming the stranger." Immigrants make New York stronger and it is upon all of us to welcome our neighbors and ensure that they are treated justly and fairly. Just as my own ancestors had a chance to thrive here, build families, businesses, relationships, and a future for their children, so should these new New Yorkers. Above all, we cannot stand by and watch as people are made to be afraid and have their rights violated.

When immigrant New Yorkers lack confidence that City agencies and their representatives won't communicate and collude with ICE, either due to rhetoric from local leaders or examples of violations of our laws, this gives way to mistrust and fear. A January 2022 report found that fear and other barriers often prevent immigrants from accessing public services they are eligible for. When immigration policies worsened under the first Trump administration, this perpetuated fear of accessing services - fears that have persisted, such as access to public benefits, access to health services and access to law enforcement and the courts. Some immigrants are hesitant to call the police, report crimes or testify in court out of fear of exposing themselves to immigration enforcement. However, when strong local policies are in place that clearly protect against localities communicating and colluding with ICE, domestic violence and other crimes are more likely to be reported.

Based on what we saw in the previous Trump administration, we are concerned that families will refuse social, educational and medical services out of fear, and we worry about the pain, suffering, and even death that can result. Children belong in school,

building networks of friendship. with loving teachers to guide them through their learning and development, as they make their way toward productive employment and their future contributions to society. Delayed services can lead to delays in learning and socialization as well as increased costs to the medical system, which are ultimately passed on to other healthcare consumers. No one should be afraid to get the care they need.

Our existing sanctuary protections need to be enforced if we are to have meaningful trust between immigrant communities and government actors. Violations that cause family separation, anxiety or lead to detention are unacceptable. **For this reason, we urge passage of [Intro 214](#), a bill currently before this committee which will create a “private right of action”—which allows a private person to take legal action to enforce their rights** — so that people wronged by violations of these laws can seek justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. [This bill would make sure that DOC, NYPD and all city agencies be held accountable](#) when this happens, ensure compliance, and prevent family separation of immigrant New Yorkers.

New York City’s protection of our immigrant communities matter because ICE causes irreparable harm by separating families, disrupting communities, and putting people in cages simply because they were not born in this country. ICE detention in New York State is inhumane. Most people who are arrested by ICE in New York City are detained at Orange County Jail in Goshen, NY. Orange County Jail is notoriously dangerous and abusive. In previous hearings before this council, directly impacted New Yorkers testified about the conditions in the jail. People reported unsanitary conditions, exceedingly cold temperatures, inedible and inadequate food. Testimony and legal claims have also highlighted that officers at Orange County jail are abusive: they make xenophobic and racist comments, including using the N word; scream at detainees for not speaking in English; threaten to put detainees in solitary confinement for wearing a sweater in freezing temperatures; and regularly fail to provide appropriate meals and prayer spaces. There are widespread reports of physical violence and excessive force by Orange County Jail officers, including pepper spraying, kicking, and punching people involved in nonviolent protest. The detainer laws must be fixed so we can prevent more of our New York City neighbors from being funneled into these violent places.

We have seen the impact of family separation and detention on parents and children firsthand. During the first family separation tragedy, I started an organization called Faith Communities Reuniting Families to assist families whose children had been taken from them, collecting and donating more than \$50,000 from Reform Jewish communities. The trauma these separations cause can last for years and impact children’s ability to succeed in school, gain and maintain employment and have healthy relationships with partners and their own children. As you know, from that dark time in our nation's recent history, some children still have not been reunited with their families and may never be. Families

belong together, and as Americans we must do what we can to ensure that all people are treated humanely - at the very least.

The City Council must meet these local and federal threats with oversight, enforcement, and innovation—taking proactive action and strengthening our City's immigrant protection legislative scheme. For these reasons, we urge all possible action be taken to secure compliance with existing protections for immigrant communities, and that this Council work with advocates to amend and clarify our existing laws to meet new threats and tactics. This is a moral imperative and I am asking you, our local leaders who have the power to make a difference today, to meet this moment with courage, compassionate hearts, and a commitment to your constituents who are imploring you to do the right thing for our newest neighbors, who so desperately need to know they are not alone.

Thank you.

