## 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.<sup>1</sup>

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

<sup>&</sup>lt;sup>1</sup> "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.<sup>2</sup> 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.<sup>3</sup> An additional key element of the City's sanctuary city policy is the treatment of Immigration and Customs Enforcement (ICE) detainers. ICE detainers 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.<sup>4</sup> 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.<sup>5</sup>

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.<sup>6</sup>

## II. Young People Face Fear and Uncertainty with the Upcoming Trump Administration

<sup>&</sup>lt;sup>2</sup> Office of Mayor Ed Koch, Exec. Order No. 124 (Aug. 7, 1989), https://www.nyc.gov/html/records/pdf/executive\_orders/1989EO124.PDF.

<sup>&</sup>lt;sup>3</sup> Gwynne Hogan & Rachel Holliday Smith, *What Exactly Is a Sanctuary City and What Does That Mean for NYC?*, The City (Feb. 13, 2024), <u>https://www.thecity.nyc/2024/02/13/sanctuary-city-explainer-nyc/</u>.

<sup>&</sup>lt;sup>4</sup> U.S. Immigr. and Customs Enforcement, *Immigration Detainers* (Dec. 3, 2024), <u>https://www.ice.gov/immigration-detainers</u>.

<sup>&</sup>lt;sup>5</sup> See id.

<sup>&</sup>lt;sup>6</sup> The Effects of Sanctuary Policies on Crime and the Economy, Ctr. for Am. Progress (Jan. 26, 2017), <u>https://www.americanprogress.org/article/the-effects-of-sanctuary-policies-on-crime-and-the-economy/</u>.

## 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.<sup>7</sup> 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

<sup>&</sup>lt;sup>7</sup> See The Callahan Consent Decree, Coalition for the Homeless (Aug. 2014), <u>https://www.coalitionforthehomeless.org/wp-content/uploads/2014/08/CallahanConsentDecree.pdf</u>.

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.<sup>8</sup> 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.

<sup>&</sup>lt;sup>8</sup> *School Eligibility*, The City of New York (last visited Jan. 15, 2024), <u>https://portal.311.nyc.gov/article/?kanumber=KA-02974</u>.

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.<sup>9</sup> 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 immigr

## a. Immigration to New York City is Mischaracterized to the Public

<sup>&</sup>lt;sup>9</sup> See Secure Communities, Immigr. and Customs Enforcement (May 10, 2024), <u>https://www.ice.gov/secure-communities</u>.

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 abstentia*.

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.<sup>10</sup> 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.<sup>11</sup> 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.<sup>12</sup> 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.<sup>13</sup>
- 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.<sup>14</sup> 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.<sup>15</sup> 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.<sup>16</sup>
- Intro 214: This bill addresses the egregious violations of local detainer laws that continue to harm new New Yorkers.<sup>17</sup> 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.<sup>18</sup> 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.<sup>19</sup> Similarly, in 2023, an immigrant mother, "Jennifer," was detained by ICE after shelter staff improperly shared her information with federal authorities.<sup>20</sup> 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.<sup>21</sup> Immigrants who have suffered due to unlawful

<sup>&</sup>lt;sup>10</sup> *ICE Out!*, Immigr. Defense Project, (last visited Jan. 16, 2025), <u>https://www.immigrantdefenseproject.org/what-we-do/advocacy/</u>.

<sup>&</sup>lt;sup>11</sup> Id.

<sup>&</sup>lt;sup>12</sup> Id.

<sup>&</sup>lt;sup>13</sup> *Id*.

 $<sup>^{14}</sup>$  Id.

<sup>&</sup>lt;sup>15</sup> Id. <sup>16</sup> Id

 $<sup>^{10}</sup>$  Id.

<sup>&</sup>lt;sup>17</sup> *ICE Out! Seeking Justice for Immigrants Harmed by Violations of Our Laws*, Immigr. Defense Project (last visited Jan. 16, 2025), <u>https://www.immigrantdefenseproject.org/wp-content/uploads/Intro-214-PROA-Final-5.15.24.pdf</u>.

 $<sup>^{18}</sup>$  Id.

 $<sup>^{19}</sup>$  Id.

<sup>&</sup>lt;sup>20</sup> Id. <sup>21</sup> Id.

detentions or the facilitation of their transfer to ICE custody would be able to seek justice and compensation.<sup>22</sup> 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.<sup>23</sup> 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.<sup>24</sup>

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.

<sup>&</sup>lt;sup>22</sup> Id.

<sup>&</sup>lt;sup>23</sup> Id.

<sup>&</sup>lt;sup>24</sup> Id.

Thank you.

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