

NYC Mayor's Office of Immigrant Affairs

Preliminary Budget Hearing Before The New York City Council Committee on Immigration

Testimony of Commissioner Manuel Castro NYC Mayor's Office of Immigrant Affairs (MIOA)

March 5, 2024

Thank you to Chair Aviles and Chair Brannan and the Committee on Immigration and Committee on Finance for holding this budget hearing. My name is Manuel Castro, and I am the Commissioner of the Mayor's Office of Immigrant Affairs (MOIA).

I am joined by Deputy Chief of Staff Jasniya Sanchez, Executive Director of Legal and Support Initiatives Tom Tortorici, and Director of the Asylum Seeker Office of Operations (OASO) Molly Schaeffer.

First, I would like to thank Council Member Hanif for her work and dedication as chair of this committee over the last two years.

I would also like to welcome Chair Alexa Aviles to her new role as chair of this committee.

In this testimony I am not covering all of MOIA's work in this testimony as it would simply take too long (as I've learned in previous hearings!). MOIA's annual report will include a fuller description of MOIA's work.

The following testimony will highlight 5 key areas of MOIA's work in the past fiscal year: MOIA's immigration legal programs, MOIA's English learning program, MOIA's language access work, MOIA's community engagement work, and MOIA's role in responding to the asylum seeker humanitarian crisis.

MOIA's Immigration Legal Programs

MOIA's Immigration Legal Programs include: MOIA's Immigration Legal Support Centers, MOIA's Immigration Legal Support Hotline, MOIA's Asylum Seekers Legal Assistance Network, MOIA's Haitian Response Initiative, MOIA's Rapid Response Legal Assistance Program, and MOIA's Immigrant Rights Program.

Together these programs and initiatives, along with other efforts across city government, seek to expand access to New York's immigrant communities with immigration legal support. MOIA contracts with nonprofits to achieve this work acknowledging the critical role nonprofits play in reaching communities where they live and cultivating trusting and ongoing relationships with them.

The MOIA Immigration Legal Support Centers (also known as ActionNYC) is a \$9.2 million program meant to expand access to immigration legal services to hard-to-reach communities. Our contracted providers conducted over 14,000 legal screenings and opened over 5,634 new cases in 2023.

Along with these Centers, MOIA oversees an Immigration Legal Support Hotline, available to New Yorkers, for basic consultations and referrals. More than 60,000 people called our hotline in 2023.

In January 2023, the City provided MOIA an additional \$5 million in funding to expand nonprofit capacity to provide linguistically and culturally responsive immigration legal assistance for newly arrived asylum seekers, both in and out of city shelter. The Asylum Seeker Legal Assistance Network, made up of community-based legal service providers and the City University of New York, provides asylum seekers with information, individualized screenings, and application assistance. The

network also provides immigration legal orientations to frontline staff such as shelter workers, and self-help workshops for asylum seekers so that they may better understand their rights and responsibilities in the immigration process.

Since launch more than 8,000 people participated in ASLAN information sessions and workshops, and more than 3,300 community members received individual consultations with ASLAN legal staff, which is followed by brief advice, application assistance (asylum, TPS, work authorization), post-application assistance, or referrals to legal help.

MOIA's Language Access

Recognizing that over 200 languages are spoken in New York City, MOIA made significant strides in building out the Language Access team, which includes 12 in-house experts and advisors on language access. The team offers technical assistance to mayoral offices, city agencies, and key external partners. The team houses a team of language experts who are linguists and specialists in the top 10 languages. Our team provides translation and interpretation services for mayoral offices, and reports on City governments language access work and local law implementations.

To provide critical information to both long time and recently arrived immigrant New Yorkers, MOIA translated a range of materials into over 50 languages. MOIA's Language Access team provided translated communications materials, including signage, website resources, translation and interpretation service information, emails, and scripts.

Because of these translated materials, the city was better equipped to provide shelter services, including legal support referrals, shelter protocol updates, and materials to promote humanitarian and emergency response relief. Language specialists also provided on-site language support in Arabic, Wolof, French, Spanish, Mandarin, and Cantonese to newly arrived immigrants at the Asylum Application Help Center, federal work authorization clinic, Humanitarian Emergency

Response and Relief Centers, re-ticketing center, and the Roosevelt Hotel arrival center.

MOIA's English Learning and Support Centers

As we work to build language access across the city, English language proficiency remains a factor in accessing education, employment, health, and social services. That's why my office has launched MOIA English Learning and Support Centers located in immigrant-dense neighborhoods. The centers use our award-winning We Speak NYC curriculum to host beginner and intermediate level in-person English classes. Our curriculum is unique as it uses filmed stories and workbooks that highlight city services and promote civic engagement. Our centers are hosted at 10 partner community-based organizations, and we are also scaling collaborations at more than 60 New York City public libraries.

This program is in the process of rolling out beginner curriculum to support asylum seekers and other recent arrivals. Our curriculum aims to both improve access to both English language learning and familiarity with City services.

MOIA's Community Engagement

MOIA's outreach work is done to complement outreach work done across city agencies. The MOIA External Affairs and Outreach team made 54,520 touchpoints with community members, including some of the most underserved in our city. This includes resource fairs, tabling, Know-Your-Rights presentations, and canvassing across the five boroughs. The team also connects immigrant New Yorkers to the help that they need by offering a real time support system through in-person, public-facing events, and convenings with key stakeholders. In 2023, the team also responded to nearly 6,000 inquiries by phone and email.

MOIA also led 9 immigrant media roundtables to ensure effective information dissemination. The roundtables facilitate information flow to the immigrant community via hyper-local newspapers and TV stations in their own language. The roundtables also strengthen relationships with immigrant focused media outlets. In

the last year, we have worked with NYC Emergency Management, NYC Care and Health + Hospitals, Department of Youth and Community Development, NYC Small Business Services, Mayor's Office to End Domestic Gender Based Violence, Office of Technology and Innovation, Department of Consumer and Worker Protection, Civic Engagement Commission (CEC); and LinkNYC.

In 2023, I personally participated in community engagements including meetings with BHALO, African Communities Together, Mixteca, and Cypress Hills LDC.

Asylum Seeker Humanitarian Crisis

On the onset of the asylum seeker humanitarian crisis, MOIA was on the ground welcoming asylum seekers when they started arriving at the Port Authority Bus Terminal. In 2023, the city pivoted to an interagency effort as New York City Emergency Management and Health + Hospitals took on the operational management of the humanitarian crisis to welcome asylum seekers and support their integration into our city. The Mayor created OASO in March 2023 to coordinate this effort, with MOIA serving as the subject-matter expert. OASO will describe its work at the Asylum Application Help Center. ASLAN, as I mentioned before, is meant to serve a broader population and provide long-term capacity to nonprofit partners on the ground.

Recognizing the importance of connecting immigrant New Yorkers to services, MOIA funded community-based organizations as "navigation centers" to help in this effort. The navigation centers were modeled after our Haitian Response Initiative, which proved to be successful.

We've also worked to incubate one of the most innovative projects in response to arriving asylum seekers through the Mayor's Fund. Working in partnership with philanthropic partners, we funded 9 community orgs to launch the Immigrant Peer Navigator Program. The program connects recent arrivals with longtime immigrant mentors to give them tips on surviving and navigating life in New York City, including finding work, housing, and building community connections.

Addressing this humanitarian crisis requires engagement with all levels of government. In 2023, MOIA worked to coordinate local, state, and national advocacy on behalf of immigrant New Yorkers, in part through a coalition of nearly 200 U.S. cities and local governments called Cities for Action. The coalition mobilized to send sign-on letters to the Biden Administration to accelerate work permit processing and redesignate or designate eleven countries for Temporary Protected Status. Two of these countries, Cameroon and Venezuela were redesignated in the weeks that followed, opening access to work authorization.

Our office looks forward to seeing many stories of successful integration of our recent arrivals into our communities over the course of the coming months and years. Our work today will be another chapter in the proud history of immigrants in New York City.

Conclusion

Thank you again for calling this hearing. I look forward to working with the Council as the budget process continues.

**Testimony of New York City Mayor’s Office of Asylum Seeker Operations
Interim Director Molly Schaeffer on the Fiscal Year 2025 Preliminary Budget
Before the New York City Council Committee on Immigration
March 5, 2024**

Introduction

Good morning, Chair Aviles, Chair Brannan and members of the Committee. My name is Molly Schaeffer and I serve as the Interim Director of New York City’s Mayor’s Office of Asylum Seeker Operations (OASO). I am grateful for the opportunity to discuss our office's budget and operational impact on the City's shelter operations.

Since April 2022, New York City has been leading the country’s response to the migrant emergency, a national humanitarian crisis, providing critical support to over 179,000 individuals who have sought refuge and received assistance from our system, a number that reflects the sheer magnitude of our commitment to humanitarian aid and support. We have led for the last two years with care and compassion and we cannot lose sight of the extraordinary scale of this emergency. This year, New York City is projected to spend more than \$4 billion on asylum seeker operations.

The City’s \$4.05 billion operation includes five sheltering agencies and more than 20 others supporting the response – a whole-of-government and society approach and a monumental undertaking to manage. Every week between 1,000 and 5,000 new arrivals come into our system. The scale and speed required to provide services and support to people entering the City is unprecedented.

When we started this administration there were 45,000 people in shelter. It took 40 years to build that system and in less than 2 years we have almost tripled that number to 120,700 people, with over 64,000 new arrivals currently in care. More than 180,000 people have come through our intake since spring of 2022 and we opened more than 215 emergency sites to manage this humanitarian influx. We have provided health care, education, work training, jobs, legal support and much, much more. This is a story of New York City stepping up, and managing, and doing everything possible, with little to no support.

OASO roles and responsibilities

This Administration announced OASO in March 2023 as the central team managing the City’s asylum seeker response effort. The office was designed to lead inter-agency coordination of policy, data, budget and regulatory considerations; lead advocacy, and lead strategic initiatives necessary to manage this critical mission.

One of the proudest achievements of this administration is the first-in-the-nation Asylum Application Help Center that opened last summer. Since opening I am proud to report we have completed over 36,000 asylum, work, and temporary protective status applications helping get

people on the pathway to work and legal citizenship. We have opened 3 satellite sites and partnered with nonprofits, law firms, and the state and federal government. Our centers, staffed with over 150 application assistants, immigration attorneys, and interpreters exemplifies New York City's commitment to supporting individuals in their pursuit of the American Dream.

OASO's budget

OASO operates with a lean, yet dedicated team of 10 full-time staff, with a personnel budget of \$1.7 million per year.

While OASO serves as a vital coordinating entity leading the City's response, it is important to note that we do not directly manage shelter operations or oversee operational expenses, or any contracts related to this work. OASO does not have an agency chief contracting officer or manage an OTPS budget. Instead, we collaborate across-city agencies to develop policy, support implementation, leverage expertise across multiple sectors, and drive informed decision-making.

OASO was created to move the City towards a more steady-state of operations, and the proof of our progress is in the results. In the preliminary plan, our office spearheaded a 20% reduction on asylum seeker costs, more than \$1.7 billion in savings over Fiscal Year 2024 and Fiscal Year 2025, and we were able to do that without compromising services. Let me say that again, we were able to accomplish this while responding to an unprecedented crisis more effectively and efficiently. That is a win both for New Yorkers, and a win for people in our shelter systems. We take our fiscal responsibility seriously and are now taking a 10% budget cut to ensure we are bringing our costs in line with DHS.

Conclusion

In closing, I want to reiterate the administration's unwavering commitment to upholding the values of compassion, efficiency, and accountability as we navigate this complex humanitarian crisis. Thank you for the opportunity to testify today, and I look forward to your questions.



JUMAANE D. WILLIAMS

**STATEMENT OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL COMMITTEE ON IMMIGRATION
MARCH 5, 2024**

Good morning,

My name is Jumaane D. Williams and I am the Public Advocate for the City of New York. Thank you to Chair Avilés and members of the Committee on Immigration for holding this hearing and for allowing me to share my statement.

New York City has been responding to an influx of migrants to the city since 2022. Now in year three, our city is still seeing hundreds of thousands of migrants and asylum seekers arriving every week. As of February, there are approximately 66,000 migrants in the city's care, and more than 175,000 migrants have come through the city's system since Spring 2022.¹ Three years in, it should be expected that the administration has a streamlined process for intake and follow up for this population. We should no longer be in "crisis" and "emergency" mode when it comes to this issue, and focus on continuing to meet the needs of all New Yorkers and the long-term. We have all heard the adage that New York City is a city of immigrants, and this remains true. Where some have taken this moment to latch onto heightened xenophobic and anti-immigrant sentiment, I see an opportunity to have our newest New Yorkers become part of the fabric of our city.

Funding

Last year, the Office of Management and Budget (OMB) projected that the city would spend more than \$12 billion on asylum seeker-related efforts through Fiscal Year 2025.² More recently, that figure decreased to approximately \$10.6 billion, due to the city cutting back spending on expenses and additional funding at the state level.³ It may be argued that these are not savings, but that the previous projections were inaccurate calculations. In a similar vein, the Independent Budget Office (IBO) has produced significantly different calculations than OMB. Where OMB projected \$10.6 billion, IBO projected spending around \$6 to \$7.8 billion on asylum seeker-related expenses.⁴ Clearly, there is a disparity that needs to be clarified. Whether or not those are over-projections or under-projections is up to the city to determine and make transparent to the public.

In terms of transparency, the city must prioritize optimization of funding, ensuring that whoever the city enters into contracts with are providing competitive rates and not price gouging. Recently, the

¹ <https://comptroller.nyc.gov/services/for-the-public/accounting-for-asylum-seeker-services/asylum-seeker-census/>

² <https://www.nyc.gov/office-of-the-mayor/news/583-23/as-city-nears-arrival-100-000-asylum-seekers-since-last-spring-mayor-adams-lays-out-updated#/0>

³ <https://www.cityandstateny.com/policy/2024/01/nyc-cuts-spending-migrants-hochul-backs-boost-state-aid/393378/>

⁴ <https://ibo.nyc.ny.us/iboreports/Ibo-asylum-seeker-projections-as-of-the-november-plan-december-2023.html>



JUMAANE D. WILLIAMS

Comptroller's office released a [report](#) analyzing contracts that the city has provided to a number of companies to manage asylum seeker/migrant operations at shelters and other sites. What was found was "vast disparities in the salaries at which New York City is staffing sites." Additionally, when comparing vendor rates to would-be rates if the city hired city employees, vendor rates were generally higher than city rates for comparable civil service titles.

"Analysis of a monthly invoice under the City's DocGo contract to provide shelter and services to asylum seekers indicates that costs were about 1.7 times higher for social work, case management, and security staff at its contracted sites compared to costs at City staffing rates."

The inconsistency in rates can be attributed to the fact that many of the analyzed contracts were no-bid emergency contracts, which waive the competitive bidding process and M/WBE requirements. This may be a contributing factor to why OMB's projections are so high. If the city wishes to save on spending, then it would revisit its existing contracts with third-party vendors, some of which had no prior experience in working with this kind of population and for the kind of services needed.⁵

Legal Support

For the thousands of migrants who arrived in the past years in New York City, many arrived in the country with the intention of seeking asylum. Once an asylum seeker arrives in the country, they have one year to apply for asylum, and after 150 days they are eligible to apply for work authorization with an additional 30 day waiting period. Asylum seekers obtaining work authorization would significantly lessen the financial strain the city is currently facing, allowing them to work, live, and integrate into the fabric of the city. It would also clear space in the shelter system, allowing the Department of Homeless Services to reorient back to the goal and priority of transitioning residents from temporary to permanent housing. With Temporary Protected Status redesignations and extensions for countries such as Venezuela, more migrants have been able to obtain work authorization as well. Recent figures provided by the city indicate that 11,630+ asylum applications, 15,349+ work authorization applications, and 10,475+ TPS applications have been filed through the Asylum Application Help Center.⁶

That being said, due to backlogs in the immigration court system and greater demand, legal providers are often at capacity in providing immigration legal services to those that need it. Having access to representation is not legally mandated for civil matters such as immigration-related applications, yet

⁵ <https://comptroller.nyc.gov/newsroom/nyc-comptroller-lander-declines-to-approve-432-million-docgo-contract-for-work-on-asylum-seeker-emergency/>

⁶ <https://www.cityandstateny.com/policy/2024/03/over-37000-migrants-applied-asylum-and-work-authorization-through-city-help-centers/394708/?oref=csny-homepage-top-story>



JUMAANE D. WILLIAMS

it makes all the difference in success outcomes: according to the New York Immigrant Family Unity Project, nearly 50% of immigrants with legal representation saw successful outcomes in immigration court as opposed to 4% of immigrants without legal representation.⁷ Cuts to legal services like the Rapid Response Legal Collective,⁸ will be to the detriment of not only our immigrant population, but our city as a whole. In order to meet ever-growing demand, legal providers must have the capacity and funding to scale up and address the growing number of cases that will go through the courts, in particular providers that work with the city to provide these services.

At the State level, the [Access to Representation Act](#) (ARA) would establish the right to legal counsel in immigration court proceedings, and would call on the state to build a comprehensive legal services infrastructure. The City Council has already passed a resolution⁹ in support of ARA's passage, and now it is up to our state legislators to make sure it happens. Additionally, through the [New York Immigrant Family Unity Project](#) (NYIFUP), the City Council funds legal representation for immigrants facing deportation. This program has increased the rate of success—which is defined as a case not resulting in deportation—by 1,100 percent. Historically, the City Council has funded NYIFUP up to \$16.6 million. This funding must be sustained and continued for future outcomes for new and existing immigrants in New York.

Housing and Shelter

With a legally mandated right to shelter (that is currently being challenged by the administration), our shelter system continues to buckle under immense pressure and an all-time high occupancy rate. As mentioned, expediting work authorization and expanding legal services are some of the ways to open capacity in the shelters. Additionally, in the past year, the administration began handing out 30- and 60-day eviction notices to migrant shelter residents, which has proven to be incredibly destabilizing, particularly for families with school-aged children. Instead of focusing efforts on shuffling migrants throughout the city—especially when they may be waiting on important immigration documents from the federal government regarding their asylum, TPS, or work authorization applications and need a stable address—the focus should be on how to ensure that migrants, particularly upon receiving work permits, are able to transition to permanent housing and become self-sufficient and sustaining. The city should also look into additional ways to transition individuals out of the shelter system. In Chicago—another city dealing with similar circumstances over the past three years—has established the Asylum Seeker Emergency Rental Assistance Program.¹⁰ Although they are also giving out 60-day

⁷ <https://www.vera.org/publications/new-york-immigrant-family-unity-project-evaluation>

⁸ <https://citylimits.org/2023/11/30/mayors-budget-cuts-to-impact-legal-services-english-classes-for-city-immigrants/>

⁹ Res 0556-2023

¹⁰ https://www.chicago.gov/city/en/depts/mayor/press_room/press_releases/2023/november/announcement-new-regulatory-measures.html



JUMAANE D. WILLIAMS

exit notices like New York, they are at the very least supplementing these exits out of the shelter system with rental assistance. This could be an alternative measure our city could explore.

Language Access and Cultural Competency for All Ages

With so many new neighbors, it is crucial that services provided are culturally and linguistically competent. In a city that speaks hundreds of languages and dialects, we undoubtedly speak the languages of the newly arrived and existing immigrant populations of NYC. Cultural and language competency is particularly important because it has the potential to impact the quality of healthcare, education, housing, and other services one receives.

For adults who possess limited-English proficiency (LEP), there are adult literacy programs to bridge language gaps, often hosted by community-based organizations throughout the city. Current estimates have nearly 4 million adult New Yorkers with LEP or without a high school diploma,¹¹ so this need is significant. That being said, adult literacy programs' funds are on the chopping block. The FY25 budget for the Department of Youth & Community Development (DYCD)'s adult literacy program totals approximately \$21.7 million, a large reduction of 50 percent, compared to FY24's adopted budget of \$43.4 million. This reduction, along with DYCD's adult literacy Request for Proposals (RFP), whose funding ranges from \$11.8 to \$12.9 million (reduction of \$16 million compared to FY24), would have significant impacts for current and future students; it would "reduce the number of students served by 2,000 from the 11,000 students served in recent years," approximately 19 City Council districts may not have sufficient adult literacy programs, and overall access to these programs would decrease.¹² Adult literacy funding must be sustained, not reduced.

Another way to bridge language gaps is to meet LEP New Yorkers where they are by speaking their language. For the FY23 budget, \$3.8 million was allocated to language access cooperatives and a community interpreter bank, which would create opportunities for New Yorkers to be hired and give back to their communities as interpreters. What resulted was the launch of Afrilingual in 2023, the first African worker-owned language service cooperative in the city.¹³ This is particularly important because a significant portion of new arrivals come from African countries and language barriers have impacted the level of services and resources they can access.¹⁴ It is important for the city to continue funding these kinds of initiatives as the fruits of their labor go a long way.

¹¹ <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2024/03/MOIA.pdf>

¹² Ibid.

¹³ <https://gothamist.com/news/nycs-first-african-worker-owned-language-cooperative-is-open-for-business>

¹⁴ <https://www.cityandstateny.com/politics/2023/08/why-are-they-not-working-us-advocates-decry-language-barriers-african-migrants/389446/>



JUMAANE D. WILLIAMS

Last but not least, we must always prioritize our youth. Migrant youths have been particularly vulnerable to traumatic experiences in their journeys to New York City, and the last thing they need is further displacement and destabilization. Currently, thousands of young migrant children are enrolled in New York City schools. These students are typically residing in shelters. There are also unaccompanied youth (ages 16 to 21) who are waiting for a bed, a portion of them simultaneously enrolled in NYC public schools yet have nowhere to go after school ends. With the distribution of 60-day shelter notices, students and their families have had to find new temporary residences, which may be miles away from their schools, leading families with the options to take longer commutes so that their children remain in the same schools, or taking their children out of one school and transferring to another. These disruptions affect students' abilities to learn, especially in an environment where they are still acclimating to a new language and culture. That being said, schools with significant migrant student populations are also impacted. Immigrant student headcount and number of absences is tied to federal Title III funding, and with migrant students in transient situations, headcount can be volatile.¹⁵ To mitigate such disastrous consequences, migrant students and their families must not be uprooted as a result of these 60-day notices.

Clearly, the issue of immigration-related funding is expansive and requires ongoing conversation. My hope is that all the aforementioned issues, amongst many others, are addressed and the processes that lead to the city's decisions are made as transparent as possible.

Thank you.

¹⁵ <https://www.nysed.gov/bilingual-ed/count-immigrant-children-and-youth-2022>;
<https://comptroller.nyc.gov/newsroom/nyc-schools-face-funding-shortfalls-as-they-step-up-to-meet-needs-of-migrant-students/>



**New York City Council
Committee on Immigration**

**NEW YORK CITY COUNCIL FISCAL YEAR 2025
PRELIMINARY BUDGET HEARING**

**Testimony of the New York Immigration Coalition
March 5, 2024**

Good morning. My name is Liza Schwartzwald and I am the Director of Economic Justice and Family Empowerment at the New York Immigration Coalition, an umbrella policy and advocacy organization that works statewide with over 200 immigrant-serving member and partner organizations. I'd like to once again congratulate Councilmember Alexa Avilés on her new role as Chair of the Immigration Committee, and to thank her, our prior Chair Shahana Hanif, and the members of the City Council for convening this hearing and allowing us the opportunity to testify.

Since entering office, Mayor Adams has cut the city's budget six times, making it difficult for New Yorkers to afford the basics and access critical timely services – everything from public libraries to child care to SNAP and cash assistance. For the past several months, Mayor Adams has fixated on creating the illusion of a fiscal crisis and 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.

The Mayor has unilaterally made unpopular, devastating cuts to libraries, public schools, Pre-K and 3K programs, language access, CUNY programs and a long list of essential services. Reports from the Independent Budget Office and the Fiscal Policy Institute, including the Council's revenue projections support what New Yorkers and advocates have been saying all along – that the administration has been overstating the asylum-seeker costs, and that the rounds of cuts to essential services were not necessary. Without continued and consistent funding, we risk losing not only the programs that best serve New Yorkers, but the organizations that provide them.

The NYIC, along with our partners in City Council and the community advocates here today, have a different vision than Mayor Adams for our immigrant communities. We want a people's budget – one that prioritizes the needs of working families and the diverse



communities that are the backbone of our city – the ones that have, and continue, to drive our economic and cultural growth.

We cannot, and should not, forget the substantial contributions, and sacrifices, our immigrant communities have made to our city. Immigrant New Yorkers are more likely to be employed, are more likely to create jobs by starting a business, and contribute billions of dollars to our New York economy in both spending power and tax revenue.¹ In 2021, immigrant New Yorkers paid \$61 billion in taxes, constituted \$138 billion in spending power and accounted for 32.4 percent of New York’s entrepreneurs.² Our immigrant neighbors, and fellow New Yorkers, not only support our city’s financial growth — they also kept our city safe and running during the COVID-19 pandemic. In 2020, two-thirds of immigrant New Yorkers worked in essential businesses, accounting for almost one-third of health care sector workers, two-thirds of home health care workers, 41 percent of janitors and building cleaners — and the list goes on.³

Often, the discussion around immigrant New Yorkers has settled on a narrative of support — today I want to push back on that narrative and instead highlight that our immigrant communities are not a drain on resources, but a vital support without which New York cannot thrive. And while our newest neighbors — the recent arrivals and asylum seekers — do need our support and care, we cannot dismiss or overlook the opportunity and vitality these communities bring to our city.

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. We must:

- 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 restore funding to 3-K and Pre-K programs, 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.

¹ https://comptroller.nyc.gov/reports/facts-not-fear-how-welcoming-immigrants-benefits-new-york-city/#_edn1

² <https://map.americanimmigrationcouncil.org/locations/new-york/#>

³ <https://cmsny.org/publications/new-york-essential-workers/>



- Expand the Promise NYC child care voucher program to at least \$20 million in order to continue providing child care to the youngest immigrant children who are not eligible for other forms of child care vouchers.
- Invest in New York City Public Schools (NYCPS) and CUNY, including protecting and expanding investments in the six new English Language Learner transfer schools outside of Manhattan that support newcomers and asylum seeker students where they live and work.
- Allocate \$500,000 to NYC public schools that have recently received a large number of immigrant students. This investment will fund professional development from experts in evidence-based best practices on how to welcome and best serve immigrant and asylum seeking students for those schools who have not traditionally served these populations.
- 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. Long-time New Yorkers have been dealing with the NYC shelter system’s broken policies long before asylum seekers started arriving in 2022. This administration has been stubbornly resistant to the comprehensive housing solutions passed by the City Council, which are more cost-effective, humane, and recognize the need to transition people into permanent housing through the CityFHEPS program. A housing voucher [costs just \\$50 to \\$72 per night](#) for families living in a 2-bedroom apartment, depending on the program. Meanwhile, New York City is spending on average \$383 – or five times the amount of a housing voucher – to shelter households in emergency hotels.
- Invest \$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.
- Restore funding for professional development and technical assistance for DYCD-funded adult literacy programs that was decoupled from the funding for the programs themselves in FY24. This change has resulted in the field’s technical assistance provider, the Literacy Assistance Center (LAC), losing \$334,000 in Expansion funding, which represented over 60 percent of its DYCD funding dedicated to supporting community-based adult literacy programs.



New York City has long prided itself on being a city of vibrancy, diversity, and endless opportunity — a city that calls itself the capital of the world. And New Yorkers have long understood that our status as a beacon and safe haven for the global community is why we have, and continue to be, a cultural and financial leader on the national and international stage. To put it succinctly, our city is key to making our state, and country, great — and immigrants, who make up 40% of our city, are key to making New York City great.

While we understand the need to be fiscally prudent, we cannot continue to allow unnecessarily conservative budget forecasting and unjustified funding cuts to threaten New York’s most vibrant, and vulnerable, communities. In order to meet the overwhelming and unmet needs of New Yorkers, whether they've been here 30 years or 30 days, we must act strategically — not reactionarily.

So far, the Adams administration has cut costs without consideration, or care, of the long term effects on current New Yorkers and the future of our city. We call on you to end this practice today. 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:
Liza Schwartzwald
Director of Economic Justice and Family Empowerment
New York Immigration Coalition

Adhikaar for Human Rights and Social Justice
Testimony submitted to Committee on Immigration
Preliminary Budget Hearing for FY25
March 5, 2024

“My name is Dropati Gurung. I live in Queens, New York. I moved to the United States in 2022. I joined Adhikaar through the Immigration Navigation Program. The class taught me about the five boroughs of New York City, how to navigate the subway system, and how to purchase and use metrocards. The class also taught us how to prepare for an interview, negotiate with an employer, and understand our fundamental rights. The information provided was quite beneficial, and I was previously unaware of it. I am grateful to learn from Adhikaar. Before, I had no idea how to use a metrocard. Now I can use it to travel anywhere via train without assistance. I had little understanding of the city's streets and avenues and was too timid to ask for help. After attending the training, I have learned how to navigate the streets and can travel anywhere on my own. The immigration navigation class is really beneficial to new immigrants like myself since it taught us to navigate our daily lives easier. I'd like to thank Adhikaar for their help and appreciate their effort.”

Dropati Gurung, Adhikaar Member

Adhikaar, meaning “rights” in Nepali, is a women-led community and workers’ center that provides direct services to the Nepali-speaking community and organizes low-income workers and impacted community members to promote social justice and human rights. At Adhikaar, we define the Nepali-speaking community as descendants of Nepal, Bhutan, India, Burma, and Tibet that speak Nepali. We are often referred to as our community’s 911 and 311 line, serving more than 10,000 Nepali-speaking people a year. Our community is one of the newer immigrant communities and according to the Asian American Federation’s ‘Profile of New York City’s Nepal[i] Americans’ report, the fastest growing Asian ethnic group. Most of our members are women and work in the informal sector as nail salon workers, domestic workers, taxi drivers, and restaurant workers. A majority of our members live in Jackson Heights, Woodside, East Elmhurst, Elmhurst, Corona, Maspeth, Sunnyside, Ridgewood, Jamaica and Flatbush.

In recent years, we have seen an influx of new Nepali speaking immigrants come through our doors. This increase is also reflected in the 2020 census report which stated, “Nepalese population increased over 250%” and has been labeled one of the fastest growing communities in the United States. New members become familiar with Adhikaar through our English for Empowerment classes, workforce development trainings, or stop by our community center to obtain support for their workers’ rights, immigration, or health issues. Through these programs we create access to information, build community leadership, and grow collective power to win rights for our communities, and dignity and equity for all. For too long, the struggles and demands of communities like ours—immigrant women in low-wage industries—have been rendered invisible. We submit this testimony to uplift the voices and demands of our community in advancing immigration justice, workers’ rights and a just and inclusive New York City.

As new immigrants, many of our members are TPS holders, of mixed family status, or undocumented individuals who are forced to navigate a terrorizing, opaque immigration system that puts them at risk for deportation and detention. Our work in advancing immigration justice responds directly to these challenges. We push for comprehensive immigration reform at federal, state, and local levels, and are increasingly seen as a thought and action leader on immigrant rights on behalf of the hard-to-reach Nepali-speaking community in New York, and across the country. A central facet of this work involves the provision of culturally competent case support to our at-risk members, particularly at the intersection of immigration and workers rights. Just from November 2023 to January 2024, our team served 270 members to re-register for TPS for Nepal through TPS clinics. In addition, in 2023 we accompanied

200+ new cases related to labor trafficking, immigration bonds, ICE case support, general immigration, fraud, and wage; a process that involves one-on-one case management, interpretation, and community support. We work alongside various legal service providers like TakeRoots Justice, Legal Aid Society, and City Bar to provide pro-bono legal support for our members. Since 2015, we have been the only organization in the country providing TPS related-support to the Nepali community through a mix of town halls, KYR events, legal clinics and one-on-one support to limited literacy TPS holders. An estimated 1,500 TPS holders are supported every year, with a majority living in NYC. As the Nepali-speaking community continues to grow in the City, these services are becoming increasingly essential to our members and help inform our programming and community needs assessment tools.

"The citizenship class provided me with many advantages. Since attending the lesson, I had the opportunity to learn many vital topics about citizenship. Through the class, I learned the kinds of questions to expect and how to respond. Learning and understanding simultaneously has been quite beneficial to me. In the event that we don't understand something, our facilitator clarifies it for us and makes sure we understand. Using the internet to learn about citizenship tests might be tough without understanding what they mean. Adhikaar taught me things I didn't know before, such as US history, geography, and many other topics. Adhikaar offers an excellent opportunity to learn and is always there to support us."

Joglal Shrestha, Adhikaar Member

Deeply linked to immigration justice is advancing the literacy and leadership of our members. For the past 16 years, we have provided volunteer-based adult literacy classes to approximately 2,000 community members at our center in Woodside. We see adult literacy education as an immigrant rights issue, a feminist issue, a racial justice issue, and an issue of educational justice. The majority of our members have low literacy and English proficiency which is comparable to NYC at large where 52% of immigrant parents have limited English proficiency. Adult literacy education equips our members with tools to access, navigate, analyze – and ultimately transform – social, political, and economic systems and conditions. Through our adult literacy programs our members are able to read, write, and speak the truth of their lived experience, build understanding and solidarity across differences, and examine historical and current systems of oppression and envision alternatives. We also know that increased literacy not only benefits individuals but also drives broader economic growth. A Gallup study found that “getting all U.S. adults to at least a Level 3 literacy proficiency would generate an additional \$2.2 trillion in annual income for the country,” and that large cities like New York would see a 10% increase in gross domestic product.

Adhikaar has run regular English for Empowerment (EFE) classes at Adhikaar since 2007, soon after our inception in 2005. Adhikaar’s EFE classes support adults of all ages, most of whom are between 30 years old to their late 70s. EFE classes are the backbone of our center and the first connection most members make with Adhikaar. Although there are other programs in Queens and Brooklyn that support adult literacy, many prefer our center as we have staff and volunteers who are culturally and linguistically competent in serving Nepali speakers (from Nepal, India, Tibet and Bhutan) seeking to learn English. In 2021, Adhikaar joined the Adult Literacy Pilot Project Initiative led by Literacy Assistance Center and Department of Youth and Community Development, and for the first time received funding for our adult literacy program. With dedicated funding, we have rolled out an integrated English For Empowerment (EFE) plan that offers industry specific English classes for nail salon workers and domestic workers, enhances the digital literacy of members, and ensures we’re providing our members with practical knowledge to navigate their day-to-day lives. With program funding from the Adult Literacy Pilot Project, we resumed planning for our adult literacy program and hired a dedicated coordinator to organize and coordinate the classes, as well as create a compatible online version of the curriculum to ensure sustainability. Currently we provide EFE classes throughout the year at our community center and out of rented space in Brooklyn, multiple times a week. Adhikaar’s English for Empowerment Programs provides Industry Specific and general English Classes, Digital Literacy Classes and Citizenship Preparation Classes. In 2023, 115 individuals came to

our center for EFE classes. Till date, we have had 2000+ members who have attended the EFE program at Adhikaar since its inception.

“My name is Lhamo Gurung. I live with my family with three daughters and my husband. I came to the USA in 2002 and started working in a nail salon in Manhattan for 3-4 months then I stopped working because I had to look after my kids while my husband was working. When I first came to the US, I was very nervous because of the language barrier. It was challenging for me to communicate and travel in the city on subways. Because of the language barrier it was hard for me to work in the nail salon because I could not understand the language and the technical terms like nail colors and customer services. After many years of practice, it has gotten a little easier now. I used to work for \$25 dollars per day when I first started, which was very hard to survive. But now they pay \$14.15 including tips and commission an hour which is good compared to \$25 per day but it is still difficult because everything is expensive now.

I got engaged with Adhikaar in 2013 for immigration related service and nail salon license inquiry. I joined English class first and later joined a virtual 35 hours nail salon permanent licensing course. Taking online classes helped me alot as it was less time consuming and I could take care of my kids as well. I took the study session of the licensing course before the state board exam which helped me alot. I later joined the nail salon main leader group and participated in the regular meetings and campaigns as well. I even presented my story in a Nari Diwas (Women’s Day) event which was a good experience. During the presentation, my kids supported me... I share the information about Adhikaar and its services and campaigns as well to my friends and other community members.”

Lhamo Gurung, Adhikaar Member

As the only social-justice oriented grassroots organization supporting the Nepali-speaking community, the impact of our services and activities is vast. Through our workers rights program, we have continued to provide workforce development training for our nail salon and domestic worker members to ensure they have the tools and resources to thrive in their places of work. One concrete way to fund immigrant women workers is to invest in initiatives like the New York Nail Salon Worker School, a school established in 2016 and administered by the New York Committee for Occupational Safety and Health (NYCOSH) with partners at Mekong NYC and Adhikaar. To date, across the entire School, 1,068 students have graduated since 2016. For domestic workers as well we provide our “We Rise” nanny training program in collaboration with Cornell ILR and the National Domestic Workers Alliance-NY where we utilize a workers-rights based curriculum in Nepali, with training led by peer worker trainers. This program is supported by NYC Domestic Worker Initiative through which we provide members with training, resources and referrals to improve their working conditions. In 2023, Adhikaar provided service to 2000+ domestic workers through this initiative. In addition to the workers rights program, we also provide essential health care access services. In 2023, we were able to register 1000+ members through NYC care, and 600+ through the NY marketplace to ensure our members have access to health care.

For the FY25 Budget season, we ask that the New York City Council continue and expand this funding for these essential services and programs. For Adhikaar, we request funding from the FY25 Discretionary budget – specifically \$50,000 from CM Krishnan, \$30,000 from CM Won and \$50,000 from CM Caban, \$50,000. Lastly, we urge the Council to continue the funding of Adhikaar’s work through important initiatives - the AAPI Community Support (\$100,000), Adult Literacy Pilot Program (\$187,500), Domestic Worker and Employer Empowerment Initiative (\$150,000) and the Immigrant Women Workers Initiative (\$100,000), Speakers Initiative (\$50,000), and Welcome NYC (\$50,000).

We look forward to partnering with the City Council to ensure that our growing community not only survives, but thrives.

Thank You

TESTIMONY TO NEW YORK CITY COUNCIL

On behalf of Afghans For A Better Tomorrow

By: Arash Azizzada, Executive Director

March 5th, 2024

Hello and thank you for accepting our invitation to testify and comment in front of the New York City Council Budget and Oversight Hearings on The Preliminary Budget for Fiscal Year 2025.

Afghans For A Better Tomorrow is an Afghan-led community and advocacy organization that organizes the Afghan-American community to bring about systemic change in the U.S. and beyond to ensure all Afghans have lives of safety, dignity, and freedom. Our work got started in 2021 in anticipation of President Biden's announcement to withdraw from Afghanistan militarily. Since then, we have led rapid-response evacuation efforts and led assistance to almost 1,000 new arrivals to the United States—all across the country, including on military bases.

Since late 2022, our organization and community has led the way in ensuring that safety, dignity and freedom were not just goals to strive for, but things that were achieved for one of the most vulnerable populations on the planet. Afghans currently suffer from a mix of crises: humanitarian, human rights, economic and climate. The country is ruled by the brutal and authoritarian Taliban, who are not representative of the Afghan population. Afghanistan is the only country in the world where girls cannot go to school past the 6th grade. The economy remains stagnant as the United States' sanctions and assets freeze continues. Neighboring countries are actively hostile and deporting Afghans. The country is suffering from a drought, while over 21 million Afghans are not sure where their next meal is coming from.

All of this is happening as a backdrop of tens of thousands of vulnerable, at-risk Afghans fleeing persecution in search of a safe haven and better life. The United States holds partial responsibility for the conditions Afghans are facing. The city of New York holds a moral responsibility to allow Afghans who have ended up in the city to be offered safety, dignity and freedom. We want to be clear: this city cannot walk away from its obligations to Afghans in search of new life.

We have served over 700 new New Yorkers, mostly Afghans and Muslims seeking asylum. We have provided over \$600,000 in immediate aid, connected or provided legal services and ensured that folks are not just surviving – but thriving as well. One of our new community members arrived here a year ago. Since then, he has found an engineering job and found housing for his family through a state plan that resettles asylees. Najibullah benefited from our assistance but mainly from his own drive to succeed, despite the odds. He now partners with our organization to resettle new Afghan arrivals where they can.

His story is one of many. Our newcomers and asylum seekers are not burdens. Rather, they are contributing to the mosaic in this city, state and country. America is lucky to have them and many wish not to be here but were forced to.

Looking at the proposed budget, we are dismayed by the cuts proposed by Mayor Adams. Many of our new arrivals rely on the services of the city, such as the library on the weekends. The library closing means less integration and less success for our community members. There are many other gaps: Dari and Pashto language services for Afghans are non-existent in the city. Our organization fills the gap but relies heavily on volunteers.

We want to emphasize that much more must be done. Rather than seeing this as a cost, the city should see this as a relatively cheap investment into the future. Ensuring critical legal services, employment training and services to be available to new arrivals will mean less dependence and success for our community. The City of New York should lead the way in providing more, not less for those fleeing war and persecution. The key to this is organizations like us and our many other community-based and -led organizations (CBOs). We are the bridge that do the work in a trauma-informed, linguistically accessible and culturally sensitive way. Newcomers are not numbers, they are beautiful humans with unique stories. We continue to advocate for continued investment in CBOs like us and the many other critical services that allow newcomers to succeed.

Thank you for your time.



New York City Council Fiscal Year 2025 Preliminary Budget Hearings Immigration Committee, 03.05.24

**Christine Serdjenian Yearwood, New York Field Organizer
Armenian-American Action Network**

My name is Christine Serdjenian Yearwood, and I am the New York Field Organizer at Armenian-American Action Network. Thank you very much to Councilmembers Avilés, Bottcher, Brewer, De La Rosa, Krishnan, Hanif, and Joseph for holding this hearing and providing the opportunity to submit our testimony.

Armenian-American Action Network is an advocacy and research organization fighting anti-Armenian racism in the United States, teaching Armenian-American history, and forwarding civil rights, immigrant rights, and refugee rights for our and all communities. Armenian-American Action Network is a proud member of the 18% and Growing Campaign, a critical and diverse city-wide campaign uniting over 90 AAPI-led and serving organizations across New York City to fight for a fair and equitable budget that protects the needs of our most vulnerable community members. The 18% and Growing Campaign advocates as a collective in solidarity to hold New York City accountable in providing the necessary resources to serve and empower the diverse needs of all AAPI New Yorkers and other communities of color as *"We Are Building A Community Too Powerful To Ignore."*

Armenia is a nation in West Asia within the South West Asian and North African (SWANA) region. We are transnational indigenous people whose homeland spans many current-day nation states, and is not limited to one geographic border. Armenians continue to face ongoing erasure, displacement and discrimination in our homelands. Every year, Armenians immigrate to New York City. Armenians have come here as a result of the Syrian War, Beirut Blast, Artsakh Wars in 2016 and 2020, and ethnic cleansing in 2023.

I live in Queens. As the most culturally diverse county in the nation, Queens is home to the majority of Armenians in the tri-state area, with around 50,000 Armenian residents. We are an old and thriving community. We have Iranian Armenians in Forest Hills, Baku refugees in Ridgewood, Lebanese Armenians in Bayside and newer waves of Armenians in Sunnyside and Woodside. There are also tens of thousands of Armenians living in Manhattan and South Brooklyn. New York has six Armenian churches and two Armenian day schools, as well as cultural centers, restaurants, and grocery stores.

Yet despite the AAPI community's presence and growth here in New York City, funding for our communities is lagging. AAPI New Yorkers are 18% of the population, but receive less than 5% of the city's discretionary dollars. Being underfunded results in our communities being underserved and made invisible. We are marginalized in data collection and disaggregation, curriculum, programming, support systems, and by service providers. In particular for Armenian-Americans, an equitable budget would help us with data collection and disaggregation, increase access to much-needed mental health care services, and create culturally responsive programming.

Today we submit this testimony in the name of civil rights, immigrant rights and refugee rights. We urge the New York City Council to uplift the collective priorities of the 18% and Growing Campaign which include expanding the AAPI Community Support Initiative to \$7.5 million, Communities of Color Nonprofit Stabilization Fund to \$7.5 million, and the Access Health Initiative to \$4 million, among other key city-wide initiatives to take further steps in not envisioning, but truly creating a more inclusive, safe, healthy, and sustainable society for our diverse diaspora. We echo the fiscal requests of the greater AAPI community that would enhance the health, wellness, and economic well-being of all of us as New Yorkers.

Sincerely,

Christine Serdjenian Yearwood
New York Field Organizer
Armenian-American Action Network



Asian American Federation

Testimony to the New York City Council Committee on Immigration

March 5, 2024

Written Testimony

I want to thank Committee Chair Alexa Avilés and the Council Members of the Committee on Immigration for holding this hearing and giving the Asian American Federation (AAF) the opportunity to testify on this year's budget. I am Lisha Luo Cai, Advocacy Coordinator at AAF, where we proudly represent the collective voice of more than 70 member nonprofits serving 1.5 million Asian New Yorkers.

We are here to discuss the City's response and delivery of services to immigrant New Yorkers and our recently arrived migrant neighbors. It is important to note that the issues our migrant neighbors are facing reflect the issues *all* immigrant communities face in immediate terms.

To put the needs of our community into perspective: The Asian population has increased by almost 38%, growing from over 1.5 million in 2010 to just over 2.1 million in 2020, making up 11% of our state's total population. In New York City, the Asian population has grown to 17.3% of the total population. Despite the misperception that we live in just a few major enclaves, Asian Americans make up at least 10% of the population in 34 of the 51 City Council districts. Moreover, many Asian New Yorkers are immigrants, with two out of three being foreign-born. Of those Asian immigrants, 30% arrived in or after 2010. Additionally, language barriers remain disproportionately high among Asian New Yorkers - nearly 50% of Asians living in New York City have limited English proficiency, compared with a citywide average of 23%. And more recently, an increasing number of Asian migrants (Chinese, Indian, Afghan, and more) have arrived to the City from the southern border, reflecting an increased need of additional resources that span from culturally appropriate mental health services, to linguistically accurate immigration services.

