

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON IMMIGRATION

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October 20, 2014  
Start: 11:07 a.m.  
Recess: 11:33 a.m.

HELD AT: 250 Broadway-Committee Rm, 14th Fl.

B E F O R E:  
CARLOS MENCHACA  
Chairperson

COUNCIL MEMBERS:  
Rafael L. Espinal, Jr.  
Peter A. Koo  
Mathieu Eugene  
Daniel Dromm

CHAIRPERSON MENCHACA: [gavel] Good

morning, everyone. Buenos dias. I am Carlos Menchaca, chair of the Committee on Immigration, and I would like to first and foremost welcome and thank my colleagues for joining us. We are joined by Council Member Espinal and Council Member Koo. Thank you so much, gentlemen, for being here and thank you to all the committee that has been putting a lot of work into these pieces of legislation and for today's committee vote.

Today the committee will vote on two important bills: proposed Intro 487-A and proposed Intro 486-A, which will seek to severely limit the cooperation between Immigration and Customs Enforcement, commonly referred to as ICE, and local law enforcement. These bills were introduced by Speaker Melissa Mark-Viverito and I am proud to be one of the co-sponsors, along with several other members of this committee.

Local law enforcement's cooperation with ICE has led to heightened and often unnecessary fear in immigrant communities and has in practice made things like reporting crimes or being stopped by a traffic officer a possible pathway to deportation.

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2 The proposed legislation will work to restore the  
3 trust in law enforcement, protect families from  
4 unnecessary separation and help prevent the possible  
5 violation of a detainee's constitutional rights that  
6 can result when law enforcement honors these  
7 detainers. I am happy that this initiative has wide  
8 support from both the administration and this City  
9 Council.

10 Our committee held a hearing on October  
11 15th, 2014 on this matter. During that hearing, we  
12 heard testimony from members of the administration on  
13 their support of the proposed legislation. The  
14 administration testified about their commitment to  
15 work with the Department of Correction and the New  
16 York City Police Department to implement regulations  
17 and policies that would immediately reflect the  
18 changes brought on by these bills. We also heard  
19 from the former Manhattan District Attorney, Mr.  
20 Robert Morgenthau, elected officials and leaders from  
21 other municipalities with similar regulations in  
22 place. They all testified in support of this  
23 legislation. Community members provided additional  
24 testimony about the financial and emotional impact of  
25 losing a loved one because a detainer had been lodged

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2 against them. Further, legal service providers  
3 testified that immigration detainers have resulted in  
4 immigrants being held up to about 70 days longer than  
5 they would otherwise, raising questions about the  
6 possible violation of constitutional rights and  
7 leading to millions... millions of dollars in  
8 unnecessary expense for the city.

9 Proposed Intro 487-A is the local law  
10 that looks to amend the administrative code of the  
11 city of New York in relation to persons not to be  
12 detained by the NYPD and proposed Intro Number 486-A  
13 is the local law that seeks to amend the  
14 administrative code of the city in relation to  
15 persons not to be detained by the Department of  
16 Correction. Under the proposed legislation, the New  
17 York City Police Department and the Department of  
18 Correction would only honor an immigration detainer  
19 if it was accompanied by a warrant from a federal  
20 judge and only if that person had been convicted of a  
21 violent or a serious crime during the last five years  
22 or his or her name is on the terrorist watch list.  
23 Further, the legislation seeks to completely remove  
24 ICE facilities off Rikers Island.

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2 Today's bills are the result of our  
3 city's commitment to ensuring the fair treatment of  
4 all New York City residents and if enacted, they will  
5 protect New Yorkers from being deported when they  
6 posed no risk to public safety. I urge the members  
7 of this committee to vote yes on proposed Intro 487-A  
8 and the proposed Intro 486-A in order to protect our  
9 families from being unnecessarily torn apart, to end  
10 our city's unnecessary cooperation with ICE officials  
11 and to act on behalf of New Yorkers in a time where  
12 federal legislators have continued to let them down.

13 We will now open the voting for these two  
14 propositions and I will call upon the counsel to  
15 begin.

16 COMMITTEE CLERK: Kevin Pinn, [phonetic]  
17 roll call on the Committee on Immigration, Intro 486-  
18 A and 487-A. Council Member Menchaca.

19 CHAIRPERSON MENCHACA: I vote aye.

20 COMMITTEE CLERK: Koo.

21 COUNCIL MEMBER KOO: [off mic] Aye.

22 COMMITTEE CLERK: Espinal.

23 COUNCIL MEMBER ESPINAL: I proudly vote  
24 aye.

COMMITTEE CLERK: By a vote of 3 in the affirmative, 0 in the negative and no abstentions, the items have been adopted, and members, please sign the Committee reports.

CHAIRPERSON MENCHACA: Thank you so much and we will be leaving the vote open for the other members of the committee to be able to place their votes and I thank you all for your time this morning as we continue this legislative process.

[Pause]

COMMITTEE CLERK: Council Member Eugene.

COUNCIL MEMBER EUGENE: I vote aye.

COMMITTEE CLERK: The vote stands at 4 in the affirmative. [background voices]

COMMITTEE CLERK: Council Member Dromm.

COUNCIL MEMBER DROMM: I vote aye.

COMMITTEE CLERK: Final vote on the Committee on Immigration 5 in the affirmative, 0 in the negative and no abstentions.

[background voices]

CHAIRPERSON MENCHACA: What's happened? Okay, so I just want to say thank you to all my colleagues on this amazing Immigration Committee and today's vote will usher in the pieces of legislation

1  
2 at our next Stated, where we will vote in whole and  
3 we are very, very lucky to be here in this process.  
4 So thank you again to all the staff, Counsel to the  
5 Committee, Miss Catalina Cruz [phonetic], Jennifer  
6 Montalvo and Ivan Luevanos [phonetic] and the rest of  
7 the staff. Thank you so much and also, thank you to  
8 my staff, Vladimir Martinez and Lee Wellington.  
9 Thank you so much again and we're also joined today  
10 by Council Member Danny Dromm. And we will now close  
11 the vote. Thank you so much.

12 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date 10/21/2014