Rabbi Stephanie Kolin

Thank you for holding this hearing on protecting the rights of immigrants. I am writing on behalf of the Indivisible group I help to run, Brooklyn Resisters, which has more than 250 members. We have spent the last eight years working on behalf of the rights of refugees and asylum seekers in New York and across the country, collaborating with organizations like Catholic Charities and the Young Center for Immigrant Children's Rights to provide aid to people in need. We have also partnered with the Welcome Corps program to sponsor a newly arrived refugee family from Venezuela, which has been an incredible opportunity to put our ideals into action.

Since November's election, we have been extremely concerned about the potential for a crackdown on refugees and asylum seekers in New York, led by our xenophobic incoming president and assisted by Mayor Adams. New York is a city of immigrants, and it is a tolerant city that makes room for new arrivals. The City Council must act now and pass Intro 214. Refugees and asylum seekers should not live in fear of deportation every time they leave their homes. New York should be the first line of defense against anti-immigrant sentiment and any attempt at mass deportation.

Thank you for your consideration.

Saul Austerlitz
Brooklyn Resisters

From: [Suzanne Simmons](#)
To: [Testimony](#)
Subject: [EXTERNAL] Testimony on Intro 214
Date: Sunday, January 19, 2025 10:55:38 AM

Hello,

My name is Suzanne Simmons and I'm a special education teacher in the Bronx. I'm asking for you to pass Intro 214 so I can do my job without worrying about my students or their parents living in fear of ICE raids, so that my students can learn in peace.

My students and parents need to be able to trust me as a member of the local government; they need to know after school programs are safe, and that they can come to parent teacher conferences.

Thank you for your consideration of my testimony.

Thank you,

Testimony:

In preparation for the upcoming Trump Administration return, New York City must protect and expand legal protections for immigrant New Yorkers. As advocates, we trust that the Speaker and City Council are prioritizing taking care of our most vulnerable and targeted communities.

I am here today as a permanent resident seeking citizenship in the United States, as well as the digital organizer for the national civil rights organization LatinoJustice PRLDEF. I want to speak to the Council today about the pivotal role New York City plays in the national immigration landscape and how we can serve as a guiding example for progressive immigration policy across the country.

For decades New York City has been a frontrunner in protecting its immigrant population by limiting interactions between federal immigration authorities and New York City local agencies. However, we have seen common violations of these legal protections, particularly by law enforcement. With the rise in numbers of asylum seekers in our city and growing anti-immigrant sentiment nationwide, we advocates are concerned about the strength and durability of our local protections. With the very real threat of mass deportation from the Trump administration, and the antagonism towards immigrants from Mayor Adams and Governor Hochul, the New York City Council must approve an affirmative legislative package to address the challenges ahead. The Council must pass the resolutions suggested today to support the state bills New York For All Act and Access to Representation Act. The council should also **re-**introduce and pass bills like Intro 214 "Secure Justice for Immigrants Harmed by Violations of NYC Laws" which addresses harm that flows from violations of our immigrant protection laws. Between advocates and the City Council, as well as all those in this room seeking safety for our immigrant neighbors, we can continue to ensure that New York City is a haven for all New Yorkers, regardless of immigration status.

To speak to the national perspective, Trump's deportation threats include proposals to accelerate family separation, affecting the more than 28 million [people](#) in our country who are part of mixed-status families. Years of unjust and racist federal immigration policies have created massive challenges for progressive local governments. The current US border policies have resulted in cruel and predatory practices against thousands of people who have endured immense struggles to secure a better life for themselves and their families. We can expect that the Trump Administration will expand collaboration with the anti-immigrant administrations of Greg Abbott in Texas and republican state lawmakers in border states like Arizona and New Mexico.

New York must strongly and unapologetically counterbalance and push back against the anti-immigrant rhetoric and policies sweeping the country. At LatinoJustice, we are pushing back against hateful anti-immigration policies in the South, specifically Texas and Florida. Other states look to New York to see what we are doing for progressive policies. New York State, a democratic trifecta, and the City of New York have to continue being accountable and hold their

obligations to all members of its resident constituency. Here, we have real opportunities for pro-immigrant policies.