As we enter FY 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.

Despite all of this, our community-based organizations (CBOs) have kept our immigrant communities taken care of, leading the way in providing numerous innovative services and programming that are both linguistically and culturally sensitive. 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.

This year's budget must prioritize support for our immigrant communities and the CBOs that have led by example in providing language accessible and culturally-competent services. **The urgency has never**



Asian American Federation

been greater for our City Council to help restore our immigrant communities' trust in their government.

Immigration Services

To echo our request from the previous fiscal year, the City must prioritize investing in immigration-related services for the community that continues to contend with the ongoing backlash of anti-immigrant policies, as well as the greatest increase in unemployment rates during an unrelenting pandemic. These challenges have been compounded by the rising poverty rates in the Asian community; prior to COVID, one in four Asian New Yorkers lived below the poverty line—that rate is now 36%, meaning that over one-third of the city's Asian population now live in poverty.

With the lack of historic investment, access to critical immigration legal services for Asian New Yorkers has been near impossible, 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 Chinese and Indian communities 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.

As we think about how best to help our community recover, the City must also invest in a bridge workforce development program that allows low-income, limited-English-proficient Asian immigrants to access employment opportunities in new and emerging industries. Industries that heavily employ Asian immigrants were decimated during the pandemic, leading to Asians having the highest increase in unemployment rates at the height of COVID. Despite being the poorest community in New York City, there are few accessible workforce development programs for those who have limited English skills and limited education.

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. This has to change.

Nonprofit Support

As our immigrant community also bears a disproportionate burden of the basic need insecurity that continues to persist even after the pandemic, the City must increase investment across service sectors.

Asian immigrants have a greater need for access to programs such as community health centers and clinics, as well as food pantries, in part due to the continued aftereffects of the previous administration's public charge assault that resulted in immigrants disenrolling from public benefits out of fear that it would affect their and their family's chances of pursuing a path to citizenship. In addition, the City must continue to fund a network of linguistically and culturally competent food service programs and connect Asian older adults to these alternative food benefits in order to begin to address the harm inflicted on this population by the loss of access to traditional government assistance programs.



Asian American Federation

As City Council works on this year's budget, Council Members must keep in mind the persistent inequities in city contracting practices and the systemic barriers facing our CBOs seeking the dollars the Council is allocating. Our CBOs are struggling to meet the demand for services across programs for our immigrant communities, lacking meaningful and continuous financial support from the City to strengthen their organizational capacity and programming. For example, the **median total allocation in FY 2024 City Council Initiatives was less than \$253,360 across 41 member organizations**, an amount that was barely enough to maintain operations. On top of this, across our member organizations, there are complaints that contracting is moving too slow, and that even small amounts of approved funding are taking too long to receive, if they have been received at all. Serious process constraints are handicapping our organizations and these must be addressed at the agency level.

But within our City's contracting processes there must be prioritization for the CBOs that have the expertise needed to make the most of every dollar in our communities by giving greater weight to organizations with a demonstrated track record of serving low-income, underserved immigrant communities with linguistic and cultural competency. Our CBOs are leading by example in the provision of direct services, from providing wrap-around services that include mental wellness checks, to allying with food suppliers that provide culturally-competent food. And it will be our CBOs that will be instrumental in restoring trust between our immigrants and the City.

Language Access

Immigrants continue to be unable to navigate more than just complex citizenship processes - immigration policies are often in such a state of flux that immigrants will need sustained in-language engagement to stay abreast of changing policies, processes, and documents. Good policies mean nothing if the people they are meant to help cannot understand them, or do not know they exist.

We want to recognize City Council's FY 2023 funding support for programming led by the Language Justice Collaborative, which includes us, the New York Immigration Coalition (NYIC), MASA, and African Communities Together. In FY 2023, City Council made an allocation of \$5 million towards language access programming, which included language access cooperatives and a community interpreter bank; \$700,000 was allocated to the development of an Asian language cooperative. Although our collaborative did not receive funding for FY 2024, our collaborative remains steadfast in bridging the language accessibility gap and continuing the work. With a FY 25 funding request for the same, AAF will continue its work on an Asian language worker cooperative to professionalize interpretation capacity within our community, and as such, City Council must continue to invest in language accessibility by continuing their investment in this work.

The payoff from funding these initiatives will be seen in multiple ways, from providing employment opportunities in our immigrant communities, to relieving strains on existing CBO capacity to provide interpretation, to addressing the serious gap in quality language interpretation for the communities that need it the most.

In addition to the funding requested for language access work, here are our other Citywide funding requests to support our work across our Asian community:



Asian American Federation

- Support AAF's work and priorities through:
 - AAPI Community Support (\$250,000)
 - Communities of Color Non-Profit Stabilization Fund (\$150,000)
 - CUNY Citizenship NOW! Program (\$250,000)
 - Hate Crimes Prevention (\$200,000)
 - Immigrant Health Initiative (\$100,000)
 - Mental Health Services for Vulnerable Populations (\$140,000)
 - Speakers Initiative (\$400,000)
 - Support Our Older Adults (\$100,000)
 - Worker Cooperative Business Development Initiative (\$700,000)
- Support funding to the AAPI Community Support Initiative at **\$7.5 million**. AAF requests a budget allocation from this Initiative of **\$250,000** to support ongoing support for our Hope Against Hate Campaign.
- Continue to fund the Communities of Color Nonprofit Stabilization Fund at **\$7.5 million**. AAF requests a budget allocation from this Initiative of **\$150,000** to support our technical assistance work.
- Fund the development of a worker cooperative for Asian language interpretation (**\$700,000**). We also ask, in partnership with African Communities Together, Masa, and New York Immigration Coalition, for **\$2.25 million** to support a community interpreter bank (CIB).
- Invest **\$120,000** to support the operation and expansion of AAF's small business programs, such as technical assistance and merchant organizing.

CBOs have led by example in how to spend city dollars effectively and this moment presents an opportunity for this City Council to show that New York City can still lead by example in protecting its most vulnerable. We at the Asian American Federation thank you for allowing us to testify and look forward to working with all of you to make sure our immigrant communities get the support they deserve.



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TESTIMONY OF:

**Ellen Pachnanda, Director
Immigration Practice**

BROOKLYN DEFENDER SERVICES

Presented before

**The New York City Council Committee on Immigration Preliminary Budget
Hearing – Immigration**

March 5, 2024

Introduction

My name is Ellen Pachnanda. I am the Director of the Immigration Practice at Brooklyn Defender Services (BDS). 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. I thank the New York City Council Committee on Immigration, in particular Chair Avilés, for the opportunity to testify about our budget needs to serve the immigrant community in New York City.

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 also provides a wide range of additional services for our clients, 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' Immigration Practice protects the rights of immigrant New Yorkers by defending against ICE detention and deportation, minimizing the negative immigration consequences of criminal and family charges for non-citizens, and representing immigrants in applications for immigration

DEFEND • ADVOCATE • CHANGE



benefits. We represent people who are applying for immigration relief before U.S. Citizenship and Immigration Services (USCIS), and in removal proceedings in New York's immigration courts.

Since 2009, BDS' Immigration Practice has counseled, advised, or represented more than 16,000 clients in immigration matters including deportation defense, affirmative immigration applications, advisals, and immigration consequence consultations for BDS clients with criminal or family court involvement. 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 will 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 1,700 people in deportation proceedings.

Meeting Legal Service Needs Through Expertise in Complex Matters

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.

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 end up leading to mandatory incarceration in DHS detention facilities, or permanent separation from family and exclusion from this country because of the entanglement of the criminal or family legal systems and our federal immigration laws.

An arrest alone, even where the District Attorney declines to prosecute or where a judge dismisses and seals the case, can lead recent arrivals to immigration detention. Current Immigration and Customs Enforcement (ICE) enforcement policies prioritize detention of immigrants with criminal legal system contact and relies upon state and local criminal legal systems to identify immigrants who could be deported. Even before the Mayor announced his intention to change the city's



detainer law, which we strongly oppose, BDS was seeing an uptick in ICE arrests in our community.

Nearly two years ago, President Biden directed the U.S. Department of Homeland Security to utilize its Prosecutorial Discretion to resolve cases. Relying upon the authority of DHS to exercise discretion, our advocates continue to submit requests for prosecutorial discretion. In our experience, these requests are routinely denied without any rational basis. We utilize Prosecutorial Discretion to resolve cases and prevent family separation. We seek termination of unnecessary and long-pending removal proceedings and negotiate stipulations to relief our clients are seeking. The denial of these requests delay justice and clogs an already overburdened court system. Our advocates continue to litigate these matters, given the complex nature of our clients' cases requires extensive preparation and resources.

BDS NYIFUP 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.

FY25 Budget Requests

Over the past 10 years, New York City Council has demonstrated its leadership and support for immigrants through its creation of and support for the NYIFUP program. While the landscape in New York City has changed since the inception of NYIFUP, the need remains the same. New York City should continue to protect the rights of New Yorkers by providing them with education, legal representation, and support, and end its racist policing strategies that target communities of color through unnecessary arrests and incarceration. These arrests can lead to convictions that trigger ICE enforcement - which will often result in a form of detention and separation from family, denial or ineligibility for immigration relief and the commencement of removal proceedings in immigration court.

BDS works to support immigrants and their families and communities every day, but the need for our services and those of the dozens of other legal service providers and grassroots organizations is more acute than ever. We look forward to working together to craft policy responses that will help protect immigrant New Yorkers, strengthen families, and stabilize communities.



I. New York Immigrant Family Unity Project

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. 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). New York's NYIFUP organizations regularly provide support and training to those programs. Additionally, we routinely provide training and technical assistance to organizations providing representation to detained immigrants facing deportation in upstate New York, as well as support on federal work for organizations in New Jersey.

With the Bronx Defenders and the Legal Aid Society, BDS is requesting funding of \$16.6 million (\$5,533,333 per organization) to continue serving as NYIFUP's 3 legal service providers and to ensure continued capacity to respond to surges and changes in immigration enforcement and detention. With this funding, BDS will continue to provide high-quality, client-centered direct representation to low-income detained New Yorkers facing deportation and remain in intake at the detained immigration court throughout the year. We will also provide continued representation on their immigration matters to previously detained immigrant New Yorkers after securing their release from ICE custody.

II. Immigrant Opportunities Initiative (IOI)

BDS' Immigrant Community Action Project (ICAP) team of attorneys, DOJ-accredited representatives, social workers, and support staff serve people in non-detained removal proceedings and applications for immigration benefits, including family-based applications for lawful permanent status, humanitarian-based applications, U & T visas, Special Juvenile Immigrant Status (SIJS), DACA renewal and other related immigration applications. ICAP works to strengthen New York City's families, particularly mixed-status families, by taking on the most challenging immigration cases and providing legal services for people with multi-system involvement with the goal of identifying opportunities for lawful immigration affirmative protections.

BDS' ICAP staff serves as first responders providing essential immigration legal support to New York immigrant communities in complex immigration matters in a rapidly changing legal immigration landscape. Through internal referrals from our criminal, family, and civil justice



practices, we identify clients that have on-going removal proceedings and are able to step in to provide full representation and advocacy. We also can identify affirmative immigration remedies for people who may not have sought immigration legal services and assist the people we represent, and their families, with securing lawful status and alleviating the fear and trauma of family separation.

We encounter recently arrived immigrants in both our criminal and family defense practices, many of whom are already ensnared in the immigration system. Attorneys must advise clients how to navigate filing a change of address with the immigration court while in the shelter system. Many of these clients have immigration court dates set in other cities, requiring change of venue motions. We also must step in quickly to file asylum applications. Our practice has also seen an increase in requests for assistance with family visa petitions to reunite families where children or other family members have remained in their home country and seek to reunite them (such as I-730s for derivatives of asylum seekers or I-130 visa petitions for spouses, parents, and children abroad).

We continue to expand services to meet our clients' needs and have renewed our focus on enforcing our low wage immigrant worker's rights; both as a remedy in itself and as an essential element of our immigration practice aimed at deferred action for labor-based claims for our clients. We have seen dozens of clients whose employment claims may lead to meaningful immigration relief including deferred action and work authorization as well as the administrative closing of removal proceedings and the exercise of prosecutorial discretion where it would otherwise not be possible.

The backlog for non-detained immigration court persists; and has created unpredictability in case trajectory, inefficiencies in case management, and prejudicial consequences for the respondents left in limbo who are often separated from their families. Most affirmative immigration applications used to be considered straightforward, based on the evidence submitted with the application. . Requests for evidence are now more frequent, invasive and time consuming. Changes such as these resulted in a steep increase in erroneously rejected applications, applications rejected for empty boxes on forms, or simply and most often for failing to read the applications and review the evidence submitted. While these practices frustrate practitioners and delay applications, *pro se* applicants who lack the legal skills or resources to navigate the system are left without recourse and without immigration status.

During our representation of clients in removal proceedings, , if there is an immigration benefit that requires an affirmative application, our team will file (e.g., if they can apply to USCIS for a benefit that the judge does not have jurisdiction over, such as a U visa, SIJS, or a spouse's visa

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petition on their behalf). The ICAP team can assist with these applications as well, and can also assist, after a removal case is complete such as when relief is granted and there are next steps like green card renewals, citizenship, petitions for other family members, citizenship, orders of supervision, applications for employment authorization, etc. These critical immigration services comprise BDS' non-detained immigration legal and social services and are a necessary component of supportive immigration assistance for people in New York.

BDS is requesting \$200,000 in funding through the Immigrant Opportunities Initiative to bolster our ability to provide direct immigration legal services and Know-Your-Rights training to Brooklyn residents.

This increased funding is essential for BDS to serve New York City's immigrant youth, families, and communities more comprehensively with desperately needed high-quality immigration legal services.

We continue to expand services to meet our clients' needs and have renewed our focus on enforcing our low wage immigrant worker's rights; both as a remedy in itself and as an essential element of our immigration practice aimed at deferred action for labor-based claims for our clients. We have seen dozens of clients whose employment claims may lead to meaningful immigration relief including administrative closing of removal proceedings and the exercise of prosecutorial discretion where it would otherwise not be possible.

This funding will help BDS continue serving New York City's immigrant families by providing legal screening, advice, and direct representation to low-income immigrants in their pursuit of affirmative immigration benefits.

NYC Must Protect its Detainer Law to Protect Immigrant New Yorkers

The unfettered discretion and cruelty of Immigration and Customs Enforcement (ICE) has continued and the number of people in immigration detention is trending up of late. Recently arrived immigrants are targeted by the city's renewed broken windows policing – and minor arrests increasingly result in immigration detention. ICE's current immigration enforcement priorities explicitly focus on people with contact with the criminal legal system and anyone who entered the U.S. without authorization after November 1, 2020. Although all undocumented immigrants are at risk of removal, recently arrived immigrants who have had contact with the criminal legal system fall into a higher priority for being targeted by ICE for arrest, detention, and deportation, sometimes regardless of the outcome of the criminal case. **We applaud the City Council's**

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unwavering support for the detainer laws and encourage support for pending measures to strengthen detainer laws, including the ICE Out! legislative package of Intros 158, 184, and 185, given the findings of several City Council hearings showing the city is already communicating with ICE in violation of existing law. We also applaud the City Council's support for the Dignity Not Detention Act, which aims to stop cooperation between New York localities and U.S. Immigration and Customs Enforcement (ICE) by prohibiting governmental entities from entering into agreements to house individuals in immigration detention custody in New York State detention facilities and requires governmental entities to terminate existing contracts for the detention of individuals in immigration detention facilities.

We strongly oppose any changes to existing detainer laws, which would allow local law enforcement to transfer anyone “suspected of committing serious crimes” to ICE. This is especially important given ICE’s current immigration enforcement priorities that explicitly focus on people with contact with the criminal legal system and anyone who entered the U.S. without authorization after November 1, 2020. Although all undocumented immigrants are at risk of removal, recently arrived asylum seekers who have had contact with the criminal legal system fall into a higher priority for being targeted by ICE for arrest, detention, and deportation, sometimes regardless of the outcome of the criminal case.

Conclusion

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 of the NYIFUP program. BDS has worked to protect the rights of the people in our communities every day for over 25 years, but the need for our services is more acute than ever. BDS’ requested funding will ensure we can continue to provide quality legal services to immigrant New Yorkers.

We thank the New York City Council for your continued support of low-income immigrant New Yorkers. If you have any questions, please feel free to reach out to me at epachnanda@bds.org.



New York City Council Fiscal Year 2025 Preliminary Budget Hearings Immigration Committee, March 5, 2024

Mohamed Q. Amin, Founder and Executive Director, Caribbean Equality Project

Good Afternoon. My name is Mohamed Q. Amin, and I am the Founder and Executive Director of Caribbean Equality Project. Thank you to Chair Alexa Avilés and the Committee on Immigration for holding this hearing and providing the opportunity to testify.

Caribbean Equality Project is a proud member of the 18% and Growing Campaign, a critical and diverse city-wide campaign **uniting over 90 AAPI-led and serving organizations across New York City to fight for a fair and equitable budget that protects the needs of our most vulnerable community members.** In solidarity, we collectively advocate to hold New York City accountable in providing the necessary resources to serve and empower the diverse needs of all AAPI, Black, and Latinx New Yorkers and other communities of color as *"We Are Building A Community Too Powerful To Ignore."*

Caribbean Equality Project is a NYC community-based organization that empowers, advocates for, and represents Afro and Indo-Caribbean LGBTQ+ immigrants. We mobilize low-income, undocumented, asylum seekers, and working-class Caribbean LGBTQ+ communities across New York City on immigration, workers' rights, healthcare, housing, and civic engagement to build political power through culturally responsive educational programming and advocacy.

New York City is home to the largest Caribbean foreign-born population, many of whom live in Caribbean-centric neighborhoods like Richmond Hill and South Ozone Park in Queens, Flatbush and Crown Heights in Brooklyn, and Castle Hill, Wakefield, and Soundview in The Bronx. The Caribbean LGBTQ+ immigrants we serve face unique challenges, and they often do not have access to the family and community support networks that other immigrants rely on- many of whom have been abandoned by their biological family members or fleeing persecution due to anti-LGBTQ+ hate violence in their home country. Many of the barriers Queer Caribbean immigrants encounter range every day, from lack of access to culturally responsive immigration legal services to housing and food insecurities, to an unable to earn an income to survive due to their undocumented asylum and refugee status. Many of our community members have been actively engaging in survival sex work to earn an income to

live and afford legal services, which disproportionately puts their health and safety in jeopardy. The Caribbean Equality Project's "Immigration Justice: LGBTQ+ Immigrant Empowerment Initiative" addresses the service gap for LGBTQ+ immigrants in NYC. Newly arrived and existing community members need asylum application support, obtaining gender-affirming identification documentation, legal name change, housing, clothing, food, financial and adult literacy, and HIV-care and Trans healthcare. I am calling on the New York City Council Committee on Immigration to invest in funding support for community-based organizations to prioritize community-driven solutions to legal immigration services.

Caribbean Equality Project urges the New York City Council to **uplift the collective priorities of the 18% and Growing Campaign, which include expanding the AAPI Community Support Initiative to \$7.5 million, Communities of Color Nonprofit Stabilization Fund to \$7.5 million, and the Access Health Initiative to \$4 million, among other critical city-wide initiatives** to take further steps in not envisioning but truly creating a more inclusive, safe, healthy, and sustainable society for our diverse diaspora.

Caribbean Equality Project's FY25 Discretionary Funding Priorities:

- **Unchained: Caribbean LGBTQ+ immigrant support group:** Unchained is the first of its kind in New York City. It is the Caribbean Equality Project's nine-year peer-to-peer immigrant support group anchoring the organization's Healing Justice work. Unchained creates an empowering space to affirm the unique cultural experiences and identities of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Caribbean immigrants, HIV-impacted people, and survivors of family rejection, discrimination, intimate partner violence, and sexual assault to heal and build community in NYC.

- **Trans Justice Unit:** Launched in 2021, the mission of the Caribbean Equality Project's Trans Justice Unit (TJU) is to unite and empower diverse groups of trans-identified and non-binary people of Caribbean descent in solidarity. The TJU mobilizes and supports Caribbean trans people through advocacy, trans-affirming healthcare, HIV care, housing and economic justice, workforce development, and immigration resources for asylum seekers.

- **Knowing Matters:** Launched in 2015, Knowing Matters is Caribbean Equality Project's sexual health and wellness program, breaking the silence about HIV/AIDS through public education, linkage to care, and promoting prevention, all while offering emotional support and resources to the Caribbean LGBTQ+ community living with HIV in NYC.

- **Queeribbean Crossings:** Established in 2022, Queeribbean Crossings is the Caribbean Equality Project's annual conference, which brings together international LGBTQ activists, researchers, academics, sex workers, and community leaders of Caribbean descent to discuss issues affecting LGBTQ communities across the Caribbean diaspora, including cross-racial solidarity, immigration, mental health, HIV/AIDS, faith and family acceptance.

- **Food Justice:** In 2020, the Caribbean Equality Project launched its pop-up culturally

responsive pantry service in partnership with other grassroots organizations to respond to food insecurity in predominantly Caribbean-centric neighborhoods.

- **Mash-Up De Vote:** The Caribbean Equality Project builds political power through non-partisan civic engagement, voter registration, public education, redistricting, candidate forums, and legislative advocacy.

To learn more about the Caribbean Equality Project, please visit CaribbeanEqualityProject.org or phone us at 347.709.3179. If you have any questions, don't hesitate to contact me at Mohamed@CaribbeanEqualityProject.org.

Thank you for your time.

In Solidarity & Respect,

A handwritten signature in black ink, appearing to read 'M. Amin', with a stylized, flowing script.

Mohamed Q. Amin
Founder & Executive Director
Caribbean Equality Project



Testimony

**New York City Council
Immigration Committee**

**New York City Council Budget and Oversight Hearings on
The Preliminary Budget for Fiscal Year 2025**

Tuesday, March 5, 2024

Submitted by Co-Directors Margaret Martin, JD, & Kelly Agnew-Barajas, MSW

**Immigrant and Refugee Services
Catholic Charities Community Services, New York**

Good afternoon, Council Chair Avilés and members of the New York City Council Committee on Immigration. I am Margaret Martin, Co-Director of Immigrant and Refugee Services, joined today by my fellow Co-Director, Kelly Agnew-Barajas. We represent Catholic Charities Community Services, Archdiocese of New York. Thank you for the opportunity to provide testimony today regarding the work of Catholic Charities with immigrants and refugees in New York City.

INTRODUCTION

Catholic Charities is proud of our tradition of welcoming New York’s immigrants and refugees. Our services have tremendous impact on communities across New York City. The scope and diversity of our services is exceptional.

- Catholic Charities is a leading provider of high-quality immigration legal services. On an annual basis, we advise and provide legal representation to approximately 11,000 immigrants, the majority of whom are new arrivals to New York City.
- Catholic Charities is a premier provider of legal and social services to unaccompanied children, serving more than 5,100 children each year.
- Catholic Charities operates three distinct immigration-focused hotlines – notably the Action NYC Hotline – that together serve more than 125,000 individuals annually.
- Catholic Charities is one of the four official refugee resettlement providers serving New York City. Catholic Charities welcomes and integrates more than 2,500 refugees per year – providing intensive case management, workforce, education, and health services.
- Catholic Charities’ Day Laborer programs focus on job safety for day laborers, trainings, employment support and wage theft protection advocacy for more than 1,500 day laborers and their families each year.
- Catholic Charities provides English language instruction at all learning levels as well as citizenship preparation to more than 900 learners per year.

OUR WORK AND NEEDS TODAY

The arrival of more than 172,000 asylum seekers to New York City has had profound impacts

across each of our programming spaces. We strongly recommend that the City Council support efforts to improve overall coordination of legal and social services aimed at serving asylum seekers, and to invest in building capacity for the long-term benefit of our newest neighbors and our communities.

The needs of other immigrant communities continue to need attention as well. Over the past two years, more than 25,000 Ukrainians have arrived in New York City. Families and individuals who have been part of our immigrant communities for years also need critical resources, legal services, and information.

We urge the City Council to:

- Advocate for the Mayor's Office of Immigrant Affairs to reconsider dismantling the ActionNYC in Schools program, which has provided critical immigration legal services to thousands of schoolchildren, families, and school community members since 2016, in partnership with 129 public schools.
- Ensure ongoing support of Catholic Charities and the Haitian Response Initiative, a unique, culturally and linguistically responsive program funded by the Mayor's Office of Immigrant Affairs to redress the disparate legal treatment and lack of resources available to the Haitian immigrant community.
- Ensure continued support of the ActionNYC Hotline, funded by the Mayor's Office of Immigrant Affairs, to provide critical legal information, appointments, and referrals to immigrant New Yorkers.
- Continue support of Catholic Charities and the Immigrant Opportunity Initiative's Citywide Immigrant Legal Empowerment Collaborative to provide services in partnership with community-based organizations for immigrant New Yorkers, particularly those in hard-to-reach communities.
- Continue support for The Legal Aid Society's Immigrant Opportunity Initiative, of which Catholic Charities is a subcontractor providing legal representation in removal defense and other cases, with a focus on particularly vulnerable and underserved communities.
- Maintain and expand the support of Catholic Charities and other ICARE coalition members to provide legal assistance to record numbers of vulnerable children and their families arriving in New York City.
- Continue the critical support of the Catholic Charities and our fellow members of the Day Laborer Worker Initiative to provide safety training, outreach, and referral services for workers on construction sites in New York City.
- Ensure ongoing support for the Adult Literacy Initiative and the Adult Literacy Pilot which supports English Language Learners.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

ActionNYC in Schools

March 2024

Since April 2016, through the ActionNYC in Schools program, Catholic Charities has provided high-quality immigration legal services in 129 NYC public schools across all five boroughs. The ActionNYC team provides these services in an accessible and familiar place – the community school – within otherwise socially or geographically isolated immigrant communities. Our Know Your Rights sessions, consultations, and direct representation are available to students, their families, school employees, and other community members. Throughout the program’s tenure, the Catholic Charities team has worked closely with partner schools to meet emergent needs, such as those stemming from shifting migration patterns, geopolitical changes, a global pandemic, and changes in federal immigration law and policy. Our ActionNYC navigators and attorneys are experts in communicating, in plain language, the legal options and social services resources available to immigrant New Yorkers. Importantly, they empower people with knowledge about their legal rights and responsibilities, which enables immigrants to make informed decisions about their legal options, immigration cases, and futures. The program also has helped protect thousands of immigrant New Yorkers from falling victim to immigration fraud.

In late 2023, the Mayor’s Office of Immigrant Affairs released a Concept Paper for a new “Legal Support Centers” model, which would eliminate ActionNYC in Institutions (Schools, Hospitals, Libraries). As the sole legal service provider for ActionNYC in Schools, Catholic Charities strongly opposes replacing the program, which would result in the elimination of critical and robust legal services provided in the familiarity of the school environment for children and their families. The Concept Paper has no equivalent service provision pathway. Moreover, the proposed model would not adequately address the legal services needs of immigrants, including ActionNYC participants, or legal service provider capacity issues. Catholic Charities urges the City Council to advocate for maintaining ActionNYC in Institutions given the grave negative impact on its constituents of dissolving the programs.

Value and purpose of program for immigrants:

- Provides co-located outreach and legal services for immigrant youth and their families throughout the NYC public school system, in close partnership with public schools.
- Helps close the family court representation gap for age-out Special Immigrant Juvenile Status applicants by prioritizing these cases.
- Places vulnerable new child-arrivals to the United States on a pathway to permanent residency, social integration, and economic success.
- Connects young immigrants and their families with social services, including health



insurance registration, access to health care, English-language learning, cash and food assistance programs, safe housing, and vocational training and job assistance.

Value of program for New York City:

- Ensures that New York City public school students and their families have direct access to legal services within the safety and familiarity of their community schools.
- Enables participating schools to help address students' immigration needs, which can significantly impact students' well-being as well as education and employment prospects.
- Contributes to the safety of students and the overall safety of the community school and neighborhood due to stronger social supports that come with legal services for immigrant youth.
- Connections to legal services through public schools, which engage principals, assistant principals, guidance counselors, community school representatives, and parents, expands access to justice for NYC immigrant youth.
- Catholic Charities team members have deep connections with the school communities they serve. DOE staff from all boroughs attend regular trainings with our outreach team, and learn to pre-screen and refer students and families, helping to ensure that they do not miss urgent case deadlines.
- Trusted school partners communicate with Catholic Charities on behalf of their students about factors that may impact the ability to share important details during the legal consultation, a unique level of care that can make a difference in a legal case.
- Catholic Charities is uniquely experienced in complex family court representation for SIJS-eligible youth and consistently takes cases for children who will age out of SIJS eligibility in as little as two weeks.
- We are responding to the increasing number of newly-arriving families, and implementing creative solutions, such as pro se clinics, to meet the growing demand for legal services.

Risk to Catholic Charities clients:

- Catholic Charities has served more than 9,800 immigrant youth, families, and school community members through ActionNYC.
- Since January 2022, we have provided more than 1,550 consultations to recently arrived immigrants in removal proceedings.
- The ActionNYC team has filed more than 2,317 new cases with USCIS, New York State family courts, and the immigration courts.
- Number of staff tied to ActionNYC in Schools: 11.15 FTEs, including some supervision in kind from state and foundational contracts.
- Nearly 480 current clients will be impacted by a loss of funding, with 1,158 orphaned cases.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

Haitian Response Initiative

March 2024

Launched in late 2021 in partnership with the Mayor's Office of Immigrant Affairs, the Catholic Charities Haitian Response Initiative (HRI) provides critical services to a historically overlooked immigrant group, by connecting newly arrived Haitian immigrants to free, safe, and high-quality immigration legal services in their communities and their preferred language. Catholic Charities and nine community-based organizations form the HRI Coalition which, together with the Catholic Charities ActionNYC hotline, provides wraparound services including legal screenings, workshops, and representation; direct aid; and resources to help Haitian immigrants navigate pathways for and secure employment, housing, and other necessities. The Catholic Charities legal team runs community-based legal clinics to ensure that Haitian immigrants can get services in their communities. The city's continued support of the HRI program shows a strong commitment to this community and its needs.

Value and purpose of program for immigrants:

- All program staff are fluent in Haitian Creole, and many are Haitian immigrants, ensuring that services are provided in a linguistic and culturally sensitive manner that bridges the significant gap in access to legal services for the Haitian immigrant population.
- With a small team, provides a wide range of essential legal services through legal clinics, pro se assistance, and full representation.
- Is able to adjust services quickly based on urgent needs. Community members with fast-approaching case deadlines are quickly triaged, and Catholic Charities generally can help them avoid missing deadlines and important benefits.
- Partners with deeply embedded community-based organizations, ensuring that clients can access the full range of services New York City supports. Clients are less likely to get caught in a cycle of referrals and can more quickly access accurate information and help.

Value of program for New York City:

- The program is widely known among the New York Haitian community, and newcomers often come to Catholic Charities within days of arriving in New York for work authorization and other services.
- Catholic Charities provides Haitian immigrants with prompt access to legal services, ensuring that applications for immigration relief and benefits are filed expeditiously.
- Catholic Charities and the HRI Coalition coordinate to disseminate accurate and up-to-date legal information to the Haitian community, which is historically underserved and highly



vulnerable to immigration fraud and scams.

Risk to Catholic Charities clients:

- Since January 2022, HRI has screened 802 Haitian immigrants, filed 946 immigration applications, and accepted 114 cases for full representation. Everyone assisted is or was in removal proceedings.
- The Haitian immigrant community, including current Catholic Charities clients, would lose access to a vital resource for quality legal services.
- Current clients would be referred elsewhere, with a low likelihood that their cases would be accepted given the current capacity of New York City legal services providers.
- Number of staff tied to HRI funding: 10.55 FTEs.
- Number of orphaned cases if funding is lost: more than 100 current clients in removal proceedings.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

**Immigrant Opportunity Initiative -
Citywide Immigrant Legal Empowerment Collaborative (IOI - CILEC)**

March 2024

Since August 2016, Catholic Charities has received funding through the city's Immigrant Opportunity Initiative as a member of the Citywide Immigrant Legal Empowerment Collaborative (CILEC), in coalition with the Urban Justice Center/TakeRoot Justice, Catholic Migration Services, and Make the Road New York, to provide a range of free immigration legal services to indigent New York City residents. CILEC partners with grassroots, base-building organizations to reach underrepresented immigrant groups in New York City, accepting referrals from seven groups that serve different immigrant communities: African Communities Together, Chinese Staff and Workers' Association, Damayan Migrant Workers Association, Desis Rising Up and Moving, National Mobilization Against Sweatshops, New Immigrant Community Empowerment, and Workers' Justice Project. Catholic Charities and CILEC coalition members also accept case referrals from ActionNYC programs, the Mayor's Office for Immigrant Affairs, and the Human Resources Administration. CILEC attorneys provide legal consultations and legal representation in a wide variety of straightforward and complex cases.

Value and purpose of program for immigrants:

- Provides wrap-around services, including high-quality legal representation, for immigrant New Yorkers, particularly those in hard-to-reach communities that trust and turn to CILEC's base-building partners.
- Provides representation and advice in complex removal defense and other cases.
- Connects immigrant New Yorkers to both immigration and employment legal services, including representation in complex immigration cases not available through the ActionNYC network.
- Provides the option for legal consultations by phone and video conferencing to members of the communities served by CILEC partner base-building groups.

Value of program for New York City:

- For more than seven years, CILEC has provided effective immigration legal and employment legal assistance to thousands of the city's immigrants.
- By partnering with grassroots, base-building groups, CILEC legal partners serve hard-to-reach communities through one-on-one lawyering, community clinics, and workshops.
- Free legal services provided through CILEC protect vulnerable communities from falling prey to immigration fraud.



Risk to Catholic Charities clients:

- Catholic Charities has served 3,281 New York City residents through CILEC. Many of these individuals have been assisted with multiple cases and would have been left without legal assistance if not for the CILEC coalition.
- Number of staff tied to CILEC funding: 12.75 FTEs.
- Number of cases orphaned if funding is lost: approximately 1,000.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

Immigrant Opportunity Initiative - The Legal Aid Society (IOI – LAS)

March 2024

The Human Resource Administration funds The Legal Aid Society to provide immigration legal services, outreach, and case management under the Immigrant Opportunity Initiative, whose goals include: providing legal services to low-income immigrants; strengthening immigrant families and communities; addressing poverty and inequality through facilitating access to justice, including for low-wage immigrant workers; supporting immigrant workers' rights and ensuring equal workplace standards; and building and strengthening partnerships between community immigrant service providers and legal services agencies. As a subcontractor of The Legal Aid Society, Catholic Charities provides legal representation to low-income immigrants through in-house programs and our Pro Bono Program, with a focus on serving immigrant families, underserved immigrant communities, children, and survivors of domestic violence or human trafficking. The IOI-LAS programs are particularly critical now, when record numbers of vulnerable immigrants are arriving in New York City and legal services organizations are operating over capacity.

Value and purpose of program for immigrants:

- Ensures that vulnerable new immigrants have quality legal representation in immigration court and before USCIS. Legal representation significantly increases an individual's chance of successfully arguing their case in immigration court.
- Represents low-income immigrants in a variety of cases – e.g., asylum, U visa, Special Immigrant Juvenile Status, VAWA – that will put them on a pathway to permanent residency, social integration, and economic success.
- Ensures that legal representation by pro bono attorneys is high-quality, by providing close mentorship and supervision.
- Refers people who do not qualify for IOI-LAS services to other Catholic Charities programs and to other reputable legal services providers.

Value of program for New York City:

- Immigrants in New York, particularly those that are most vulnerable or from underserved communities, receive high-quality legal representation in immigration court and other immigration cases.
- Clients are placed on a pathway to stability and economic success, including the ability to access benefits and other supports.
- Quality representation ensures that vulnerable immigrants are not taken advantage of by fraudulent actors in their immigration cases.



- Incorporating volunteers early expands our ability to place cases on tighter timelines, which is essential to serving asylum seekers and young people with impending deadlines for asylum or age-out risks.
- Our partnership with trusted New York City law firms and pro bono lawyers increases legal representation capacity.
- The Pro Bono Program engages the volunteer legal community through case placements and mentorship, and has more than 100 active legal volunteers.

Risk to Catholic Charities clients:

- Catholic Charities provides full representation in more than 285 cases for low-income immigrants each year, through in-house services or pro bono attorneys who receive close mentorship and supervision through our Pro Bono Program.
- Since 2018, Catholic Charities has accepted over 590 removal defense cases for new arrivals to New York City. Many clients are represented in more than one case, including applications with USCIS as well as representation before the immigration court.
- More than 250 cases have been represented by pro bono partners from the New York City legal community.
- Number of staff tied to IOI-LAS funding: 6.65 FTE.
- Number of cases orphaned without funding as a result of loss of funding: 223.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

Immigrant Children Advocates' Relief Effort // ICARE

March 2024

Since 2021, immigrant children and families have traveled to the United States in record numbers. More than 140,000 children crossed the southern border in 2023 alone. Likewise, record numbers of children have been released to adult sponsors in New York State, the overwhelming majority of those in New York City. Established in 2014, ICARE has provided critical legal support to the thousands of children and families newly arriving in New York City, connecting them to social services, and helping them to achieve permanence and stability. Given the growing need for high-quality services for these populations, New York City should increase its support for a program that has proven to be a model of success for providing meaningful and direct services to thousands of children and families.

Value and purpose of program for immigrants:

- Provides quality legal services to children and families who otherwise would navigate their removal proceedings alone.
- Without a lawyer, only 15% of children avoid deportation. With an ICARE attorney, more than 90% of cases avoid deportation.
- Places vulnerable children and families who are newcomers to the United States on a pathway to permanent residency, social integration, and economic success.
- Connects young immigrants and families to social services, including school registration, health insurance registration, access to health care, English language learning, and vocational training and job assistance.

Value of program for New York City:

- Since 2014, New York City has been a national leader in protecting children from deportation; ICARE was the first major municipal funding for lawyers for unaccompanied minors.
- Since 2014, ICARE has obtained immigration relief for 1,200 children, helping them to achieve permanence and safety in New York City.
- The city's investment ensures that New York is ready to respond to humanitarian crises affecting immigrant children.
- Stronger social supports that come with legal services for immigrant youth and their families strengthen our neighborhoods and communities.

Risk to Catholic Charities clients:



- Catholic Charities has represented over 750 children and adults with children in court proceedings since 2014, with more than 90% of the cases resolved favorably.
- Catholic Charities provided legal services to over 800 children and families last year with ICARE funding.
- Next year, we will assist at least 400 new children and families with continued ICARE funding.
- The number of staff tied to cases is approximately 4 FTEs.
- Without this funding, 390 cases would be orphaned.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

**ActionNYC Hotline
March 2024**

Funded by the city through the Mayor's Office of Immigrant Affairs (MOIA) since 2016, the ActionNYC hotline provides valuable, expert information about immigration benefits, makes appointments for legal services with ActionNYC providers throughout the five boroughs, and connects callers with other reputable legal service providers. The hotline has become a critical resource for New Yorkers to obtain needed information and find immigration legal help. Hotline counselors provide services in four languages directly and another 200 languages using a telephonic interpreter line. Also, our knowledgeable attorneys regularly train and update hotline staff on legal developments.

Value and purpose of program for immigrants:

- Provides information about immigration law and policy and connects callers to free immigration legal services through trusted ActionNYC and other providers, reducing the likelihood that immigrants are taken advantage of by fraudulent practitioners.
- Ensures that callers speak with live counselors who can be immediately responsive to the needs of each caller, rather than require people to seek assistance through automated systems.
- Leverages Catholic Charities' in-house expertise to respond to general inquiries about immigration law and policy. Community members seeking clarity on, e.g., filing fees, new TPS designations, or changes in immigration policy, can receive information that may not require a consultation, decreasing the demand on legal service providers.
- Callers unable to get ActionNYC appointments are connected to state-funded programs through the Office of New Americans, given information on how to access federally-funded legal programs, and provided resources on immigration topics.
- Hotline staff members have a pathway to EOIR Accreditation, which will expand the legal information services we provide to callers.

Value of program for New York City:

- Since 2016, the hotline has served over 210,000 callers by sharing accurate immigration information, making appointments with ActionNYC providers, and providing referrals for a variety of immigration issues.
- In 2023, we increased capacity to help meet the demand, responding to more than 50,000 calls and scheduling more than 5000 appointments with ActionNYC providers.
- The hotline supports New York City's efforts to welcome recent arrivals. As members of the ASLAN partnership through MOIA, we screen and refer hundreds of individuals eligible to be served by the Asylum Application Help Centers.



- Catholic Charities, through the hotline, assists shelter caseworkers, concerned community members, and immigrants to understand complex immigration issues by sharing information and resources.

Risk to Catholic Charities clients:

- Tens of thousands of New Yorkers would lose access to appointments, referrals, and resources each year. Many people who would otherwise receive information from the hotline would instead be taken advantage of by fraudulent actors.
- People seeking appointments with ActionNYC in Schools, or who might be assisted through other Catholic Charities programs, would lose crucial access to those programs.
- Catholic Charities ActionNYC and other staff would need to divert critical resources and time to address increased walk-ins and callers to the primary Catholic Charities number.
- Number of staff tied to the hotline: 13 FTEs plus 2 FTEs as part of the Haitian Response Initiative.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

Day Laborers Program

March 2024

In the Bronx, Catholic Charities works to engage, promote, further, advance, and strengthen the community of day laborers—in partnership with five other organizations (under the Day Laborer Workforce Initiative) that, collectively, maintain and expand day labor centers in all five boroughs. These centers provide job placement, workforce development, and occupational safety training, wage theft services, workers' rights training, and referral services to low-income day laborers. Workers' centers across New York City are at the front lines delivering essential services to day laborers in high-need areas. These worker centers have delivered food and emergency cash assistance, trained workers in Site Safety training and emergency preparedness, and have helped day laborers achieve job security through job dispatching. These centers have also connected day laborers to other essential services such as housing support and rental relief, legal services – especially for wage theft protection – and critical mental health services.

Value and purpose of program for immigrants:

- Provides workforce development and job assistance to vulnerable community members who are often targets of wage theft and who disproportionately experience dangerous working conditions.
- Provides essential training for immigrants– such as the city-mandated 40-hour Site Safety Training, OSHA trainings, workers' rights, and Disaster Preparedness trainings.
- Connects immigrants to vital resources to aid in community integration, improve job opportunities, and receive legal protection through Know Your Rights trainings, connections to immigration legal consultations, and English language instruction.
- Assists in recovery of stolen wages and Workers' Compensation claims. These claims commonly go unfiled due to undocumented workers' fear of retribution from employers and a lack of knowledge of their rights.
- Provides of a thriving center which is a safe and dignified community for immigrants to access workforce supports and services.

Value of program for New York City:

- Since 2016, the city has been a national leader in the protection of day laborers and has consistently expanded its support and resourcing for this programming over the years.
- The City's investment ensures that day laborer centers can conduct Site Safety Trainings to comply with Local Law 196. This law, created to address the rise of construction related deaths in the city, mandates a total of 40 hours of construction safety training for all of its

workers. The city has made a significant investment into an online platform to be able to deliver these trainings in a safe, remote environment.

- However, as many of these communities lack technological training and have limited access to the consistent internet at home, Catholic Charities has implemented a blended model of safe in-person and online training to be able to reach communities and assist them in developing computer literacy skills.
- Without this assistance and dedication to these communities, these works will be unable to access training that are linguistically and culturally competent, and they will be unable to secure work.
- Creating safe and dignified centers for day laborers ensures that workers do not have to utilize public spaces that are often precarious to access work and help contribute to the NYC economy.
- Stronger social supports that come with legal and social services for immigrant families who depend on daily work.

Risk to Catholic Charities clients:

- As Catholic Charities is the leading organization serving day laborers in the Bronx, a loss of funding would create a vacuum for vital services and trainings to day laborers in this borough, the borough with the highest rate of poverty in NYC.
- Without funding the more than 1,500 workers seeking to enhance their skills would not have access.
- Wage theft cases - already under-reported - would go unaddressed.
- Funding supports employers seeking to fill positions and allows New Yorkers to be self-sustaining and live dignified lives.



**Immigrant and Refugee Services
Catholic Charities Community Services**

NYC Council // Budget Priorities

English for Speakers of Other Languages

March 2024

Over the past three years, with funding from the Adult Literacy Pilot Project Initiative and Council Discretionary funding, Catholic Charities has successfully enhanced our ESOL classes by providing comprehensive supports that keep learners engaged with our program and offer practical guidance to achieve their immediate and long-term goals

Value and purpose of program for immigrants: The NYC Adult Literacy Pilot Project, created by the NY City Council, provides increased funding per student to increase outcomes and create stronger programs. Our Pilot Program Outcomes include:

- Increased access to legal and/or social services
- More thorough educational development
- Expanded learning options
- More culturally responsive/sustaining education.

Value of program for New York City: Funding from the City Council has helped us provide ESOL programming to 111 students YTD in FY24. Because of the continued high demand for services for the second year in a row, we have had to close enrollment for the program in January, six months before the program year ends. We continue to see large numbers of Ukrainian arrivals and asylum seekers asking for our services and, like last year, we have had to create a waiting list because we are unable to accommodate the number of students in need of classes.

Although our program site is in downtown Manhattan, we serve students from all five boroughs (36 Council districts as of January 2024) and from many different countries and cultures. Our site also allows us to serve students from many different cultures and communities around the city. This diversity in first language and culture gives our students a chance to speak English as much as possible and meet classmates from other cultures, which for many of them is a rare occurrence in their daily lives.

Risk to Catholic Charities clients: Without the continuation of both the discretionary and Adult Literacy Pilot funding, 111 students would lose their classes, 780 instructional hours in total. We would also not be able to provide the 250 hours of individual support and more than 120 referrals to benefits and resources available to adult learners (i.e., training programs, healthcare options, housing, etc.) and legal, educational and training, and social services.



