Legislation Details (With Text)

File #:	Res 0859-2025	**Version:** *	**Name:**	Condemning the passage of the Laken Riley Act (H.R.29/S.5).
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Title: Resolution condemning the passage of H.R.29/S.5, also known as the Laken Riley Act, for eroding due process, disconnecting vulnerable immigrants from city services and resources, decreasing trust between immigrants and local law enforcement, facilitating chaos in the immigration system, and instilling fear in immigrant communities.

Sponsors:

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Attachments: 1. Res. No. 859, 2. May 1, 2025 - Stated Meeting Agenda, 3. Hearing Transcript - Stated Meeting 5-1-25

Date	Ver.	Action By	Action	Result
5/1/2025	*	City Council	Introduced by Council	
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12/31/2025	*	City Council	Filed (End of Session)	

Res. No. 859

Resolution condemning the passage of H.R.29/S.5, also known as the Laken Riley Act, for eroding due process, disconnecting vulnerable immigrants from city services and resources, decreasing trust between immigrants and local law enforcement, facilitating chaos in the immigration system, and instilling fear in immigrant communities.

By Council Members Avilés, Cabán, Restler and Hanif

Whereas, On January 29, 2025, President Trump signed his first piece of legislation into law, H.R.29/S.5, also known as the Laken Riley Act; and

Whereas, Laken Riley was an innocent nursing student who was senselessly murdered and whose death we mourn; and

Whereas, We must endeavor to address systematic violence against women through access to safety, dignity, and support, but this misguided legislation will only threaten the ability for the United States to achieve these goals; and

Whereas, H.R.29/S.5 purports to improve public safety and reform immigration law, but instead conflates immigration status and criminality, erodes due process, and complicates the ability to implement meaningful and reformative immigration policy; and

Whereas, Nationwide, immigration advocates and legal service providers have expressed alarm about how deeply damaging this law is for immigrant communities and all communities; and

Whereas, This law expands mandatory detention criteria to undocumented immigrants based merely on suspicion or purported suspicion of conduct; and

Whereas, Under this law, mandatory detention applies to undocumented immigrants who are accused, convicted, or admit to low-level crimes such as theft or shoplifting; and

Whereas, In a statement from the National Immigration Law Center, they highlighted the bill's application of "mandatory detention" requires "detention without any opportunity to even request release on bond" which is an egregious erosion of due process; and

Whereas, Further explained by the National Immigration Project, under the use of mandatory detention, an individual "cannot be considered for release by an immigration judge and generally must remain in detention until their immigration court case ends", which can last for years; and

Whereas, Since the law covers immigrants only accused of crime, an immigrant could face indefinite detention based on false accusations, suspicion, or purported suspicion of conduct without due process; and

Whereas, The Department of Homeland Security already maintains statutory authority to detain any undocumented person facing removal proceedings, and the expansions in this law are contradictory to the United States' constitutional principle of due process; and

Whereas, The mandatory detention criteria expansions in this law to immigrants who pose no safety threat will likely result in decreased trust between immigrants and public institutions, and further undermine confidence in law enforcement; and

Whereas, These expansions will also have deep consequences for victims of human trafficking,

domestic violence and abuse, who are often forced by their abusers to commit crimes; and

Whereas, Survivor advocates, such as the Tahirih Justice Center, have expressed concerns over how this bill will criminalize immigrants who are especially vulnerable to these situations, and will reduce the likelihood that an immigrant facing abuse will seek help from law enforcement, or apply for a U- or T-Visa; and

Whereas, Immigration advocates have expressed concerns regarding how this legislation could affect children who are mistakenly arrested and falsely accused of a crime; and

Whereas, H.R.29/S.5, will only complicate law enforcements' efforts to conduct any legitimate criminal investigation and make it less likely that immigrants will trust and work with local law enforcement to investigate crimes; and

Whereas, The potential criminalization of any immigrant without a status through this law is counterintuitive to the laws alleged intention to prevent violence; and

Whereas, This law also creates conflicting powers over immigration law by granting state attorneys general the ability to sue the United States government for immigration-related actions in individual immigration cases; and

Whereas, State attorneys general are also afforded the ability to sue and halt the issuance of visas for certain countries; and

Whereas, This unprecedented power for state attorneys general will likely further stall the ability of the federal government to enact any meaningful immigration reform with the possibility of litigation from an opposing party looming over every action, will only further complicate an immigrant's ability to live and work in the United States, and could cause chaos for visa-holders in certain states; and

Whereas, Due to the expansive nature of this law, financial estimates indicate the United States Immigration and Customs Enforcement (ICE) would need $27 billion in the first year to begin to carry out this law; and

Whereas, With so many cuts in the name of 'efficiency' to federal agencies that provide life-saving

services to Americans, to expand the budget of ICE by $27 billion to ultimately criminalize and indefinitely detain innocent and hardworking immigrants, is deeply offensive; and

Whereas, Legislation that criminalizes immigrants by eroding due process, mandating detention, and funneling immigrants from the criminal to the immigration legal system, undermines trust between immigrant communities and their localities and is a cruel form of double punishment with a disparate impact to Black immigrants and immigrants of color; and

Whereas, The Trump Administration continues to push for increased arrests and detention of immigrants, no matter their histories or statuses, resulting in a growing number of immigrants in detention centers; and

Whereas, These immigration detention centers are reportedly rife with systematic abuses and neglect, and immigrants are often transferred between detention centers for months and years at a time while their case continues; and

Whereas, Under the draconian Trump Administration, immigrants are being subjected to increased surveillance, discriminatory profiling, and increasing rates of arrests and detention, and it is the responsibility of Congress to check and balance the presidential Administration; and

Whereas, Future legislative attempts to fortify the Trump Administration's dehumanizing actions towards immigrants should be stopped and Congress must not move forward similar legislation that supercharges criminalization of immigrants and erodes due process; and

Whereas, This bill will not improve public safety and will instead make immigrants fearful to interact with local law enforcement, jeopardize immigration reform, and undermine confidence in local agencies; now, therefore, be it

Resolved, That the Council of the City of New York condemns the passage of H.R.29/S.5, also known as the Laken Riley Act, for eroding due process, disconnecting vulnerable immigrants from city services and resources, decreasing trust between immigrants and local law enforcement, facilitating chaos in the

immigration system, and instilling fear in immigrant communities.

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