File #: Res 0836-2025, **Version:** *

Preconsidered Res. No. 836

Resolution authorizing the Speaker to take legal action on behalf of the Council of the City of New York to defend against the Adams Administration's violation of Sanctuary City Laws and the Trump Administration's attacks on the City of New York.

By the Speaker (Council Member Adams) and Council Members Ayala, Brannan, Farías, Brewer and Rivera

Whereas, In 2014, the Council passed Local Law 58 of 2014 preventing federal immigration authorities from maintaining an office on Rikers Island;

Whereas, Local Law 58 was part of the Council's Sanctuary City Laws and efforts to build trust between immigrant communities and City officials;

Whereas, Local Law 58 includes a narrow exception that a mayor may issue an executive order authorizing offices for federal immigration authorities on Rikers so long as the purpose is "unrelated to the enforcement of civil immigration laws";

Whereas, For more than a decade, no mayor found that it was in the interest of the City or necessary for the public safety of New Yorkers to open such an office;

Whereas, For decades, New York City mayors have understood that our Sanctuary City Laws and policies, including Local Law 58, make New Yorkers safer;

Whereas, For the majority of his tenure, Mayor Adams agreed with his predecessors that permitting federal immigration authorities on Rikers was bad public policy;

Whereas, The public record demonstrates that Mayor Adams only changed his mind on this issue and announced that he wanted to open an office for federal immigration authorities as part of a corrupt bargain to end the federal criminal prosecution against him;

Whereas, When this corrupt bargain was exposed to the public, Mayor Adams allegedly recused himself from deciding to open the office and purported to delegate that authority to his newly-appointed First Deputy Mayor Randy Mastro;

Whereas, on April 8, 2025, the First Deputy Mayor issued Executive Order 50 of 2025 ("Executive Order 50") that purports to use Local Law 58's narrow exception to open an office on Rikers for federal law enforcement agencies "for the purpose of criminal enforcement and criminal investigations only;"

Whereas, Conflict-of-interest laws require of all public servants a duty of undivided loyalty to the City;

Whereas, Conflicts-of-interest laws prohibit public servants from taking official action for personal gain, such as the dismissal of criminal charges;

Whereas, Conflict-of-interest laws also preclude public servants from using their subordinates to carry out their corrupt agreements;

Whereas, there is no evidence that Mayor Adams truly recused himself from this decision and the evidence instead suggests that the First Deputy Mayor was doing Mayor Adam's bidding;

Whereas, Conflict-of-interest laws provide that Executive Order 50 is the poisonous fruit of Mayor Adam's corrupt deal and thus invalid;

Whereas, Executive Order 50 is not only invalid, but it also threatens to undermine the City's sanctuary status because the Trump Administration cannot be trusted to limit their actions to criminal enforcement and criminal investigations;

Whereas, Permitting federal immigration authorities on Rikers will allow the Trump Administration to carry out its unlawful mass deportation agenda;

Whereas, Mayor Adams has placed his personal interests and the Trump Administration's interests above the interests of New Yorkers on a host of issues, not just immigration;

Whereas, Mayor Adams cannot be trusted to use legal action when necessary to defend against the Trump Administration's attacks on New Yorkers;

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Whereas, in just a few short months, the Trump Administration has engaged in a full on assault on City residents, the City budget, and the City's way of life;

Whereas, the Council is a co-equal branch of City government that must rise to the occasion when the City's chief executive has not;

Resolved, That the Council of the City of New York authorizes the Speaker (*i*) to commence legal action to prevent the Adams Administration from using an invalid executive order to violate Local Law 58 of 2014 and (*ii*) to take any necessary legal action, including commencing a lawsuit or filing an amicus brief, that seeks to curb the Trump Administration's attacks on the City's local laws, residents, public fisc, or way of life.

NGE
4/9/25