**Chinese-American Planning Council
Testimony Before the Committee on Immigration
Chair, Council Member Alexa Avilés
March 5th, 2024**

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 three key program areas: education, family support, and community and economic empowerment.

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. With the firm belief that social service can incite social change, CPC strives to empower our constituents as agents of social justice, with the overarching goal of advancing and transforming communities.

To that end, we are grateful to testify about the issues that greatly impact our immigrant communities.

According to the [Asian American Federation Data Center](#), Asian American Pacific Islanders (AAPIs) are the fastest growing population in New York, making up 18% of the population in the city and growing and 65.7% of Asian American population are foreign born.

The largest AAPI ethnic groups in New York include: Chinese (755,983), Indian (405,833), Korean (145,335), Filipino (142,006), and Bangladeshi (86,228), but there are over 25 distinct ethnic groups and languages spoken by AAPI New Yorkers. AAPIs experience some of the highest rates of Limited English Proficiency with a rate of 43.9%.

Promise NYC

At CPC, we have been providing child care through Promise NYC and legal services to asylum seekers, as well as adult literacy classes, emergency food services, and benefits navigation. One mother enrolled in our Promise NYC program explaining that she and her children came to the US in order to escape life-threatening shortages of medications that they faced in Venezuela. Her oldest child would have died without access to medications and treatment. There simply was no time to wait given the long immigration processes and therefore is now seeking asylum. She is relying on PromiseNYC so that she can access childcare for her children, and thus access employment and income to support her family. CPC enrolled our full allocation of Promise NYC slots well ahead of the deadline, and there are hundreds of families waiting for slots. We must live up to our values as a sanctuary city and provide the resources for



our newest neighbors to find permanent housing and work. We are urging the City to ensure that the adopted budget includes at least \$20 million funding for this critical program, and that it is baselined going forward to give families much needed stability.

Adult Literacy

In January 2024, the NYC Department of Youth & Community Development (DYCD) released a Literacy RFP for new 3-year contracts starting in July 2024. The RFP included a new rigid geographic framework that required programs to be located within target Neighborhood Tabulation Areas (NTAs), and revised it via addendum to prioritize those neighborhoods. Over 6,000 students are at risk of being disconnected from essential services, including wraparound services.

The impact to this would be stark, risking closure of trusted literacy programs in immigrant and BIPOC communities and the loss of jobs for hundreds of experienced teachers and staff. In fact, 60% of current adult literacy sites citywide would be excluded from the RFP. For CPC, even though we serve community members in the designated NTAs, since our program sites are not physically located in them we risk losing over 600 slots for adult language learners.

For our community members, English language skills are needed to navigate healthcare, support a child's education, access a job and engage fully as a member of our city. The contextualized learning helps adult learners improve their English language communication skills, but also helps them acclimate to their new home, understand their rights, and gain access to supports and services that empower them and their families.

We also urge the City to baseline the \$21,720,000 in the Mayor's Preliminary Budget for FY25 and include the full amount (nearly \$10 million more than what is currently included for adult literacy) in the Literacy RFP to raise the per-student funding rate and serve more students

Legal Services

Cultural barriers and the political climate are making it both increasingly important, and increasingly difficult to access legal services. Many of CPC's community members have a deep sense of fear around issues of immigration, housing, and employment, but struggle to find a lawyer that speaks their language or can provide culturally competent services. We consistently have community members coming to seek legal services, yet there are very few Asian American legal services available.

We urge the New York City Council to prioritize linguistically and culturally appropriate legal services for immigrant New Yorkers, and to ensure that CBOs that have trust with those communities are funded to carry out those legal services. We also urge the City to invest at least \$10 million in emergency legal services for new immigrant asylum seekers.



Asylum Seeker Support

Asian American and Pacific Islanders have the highest rates of undocumented status of all racial groups. In fact, according to [NBC News](#), there is a growing number of Chinese migrants entering the Southern border. Many of these migrants are either fleeing from oppressive regimes and/or war-torn countries that have been escalated due to decades of failed American foreign policy. CPC has been serving asylum seekers from around the world, and we have been hiring Spanish-speaking staff to meet the needs of Venezuelan asylum seekers through emergency food services, legal support, ESOL classes, benefits enrollment and housing assistance. We have a moral obligation to provide the support and assistance to these migrants and social service agencies have been filling in those gaps. The City cannot pit newly arrived asylum seekers against immigrant New Yorkers at large, we must fully and robustly fund necessary services for all New Yorkers. This includes ending the 60-day shelter rule, supporting permanent, affordable housing for newly arrived asylum seekers and investing robustly in adult literacy, safety net services, workforce development and more.

Provide relief for essential human services staff through the Just Pay campaign

New York City's 40,000 contracted human services workers are the essential workers that support immigrant communities day to day, and we are the communities we serve, primarily immigrant women of color. It is critical that we invest in the sector that has historically and continued to do the work to uplift immigrant communities. Therefore, we urge the City to:

- Establish, fund, and enforce an automatic annual cost-of-living adjustment (COLA) on all human services contracts in order to begin to chip away at the poverty wages the City pays the majority of the workforce.
- Set a living wage floor of no less than \$21 an hour for all City and State funded human services workers.
- Create, fund, and incorporate a comprehensive wage and benefit schedule for government contracted human services workers comparable to the salaries made by City and State employees in the same field.

Thank you so much for your time and if there are any questions, please reach out to Ashley Chen, Policy Analyst at achen9@cpc-nyc.org.



Testimony of Juan Diaz
Policy and Advocacy Associates
Citizens' Committee for Children of New York
Submitted to the New York City Council Oversight Hearing on The Preliminary Budget Hearing -
Immigration
New York City March 5th, 2024

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.

We would like to thank Chair Aviles and all the members of the City Council Committee on Immigration for holding today's important hearing on the response to the Mayor's FY25 Preliminary Budget, the services provided to New York City's immigrant community and recently arrived asylum-seeking families with children.

New York City's immigrant population is an important and valued part of our city. Unfortunately, cuts proposed in the FY25 Preliminary Budget threaten essential services for immigrant communities. Although we are pleased that the Mayor has reversed budget cuts to several programs citywide, we are still seeing the harm caused by severe payment delays to direct service providers, inadequate city agency staffing, and city policies that actively prevent immigrant families from accessing essential public benefits.

We share the following recommendations with the City Council and the City Administration to support immigrant households in the FY25 Budget:

- We applaud the launch of the \$5 million Asylum Seeker Legal Assistance Network (ASLAN), which aims to expand community capacity to provide legal assistance for newly arrived asylum seekers. However, additional funding should be allocated to legal assistance for new migrants, and the city should expedite work permits so that asylum-seeking families with children can become self-sufficient.
- We urge you to protect the right to shelter by reversing the 60-day shelter stay limit for families with children. Migrant families are being forced to exit temporary shelter after a limited time and oftentimes sleep on the streets. Community-based organizations have reported that many migrant children are missing school due to the 60-day shelter stay rule.
- We urge you to fund and effectively implement CityFHEPS expansion, which would remove administrative and eligibility barriers and expedite access to housing support for families in the community and in shelters. This will in turn open shelter space for families with children, including asylum seekers.
- To enable more mixed-status families to transition to permanent housing, we urge you to continue to improve public benefit access and retention, addressing HRA staffing shortages, removing red tape, and implementing technology solutions to ensure CityFHEPS payments and renewals, cash aid, and SNAP are not disrupted.
- We urge you to baseline \$3.3 million to support the continuation of Community Coordinators at citywide shelters. These positions are essential for migrant students as they need the support of advocates to coordinate their needs with shelter and public-school officials.

- We urge you to restore \$170 Million in early education funding and to baseline \$20 million for Promise NYC to continue expanding access to undocumented families as access to Head Start, 3K and PreK, and Promise NYC is not restricted.
- We urge you to preventing cuts to public schools and afterschool programming that will result from the expiration of federal COVID-19 stimulus funding, including multi-faceted immigrant family communication and outreach, bilingual staff, and translation and interpretation services. Any cuts to the education and afterschool system will undermine opportunities for connection and support for immigrant students.

Thank you for your time and consideration.



**New York City Council Fiscal Year 2025
Preliminary Budget Hearings
Committee on Immigration**

My name is Felicia Singh and I am the Director of Policy and Government Relations at CACF, the Coalition for Asian American Children and Families.

Since 1986, CACF is the nation's only pan-Asian children and families' advocacy organization that leads the fight for transformative movements and policy, progressive systems change, and racial equity within government institutions to increasingly invest and equitably fund community based organizations and city initiatives that directly impact and far reach the Asian American and Pacific Islander Diaspora, which include: East Asia, Southeast Asia, South Asia, West Asia, Southwest Asia, Central Asia, and Pacific Island regions.

Our immigrant populations of New York City deserve dignity and respect and our investment in newly arrived families is a testament to the pride we take in being a sanctuary city. We cannot disinvest in our ability to support immigrant families. Some of the investments needed to support our immigrant communities are:

- Increased funding for family and criminal defense, as well as civil legal services; expansion of material resources for New Yorkers - SNAP, cash assistance, free/low-cost child care availability, and other programs that give cash and material resources to families.
- Put an end to the Mayor's Limits on Shelter Stays, regardless of immigration status, to ensure stability and safety for vulnerable New Yorkers in their journey towards self-sufficiency.
- Maintain level funding with no cuts to the Rapid Response Legal Collaborative, an innovative and life-saving legal service program designed to help immigrant New Yorkers who are at high-risk of deportation and require emergency legal assistance.
- Immigrant Opportunity Initiative
- Baseline \$5M in FY25 Adopted Budget to further the expansion of language services through continued development of the recently launched three language services worker-owned cooperatives;
- Invest \$70 million in funding for immigration legal services ;

- Invest \$20 million in an emergency immigration legal services program to meet the growing need of the City's newest immigrant residents;
- ESOL services for Adults: (also see DYCD)
 - There are 2.2 million adults in NYC with limited English proficiency or without a high school diploma. The City needs to invest between \$29.7 million and \$43.2 million for Adult Literacy at a rate of \$2700 per student.
 - As part of this investment plan, baseline the \$21,720,000 for DYCD Adult Literacy that appears in the Mayor's Preliminary Budget for FY25.
- Invest resources to address capacity of social workers and other mental health professionals at city shelters to ensure trauma-informed medical professionals, counselors, social workers etc. are present to provide culturally and linguistically appropriate care

CACF urges the New York City Council to prioritize a budget that centers the support of our immigrant communities so that they too can thrive in our city. We must create a more inclusive, safe, healthy, and sustainable society for our diverse community. Establishing blueprints that lead to a more value driven, culturally representative, and human centered New York City.



**NYC Council Committee on Immigration
FY 25 Preliminary Budget Hearing
Tuesday, March 5, 2024**

Testimony Submitted by the Committee for Hispanic Children & Families (CHCF)

Thank you Chair Avilés and the Committee on Immigration for the opportunity to offer testimony on FY 25 budgetary support for NYC's existing and growing immigrant population. The Committee for Hispanic Children & Families, better known by its acronym, CHCF, is a non-profit organization with a 42-year history of combining education, capacity-building, and advocacy to strengthen the support system and continuum of learning for children and youth from birth through school-age. While our primary focus and direct services are around access to high quality, culturally responsive and sustaining early learning and school-aged education, we understand that many intersectional circumstances and experiences within the community impact the well-being of children and their family support structures, and as such we deliver holistically responsive services within the schools, early care and learning programs, and wider communities we serve across NYC.

CHCF's Community Empowerment and Social Services teams collaborate to support resource access and city system navigation for immigrant families and individuals. Our Social Services Department works in contract with HousingWorks and the Department of Homeless Services to oversee service delivery at a Long Island City hotel that is housing over 350 adults and children, over 110 families in total. Residents of the hotel represent 9 countries of origin and 7 languages. Our team delivers culturally and linguistically responsive, trauma-informed support to families in navigating resource access and establishing long-term stability in the city.

Our Community Empowerment team not only works alongside our LIC Social Services team but works to extend CHCF's impact beyond the confines of all contracts to ensure individuals and families receive the comprehensive, wrap around care and resource access that they require to establish and maintain security and stability. The CE team is able to collaborate with our Youth Development school-based partnerships, as well as our Family Child Care Network and our Early Care and Education teams in leveraging resources to and through our network of predominantly Spanish-speaking childcare providers and the families served in those programs.

As was uplifted by numerous organizations during the hearing, for too long city leaders have been able to proudly profess New York City as a city that welcomes immigrants, and a sanctuary city in more recent years under rising xenophobic and anti-immigrant sentiment across the nation and region, often as a result of the hard work of community-based organizations, like CHCF, rising to meet the needs of our immigrant community members with inadequate or no city funding in support of the costs. To be clear, these organizations are not sitting on endless resources and often struggle financially and emotionally to try to meet the needs of those turning to them for help. As you said, Chair Avilés, this is





a matter of budget inequity. New York City can and *must* do better to ensure an equitable level of resources are being directed to meet the needs of immigrant New Yorkers. Even before the arrival of asylum-seeking immigrants in recent years, immigrants made up roughly 30% of the total population of NYC. NYC's immigrants comprised 35% of the city's labor force, contributing \$23.7 billion in state and local taxes and \$45.5 billion in federal taxes. Immigrants have established ties to their communities, with 5 million NYC immigrants (86%) having resided in the U.S. for at least 10 years. Immigrants continue to give, to contribute to this city in so many wonderful ways – beyond economically – and the alarming reality is that the city is *not* reciprocating that care. This reality has become especially upsetting with the anti-immigrant narratives that continue to be uplifted by some city leaders in light of the asylum-seeking families arriving as they have escaped the dangers (social/political, economic and environmental) of their home countries.¹

We thank you, Chair Avilés, as well as the Committee members, for your commitment to meeting the needs of immigrant New Yorkers and efforts to direct the necessary funds towards services that better meet the needs of immigrants and their families. As we know, support for immigrants has far wider impact than the direct services to the individual; 2 million – or one in two – NYC children have at least one immigrant parent.

We would like to speak to a few of the specific challenges that we are experiencing in our work with individuals and families, which we call on the city to ensure appropriate funding allocations to address.

Our team continues to work one-on-one with each individual and family residing in the hotel that we are overseeing, ensuring thoughtful responsiveness to the unique needs of each family case. A consistent point of feedback from the team in facilitating case management is the inadequate technical system and physical space needs to work with over 110 families on a consistent basis to guarantee timely access to multiple systems and services. Families carry with them the trauma of what they left behind in their home countries, the journey to the border, and subsequent treatment at the border and transition to NYC. They are then pressed with the stress of getting their bearings, trying to enroll their children in schools, attempting to secure employment and necessary childcare to allow them to work, as well as navigating complicated healthcare systems and overwhelming cost-prohibitive housing market. Our team faces a mixture of antiquated paper form processes and unintegrated and often glitchy online forms and systems, requiring significant time with each family to go through, interpret, and complete the necessary forms. At the onset of our contract, we were guaranteed multiple rooms to allow for our team to work with families, while maintaining privacy of information, and have been reduced to one room which slows the pace of our appointments to help integrate families into their new city and establish a foundation for stability.

As we have been working to meet family needs, an unnecessary stressor was added to families already trying to navigate finding work, finding more stable and permanent housing, trying to find child care and

¹ Profile of the foreign-born population of New York, New York. The Vera Institute. Retrieved from: <https://www.vera.org/downloads/publications/profile-foreign-born-population-new-york-city.pdf>





enroll their children in schools that might best meet their needs, navigating immigration processes, and any additional needs they might be facing, such as healthcare or food needs. On top of all of these stressors and the traumas of migrating to a new country and city, our city has placed the 30-60-day limit on shelter. Specifically for families with children, the looming time limit on shelter creates anxieties around maintaining some semblance of stability for their children, in the place they are residing and in the schools they are attending nearby. Families fearfully await notices telling them they will need to relocate and when they do receive notice, they frantically try to figure out how they can prevent further chaos and confusion for their children. Our teams are trying to proactively work with families to put in requests to remain at the same shelter, in the same community, while they continue the journey of establishing themselves in the city and look towards a more permanent housing situation, but the system isn't functioning to address these realities and support our social workers to minimize the harm.

Of additional concern are the challenges for families to identify consistent childcare for their children who are not school-aged (under 3) or for out of school time, particularly as they are trying to find work, traveling to appointments, and handling other responsibilities as a parent. We join the collective celebration of Promise NYC as a means of providing childcare for those who are ineligible for federally funded vouchers/seats. We ask that the city baseline the \$20 million investment to provide care for 600 children and ask that the city assess the existing and growing need to increase the funding to reflect the actual demand. As we heard from at least one of the four organizations who are managing Promise NYC enrollment, there are waitlists already accruing at those organizations and we know that the need is far beyond those waitlists. We continue to work with families in shelter who are prohibited from leaving their children with other unrelated adults for informal care provision (which we understand the importance of ensuring safe care for children), but it is preventing parents from finding consistent work or forces them to go out with their children in tow while they try to earn money. Either scenario is counter to trying to establish stability and self-sufficiency for these families. We must do better to ensure *all* children have access to safe, high-quality childcare while their parents work.

We have also been experiencing the impact of insufficient funding to make legal services available to meet the demand citywide. The city has pulled back its investments yet continues to connect individuals reaching out for help to organizations that have historically provided the work, putting off the burden of cost and struggle to meet the demand on overwhelmed community-based organizations. CHCF, for example, has had individuals reach out to request legal aid services, having been told that our organization provided it, even though we have not held a direct contract with the city to provide immigration legal services for nearly a decade. Our staff then takes on the responsibility of trying to find organizations who are taking on clients for those that the city punted away. We have clearly heard it is very difficult for organizations who deliver these services to meet the need and they frequently have to deny services that they do not have the capacity to provide, given insufficient funding. Our team has tried to refer to those we have worked with in past only to be told they were at capacity.

Other organizations that have historically been our go-to for referrals now offer limited supports that create barriers in access. For example, The Red Cross used to receive free walk-ins and the families were able to obtain the legal help, but since fall 2023 they have had to adopt a strict appointment only,





which requires us to work with a Red Cross representative to make appointments and often results in long wait times. Other organizations offer one-day events in which families can receive legal assistance, but families are often unable to attend due to a number of circumstances such as lack of child care or work schedule conflicts. It is extremely difficult for the immigrant families to navigate a system that is complicated without legal support, and ultimately the systematic underfunding of these services does not set struggling families up for success, but instead initiates failure with more and more doors closing instead of being opened. We join the many other organizations and advocates in calling on an increase to funding for organizations providing immigrant legal services, to increase their capacity to better meet the demand.

The asylum-seeking families want to work, they want to move out of the shelter, they want to cook for their children and find schools where they can improve academically and achieve their goals; but with all these restrictions and lack of resources, this makes it beyond difficult for them, and has even forced some families to move back to the hardships and dangers of their home countries.

Thank you, again, for the opportunity to present a testimony; and if there are any questions about our work or what is presented in our testimony, please reach out to Danielle Demeuse, Director of Policy, at: ddemeuse@chcfinc.org or 212-206-1090 ext. 359.





The New York City Council, Committee on Immigration

**Testimony by Monique Francis, Interim Executive Director, and Meetu Dhar,
Managing Attorney City Council Program, CUNY Citizenship Now!**

March 5, 2024

Thank you, Chairperson Aviles and members of the Immigration Committee for inviting us to submit this testimony on behalf of CUNY Citizenship Now! (CN!). My name is Monique Francis, I currently serve as the Interim Executive Director of CUNY Citizenship Now and with me today is Meetu Dhar, the Managing Attorney of our City Council Program. We are here today to speak on how funding from the council for our program has continued to transform the lives of your constituents. Our priority and commitment to you remains in assisting every New Yorker on the path towards legalizing their status, with the ability to have work authorization and eventually becoming US Citizens.

Our program was created with the vision of returning power to immigrant New Yorkers. Utilizing a pro se legal services model, we empower immigrants with knowledge which allows them to advocate on their own immigration case. Twenty-seven years later, our pro se service is a widely recognized model for legal services providers around the nation and has now been adopted as “the model” and solution to respond to the migrant crisis the city is facing. Given our expertise in processing large

numbers of applications in a group processing event, our goal is to create a similar program for asylum seekers with your support.

Many of you have hosted and sponsored our large-scale Citizenship Application Assistance Events where we serve on average 100 green holders on a single Saturday. These monthly events, which are held in City Council districts, broaden our outreach to the city's diverse immigrant communities. At these events, our attorneys, paralegals and trained volunteers offer one-on-one consultations to assess participants' eligibility for legal immigration benefits and assist them in applying for these benefits when qualified. Since the inception of our City Council Program in 2010, more than 68,000 New Yorkers have been assisted from funding received from the City Council. Last fiscal year alone we assisted just under 5,000 constituents. We are before the committee today, seeking a restoration of our current \$3.1 million dollar allocation and an increase of \$1.5 million dollars for the FY2025 to address the growing surge and demand for services from the immigrant communities we serve. ~~~~~

At Council Member locations, in addition to helping NYC immigrants become U.S. citizens, we also assist them to adjust their status to become lawful permanent residents, and file petitions on behalf of family members. Beyond citizenship, we prioritize assisting with humanitarian benefits such as Temporary Protected Status (TPS) and the renewal of applications for Deferred Action for Childhood Arrivals (DACA).

A crucial component of our pro se model is the distribution of information to the immigrant community about our services and the constantly changing immigration

policies. We disseminate this information through media promotions, briefings, presentations at town halls/immigration forums, and tabling. In partnership with the City Council, we aim to educate the immigrant population and offer a free high-quality alternative to notarios and other unethical legal service providers.

We are seeking a budgetary increase to expand our scope of services to New York City's recent migrants by providing asylum screenings, assisting with employment authorization applications, and providing orientations regarding immigration custom enforcement reporting and immigration court procedures. Additional funding will allow our attorneys to assist constituents to complete asylum applications.

We note some immigration filing fees are increasing and some application forms are changing on April 1, 2024. We have already begun to see a surge in requests for appointments. With application filing fees for certain benefits significantly increasing, we are currently prioritizing the cases that will be most impacted by this increase.

Further, in the upcoming months as this is an election year, we are seeing an elevated demand for our citizenship services. Your expanded funding will allow CUNY Citizenship Now! to provide these additional immigrants and all NYC immigrants continued access to free, high quality, and confidential legal services.

We thank you for your continued support and look forward to being able to expand our legal services to New York City's immigrant community.



Testimony Submitted by
Allison Marino, MSW
Director of Public Affairs
Edible Schoolyard NYC

For the Preliminary Budget Hearing of the NYC Council Committee on Immigration
March 5th, 2024

Thank you to Council Member Avilés for holding this hearing, and to the Committee for the opportunity to submit this testimony.

Edible Schoolyard NYC (ESYNYC) is on a mission to make edible education accessible for every child in New York City. We believe edible education—where kids experience hands-on cooking and gardening—helps kids gain the skills to contribute to a healthy and sustainable food system for us all. By building fundamental social, emotional, academic, and physical skills, kids learn how they can lead the way to community wellbeing and equity. We envision a future where access to hands-on cooking and gardening experiences for every child promotes a NYC of healthy, sustainable communities. Together with public school communities across the city, we’re building spaces for kids to flourish. Last school year, we reached nearly 4,000 students and taught nearly 2,200 hands-on cooking and gardening lessons across 16 public schools in Brooklyn, Queens, and The Bronx.

As members of our city’s educational community, we take our responsibility to provide New York City’s students with access to everything they need to learn, thrive, and build foundations for future success seriously. Our work gives us firsthand experience of the impact that access to hands-on educational opportunities can have on students, particularly those who are English language learners. Many of our programs take place in schools that have enrolled an influx of migrant students who speak languages other than English in the past few years. These students are finding our kitchen classrooms and outdoor learning gardens to be safe spaces in which to acclimate to their new learning environments.

Data from our 2022-23 school year program surveys show that most New York City Public School teachers and staff strongly agree or agree that Edible Schoolyard NYC’s programming was accessible for English language learners. Because of this, we know that we have a unique opportunity to make meaningful investments in our city’s newest students where they feel comfortable and seen. Unfortunately, Edible Schoolyard NYC, the school communities we serve, and organizations like us lack the translation and language support to ensure these students are also heard.

Without additional funding for translation and language support services, some of our newest students’ safest spaces could turn dangerous quickly. While we work in the safest environments possible, if we are unable to warn a student about a hot surface, sharp object, or allergen in



their native language, we may limit their engagement, or worse, negate the safety that it imparts on their new school environment. While nearly 90% of New York City Public School teachers and staff report that their students feel more positively toward school because of Edible Schoolyard NYC programming, without being able to communicate with students that speak other languages, those positive feelings could dissipate.

Over the last few years, New York City Public Schools have benefitted from more than \$7 billion in federal stimulus funding, which helped address temporary pandemic-related challenges, but also to launch and expand a range of essential programs to meet needs that existed long before the pandemic, and that continue to compound today. Notably, investments of these stimulus funds included \$7 million for translation and interpretation services. When these investments were first made, 40% of New York City Public School students spoke a language other than English at home, and the need has only grown as we have welcomed more immigrant families to the city. Unfortunately, the era of Covid-19 stimulus funding is ending, and the availability of these funds is expiring with it.

The FY25 City budget represents a unique opportunity for the government, education, and nonprofit communities to work together to amplify the impact of schools as welcoming havens for our city's youngest new arrivals. Edible Schoolyard NYC urges City Council to identify alternative funding sources to replace the \$7 million for translation and interpretation services that will expire when the Federal Covid-19 stimulus funding ends this year. We further urge City Council to allocate additional funding to schools and community based organizations for translations and language support services to ensure that we can continue to build, maintain, and welcome the newest New Yorkers with open arms in safe, impactful communities that can see and hear them, no matter where they come from, what they need, or what language they speak.

We appreciate the City's commitments to building spaces for all of our city's students to thrive, and this Committee's consideration of our recommendations on how language support service funding can ensure these commitments are met. Edible Schoolyard NYC appreciates your dedication to these issues and consideration of our recommendations.

Respectfully submitted,

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Testimony of FPWA

**Presented to:
New York City Council
Committee on Immigration
Preliminary Budget Hearing-Immigration
Hon. Chair Alexa Avilés
March 5, 2024**

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We are grateful to the New York City Council on Immigration for holding the Preliminary Budget Hearing on Immigration, and to Chair Avilés for the opportunity to provide written testimony on behalf of FPWA (Federation of Protestant Welfare Agencies).

FPWA is an anti-poverty policy and advocacy organization committed to advancing economic opportunity, justice, and upward mobility for New Yorkers with low incomes. Since 1922, FPWA has driven groundbreaking policy reforms to better serve those in need. We work to dismantle the systemic barriers that impede economic security and well-being, and we strengthen the capacity of human services agencies and faith organizations so New Yorkers with lower incomes can thrive and live with dignity.

FPWA also has a membership network of more than 170 faith and community-based organizations. We support our members by offering workshops and trainings on topics such as leadership development, organizational management, and trauma-informed approaches to service delivery. FPWA also provides a range of financial assistance grants through our member network, working to strengthen individuals and families at the ground level. These grants provide direct support to New Yorkers in the form of scholarships, financial assistance for aging adults, funding for organizations providing HIV/AIDS related services, and more.

City Programs Must Have the Flexibility to Address the Ebbs and Flows of Migration

We offer this testimony at a critical moment, when New York City is responding to an increase of incoming migrants, and as we transition out of the COVID-19 pandemic era, during which the city experienced a net population loss. Since the spring of 2022 over 150,000 migrants have arrived in New York City because of changing geopolitical circumstances in foreign countries, the end of pandemic era American immigration policies, (such as Title 42, under which federal government denied entry to and expelled asylum seekers due to fear of the spread of COVID-19), and political grandstanding at the southern border, including bussing migrants to New York City.¹

There have been moments when the leadership of New York City officials has sparked change at the federal level. This includes successfully lobbying for the expansion of Temporary Protected Status (TPS), and the city working with legal service providers to stand up TPS clinics, advancing the needs of many of New York's newest residents, while highlighting the problems in our federal immigration system.²

¹ <https://www.pbs.org/newshour/nation/what-is-title-42-and-what-does-it-mean-for-immigration-at-the-southern-border>; <https://www.npr.org/2022/08/05/1115479280/migration-border-greg-abbott-texas-bus-dc-nyc-mayors>

² <https://www.politico.com/news/2023/09/20/biden-expands-tps-migrants-00117278#:~:text=About%20472%2C000%20individuals%20are%20newly,In%20New%20York%2C%20Gov.>; <https://ny1.com/nyc/all-boroughs/politics/2023/11/28/city-expanding-legal-services-to-migrants-as-costs-grow-and-influx-continues>

City government has guided migrants towards existing programs and developed new ones. The city launched Project Open Arms to help migrant families and students navigate the public school system, as well as the Asylum Seeker Welcome Center, and the Asylum Seeker Resource and Navigation Centers, to provide direct assistance and referrals concerning education, healthcare, legal services, food, language access, housing assistance and more, and New York City has worked to expand the capacity of the shelter system. While the city's efforts have been commendable, they have at times been disorganized and insufficient. City agencies have relied on advocates, activists, community-based and human services organizations to address the needs of migrants. This assistance has come both through city-funded programs, and the development of supplemental programs and initiatives.³

The city government has depended on both for-profit and non-profit providers to deliver services. For-profit providers have often received generous funding on no-bid contracts. Late last year, the mayor opted to move forward with a no-bid \$432 million contract with DocGo, a medical services provider who was contracted to house and care for migrants across the state, despite the concerns raised by the NYC comptroller that the company did not have sufficient experience to execute the contract.⁴ City contracts to provide migrant services appear to be poorly negotiated. According to a report⁵ from the comptroller's office, as of November 2023 the city had generated 340 unique contracts held by 14 city agencies, representing an estimated contract value of \$5.7 billion, procured mostly on an emergency basis. The report found that prices for comparable services varied considerably, demonstrating a lack of coordination among agencies, and a missed opportunity to leverage New York City's buying power. One example is that Health and Hospitals (H+H), and New York City Emergency Management (NYCEM) pay over \$117 per hour and \$79 per hour for security staff from the same company.

We thank Chair Avilés for highlighting the lack of foresight by the city to contract with for-profit vendors when non-profits offer lower rates, and the detrimental impact of New York City's late payments to non-profit contractors for services already rendered.⁶ Throughout the city's response to increased migrants, non-profit providers have been expected to deliver services without upfront funding or prompt reimbursement. This issue is impacting city agencies beyond those that directly impact immigrants and provide immigrant services.⁷ The city must continue to work to address these issues and be a better partner to the service providers that the city government depends upon to serve the interests of New Yorkers. City government has also often failed to sufficiently coordinate amongst providers who offer similar services and could collaborate for provider referrals if the city's coordination was more robust.⁸ This wastes time and money due to the potential duplication of work, and lack of consolidation of

³ <https://www.nytimes.com/2022/10/22/nyregion/venezuelan-asylum-seekers-new-yorkers-aid.html>

⁴ <https://gothamist.com/news/nyc-comptroller-rejects-432-million-migrant-contract-to-docgo>

⁵ <https://comptroller.nyc.gov/reports/asylum-seeker-staffing-contract-comparison-and-review/>

⁶ <https://www.nydailynews.com/2024/03/05/nyc-council-immigration-committee-demands-adams-spend-more-on-migrant-legal-services-education/>

⁷ <https://www.cbsnews.com/newyork/news/nonprofits-say-theyre-not-being-paid-due-to-new-york-city-strangling-bureaucracy/>

⁸ https://humanservicescouncil.org/wp-content/uploads/2023/05/HSC_Welcoming-Our-Newest-Neighbors_Survey-Report_January-2023.pdf

resources. The city's agencies are best positioned to act as a coordinator between their contractors. It is essential that the city embrace this role.

Often, the city's response to the increased migration has seemed reactive rather than proactive, relying on slow federal policy change while neglecting city programs. Some of the city's struggles to deliver services to migrant populations stem from the inflexibility of some city programs, or the lack of infrastructure that is ready to mobilize quickly and adapt to changing needs. For example, New York City advocated to the federal government for expedited work authorization for migrants because many migrants are asylum seekers, and asylum seekers are only eligible to receive work authorization 180 days after they submit their asylum application. This advocacy is incredibly valuable, but in lieu of a change in federal immigration law, the city should have rapidly organized, scaled, and funded asylum clinics to put thousands of migrants on the path to work authorization. Instead, the city's RFP process for immigration legal services was chaotic and delayed, and the launch of Office of Asylum Seeker Operations (OASO) came nearly a year after asylum seekers began arriving in New York in large numbers.⁹

New York City has long been a city of immigrants. Migration is a natural phenomenon, and city government will always have to adapt as people move from one place to another. Throughout its history, New York City has welcomed millions of immigrants arriving by ship to Ellis Island, and more recently by planes, trains, and busses. The city has long celebrated the cultural richness this has gifted New York. Agencies such as the Mayor's Office of Immigrant Affairs (MOIA) and newly created OASO demonstrate a clear investment in meeting the needs of immigrant New Yorkers. Those programs must have the flexibility to adapt. A significant change in immigration border policy will lead to an increase in migration to New York City that city agencies should anticipate. MOIA and OASO need to increase the flexibility of their programs, and coordinate with community-based organizations and the human services sector so that no wave of immigration is ever deemed a crisis, because the city is ready and able to mobilize.

The City is Misguided in Challenging the Right to Shelter

Today, the Adams Administration is trying to roll back New York City's long championed right to shelter to stem the tide of migration. Since 1981, all New Yorkers have been protected by a consent decree establishing the right to shelter. The mayor is seeking to amend the consent decree so that the mayor could suspend the right to shelter if either the mayor or governor declares a state of emergency. If successful, the mayor would effectively dismantle a 40-year policy, that has protected all New Yorkers, not just migrants. While this court battle threatens all New Yorkers' rights, the dismantling of the right to shelter is currently targeting migrants. The city is issuing eviction notices to migrants –30-day notices for single adults and 60-day notices for migrant families. Now, evicted migrants who are still in need of shelter must go to a re-ticketing center and hope to be reassigned.

⁹ <https://www.bloomberg.com/news/articles/2023-09-27/nyc-legal-help-with-migrant-asylum-applications-work-permits-lagged>

We are grateful to the New York City Council for reintroducing a bill to challenge the shelter limits placed upon migrants.¹⁰ Evicting migrants from shelters will have serious health impacts on migrant families. While homelessness drives negative health outcomes generally, unsheltered unhoused individuals have worse physical and mental health outcomes than their sheltered counterparts.¹¹ One report¹² found, unsheltered people were more than four times as likely to report that physical health conditions had contributed to loss of housing than sheltered people (46% vs. 11%), nearly three times as likely to report mental health conditions had contributed to loss of housing (50% to 17%), and more than eight times as likely to report that use of drugs or alcohol had contributed to loss of housing (51% vs. 6%). They are also more likely to interact with police, with the same report noting that unsheltered individuals report ten times as many police contacts on average. If the city ends the right to shelter it will drive negative outcomes for individuals who are already vulnerable. New York City should invest its resources in getting individuals and families into permanent housing, rather than generating harm to migrants and potentially financial costs to the city if those migrants are jailed or hospitalized because of this policy change.

Emergency measures should not be used to address systemic and structural problems in New York City's shelter system. The New York City shelter system has been struggling to transition people into permanent housing well before migrants began arriving in higher numbers in the Spring of 2022. A report from the NYC comptroller's office shows in FY21 the average shelter length of stay for an adult family was over 2 years, and for adult families with children and single adults it was over a year.¹³ The city has made strides in its affordable housing policies, including allowing CityFHEPS vouchers to be used outside of New York City. The ultimate solution is to transition folks more quickly to permanent housing. A study by the New York Immigration Coalition (NYIC) and Win demonstrates that extending housing subsidy programs to immigrants, regardless of their status, could save the city up to \$2.9 billion per year.¹⁴

New York City is inflicting additional trauma on migrants, who in many cases have survived harrowing journeys to get here. New York City's shelter policies should be trauma-informed and logical. Evicting individuals and families who then reapply for the shelter system potentially displaces migrants from schools and jobs and causes additional trauma, and it also causes an administrative burden to reprocess those individuals back into shelters. This policy is dangerous for migrants unable to find housing and not readmitted to the shelter system, and it unfairly blames them for the operational issues of New York City's shelter system.

¹⁰ <https://ny1.com/nyc/all-boroughs/politics/2024/03/02/council-hears-bill-aimed-to-roll-back-migrant-shelter-limits>

¹¹ <https://endhomelessness.org/blog/new-research-unsheltered-homelessness-is-a-health-crisis/>

¹² <https://www.capolicylab.org/wp-content/uploads/2023/02/Health-Conditions-Among-Unsheltered-Adults-in-the-U.S..pdf>

¹³ <https://comptroller.nyc.gov/wp-content/uploads/documents/MD22-105S.pdf>

¹⁴ <https://winnyc.org/wp-content/uploads/2023/08/Housing-Instead-of-Emergency-Shelter-for-Asylum-Seekersbriefv4.pdf>

The Cost of Supporting New Arrivals Should not be Used as Justification for Cuts to Other Services

FPWA recognizes the important work the city has done to support new arrivals to New York and the costs associated with this. However, we have also been concerned with the Adams Administration's rhetoric towards the newest New Yorkers in the context of the city's financial situation.

Through our work tracking city funding,¹⁵ FPWA is aware of the complexity of factors that determine the state of the city's finances. Through this work, we have also long highlighted the impending fiscal cliff of expiring COVID-19 funding.¹⁶ Despite these warnings, the city failed to adequately prepare for this eventuality. This escalated late last year, when the Administration announced that it would require agencies to submit plans for the first of three Programs to Eliminate the Gap (PEGs), each totaling about 5 percent of city spending. Most concerningly, the Administration attempted to dodge questions of its own financial management by blaming the situation on migrants, claiming that the increase in new arrivals "will destroy New York City."

When this was announced, we highlighted that the cuts being outlined by the city went beyond what would be required to fund the increased costs of supporting migrants.¹⁷ This has subsequently been backed up by independent analysis from the NYC comptroller¹⁸ and the IBO¹⁹, who both predicted smaller budget gaps than outlined by the city. Finally, this was confirmed by the city's own revisions to its estimates in February of this year.

The Administration anticipates costs of \$4.2 billion for asylum seekers this year, compared with IBO's estimate of \$3.6 billion. A notable expense by either estimate, it is manageable within the context of the overall City Budget of \$116 billion, especially when a portion is expected to be reimbursed by the State if claims are properly submitted.²⁰

While we welcome the news that the city has since scaled back the January PEG, and cancelled the upcoming April PEG, the damage has already been done. There has been an increase in anti-immigrant sentiment as the lives of New Yorkers have been politicized, with the mayor leading this discourse.

Instead of blaming migrants to justify PEGs, the city should be exploring more prudent options, including:

- *Collaborating* with Albany and Washington to secure more funding for the city, including for asylum seeker services;
- Controlling ballooning costs in areas such as claims against the city and overtime spending;

¹⁵ <https://www.fpwa.org/nycfundstracker/>

¹⁶ <https://www.fpwa.org/resource-center/in-the-news/new-fpwa-report-reveals-alarming-decline-in-federal-state-funding-for-city-agencies/>

¹⁷ <https://www.fpwa.org/resource-center/in-the-news/fpwa-response-to-15-budget-cuts/>

¹⁸ <https://comptroller.nyc.gov/services/for-the-public/accounting-for-asylum-seeker-services/overview/>

¹⁹ <https://www.ibo.nyc.ny.us/iboreports/print-2024-preliminary-budget-report-february.pdf>

²⁰ <https://ibo.nyc.ny.us/iboreports/preliminary-budget-testimony-march-2024.pdf>

- Passing minor, progressive tax adjustments to fund vital services;
- Leveraging the expertise of the human services sector to more effectively manage asylum seeker spending.

The City Should Address Cost Pressures by Adopting More Prudent Financial Management

While we reject the claim that the cost of providing services to new arrivals is the sole cause of the city's financial situation, we do accept that there is the need for increased expenditure on these services. Given this, it is important that the city uses this funding efficiently, in a way that maximizes outcomes for New York.

This is why we were particularly concerned about the findings of the recent comptroller report on asylum seeker staffing and contracting.²¹ While the city has largely depended on non-profits in the past, the report reveals that city agencies are increasingly entering into contracts with for-profit providers at rates that represent poor value for money for the city. These contracts are being entered into at the same time as cuts to other vital services are taking place.

The pay rates in these contracts (as high as \$201 per hour) are particularly galling when considering the pay rates, the city offers in its non-profit human services contracts. Contracted human services workers provide critical services to millions of New Yorkers each day and deserve to be compensated in accordance with the value they provide to the city. Currently, they make between 20 to 35 percent less in median annual wages and benefits than workers in comparable positions in the government and private sector. Two-thirds of all full-time human services workers had 2019 earnings below the city's near poverty threshold.²²

FPWA calls on the Administration to utilize the expertise of the non-for-profit sector to deliver vital asylum seeker services and pay these providers fairly in the process.

New York City Has Always Benefitted Economically from Immigrant New Yorkers, Who Are Often Vulnerable to Wage and Labor Exploitation Due to Occupational Segregation

Investing in services for immigrants is an investment in community. Approximately 37% of all New York City residents are immigrants. For generations, immigrants have been coming to New York City and contributing to the economy. Immigrants are disproportionately represented among several professions. During their first few years in New York City, immigrants are most likely to work in essential field such as construction laborers, home health aides, janitors, cashiers, cooks, waiters, truck drivers

²¹ <https://comptroller.nyc.gov/wp-content/uploads/documents/Asylum-Seeker-Staffing-Contract-Comparison-and-Review.pdf>

²² <https://www.nyc.gov/site/opportunity/poverty-in-nyc/poverty-measure.page>
<https://www.centernyc.org/reports-briefs/the-case-for-ending-poverty-wages-for-new-york-citys-human-services-workers>

and taxi drivers.²³ Immigrants are also often entrepreneurial and according to a 2015 study²⁴ are twice as likely as native-born Americans to establish a new business. Immigrants have played a huge role in the founding of NY Fortune 500 companies. The same study noted that of the 55 Fortune 500 firms based in New York, 56.4 percent of firms had at least one founder who was an immigrant or the child of an immigrant.²⁵ Immigrants contribute mightily to New York States tax revenue. In 2021, New York State immigrants contributed \$61 billion in taxes and constituted \$138 billion in spending power. Undocumented immigrants contributed \$3 billion in tax revenue.²⁶

New York State has benefitted from the labor of immigrant communities for generations. When immigrants, particularly immigrants of color, are dominant within a labor sector due to occupational segregation, they often experience poor conditions and wages. One example is within the home health care field. Immigrant New Yorkers are disproportionately represented among essential workers, including healthcare workers.²⁷ Home care workers' salaries have been largely stagnant for the last 10-20 years, and as of 2022 home care workers in New York were making about \$16 per hour, or \$32,000 per year. Research shows that over half of home care workers access some form of public assistance, whether through SNAP, Medicaid or cash assistance.²⁸

New York State is facing labor shortages that could be addressed by migrants, by allowing migrants to gain work authorization to fill these jobs.²⁹ Expanded legal services that target the migrant community and expanded the population with work authorization, is an investment in New York's economic development. The newly arrived migrants are just New Yorkers' newest neighbors. Investing in their well-being is investing in the future of New York.

Wage theft and labor violations have continued to be a huge issue in the immigrant community. We are grateful to city council for recognizing these issues and introducing the Immigrant Workers Bill of Rights.³⁰ We look forward to seeing how MOIA, Department of Consumer and Worker Protection (DCWP), and New York City Commission on Human Rights (CCHR) progress in developing language for the bill of rights over the next year. Empowering immigrants to protect their rights, and reducing both labor violations and wage theft could reduce the administrative and financial burden of investigating and addressing this harm.

²³ <https://immresearch.org/publications/new-immigrants-arriving-in-the-new-york-city-economic-projections/>

²⁴ <https://research.newamericaneconomy.org/wp-content/uploads/2017/02/nae-ny-report.pdf>

²⁵

²⁶ <https://comptroller.nyc.gov/reports/facts-not-fear-how-welcoming-immigrants-benefits-new-york-city/#:~:text=In%202021%2C%20immigrant%20New%20Yorkers,population%2C%20and%20boosted%20public%20revenues.>

²⁷ <https://cmsny.org/publications/new-york-essential-workers/#:~:text=About%20one%2Dthird%20of%20health,all%20workers%20in%20essential%20businesses.>

²⁸ <https://fiscalspolicy.org/workforce-report-labor-shortage-mitigation-in-new-yorks-home-care-sector>

²⁹ <https://www.nytimes.com/2023/09/09/nyregion/migrants-work-permits.html>

³⁰ <https://gothamist.com/news/immigrant-workers-in-new-york-city-are-getting-their-own-bill-of-rights>

The City's Migrant Response is a Racial Justice Issue

Recently, tropes concerning the criminality of poor immigrants of color have gained traction in New York. Immigrants are less likely to commit serious crimes than their native-born counterparts, yet they are treated with suspicion as a monolith if any individual immigrant is accused of a crime.³¹

The over-policing of communities of color, which leads to disproportionate criminal system involvement for poor Black and Brown folks, funnels those same people into deportation proceedings.³² The mayor has called for immigrants accused of serious crimes to be deported and would like the city to be able to coordinate with ICE in defiance of our sanctuary city laws.³³ This would deputize NYPD to work on behalf of ICE, invest NYC resources in federal immigration enforcement, and undermine due process.

Despite the rhetoric from the mayor and other city leaders, fears of a 'migrant crime wave' are not supported by the data³⁴. These tropes are fueling over-policing and over-incarceration, the cost of which is a financial burden on the city. This is particularly relevant at a time when the mayor is claiming to be in a fiscal crisis. Police spending, particularly for police overtime has consistently increased over the last decade. This has seen uniformed personnel overtime at the New York City Police Department (NYPD) become the largest share of overtime in the city's budget each year.³⁵ These cost pressures continue once incarcerated, with the comptroller previously estimating that the full annual cost per incarcerated person has nearly quadrupled over the last decade to over \$500,000³⁶. City government should be wary about how these xenophobic and racist tropes can be used to justify a bloated policing budget while essential programs are experiencing budget cuts.