The failure of Congress and past presidents to create a humane and inclusive immigration system has galvanized us now to fight hard to make sure that all New Yorkers have a viable path to live, work, build a family, and stay in New York. We will not abandon our neighbors. We can and we will build a future where all of us, regardless of our immigration status, can live healthy and dignified lives in this city and this country.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Commissioner Castro

Address: _____

I represent: MOJA

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: Lucena Lucero, Chief Policy Advisor

Address: _____

I represent: MOJA

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: Rebecca Engel, Dir. of Policy and Legislative Affairs

Address: _____

I represent: MOJA

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: Enrique Clavien Carbi, Senior Policy Advisor

Address: _____

I represent: NOIA

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: Molly Schaeffer, Director

Address: _____

I represent: ONSO

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: Abou Cisse

Address: Need French interpreter

I represent: African Communities Together

Address: (ACT)

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: 1-16-2025

(PLEASE PRINT)

Name: Deborah Lee

Address: 49 Thomas St

I represent: The Legal Aid Society

Address: 49 Thomas 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: Marie Mark

Address: _____

I represent: IMMIGRANT DEFENSE PROJECT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. A2708

☒ in favor ☐ in opposition

Date: Jan 16, 2025

(PLEASE PRINT)

Name: Alexandra Millatmal

Address: 336 Malcolm X Blvd #1, Brooklyn

I represent: Afghans For A Better Tomorrow

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: Assembly Member Catalina Cruz

Address: 4140 Junction Corona NY

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 211 Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Helvin Servita-Arocha (Rosa Cohen-Cruz reading history)

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Wenly Vintimilla

Address: 365 Broadway Brooklyn

I represent: Workers Justice Project

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
☒ in favor ☐ in opposition N.Y. FOR ALL

Date: 16 de mayo

(PLEASE PRINT)

Name: GASPAR AVENDAÑO HERNANDEZ

Address: [REDACTED] BROOKLYN, N.Y.

I represent: SELF

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: GARFIELD GREEN

Address: 35 W 31ST MANHATTAN

I represent: FAMILY FOR FREEDOM

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: Keighly Rector, Esq.

Address: 40 Worth Street Suite 829 New York, NY

I represent: Volunteers of Legal Service

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: MIRAL Abbas

Address: _____

I represent: CALF

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: Juan Diaz

Address: 14 Wall Street

I represent: Citizen's Committee for Children

Address: 14 Wall Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Thinky Wangchuk

Address: _____

I represent: Korean American Family Service Center

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: Ashley Peguero

Address: _____

I represent: Violence Intervention Program

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: 11/16/24

(PLEASE PRINT)

Name: Christopher Leon Pina Serrano

Address: _____

I represent: Self

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: Ingrid Rojas

Address: 365 Broadway, Brooklyn, NY 11211

I represent: Worker's Justice Project

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: T sis Mireles

Address: [REDACTED] 120 St

I represent: Food Vendors

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 214 Res. No. _____

☐ in favor ☐ in opposition

Date: 12/16/12 S

(PLEASE PRINT)

Name: Manuela Osorio

Address: 2021 67th St Queens

I represent: Latino Justice PIRLDEF

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: Ahau Cisse

Address: 4095 Ave St-Joseph

I represent: Africa community together

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Arabic

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Ahmed Mohamed

Address: _____

I represent: Street Vendor Project

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Spanish

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Martine Ensaldo

Address: [REDACTED]

I represent: Street Vendor Project

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: CARINA KARMAN-GUTIERREZ

Address: _____

I represent: Street Vendor Project

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Mohamed Attia

Address: _____

I represent: Street Vendor Project

Address: Brooklyn

**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: Daniel Alb...

Address: [Redacted] Blvd

I represent: Public Works Board NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: KULSOOM TAPAL

Address: _____

I represent: CACE

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: Jade Vasquez

Address: _____

I represent: Win (Women in Need)

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: 1/16/25

(PLEASE PRINT)

Name: THANA B. KAGANIS

Address: [REDACTED] BOHD

I represent: NYIC

Address: 181 W 33rd Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Mackenna Vickery

Address: _____

I represent: The Door

Address: 121 Ave of the Americas,
3rd Fl New York, NY 10013

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: Darnell Benoit

Address: [REDACTED] Charlemagne Rd.