As with its policing, the city should be wary of immigration policies that foster disparate treatment. Immigrants come to New York City from all over the world,³⁷ yet African migrants are more likely to be

³¹ <https://www.americanimmigrationcouncil.org/research/criminalization-immigration-united-states>

³² <https://www.vox.com/identities/2019/9/30/20875821/black-immigrants-school-prison-deportation-pipeline>

³³ <https://www.nytimes.com/2024/02/27/nyregion/adams-deport-migrants-crime.html>;
<https://www.usatoday.com/story/news/nation/2024/02/28/nyc-mayor-police-immigration-law-changes/72775010007/>

³⁴ <https://www.nytimes.com/2024/02/15/nyregion/migrants-crime-nyc.html#:~:text=The%20monthly%20number%20of%20robberies,climbed%20to%201%2C417%20last%20month.>

³⁵ <https://comptroller.nyc.gov/newsroom/nypd-overspending-on-overtime-grew-dramatically-in-recent-years/>

³⁶ <https://comptroller.nyc.gov/reports/nyc-department-of-correction/#:~:text=This%20report%20analyzes%20jail%20population,to%20%24556%2C539%20in%20FY%202021.>

³⁷ <https://www.nytimes.com/article/nyc-migrant-crisis-explained.html>

evicted from New York City shelters because they are more likely to be single adults than populations from countries closer to the United States. A study found that out of 14,000 eviction notices, 44% were issued to migrants from Mauritania and 42% to migrants from Senegal even though collectively those countries reflect less than half of migrants in the shelter system.³⁸ Language access has been a problem, with migrants reporting that they have had to rely on community services when the city did not provide sufficient translation services in their native tongues.³⁹

Conclusion

Thank you for the opportunity to testify. FPWA hopes you will consider our recommendations to improve immigration services including, introducing more flexibility and capacity to mobilize and adapt immigration services, and the city dropping its challenge to the right to shelter and expanding programming that helps shelter occupants transition to permanent housing. We also urge the city to avoid making misleading statements that attribute budget cuts to migrant services. New York City needs to engage in more prudent financial planning. Supporting immigrants is an investment in the future of the city. We must work hard to ensure that city policies and programs align with the intersectional values that New York has long espoused, and that they actively counteract poverty, racism, and xenophobia. We look forward to working with you to ensure that immigrant New Yorkers are empowered and thrive in New York City.

³⁸ <https://nysfocus.com/2024/02/15/eric-adams-migrants-shelter-mauritania-senegal>

³⁹ <https://documentedny.com/2024/01/24/chinese-migrants-southern-border/>;
<https://www.chalkbeat.org/newyork/2023/8/15/23833320/nyc-asylum-seekers-migrant-crisis-community-center-volunteer/>



NEW YORK CITY COUNCIL COMMITTEE ON IMMIGRATION Preliminary Budget Hearing

Thank you to the City Council, Immigration Chair Aviles and the Committee on Immigration for their attention to the 2025 fiscal budget cycle. I am speaking on behalf of Hot Bread Kitchen, an organization that promotes economic mobility for women and gender-expansive people, immigrants, and people of color through job training and placement, food entrepreneurship programs, and an ecosystem of support in New York City, using our city's vibrant food industry as a catalyst for career growth. This year, we will also be focusing our efforts to provide workforce training for New York's asylum seeker population.

Over the past 15 years, Hot Bread Kitchen has supported a community of over 500 program participants, who we call members, in launching careers in the food industry, starting and growing their small businesses, and accessing the resources they need to succeed at work and in the world. Our community, which includes residents of 50 City Council districts, consists primarily of women of color (93%). Roughly two thirds of members ever engaged across our programs were born outside of the United States; and roughly one third of our members this year are non-native English speakers, and 70% of our program participants this year were unemployed and below the poverty threshold before enrolling in our program. Our members are dedicated, hard-working New Yorkers seeking opportunities for meaningful careers, sustainable income, and long-term wealth generation for their families.

Hot Bread Kitchen offers our members a number of programs in order to reach economic mobility.

1. Workforce Training
 - a. Culinary Training: our signature 100-hour training focuses on culinary fundamentals and professional readiness, then aids in direct job placement and layers on customized retention services.
 - b. Upskilling: In partnership with NYC Department of Small Business Services, in 2023, we launched upskilling programs which enable food workers to gain additional skills leading to higher wages and career advancement.
 - c. Front of House Training: in 2024, we will launch training and job placement for customer-facing roles in the food industry, which typically offer higher starting pay rates than back of house roles
2. Job Placement: We place all workforce training graduates into a high-quality job through our 250+ employer partners.
3. Human Services: As part of our support and retention program and our community-building efforts, we ensure that members have access to any assistance they need to start work confidently and safely- we offer wraparound support services in the form of MetroCards, support

accessing childcare vouchers and affordable housing, referrals to health services, case management, etc.

4. Quality Jobs Initiative: In partnership with the Good Jobs Institute, we are working with a cohort of small food businesses to create practical frameworks to recruit and retain talent, promoting a systems change approach and better employment practices across the food industry.
5. Small Business Incubation: We have helped incubate nearly 250 food businesses to date, mostly owned by women of color. Through our HBK Incubates program, we provide technical assistance, mentorship, access to markets, subsidized commercial kitchen space, and access to capital to food entrepreneurs of color.

We are grateful to have received funding from the City Council previously, which has supported our growing number of enrolled members, and our expansion of offerings into other boroughs, including the Bronx and Brooklyn. With the Council's investment, we are poised to surpass our three-year strategic growth goal of 1,000 Breadwinners strong by 2024.

We are also seeking the Council's support as we work diligently to launch our latest workforce training offering, **Culinary Career Pathways for New New Yorkers**. As an unprecedented number of migrants and asylum seekers arrive in New York City, Hot Bread Kitchen is on the precipice of launching a new program which will facilitate access to high-quality employment for migrants who have received work authorization in New York City. This newly launched program will consist of five weeks of kitchen and professional readiness training, with additional Food Protection training. Instruction will be provided in English by bilingual instructors and support staff; intensive ESOL instruction will also be provided. Our team is working diligently to ensure the language access offered through this program meets the needs of our enrolled populations. We are currently recruiting Spanish-speaking instructors and support staff, and are actively identifying opportunities to expand instruction in other languages. Hot Bread Kitchen has received a foundational grant to launch this program, but we will need appropriate funding to ensure we can do so effectively. **We are thus seeking the Council's support in FY25 specifically for this program.** We believe it is imperative for our organization and our City to welcome this community into the workforce and do our utmost to meet their needs at this critical time, and we hope the Council can support us in this effort.

On behalf of Hot Bread Kitchen, I respectfully urge the Committee on Immigration to support our application for new funding for this new training. Thank you for your attention to this important issue and for your investment in Hot Bread Kitchen's work and community.

Eftihia Thomopoulos
Senior Manager of Strategic Initiatives

Who We Are: ICARE is a coalition of legal service organizations dedicated to expanding access to legal representation for immigrant children facing deportation in New York City, while advocating for universal access to counsel.

The Challenge: Every year, thousands of children—some as young as infants - appear in immigration court in NYC without an attorney. New York continues to rank 4th in the country for highest number of unaccompanied arrivals released to sponsors. Although the current federal administration has changed some harmful immigration policies of the previous administration, there's still much that needs to be undone. ICARE attorneys routinely experience challenges when assisting children facing deportation, but our coalition continues to serve as a critical resource for these young New Yorkers.

Many of the children we represent are escaping extreme violence and trauma in their home country, in search of protection and safety. Without City Council's ongoing support, thousands of children will be left to represent themselves, resulting in rapid deportation where their lives are at risk.

Without legal support: Children stand a mere 15% chance of winning their case.
With ICARE attorneys: Children have more than 90% chance of winning their case.

What We Do: With the City's help, ICARE provides free legal services for immigrant children and families fighting deportation in NYC. We offer know-your-rights trainings, legal screenings, direct representation and connections to city & social services, ensuring vulnerable New Yorkers don't face court alone.

OUR IMPACT

Since 2014, we have:

Screened over 12,000 children for relief	Represented over 2,800 children	Obtained relief for 1,200 children	Secured over \$20M in public funding for legal services
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FY25 Discretionary Funding Request: \$4.904,317

Continued support from the New York City Council will ensure we can keep fighting for nearly 1,700 children and families this year.



No child should face the immigration process alone



In partnership with:





TESTIMONY

New York City Council Committee on Immigration
FY25 Preliminary Budget Hearing

Delivered by:

Sierra Kraft, Executive Director, ICARE Coalition
March 5th, 2024

Good afternoon, it's great to be with you today. Thank you, Chairperson Avilés, and the Committee on Immigration for the opportunity to present this testimony. My name is Sierra Kraft, and I am the Executive Director at Immigrant Children Advocates' Relief Effort (ICARE). ICARE is a nonprofit coalition comprising seven legal services organization that provides free representation to immigrant children facing deportation in New York City, while advocating for universal access to counsel.

Our members include Catholic Charities Community Services, Central American Legal Assistance, Human Rights First, Kids in Need of Defense (KIND), Legal Aid Society, The Door, and Safe Passage Project.

Children and families are more vulnerable now than ever - as the migrant crisis intensifies, the need for legal services skyrockets. In FY2023 alone, Customs and Border Protections arrested over 138,000 unaccompanied minors at the border. New York continues to rank 4th in the country for highest number of unaccompanied arrivals released to sponsors. Every year, thousands of young New Yorkers are placed in removal proceedings facing the possibility of deportation without due process if they cannot afford a lawyer.



Access to an immigration attorney can mean the difference between life and death for immigrant children and families. Many of the children we represent are escaping extreme violence and trauma in their home country, embarking on an arduous journey to the U.S. in search of protection, safety, and new opportunities. Without ICARE's representation, most of these children would be forced to represent themselves against a trained government lawyer. Studies show that children without representation stand just a 15% chance of winning their case, even when they have a viable form of relief. Loss of access to attorneys can result in the rapid deportation of children and families to countries where their lives are at risk. If they lose their lawyers, they lose their lives.

With support from the City Council, through the Unaccompanied Minors and Family Initiative, has made it possible for the ICARE Coalition to stand alongside over 12,000 brave and resilient young immigrants from countries around the world, defend them from deportation, and empower them to become leaders of tomorrow. Legal representation has been truly life-changing for many young New Yorkers.

Despite the overwhelming need, ICARE attorneys are on the front lines every day protecting immigrants' rights and defending New York values. Our providers have decades of expertise in providing culturally responsive, trauma-informed services to this vulnerable population. Children represented by ICARE attorneys have more than a 90% success rate. With our support, these young New Yorkers can be given the opportunity to obtain higher education, pursue meaningful careers and step into leadership roles in a city they now call home.



Today, we urgently call upon the Immigration Committee to prioritize funding for the many unaccompanied minors in New York City, who are reliant on the critical legal services and immigration supports that the ICARE provides. Funding for coalitions like ours is never guaranteed, but the need for our services is greater than ever. Our coalition of 7 legal service providers seeks **\$4.9 million** this year and are ready to serve **nearly 1,700 children and families** through legal screenings, know-your-rights trainings, direct representation, and referrals to city and social services. We need your support and advocacy, to ensure we are not putting these young people in harm's way. No child should have to face immigration court alone. Now more than ever, it is critical that NYC Council stand in solidarity with children seeking safety, protection, and a new life in this city.

Thank you again for your tireless efforts to support all New York City's residents, and especially for continuing to champion children and providing life-saving support so they can thrive and have a bright future. We could not have met the needs of our clients in this time without you. We look forward to our continued partnership with you in ensuring we live our values as a sanctuary city.

In Community,

Sierra Kraft
Executive Director,
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March 5th, 2024
Committee on Immigration
250 Broadway
New York, NY 10007

**NYC Council Committee on Immigration
I-ARC Testimony for Budget and Oversight Hearings on The
Preliminary Budget for Fiscal Year 2025
March 5th, 2024**

Good morning, members of the New York City Council. My name is Oriana Shulevitz Rosado and I am the Policy and Advocacy Strategist at Immigrant ARC (“I-ARC”).

[Immigrant ARC](#) (I-ARC) is a coalition of over 80 member organizations that provide legal services across the state of New York. Our mission is to increase access to justice and access to legal counsel for immigrant New Yorkers by mobilizing New York’s legal service providers and addressing the systemic barriers to justice that immigrants face.

I am here to advocate for the urgent and crucial need for our City to fund long-term wraparound immigration legal services, coordinate with on-the-ground legal service providers and community-based organizers, and get us out of this cyclical emergency state.

While we are seeing a current influx of migrants seeking refuge in New York City, which Mayor Adams’ administration has consistently labeled a crisis, the reality is that these recent arrivals are part of a much larger trend in the United States and New York City’s history. This current growth in the migrant population is comparable to many periods of growth in New York City’s history. And, overall, [the immigrant population in the U.S. has only risen marginally since 2021](#). It is crucial to place this current rise in asylum seekers with the global refugee crisis happening across the world. Globally, [over 100 million people](#) have been displaced due to armed conflict, instability, and violence. This means that New York City will continue to serve its role as a safe haven for migrants seeking shelter as it has done since its founding.

The arrival of our new neighbors is an opportunity to build long-term immigration legal infrastructure that would benefit both new migrants and existing immigrant communities and allow people to access legal pathways to immigration. The way our current City’s administration is handling it, legal service providers are forced into states of emergency. Currently, legal service providers across the five boroughs have attempted to rise to the challenge, making herculean efforts to come together to provide rapid response services. Our members, other legal service organizations, and the City are hosting many small, temporary rapid-response clinics across the city. For example, the City launched the NYC Asylum Application Help Center in response to the crisis. Like many of these clinics, the Asylum Center has been an immediate resource in providing necessary assistance to migrants in navigating the immigration process—ensuring that they apply for asylum on time, receive their work authorization, and can support themselves and their families as quickly as possible. These clinics meet an important need, but they have excluded the participation and/or input of long-time legal services and community-based organizations. This not only furthers the divide between the Mayor’s office and the non-profit sector but is also a missed opportunity to get input from our City’s immigration experts. The result is failure—we are failing to address the long-term needs of those we committed to serve. A sustainable and meaningful response to the needs of new arrivals in New York City will invariably require coordination between city, state, legal providers, and community-based organizations.

The efforts run by the Office of Asylum Seeker Operations do not provide migrants with long-term

representation, which can be a huge issue since a majority of asylum applications require follow-up or additional documents. Additionally, because a vast majority of these new arrivals are staying in shelters they are likely to change addresses as they find more permanent housing. This more often than not, causes delays in their paperwork or can lead to having their applications rejected when the U.S. Citizenship and Immigration Service notices are sent to old addresses. Long-term legal representation and wrap-around services are the only viable solution because much of the rapid response efforts will be undone as migrants fall through the cracks in the immigration process.

We know from experience that the best way to make an impact is by fostering collaboration and leveraging our respective areas of expertise across the board. As part of Immigrant ARC, and in partnership with several members and stakeholders, Immigrant ARC personally helped organize and oversee an Employment Authorization Documents (EADs) clinic, which coordinated with the city, state, and federal government as well as legal service providers to obtain employment authorization documents for newly arrived migrants currently living in the city shelter system. I am proud to say that this clinic, the first of its kind, was able to screen 2,000 people and submit over 1,700 applications. There is interest across the state as well as in other parts of the country to have these efforts replicated and scaled up.

Immigrant ARC recommends that what is needed is greater transparency from city agencies, strategic coordination from city and state governments with legal service providers and community-based organizations, and funding for long-term immigration legal services, which includes the following.

- **Invest \$58 million for immigration legal services** to ensure that immigrants receive continuity of services and no one falls through the cracks of our complex and punitive immigration system. The breakdown of the funding goes to the following city-wide initiatives:
 - **\$31 million** for the Mayor's Immigrant Opportunities Initiative, which have been threatened by budget cuts while including such crucial programs like the Action NYC and the Rapid Response Legal Collaborative
 - **\$16.6 million** for the New York Immigrant Family Unity Project (NYIFUP), a first-in-the-nation program that provides free immigration legal services to low-income New Yorkers.
 - **\$4.9 million** for I-CARE, which provides representation to unaccompanied minors and families in removal proceedings.
 - **\$3.3 million** for CUNY Citizenship NOW!, which provides free legal services to people on their path to citizenship.
 - **\$2.6 million** for the City Council's Immigrant Opportunities Initiative (IOI), which provides legal services to recently arrived immigrants to assist them in applications for citizenship or permanent residency.
- **Invest an additional \$20 million to support emergency immigration legal services** to meet the needs of the City's newest immigrant residents.
- **Invest \$1 million in a pilot program** to provide immigration legal services clients with wraparound and holistic case management services. The pilot program would:
 - **Fill the social services gap** for immigrant communities seeking legal aid, including by allowing legal service providers to hire social workers to work with them on individual cases.
 - **Include case management and representation assistance** to help immigrant New Yorkers navigate housing supports, benefits, education, and health care systems.

While the Mayor has chosen to frame the current state of affairs as a humanitarian crisis, we believe it should be viewed as an opportunity. New York City has always been a home to immigrants, it is our city's greatest strength and resource and if we ensure that these new arrivals get the long-term services they need to flourish, our city will grow and flourish with them.

Name: Alex Martinez

Job Title: Director of Adult Services, Kingsbridge Heights Community Center (KHCC)

Honorable Council Members,

Thank you for the opportunity to submit my testimony on behalf of the Kingsbridge Heights Community Center (KHCC). As a multi-service agency deeply rooted in the Bronx, KHCC is uniquely equipped to support immigrant families through a wide array of services including Early Head Start classes, a food pantry, housing services, and afterschool programs. Our commitment is further exemplified by providing free English classes to over 300 adult immigrants annually, catering to diverse nationalities like the Dominican Republic, Mexico, Ecuador, Venezuela, Peru, Russia, Ukraine, Yemen, and Ivory Coast. We strive to accommodate the schedules of our community with classes in the morning, evening, and Saturdays.

The current Adult Literacy RFP poses a significant challenge due to the proposed decrease in funding, which threatens to reduce access to our ESOL classes drastically. If this reduction occurs, KHCC will be compelled to cut our class offerings by more than half. This is particularly concerning as we have already seen an influx of over 150 community members to our ESOL waitlist in just the past month. Additionally, the introduction of Neighborhood Tabulation Areas (NTAs) in the RFP might result in KHCC losing the ability to provide these essential services, despite the escalating need.

KHCC's impact extends beyond the classroom through KHCCConnect, our comprehensive case management program. We primarily assist Spanish-speaking recent immigrants and asylum seekers, addressing their immediate needs such as clothing, food, and toiletries, and providing support through micro-grants, food pantry access, childcare, housing assistance, legal workshops, and mental health services. In 2023 alone, KHCCConnect has supported 716 individuals across 1,198 case management sessions.

I wish to conclude by sharing a testament to our impact: Ana's story. Ana, a 73-year-old Ukrainian immigrant, diligently attends our English classes and has benefited from our multifaceted support, including health insurance, social security, SNAP, and citizenship classes. Her success in passing the citizenship test, a milestone she attributes to KHCC's assistance, exemplifies the profound difference we can make.

We respectfully request funding of \$85,000 to continue empowering immigrants and asylum seekers in the Bronx, following the inspiring example of individuals like Ana. Thank you for considering our plea and for your continued support.



KCS
WWW.KCSNY.ORG

THE KOREAN COMMUNITY
SERVICES OF METROPOLITAN
NEW YORK, INC.

뉴욕한인봉사센터

Written Testimony of Teresa Baik
Director of Education at Korean Community Services of Metropolitan New York, Inc.
(KCS)
Before the
New York City Council Committee on Immigration
Regarding
Preliminary Budget for Fiscal Year 2025
March 5, 2024

Good morning Chair Avilés and members of the committee. My name is Teresa Baik and I am the Director of Education at Korean Community Services of Metropolitan New York, Inc. (KCS).

Since 1973, KCS, a 501(c)(3) organization, has been serving underrepresented populations with an emphasis on the Korean immigrant and broader AAPI communities. KCS is committed to ensuring individuals remain grounded in their heritage but develop the capacity to thrive in their daily lives. In response to the significant cultural, linguistic, and economic barriers immigrants face each day, KCS provides a comprehensive array of client-tailored services in the areas of Aging, Education, Immigration, Workforce Development, Public Health, and Mental Health. Our holistic services enable Asian American immigrants to navigate through any challenges that may arise in their journey towards becoming more dynamic, healthy, and confident members of society. KCS is also a proud member of the New York City Coalition for Adult Literacy (NYCAAL).

For over 20 years, KCS has provided adult literacy classes through city and state funding. Each year, the number of students that we serve has increased and the number of classes we now provide is evidence of the success for our ESOL program and the constant need for adult literacy programming in our communities. We operate our in-person classes from Monday - Friday with flexible class times in the morning and afternoon to best accommodate our students and their busy schedules.

As you know, DYCD currently has an open RFP that will fund community-based organizations to lead adult basic education, high school equivalency, and English for Speakers of Other Languages programs for the next three to six years. DYCD has structured this RFP to prioritize residents of the highest poverty, lowest educational attainment, most limited English proficient neighborhoods in the city. We wholeheartedly support this goal. However, the way

HEADQUARTERS
(ADULT DAYCARE
EDUCATION | HR
IMMIGRATION |
PUBLIC HEALTH AND
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뉴욕한인봉사센터

DYCD has structured the RFP through a two-tier funding competition, allows many organizations, a staggering percentage of up to 70%, to ultimately be non-competitive. This is the grim reality that we are facing right now at KCS. By the time the new fiscal year comes around we will be forced to close our classes which will displace the hundreds of students that come to our center for ESOL classes. On a positive note, we are grateful to you, Council Member Avilés, as well as the 41 other council members who signed on to Council Member Won’s letter urging DYCD to revise this counterproductive competition model and to extend the proposal deadline.

As a result, we are asking the council to continue putting pressure on DYCD to do a combination of the following:

1. Increase the per student funding rate, which would make it more realistic for smaller programs/organizations – those that don’t have additional sources of revenue to supplement the DYCD funding – to apply under this RFP and to be able to provide more comprehensive services.
2. Increase the number of Neighborhood Tabulation Areas (NTAs) designated for funding and increase the number of students served through this RFP.
3. Create a second, non-NTA based competition for providers who wish to run borough-wide and/or city-wide programs and increase the number of students served through this RFP.

We at KCS are extremely grateful that the City Council has continued to support our Adult Literacy classes throughout the years and want to draw specific attention to the Adult Literacy Pilot Program that the Council has so graciously funded these past few years. It has been a tremendous help to our programs and ultimately to our students.

In conclusion, with the March 20th deadline for organizations to submit proposals fast approaching, we urge this committee to get clarity on the funding and push for a baselining of the full \$21.7 million, as well as to continue to push to fix the competition model and extend the deadline further.

Thank you for the opportunity to testify.

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Korean Community Services of Metropolitan New York Inc. (“KCS”) is seeking \$200,000 to run its Community-Wide Immigration & Legal Services program.

In October, 2022, KCS launched a program called, Community-Wide Immigration & Legal Services. The goal is to provide various immigration and legal services to the community members free of charge regardless of their age, gender, nationality, ethnicity, religion, and marital status. To be specific, this program is intended to help the community members who have concerns about their immigration status and assist the community members who seek legal services but are unable to afford to hire a lawyer.

Since October 2022, the Community-Wide Immigration & Legal Services has served the community members in many counties in the State of New York or near the City of New York. Also, if someone from other parts of the State wishes to receive the benefits of this program, the it has served them. The primary location of office for the program is located at 203-05 32nd Ave, Bayside, NY 11361. The Office is open for service from 9 A.M. to 5 P.M. Monday through Friday except federal, state, or city holidays. The main contact number is (718) 939-6137. KCS In-house Attorney and Assistant(s) handle all matters regarding this program.

The program has two ways of providing immigration and legal services to the community members, in-person service and phone service.

- (In-Person) The community members visit the KCS Bayside Office to meet with the In-House Attorney. Then, the community members receive immigration consultation and legal consultation. If necessary, the In-House Attorney completes and files immigration forms or drafts legal documents for the community members.

- (Via Phone) The community members call at (718) 939-6137 to receive information, ask questions, and schedule an appointment if they want.

- **Lists of Services: Immigration Service & Legal Service**
 - (Immigration) After an initial consultation, depending on the circumstances of each community member, some of the forms below will be filed to give the community member a lawful immigration status or maintain it.

List of Immigration Forms (to be Filed for the Community Members)
1) AR-11 (Alien's Change of Address Card)
2) G-639 (Freedom of Information Privacy Act Request)
3) G-1145 (e-Notification of Application/Petition Acceptance)
4) G-1450 (Authorization for Credit Card Transactions)
5) I-9 (Employment Eligibility Verification)
6) I-90 (Application to Replace Permanent Resident Card)
7) I-130 (Petition for Alien Relative)
8) I-131 (Application for Travel Document)
9) I-134 (Affidavit of Support)
10) I-407 (Record of Abandonment of Lawful Permanent Resident Status)
11) I-485 (Application to Register Permanent Residence or Adjust Status)
12) I-539 (Application to Extend/Change Nonimmigrant Status)
13) I-589 (Application for Asylum and for Withholding of Removal)
14) I-751 (Petition to Remove Conditions on Residence)
15) I-765 (Application for Employment Authorization)
16) I-864 (Affidavit of Support Under Section 213A of the INA)
17) I-864A (Contract Between Sponsor and Household Member)
18) I-912 (Request for Fee Waiver)
19) I-942 (Request for Reduced Fee)
20) N-400 (Application for Naturalization)
21) N-565 (Application for Replacement Naturalization/Citizenship Document)
22) N-600 (Application for Certificate of Citizenship)
23) N-648 (Medical Certification for Disability Exceptions)

- (Legal) The In-House Attorney will provide a consultation to the community members and help them find solutions for various problems that they face in the areas below.

List of Areas for Legal Services
1) Domestic Relations (Divorce, Custody)
2) Contract (Employment, Business, Housing)
3) Property (Housing, Landlord-Tenant, Deed)
4) Bankruptcy (Individual)
5) Will & Trust
6) Health Care Proxy
7) Employment (Wage Claim, Discrimination)
8) Criminal Defense
9) Credit Card Fraud
10) Estate Issues

In 2023, the Community-Wide Immigration & Legal Services provided 1,884 legal services to the community members.

	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	June 2023
Total (a) + (b)	177	157	232	170	181	128
In-Person (a)	51	42	55	48	44	25
Phone (b)	126	115	177	122	137	103

	Jul 2023	Aug 2023	Sep 2023	Oct 2023	Nov 2023	Dec 2023	Total
(a) + (b)	129	132	169	139	144	126	1,884
(a)	10	9	37	29	29	39	418
(b)	119	123	132	110	115	87	1,466



Literacy Assistance Center

**New York City Council Committee on Immigration
Honorable Alexa Avilés, Chair**

**FY25 Preliminary Budget Hearing
March 5, 2024**

Testimony of Ira Yankwitt, Literacy Assistance Center

Good afternoon Chair Avilés and members of the committee. My name is Ira Yankwitt, and I am the Executive Director of the Literacy Assistance Center (LAC), a 41-year-old nonprofit organization dedicated to strengthening and expanding the adult education system and to advancing adult literacy as a foundation for equal opportunity and social justice. The LAC is also a proud member of the New York City Coalition for Adult Literacy (NYCCAL).

As you know, DYCD currently has an open RFP that will fund community-based organizations to lead adult basic education, high school equivalency, and English for Speakers of Other Languages programs for the next three to six years. DYCD has structured this RFP to prioritize residents of the highest poverty, lowest educational attainment, most limited English proficient neighborhoods in the city. *We unequivocally support this goal.* Unfortunately, the way DYCD has structured the RFP through a two-tier funding competition could effectively render up to 70% of the current community-based adult literacy providers non-competitive, forcing them to close their classes and displace thousands of the very students that DYCD is aiming to serve. We are grateful to you, Council Member Avilés, as well as to Council Members Won and Stevens, every single member of this committee, and the 32 additional council members who signed on to your letter urging DYCD to revise this counterproductive competition model and to extend the proposal deadline.

The irony is that, while DYCD wants to address neighborhoods with the highest needs, the \$11.85 million in funding in this RFP is \$5 million less than the \$16.83 million in

administration-side funding for DYCD Adult Literacy contracts in FY24. This means that this RFP will serve just over 9,100 students annually, a significant decrease from the 16,000+ that DYCD reported serving in FY23, and less than ½ of 1% of the 2.2 million adult New Yorkers in need.

At the same time, the Mayors Preliminary Budget for FY25 includes \$21.7 million for DYCD Adult Literacy, nearly \$10 million – or 85% - more than what is currently included in the RFP. If this additional funding could get baselined and included in the RFP, DYCD could do some combination of the following three things:

- 1) Increase the per student funding rate, which would make it more realistic for smaller programs/organizations – those that don't have additional sources of revenue to supplement the DYCD funding – to apply under this RFP and to be able to provide more comprehensive services.
- 2) Increase the number of Neighborhood Tabulation Areas (NTAs) designated for funding and increase the number of students served through this RFP.
- 3) Create a second, non-NTA based competition for providers who wish to run borough-wide and/or city-wide programs and increase the number of students served through this RFP.

With the March 20th deadline for organizations to submit proposals fast approaching, we urge this committee to get clarity on the funding and push for a baselining of the full \$21.7 million, as well as to continue to push to fix the competition model and extend the deadline further.

Thank you for your attention.

Ira Yankwitt
Executive Director
Literacy Assistance Center
iray@lacnyc.org



Make the Road New York
Testimony to Finance Committee
Written version

Good afternoon, Chair Avilés and Council Members. My name is Harold Solis, and I am the Co-Legal Director at Make the Road New York. On behalf of our 27,000+ members and staff, I thank the Committee for the opportunity to share our concerns with the FY25 budget and its impact on all immigrant New Yorkers.

Make the Road firmly believes in safeguarding dignity and fairness across our society, having centered our work around these principles for the past 25 years. Over the years, the Council has done much to ensure that New York continues to be a city that welcomes all, including immigrants. However, recent times have seen a surge in calls for the city to abandon this principle, with the administration intent on slashing essential funding and attributing these cuts solely to the city's newest members.

In the face of escalating scapegoating of immigrants, we implore you to shift the focus towards viable solutions. The city must fortify, rather than undermine, the critical services and funding for our diverse communities. We ask the Council to use every available tool to **reverse the Mayor's sweeping, short-sighted budget cuts to vital services, which** could force reductions in our city-funded legal, health, and educational services for tens of thousands of working-class immigrants. Our services are essential - we help immigrant New Yorkers keep their families together, learn English, access healthcare and much more. Amid a historic housing, shelter, and cost-of-living crisis, we need to invest in communities, not make short-sighted cuts that will impoverish the most vulnerable New Yorkers.

Here are 4 examples:

1) To start, we are deeply concerned by the mayor's proposed budget cut to the Rapid Response Legal Collaborative (RRLC). The RRLC has been instrumental in safeguarding the rights of immigrant New Yorkers on the brink of deportation. A significant number of these individuals have received deportation orders due to procedural errors and technical idiosyncrasies, despite having legitimate defenses and claims to relief for staying in the U.S. In recent months, RRLC has

seen a substantial increase in referrals from the city's own Asylum Navigation Center, all while ironically the mayor seeks to *decrease* RRLC's funding to handle those cases. **We strongly urge the committee to resist any cuts to the RRLC.**

Also, with over \$2 million in cuts so far to DCWP, further cuts would decimate their ability to enforce key worker and consumer protections such as Paid Sick Leave and the new minimum pay rule for delivery workers, which affect the immigrant workers we serve. Less enforcement makes it harder for us to support immigrant workers.

2) **Second:** our city-funded adult English classes help immigrant New Yorkers find better jobs and help their kids in school. We ask that Council work with DYCD to make the changes requested by the New York City Coalition for Adult Literacy (NYCCAL) to the new Literacy RFP: remove the 2-stage competition process and NTA restrictions, baseline the \$21.7M in the preliminary budget for FY25, and include the full amount in this RFP. We also ask that cuts be reversed to much-needed Technical Assistance and Professional Development for literacy providers. These cuts raise an urgent question: How can newcomers to NYC join and advance in the workforce if we cut the classes that would teach them English and the services that would help them resolve their legal status? Adult English language competency increases earning capacity, is associated with improved health outcomes, and improves the academic success of their children - a win-win for the city.

3) **Third,** the cuts to DOHMH and Health+ Hospitals could impact our culturally competent health access services, including SNAP and health insurance benefit outreach, enrollment and navigation as well as Community Health Worker services, and TGNCIQ health access services, which thousands rely on to meet their basic health needs. MRNY relies on the funding initiatives named above (e.g. Access Health) to be able to provide these essential services mentioned above to immigrant communities in NYC. Furthermore, cuts to Health + Hospitals could impact the health services our immigrant community members receive, because many are not eligible for health insurance and therefore rely heavily on Health + Hospitals to meet their healthcare needs.

4) **Fourth:** All children and families in our communities deserve safe, supportive, well-resourced schools. Slashing the education budget by \$1 billion over the next two years will be incredibly detrimental to our youth members in Queens and across the city. We are also facing cuts to school nurses, social workers, restorative justice, Student Success Centers and much more due to expiring federal funds. This is on top of the city's recent cuts to schools by reverting to the pre-pandemic, enrollment-based formula, which hurts schools with an increasing number of primarily high-need students. As students try to rebound from the trauma and setbacks of the

pandemic, they face rising mental health needs, and 1 in 9 experience homelessness. Taking away these vital services from students as they face multiple crises, and as schools welcome new students, is unacceptable.

The loss of thousands of seats for free, universal 3-K, an essential early childhood education program, will hurt working-class and immigrant New Yorkers and their families, who they cannot feed without adequate childcare. Cuts to CUNY and the support for students from our communities to get the extra support they need to succeed in college will also be devastating. At a time when colleges are struggling with enrollment and re-engaging students, this is the last thing that should be cut.

Finally, as you may know, Make the Road's wraparound services help the city meet urgent needs of immigrants. We request the Council's support on the following in FY25:

- **Securing \$200,000 under the Speaker's Initiative for wraparound legal, health, and educational services, plus \$50,000 under the Speaker's Initiative for our Trans Immigrant Project** for vital outreach.
- Increasing Make the Road funding under the **Low Wage Worker Support initiative to \$275,000** for our unique model of comprehensive legal support and mobilization of immigrant workers for better working conditions.
- Renew **Legal Services for the Working Poor funding at \$165,900** to provide free, culturally competent legal services in employment, public benefits, housing, and more.
- **Expand overall funding for the Access Health Initiative to \$4M, allocate \$2.3M in funding for the MCCAP Initiative**, and maintain FY24 levels of funding for the Ending the Epidemic and Immigrant Health initiatives.
- **Renew the Welcome NYC initiative for asylum seeker services**, including \$35,000 for Make the Road's orientations and health access services for new New Yorkers. Our own survey research has shown that asylum seekers are not accessing the basic services they need to resolve legal issues, learn English, join the workforce, and more.

Thank you for standing up for these vital services that immigrant and working class New Yorkers depend on.



Make the Road New York
Testimony to Finance Committee
Written version

Good evening. My name is Sienna Fontaine and I am the General Counsel at Make the Road New York. With a membership of 27,000, Make the Road has served New York's immigrant and working class families for over 25 years. We ask the Council to use every available tool to **reverse the Mayor's sweeping, short-sighted budget cuts to the vital services, which are impacting the tens of thousands of** working-class and immigrant New Yorkers we serve, and could force reductions in our city-funded legal, health, adult education, and youth services. Amid a historic housing, shelter, and cost-of-living crisis, and particularly with the announcement of \$3.3B in additional city revenues, we need to invest in communities - not make short-sighted cuts that will impoverish the most vulnerable New Yorkers and weaken our city. Here are 4 examples:

First, The cuts threaten our legal services. For example, our Rapid Response Legal Collaborative, a partnership with NYLAG and Unlocal, fills a critical gap in immigration legal services: it focuses on helping individuals who are literally on the verge of deportation. We are a key referral source for other providers— especially the city's Asylum Navigation Centers, who are sending us increased referrals in recent months, *while* the Mayor cuts RRLC's funding to handle those cases. Because our cases can take years to resolve, cutting legal services can leave people high and dry in the middle of their cases and do irreversible harm.

Also, with over \$2 million in cuts so far to DCWP, further cuts would decimate their ability to enforce key worker and consumer protections such as Paid Sick Leave and the new minimum pay rule for delivery workers.

2) **Second:** All children and families in our communities deserve safe, supportive, well-resourced schools. Slashing the education budget by \$1 billion over the next two years will be incredibly detrimental to our youth members in Queens and across the city. We are also facing cuts to school nurses, social workers, restorative justice, Student Success Centers and much more due to expiring federal funds. This is on top of the city's recent cuts to schools by reverting to the pre-pandemic, enrollment-based formula, which hurts schools with an increasing number of

primarily high-need students. As students try to rebound from the trauma and setbacks of the pandemic, they face rising mental health needs and 1 in 9 experience homelessness. Taking away these vital services from students as they face multiple crises, and as schools absorb new New Yorker children, is unacceptable. Instead of continuing to feed a bloated NYPD budget that violates New Yorkers' rights on a daily basis, it is time to reduce the agency's size and scope and redirect these resources to community based safety solutions and infrastructure to ensure that all New Yorkers have the freedom to stay in their homes and communities and the freedom to thrive. This includes putting in place an immediate freeze on hiring of any new school police - the safest schools have the most resources, not the most police. We must invest in student care, not criminalization.

And the loss of thousands of seats for free, universal 3-K, an essential early childhood education program, will hurt working-class New Yorkers and their families, who they cannot feed without adequate childcare. Cuts to CUNY and the supports for students from our communities to get the extra support they need to succeed in college will be devastating. At a time when colleges are struggling with enrollment and re-engaging students, this is the last thing that should be cut.

3) **Third:** our city-funded adult English classes help immigrant New Yorkers find better jobs and help their kids in school. We ask that Council work with DYCD to make the changes requested by NYCCAL to the new Literacy RFP: remove the 2-stage competition process and NTA restrictions, baseline the \$21.7M in the preliminary budget for FY25, and include the full amount in this RFP. We also ask that cuts be reversed to much-needed Technical Assistance and Professional Development for literacy providers. These cuts raise an urgent question: How can newcomers to NYC join and advance in the workforce if we cut the classes that would teach them English and the services that would help them resolve their legal status? Adult English language competency increases earning capacity, is associated with improved health outcomes, and improves the academic success of their children - a win-win for the city.

4) **Finally,** the cuts to DOHMH and Health+ Hospitals could impact our culturally competent health access services, including SNAP and health insurance benefit outreach, enrollment and navigation as well as Community Health Worker services, and TGNCIQ health access services, which thousands rely on to meet their basic health needs. MRNY relies on the funding initiatives named above (e.g. Access Health) to be able to provide these essential services mentioned above to immigrant communities in NYC. Furthermore, cuts to Health + Hospitals could impact the health services our community members receive, who are not eligible for health insurance and have limited options of places to go to get care. These individuals rely heavily on Health + Hospitals to meet their healthcare needs.

Make the Road's wraparound services help the city meet urgent needs. We request the Council's support on the following in FY25:

- **Securing \$200,000 under the Speaker's Initiative for wraparound legal, health, and educational services, plus \$50,000 under the Speaker's Initiative for our Trans Immigrant Project** for vital outreach.
- Increasing Make the Road funding under the **Low Wage Worker Support initiative to \$275,000** for our unique model of comprehensive legal support and mobilization of workers for better working conditions.
- Renew **Legal Services for the Working Poor funding at \$165,900** to provide free legal services in employment, public benefits, housing, and more.
- Expand overall funding for the Access Health Initiative to \$4M, allocate \$2.3M in funding for the MCCAP Initiative, and maintain FY24 levels of funding for the Ending the Epidemic and Immigrant Health initiatives.
- Renew the Welcome NYC initiative for asylum seeker services, including \$35,000 for Make the Road's orientations and health access services that have served thousands of new New Yorkers.

Thank you for standing up for these vital services that immigrant and working class New Yorkers depend on.

**NORTHERN MANHATTAN
IMPROVEMENT CORPORATION
(NMIC)**

TESTIMONY

Regarding

Immigrant Funding Support

PRESENTED BEFORE:

THE NEW YORK CITY COUNCIL

Committee on Immigration

March 5, 2024

PRESENTED BY:

Marc Valinoti, Esq.

Assistant Director of Immigration & Domestic Violence Services

NMIC

My name is Marc Valinoti, the Assistant Director of Immigration and Domestic Violence Services at NMIC. On behalf of our agency and the communities we serve, we thank you for your support, and for providing us with the opportunity to present our testimony on the need for increased, stable funding for immigrant legal services.

NMIC is a community-based settlement house founded in 1979 which has grown into a leading multi-service agency with a staff of over 120 employees, serving all of New York City with a focus on upper Manhattan and adjacent Bronx communities. Our mission is to serve as a catalyst for positive change in the lives of the people in our community on their paths to secure and prosperous futures. Immigration legal services are part of our legal, organizing, and advocacy initiatives which also includes housing court representation/eviction prevention, family law services, and general counseling for immigrant communities. Our education and career services provide the community with the additional tools necessary to build secure and prosperous futures. We also offer weatherization services to improve the housing stock in Upper Manhattan. The investment in immigration legal services allows us to offer new and existing clients (those already accessing any program at NMIC) the opportunity to work with our attorneys and paralegals to advance their goals of increased stability through gaining legal status and citizenship. NMIC does not charge any fees for services and serves low-income communities and immigrant persons and families. NMIC is ideally situated in Washington Heights and University Heights where the large immigrant and mostly Spanish speaking populations in these communities can easily access the broad range of services available.

NMIC's immigration team provides free advice, advocacy, and legal representation to New Yorkers. We help our clients with applications including family-based petitions, citizenship application assistance, U-Visas, and other culturally and linguistically competent immigration services. 1,148 immigrant New Yorkers had their needs addressed by NMIC in 2023. Nearly half a million residents in our core service area are immigrants, including about 230,000 noncitizens. By accessing legal status, community members can utilize the social safety net, obtain work at higher wages, and feel safe from family separation.

Meeting the needs of our clients requires an incredible amount of time and staffing. Limited and unstable funding creates uncertainty in the delivery of these critical services. In the current fiscal year, the City has supported NMIC's immigration work through the following initiatives:

- DYCD- IOI – \$38,000
- DYCD- NDA IMMIGRANTS – \$127,261.00
- DYCD- CSBG IMMIGRANT – \$139,358.00
- MOIA- ActionNYC - \$315,000

While this support allows us to provide a variety of services that impact thousands of New Yorkers, NMIC and other immigration providers are on the brink of crisis. MOIA, which funds the successful 9-year ActionNYC program, will end the program at the end of this calendar year. In its place, a concept paper asks for drastically more of our organizations with no additional funding. The concept paper will also completely restructure our services and end valuable access points like libraries and hospitals. This will have a dire effect on our immigrant communities. Other long-dependable funders, like DYCD, have signaled their intent to possibly reduce funding or restrict services from our most vulnerable populations.

This puts the future of NMIC and other nonprofits' immigration programs at risk, at a time when the need for services has drastically increased. Many case types require years of representation, and without secure funding we are forced to contemplate winding down services or even ending current representation when funding ends. Funding insecurity has deleterious effects on the overall health of nonprofit agencies in turn reducing our ability to offer high quality services to our immigrant communities at a time of significant need. Hiring and retaining dedicated legal staff becomes an even greater challenge when an employee's salary depends on an unstable yearly contract. Those agencies that decide to maintain their immigration capacity in the face of cutbacks are forced to reign in or eliminate other core services. Furthermore, the grant application process can be burdensome and onerous, particularly for smaller to mid-sized agencies, and the frequency with which they are made to apply puts additional strain on nonprofit staff. Finally, the nonprofit community's ability to adapt and tackle new challenges, like the increase in new arrivals, can only be met if our agencies are securely funded.

Our ability to sustain a level of output that our clients can depend on can only be guaranteed through sources of increased, and stable, city funding. Your support for our work can send a strong message to City funders and will make a huge difference in the lives of our community members, like NMIC's client John.

John was 17 when he came to NMIC through the ActionNYC hotline. He had entered as a tourist, alone, and was inquiring about a student visa. However, during a follow-up consultation with NMIC's attorney, John revealed he could not go back to his home country in Africa. A few months prior, he had been attacked at a political demonstration and was hospitalized after being slashed with a machete. Following the attack, he continued to face threats based on his ethnicity, and he feared for his life.

John seemed to have a strong asylum case. Unfortunately, due to complications with his foreign citizenship, he was ineligible. NMIC's legal team pivoted to a new strategy, and successfully represented John in his Special Immigrant Juvenile Status application. This process involved work in the Bronx Family Court and before the Immigration Court. After several years of representation and advocacy John finally received his Permanent Resident status in January. He recently received his Associate's degree in Computer Science from Bronx University.

The concept paper introduced by MOIA for their new RFP will effectively end the ActionNYC program and will render NMIC and other community nonprofits unable to provide the vital long-term support necessary for clients like John. The only way to preserve life-changing immigrant legal programs is to ensure a stable infrastructure of nonprofit funding.

In order to meet current and future challenges facing Immigrant New Yorkers, NMIC and other agencies require a reliable baseline of funding to develop a secure infrastructure of support. This can only happen with the council's commitment to make financial investments in our communities and the immigration legal services sector. Without increased and stable funding, NMIC and other community-based organizations will be less equipped to overcome service provision challenges and will be forced to reduce or even end their immigration programs.

Thank you again for your time and support. We look forward to continue partnering with the City Council to ensure that our immigrant communities are welcomed and supported!



New York Lawyers for the Public Interest
151 West 30th Street, 11th Floor
New York, NY 10001-4017

Testimony of Sophie Dalsimer, Co-Director of Health Justice at New York Lawyers for the Public Interest to the New York City Council Committee on Immigration on March 5, 2024, regarding the New York City FY25 Budget

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). NYLPI is privileged to be a part of the City Council’s Immigrant Health Initiative, and we thank you for that support.

We appreciate the City Council and Committee Chair Avilés’s leadership in defending the human rights of immigrants, work that is particularly vital in a presidential election year when draconian immigration policy proposals are increasingly deployed as political bargaining chips. Now as ever, New York City must continue to set a national example as a beacon of welcome to our newly arriving immigrant neighbors. We applaud this Committee for pushing back on the mayor’s threats to increase city cooperation with federal immigration enforcement and for seeking to end the cruel shelter eviction policies.¹ Left unchecked, these policies undermine the health and safety of all New Yorkers. We urge the Council to pass [Intro 0210-2024](#), to prohibit the imposition of shelter stay restrictions. We commend the Council’s resolution in support of New York state’s Coverage For All bill, currently pending before our state’s legislature, which would give all low-income New Yorkers access to basic health insurance regardless of immigration status and bring fiscal benefit to the city.² Similarly, we urge the Council to support the New York Essential Plan Expansion (Section 1332 State Innovation Waiver) which would also yield savings through more meaningful health care use and better long-term health outcomes.³

Today, I am here to ask the Council to continue their support by restoring and enhancing funding for the Immigrant Health Initiative (IHI), which has saved lives and improved health across the

¹ Alexa Avilés and Shahana Hanif, “Op-Ed: NYC’s sanctuary policies make our city safer,” *AMNY* (Feb. 29, 2024), available at: <https://www.amny.com/opinion/nycs-sanctuary-policies-make-our-city-safer/>.

² NYC Comptroller Brad Lander, “Economic Benefits of Coverage For All, , March 15, 2022, available at: [https://comptroller.nyc.gov/reports/economic-benefits-of-coverage-for-all/#:~:text=%E2%80%99Coverage%20for%20All%E2%80%9D%20\(A880A.excluded%20due%20to%20immigration%20status](https://comptroller.nyc.gov/reports/economic-benefits-of-coverage-for-all/#:~:text=%E2%80%99Coverage%20for%20All%E2%80%9D%20(A880A.excluded%20due%20to%20immigration%20status) (concluding that covering all New Yorkers would result in more than \$700 million in economic benefits through increased life expectancy, productivity, personal financial stability, and reduced emergency room visits).

³ Comments of Dr. Michelle Morse, Chief Medical Officer, NYC Department of Health and Mental Hygiene (DOHMH), March 11, 2023, available at: <https://www.nyc.gov/assets/doh/downloads/pdf/public/comments/comment-20230311-section-1332-essential-plan-extension.pdf>.

city. Despite New York City's historic welcome to immigrants, entrenched discriminatory barriers leave tens of thousands of noncitizens without access to life-sustaining medical care. The IHI has focused on improving access to healthcare through direct immigration representation, litigation, community education, strategic partnerships with public hospitals, and non-legal advocacy. The City Council's funding has allowed our efforts to continue without pause and respond to ever-increasing need. We have been well positioned to address the needs of the recently arrived migrants, many of whom require urgent connections to healthcare to manage chronic and acute medical conditions. When it comes to immigrant New Yorkers who are detained in immigration jails, we are one of few organizations focused on medical advocacy and the health hazards of immigration detention. In addition, in the face of continued attacks on the asylum process, we have offered culturally competent legal representation, including to those who identify as transgender, gender-expansive, or live with HIV. We have successfully improved the quality of care and health outcomes for seriously ill immigrants and non-citizen New Yorkers, and consistently engaged healthcare and legal service providers to enhance access to healthcare in immigrant communities.

In this budget process, we call on the Council to continue defending immigrant rights and immigrant access to healthcare. The New York City Independent Budget Office (IBO) has projected a budget surplus that is \$2.8 billion higher than the Mayor's Office of Budget and Management. IBO also estimates \$2.4 billion less in spending on asylum seekers than what is reflected in the Administration's estimates across 2024 and 2025.⁴ Now is not the time to retreat from our city's public health, equity, and sustainability goals.

Meeting the Needs of Newly Arrived Immigrant New Yorkers

Across all of NYLPI's Health Justice programs, we are encountering increased numbers of recently arrived noncitizens and we are grateful that the City Council's continued support has allowed us to continue our efforts without pause and respond to ever increasing need. As of December 2023, over 150,000 migrants have resettled here since last spring, and over 65,000 are residing in city shelters.⁵ Many of our new neighbors arrive with significant physical and mental health needs, and all need connection to health insurance and care. We are concerned by reports that health insurance enrollment is inconsistent across the city shelter system. Moreover, the shelter eviction rules have the potential to significantly undermine access to healthcare for this vulnerable population. As a threshold matter, Medicaid enrollment typically takes 45 days. After initial enrollment, enrollees are prompted to provide documentation establishing their eligibility for continued coverage. Coverage may be terminated if they do not respond on time. Individuals forced to leave their shelters risk not receiving these critical notices and losing access to their health insurance as a result. The shelter policies also limit continued access to care: NYLPI encountered one individual living with kidney failure who is successfully enrolled in health insurance. But because of the shelter eviction rules, he lacks a stable address to provide to his medical team, an important factor in the determination of whether or not he will be listed for a

⁴ Analysis of the 2025 Preliminary Budget and Financial Plan by the Independent Budget Office, *available at: <https://www.ibo.nyc.ny.us/iboreports/print-2024-preliminary-budget-report-february.pdf>*.

⁵ Jennifer Bisram, Ali Bauman, *CBS News*, "More than 7,000 asylum seekers have arrived in New York City in last 2 weeks, mayor's office says," Dec. 27, 2023, *available at: <https://www.cbsnews.com/newyork/news/more-than-7000-asylum-seekers-have-arrived-in-new-york-city-in-last-2-weeks-mayors-office-says/>*.

kidney transplant. Repeatedly uprooting individuals connected to vital health services will interfere with their abilities to seek care and have their health needs addressed. Finally, many of these individuals arrive to New York after suffering unimaginable harms or enduring traumatic journeys to find safety. They are in need of counseling and other mental health resources and not the continued destabilization that results from lack of stable housing.

Services for TGNCI New Yorkers

With the support of IHI funding, NYLPI's UndocuCare TGNCI+ program strives to ensure that immigrant New Yorkers who are transgender, gender-nonconforming, intersex (TGNCI), or living with HIV can obtain and sustain access to gender-affirming healthcare, HIV care, and housing through immigration legal advocacy. In the last fiscal year, the TGNCI+ project served 24 trans, gender non-conforming, intersex, or HIV-positive immigrant New Yorkers in their defensive asylum proceedings to prevent their deportation. We have strong track record securing asylum for these clients, including 3 clients who won asylum in 2023 and 1 in 2024. Furthermore, NYLPI staff represented several more people in their affirmative immigration cases with the goal of sustaining access to vital healthcare.

For example, in June 2023, we successfully obtained a T-visa for our client S.L. S.L. is a gender-nonconforming person from Mexico who fled seeking safety and the opportunity to be himself in the U.S. Unfortunately, his vulnerabilities as an unhoused and undocumented LGBTQIA youth upon his arrival to NYC led him into a trafficking situation. He survived and ultimately escaped this situation after nearly 10 years. S.L. initially came to NYLPI experiencing COVID long haul symptoms and was referred by our community partner Colectivo Intercultural TRANSgrediendo. NYLPI staff recognized S.L.'s eligibility for a visa as a trafficking survivor, to achieve long-term stability in the U.S. and access to healthcare. With the receipt of his T visa, S.L. is now eligible for federal benefits including SNAP, federally funded health insurance and other assistance programs, and is receiving counseling services for survivors. NYLPI also supported S.L. with enrollment in health insurance. He now has his work permit, is employed, and receives gender-affirming healthcare.

In addition, TGNCI+ continues to work in partnership with community-based orgs such as the Queer Detainee Empowerment Project (QDEP), and transitional housing programs such as the AIDS Center Queens County (ACQC) to conduct immigration screenings and PRUCOL advocacy with city benefits agencies. We have also been a critical training partner for city programs serving recently arrived noncitizens. To this end, we provided a training to over 120 caseworkers on access to benefits for recent immigrant arrivals, hosted by the ACQC. We look forward to continuing to be a resource and spread awareness to many partner organizations on behalf of the TGNCI+ population.

Improving Access to Healthcare for NYC Residents

Over 400,000 New Yorkers are undocumented and uninsured. Access to healthcare is scarce, and the most marginalized and very sick often go without medical care. Your support has led to increased enrollment by eligible immigrants in state-funded comprehensive health insurance via Medicaid and the Essential Plan. The improved access to health insurance has had life-changing

and often life-saving effects on the lives of our clients, and often results in cost savings for the City, the State, and our safety net health care system when people are able to resume work and productive lives. In fiscal year 2023, we were able to provide immigration and health screenings to 143 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 for 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.

Informed by our client experiences, NYLPI has been working to advance Transplant Equity since 2015 for immigrant New Yorkers. Based on misinformation, healthcare inaccessibility, and mistreatment of immigrant patients, many people in need of kidney transplants are denied necessary, lifesaving healthcare furthering racial/ethnic disparities in healthcare. With the support of IHI funding, NYLPI has been advancing this work through direct representation, advocacy, legislative efforts, trainings, and research. In 2021, we launched our pilot Transplant Justice Pipeline with the kidney transplant program SUNY Downstate Medical Center. This program has trained hundreds of health care and legal services providers, including health providers at Montefiore Medical Center, the Bronx Health Collective, Bellevue, and Kings County Dialysis Centers.

As a result, 7 NYLPI clients received kidney transplants in 2023. This is a significant increase in the annual number of kidney transplants for noncitizens in New York. One of these clients is “Ms. G,” who was initially referred to NYLPI by her dialysis center. Prior to her diagnosis of End Stage Renal Disease (“ESRD”), Ms. G worked as nanny and took great pride in raising many children as her own. But with her diagnosis, she lost her ability to work and earn a livelihood. Undocumented and uninsured, Ms. G was ineligible for the healthcare she needed to improve and prolong her life. Instead, she lived in fear of contact with immigration authorities and continued to survive on a depleting dialysis regimen. When NYLPI met with Ms. G, we determined that she had a pathway to become eligible for comprehensive health insurance and we took on her direct immigration representation. As a result, Ms. G became the beneficiary of a family-based immigration petition filed by her U.S. citizen daughter and eligible to enroll in Medicaid. NYLPI referred Ms. G for Medicaid enrollment and to consultations at NYC transplant centers. Ms. G was accepted as a transplant patient at NYU Hospital but faced continued discriminatory hurdles to receiving care, despite being fully insured. NYLPI intervened again and advocated directly with hospital staff and leadership. Ms. G was finally listed for a kidney transplant. In December 2023, after nearly a full year of advocacy, Ms. G received her transplant. She is recovering well and looking forward to a long and healthy life alongside her family.

Also in 2023, this work reached another major milestone with the release of our report, [“They Can Donate But They Can’t Receive,”](#) which documents the many barriers immigrants face receiving life-saving organ transplants. The report explains how New York City and State can save lives and money by helping patients on dialysis receive equitable access to transplant care. Released in English and Spanish, the report represents both a culmination of NYLPI’s years of work to enhance health access for immigrant communities and a launch pad for new partnerships and initiatives in the fight for transplant equity. Several news outlets covered the report launch

including [The New York Times](#), which featured a quote from NYLPI's Senior Advocate, [Telemundo](#) and [Crain's NY](#).

We are grateful to Council Members Narcisse, Hanif, Schulman and Louis for [sponsoring Int 1250-2023](#), a bill that would establish an Office of Organ Transplant Equity within the Department of Health and Mental Hygiene (DOHMH) to provide information and coordinate services for people seeking transplants. We encourage the Council to adopt this legislation to enhance equitable access to vital medical care for all New Yorkers.

Unfortunately, many insured noncitizen and immigrant New Yorkers are still denied medical care based on misinformation and misunderstanding between immigration status and insurance eligibility. NYLPI's clients have faced unnecessary barriers to care based on their immigration status alone. NYLPI has supported clients in navigating these complicated systems and advocated for them to receive the life-saving care to which they are entitled. With continued funding, NYLPI can further our commitment to advancing immigrant justice and access to health coverage for all New Yorkers.

NYLPI's Medical-Legal-Community Partnership

The IHI funding also supported NYLPI's work seeking to improve access to healthcare in immigration detention facilities. For NYC residents held in detention, NYLPI provides crucial and urgent advocacy to improve health care and advocate for release. Every day, people in the U.S. immigration detention system experience health and human rights violations, including inadequate medical care. The facilities currently used to detain immigrants in New York state include Orange County Correctional Facility, Clinton Correctional Facility, Rensselaer County Correctional Facility, and Chautauqua County Jail, in addition to the Buffalo Federal Detention Center. NYLPI has published two reports documenting the serious, often life-threatening deficiencies in the medical care provided to New Yorkers in immigration detention facilities. NYLPI has prepared complaints against the Department for Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL), further documenting persistent human rights abuses at Orange County Correctional Facility (OCCF) in Goshen, New York. OCCF is now the primary New York-based facility for individuals in immigration proceedings at the Varick Street detained immigration court in New York City.

Through the funding provided by the Immigrant Health Initiative, we have built and continue to support our volunteer Medical Providers Network (MPN), now with over 250 medical professionals, available to perform reviews and consultations for people in detention in support of advocacy efforts. In 2023, NYLPI connected more than 50 people in detention to volunteer doctors. Many of these requests come from attorneys with the City Council-funded New York Immigrant Family Unity Project (NYIFUP) and help secure the release of their clients from immigration detention.

Conclusion

Thank you, Chairperson Avilés and the Committee, for giving us the opportunity to present testimony today and for this tremendous assistance, and we ask that the funding continue in FY 2025 for both NYLPI and our partners. We look forward to continuing our work to improve immigrant New Yorkers' access to healthcare for new arrivals and long-time New Yorkers alike. **Health is a human right.**

**Sophie Dalsimer, Health Justice Program
New York Lawyers for the Public Interest
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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.

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.

Fiscal Year 2025 Expense Request Testimony
NYC Council Committee on Immigration Preliminary Budget Hearing
March 5th, 2024

Good morning. My name is Maryam Mohammed-Miller, and I am the Director of Government Relations at Planned Parenthood of Greater New York (PPGNY). I would like to thank the Chair of the Committee on Immigration, Council Member Aviles, and all the committee members for the opportunity to discuss PPGNY's programs, services, and PPGNY's fiscal year 2025 funding requests. I would also like to thank the Chair of the Finance Committee, Council Member Brannan, and Speaker Adrienne Adams for your continued support of PPGNY's work to provide health care access to all New Yorkers in need.

For over 100 years, PPGNY has been a trusted provider of sexual and reproductive health care and education programs for communities throughout New York City. In 2023, our New York City health centers conducted almost 70,000 patient visits, providing care to all those in need regardless of immigration status, identity, or ability to pay for services. This includes individuals forced to travel to NYC from states who have restricted access to sexual and reproductive and gender affirming care. We engaged over 23,000 individuals through our education and community engagement programs--including over 9,000 young people. Our Project Street Beat program (PSB), through their offices and Mobile Health Center, conducted 422 Mobile Health Center visits and almost 300 service encounters with individuals at high risk of HIV exposure. And in 2023, we enrolled over 3,800 individuals in health insurance programs.

At PPGNY, we continue to provide care while facing the impact of the many attempts to severely restrict abortion care throughout the country. Just this year, anti-abortion groups have manipulated the court system to ban access to medication abortion and launch a baseless suit aimed at "defunding" Planned Parenthood. With the current configuration of the federal court system, we will likely see actions leading to millions of Americans, including those in an access state like New York, having their right to care stripped away. These attacks follow the United States Supreme Court (SCOTUS) decision that overturned *Roe v. Wade*, ending the 50-year-old precedent that constitutionally protected abortion in our country. The consequences of the Supreme Court decision are devastating for communities nationwide: twenty-six states are poised to ban or significantly restrict abortion access now that *Roe* is gone.

In New York City, we have already seen the impact of this decision. At PPGNY's NYC health centers, we have welcomed patients in need from states like Oklahoma, Texas, Louisiana and Florida where abortion restrictions have forced individuals to travel hundreds or thousands of miles to secure care. We expect to continue to see out of state patients as abortion restrictions continue to be enacted. We appreciate the Council's commitment to ensuring access to care with the establishment of the Abortion Access Fund and supporting New York abortion funds. PPGNY has also been working diligently to respond to the recent migrant crisis in NYC. We

have developed formal partnerships with city agencies to welcome asylum seekers in need of sexual and reproductive care and education into our health centers in culturally competent ways.

Despite these challenges, we continue to provide vital health care through in-person visits and telehealth appointments. At PPGNY, we are prepared to respond to this moment of crisis and ensure care for all. We have increased our ability to provide same day appointments for abortion care and recently launched our virtual health center, further ensuring our patients can get the care they deserve from the place they are most comfortable.

Protecting and Expanding Access to Immigrant Communities through Culturally Competent Care

PPGNY is deeply committed to ensuring that all our patients, including immigrant New Yorkers, can secure the health care they need and deserve. Immigrant communities PPGNY serves are still coping with the harmful legacy of the previous Presidential administration, whose anti-immigrant sentiment left these communities unable or reluctant to access health care and coverage. This is compounded by the effects of the SCOTUS decision overturning *Roe v. Wade* which will disproportionately impact marginalized communities.

That is why today, we respectfully request support from the Access Health and Immigrant Health initiatives to support our Promotores de Salud (PdS) program throughout New York City. PdS works to expand access to sexual and reproductive health care and information for immigrant New Yorkers facing cultural and socioeconomic problems. In 2023, PPGNY engaged over 1,900 people in the community through this comprehensive community health promotion model.

Promotores are native Spanish-speaking peer advocates and educators who integrate sexual and reproductive health information about health topics and the health care system into their community's culture, language, and value system, thus reducing many of the obstacles that Latinx individuals face in obtaining services.

This program is vital for New York City. It is estimated that six in ten New Yorkers are either immigrants or the children of immigrants, nearly one-third of whom are from Latin America. The cultural and language barriers among newly arrived immigrants and foreign-born New Yorkers often keeps these populations out of more formalized health care. It is a priority to reach these populations with culturally resonant information about sexual and reproductive health and services to address health disparities.

Our Promotores are a trusted resource for Latinx individuals seeking family planning services and information, and reflective of the communities they serve. Trained to function as peer health educators in their communities, they promote health services through outreach at local businesses including laundromats and nail salons, offer assistance in making appointments, navigate medical visits, and coordinate culturally relevant group education activities on topics like breast health and birth control. The Promotores' community outreach model includes assisting individuals in making appointments at PPGNY's health centers and often acting as a medical navigator by providing medical interpretation.

This year, we have partnered with NYC Health + Hospitals to offer culturally competent health care services to asylum seekers housed at HERRC centers throughout the city. Our Promotores are leading sexual and reproductive health workshops to ensure asylum seekers are equipped with the knowledge to make informed health care decisions as they navigate the complex asylum application process. The Promotores directly connect asylum seekers to services at PPGNY health centers where they receive care no matter their immigration or insurance status.

Ensuring Access to Sexual and Reproductive Healthcare Services

With the ever-changing national landscape and continued attempts to restrict access to care, New York is seen as a haven for critical health care services. We ask the council to continue to fund PPGNY through the Reproductive and Sexual and Health Initiative to allow us to continue to provide sexual and reproductive health care services and educational programs throughout New York City. PPGNY provides the full range of sexual and reproductive health care services that includes gynecological care, STI treatment and testing, contraception care, cancer screenings, and LGBTQ+ health care at all five of our NYC health centers. The increase in funding will also mitigate the impact of the rising cost of health care due to inflation impacting individuals and organizations in our city. The funding would support our work to meet the city's growing health care needs. PPGNY is proud to provide services no matter what, yet inflated health care costs leave us prone to providing uncompensated care.

This funding allows PPGNY to continue to provide health care services in New York City to our most vulnerable patients, who qualify for low- or no-cost services because they are uninsured, low income, have an undocumented immigration status or are otherwise unable to use their insurance due to confidentiality or safety concerns. In 2023, PPGNY conducted over 70,000 patient visits for sexual and reproductive health care to patients in New York City.

Additionally, this funding will support our Youth Health Promoters (YHP) program. The YHPs are highly trained peer educators who engage other young people and conduct interactive workshops to educate youth about teens' rights and access to sexual and reproductive health care. This program helps teens overcome barriers and stigma that they may experience in accessing care.

Fighting to End the Epidemic through Project Street Beat

Another program that allows us to continue serving vulnerable New Yorkers, including our immigrant populations, is Project Street Beat (PSB). **We ask for continued funding support from the Ending the Epidemic, Speaker's, from the HIV/AIDS Faith Based initiatives** to support Project Street Beat. PSB provides targeted outreach and services to communities most in need through our Mobile Health Center (MHC) and our PSB offices in the Bronx and Brooklyn. PSB currently provides mobile services in the Bronx, Brooklyn, Northern Manhattan, and Queens. Services on the MHC are available regardless of ability to pay.

The only program of its kind in New York City, since 1988, PSB has provided innovative client-focused, street-based HIV prevention and linkage-to-care programs that provide a range of services to some of the hardest to reach populations at high risk for HIV. PSB's MHC services include rapid HIV testing, linkage to HIV primary care, STI screening and treatment services, case management, counseling services, syringe access, opioid overdose prevention, and support groups. During outreach, individuals are offered and provided toiletries, snacks, HIV tests, as well as STI screening and reproductive health care services. PSB's MHC meets clients in their own neighborhoods, providing confidential, trusted care in the community. All services are free of charge and all clients testing HIV-positive are linked with HIV primary care services at partnering providers, as well as case management and other supportive services at PSB. In 2023, PSB conducted 422 Mobile Health Center visits, including PrEP/PEP, STI testing and treatment, birth control, pap smears, and routine gynecologic care as well as 298 HIV tests. Additionally, as a registered Expanded Syringe Access Program site, PSB distributes Narcan kits and syringe packs to individuals in need. Roughly 50% of PSB MHC patients were mono-lingual Spanish speakers who required medical interpretation services and were not eligible for health insurance. PSB has seen increased success with clients by integrating healing services into the service delivery model. This includes therapeutic care reiki, acupuncture, arts showcase, peer-to-peer counseling, and community and nature outings. Increased funding will allow us to continue to provide holistic care for the city's most vulnerable.

PPGNY continues to be committed to ensuring that all New Yorkers, no matter their background, get the care they need. It is important that the Council support services and programs to that focus on immigrant communities throughout our city. We look forward to working with the Council to ensure healthcare access to all.

Thank you.

RUSSIAN-SPEAKING COMMUNITY COUNCIL (RCC)

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Testimony for the New York City Council Immigration Committee preliminary budget hearing

By Dmitri Daniel Glinski, President & CEO, RCC

March 5, 2024

Thank you, Chair Avilés, for this opportunity – and I really mean this: having spoken here may be 10 times over the past decade, I know of no other venue where we, and our exile community in general, can be heard by our city government and other CBOs on a regular basis.

For us, these hearings are about raising wider awareness of our core constituency. It is a special subset of immigrants: political exiles from dictatorships, mainly Russia, and refugees from Ukraine and other countries maimed by these regimes. By exiles we mean those who had to leave their countries because of having stood up for democracy, justice, and human rights – that our city exemplifies for many around the world. And yet this growing population and their CBOs here in New York have too often been muted by business partners and beneficiaries of their oppressors – that is, of the root cause of our migration. For many years these direct and indirect enablers of foreign autocrats and oligarchs have wielded influence in New York's real estate, finance, law - and thus also in philanthropies and other agencies involved with Russian-Americans, in ethnic media, think tanks and academia, and at times in some government offices (mainly in parts of South Brooklyn but not only). Meanwhile, we at RCC had no funds for paid staff for nearly 12 years - but we were never going to quit our organizing and advocacy.

Last year, our persistence got rewarded with success - a partnership with Catholic Charities. This has been a true blessing and a historic breakthrough for the entire community that finally lets us serve people like us on a professional basis - at least part-time for now. We are providing benefits screening; navigation and referrals; Know Your Rights and pro se legal information (we've published online, in collaboration with attorneys from AILA, the first-ever pro se handbook for asylum seekers in Russian); and, on occasion, free food, clothes, and Metrocards. We're seeing asylum seekers from all former Soviet countries. And of course, we're open to serving all others. (This became possible thanks to New York State OTDA funding – we haven't had any funds originating with the City for seven years. I also thank the Lutheran Church of Our Saviour's Atonement for generously providing space for our services.)

I urge the Council to expand support for Catholic Charities programming (especially their long-term work with grassroots partners, Action NYC hotline, and Citywide Immigrant Legal Empowerment Collaborative) as their services and contracting are the most inclusive of the widest range of immigrants.

As for the exiles from autocracies, they deserve more visibility and respect for having paid the price for our shared values - that tomorrow we may have to defend right here, along with the basics of our democratic political system. In this spirit, I'd like to use this occasion to submit to the Council the petition launched by others: to co-name the strip of land next to the Russian consulate Alexey Navalny's Way – out of respect not just for his courage and sacrifice in the effort to change his country for the better, but for the thousands of Russian-American New Yorkers, and many other Americans, who were rallying in front of this consulate for his release and are now bringing flowers there to honor his memory. We are aware of the community boards process for this, but we urge the Council and individual Councilmembers to also find ways to help get this done. Thank you.

Petition details Comments



Rename E. 91st St in NYC "Alexei Navalny Way"

Started February 16, 2024

6,107

Signatures

7,500

Next Goal

👤 60 people signed today

Sign this petition

Why this petition matters

Started by David Benderson

Alexei Navalny, a prominent Russian opposition leader, was an unwavering advocate for democracy and transparency in Russia. Despite repeated imprisonments and an assassination attempt, he continued

his fight against corruption. Renaming the block of the Russian Consulate on 91st Street between Madison and Fifth Avenue to "Alexei Navalny Way" would serve as a powerful symbol of solidarity with Mr. Navalny's cause and a reminder of his bravery.

New York City has a history of using street names to honor individuals who have made significant contributions to society or stood up for human rights. This includes Raoul Wallenberg Walk, named after the Swedish diplomat who saved thousands of Jews during World War II; and Nelson Mandela Corner, named after the South African anti-apartheid revolutionary.

By renaming this block, we not only honor Mr. Navalny's bravery but also remind those at the Russian Consulate – and indeed anyone passing by – about the importance of democratic values and human rights.

We urge New York City officials to consider this proposal seriously as it represents more than just a name change; it is a statement that New York stands with those fighting for freedom around the world.

Please sign this petition if you believe in standing up for democracy and human rights worldwide.



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Testimony of
Jimmy Meagher, Policy Director
Safe Horizon

On the Fiscal Year 2025 Preliminary Budget

Committee on Immigration
Hon. Alexa Avilés, Chair

New York City Council

3.5.2024

Thank you for the opportunity to submit testimony. My name is Jimmy Meagher, and I am Policy Director 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 are increasingly using a lens of racial equity and justice to guide our work with clients, with each other, and in developing the positions we hold.

Whether we are called on to provide expert testimony at an oversight hearing or to assist a constituent in crisis and in need of emergency services, we are proud to partner with the City Council in a collective effort to make our city safer for all. We look forward to helping you and your staff learn how best to support survivors and connect them to the resources available in your borough and community.

Over many years, the City Council has been a key supporter of our programs helping adult, adolescent, and child victims of violence and abuse. City Council funding fills in gaps where no other financial support exists and allows us to draw down critical dollars from other sources. Moreover, this funding demonstrates the value that you and your colleagues place in helping survivors of all ages access desperately-needed shelter, support services, legal assistance, and counseling.

The City Council has also championed the human services nonprofit sector. Our sector desperately needs your help to ensure that human services workers across our sector receive the compensation and support we need. To be frank – our sector is in crisis. Nonprofit human services organizations are shuttering as a result of delayed contracts and payments. And nonprofits across the sector are struggling to hire and retain staff as a result of an unjust wage structure largely determined by government contracts.

The City of New York contracts with nonprofits to deliver the essential services so many New Yorkers rely on – for food, for safety, for shelter, etc. However, the City too often asks our community of nonprofits to do more with less and to accept the bare minimum. This means that many - too many - nonprofit human services workers, the majority of whom are women and people of color, are barely surviving on the wages paid by underfunded City contracts. Because many survivors come into victim services work to help other survivors, City funding for the nonprofit victim services sector is an economic justice issue for survivors. To live up to our shared values of equity, equality, and supporting communities, our City must commit to fully funding a Cost-of-Living Adjustment (COLA) and other fair and just investments to our sector, to fully funding city contracts at appropriate levels to allow non-profits to offer competitive living wage salaries, and to paying organizations on time for the work we have already done. Pay equity is a racial justice issue, a gender justice issue, and an economic justice issue.

My testimony today focuses on the needs of the nonprofit human services sector, with specific focus on the core asks of the #JustPay campaign. I also write about a \$3M MOCJ PEG we are deeply concerned about. I will highlight the City Council discretionary and initiative funding that Safe Horizon relies on to provide essential services to immigrant survivors of violence and abuse across the five boroughs. Lastly, Safe Horizon is a proud member of both the Family Homelessness Coalition (FHC) and Coalition for Homeless Youth (CHY), and we wholeheartedly endorse their

budget recommendations, including recommendations regarding the City's response to the increased number of migrants coming to New York.

#JustPay - Invest in a 5% COLA for Human Services Workers

Safe Horizon is a proud member of the [#JustPay campaign](#), which is a racial equity and gender justice campaign committed to ending the government exploitation of human services workers. The #JustPay campaign is demanding that sector employees under contract with New York City and State be paid fair wages for their labor.

Each year you hear from providers who are struggling due to the crisis of compounding underfunding of the human services sector as City budgets are balanced on the backs of low-income neighborhoods and BIPOC communities. This practice has resulted in poverty-level wages for human services workers, who are predominantly women (66%) and people of color (68%).

We join with the Human Services Council (HSC) in thanking the City Council for the \$100M workforce investment for the last two years and the \$50M investment next year, which is a step in fairly compensating frontline workers. However, this workforce investment is not a true cost-of-living adjustment (COLA) with a guaranteed percentage increase for all contracted human services workers. Also, the Workforce Enhancement Initiative is based on City tax levy funds and not the entire landscape of funding available to the City, including State and federal funds. This is not a fair investment. Human services workers deserve full wage increases for the critical services they provide to New Yorkers – services that were applauded as “essential” during the height of the pandemic. A COLA is a significant step to address the historic underfunding and lack of investment in the human services sector as these workers do some of the most important and demanding jobs in our communities yet are underpaid and undervalued. As government is the predominant funder of human services through government contracts, this has resulted in nearly 25% of all human services workers qualifying for food stamps in 2016-2018. Low wages also have a sweeping effect on workplace conditions and the outcome of programs, with high staff turnover and vacancy rates resulting in heavy and unsustainable workloads. High turnover impacts the healing of the survivors, children, and families who come to our programs for help. When staff leave for better paying jobs, even though they want to do this work, clients must start over with new case managers, counselors, or attorneys and build trust again.

According to a fiscal brief by the IBO, if the City provided a COLA matching the DC 37 agreement, the human services sector would need a 16% COLA. However, this does not include the one-time bonus, \$18 minimum wage, or retroactive pay that DC 37 received or the preexisting wage gaps between human services workers and City employees who do comparable work. Poverty-level wages for City-contracted human services workers not only harm workers but put communities at risk by contributing to staff turnover and program closures. **Therefore, we ask that the City includes a 5% COLA (\$150 million, with \$50 million already allocated from the Workforce Enhancement Initiative) in the FY25 budget and 3% COLAs for the next two years each year on the personal services line of all human services contracts.** This is what we collectively require to ensure this vital, essential workforce does not slip further into poverty.

Restore \$3 million MOCJ PEG for "Crime Victim Services Re-estimate."

The Mayor's FY25 Preliminary Budget inexplicably slashes services for crime victims by \$3 million, even as concerns about the impact of violence and abuse continue to be on the minds of many New Yorkers. The Mayor's Office of Criminal Justice (MOCJ) explains that the PEG is tied to underspending by contracted providers, when in reality the City either imposed a hiring freeze or was so delinquent in processing contracts that providers were unable to hire staff. Safe Horizon strongly urges the City Council to advocate with the Mayor to restore this PEG in the forthcoming FY25 Executive Budget. Budget cuts to organizations like Safe Horizon impact our collective response to violence and abuse in our communities.

Initiative and Discretionary Funding

City Council Initiative and Discretionary funding supports several Safe Horizon programs. The following programs are particularly relevant and important for our work helping immigrant New Yorkers who have experienced violence, abuse, and exploitation:

Domestic Violence and Empowerment (DoVE) Initiative

Since 2006, the New York City Council's DOVE Initiative has provided critical resources to communities impacted by domestic violence. Recognizing that survivors of domestic and intimate partner violence have varied needs and may not always access the criminal justice system, the City Council partnered with Safe Horizon to create the DOVE Initiative to provide a neighborhood-based response to survivors and their families. The DOVE Initiative was funded at \$12,010,000 in FY24, with Council Members then allocating funding to local providers in their district.

Currently, over 150 organizations across NYC use DOVE funding to address domestic violence in the community by providing legal services, crisis intervention, case management, counseling, support groups, outreach, education, and training. **Safe Horizon oversees and administers this entire project and ensures program compliance.** We provide in-depth training on program development and evaluation to help organizations stay competitive in future funding environments, as well as networking opportunities to help DOVE-funded organizations learn from each other and coordinate services. DOVE has always been important, but it has literally been a lifesaver for New Yorkers in every neighborhood and every community who continue to navigate these uncertain times. As we advocate for options for victims and survivors both inside and outside traditional criminal justice responses, DOVE is pivotal. DOVE directs funds to the organizations rooted in community, including immigrant communities, that provide necessary and life-saving supports to survivors.

We are very grateful to the City Council for supporting the DOVE Initiative for many years. We are seeking a restoration of **\$12,010,000** so our network of CBOs can continue to reach survivors in every neighborhood and every district across New York City.

Immigration Law Project

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 their 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. ILP receives referrals internally from Safe Horizon's other programs, such as our domestic violence shelters and our Crime Victim Assistance Program, as well as externally from the immigration courts, law enforcement agencies, other community-based organizations, legislators, and from former and current clients. ILP strives to provide the highest quality services to a very vulnerable population. Clients live in all five boroughs and experience a multitude of victimization including domestic violence, sexual assault, and other crimes. As a result of the steady transfer of recent arrivals at the southern border to New York City, Safe Horizon's ILP has seen a dramatic increase of survivors seeking our immediate assistance. In addition, the 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. **The City has prioritized assisting migrants with completing asylum applications, but nonprofit civil legal providers with expertise in complex immigration cases have not seen equitable investments in our services, namely more comprehensive legal screenings and longterm representation and assistance. Without additional resources, we are simply unable to serve everyone who seeks our help.**

In FY23, ILP provided full representation, advice, and consults to over 800 clients and also provided over 5,800 telephonic information and referral services. The City Council supports ILP through the **Immigrant Opportunities Initiative (IOI)**, and the **Young Women's Initiative (YWI)**.

Safe Horizon's Immigration Law Project utilizes funding through the City Council's **Immigrant Opportunities Initiative (IOI)** to provide expert legal advice and representation to undocumented victims of crime, violence, abuse, trafficking, and torture. To help ensure that our Immigration Law Project has 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** to Safe Horizon through IOI in FY25.

The City Council's **Immigrant Survivors of Domestic Violence Initiative** – part of the **Young Women's Initiative (YWI)** – allows Safe Horizon's Immigration Law Project to provide full representation to immigrant victims of domestic violence. The majority of these cases include clients or families where there is a survivor of domestic or sexual violence and where the victim is between the ages of 16 and 24. To help ensure that we have the capacity to respond to pressing legal cases for immigrants, we are seeking **an enhancement to \$100,000** to Safe Horizon through the YWI - Immigrant Survivors of Domestic Violence Initiative in FY25.

Conclusion

As the City Council and the Administration sets the budget for the next fiscal year, it's imperative that our city expand, perfect, create, and invest in programming that provides healing and support to people who have experienced harm, violence, and trauma. When we invest in the safety, healing, and well-being of individual New Yorkers, we invest in the safety, healing, and well-being of New York City as a whole.

And it is essential that the City invest in the nonprofit human services workforce that we collectively rely on to support our safety net. We urge you and your colleagues to listen to providers and our dedicated workforce. Thank you again for the opportunity to submit testimony.

Safe Horizon FY25 Expense Funding Requests



Speaker's Initiative – Restoration to FY23 level of \$150,000 for SafeChat (#173080)

Safe Horizon's SafeChat is a live chat platform that allows victims of all forms of crime and abuse to access Safe Horizon services digitally. Crime victims utilize their computer, phone, or tablet to safely and confidentially engage in a one-on-one chat with trained Safe Horizon Live Chat Specialists through the Safe Horizon website (www.safehorizon.org). Specialists utilize a best practice, client-centered approach to engage with victims by providing information and referrals across NYC, supporting victims in fully assessing their safety, and collaborating with victims to develop comprehensive safety plans. One of our goals is to increase accessibility to needed services for young men of color. Research shows that young men of color are more likely to experience harm, yet Safe Horizon has found that young men of color are not accessing our services at a corresponding rate. This funding supports the salary of a SafeChat Live Chat Specialist and increases our ability to respond in particular to young men of color seeking help.

DOVE Initiative – Restoration of \$12,010,000 gross (\$859,000 to Safe Horizon) (#171946)

Since 2006, Safe Horizon has successfully administered the City Council's Domestic Violence and Empowerment (DOVE) Initiative. Currently, more than 150 organizations across NYC use DOVE funding to address domestic violence in the community by providing legal services, crisis intervention, case management, outreach, education, and training. Safe Horizon oversees this entire project and ensures fiscal and programmatic compliance. We provide in-depth training on program development and evaluation to help organizations stay competitive in future funding environments, as well as networking opportunities to help DOVE-funded organizations learn from each other and coordinate services. DOVE has been a lifesaver for New Yorkers in every neighborhood and every community who are navigating these uncertain times. As we advocate for options for victims and survivors both inside and outside traditional criminal justice responses, DOVE is pivotal. DOVE directs funds to the organizations rooted in community that provide necessary and lifesaving supports to survivors.

Initiative to Combat Sexual Assault – Restoration and Enhancement to \$1,250,000 (#172004)

Safe Horizon's Child Advocacy Centers (CACs) are at the forefront of the city's response to child abuse. At Safe Horizon's CACs, child victims of sexual and/or severe physical abuse receive the help they need quickly and in one location. The police, prosecutors, medical professionals, victim advocates, clinicians, and child

protective caseworkers are all under one roof in a child-friendly environment that minimizes trauma and facilitates healing. This allows us to facilitate a swift, comprehensive, coordinated investigation and multi-disciplinary team response to abuse. During the pandemic, our CACs remained open as essential programming and continued to provide critical supports to survivors of child abuse and their families. We are now serving more children than before the pandemic. We are requesting an enhancement to \$1,250,000 to sustain general operations in our CACs across the five boroughs.

Supports for Persons Involved in the Sex Trade – Restoration of \$456,697 (#173030)

Safe Horizon's Streetwork Project provides shelter, showers, hot meals, therapy, service linkage, safer sex supports, case management, and more, in a therapeutic harm reduction community serving homeless youth ages 16 to 25. This funding allows our team to respond more robustly to young people both in our drop-in centers and on the streets who are in crisis and involved in the sex trades. We connect them to supportive counseling, access to benefits and housing, and primary and mental healthcare as they navigate homelessness, violence, and other traumas.

Supportive Alternatives to Violent Encounters (SAVE) Initiative – Restoration of \$275,000 (#172938)

Safe Horizon's Domestic Violence Law Project (DVLP) utilizes funding through the Supportive Alternatives to Violent Encounters (SAVE) Initiative to provide direct legal services to indigent victims of domestic violence in Family, Supreme, and Integrated DV Courts throughout the city. We assist with orders of protection, child support, custody, visitation, and uncontested divorce proceedings. We also run a legal helpline that provides information, referrals, and assistance to domestic violence survivors.

Mental Health Services for Vulnerable Populations – Restoration of \$150,000 (#173053)

The work of the Mental Health Services for Vulnerable Populations Initiative aligns with Safe Horizon's commitment to working with young Black and brown men who have experienced harm and violence. This funding increases our capacity to connect community members who have experienced harm, with a particular focus on young men of color, to our continuum of services, including counseling and mental health supports. Our Helpline and SafeChat serve as a first point of contact, linking to our Community Programs for ongoing coordination within Safe Horizon and beyond.

Court-Involved Youth Mental Health Initiative – Restoration of \$140,000 (#172959)

The Court-Involved Youth Mental Health Initiative allows us to address the impact of traumatic experiences that are so often at the root of behaviors that precipitate involvement in family court of children and youth. There is growing recognition of the many types of traumas (interpersonal violence, community violence, historical racism, systemic violence, and daily experiences of racism and other forms of oppression) that impact young people. Our project enhances trauma-informed care for youth by creating and providing training for a short-term trauma-focused intervention that helps survivors identify trauma reactions and practice coping strategies for managing them.

Children Under Five Mental Health Initiative – Restoration of \$115,385 (#172970)

The Children Under Five Mental Health Initiative supports our work with infants and toddlers who are survivors of crime, as well as their families, through training of clinicians and staff in an attachment-based intervention that facilitates healing and supports healthy development. Our Counseling Center uses a curriculum on how exposure to domestic violence, the dynamics of domestic violence, and the systems of oppression families experiencing DV often encounter all come together in ways that can disrupt the bond between infants and their caregivers. By training a greater number of individuals who come into contact with these children, we can prevent lifelong developmental consequences while providing healing and relief.

Initiative for Immigrant Survivors of Domestic Violence – Restoration and Enhancement to \$100,000 (#172108)

The Immigrant Survivors of Domestic Violence Initiative – part of the Young Women’s Initiative (YWI) – allows Safe Horizon’s Immigration Law Project (ILP) to provide full representation and consultations to young immigrant victims of domestic violence from across NYC. The majority of these cases include clients or families where there is a survivor of domestic or sexual violence and where the victim is between the ages of 16 and 24. As a result of the steady transfer of recent arrivals at the southern border to New York City, Safe Horizon's ILP has seen an increase of survivors seeking our immediate assistance. In addition, the overwhelmed systems have left countless in tenuous circumstances—food and housing insecure and desperate for work—making them even more vulnerable to abuse and exploitation and in need of our support and services. Without additional resources, we are unable to serve everyone who seeks our help.

Immigrant Opportunities Initiative (IOI) – Restoration and Enhancement to \$100,000 (#172917)

Safe Horizon’s Immigration Law Project (ILP) utilizes funding through the Immigrant Opportunities Initiative (IOI) to provide expert legal advice and representation to undocumented victims of crime, violence, abuse, trafficking, and torture. ILP staff help guide their clients through complex immigration proceedings and assist them with applications for U-Visas, T-Visas, VAWA self-petitions, asylum, adjustment of status and citizenship, as well as in removal defense. ILP has experienced a significant increase in demand for legal assistance over the past several years. The steady flow of new arrivals to New York from border states, coupled with the fact that many New York-area immigration legal service providers are not accepting new intakes, drives many individuals and families desperate for immigration legal help to our office, which has remained open and serving clients even during the height of the pandemic. This funding allows ILP to serve more immigrant survivors. Without additional resources, we are unable to serve everyone who seeks our help.

Viral Hepatitis Prevention Initiative – Restoration of \$44,560 (#173001)

The Viral Hepatitis Prevention Initiative helps Safe Horizon's Streetwork Project increase our capacity to connect potentially Hepatitis C-affected clients to testing, medical care, treatment, and infection control services.

Community Safety and Victim Services Initiative – Individual Member Awards (#173099)

These awards support Safe Horizon’s client-centered trauma-informed response to victims and survivors in individual districts. Awards in FY24 supported our Court Programs, Counseling Center, and Community Programs. We are seeking additional support for our Immigration Law Project (ILP) and Anti-Trafficking Program (ATP), given the dramatic increase of requests for our legal services and supports.

For more information, please contact Michael Polenberg at michael.polenberg@safehorizon.org or 212-577-7735



Thank you to the City Council’s 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 serve almost 1,300 children who live in the five boroughs of New York City and in the two counties of Long Island. The support of the City of New York, including MOIA, has been instrumental in our work.

No immigrant, not even a child, is appointed a lawyer in immigration court. If a child cannot afford to hire a lawyer, they will be forced to defend themselves alone, against a trained government prosecutor and a judge, with deportation back to dangerous conditions as the likely outcome. Safe Passage Project helps correct this injustice by providing free attorneys to kids. Beyond legal services, our social work team addresses the broader needs of clients, such as school enrollment, homelessness, access to health care, psychological services, and public benefits. The City Council has supported our work through the Unaccompanied Minors Initiative and the IOI grant stream.

Unaccompanied children are the least likely group in the country to have representation: according to the Executive Office for Immigration Review (the Immigration Court), only 52% of unaccompanied children in removal proceedings are represented by counsel.¹ In New York, we estimate that the number is much higher, but legal services providers are not yet able to provide universal representation, despite our best efforts.

Many of you have no doubt read the *New York Times* article “Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.”² While most of our clients have thankfully not experienced the worst labor trafficking described in the article, many do struggle with related issues. For example, all of our clients are low-income, and many have needed to get jobs to support themselves here in New York and/or their families back home. Thanks to our interdisciplinary and holistic programming, Safe Passage is able to assist with issues that take some of the burden off our clients. For example, our social workers help clients access alternative schooling so that they can take GED classes if appropriate. We make referrals to employment lawyers when clients are exploited or underpaid. Recently, one of our pro bono attorneys (an employment lawyer by day) learned that her client was being sexually harassed at his restaurant job. She wrote a demand letter to her client’s employer that resulted in the sexual harasser being fired, and the client getting a promotion.