I represent: Flanbwoyen (you m)

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: 1/16/25

(PLEASE PRINT)

Name: Jonathan cam

Address: Queens

I represent: Individual

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 214 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Lisha Luo Cai

Address: [REDACTED] Brooklyn NY 11219

I represent: Asian American Federation

Address: 20 Wall Street NY NY 10005

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: 1/16/25

(PLEASE PRINT)

Name: Leidis Dela Rosa

Address: _____

I represent: La Colmena

Address: 88 Canal St ST. NM. 10304

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 1/16/2024

(PLEASE PRINT)

Name: Lauren Keiff

Address: 100 Pearl Street

I represent: NYLAG

Address: 100 Pearl Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 214 Res. No. _____

☐ in favor ☐ in opposition

Date: 01-16-25

(PLEASE PRINT)

Name: Jennifer Valero

Address: 2187 Gruger Ave Bronx 10462

I represent: CFR

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: 10/12/2024

(PLEASE PRINT)

Name: Osawa Velez

Address: [REDACTED]

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Tania Mattos

Address: [REDACTED] Queens NY

I represent: Unlabeled Unlabeled

Address: 45 W 29th St NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 214 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Aracelis Lucero

Address: [REDACTED] Bx NY 10473

I represent: Masa

Address: 2770 Third Ave Bronx NY 10455

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: 1/16/28

(PLEASE PRINT)

Name: Alison Wilkey

Address: 129 Fulton St

I represent: Coalition for the Homeless

Address: 129 Fulton 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: 1/16/2025

(PLEASE PRINT)

Name: Zach Ahmad

Address: [REDACTED]

I represent: New York Civil Liberties Union

Address: 51 Duane St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 214 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Sophie Dalsimer

Address: [REDACTED] Bk, NY 11215

I represent: NY Lawyers for the Public Interest

Address: 151 W 30th, NY, NY 10001

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: Kelly Ross

Address: [REDACTED] 111 27107 Apt 1

I represent: Proyecto de Justicia Laboral

Address: 365 Broadway

**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: Antonio Soria

Address: [REDACTED]

I represent: Los delinquentes Unidos

Address: 365 Broadway

**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: Sierra Kraft

Address: _____

I represent: ICARE Coalition

Address: legal services for unaccompanied children

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. 214 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: JUSTIN SKEE

Address: _____

I represent: MEKONG NYC

Address: 2477 UNIVERSITY AVE, BRONX, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: 11

(PLEASE PRINT)

Name: Khemara Phann

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 011625 Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Claudia Valdivia

Address: Mixteca

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: January 16, 2018

(PLEASE PRINT)

Name: Cresenciano Morales

Address: _____

I represent: Mixteca Organization

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: Laura Miguaccio

Address: 17 Battery Place NY NY 10004

I represent: Immigrant Justice Corps

Address: 17 Battery Place NY NY 10004

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 214 Res. No. _____

☒ in favor ☐ in opposition

Date: 1/16/25

(PLEASE PRINT)

Name: Rosa Cohen-Cruz

Address: _____

I represent: The Bronx Defenders

Address: 360 E 161st St.

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: Deborah Lee Legal Aid Society

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Karla Ostalawa Bronx Defender

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Margaret Martin

Address: 20 Maiden Lane, NY NY

I represent: Catholic Charities Community

Address: Services

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: Kevin Lee

Address: [REDACTED] Brooklyn NY

I represent: Rev Com Corp for the Emancipation of Humanity

Address: 427 Malcolm X Blvd

**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: 1/16/24

(PLEASE PRINT)

Name: Ximena Bustamante

Address: 556 W 158th St Apt 1 Unit 321711

I represent: Undocumented Women's Fund

Address: New York NY 10032

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

A222/5141

I intend to appear and speak on Int. No. _____ Res. No. A222/5141

☒ in favor ☐ in opposition

Date: 01/16/2025

(PLEASE PRINT)

Name: Nathan Gargan

Address: _____

I represent: HIAS

Address: 1759 Broadway Suite 210 New York, NY 10018

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: Ellen Pachnam, Brooklyn Defender

Address: _____ Senior

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 4274/101 Res. No. _____

☒ in favor ☐ in opposition

Date: 1/14/25

(PLEASE PRINT)

Name: Cynthia Katz

Address: 1359 Broadway St 810

I represent: HTAS

Address: NYC 10018

**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: Aivenakhue Omoragbon

Address: _____

I represent: African Communities Together

Address: CACT

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: Kelly Yzique - Zeg, Director of Trans Policy

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 214 Res. No. _____

☒ in favor ☐ in opposition

Date: 1/16/25

(PLEASE PRINT)

Name: JENNIFER WARDEN VAREZ

Address: _____

I represent: MYSELF

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: 1/16/2025

(PLEASE PRINT)

Name: _____

Address: Paul Rivera

I represent: _____

Address: _____

Please complete this card and return to the Sergeant-at-Arms