In addition to the near-universal difficulties our clients face, proposed changes at the federal level are also posing difficulties. Unfortunately, the Biden administration has taken a page out of

¹ Executive Office for Immigration Review Adjudication Statistics: Current Representation Rates (Oct. 13, 2022). Available at <https://www.justice.gov/eoir/page/file/1062991/download>

² Hannah Dreier, “Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.”, *The New York Times*, Feb. 25, 2023. Available at <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>



Stephen Miller's book and is proposing a near-total asylum ban. The lives of immigrants continue to get harder as our government moves the goalposts.

We know that migrant children are vulnerable by virtue of their age and immigration status. Organizations like Safe Passage Project and its partner organizations in the ICARE will continue to serve unaccompanied children. At the same time, legal service providers are already at capacity, with caseloads that approach the unsustainable. We need resources to develop long-term hiring plans, time to scale up services and recruit and train attorneys. We have the expertise to accomplish this, but need increased investment from government entities and funders to make it happen. Together, we can ensure that migrants are treated with dignity and respect, and that they receive the process they are due under law.

New York City Council
Preliminary Budget for Fiscal Year 2025
Committee on Immigration
March 5, 2024
Testimony of The Bronx Defenders
By Karla Marie Ostolaza, Managing Director, Immigration

Good afternoon, my name is Karla Marie Ostolaza and I am the Managing Director of the Immigration Practice at The Bronx Defenders (BxD). I would like to thank the New York City Council for its unwavering support of New York City immigrant communities and the legal providers that serve them. We are respectfully requesting funding for the New York Family Unity Project (NYIFUP) in the amount of \$5,533,333 million per organization, or \$16.5 million total, to continue providing critical services to New Yorkers in deportation proceedings.

I. The Bronx Defenders Immigration Practice

Twenty years ago, BxD embraced the model of holistic representation by embedding immigration legal services within a public defender office. Our robust immigration practice today consists of over fifty attorneys, social workers, advocates, and administrative professionals. We provide deportation defense in both detained and non-detained courts. We also provide integrated, holistic representation to avoid or mitigate negative immigration consequences for our clients targeted by the criminal and family regulation systems.

Our advocates provide these services within three related but distinct programs: (1) representation of currently and formerly detained people through NYIFUP, (2) our Padilla team that provides wrap-around immigration advice and services to people with pending criminal and family court proceedings, and (3) our open-door community intake program that serves Bronx residents in need of representation before the immigration agencies and courts.

II. BxD's NYIFUP Program

In this testimony, I will explain why NYIFUP work continues to serve a critical role in protecting immigrant communities from ICE's surveillance, policing, and arrests, and how BxD's holistic defense model allows it to provide excellent, client centered representation to detained immigrant New Yorkers.

A. ICE has Exponentially Increased its Surveillance and Arrests of Immigrants

Any given night, 39,000 immigrants¹ go to bed in an ICE jail cell, separated from their families as they try to navigate a cruel and complex immigration system without a recognized right to legal representation. This number represents a 45% increase from last year and does not include the thousands of people who are jailed by CBP at the southern border.

Some additional figures further illustrate ICE's aggressive and quickly escalating targeting of immigrants:²

- During the federal fiscal year 2023 (October 2022-September 2023), ICE arrested 170,590 immigrants, representing a **19.5%** increase in overall arrests from FY22 and **130%** increase from FY21.
- During FY23, ICE arrested 20,056 people based on **pending** criminal charges, representing a **99%** increase from the previous year.
- The number of people arrested by ICE based on criminal convictions jumped **48%**, from 32,322 in FY22 to 53,766 in FY23.
- ICE lodged 125,358 detainers for immigrants with contact with the criminal legal system, a **59%** increase over FY 2022 and a **90.1%** increase over FY 2021.

While ICE operations are opaque and the agency does not disclose contemporaneous regional data, our experience on the ground matches the story told by the national figures.

This year, our holistic teams made up of social workers, attorneys, legal advocates, and administrative professionals have been working tirelessly to address the needs of a rapidly increasing detained population. ICE is aggressively moving to detain New Yorkers based on minor, even dismissed criminal charges; as well as the targeting of longterm permanent residents for old convictions without regard for their rehabilitation and their role in their families and communities. We have also noticed an increase in home raids in the city and of arrests at ICE office's when immigrants go in for regular check-ins to try to meet reporting requirements.

¹TRAC, "Number of Detained Migrants Increases; Number of Migrants on ATD Decreases", February 29, 2024, available at <https://trac.syr.edu/whatsnew/email.240229.html>

² This data was obtained through ICE Annual Report Fiscal Year 2023, December 29, 2023, available at <https://www.ice.gov/features/2023-year-review>; and ICE Annual Report Fiscal Year 2022, December 30, 2022, available at <https://www.ice.gov/doclib/eoy/iceAnnualReportFY2022.pdf>

We expect this trend to escalate as the anti-immigrant sentiment continues to take hold. Given the upcoming federal elections, we are also preparing for a potential new administration that will double down on this trend. We need this Council to continue its unwavering support of NYIFUP so that we can continue providing high quality, client-centered representation to detained immigrant New Yorkers as they are increasingly targeted for detention and exile.

B. ICE's Prosecutorial Discretion is Used Inconsistently and Rarely Benefits Detained Immigrants

While ICE has discretionary authority to dismiss removal proceedings, stipulate to immigration relief, and release detained people it rarely exercises its discretion favorably on behalf of detained immigrants. Once someone is detained by ICE, it is almost impossible to convince ICE to meaningfully consider the person's individual circumstances. While we often are able to secure stipulations to dismissal or relief for formerly detained clients, such discretionary agreements are virtually inexistant when someone is detained. Similarly, ICE is extremely reluctant to release people from detention absent a court order mandating them to do so.

[Mr. Baugh](#) case is an example of how ICE refuses to meaningfully consider the circumstances of detained people even when they are facing extraordinary hardship. Mr. Baugh is a longtime permanent resident Bronxite who has called the United States his home since he was 14 years old. After living in the United States for 30 years, ICE arrested him and sent him to the Clinton County Correctional Facility, over 200 miles away from his home in the Bronx. He has been separated from his beloved wife and three children for over 5 months. His wife has been diagnosed with Stage 4 Terminal cancer and her condition continues to decline in Mr. Baugh's absence. She relied on Mr. Baugh as her primary caretaker. His detention has been deeply destabilizing and she is now at risk of eviction. Mr. Baugh's own health has also deteriorated in detention and he had to be taken to the emergency room recently to treat an infection in his jaw.

Despite Mr. Baugh's compelling need for release, his BxD's NYIFUP team has spent countless hours trying to move ICE to exercise its discretion to release him and relieve this family's extreme suffering. The team is also supporting him through a participatory defense campaign in the form of [phone zaps to ICE](#), as more traditional methods have not yielded results. While as a holistic defense office we have the expertise to use a multi-prong approach to defending people - from traditional litigation to participatory defense and

media campaigns- it is appalling that such an extraordinary number of resources are needed to have a shot at liberty when someone's personal circumstances so clearly establish that ICE should exercise its discretion in favor of their release.

NYIFUP's funding is essential in ensuring detained immigrant New Yorkers can access the robust representation necessary to give them a meaningful opportunity to secure their release from detention and to remain with their families permanently.

C. Strengths of BxD and NYIFUP's Interdisciplinary Model of Complex Full Representation

BxD is an interdisciplinary office, both across practices and within the NYIFUP team. Our office has four major client-facing practice areas: Criminal Defense, Family Defense, Civil Action, and Immigration. Colleagues across these four practices collaborate frequently and have many points of connection to each other. In addition, within NYIFUP itself our practice is interdisciplinary, as our attorneys work closely with social workers and legal advocates as a team in representing clients.

Our expertise has shown us the strengths of this interdisciplinary model because people seeking our representation frequently have overlapping legal issues and needs across practices. This is especially true with NYIFUP because those targeted by ICE for detention and deportation are likely to have had contacts with other legal systems.

Our model of integrated defense allows us to identify trends across legal systems affecting our clients and to develop responsive defense strategies for our clients. For example, since our immigration team collaborates with our criminal defense practice to support every non-citizen with a pending criminal case, we were able to notice ICE's pattern of conducting home raids targeting immigrants who have been in the United States less than three years and who have pending criminal cases. In response, our immigration team provides tailored Know Your Rights information to clients in this posture, including telling them about the need to communicate if an ICE arrest happens and their eligibility for NYIFUP representation. Because of our collaborative work, our criminal defense team colleagues also know that if an immigrant client fails to attend a court date, this might be an indication that they have been detained by ICE and that it might not be appropriate for the court to issue a warrant. They also understand the urgency of resolving pending charges when someone is in ICE detention so that they can have their best opportunity at securing release on bond and a positive outcome in their applications for relief.

Mr. A's case illustrates the benefits of our model. Mr. A recently arrived to the United States and reunited with friends and family in The Bronx. About a year later, he was arrested and charged with a misdemeanor in Bronx Criminal Court, where BxD was assigned to represent him. His criminal defense attorney quickly referred his case to the immigration attorney in his team, who immediately began working with Mr. A to inform him of his rights and the potential impact of the criminal case on his immigration status. Shortly thereafter, ICE showed up at Mr. A's house and detained him. Because of the early advice provided by his legal team, his family knew to call us right away. A NYIFUP advocate and an attorney immediately joined Mr. A's legal team and took on his detained removal case. His BxD criminal defense attorney moved swiftly to secure a dismissal in the criminal case and to obtain proof of the case resolution. This coordinated response was crucial in Mr. A's ability to secure his release on bond and he is now fighting his removal case at liberty with the support of his family and BxD legal team. Because of our holistic model, he and his family have also been assisted by our public benefits team and will continue receiving comprehensive support throughout the pendency of his removal case.

Mr. A is one of many New Yorkers who have benefitted from our integrated, holistic model within BxD and NYIFUP this fiscal year alone. Given the increasing number of home raids in the city targeting people with pending removal cases, we anticipate we will be called upon to support many other people in a similar fashion in the months and years to come.

III. Systemic Litigation and Victories

NYIFUP advocacy continues to lead to positive outcomes not only for individuals and their families but also for New York's larger immigrant community. Two examples of recent BxD cases that have or could have far-reaching effects are:

Ortiz et al. v. Orange County, NY et al.: In BxD's federal lawsuit against Orange County Jail (OCJ) and ICE for retaliation against 6 NYIFUP clients for the 2022 hunger strike, the judge issued a ruling in January denying in full ICE's motion to dismiss the lawsuit. The decision decisively rejects ICE's attempts to evade accountability. ICE had argued that transfers, even when done against ICE policy or for retaliatory reasons, were entirely in ICE's discretion and not subject to federal court scrutiny. This decision rejecting ICE's jurisdiction stripping arguments is a helpful addition to the case law and hopefully will allow for others to get judicial scrutiny of illegal transfers in the future. As NYIFUP providers we are in the unique position to identify patterns of abuse that affect many detained immigrant New Yorkers beyond their individual legal case and to take action to advance accountability and systemic transformation. The Center for Constitutional Rights and the New York American Civil Liberties Union are BxD's co-counsel in this ongoing litigation.

Mañon-Berroa v. Garland, (20-705): In July 2023, the Second Circuit granted Mr. Mañon's appeal of his deportation order and remanded the case back to the immigration court. The Circuit found that the Immigration Judge and the Board of Immigration Appeals failed to properly consider Mr. Mañon's risk of torture upon deportation given his status as a deportee and his mental health conditions. The Immigration Court regularly fails to apply the correct analysis to applications for protection under the Convention Against Torture and circuit-court level litigation, like the one in this case, is often needed to protect our clients' rights and sends a persuasive message to the immigration agency on how to apply the law in future cases.

THE CENTER

Committee on Immigration
Preliminary Budget Hearing - Fiscal Year 2025
March 5, 2024

Testimony of
The Lesbian, Gay, Bisexual & Transgender Community Center
New York, NY

**THE LESBIAN, GAY, BISEXUAL &
TRANSGENDER COMMUNITY CENTER**
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Thank you for the opportunity to provide testimony regarding the proposed Fiscal Year 2025 budget as it relates to issues within the oversight of the Committee on Immigration.

New York City's LGBT community formed The Lesbian, Gay, Bisexual and Transgender Community Center (The Center) in 1983, in response to the AIDS epidemic, ensuring a place for LGBTQ people to access information, care and support they were not receiving elsewhere. Now the largest LGBT multi service organization on the East Coast, The Center sees more than 6,000 weekly visitors and hosts over 400 community group meetings each month. The Center has a solid track record of working for and with the community to increase access to a diverse range of high-quality services and resources, including our substance use recovery programming for adults and youth; HIV/AIDS programming; youth programs; and our families and opportunities work.

The Center's services

The Center fosters a welcoming environment where everyone is celebrated for who they are. We offer the LGBTQ communities of NYC advocacy, health and wellness programs; arts, entertainment, and cultural events; recovery, parenthood, and family support services. In addition, The Center has made racial equity a keystone element of our approach to community building.

- **Counseling and support groups:** The Center provides short-term individual counseling and referral services, as well as hosts a range of support groups for our transgender and gender nonconforming communities. Both individual counseling and groups offer support around a variety of topics, including gender identity and expression, emotional challenges, substance use and recovery, and aim to build peer support networks.
- **Employment support:** Despite legal protections in New York State, the effects of discrimination continue to place trans and gender nonconforming communities at extremely high rates of poverty, unemployment, underemployment and homelessness. The Center provides services to directly combat this inequality, including individual career coaching support, case management, events focused on career exploration, legal workshops and networking opportunities.
- **Health insurance enrollment and linkage to care:** The Center is a designated navigator agency for the NY State of Health, the health insurance marketplace for New York through the Affordable Care Act. We provide information and education on the options available, and help individuals, families, small businesses and their employees enroll in New York State Medicaid, The NY Essential Plan, Child Health Plus and Qualified Health plans. We also help connect individuals to TGNCNB affirming medical and behavioral healthcare as needed.

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- **Legal services:** The Center partners with community-based legal providers to provide TGNCNB community members with drop-in assistance around gender-affirming access to healthcare, insurance, employment issues, housing, name and gender marker changes, public benefits and more.

On Immigration

Over the last two years, The Center, in close partnership with The New York State LGBT Health & Human Services Network (which is administered by The Center), has been working to identify and highlight the needs and concerns facing LGBTQ+ immigrant New Yorkers across our state, and to find short and long-term solutions to those issues.

Of course, that work has been complicated over the last few months by the growing humanitarian crises our City faces regarding new New Yorkers and the supports needed to keep those families and individuals safe and able to be integrated into our communities.

Our communities are facing challenges that include:

- Food insecurity
- Housing insecurity:
 - Widespread insecurity in the housing spaces that have been made available. Discrimination from others that are housed in the same spaces, but also from City staff tasked with supporting these communities
- Employment insecurity and discrimination based on their immigration status, but also based on their identification as a member of the LGBTQ+ community
- Transportation issues
- Navigation of health insurance coverage, and other public benefits accessibility issues
- Among others

Just this year, we have begun working with a broad coalition of NYC organizations that exist at the intersection of immigration and LGBTQ+ issues and service provision to outline a plan for tackling the specific challenges faced by LGBTQ+ newly arrived migrants. We are in the early stages of our work, but will look to partner with the City Council to help our City correct course on this important matter and to build equity for LGBTQ+ migrants whose concerns are falling to the sidelines.

Most immediately, we are calling on the NYC Council and the Mayor, through initiative funding and through agency spending, to prioritize the needs of LGBTQ+ immigrants, especially those who are newly arrived and at increased risk of homelessness, food

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insecurity, and unsafe conditions. Our City has the opportunity to live up to its name, and to ensure that all New Yorkers, including those from other countries who are newly arrived, have a shot at realizing themselves in New York City.

The Center's services

The Center fosters a welcoming environment where everyone is celebrated for who they are. We offer the LGBTQ communities of NYC advocacy, health and wellness programs; arts, entertainment, and cultural events; recovery, parenthood, and family support services. In addition, The Center has made racial equity a keystone element of our approach to community building.

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- **HIV prevention, testing, and linkage to care:** We offer counseling for individuals, groups, couples and families, plus a variety of events, speakers and informal social gatherings for positive people and their loved ones. This includes HIV & AIDS education, anonymous testing, counseling and support, partner notification, and linkage to medical treatment including PEP, PrEP, and antiretroviral medications.
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For over three decades, The Center has worked to ensure that the LGBT community of New York City has access to the highest quality and most diverse range of services and resources. Though we are living in a time of unprecedented social, legal and political acceptance of the LGBTQ community, there is still much work to be done on a local and state level to ensure that our community members can successfully combat the social and economic injustice they face daily. Thank you to the Committee for the opportunity to provide this testimony today on an issue of great importance city-wide. We look forward to continue working with you to ensure New York City's future as a safe space for all New Yorkers.

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**THE CHILDREN’S LAW CENTER WRITTEN TESTIMONY FOR THE NYC
COUNCIL’S COMMITTEE ON IMMIGRATION HEARING REGARDING
THE FY25 BUDGET**

The Children’s Law Center (“CLC”) is a 26-year-old, not-for-profit law firm that has represented over 130,000 children in legal proceedings in the New York City Family Courts and the New York State Supreme Court Integrated Domestic Violence Parts. We are the first organization in New York City dedicated primarily to the representation of children in custody, guardianship, and visitation matters, and we also represent children in family offense, domestic violence, and child protective cases. On each case to which CLC is assigned, we give our young clients an effective voice in the legal proceedings that have a critical impact on their lives.

We write to share CLC’s experience representing children and young people under the age of 21 who are seeking Special Immigrant Juvenile Status (“SIJS”).

As you likely are aware, Congress created the SIJS designation to provide an avenue to obtain lawful immigration status for certain undocumented children in foster care or guardianship situations, where one or both of a child’s parents are unable to provide for that child’s care or protection. A youth in New York City who wishes to file an application for immigration relief from the U.S. Citizenship and Immigration Service (“USCIS”) via this route, and his or her guardian, first must seek preliminary determinations from the Family Court, including that it would not be in the child’s best interests to return to his or her country of origin.¹

In other words, for many children and young people in our city who face desperate situations that prevent them from returning to their homelands, obtaining an order from the Family Court is the crucial and necessary first step towards achieving lawful immigration status in this country. Indeed, without such orders, young people cannot further pursue SIJS approval from USCIS, and therefore face greater risk of deportation to a country where no one can provide them with proper care and protection, and where their prospects for future stability and success are poor. It is usually at this critical juncture—when caretakers appear in the Family Court to petition for those initial orders—that CLC is assigned to represent these young people in need.²

Here are some of these clients’ stories:

¹ Specifically, the Family Court must find that (i) the child is a citizen of a foreign country and is under twenty-one years of age; (ii) the child is dependent upon the juvenile court; (iii) reunification with one or both parents is not viable; and (iv) it is not in the child’s best interests to return to his or her country of origin. 8 C.F.R. § 204.11(c)(1)-(6).

² However, there certainly are instances in which it is CLC staff that recognizes that a young person could be SIJS-eligible. In those cases, we educate the young person and his or her caretaker regarding this opportunity, connect them with a service provider who can help them with their immigration claim, and usually continue to represent them on the Family Court portion of their SIJS case.

- **17 y.o. Evan³ from Guatemala:** At age 12, Evan was forced by his mother to leave school and find work. Then, when Evan was fourteen, his mother's boyfriend beat him up, and his mother threw him out of his home. With no relationship with either of his parents or a place to live, and facing threats from the gangs that were prevalent in his town, Evan decided to travel to the U.S., where he hoped to reunite with an uncle who visited Guatemala from time to time. In 2019, Evan made the trip to the U.S. by himself, braving treacherous conditions, and was taken into custody in Texas. He was released to his uncle in New York while his immigration case is pending. Over the past four years, Evan's parents have not contacted his uncle and have provided no support to Evan or for his care.
- **21 y.o. Maria from Ecuador:** Maria traveled by herself from Ecuador at age 18, fleeing the abuse she suffered in her home country. When Maria was very young, her paternal grandparents took her in, after her parents had abandoned her. However, Maria's grandparents had nine children and ultimately could not care for her. At age 13, Maria began living on her own, and earned money through sex work. For years Maria had sex with a particular man whom she knew, for money, so that she could afford food and a place to live. Maria was last sexually abused by this man in April 2021, after which she was able to travel to the U.S., where she connected with a family friend who treats her like a daughter. Maria is now taking English classes and, in December 2023, obtained her license to become a nail technician.
- **20 y.o. Armand from Albania:** In his homeland, Armand was subjected to threats, violence, and persecution, and was the victim of an acid attack and an attempted kidnapping. Armand was the subject of such attacks because of his family's support for a democratic political party and their opposition to Muslim extremism. To escape further persecution, Armand moved to the US, lived for a short while with an Albanian family in Montana, and then moved into the Bronx home of his aunt, with whom he had a close relationship. After Armand moved, his parents cut all ties with him. Armand's aunt became his sole source of support, meeting his basic needs and paying his tuition at BMCC. At the time of his Family Court guardianship proceeding, Armand had not heard from his parents in approximately 3 years.
- **16 y.o. Jaden from Jamaica:** Jaden was raised by his grandmother from the age of 3. Although Jaden's parents initially were involved in his life, Jaden's mother left Jamaica when he was approximately 10 years old, and did not remain in contact with him. Shortly thereafter, Jaden's father became involved in a gang-related feud. The gang threatened Jaden's father's life, forcing him to flee Jamaica, after which he also did not remain in touch with Jaden. Seeking retaliation, the gang then threatened Jaden's life. Jaden's grandmother sent Jaden to live with his uncle in New York, where he remained. When Jaden's uncle finally filed a petition in Family Court, Jaden had not spoken to either of his parents in approximately six years and their whereabouts were unknown.

³ All client names have been changed to protect their confidentiality.

Unfortunately, there are so many young people with stories similar to those described above. Moreover, their numbers are growing and the need for our services is enormous. In 2023, more than 7,000 guardianship petitions were filed in the Queens Family Court—more than double the number filed in 2021. It is therefore no surprise that, since late 2022, CLC has been inundated with clients who are seeking SIJS findings. For example, between November 1, 2023 and March 1, 2024, the Queens Family Court asked CLC to appear at intake to accept assignment on approximately 110 cases that involved SIJS clients, and assigned CLC, *in absentia*, to several more.⁴ The court has been making these assignments at a steady pace since December 2022, and they comprise approximately 20% of the Queens office’s caseload.⁵ Given the current migrant crisis, there is little sign that this number of assignments will decrease in the near future.⁶

CLC does not currently have the capacity to serve the many young people who desperately need help to achieve safety and stability in the US. Although no two CLC cases are alike, we can say with certainty that our SIJS cases require a specific expertise, can involve a significant amount of motion practice, and can entail substantial additional expenses for CLC, which do not exist as frequently in other cases. SIJS cases almost always require CLC staff to use translation services, to interview both our clients and sometimes the petitioning caretaker. In some instances, the language that our client and/or the client’s caretaker speak is a regional dialect for which it is difficult to find a proficient translator, such as when we represented young people from an indigenous Ecuadorean community whose primary language was Quichua, and clients from Kerala, India, who speak Malayalam. Further, at times we have incurred great expense attempting to serve a young person’s parent with a copy of the Family Court petition, as we are required to do, when that parent’s address in a foreign country was difficult to ascertain, or when that parent lived in a remote location. For example, CLC once was ultimately able to serve a parent who lived in a rural village in El Salvador at that village’s central market and community center, as that village’s streets were not named and/or numbered. Moreover, in cases where young people were approaching their 21st birthday, all of these tasks had to be done quickly, because thereafter SIJS would no longer be an available option.

Additionally, it has been our experience that many SIJS clients speak minimal English and have not received a rudimentary education in their home countries, and thus need social work assistance and educational supports. In these instances, our attorneys and social workers have connected our clients with a range of services, and have helped caretakers enroll our clients in

⁴ Those cases were distributed among the five staff attorneys and one legal supervisor in CLC’s Queens office, each of whom already carries a significant caseload.

⁵ Although CLC has offices in all of New York City’s boroughs, except Manhattan, at present, only our Queens office has the capacity to accept assignment on SIJS cases. Also note that there is a social worker who is dedicated to working, in interdisciplinary teams, with CLC’s attorneys in the Queens office, but that social worker also provides some support for our Bronx office. Finally, our staff attorneys carry caseloads of approximately 150 cases each, which is the case cap mandated by statute, but they may be assigned more than that number of cases.

⁶ It is important to note that, while CLC is assigned to represent young clients who are part of the recent wave of immigrants from Central and South America to New York City, CLC’s SIJS clients are an incredibly diverse group, reflective of Queens and New York City’s many immigrant communities. Thus, in addition to representing Central and South American immigrants on SIJS cases, CLC also has represented young people from numerous countries in Africa, Central, Southeast, and East Asia, Europe, and the Caribbean.

appropriate school settings. Indeed, the needs of these young clients are wide-ranging and significant, and CLC aims to ensure that they are met, either through our work or through referrals to community-based organizations and other service providers.⁷

In sum, CLC applauds the City Council’s commitment to New York City’s immigrant children. We ask that the City Council make meaningful investments in programs and services that support those children and their families. Services such as those which CLC provides significantly impact the lives of young migrants. Thus, it is fitting to end this testimony with the example of Javier, a CLC SIJS client who is preparing to graduate high school this year and is college-bound. When Javier’s attorney asked what he “wanted to do” one day, Javier replied, “Your question should be what DON’T I want to do? I want to do everything!” Javier then listed a range of careers in which he was interested, from police officer to computer scientist. He was incredibly enthusiastic about the promise of his future, and grateful that he now has so much opportunity.

Thank you for this chance to share our clients’ stories and information about CLC’s advocacy.

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⁷ Additionally, staff has been trained to assess whether a SIJS client is a victim of trafficking and how to respond. This occurred on a recent case involving a teenage girl from Guatemala, whose “soccer coach” petitioned for guardianship. CLC made appropriate referrals to assist that young person.

**TESTIMONY BEFORE NEW YORK CITY COUNCIL'S
COMMITTEE ON IMMIGRATION**

Presented on March 5, 2024

My name is Deborah Lee, and I am the Attorney-in-Charge of the Immigration Law Unit (ILU) at The Legal Aid Society (LAS). For over 145 years, LAS has been a tireless advocate for those least able to advocate for themselves. ILU, founded in the 1980s, provides legal representation to vulnerable New Yorkers seeking relief for themselves and their families. We assist those in detention and fighting unlawful deportations and represent low-income individuals in gaining and maintaining lawful status. Combining this representation with affirmative litigation work, we strive to ensure that families are able to stay together and stabilize their living situations. Over the most recent year, ILU assisted in over 7,500 individual legal matters benefiting over 18,500 New Yorkers citywide.

In this testimony, we will present our funding requests, describe challenges with immigration court work generally, and then focus in particular on our NYIFUP, Youth, and Federal and IOI-related work.

As a preliminary matter though, LAS is extremely concerned by the Mayor's recent statements about collaborating with ICE for anyone he suspects of committing a crime, whether a recent arrival or long-term resident. LAS is proud to have detainer laws here that ensure that New York City complies with its constitutional requirement of probable cause. As noted in a recent joint statement with other New York City public defenders: "Instead of attempting to gut these fundamental protections, causing terror among our immigrant neighbors and putting countless New Yorkers in danger of being separated from their families and deported without due process, Mayor Adams should be working to support pending measures to strengthen detainer laws, including the ICE Out! legislative

package of Intros 158, 184, and 185, given the findings¹ of several City Council hearings showing the City is already communicating with ICE in violation of existing law.”

Our great City was built by immigrants, and we are proud to honor our own histories, our loved ones, friends, and neighbors. LAS is committed to fighting for immigrants’ rights on all of these fronts and asks this committee to remain steadfast in its commitment as well.

A. New York City Council Funding Requests – Immigration

We are grateful for the Council’s support for legal services for low-income immigrant New Yorkers, who are among the City’s most vulnerable populations. While the immigrant population continues to be in flux, over 175,300 have come through the New York City shelter system since early 2022 and currently New York City has over 66,200 asylum seekers in its care.² The Council’s commitment to ensuring parity of justice and access to comprehensive legal services for our immigrant communities is central to our work and establishes New York City’s approach as among the most progressive in the nation. Thanks to support from the New York City Council and the Human Resources Administration, LAS currently conducts the following immigration-related programs:

- 1) The New York Immigrant Family Unity Project (NYIFUP)**, a collaboration between The Legal Aid Society, Brooklyn Defender Services, and The Bronx Defenders, has represented over 3,500 detained immigrants facing deportation since 2014, helping to ensure New York families are not separated simply because they cannot afford an attorney. The nation’s first universal legal representation program for detained immigrants, NYIFUP provides high quality, holistic representation to New

¹Arya Sundaram and Matt Katz, Gothamist, “#teamsendthemback: Emails reveal cozy relationship, cooperation between NYC correction officers and ICE,” <https://gothamist.com/news/teamsendthemback-private-emails-reveal-cozy-relationship-cooperation-between-nyc-correction-officers-and-ice> (February 15, 2023).

² Office of the New York City Comptroller, Accounting for Asylum Seeker Services, <https://comptroller.nyc.gov/services-for-the-public/accounting-for-asylum-seeker-services/asylum-seeker-census/#:~:text=As%20of%20February%204%2C%202024,since%20the%20spring%20of%202022.>

Yorkers detained and facing deportation who cannot afford an attorney. NYIFUP attorneys carry a full caseload of deportation defense cases, and provide services including master calendar, bond and individual merits hearings, appeals, and social work services. Many of our NYIFUP clients are long-term permanent residents or other non-citizens with strong family ties and long work histories in the U.S.

As of last week, the U.S. Department of Homeland Security's held over 39,000 non-citizens in detention nationwide. According to Syracuse University's Transactional Records Access Clearinghouse (TRAC), this is a dramatic increase in people in ICE custody since the same time last year and runs counter to the lowering numbers overall of new migrants entering at the US/Mexico border.³ To be clear, immigration detention is alive and well, even under the current federal administration.

In recent years, and particularly during the Trump Administration, the detention landscape changed in dramatic ways that have made it harder to identify detained New Yorkers who need representation in immigration court. Over the past three years, ICE has increasingly arrested New Yorkers in New York City and then detained them in facilities farther away, including in Western Pennsylvania, at the Moshannon Valley Processing Center, Buffalo Service Processing Center in Upstate New York, and detention facilities across the South.

Since its inception and increasingly over the past several years, NYIFUP, this City Council, and other immigration advocates have been forced to hold ICE accountable for egregious illegal detention trends of our neighbors, families, and friends. Most recently, we have called attention to withheld medical care, inhumane and unsafe temperature levels and food conditions, racist behavior and violations of attorney-client

³ See Syracuse University's Transactional Records Access Clearinghouse, <https://trac.syr.edu/immigration/quickfacts/> and https://trac.syr.edu/immigration/detentionstats/pop_agcn_table.html.

privileged mail and communications. The need for advocacy and legal representation on behalf of our fellow New Yorkers is more critical than ever as ICE continues to collaborate with local Department of Corrections officers to forcibly incarcerate New Yorkers and abduct them from our communities. **The Legal Aid Society is respectfully requesting \$16,600,000 for NYIFUP in Fiscal Year 2025, split by the three NYIFUP providers, with an award of \$5,533,334 to LAS.**⁴

- 2) **The Unaccompanied Minor Children and Families (UMFI) Initiative** has been providing free legal assistance to Unaccompanied Children and Adults with Children fleeing endemic gang violence and domestic abuse since 2014, with the support of the New York City Council. With the NYC Bar Association’s resolution supporting universal access to legal services for children in removal proceedings, LAS, along with our partners in the citywide Immigrant Children Advocates’ Relief Effort (ICARE), is evaluating this initiative closely to determine how best to scale the program and realize the Bar Association’s vision of universal representation. This traumatized and vulnerable population is especially in need of highly competent legal representation to advance their claims for asylum, Special Immigrant Juvenile Status, and other forms of immigration relief.

From 7/1/22 – 6/30/23, LAS had nearly 220 ongoing representation matters. During this period, we achieved over 110 successful outcomes in removal defense cases, with approximately 4 individuals granted asylum, over 35 individuals granted Special Findings Orders; over 35 children granted Special Immigrant Juvenile Status (SIJS), nearly 10 individuals who were granted adjustment of status, over 25 individuals whose removal proceedings were terminated, and approximately 1 whose removal proceedings was administratively closed. We have successfully terminated proceedings

⁴ Historically with NYIFUP funding, LAS has been awarded \$5,533,334, Bronx Defenders \$5,533,333, and \$5,533,334 to Brooklyn Defender Services, for a total award of \$16,600,000.

for just over 250 minors before the Immigration Court since the start of ICARE and anticipate additional successful outcomes in FY25. **The Legal Aid Society is respectfully requesting an enhancement to \$1,850,000 for UMFI in Fiscal Year 2025.**

The requested budget increase will allow us to fully cover costs of the staff dedicated to this project. LAS has not received an increase in UMFI funding since FY22.⁵

Over the past decade, but with a dramatic increase since spring 2022, the City has seen an extraordinary influx of Adults with Children (AWC) families. Such cases involve multiple complex immigration legal matters, including expert evaluations, multiple relief applications that need to be submitted by different members of the same family unit, labor-intensive trials to prepare for, and particularly thorny ethical issues when clients' interests sometimes diverge. The demand for legal screenings and full representation of these AWC family units are ever increasing and LAS' work is desperately needed.

Also, over the past 3 years, the average number of 146,282 unaccompanied children (UCs) have entered the U.S. every year,⁶ with some of these children finding themselves trapped into exploitative child labor situations, as the New York Times has repeatedly documented.⁷ Others are released to supportive sponsors, including many in New York City. Given our highly skilled team of attorneys, paralegal case handlers, and social workers, LAS is uniquely positioned with our ICARE coalition to provide

⁵ Please excuse this slight correction from LAS' oral testimony.

⁶ See U.S. Customs and Border Protection's Stats and Summaries (Nationwide Encounters), <https://www.cbp.gov/newsroom/stats/nationwide-encounters> (147,975 in FY21; 152,880 in FY22; 137,992 in FY23).

⁷ Hannah Dreier, "Labor Department Denounces Surge in Exploited Minor Children," New York Times (July 27, 2023), <https://www.nytimes.com/2023/07/27/us/migrant-child-labor.html>; Hannah Dreier, "Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.," New York Times (Feb. 25, 2023), <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>.

Family Court and Immigration Court legal representation to these UCs. Further, on the Immigration Court and USCIS fronts, there have been dramatic improvements in the processing of UC cases, including allowing approved Special Immigrant Juveniles to receive Deferred Action and a work permit while they await the opportunity to apply for lawful permanent residency. The Immigration Court has also encouraged the dismissal of many of these UC cases when an experienced attorney will be pursuing Special Immigrant Juvenile status.

- 3) **The Immigrant Opportunities Initiative (IOI)** serves immigrants and new Americans who are seeking citizenship, permanent residence, or another immigration status or are seeking employment legal services after having been exploited by their employers. Legal services are provided through our Immigration Law Unit, Employment Law Unit, and Family Law and Domestic Violence Practice, with support of 15 subcontracting agencies, including legal services providers and community-based organizations with deep ties to marginalized communities. In FY23, we handled nearly 4,000 cases for individuals seeking assistance with an immigration, employment, or family law matter.

- 4) **The Low-Wage Worker Initiative (LWWI)** serves low-wage workers who live or work in the City of New York who are seeking enforcement of workers' rights, with a particular emphasis on low-wage workers who have been exploited by employers. Low-wage jobs are disproportionately held by immigrants, women, young people, BIPOC, and LGBTQ+ people. The LWWI is the only dedicated funding servicing worker's rights and allows us to advocate on behalf of low-wage New Yorkers against wage theft and workplace discrimination, for safe and healthy workplaces, and vindicate the rights of workers. **The Legal Aid Society is asking for renewal of \$580,596 in this funding for Fiscal Year 2025.**

B. Our Work in Immigration Court

LAS continues to face multiple challenges before New York City Immigration Courts, each of which contributes to the increased amount of time and effort our staff must expend to provide zealous representation to each of their clients.

Our removal defense litigation has continued with a mix of in-person and WebEx appearances, which has proven challenging. Despite some welcome efficiency with this shift in having WebEx video teleconferencing for court hearings, including shorter Master Calendar hearings, it remains frustrating that New York City Immigration Courts defer to each individual Immigration Judge as to their personal preference to have parties appear in person or via WebEx. Further, each of the three New York City Immigration Courts have consistently refused to provide up-to-date information about and reliable means to communicate with court clerks or legal assistants. This creates incredible confusion and time wasted for our staff attorneys in trying to confirm whether submissions and motions have been received or ruled upon. These communication problems were exacerbated by the pandemic but still, three years later, continue to persist. After advocacy by the immigration bar nationwide, the Executive Office for Immigration Review (EOIR) now lists the preference for in-person or Webex appearance for each judge. However, in practice, this information has often proven to be inaccurate, necessitating that our attorneys take the time and effort to confirm the preferences of the assigned judge for any upcoming hearings.

EOIR has implemented its revised policy memorandum regarding the implementation of an “enhanced case flow processing model”⁸ The procedures outlined in the memorandum apply to non-detained cases in which an attorney has entered a notice of appearance, and in which the case has not been placed on the court’s status docket. The memorandum outlines a process by which represented respondents will be expected to advance cases through increased motion practice and without the use of master calendar hearings. This is problematic for practitioners in that the simple acts of scheduling merits hearings or discussing logistical matters during an in-person hearing will now need to take place through motion practice, thereby prolonging the process and adding to the number of filings that are

⁸ EOIR PM 21-18, *Revised Case Flow Processing Before the Immigration Courts* (Apr. 2, 2021), <https://www.justice.gov/eoir/book/file/1382736/download>.

needed in a given case. Moreover, the new case flow process limits an attorney's opportunity to advocate for their client in critical moments in the client's case, such as taking pleadings and/or contesting the government's allegations against their client. New York immigration court officials have stated that vulnerable populations are not subject to the new memorandum but have not clearly defined who would be a member of a vulnerable population.

One positive development in immigration court proceedings has been the rise of the government's use of prosecutorial discretion, at least in some cases. Initially, on May 27, 2021, the Biden Administration issued a memorandum with revised immigration enforcement priorities encouraging the ICE trial attorneys to exercise prosecutorial discretion in non-priority matters. This policy was quickly enjoined by a federal district court in Texas on August 19, 2021.⁹ Ultimately, the United States Supreme Court ruled on June 23, 2023 that the states of Texas and Louisiana lacked standing to challenge this federal policy.

Since the implementation of this policy, ICE attorneys in removal cases are often agreeing to dismiss immigration cases or to exercise other forms of favorable discretion on a case-by-case basis.¹⁰ This is a very positive development, in particular for our SIJS clients, because it means that these clients can petition USCIS to adjust their status rather than seeking to adjust status before the immigration judge with an ICE attorney present..

While the use of prosecutorial discretion is generally a positive development, it is difficult to obtain in most cases and requires staff to have prepared numerous applications requesting prosecutorial discretion from ICE in various forms, such as requests for stipulation to relief, termination of proceedings, or administrative closure. ICE requires voluminous documentation to assess each request and often fails to reach decisions or even respond to repeated requests to engage in a pretrial conference until the day of trial. Because there is no certainty as to whether prosecutorial

⁹ The Biden Administration then issued revised enforcement priorities on September 30, 2021 (Memorandum from Alejandro Mayorkas, Secretary of Homeland Security, *Guidelines for the Enforcement of Civil Immigration Law* (Sep. 30, 2021), <https://www.ice.gov/doclib/news/guidelines-civilimmigrationlaw.pdf>), which was later enjoined by a federal court in Texas on June 10, 2022 (*Texas v. US*, Case 6:21-cv-00016 (S.D. Texas), June 10, 2022).

¹⁰ Prosecutorial Discretion and the ICE Office of the Principal Legal Advisor. <https://www.ice.gov/about-ice/opla/prosecutorial-discretion>.

discretion will be exercised by ICE, LAS must still prepare for full trials, submit all evidentiary filings timely, and prepare witnesses and experts.

Our requests for the exercise of prosecutorial discretion are often denied or ignored by ICE when initially filed and must be resubmitted and reviewed by supervisors within ICE's Office of the Chief Counsel. As there is no consistency in the adjudication of these requests or clear guiding principles, we must submit these requests for virtually every client. This has increased our staff's workload due to the need to engage in additional evidence collection, written advocacy, and negotiation.

Moreover, ICE attorneys file unilateral motions to dismiss pending cases, even against our client's wishes when they want to proceed with a full trial before an Immigration Judge. Because there is a complete disinterest by ICE to communicate with defense counsel like LAS, such unilateral motions must be responded to individually and advocacy must be done with the Immigration Court so that our clients' wishes to proceed before the court are respected. This misuse of prosecutorial discretion is distinctly unhelpful.

Because of short staffing within ICE, LAS also faces significant difficulties in communicating it for pretrial conferences to seek stipulations to relief or certain legal issues or to discuss prosecutorial discretion. This inability to connect and conference cases with ICE means that our attorneys are required to fully work up each case for the trial, preparing documents and witness testimony, conducting legal research, and writing detailed pre-hearing legal memos in order to effectively advocate for our clients. Much of this work would have been unnecessary had LAS been given the opportunity to have a pretrial conference.

EOIR, too, remains challenging to deal with. Immigration Judges issue Notices of Intent to Take Case off of the Court's Calendar in a random manner, often for cases in which the only avenues of relief being sought are asylum or cancellation of removal for non-permanent residents, which require a trial in court. While being removed from the court's calendar can at times be beneficial, like for clients with long-pending U or T visa applications or a pending I-130 immigrant petition, for others it may be prejudicial and cause unnecessary confusion and delay in scheduling a trial date. Where such

action is not in our clients' interest, our staff must submit written requests in opposition. All of this takes a toll in unnecessary time and effort for our attorneys.

C. Our NYIFUP-Related Work

Providing immigration legal services to those who are detained by ICE is incredibly challenging. As NYIFUP providers, we pioneered a free universal representation model for eligible noncitizens who are detained and facing deportation at the Varick Street Immigration Court in lower Manhattan. However, there has been a seismic shift in the detention of New Yorkers since the inception of NYIFUP in 2014, and more recently since the COVID-19 pandemic; New Yorkers are often being detained outside of New York and there are increasing complex barriers to communicating and representing these individuals.

For the most part, New Yorkers are no longer locally detained. While ICE maintains a contract with the Orange County Correctional Facility (OCCF) in Goshen, New York and does detain New Yorkers there, ICE's New York City Field Office has routinely transferred detained non-citizens outside of New York and often to remote detention facilities several states away from NYC.¹¹ Many of our clients from New York are now being detained at the Moshannon Valley Correctional Center in western Pennsylvania. Also, these detained individuals are no longer being venued at the Varick Street Immigration Court. Those at OCCF are, but New Yorkers detained at Moshannon Valley Correctional Center were initially venued at the Cleveland, Ohio Immigration Court and more recently at the Elizabeth, New Jersey Immigration Court.

¹¹ In July 2022, ICE transferred about 60 detainees from Orange County Correctional Facility (OCCF) in Goshen, New York, to Adams County Correctional Center in Natchez, Mississippi without any notice to the detainees, attorneys, or family members. This happened immediately following numerous emails requesting information from ICE as to whether transfers were imminent; ICE repeatedly denied the rumors of mass transfers until they transferred New Yorkers *en masse*.

NYIFUP attorneys are constantly thwarted in their ability to represent our detained clients. The logistics of meeting and communicating with these clients are utterly insufficient and have only become more difficult as a result of the COVID-19 pandemic and detention of our clients out of state.

1. In Person Visits at the Orange County Correctional Facility (OCCF)

The people we represent have been denied access to in-person, confidential visits throughout the pandemic. The space in the OCCF that is set aside for in-person visits, sometimes referred to as the “glass house,” is a room divided by a glass wall with a phone for communication. There is usually at least one correctional officer within earshot and frequently there are also other detained people meeting with their advocates. This makes it extremely difficult to have confidential conversations about past trauma, fear of gangs, or to dive into the personal details that an attorney must know to properly advise their clients and prepare them for trial. Some of the people we represent understandably refuse to meet with us in person given the confidentiality concerns. Although NYIFUP providers have repeatedly requested access to the existing meeting rooms for private meetings at the facility, OCCF leadership and ICE have consistently denied our requests.

In-person visits have become less reliable since the pandemic, but even when we are able to meet with clients at the facility, there are still significant barriers to our representation. OCCF, for example, can only guarantee that an in-person visit will last for 30 minutes, and generally the in-person visit is limited to an hour and 15 minutes, after which time the attorney is required to leave. Preparing a client to testify in the final hearing that will determine whether they may lawfully remain in this country takes significantly longer than the time allotted by the facility. Such limitations on in-person attorney visits are particularly problematic because the burden of proof lies with the person facing deportation rather than the government, which initiates deportation cases. Unlike criminal proceedings, in which the government must establish a person’s alleged criminal activity beyond a reasonable doubt, here, the person facing permanent exile from the United States bears the burden to successfully challenge their deportation. This requires significant preparation.

In-person visits at OCCF present language access issues when attorneys and clients do not speak a common language. The “glass house” telephones—the only mechanism by which an attorney

and detained person may effectively communicate—make it nearly impossible for attorneys to communicate with their clients when they do not speak the same language. The only way to do so is to bring an interpreter in-person with the attorney; however, attorneys have been restricted in bringing interpreters or other individuals with them on legal visits.

Since the start of the pandemic, in-person visits were often impossible, if not seriously impaired. As a result, we have relied more on remote communication and sometimes must prepare for court proceedings through video conferences and regular mail. Throughout the pandemic, there have been countless hurdles to scheduling these critical video conferences, often severely impeding our ability to speak with clients other than through short confidential phone calls arranged by ICE and subject to Correctional Officers' availability.

Additionally, OCCF officials have unlawfully surveilled attorney-client mail. ICE/ERO Field Office Director Thomas Decker has confirmed that OCCF jail officials open and copy all mail to detained people, including legal mail, citing NYS Commission of Correction Variance # 20-V-24, a variance that has clearly expired and had never allowed for legal mail to be opened and copied.¹²

2. Remote Communication with Detained Clients, Including Those at the Orange County Correctional Facility (OCCF)

Our ability to adequately represent clients is significantly hampered by their detention. For years we have had issues communicating with clients behind bars, but these challenges have only been exacerbated by the COVID-19 pandemic and its aftermath.

Video conference services repeatedly fail, often with technical malfunctions where one party cannot hear the other, or the call fails to connect altogether. Efforts to correct these issues are sometimes resolved by individual officers, but often are not. Sometimes attorneys must wait days to be able to speak with their clients, even with pending trials looming on the horizon. Further, NYIFUP attorneys have at times had to prepare clients for their trial testimony using video technology where

¹² See Memorandum to Commission Members from Brian Callahan (Counsel), New York State Commission of Correction (December 15, 2020), <https://www.criminaljustice.ny.gov/pio/SCOC%20Commission%20Meeting%20Agenda-Final-2020-12-15.pdf>, at pages 50-53 (detailing Variance 20-V-24 as applied to the Orange County Sheriff's Office at the Orange County Jail).

the audio portion was non-functional. Attorneys resorted to using dry-erase boards to communicate messages to their clients visually and to prepare them for their final hearings which would determine whether they would be deported or permitted to remain in this country with loved ones.

At OCCF, the explanations for the inability to schedule video calls have varied, ranging from issues with OCCF's video technology to a lack of staff available to facilitate the call. Officials at OCCF have consistently failed to respond to requests for assistance in restoring a reliable system of communication. ICE has at times allowed for 15-20 minute "legal phone calls," which are appropriate to convey a brief message or a rescheduled court date at most, and woefully insufficient for people preparing testimony for their multi-hour trials, where a judge will determine whether or not they can remain in this country and ultimately their freedom. Developing the necessary attorney-client communication and trust is impossible by 15-20 minute calls. Recently, ICE has stopped facilitating even these brief calls.

Video calls are also extremely difficult to schedule. On any given day, there are only 14 timeslots longer than 25 minutes available for an entire housing unit which can house more than 40 people, and three of those time slots are after 7:00PM. Once a time slot is filled, it is no longer available for anyone in the unit to use. When considering the number of NYIFUP advocates, private attorneys, and other representatives attempting to schedule a call to clients at OCCF, this is clearly insufficient to meet the needs of the demand of representation.

As a result of the limitations on access to counsel, we often must communicate through calls made with new video tablets provided by OCCF. Tablets are often left uncharged or are taken away in retaliation for a perceived infraction or for speaking out against conditions of confinement. Sometimes clients are not informed that communicating with counsel through tablets is an option. Relying on tablets often jeopardizes confidentiality as the people we represent are forced to communicate with us in open spaces where other people are nearby, once again rendering our conversations non-confidential and hindering the free flow of often sensitive information that is necessary for us to provide effective legal representation.

OCCF, and other ICE detention facilities in New York State, have limited detained people's access to representation, making it less likely that they will be prepared for their trials, and thus more

likely that they will be deported. Detention alone, particularly during the pandemic, has become an access to counsel and due process issue by impeding detained people's ability to adequately prepare and gather evidence for their defense. NYIFUP is undermined by this.

There is no justification for the cruelty of detention or limiting someone's due process rights. The excuse that detention is needed to ensure people appear in immigration court is particularly meaningless in places where access to counsel is readily available, as studies show 98% of people released from ICE detention continue to appear for court.¹³ This is one of the many reasons that the NYIFUP coalition supports the Dignity Not Detention Act (S7373/A7099A) and ending ICE detention in New York and nationwide.

3. Challenges in representing those at the Moshannon Valley Processing Center and other remote ICE detention facilities

The transfer to remote detention facilities several states away from New York presents new challenges for NYIFUP, specifically regarding screening and representation of detained New Yorkers. LAS recently obtained data through a Freedom of Information Act (FOIA) request which documents the increasing rate of immigration detention transfers by ICE's New York City Field Office. While we are still in the preliminary stages of digesting the FOIA results and what it means for New Yorkers, LAS knows already that New Yorkers are being denied access to NYIFUP services because they are being detained in remote locations without legal resources like NYIFUP to fight against their deportation.

While NYIFUP has historically been able to obtain lists from the Varick Street Immigration Court with those who are detained and unrepresented, so that we can screen those individuals for NYIFUP representation, we are not afforded this by those detained outside of New York City. The

¹³ Nina Siulc and Noelle Smart, *Fact Sheet: Evidence Shows That Most Immigrants Appear for Immigration Court Hearings*, October 2020, <https://www.vera.org/downloads/publications/immigrant-court-appearance-fact-sheet.pdf> A Vera Institute of Justice Report released in October 2020 found that during the first three years of Vera's Safety and Fairness for Everyone (SAFE) Initiative, which provides free representation through a universal access model in 21 jurisdictions across the country, 98 percent of clients released from custody continued to appear for their scheduled court hearings. Vera's evaluation of NYIFUP similarly found that fewer than 2 percent of clients released on bond had received orders of removal in absentia for failing to appear in court.

Immigration Courts elsewhere place little to no value in finding representation for detained individuals, as they may more quickly issue a removal order without a legal defender fighting against their inhumane detention and deportation. As a result of considerable advocacy and coalition-building with providers near the Moshannon Valley Processing Center, NYIFUP providers now receive regular referrals of individuals who might be eligible for NYIFUP services. These organizations have extremely limited capacity to help anyone in ICE detention and are limited by funding restrictions that allow only for the representation of Pennsylvania residents. Additionally, we have found that we are often sent referrals too late in the process and people have already been ordered removed because they had lost hope of fighting their detention and deportation. As a result, we have started screening all detainees who appear on the Elizabeth Immigration Court detained docket calendars as unrepresented. We reach out to detention staff at Moshannon to arrange back-to-back brief calls so that we are able to screen detainees to determine whether they are eligible for NYIFUP representation.

NYIFUP also receives referrals directly from New York families and loved ones, and we provide representation to the detained individuals involved and who are detained elsewhere. This overall shift to relying on advocates and loved ones for referrals requires more time and effort by LAS staff in finding these detained New Yorkers, which is less staff time that can be devoted to actual legal representation.

While LAS has litigated habeas petitions for individuals detained in remote facilities and obtained favorable rulings and releases for our New York clients, we have two significant obstacles to habeas litigation in certain jurisdictions such as (but not limited to) Mississippi and Western Louisiana: (i) the dearth of local, *pro bono* counsel available to litigate against immigration detention facilities; and (ii) ICE's practice of transferring individuals without notice while habeas petitions were being prepared. However, as most courts have concluded that a habeas petition may only be filed in the district where an individual is confined, it may be difficult or impossible to obtain habeas counsel who is barred in the relevant district court and, even if habeas counsel is secured in a particular jurisdiction, there is no guarantee that such jurisdiction will be the proper venue for filing once the habeas is prepared.

LAS continues to explore and expand the ways in which we challenge custody proceedings. LAS have begun challenging the adequacy and availability of bond proceedings for non-citizen New Yorkers who are transferred outside of the New York region by filing civil complaints under the Administrative Procedure Act (APA) principles.¹⁴ If a detained immigrant is challenging the adequacy of bond procedures in New York Immigration Court, then venue is proper in the Southern District of New York, given that most events will have transpired, and at least one government defendant is based, in that district. *See* 28 U.S.C. § 1391(e)(1) (permitting venue “in any judicial district in which (A) a defendant in the action resides [or] (b) a substantial part of the events or omissions giving rise to the claim occurred”).

D. Our Youth-Related Work

1. Special Immigrant Juvenile Status (SIJS) Representation and Meeting the Immense Needs of New Yorkers

With New York City’s existing immigrant population and those migrants who have more recently arrived, there is a tremendous need immigration legal representation, including with immigrant youth eligible for SIJS and are approaching their 21st birthday when they will age-out of eligibility. Within LAS’ Youth Project alone, we take on at least two emergency SIJS cases every single month, rushing to prepare clients, filings, and constantly pushing for Family Court hearing dates before our clients age-out. All hands must be on deck to deal with these situations and to ensure that these clients can pursue SIJ, while concurrently addressing the social service and mental health needs

¹⁴ Our Immigration Law Unit’s federal litigation team has been at the forefront of immigration detention litigation for several years. With separate private foundation seed funding which has since expired, we have developed litigation materials on the properness of a civil complaint to challenge immigration detention proceedings. It provided technical assistance to a partner organization in *Valez-Chavez v. McHenry*, prepared a complaint and briefing for its own challenge in *L.M.U. v. King*, and obtained an amicus brief from the Constitutional Accountability Center in *L.M.U.* Our own case, *L.M.U.*, mooted out when ICE voluntarily released our client from custody ahead of the government’s reply brief deadline. We recently commenced litigation on this issue in another case, *M.S.G. v. Neal*, Case No. 23-9859-JMF (SDNY), on behalf of a New Yorker who was detained by ICE and transferred between four different ICE facilities, undermining his ability to seek habeas relief. After filing a complaint and motion for a temporary restraining order, the government agreed to provide the relief sought: a new bond hearing in which ICE was required to demonstrate, by clear and convincing evidence, that M.S.G.’s continued detention was necessary.

of these clients with complex trauma histories. This is in addition to our work with existing clients and other new clients who are not in absolute last-minute crisis.

The sheer numbers of youth in need of legal and social work assistance continues to grow. As a result, and partnering with the ICARE coalition, LAS taken a leadership role in developing a pro se model in Family Court for those ultimately seeking Special Immigrant Juvenile status. With this Pro Se Project, LAS and other immigration providers screen and help individuals file pro se papers in Queens Family Court. Additionally, LAS and other providers train 18b panel attorneys, who may be assigned as counsel for these individuals. The court schedules these cases on a specialized docket, with a single judge presiding. After a Special Finding Order is obtained, immigration providers then can proceed with representing the immigrant youth seeking Special Immigrant Juvenile status before relevant federal immigration authorities. This pro se pilot project recently began, but LAS and other providers are hopeful that it can be replicated in other NYC Family Courts and that these processes will create efficiencies in dealing with the enormous need for SIJ representation.

2. The SIJS Backlog and Deferred Action

As previously reported, in March 2022, USCIS announced a new policy that when a SIJS application is approved, the applicant will now be considered for deferred action, making SIJS-approved youth eligible for work authorization as well as hopefully protecting them from removal.¹⁵ However, in December 2022, all countries experienced a “retrogression,” meaning that even SIJS petitioners from non-oversubscribed countries could no longer simultaneously petition for SIJS and adjustment of status, i.e., apply for their green cards. In April 2023, the worldwide retrogression increased even further when USCIS removed El Salvador, Honduras, and Guatemala from their own separate category and lumped all countries together.¹⁶ While SIJS recipients from Guatemala, Honduras, and El Salvador experienced an advance of several months, the rest of the world retrogressed *by years* – to September 2018.

¹⁵ <https://www.uscis.gov/newsroom/alerts/uscis-to-offer-deferred-action-for-special-immigrant-juveniles>.

¹⁶ End SIJS Backlog Practice Alert: April 2023 Visa Bulletin Changes, https://static1.squarespace.com/static/5fe8d735a897d33f7e7054cd/t/649dda1174b3073767a4101e/1688066577565/2023_March-visa-bulletin-changes-alert.pdf.

In practice, this means that SIJS-based adjustments have slowed to a trickle. However, with a grant of deferred action, SIJS-approved youth are now eligible for a work permit that is valid for four years. This is an extremely welcome development to SIJS-approved youth caught in the “backlog,” which includes over 100,000 young people throughout the US, with more than 20,000 in New York State alone.¹⁷

Since its inception, LAS has sat on the steering committee of the End SIJS Backlog Coalition (www.sijsbacklog.com), a group of directly-impacted youth and over 150 allied advocate organizations across the country, working to educate Congress, relevant administrative agencies and the public about the harmful impacts of visa caps on vulnerable immigrant children, and to advocate for an end to the SIJS backlog. In 2023, the Coalition released a new report detailing the drastic increase in youth caught in the SIJS backlog over the last two years and highlights the first-hand stories of SIJS youth.¹⁸ The Coalition also released several Practice Advisories throughout 2023 and engaged in national policy and advocacy aimed at reducing the backlog and the impact of the backlog on SIJS youth through legislative, regulatory and policy changes.¹⁹

3. Status Docket and Challenges in Immigration Court

Until recently, some judges at New York City Immigration Courts would place on the status docket only SIJS cases that were approved but awaiting priority dates to become current; others would place only pending SIJS applications on the status docket, while others refused to place any SIJS-based cases on the status docket. Attorneys in the Youth Project have drafted and circulated on both local and national listservs a template motion for placement of SIJS cases on the status docket, or in the alternative a long continuance, and preserving the issue of whether administrative closure is proper. Fortunately, many ICE attorneys are exercising their renewed prosecutorial discretion authority and

¹⁷ End SIJS Backlog Coalition, “False Hopes: over 100,000 Immigrant Youth Trapped in the SIJS Backlog,” <https://static1.squarespace.com/static/5fe8d735a897d33f7e7054cd/t/656a48a3f02597441a4cbf95/1701464285675/2023-false-hopes-report.pdf>.

¹⁸ Id.

¹⁹ End SIJS Backlog Coalition, Public Comments and Letters, <https://www.sijsbacklog.com/public-comments-letters>.

agreeing to join our motions for placement of cases on the status docket. Usually, when both the government and respondent's counsel join in the request, immigration judges are granting it.

Some immigration court judges and ICE offers had been taking the dumbfounding position that SIJS is not a form of immigration relief if the priority date is not current. This had meant that several SIJS-approved youth who were awaiting priority dates to become current were ordered removed. Happily, on March 7, 2022, USCIS issued guidance allowing such SIJS-approved youth with priority date waits to seek deferred action status, which would make them not removable and would provide them with eligibility for employment authorization.²⁰ This welcome development was long overdue.

4. Challenges in Family Court

While New York City Family Courts have now fully reopened,²¹ and litigants can file petitions, even non-emergency petitions, in person, LAS still encounters challenges with our SIJ clients accessing the courts. The family courts, particularly New York City Family Courts, continue to deal with the repercussions of their inept response to COVID-19. There is delayed docketing of newly filed petitions, with first appearances generally set for several months after filing. As a result, although able to be filed in Family Court, cases are taking longer than ever to reach a final conclusion. This extended wait time impacts both the length of time that SIJS-eligible youth must wait to petition for SIJS and later for permanent residency, as well as increasing the length of time that the case stays active in immigration court, all of which weighs heavily on our young clients. A report by the NYC Bar and the Fund for Modern Courts has detailed the family courts' inept response to COVID-19 as well as the widespread challenges faced by those seeking family court intervention in the midst of COVID-19, and a recent state commission has called for many family court reforms, including the hiring of additional judges.²²

²⁰ <https://www.federalregister.gov/public-inspection/2022-04698/special-immigrant-juvenile-petitions>.

²¹ Remote filing remains available and is an efficient positive outcome of the changes forced by the pandemic.

²² See <https://www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/family-court-covid-19-impact>.

5. Universal Representation for Unaccompanied Minors Bill

LAS previously reported on a proposed bill, sponsored by New York State Assembly Member Andrew Hevesi, to provide free assigned counsel for unaccompanied minors residing in New York State.²³ Immigrant Children Advocates' Relief Effort (ICARE) providers, including LAS, were deeply engaged in shaping an amended version of the bill and supporting its passage. Unfortunately, after COVID, the bill lost steam. However, in response to the bussing of immigrants by border states to New York, the Access to Representation Act (ARA, S81B/A1961A) was proposed, which would establish a right to a government-funded lawyer for people at risk of deportation, not just unaccompanied minors. The legislation would be the first in the nation to create a statewide right to access to counsel for people facing deportation who cannot afford a lawyer. LAS continues to actively support the passage of the ARA.

6. Other Challenges for Unaccompanied Minors and Undocumented Immigrant Youth

There continues to be a dearth of representation for undocumented and unaccompanied youth in New York City's surrounding counties, including Westchester, Nassau, and Suffolk. There is limited funding to provide legal representation to children who are non-NYC residents, and our Youth Project has struggled to assist these populations with existing limited resources. Youth Project staff continue to train and support Family Court assigned counsel panel attorneys in those jurisdictions. In addition, Youth Project staff continue to seek other providers in Long Island and Westchester County to take on some of these cases *pro bono*.

Undocumented and unaccompanied youth face not only formidable legal obstacles, but also significant social service needs. This population is extremely vulnerable, and often suffers from severe trauma from experiences that led them to flee their home countries, troubles they encountered *en route* to the U.S., as well as difficulties in assimilating to new lives and a new culture. These youth are in dire need of social service support to obtain counseling and mental health care as well as access to appropriate educational opportunities. These challenges are exacerbated by the short supply of

²³ New York State Assembly Bill A.7815.

linguistically appropriate and culturally sensitive mental health services. Counseling is often a prerequisite for eliciting cogent, credible testimony about past traumatic experiences in immigration cases. Untreated trauma and mental health issues may impede effective representation. Cultural stigmas about mental health and a lack of Spanish-speaking providers create a scarcity of resources in an area where they are sorely needed for both the children's well-being as well as to assist in legal representation.

E. Our Federal Work

Our federal litigation team engages in impact litigation to obtain protection for broad classes of noncitizens and achieves class action victories that protect thousands of noncitizens from arbitrary and cruel immigration policies. We also undertake litigation for individuals in federal district court and in the circuit courts of appeals to address systemic injustices in our immigration system. We craft innovative legal strategies, secure wins for our individual clients, and establish favorable precedents on emerging legal issues. We amplify our impact by facilitating partnerships and working groups, and we provide technical support to practitioners in New York and across the country.

1. Challenging cruel, unconstitutional, and arbitrary immigration policies under the Administrative Procedure Act and the Due Process Clause

During the Trump Administration, LAS was at the forefront of challenging unlawful immigration policies. In *R.F.M. v. Nielsen*, we partnered with Latham and Walkins LLP to successfully challenge a policy change that threatened to prevent an estimated 6,600 New York resident youths from accessing Special Immigrant Juvenile Status (SIJS), a vital form of immigration relief for undocumented youth.²⁴ In *Make the Road et al. v. Cuccinelli*²⁵ and *Make the Road et al. v. Pompeo*,²⁶ LAS, the Center for Constitutional Rights, and Paul, Weiss, Rifkind, Wharton & Garrison

²⁴ *R.F.M. v. Nielsen*, No. 18-CV-5068, 2019 WL 1219425 (S.D.N.Y. Mar. 15, 2019).

²⁵ Case 1:19-cv-07993-GBD (S.D.N.Y.).

²⁶ Case 1:19-cv-11633-GBD (S.D.N.Y.).

LLP, as well as the National Immigration Law Center on the *Pompeo* case, led litigation and advocacy to stop the public charge rules issued by the U.S. Department of Homeland Security (DHS) and the U.S. Department of State (DOS), which threatened to penalize noncitizens for accessing vital benefit programs. We are carefully monitoring the current debates about potential new anti-immigrant measures, and if there is a change in Administration and shift toward regressive policies in 2025, we stand prepared to fight for immigrants' rights.

2. Challenging unlawful detention

In *Velasco Lopez v. Decker*,²⁷ LAS challenged the prolonged immigration detention of Mr. Velasco Lopez, a young man, and former Deferred Action for Childhood Arrivals (DACA) recipient who entered the United States at the age of six. We prevailed with a landmark decision, in which the Second Circuit held that when the government seeks to detain a noncitizen under 8 U.S.C. § 1226(a) for a prolonged period of time, the government must justify such detention by clear and convincing evidence. This case has significant implications for our ability to secure the release of other noncitizen clients held in detention, which had been constrained by agency policies improperly requiring noncitizens to bear the burden in bond hearings. Our decision was cited extensively by the First Circuit in *Hernandez-Lara v. Lyons*,²⁸ in which that court followed suit.

We have been at the forefront of litigation to enforce compliance with *Velasco Lopez*. ICE has urged courts to construe *Velasco Lopez* narrowly, thereby depriving detained individuals of essential due process guarantees. Through individual habeas actions, we have secured favorable district court decisions rejecting ICE's interpretations. For example, in *O.F.C. v. Decker*²⁹ and *B.S. v. Joyce*,³⁰ LAS obtained district court decisions clarifying that noncitizens need not undertake time-consuming administrative appeals before vindicating their constitutional rights to a fair bond hearing. In *L.M.U.*

²⁷ *Velasco Lopez v. Decker*, 978 F.3d 842 (2d Cir. 2020).

²⁸ *Hernandez-Lara v. Lyons*, 10 F.4th 19 (1st Cir. 2021).

²⁹ Case No. 22-cv-2255-JPC (S.D.N.Y.).

³⁰ Case No. 22-cv-9738-KPC (S.D.N.Y.).

*v. King*³¹ and *M.S.G. v. Neal*,³² we filed civil complaints challenging the Varick Street Immigration Court’s policy of requiring detained individuals to seek habeas relief in federal court prior to receiving the benefits of *Velasco Lopez*. In our first case, ICE responded by releasing our client, L.M.U., after fourteen months of arbitrary immigration detention. In our second case, we secured a stipulation ensuring that our client, M.S.G., obtained a constitutionally adequate bond hearing. Though these cases mooted out, our innovative briefing has been used by other organizations throughout New York and across the country.

Building on our work on securing fair bond hearings, we are currently litigating a challenge to prolonged, mandatory detention in *Keisy G.M. v Decker*,³³ which is pending before the Second Circuit. Keisy G.M., a current NYIFUP client, is a longtime permanent resident from the Bronx who cared for his mother and young children, and who was an essential worker for a medical linens supplier during the pandemic. ICE detained Keisy G.M. without notice early one morning in 2020 and locked him up in county jails for over a year and a half. The government refused to provide him a simple bond hearing, even though ICE eventually conceded that he is not dangerous and does not present a risk of flight. In this litigation, we hope to secure a rule that will prevent ICE from subjecting individuals like Keisy G.M. to such prolonged, arbitrary detention.

An unfortunate reality we face is that the U.S. Supreme Court is increasingly hostile to immigrants’ rights. The Supreme Court has limited immigrants’ access to the courts through traditional impact litigation vehicles, including class actions to challenge unlawful detention and deportation practices. The Supreme Court also has rejected statutory arguments that previously yielded uniform safeguards against arbitrary detention. As a result, individual habeas petitions that squarely address the constitutional limits of ICE’s detention power are the primary check on ICE’s arbitrary detention practices.

For example, the Supreme Court’s recent decision in *Johnson v. Guzman Chavez*, 594 U.S. 523 (2021), held that individuals seeking protection from persecution and torture in “withholding

³¹ Case No. 21-cv-3978-PGG (S.D.N.Y.).

³² Case No. 23-cv-9859-JMF (S.D.N.Y.).

³³ Case No. 22-70 (2d Cir.).

only” proceedings are not statutorily entitled to bond hearings. Following that decision, LAS has litigated constitutional challenges to the prolonged detention of individuals in withholding-only proceedings without adequate review. We filed two of the first cases on this issue in the Southern District of New York, *E.C.L. v. Decker*³⁴ and *N.G.O. v. Decker*,³⁵ and secured release for both of our clients. We shared our briefing with other organizations and contributed to an amicus brief on the rights of “withholding only” detainees to bond hearings in the Fourth Circuit.

3. Securing access to the courts in an age of immigration transfers

As previously noted, ICE routinely transfers immigrant New Yorkers to local jails in the southeastern United States and federal detention centers in Western Pennsylvania and the Buffalo region of upstate New York. These detained noncitizens are hundreds of miles from their communities, their counsel, and the courts. All of the challenges of litigating one’s immigration case from detention are intensified by this distance. A host of new challenges arise as detainees in these remote jurisdictions face less favorable courts and caselaw.

An emerging challenge during this era of transfers is how to ensure that detained immigrants have access to non-immigration state court proceedings, such as pending criminal cases, family court proceedings, and other matters. For example, ICE detained a NYIFUP client and longtime lawful permanent resident and longtime resident of Queens, at Adams County Correctional Center in Mississippi based on a single misdemeanor conviction. A judge in Queens County granted a hearing under New York Procedural Law § 440 on whether to vacate that conviction. ICE refused, however, to bring our client back to New York for that hearing. In response, we filed a petition for writ of habeas *ad testificandum* in federal district court in the EDNY in February, asking for an order requiring ICE to produce our client in-person to his 440 hearing. After briefing and oral argument, the district court judge granted our motion, requiring ICE to produce our client to Queens Supreme Court from Mississippi. After the hearing, we shared the order and briefing with other advocates, and we continue to provide technical assistance on the issue.

³⁴ Case No. 21-cv-8741-PKC (S.D.N.Y.).

³⁵ Case No. 22-cv-3429-ALC (S.D.N.Y.) (motion for abbreviation of name filed).

ICE also frequently executes the removal orders of detained individuals mere hours or days after the Board of Immigration Appeals (Board or BIA) issues its final decision in a case. While this has been a longstanding ICE practice, its consequences can be particularly dire where a detained individual has been transferred far from their home, their counsel, and the courts. For detained individuals – especially those in remote locations – it is often impossible to review a Board decision, file a petition for review with a federal court of appeals, and obtain a judicial stay on such an expedited time frame. We conferred with stakeholders throughout the country about advocacy on this issue. On August 29, 2023, joined by over 30 other immigrants’ rights organizations, we submitted an advocacy letter to ICE and DOJ urging the federal government to implement an automatic 30-day stay following the issuance of a Board decision.³⁶

As ICE has ramped up its practice of transferring New Yorkers across the country without notice, LAS has been a leader in ensuring that detained individuals retain the ability to seek review of their removal orders in the appropriate courts of appeals. LAS served as lead counsel in two Second Circuit petitions, filed by New Yorkers, in which the Attorney General sought to change venue to other circuit courts based on ICE’s unilateral transfers of those individuals. We developed and shared briefs opposing such transfers, and we prevented improper changes of venue in both of our cases. We also co-authored two amicus briefs that detailed the ways in which the government’s position on venue undermined fairness and was unworkable.

4. Challenging unjust removal

We regularly undertake litigation challenging the government’s increasingly over-broad interpretations of deportation statutes. In the last two years, we have litigated several cases where immigration officials have classified minor criminal convictions as deportable offenses and have secured stipulated remands to the agency for further adjudication. We recently brought a petition for

³⁶ Fisayo Okare, ICE is Violating Immigrants’ Rights to Due Process, Legal Advocates Say (Aug. 30, 2023), <https://documentedny.com/2023/08/30/ice-legal-aid-immigrants-detention-transfers/>.

review, *E.M.O. v. Garland*, challenging the agency's denial of asylum benefits based on cognitive disability, and secured a stipulated remand to the Board of Immigration Appeals to consider the case.³⁷

We were successful in stopping the imminent and unjust deportation of Julio Patricio Gomez Ortiz, a single father who was arrested by ICE in October 2022. Although Mr. Gomez Ortiz is a long-time resident of Staten Island, ICE detained him at the Moshannon Valley Processing Center in Pennsylvania, far from his home and community. Most tragically, Mr. Gomez Ortiz's detention left his six-year-old daughter without her primary caretaker. Relatives and friends described Mr. Gomez Ortiz as "fulfill[ing] the roles of both mother and father" for her and "the person doing absolutely everything for her." Mr. Gomez Ortiz works in construction and, after finishing work at 3:30 p.m., he would pick his daughter up; make her dinner; spend the evening with her; then put her to bed. On weekends, the two took day trips around the New York-New Jersey area, from amusement parks to apple picking, and had side-by-side chairs on the sidelines of a soccer team that Mr. Gomez Ortiz coached. After he was detained, Make the Road began representing Mr. Gomez Ortiz in his removal case. ICE swiftly moved to deport him. LAS joined his legal team in order to challenge his detention and deportation through a habeas corpus petition in federal court in the Western District of Pennsylvania. After receiving notice in December 2022 that Mr. Gomez Ortiz's deportation was scheduled for January 2, 2023, and facing the prospect that he would be permanently separated from his young daughter, we worked over the holidays to prepare an emergency temporary restraining order, requesting that the district court stop his deportation. At the emergency conference, the judge granted the request on the spot, and temporarily prohibited ICE from deporting Mr. Gomez Ortiz. ICE released him shortly thereafter, allowing him to reunite with his young daughter in Staten Island, where he continues to fight his immigration case.

Our Second Circuit docket includes several cases that seek to ensure that individuals who face torture in their home countries are not unfairly denied protection under the Convention Against Torture. In *M.A. v. Garland*, we prevailed before the Second Circuit, which agreed that the immigration judge and Board of Immigration Appeals had erred in its analysis of our client's torture

³⁷ Case No. 21-6108 (2d Cir.) (motion for abbreviation of name filed).

claim. In partnership with Skadden Arps and several legal services organizations, we submitted an amicus brief in *Garcia-Aranda v. Garland*, and identified a host of recurring errors in the Board of Immigration Appeals' analysis of torture claims. The Second Circuit issued an important, precedential decision in *Garcia-Aranda*, clarifying that the agency had been construing Convention Against Torture requirements too narrowly. LAS has also been on the forefront of efforts to ensure that individuals seeking protection from persecution and torture have access to the federal courts of appeals, even if they were previously ordered removed and have been placed in "withholding-only" proceedings. We have led and contributed to amicus briefing in the Second and Fourth Circuits on this issue, and have developed model briefing to advocate for judicial review in individual cases.

We believe that our impact is greatest when we work in partnership with others. LAS co-facilitates the Second Circuit working group, which focuses on removal defense issues in the Second Circuit, and the New York-New Jersey-Pennsylvania habeas working group, which explores creative litigation to fight immigration detention. Each of these working groups operates a lively listserv and, on a quarterly basis, convenes practitioners from dozens of organizations and law firms litigating federal immigration cases in federal district court and the courts of appeals. Through these working groups, we touch the immigration and federal court cases of thousands of noncitizens who are not LAS clients.

F. Our Immigration Opportunities Initiative-related Work

As noted above, the constant demand for immigration legal representation is staggering. Our IOI staff struggle with high caseloads that demand hundreds of hours of their attention and diligence. In anticipation of a Request for Proposals for this work, LAS would like to highlight the key recommendations from our concept paper with other immigration legal service providers that was submitted last year to the Department of Social Services and the Human Resources Administration:

- Resource IOI at a level that recognizes increased needs, costs, and the requirements of funding fairness. Contracted legal service providers must be able to meet increased needs, while paying

all staff a livable wage at levels competitive with government legal staff that enables our programs to attract and retain staff.

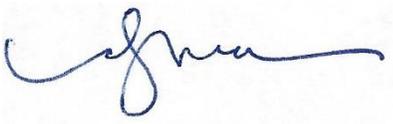
- Include a meaningful proportion of legal funding that is not tied to case deliverables, or increase case rates to encompass the full cost of the program. If providers can adequately fund supervision, social work services, language services, and administrative support that allow attorneys to focus on work they are uniquely qualified to do, they will be able to provide services more strategically and improve attorney retention.
- Provide robust funding for community outreach and education. Community partnerships lead to more wide-reaching and effective service provision.
- Credit pro se assistance and pro bono supervision, while continuing to prioritize full legal representation. Meeting the overwhelming need for services will require us to use all tools at our disposal. However, pro se assistance is not a substitute for full legal representation.
- Adjust units of service allocations to adequately credit work that has been underfunded.
- Limit the number of weekly referrals from ActionNYC and other city agencies or programs. And, if there is no system for triaging these referrals, IOI providers should be able to prioritize them for both intake and representation as they deem necessary.
- DSS-OCJ must baseline the Low-Wage Worker Support initiative as part of the next iteration of IOI.

We are providing a copy of this IOI concept paper as an addendum to this written testimony.

G. Conclusion

We thank the City Council for its generous support of immigration legal services, which allow us to serve some of the most vulnerable New Yorkers.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Deborah Lee", written in a cursive style.

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

Immigrant Opportunity Initiative | Reflections and Recommendations

Concept paper submitted by:
Citywide Immigrant Legal Empowerment Collaborative (CILEC)
The Legal Aid Society
Legal Services NYC
New York Legal Assistance Group (NYLAG)

Introduction

Immigrant Opportunities Initiative (IOI) funding represents New York City’s commitment to helping the City’s low-income immigrant communities thrive. By ensuring that low-income immigrant New Yorkers have access to essential immigration and employment legal services, the City has enabled individuals to gain increased stability and greater economic empowerment opportunities, thus augmenting the resilience of immigrant families and communities, and strengthening the economic and social fabric of New York City.

As the current IOI provider contracts come to an end, the Department of Social Services’ Office of Civil Justice (DSS-OCJ) and program stakeholders are evaluating the model, contract structure, and funding to ensure alignment with the goals of IOI in the upcoming request for proposals for contracts starting in Fiscal Year 2025. Based on our years of experience implementing the IOI program, close relationships with our client communities, and deep understanding of the issues they face, the IOI Providers have prepared this concept paper to highlight the program’s successes over the past seven years, analyze challenges, and propose recommendations to improve the program.

Key recommendations:

- **Resource IOI at a level that recognizes increased needs, costs and the requirements of funding fairness.** Contracted legal service providers must be able to meet increased needs, while paying staff at parity with the City Law Department and District Attorney offices.
- **Include a meaningful proportion of legal funding that is not tied to case deliverables, or increase case rates to encompass the full cost of the program.** If providers can adequately fund supervision, and language services and administrative support that allow attorneys to focus on work they are uniquely qualified to do, they will be able to provide services more strategically and improve attorney retention.

- **Provide robust funding for community outreach and education.** Community partnerships lead to more wide-reaching and effective service provision.
- **Credit *pro se* assistance and pro bono supervision, while continuing to prioritize full legal representation.** Meeting the overwhelming need for services will require us to use all tools at our disposal. However, *pro se* assistance is not a substitute for full legal representation.
- **Adjust units of service allocations to adequately credit work that has been underfunded.**
- **Limit the number of weekly referrals from ActionNYC and other city agencies or programs.** And, if there is no system for triaging these referrals, IOI providers should be able to prioritize them for both intake and representation as they deem necessary.
- **DSS-OCJ must baseline the Low-Wage Worker Support initiative as part of the next iteration of IOI.**

Background

The current Immigrant Opportunities Initiative (IOI) contract was launched in 2016, as New York City sought to ensure that low-income New Yorkers could access free, high-quality immigration and employment legal services. It was designed to build and strengthen partnerships between community-based organizations (CBOs) and legal service agencies, in order to help low-income immigrant New Yorkers gain or maintain immigration status, move towards citizenship, and enforce their rights in the workplace.

Beyond helping individuals gain increased stability and greater economic empowerment opportunities, the IOI program was designed to strengthen immigrant families and communities and to address poverty and inequality, by increasing access to justice. To this end, it has funded a wide range of services, so providers would have flexibility to address the dynamic legal needs of NYC's immigrant communities. However, the primary aim of IOI was to ensure that more immigrants would have access to full legal representation, including in complex immigration matters and removal proceedings.

Through our IOI work, the Citywide Immigrant Legal Empowerment Collaborative (CILEC), The Legal Aid Society, Legal Services NYC, and New York Legal Assistance Group (NYLAG) have helped thousands of immigrant New Yorkers obtain and/or secure their immigration status, avoid deportation, and fight back against unfair labor practices and exploitation. This work strengthens the social fabric of our city, and benefits all New Yorkers.

The Immigrant Opportunities Initiative (IOI) has successfully met the needs of thousands of New Yorkers by providing access to essential immigration and employment legal services

Immigrants comprise 37.2 percent of the city’s population and 44.2 percent of the labor force.¹ Nevertheless, the median household income of immigrant New Yorkers is significantly lower than that of their U.S.-born counterparts.² As a result, reliable private legal services are often financially out of reach for immigrant New Yorkers. This can be an insurmountable barrier for those seeking to stabilize their immigration status (often a prerequisite for obtaining better employment opportunities), to receive protection from deportation, to enforce their rights in the workplace, or to reunite with family members they have been supporting abroad.

IOI has enabled thousands of New Yorkers to obtain essential immigration and employment legal services. Through full legal representation and skilled legal advice and counsel, IOI providers have helped these New Yorkers:

- avoid deportation;
- protect their due process and other legal rights in Immigration Court proceedings and before federal immigration authorities;
- become naturalized United States citizens;
- gain or maintain their lawful permanent residency;
- secure asylum and related humanitarian immigration statuses;
- find safety and permanency as Special Immigrant Juveniles;
- achieve self-sufficiency for foreign-born survivors of domestic violence and trafficking;
- obtain temporary protection to remain in the United States through Deferred Action for Childhood Arrivals (DACA), Temporary Protected Status (TPS), the parole process for Ukrainians, Nicaraguans, Venezuelans, Haitians, and Cubans, and other temporary humanitarian-based immigration statuses;
- obtain lawful employment authorization;
- reunite with family members from abroad;
- recoup stolen wages owed to them;
- obtain counsel for wide range of work-related injuries;
- access local, state and federal sick and family leave and other workers’ benefits they were entitled to;
- alert appropriate agencies and entities of unsafe, unhealthy and hazardous work conditions;
- identify circumstances of labor trafficking and receive appropriate employment and immigration services;
- fight back against systemic workplace violations in immigrant communities, including misclassification of large numbers of employees, and discrimination on the basis of immigration status and other protected categories;

¹ The Mayor’s Office of Economic Opportunity, *An Economic Profile of Immigrants in New York City 2017* (2020), at 11-12, available at: <https://www.nyc.gov/assets/opportunity/pdf/immigrant-poverty-report-2017.pdf>.

² *Id.*

- receive legal support and protections for whistleblower actions, as well as collective organizing and bargaining; and
- obtain compensation for the violation of their workplace rights.

Meanwhile, IOI’s investment in trusted CBOs has made these legal services more accessible and effective. These organizations have reached countless New Yorkers by:

- conducting outreach and community education that brought information to linguistically and otherwise marginalized populations about their rights as immigrants and workers, and about services available to help them enforce those rights;
- helping immigrant workers advocate with employers and labor agencies, to recoup stolen wages;
- giving individual immigrants tailored referrals to legal services organization;
- hosting legal clinics that bring legal services to immigrants in their own communities;
- providing language and case support to immigrants who needed help communicating with their legal advocates, or gathering documents for their legal cases;
- organizing groups of immigrants facing harassment by employers and landlords, and connecting them with attorneys who were able to bring employment and U-visa cases on behalf of those groups;
- guiding the policy advocacy pursued by CBOs and legal service providers with local, state and federal legislatures and agencies, to help those agencies better protect the rights of immigrant New Yorkers—leading to, for example, general contractor liability for unpaid wages; and
- advocating with those agencies, alongside legal services providers, to make legal benefits available to more people—for example, advocating with NYSDOL to create and then expand eligibility to receive Statement of Interest letters that would qualify workers for deferred action—thus increasing trust in those agencies and helping them function better.

The IOI contract also has served as a framework that encourages providers across the City to communicate with each other, providing a foundation for collaboration, coordination and advocacy.

Challenges faced by IOI providers over the life of the contract

Despite IOI’s success as a whole, in anticipation of the upcoming solicitation, it is critical to consider recent challenges that providers have faced.

Funding stagnation

Providers across the board were impacted by the 2021-22 wave of resignations across myriad industries. Yet, stagnant funding has made it extremely difficult to raise wages sufficiently to keep and attract experienced workers in the face of rising costs of living. Funding has not kept up with the salary needs for our staff and rising costs of rent, insurance premiums, office materials,

etc. While Social Security beneficiaries will receive an 8.7% COLA (cost of living adjustment) increase for 2023, and New York City has the fourth highest cost of living of any city in the county, there has been no associated COLA increase under the IOI contract, nor an increase in case rates.

Increased complexity of immigration representation, and its impact on caseloads and staff retention

Over the last seven years, immigration cases have become more demanding, procedurally and substantively. The joint impact of the Trump Administration and the COVID-19 pandemic on immigration practice was extreme, and many veteran immigration attorneys experienced burnout and left the field. The aftereffects of those volatile years continue to be felt both in Immigration Court practice, and before USCIS. As a result, retention and hiring continue to pose major challenges for IOI providers, and we are stretched thin in providing case coverage during staff vacancies. We are also deeply concerned about our staff's workloads and secondary trauma.

Devastating Trump era policies continue to impact workloads and case complexity.

The Trump Administration implemented countless policies at an astonishing speed all designed to make it harder for immigrants to gain permanent status and protection from deportation. USCIS began referring people to removal proceedings if their affirmative applications were denied, and unilaterally restricted eligibility for SIJS relief. Later, the Trump administration overhauled asylum processes at the U.S.-Mexico border and introduced restrictions on asylum eligibility. It also announced new public charge regulations that would bar poor immigrants from lawful permanent residence. Meanwhile, the Department of Justice almost eliminated Immigration Judges' ability to control their dockets, by curtailing their authority to administratively close cases, grant continuances and terminate removal proceedings. At the same time, the Department of Homeland Security began re-calendar cases that had been administratively closed—sometimes for years.

These changes caused new administrative and legal hurdles for immigration cases, made it incredibly difficult for attorneys to counsel clients, and increased case lifespans dramatically. Trump-era policies also led to increased denial rates in immigration courts and the increased need to file appeals before the Board of Immigration Appeals. While some immigration policies have been reversed following Biden's election, immigration legal cases remain extremely challenging and case lifespans continue to persist for many years longer than anyone would have anticipated at IOI's inception. Further, the almost ever-present need to re-assess legal strategy for cases over the past several years placed an incredible burden on staff and led to premature burnout and resignations.

The Immigration Court's mishandling of COVID-19 closures and post-COVID scheduling has placed unnecessary burdens on advocates.

The impact of COVID-19 on the immigration system exacerbated the strains described above. Starting in March 2020, the New York Immigration Courts repeatedly suspended hearings in weeks-long increments throughout 2020 and into 2021, without ever tolling deadlines. As a

result, immigration attorneys were required to prepare motions and submissions with clients, meet all court filing deadlines, and prepare for trials—despite offices not yet being equipped for hybrid work, and all while trying to protect themselves, their loved ones, and their clients from exposure to COVID-19. When, after the submission deadlines, trials were rescheduled for months later, attorneys knew they would have to redo a substantial amount of the preparation they had struggled to complete under adverse circumstances. This demoralizing and stressful pattern continued for over a year, and has led to resignations, difficulty hiring and—consequently—additional work for remaining staff who have to take on wave after wave of transferred cases, requiring them to disentangle case histories, reassess case strategies and build relationships with clients whose prior relationship(s) with their attorney(s) came to an unexpected end.

Currently, despite the addition of new immigration courts and specialized dockets in NYC, the New York Immigration Court backlog has more than doubled since 2016, and the average time cases are pending rose from less than two years to over three years.³ Meanwhile, Immigration Court scheduling is nothing short of chaotic, with cases disappearing from the calendar only to be set for trial on short notice, whereas scheduled trials are often canceled last minute (after the submission deadlines) and rescheduled for the following year. Moreover, despite the transition to a hybrid virtual and in-person court system, none of the NYC Immigration Courts provide reliable information about how to communicate with court clerks and legal assistants, forcing attorneys to waste undue time confirming whether an individual Immigration Judge is holding hearings in person or virtually, and whether submissions have been received or ruled upon, etc.

Immigration Courts’ attempts to improve “efficiency” to reduce the backlog interfere with due process and increase the work required for many cases.

In 2021, the Immigration Court began to partially implement a new case management system designed to reduce the frequency of court appearances and increase the use of motion practice. In fact, this system makes it more onerous for attorneys to handle logistical matters with the court, and limits attorneys’ opportunities to advocate for their clients at critical junctures in the case, including the pleadings stage, when immigrants may contest the government’s allegations and charges. The new system has also produced numerous orders to submit evidentiary submissions (which can run hundreds of pages) and legal arguments within mere weeks of the issuance of the order, in cases where no upcoming hearing is scheduled—where attorneys had no reasonable expectation of an imminent submission deadline. Moreover, given ever-growing backlogs, legal arguments may be outdated and evidence is likely to grow stale by the time these trials are calendared. Thus, this system often compels our staff to duplicate their work.

In another attempt to improve efficiency, the Immigration Courts have begun removing cases from the calendar, without any consultation to determine if it is appropriate to do so. Not only does this cause confusion, where such action is prejudicial to our clients, staff must submit written requests in opposition to—another unnecessary burden. Relatedly, while the Department of Homeland Security (DHS) has resumed its exercise of prosecutorial discretion to the benefit of some of our clients, they are doing so randomly and without consistency. In many cases, staff

³ TRAC Immigration, https://trac.syr.edu/phptools/immigration/court_backlog.

prepare written requests for prosecutorial discretion with voluminous evidence, only for DHS to ignore the requests until the day of trial—when staff have already prepared to go forward. In other cases, DHS files unilateral motions to dismiss pending cases for clients who wish to proceed to a full trial, requiring additional advocacy by our staff simply to protect our clients’ right to have their day in court.

Vastly increased lifespan of affirmative and defensive cases leads to increased caseloads and reduced supervision.

While Immigration Court cases now last for over 50% longer than in 2016,⁴ affirmative cases before USCIS are also pending for unreasonably long times. For example, work permit renewals for asylum seekers are taking more than one year to adjudicate, while most asylum seekers who are not in removal proceedings are waiting indefinitely for an interview.⁵ U-visa and consular processing wait times are hard to estimate, but have increased exponentially since 2016, and SIJS backlogs—which did not exist before 2016—are up to five years for Central Americans.⁶

As a result, immigration legal service providers have to keep cases open for years—during which time relevant facts or life circumstances of a client may change, requiring additional, unanticipated work—while the need for new representation has expanded to unprecedented levels. So, immigration attorneys face ever-increasing caseloads at a time when it is exceedingly difficult to hire experienced staff, and resources are diverted from supervision to casework, even though the need for supervision is greater than ever.

Overwhelming demand for services, without effective triage or prioritization

In 2022, when most legal service providers were already stretched beyond capacity, states like Texas began unilaterally transporting tens of thousands of immigrants, almost all in removal proceedings, to New York City. Many or most of these immigrants arrived without community ties to the City. Despite the pre-existing strains, legal service providers joined the City and community organizations mobilizing to meet the needs of this population.

This mobilization has included efforts to expand access to information and *pro se* support for people in removal proceedings. Such efforts have been important in helping people change their address and the venue of their removal proceedings to avoid *in absentia* removal orders. They have also enabled many asylum seekers to meet their one-year filing deadline.

Nevertheless, *pro se* assistance services are no substitute for the benefit afforded by full legal representation. Asylum seekers are five times more likely to be granted asylum in Immigration Court when represented.⁷ Immigration court procedure remains complicated, and asylum law in particular continues to be one of the most challenging areas of immigration law to navigate. It is

⁴ *Id.*

⁵ USCIS, <https://egov.uscis.gov/processing-times>.

⁶ Visa Bulletin for April 2023,

<https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin/2023/visa-bulletin-for-april-2023.html>.

⁷ Trac Immigration, <https://trac.syr.edu/immigration/reports/491>.

no surprise, then, that individuals who receive *pro se* support in filing their asylum application go on to seek legal representation for the adjudication of those applications.

In this way, while recently arrived asylum seekers may have distinct needs in their first months in New York City, they ultimately have the same needs that IOI was originally designed to meet. What has changed is the volume of those needs, and both immigration and employment providers have had to stretch resources to what sometimes feels like a breaking point, as we strive to serve more people—including those who reach our offices directly, as well as those who are referred by ActionNYC and City agencies. Providing services in such volume, there is little remaining capacity to coordinate and create systems that could lead to more efficient service provision and/or effective prioritization as we triage.

Increased complexity and volume of employment representation

Recent legislation and guidelines have created new, additional claims and benefits available to workers.

Since 2016, there have been numerous changes in employment laws that expand the reach and level of protections for New York City workers, including the extension of statutes of limitations for some laws. These include but are not limited to:

- 2018 Stop Sexual Harassment in NYC Act, which increased the time period to file a claim with the New York City Commission on Human Rights for gender-based harassment to three years, and expanded coverage to all places of employment, irrespective of the number of employees;
- 2018 New York City Earned Safe and Sick Time Act and subsequent 2020 amendments, which expanded the 2014 Earned Sick Time Act;
- 2019 amendments to the New York State Human Rights Laws, which eliminated the requirement to show harassment is “severe or pervasive,” increased the time period to file a claim with the New York State Division of Human Rights for sexual harassment to three years, expanded coverage to all places of employment irrespective of the number of employees, and created protections for domestic workers from all types of discriminatory harassment.
- 2019 and 2021 amendments to the New York Labor Law (“NYLL”) anti-retaliation provisions, to protect workers from employers threats to make reports to immigration authorities, and to protect workers who take legally protected time off;
- 2021 amendments to the New York City and New York State Human Rights Laws to make explicit that domestic workers are fully covered and protected under those laws;
- 2021 amendments to the NYLL to hold construction contractors liable for claims under the NYLL made against their subcontractors, including unpaid wages, benefits and wage supplements;
- 2022 federal Pregnant Workers Fairness Act and Pump Act, which mandate reasonable accommodations to pregnant and postpartum workers and require millions more workers to provide the time and space to pump breastmilk;
- New federal, state and local COVID-19 related laws and regulations.

As a result of these new protections for workers and expansion of coverage, employment claims have become increasingly complex and time-intensive, often requiring analysis of multiple claims and fact patterns for each worker. Thus, the number of employment cases has increased, and the complexity of individual cases has also increased—while the arrival of tens of thousands of migrants in NYC over the past year creates a growing population of low-wage workers who will need employment-related legal services.

Further, under new federal guidelines, workers who participate in labor investigations are now eligible for deferred action, and a significant percentage of our clients will be eligible for this program. IOI-funded legal service providers and CBOs have already advocated with local labor agencies to develop processes to request the documentation needed for a deferred action application; we anticipate additional advocacy will be required as the need arises to appeal adverse decisions. Looking forward, both employment and immigration attorneys will be called on to help clients benefit from these new guidelines. Where our clients have filed claims against a workplace for labor violations, employment attorneys will be requesting from labor agencies Statement of Interest letters identifying those workplaces as under investigation. Immigration attorneys, meanwhile, will need to screen and advise deferred-action eligible workers, and prepare applications on their behalf. We are already seeing a tremendous demand for these services and anticipate a growing volume of need.

Increased labor violations and backlogs dating from the height of the COVID-19 pandemic continue to impact casework and caseloads.

The pandemic severely and uniquely impacted immigrant workers in New York City, in part due to fear of accessing services and benefits.⁸ At the height of the pandemic, immigrant workers in New York City disproportionately served in essential worker positions and experienced an increase in labor exploitation, including denial of sick leave, unsafe working conditions, increased retaliation, and loss in wages—all while facing reduced availability of benefits and disproportionate hospitalization and death. To respond to this crisis, IOI employment providers had to navigate a complicated and interwoven federal, state and local benefit scheme that offered extremely limited assistance, if any, to immigrant workers and their families. This crisis also depleted the resources of pivotal labor agencies, including the NYS Department of Labor and the New York City Human Rights Commission, leading to prolonged case times that persist to this day. As a result, employment providers must engage in additional advocacy with agencies to get cases adjudicated. And, like immigration providers, employment providers must keep cases open and have ongoing contact with existing clients whose cases are pending, while continuously taking on new cases. Further, the ongoing state of economic crisis for immigrant workers creates additional work for providers, as they continue to help immigrant workers navigate complex and inconsistent benefits schemes.

⁸ Center for Migration Studies, “Immigrants’ Use of New York City Programs, Services, and Benefits: Examining the Impact of Fear and Other Barriers to Access,” at 41-45, available at: <https://cmsny.org/wp-content/uploads/2022/02/Immigrants-Use-of-New-York-City-Programs-Services-and-Benefits-CMS-Report-013122-FINAL.pdf>

Unreliable funding for employment-related legal services at a time of increased need

In recognition of the importance of protecting the workplace rights of low-wage immigrant workers in New York City, a \$2 million annual amendment called the Low-Wage Worker Initiative (LWWI) was added to the IOI contract starting in 2018. LWWI was dedicated exclusively to employment-related legal services and community education on workplace rights. With wage theft reaching \$1 billion annually in NYC and disproportionately impacting immigrant workers,⁹ this funding helped meet a crucial need of IOI's target population.

LWWI was incredibly successful: it consistently vindicated workers' rights and achieved settlements and judgements in favor of low-wage workers that totaled more than the City was investing in the program. Yet, despite its demonstrated effectiveness and the fact that employment cases often span multiple years, the renewal of LWWI was consistently uncertain, creating a barrier to continuity of services. Then, in July 2022, the Administration stopped funding LWWI.

Over the past year, these services became more necessary than ever for the City, as more workers return to work post-COVID and thousands of newly arrived immigrants in temporary shelter seek work that will allow them to support themselves and find stability. Fortunately, the City Council stepped in to save these services in the short-term, under the umbrella of their Low-Wage Worker Support initiative.

In the long term, however, this work requires baselined funding. Critical work that spans multiple years cannot rely on funding that may disappear from one year to the next. Providers must be able to guarantee clients continuity of service, and cannot waste much-needed resources on securing funding every year. Further, even if the City Council were able to guarantee renewals from one year to the next, contract management challenges associated with discretionary grants interfere with cashflow and, therefore, continuity of service.

Recommendations

1. Resource IOI at a level that recognizes increased costs and the need for funding fairness.

Adequate funding will require a recognition of increased costs over the life of a contract, so that providers can continue to hire enough staff, with adequate experience and/or supervision, to meet the increased demand for legal services. There must be sufficient funding for contracted legal service providers to pay their staff at all salary steps, at a minimum at parity with staff at the City Law Department and District Attorney offices—including but not limited to annual COLA increases, as well as case rate increases in the first year to make up for the years without any such increase. These increases are necessary for us to be able to retain and hire the staff needed to perform high-quality, impactful work.

⁹ Center for Popular Democracy, *By A Thousand Cuts: The Complex Face of Wage Theft in New York* (November 2015).

2. Provide flexible funding that is not all tied to case deliverables or increase case rates to encompass the full cost of the program, to support attorney retention and essential community partnerships

The challenges of the last seven years have highlighted the importance of being able to shift resources to meet needs that can change rapidly and dramatically. The Department of Social Services' Office of Civil Justice (DSS-OCJ) has recognized this by using primarily Units of Service (rather than tier-based service deliverables) to measure performance. DSS-OCJ could further support providers' ability to respond to the dynamic needs of NYC's immigrants by providing funding that is not all tied to case deliverables, or increasing case rates to encompass the full cost of the program, including attorney retention and community partnerships. We also request allowing additional services to be charged to the contract, including supervision of pro bono counsel in more than two matters annually, and pro se assistance that goes beyond the level of brief service.

Adequate supervision, efficient use of attorney time, and strategic service delivery will lead to greater attorney retention

With supervisors carrying full caseloads, they are often unable to provide adequate supervision to newer attorneys. Moreover, as turnover results in staff promotions to supervisor positions, there is no capacity to train them appropriately for their new roles. Meanwhile, all legal staff spend a significant proportion of their working hours on translation and interpretation, and on complying with the relatively onerous reporting requirements for the IOI contract, making overwhelming caseloads even less manageable. This has made it difficult for providers to pivot to respond to emergent needs, or to experiment with how to deliver services better in a changing context.

Including a meaningful proportion of legal funding that is not tied to case deliverables will allow providers to adequately fund supervision, as well as language services and administrative support that will allow attorneys to focus on the work they are uniquely qualified to do. It would also create breathing room to strategically pivot resources as necessary. (Simplifying the reporting requirements for IOI cases—for example, by requiring less detailed DHCI and other client information—would be another way to ease the administrative burden on legal workers.)

Community partnerships lead to more wide-reaching and effective service provision

Simultaneous funding for community-based organizations to engage in education, outreach and advocacy in tandem with legal providers is also necessary. These partnerships create opportunities to deliver services in a way that can be adaptive to context, that reinforces community connections, and that builds distribution networks for information that is widely relevant to particular communities. Collaboration with CBOs also allows program services to reach a wide and diverse population, including linguistically marginalized immigrants, and makes holistic legal support more accessible, by creating access points at known community centers. Further, in some cases—especially wage theft cases—CBOs are able to help workers successfully advocate for themselves without the need for attorney involvement.

3. Prioritize funding for full representation in immigration matters

To fulfill its mission of helping immigrant New Yorkers gain increased stability and greater economic empowerment opportunities, IOI must retain its central focus on providing access to high-quality, full legal representation in complex immigration matters. While *pro se* assistance can help immigrants facing removal meet critical deadlines and navigate the initial stages of the immigration court process, there is a huge and growing need for full representation. The complexities of asylum law and the procedural confusion, administrative errors, and chaotic scheduling of the New York Immigration Courts will make it impossible for many people to navigate the system without a dedicated lawyer. As noted above, asylum seekers are five times more likely to be granted asylum in Immigration Court when represented.¹⁰

4. Adjust units of service allocations to adequately credit work that has been underfunded.

IOI's units of service allocations should be amended to adequately credit work that has previously gone underfunded. On the immigration side, U-visa certification requests should be considered Tier 1 matters, and U and T adjustment cases, as well as consular processing cases, should be considered Tier 2 matters. On the employment side, requests to labor agencies for Statements of Interest for employment-based deferred action cases should count as Tier 1 cases, while demand letters and pre-litigation settlements involving multiple claims under multiple laws should be considered Tier 2 matters. Also, for both immigration and employment services, there should be a way to appropriately credit complex cases that are extraordinarily complex and labor intensive, beyond what is contemplated within the Tier 2 description.

5. Limit the number of weekly referrals from ActionNYC and other city agencies to IOI providers

Legal service providers' ability to advise and represent individuals who come to us through community partners or our community intake processes is hampered by the contractual requirement to prioritize referrals from ActionNYC and City agencies. The unpredictable volume of these often complex referrals makes it impossible to plan a workflow around them. Further, it can result in individuals without time-sensitive cases and who are not low-income being prioritized for service over others who may have spent months on a provider's waiting list.

If IOI providers remain the designated recipients of referrals for full representation from ActionNYC, City agencies, or future City-funded programs providing brief or *pro se* services, there must be a cap on the number of referrals made each week. In addition, if there is no system for prioritizing referrals before they are sent, IOI providers should have the flexibility to prioritize these referrals for both intake and representation, as they deem necessary.

6. Baseline support for low-wage workers

Finally and crucially, DSS-OCJ must baseline the Low-Wage Worker Support initiative as part of the next iteration of IOI. This initiative's support for employment legal services, community

¹⁰ Trac Immigration, <https://trac.syr.edu/immigration/reports/491>.

education and CBO advocacy on behalf of workers is a bulwark against wage theft, which is an enormous drain on the City economy that is particularly devastating for low-income and immigrant communities. Since employment cases remain pending for three years, on average, single-year contracts are not a suitable mechanism for funding these critical services. More reliable funding for employment services will also help the newest New Yorkers, many of whom are or will be seeking services from our employment providers and CBOs, as they work to support themselves and their families and find economic stability and a stake in their new home. Indeed, support for immigrant workers is essential for the City’s economic well-being, as the economic stability of this population—a younger workforce employed at a higher-than-average rate—is closely tied to the post-pandemic economic growth of the City and State.¹¹

Conclusion

While the City’s current investment in immigration and employment legal services has promoted safety, family unity and economic stability for immigrant New Yorkers—bringing critical benefits to families, communities, and our economy—increased need and a changed landscape requires expanded funding for these services, in line with the recommendations laid out in this paper.

¹¹ See Brian Lehrer Show, “How Immigrants Fuel New York City’s Economy,” available at: <https://www.wnyc.org/story/how-immigrants-fuel-new-york-citys-economy>; Cara Eisenpress & Caroline Spivack “A 56% drop in immigration is hampering New York’s recovery,” *Crain’s New York*, available at: <https://www.crainsnewyork.com/economy/56-percent-drop-immigration-hampering-new-yorks-pandemic-recovery>.



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**Testimony of United Neighborhood Houses
Before the New York City Council**

**FY 2025 Preliminary Budget Hearing:
Committee on Immigration
Council Member Alexis Avilés, Chair**

**Submitted by Lena Cohen, Senior Policy Analyst
March 5, 2024**

Thank you, Chair Avilés and members of the New York City Council Committee on Immigration for convening today's Preliminary Budget hearing. United Neighborhood Houses (UNH) is a policy and social change organization representing 46 neighborhood settlement houses, including 40 in New York City, that reach over 765,000 New Yorkers from all walks of life at 770 locations. A progressive leader for more than 100 years, UNH is stewarding a new era for New York's settlement house movement. We mobilize our members and their communities to advocate for good public policies and promote strong organizations and practices that keep neighborhoods resilient and thriving for all New Yorkers. UNH leads advocacy and partners with our members on a broad range of issues including civic and community engagement, neighborhood affordability, healthy aging, early childhood education, adult literacy, and youth development. We also provide customized professional development and peer learning to build the skills and leadership capabilities of settlement house staff at all levels.

Baseline \$21.7 million in FY25 for DYCD Adult Literacy

UNH advocates for an adult literacy system that provides quality, comprehensive, and accessible educational services for New Yorkers to improve their literacy skills, learn English, obtain a High School Equivalency diploma, and enter training and post-secondary education.

Today in New York City, there are nearly one million adults living in New York City with limited to no proficiency in English (i.e. those who reported that they did not speak English or did not speak English well)¹. Moreover, over the past year, more than 170,000 asylum seekers and refugees have arrived in New York after fleeing life-threatening social, political, and economic conditions in their home countries². For many of these adults, limited skills impact almost every aspect of their lives, making it difficult to support their children in school, access health care, secure and maintain living-wage jobs, advocate for their rights, and fully participate in their new communities.

¹ UNH tabulations of 2021 American Community Survey data from the US Census Bureau.

² [Testimony](#) of New York City Comptroller Brad Lander at the New York City Council Committee on General Welfare Hearing, March 1, 2024.

The Department of Youth and Community Development (DYCD) currently has an open Request for Proposal (RFP) that will fund community-based organizations to lead adult basic education, high school equivalency, and English for Speakers of Other Languages programs for the next three to six years. DYCD has structured this RFP to prioritize residents of the highest poverty, lowest educational attainment, and most limited English proficient neighborhoods in the city. While we commend and support this goal, the way DYCD has structured the RFP through a two-tier funding competition could effectively render up to 70% of the current community-based adult literacy providers non-competitive, forcing them to close their classes and displace thousands of the very students that DYCD aims to serve. We appreciate Chair Avilés, Council Member Won, Council Member Stevens, and the 38 members of the City Council who signed on to your letter that urges DYCD to reverse this counterproductive competition model and extend the proposal deadline.

UNH recognizes DYCD's efforts to increase adult literacy services in areas of New York City that may never have had them before, but we cannot do that at the expense of the current students utilizing these programs. In light of increasing demand for literacy services, especially with new asylum seekers in New York City, we must focus on growing the system overall rather than rearranging resources. Instead of placing an outsized emphasis on geography, we hope that DYCD considers program location as a piece of the overall evaluation so that program quality can be considered as well. And in the long term, we must focus on ensuring access for all adult learners who need support.

While DYCD wants to address neighborhoods with the highest needs, the \$11.85 million in funding in this RFP is \$5 million less than the \$16.83 million in administration-side funding for DYCD Adult Literacy contracts in FY24. This means that this RFP will serve just over 9,100 students annually, a significant decrease from the 11,000 – 16,000 that DYCD has reported over the past few years.

At the same time, the Mayor's Preliminary Budget for FY25 includes \$21.7 million for DYCD Adult Literacy, nearly \$10 million – nearly 85% – more than what is currently included in the RFP. If this additional funding could get baselined and included in the RFP, we ask the City Council to call on DYCD to take action through some combination of the following steps:

1. Increase the per student funding rate, which would make it more realistic for smaller programs/organizations – those that don't have additional sources of revenue to supplement the DYCD funding – to apply under this RFP and to be able to provide more comprehensive services.
2. Increase the number of Neighborhood Tabulation Areas (NTAs) designated for funding and increase the number of students served through this RFP.
3. Create a second, non-NTA based competition for providers who wish to run borough-wide and/or city-wide programs and increase the number of students served through this RFP.

With the March 20th deadline for organizations to submit proposals fast approaching, we urge this Committee to get clarity on the funding and push for a baseline of the full \$21.7 million, as well as to continue to push to fix the competition model and extend the deadline further.

Invest \$20m in Promise NYC in FY25 to Provide Child Care for Immigrants

Due to restrictions on certain funding sources, the only public early childhood education programs that undocumented children can directly join are 3-K and Pre-K programs and federal Head Start. This leaves a major gap in child care for undocumented immigrants, including the tens of thousands of recent asylum seekers in New York City. To help address this challenge, UNH urges New York City to invest \$20 million in the FY 2025 Adopted Budget to continue the new Promise NYC program to provide subsidized child care to low-income undocumented children.

Under Promise NYC, four providers, including three settlement houses, have contracted with the Administration for Children's Services (ACS) to implement a child care voucher program in each of their respective boroughs (NMIC in the Bronx and Manhattan, Center for Family Life in Brooklyn, Chinese-American Planning Council in Queens, and La Colmena in Staten Island). The 6-month program launched in January 2023, and after a six-week period of administrative preparation, providers were able to begin outreach to families in February. Providers are contracted to serve a total of 600 children citywide for the remainder of the fiscal year through June.

Once the program launched, providers reported overwhelming success and need for the program. Demand was high, especially in neighborhoods with high concentrations of undocumented children and families, and providers quickly met their contracted numbers. ACS was collaborative with providers in building out the program, payments have been timely, and - crucially - families do not need to provide documentation or specific forms to qualify, ensuring low barriers to entry.

Promise NYC was funded with \$16 million in the City's FY 2024 budget after extensive support and negotiation from the Council. However, this funding was secured before the majority of new asylum seekers arrived in New York City, and it was not baselined, so programs are anticipating that child care will end on June 30th and undocumented families will abruptly be left without a child care arrangement.

We urge the City to extend funding for Promise NYC in the FY 2025 budget so that undocumented families can continue to access the affordable, subsidized child care they need. A \$20 million investment will allow these providers to expand the number of children they serve over a full one-year period (since the program started halfway through the fiscal year), including funding for increased staff capacity necessary for invoicing and matching families to available child care providers. Moving forward, we hope the City will consider adding new contractors or subcontractors who can effectively reach high-need neighborhoods. We also encourage an analysis of the citywide need for care for undocumented families, and if warranted to increase investment into the program so it can reach more families.

Impact of the 60-day rule limiting shelter stays for asylum seeking families

Settlement houses have shared that newly arrived families with older children who are already enrolled in 3-K and Pre-K programs are also in need of extended care outside of traditional school-day hours, but undocumented families are not eligible for child care subsidies to help pay for this wraparound care.

The City's policy limiting families' stays in the homeless shelter system to 60 days has been destabilizing for newly arrived families and has impacted their children's ability to remain enrolled in early childhood education programs. A settlement house early childhood program director noted, "It's challenging for the program to see [children] go. We know they need a stable setting with consistency. It's not what they're experiencing right now." In some cases, a child may be enrolled for just a few weeks before they reach the 60-day limit and are forced to move. Providers have reported that families who re-apply for shelter after the 60-day limit are typically relocated to a different borough and struggle with traveling to their child's early childhood education program. However, settlement houses have shared that some families continue to commute as long as two hours to their child's center, demonstrating the urgent need for child care among newly arrived families.

Additional funding is necessary to help stabilize and retain families in early care and education programs, particularly with the volatility that families have experienced in their housing situation due to the city's 60-day shelter limit policy. Providers have shared that subsidized Metrocards or transportation stipends would be beneficial for families with young children enrolled in early childhood

programs who are forced to move from their shelter. Many families continue to lack basic resources such as food, warm winter jackets, backpacks, shoes, diapers and cell phones.

In addition to the destabilizing impacts of the City's 60-day limit on shelter stays, providers have shared that the ECE program enrollment process has been challenging for newly arrived families who lack the necessary documentation, including birth certificates and medical forms, to officially enroll into programs and be entered into the DOE's vendor portal. At the same time, parents able to complete the necessary paperwork may receive a 60-day notice and are forced to leave before enrolling their child into the program.

Furthermore, settlement houses have shared that they face a shortage of Spanish-speaking teachers and that linguistic challenges impact teachers' abilities to communicate with parents, as well as provide referrals to trauma-informed therapy and mental health resources in their native language.

Longer-term, more funding is necessary to hire bilingual early childhood education early childhood education teachers to open more classrooms, as well as for hiring additional enrollment and recruitment staff to support newly arrived parents in gaining necessary documentation for enrolling into ECE programs.

Invest in the Human Services Workforce

Fund Cost of Living Adjustments for Human Services Workers

Human services workers in New York City are grossly underpaid. Across UNH's network of settlement houses in New York City, 76% of their total budget comes from government sources, and 65% of that is from New York City. Unfortunately, contracts from New York City often do not include sufficient funding to pay workers a fair and dignified wage.

Wages have failed to keep up with both inflation and changes to the job market, and as a result the human services sector continues to sit on the cliff of a staffing crisis. On average, more than a third (35%) of UNH settlement house members reported double-digit job vacancy rates of 10% or higher in 2023, up from 31 percent the previous year, and nearly two-thirds (65%) of UNH settlement house members reported that job positions remained vacant for 3 months or more in the past year, including 14% who said that positions remained vacant for 6 months or longer.

Without increased budgets in government contracts to cover wage increases, nonprofits will be unable to recruit and train the next generation of nonprofit leaders, setting future New Yorkers up for significant barriers to accessing services that grow over time. Further, insufficient staffing has made it increasingly difficult for nonprofits to serve New Yorkers, leading to under-enrollment and program closures which then leads to budget reductions and a vicious cycle that harms New Yorkers seeking services.

For years, the human services sector has warned of a staffing crisis citing low wage levels. Over the last three years, the City has ignored our sector's plea for a COLA request, instead issuing a one-time bonus for our workforce that was equivalent to less than 1%, and two rounds of "contract enhancements" that have led to estimated contract-by-contract increases of between 1.5 and 2.5%. Not only is this investment wholly insufficient to have a meaningful impact on the nonprofit workforce, but the process of drawing dollars down in order to get them into the pockets of workers has been complicated by the choice to use a more convoluted mechanism. Whereas a multi-year COLA would be automatically built into contract budgets such that providers could plan ahead and count on those dollars to increase staff salaries on a regular schedule, the workforce enhancement is unpredictable in terms of amount, timing, and inequitable distribution to all employees.

Include a multi-year COLA for human service workers

Given the gravity of the human services staffing crisis, UNH urges the City to enact a multi-year Cost of Living Adjustment (COLA) of 5% in FY 2025 and 3% for the two following fiscal years, in alignment with the JustPay campaign. We also ask the Council to ensure it is included in the budget as a “cost of living adjustment” that boosts the wages by a set percentage of every staff member working under a contract and not another workforce enhancement fund. Multi-year COLAs give workers a sense of stability, as they can plan and rely on how much their wages might increase year over year.

UNH urges the City to fund a multi-year COLA for human service workers, starting with 5% in the FY25 Adopted Budget and 3% for the two following fiscal years to immediately relieve the economic pressures faced by our workforce.

Create a Prevailing Wage Schedule for Human Services Workers

While a COLA would provide immediate relief, we must do more to undo years of budgets that left behind human service workers. UNH supports Intro 510-2022 (sponsored by Council Member Stevens) to establish a prevailing wage for city-contracted human service workers, which would require City agencies to include sufficient funding to cover those wages in contracts, and track implementation of those wages by human service contractors. While prevailing wage schedules are an imperfect tool to address the current conditions faced by human service workers, it is a significant improvement from the status quo. This process to design a true prevailing wage system is arduous and will require careful analysis, but we cannot continue to afford ignoring the need. For years, the government at every level has asked nonprofit partners to do “more with less.” This dynamic has pushed our sector to a real breaking point, and our workforce has suffered the consequences. It’s time for us to look beyond stopgap measures and towards efforts that would have a long-lasting impact on the human service sector.

UNH urges the City Council to pass CM Stevens’ prevailing wage legislation and fully fund it in the FY25 budget to limit impacts to programs.

Taken together, these two measures will provide immediate relief and a long-term solution to an ongoing problem that has limited New York City’s human services sector.

Thank you for your consideration. We look forward to working with the City Council to improve the lives of immigrants living in New York City. For more information, please reach me at lcohen@unhny.org.

March 8, 2024
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- Preliminary Budget Hearing on Immigration”
Submitted to the Committee on Immigration of the New York City Council**

Dear Chairperson Avilés,

On behalf of the Vera Institute of Justice (Vera), I write to urge you to ensure a strong investment in immigration legal services in FY25, including renewed funding for the New York Immigrant Family Unity Project (NYIFUP), and to urge you to protect and expand policies that build infrastructure for a strong legal services foundation and meet urgent needs of newly arriving and long-term immigrant New Yorkers.

Amidst recent calls for cuts to services for people seeking asylum and threats to undo New York City's sanctuary laws, the city council must remain steadfast in continuing to fund immigration services and protecting sanctuary policies that deliver safety and justice for all New Yorkers. By sustainably and flexibly funding legal services for all immigrants in New York at risk of deportation and by ensuring fewer people are subjected to the danger of deportation in the first place, we can support safety, stability, and prosperity.

Vera works to end mass incarceration, protect immigrants' rights, ensure dignity for people behind bars, and build safe, thriving communities. This includes advocating for universal representation, which would ensure that every person facing deportation has legal representation. As such, we know that accessible, high-quality immigration legal services not only promote fairness and dignity, but also support strong and stable communities. These critical programs also depend upon the establishment of a solid legal services infrastructure to sustainably support newly arrived immigrants *and* long-term residents, both of whom are essential parts of New York's communities, families, and economy.

New York City should continue its track record of advancing sensible solutions that support immigrants and all New Yorkers, including investing in immigration legal services.

Recent increases in people seeking asylum in New York City have highlighted existing, longstanding gaps in the city and the state's legal services infrastructure that must be addressed with both long-term solutions and investments in legal services that meet urgent needs. Instead of cutting services for newly arriving immigrants as Mayor Adams has proposed, New York City should continue making strong investments in city-wide immigration legal services initiatives that serve newly arriving asylum seekers, as well as long-term residents.¹ This includes ensuring strong investments in immigration legal services for recently arrived neighbors who need

assistance with applying for asylum and Temporary Protected Status, navigating immigration court proceedings, and obtaining work permits. Long-term residents facing detention and deportation should also be supported by ensuring they have adequate immigration legal services funding that helps them to stay in their communities, including assistance applying for immigration relief, appealing unfair decisions, and accessing social work support.

Among the proven successes in New York's support for immigrant communities is access to legal representation for people in immigration detention at risk of deportation. In particular, the city's investment in the New York Immigrant Family Unity Project (NYIFUP) is a nationally recognized model of legal services that ensures family unity, economic stability, and community strength.² As New York welcomes high numbers of newly arriving people, it must ensure level funding for its pioneering program that has long served as a model for essential immigration legal services.

We urge stable funding for NYIFUP in FY25 to support the Bronx Defenders, Brooklyn Defender Services, and the Legal Aid Society in their work serving immigrants facing deportation, which sets a nation-leading example of supporting strong and stable immigrant communities. New York City's initial investment in NYIFUP catalyzed New York State's expansion of the program into the country's first statewide deportation defense program for detained immigrants.³ More than 55 cities, states, and counties have now followed New York's lead in funding deportation defense programs.⁴ New York's continued leadership is critical to its support for immigrants in this moment where we must welcome higher numbers of newly arriving asylum seekers, and it is essential to building momentum towards the establishment of a successful federally funded deportation defense program.

New York City needs immigrants to thrive—and that requires sufficient immigration legal services.

Immigrant communities are essential to New York's growth and stability, and the state faces potentially detrimental consequences from a diminishing immigrant population. The state's immigrant population has effectively plateaued in the past decade.⁵ Meanwhile, between 2020 and 2022, New York City lost more than 400,000 residents.⁶ Currently, there is a labor shortage across the state, with (as of August 2023) more than half a million vacant jobs—more than the number of workers available to fill them.⁷ Immigrants comprise more than one quarter of the state's workforce and participate in the labor force at higher rates than U.S.-born New Yorkers.⁸ Investing in immigration legal services in the long term will benefit not just immigrant New Yorkers, but *all* New Yorkers.

Despite extremely high stakes—including the possibility of permanent family separation and being forced to return to dangerous or deadly conditions in another country—immigrants are not guaranteed a lawyer if they cannot afford to hire one. For immigrants in detention, access to a lawyer is especially critical. **With an attorney, detained immigrants are up to 10.5 times more likely to establish the right to remain in the United States and 3.5 times more likely to be released from detention.**⁹ More than half of immigrants facing deportation across New York State have been left to navigate these highly complex systems alone: as of January 2024, more than 190,000 of approximately 350,000 pending cases in New York immigration courts are

unrepresented.¹⁰ In the face of a backlogged and complex federal immigration system, New York City can invest in policies that support immigrant communities, promoting family unity and economic stability.

Ultimately, immigrants at risk of deportation should be guaranteed a right to representation in immigration court, as passage of the Access to Representation Act (ARA, S999A/A170A) at the state level would establish. We applaud the city council's support for the ARA and its passage of Resolution 556 in support of the bill.¹¹ Just this week, the Albany Common Council followed New York City's lead and passed their own resolution in support of the ARA.¹² New York City can use its budget to demonstrate what the current moment requires and also build a stable foundation to ensure that we are on stronger footing in the future.

New York City needs solutions to support communities and address the harmful rippling effects of detention and deportation.

Representation alone is not enough to address the systemic issues and structural racism pervasive throughout the immigration enforcement, detention, and deportation machinery. New York needs policies that limit the number of people subjected to detention and deportation in the first place. Compared to this time last year, ICE detention has increased by 45 percent, a concerning trend that threatens to rip families and communities apart.¹³ Mayor Adams has recently stated that he supports measures that would allow local law enforcement to conspire with ICE to deport migrants.¹⁴ Longstanding policies that prevent New York's resources from being used to subject its community members to detention and deportation have promoted safety, family unity, stability for immigrant communities and fostered trust in government. Rather than limiting these successful policies as the mayor and some lawmakers have recently suggested, the city must continue leading the state by example and ensure that local resources are not used for harmful federal immigration enforcement.

We commend the city for passing resolutions calling upon New York State to pass two pieces of pending legislation that would help minimize the harm of this system.¹⁵ The **Dignity Not Detention Act** (A4354/S306) would end state contracts that allow Immigration and Customs Enforcement to detain people in state facilities. The **New York for All Act** (A5686/S987) would stop state and local resources from being used for federal immigration enforcement agendas. Passing both proposed pieces of legislation will be an important step to lessening the overall need for deportation defense legal services, but until that happens, the city should continue strengthening sanctuary policies that help protect all New Yorkers from racial profiling and empower communities to seek the services they need without fear of government agencies conspiring to separate families with detention and deportation.

With the solutions outlined here, the city will ensure that we can sustainably and humanely provide critical legal services to our immigrant neighbors in this challenging moment and build a foundation that will help support immigrants in the future. **We urge the City Council to sustain strong funding for immigration legal services, including NYIFUP, and support policies that protect immigrant New Yorkers.**

Thank you for the opportunity to contribute my testimony. Please do not hesitate to contact me at fadavila@vera.org or at (929) 969-6627 if the Vera Institute of Justice may provide further information or support.

Sincerely,



Fabiola Dávila
Senior Program Associate
Vera Institute of Justice

Cc: Commissioner Manuel Castro, Mayor's Office of Immigrant Affairs
Council Member Erik Bottcher
Council Member Gale A. Brewer
Council Member Carmen De La Rosa
Council Member Shekar Krishnan
Council Member Shahana Hanif
Council Member Rita Joseph

¹ “First On Eyewitness News: Mayor Eric Adams Slashes Funding to Migrants, Cancels City Budget Cuts,” ABC 7 NY, February 21, 2024. <https://abc7ny.com/eric-adams-nyc-migrant-crisis-aid/14452857/>.

² Vera Institute of Justice, “The New York Immigrant Family Unity Project,” accessed March 7, 2024, <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/new-york-immigrant-family-unity-project>.

³ Peter Markowitz et. Al, “Accessing Justice: The Availability and Adequacy of Counsel in Removal Proceedings – New York Immigrant Representation Study Report: Part 1,” *Cardozo Law Review* 33, no. 2 (2011), available at <https://justicecorps.org/app/uploads/2020/06/New-York-Immigrant-Representation-Study-I-NYIRS-SteeringCommittee-1.pdf>.

⁴ Vera Institute of Justice, “Advancing Universal Representation Initiative,” accessed March 7, 2024, <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative>. Scroll down to “The SAFE Network: A model for universal representation.”

⁵ FWD.us, “New York Needs Pro-Immigrant Policies to Bolster Its Population And Economy,” February 17, 2023, <https://www.fwd.us/news/new-york-economy>.

⁶ U.S. Census Bureau, “City and Town Population Totals: 2020-2022,” accessed September 7, 2023, <https://www.census.gov/data/tables/time-series/demo/popest/2020s-total-cities-and-towns.html>.

⁷ U.S. Bureau of Labor Statistics, “Job Openings and Labor Turnover Survey,” accessed October 17, 2023, <https://www.bls.gov/jlt>.

⁸ Steven Ruggles, Sarah Flood, Matthew Sobek, et al., “IPUMS USA: Version 13.0,” dataset, IPUMS, 2023. <https://doi.org/10.18128/D010.V13.0>. Figures are calculated using the 5-year 2022 American Community Survey dataset.

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), <https://perma.cc/7J65-CZCM>; and Emily Ryo, “Detained: A Study of Immigration Bond Hearings,” *Law & Society Review* 50, no. 1 (2016), [jstor.org/stable/44122502](https://www.jstor.org/stable/44122502) (un-paywalled pre-publication version accessible at papers.ssrn.com/sol3/papers.cfm?abstract_id=2628962).

¹⁰ Executive Office for Immigration Review, “EOIR Case Data (January 2024),” database (Falls Church, VA: Executive Office for Immigration Review), <https://www.justice.gov/eoir/foia-library-0>.

¹¹ The New York City Council “Res 0556-2023,” database (New York: The New York City Council, updated April 28, 2023), <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6165403&GUID=1A030401-F313-4021-BC4A-BC26135E5D1A&Options=ID%7CText%7C&Search=556>.

¹² Resolution 24.31.24R, “A Resolution of the Common Council calling on new York State Legislature to pass, and the governor to sign, A170A/S999, 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,” 2024, <https://www.albanyny.gov/AgendaCenter/ViewFile/Item/2156?fileID=15023>.

¹³ Vera's analysis of archived ICE statistics, last accessed March 7, 2024, <https://www.ice.gov/detain/detention-management>.

¹⁴ Rubinstein, Dana, and Jeffery C. Mays. “Eric Adams Wants to Deport Migrants Who Are Accused of Serious Crimes.” *New York Times*, February 28, 2024. <https://www.nytimes.com/2024/02/27/nyregion/adams-deport-migrants-crime.html>.

¹⁵ The New York City Council “Res 0112-2022,” database (New York: The New York City Council, updated April 28, 2022), [; and The New York City Council “Res 0066-2022,” database \(New York: The New York City Council, updated March 10, 2022\), <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5465338&GUID=11F26BAE-B1C4-4B5F-833D-FD8A06DF0152&Options=ID|Text|&Search=%22dignity+not+detention%22>.](https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5552135&GUID=03072CF0-E7E8-4591-9C90-4CD02B538D3A&Options=&Search=)



FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

**New York City Council
Committee on Immigration
Honorable Alexa Avilés, Chair**

**Testimony of YMCA of Greater New York
Presented by Michael Rivadeneyra, Vice President of Government Relations**

**FY 2025 Preliminary Budget Hearing: Committee on Immigration
March 5, 2024**

I respectfully submit the following testimony on behalf of the YMCA of Greater New York.

The YMCA of Greater New York is committed to empowering youth, improving health, and strengthening community. With 24 YMCA branches and more than 100 community sites across New York City, the Y is among the city's largest providers of human services spanning from infancy to older adult — and an important anchor, convener, and catalyst for transformational change in underserved communities. We are also a proud member of and support the New York City Coalition for Adult Literacy (NYCCAL) - a coalition comprised of adult literacy teachers, program managers, students, and allies from over 40 community-based organizations, CUNY campuses, and library programs across the five boroughs – as it calls on the Administration to revisit their recent Adult Literacy Request for Proposal (RFP).

The YMCA has worked with newcomers to NYC since 1908, back when we had a YMCA on Ellis Island. Based on the success of our English Language and Employment Services for Adult Immigrant and Refugees program, which was established in 1978, we launched the New Americans Initiative in 2008. Pre-pandemic the initiative was operating out of seven New American Welcome Centers at various YMCA branches. We currently have four sites – Chinatown YMCA, Flatbush YMCA, Flushing YMCA and Harlem YMCA, as well as online classes, serving 390 students with a waiting list of 400 individuals.

As we collectively work towards mitigating the detrimental impact of the Pandemic and meet the needs of many asylum seekers, migrants, and refugees, the YMCA's holistic approach to adult education and related services is more crucial now than ever before. Through the New Americans Initiative, we offer instructional, vocational, recreational, and wrap-around services to all of our students. Programming is adapted to meet the individualized needs of our participants, and we are proud to offer a comprehensive case management program to support not only our students

but their families, and ensure that they have the tools they need to be successful both inside and outside of our classrooms. As we aim to remove any barriers hindering progress, we work to ensure our students have access to food, medical care, childcare, education, immigration services, and other resources they may need. Additionally, in response to the increased rate of mental health distress experienced by our students and their communities, the YMCA of Greater New York instituted a Crisis Response Team whose goals are to reduce the feelings of helplessness, confusion, and heightened anxiety, as well as provide additional resources and referrals where appropriate.

As you are aware, there are more than 2.2 million adults in New York City with limited English language proficiency or without a high school diploma. Despite these concerning figures, the combined City and State funding streams for adult education are so low that fewer than 1% of these adults have access to adult basic education, high school equivalency, or English for Speakers of Other Languages (ESOL) classes in any given year. Furthermore, these figures do not account for the more than 175,000 asylum seekers, migrants, and refugees who have recently arrived in New York after fleeing life-threatening social, political, environmental, and economic conditions in their home countries.

Yet despite the growing need, the recently released RFP by the Department of Youth and Community Development (DYCD) is \$5 million less than the budget for the current system, decreasing the budget from \$16.83 million to \$11.85 million. While the RFP superficially increases the per participant rate to \$1,300, which just keeps track with increases to staffing costs and inflation. The cut of \$5 million, a 29.6% divestment of the existing system's overall budget of \$16.83 million, to the total system budget will result in serving significantly fewer students than the system currently supports. As mentioned above, the YMCA has seen a growing demand for our adult literacy services, so much so that our waiting lists are at an all-time high. It is irresponsible for this Administration to not make the necessary investments so that more adult learners and newcomers can be on the path of success, stabilization, and integration into our City.

DYCD asserts that per recent changes to the City's charter, compelling agencies to make equitable access to services a priority, the designation of areas via Neighborhood Tabulation Areas (NTAs) in this RFP is the most equitable way to provide adult literacy services. We support all efforts to create systems that prioritize equitable access to services by considering levels of: poverty, educational attainment and neighborhoods with high rates of residents with limited English proficiency. However, the current design of NTAs fails to consider existing service areas, where there are neighborhoods with high levels of limited English proficient residents and neighborhoods with growing needs, i.e. communities where Humanitarian Emergency Response Relief Centers exist. Furthermore, DYCD has established an arbitrary bid evaluating scheme where providers operating within an NTA will be given higher priority even if a provider "close" to an NTA scores higher during evaluation. If the intent of this RFP is to best serve English language learners and offer these students equitable access to quality programming, then this evaluation scheme of prioritizing providers within the NTA undermines that intent.

In response to DYCD's Adult Literacy RFP, and in alignment with the NYCCAL, the YMCA of Greater New York calls on the Administration to:

1. Increase the per student funding rate, to remove the burden on organizations to find additional sources of revenue to supplement the DYCD funding. We stand with NYCCAL's call for a rate no less than \$2,700. This rate is based on the *Investing in Quality* report that DYCD commissioned in 2017, which recommended the building blocks to best support a student that are incorporated in this RFP. Unfortunately, as mentioned above, rather than investing in the new system the overall adult literacy system will see a reduction of \$5 million per this RFP.
2. Increase the number of Neighborhood Tabulation Areas (NTAs) designated for funding and increase the number of students served through this RFP.
3. Design Non-NTA based competition for providers who wish to run borough-wide and/or city-wide programs and increase the number of students served through this RFP.

Adult literacy education is a matter of racial, social, and economic justice. Adult literacy education can provide the space for community members to read, write, and speak the truth of their lived experience. Literacy skills give individuals the power to understand and command information, to communicate in the language of access, to make informed choices, to access critical resources and opportunities, to stand up for themselves in the workplace, to fully participate in civic life and institutions and, ultimately, to transform their lives and the world around them.

By baselining \$21.7 million, a historic and substantial investment, in adult literacy education the Administration can ensure that more people will have the skills to access better jobs and higher wages; more parents will be able to support their children's education; more families will be healthier; more people of all backgrounds will know and speak up for their rights; and more New Yorkers will participate in the democratic process. The RFP as it currently stands will deny access to existing students, inhibit providers from serving communities who have historically demonstrated need, and leave our newest New Yorkers without the critical services and supports necessary to succeed. Now is the moment for the City to act in an equitable and just manner.

If you have any questions, please contact Michael Rivadeneyra, Vice President of Government Relations, at mrivadeneyra@ymcanyc.org or 646-648-1921.

**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: Dmitri Daniel Glinski
Address: [REDACTED] Nr NY 10040
I represent: Russian-speaking Community Council
Address: P.O. Box 578, New York NY 10040

**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: 3/5/24

(PLEASE PRINT)

Name: Kimberly Vega
Address: _____
I represent: La Colmena
Address: 774 Port Richmond, Staten

**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: 3/5/24

(PLEASE PRINT)

Name: Yesenia Mata
Address: _____
I represent: La Colmena
Address: 774 Port Richmond Ave. Staten Island

**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: 03/05/2024

(PLEASE PRINT)

Name: Harold Solis

Address: 301 Grove Street, Brooklyn, NY 11237

I represent: Make the Road NY

Address: 301 Grove Street, Brooklyn, NY 11237

**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: 3-5-2024

(PLEASE PRINT)

Name: Vladimir Martinez

Address: _____

I represent: LGBT Community Center

Address: 13th St NYC

(Immigrant
LGBTQ +
Youth)

**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: 3/5/2024

(PLEASE PRINT)

Name: Alex Rizio

Address: _____

I represent: Safe Passage 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: 3/5/24

(PLEASE PRINT)

Name: Vianey Romero Mendez

Address: 245 23rd Street

I represent: Mixco Org.

Address: 245 23rd Street

1 of 2 speakers
**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 - Co-Director

Address: 1011 1st Ave

I represent: Immigrant and Refugee Services

Address: Catholic Charities - Archdiocese of NY

2 of 2 speakers
**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 Agnew-Barajas - Co-Director

Address: 1011 1st Ave

I represent: Immigrant and Refugee Services

Address: Catholic Charities - Archdiocese of 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: 3/5/22

(PLEASE PRINT)

Name: Lena Cohen

Address: 45 Broadway, NY, NY 10006

I represent: United Neighborhood Houses

Address: LCOHEN@UNHNY.ORG

**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: 3/5/2024

(PLEASE PRINT)

Name: Tanya Mattas

Address: 100 W. 30th St, NYC

I represent: Unlocal

Address: Immigrant Legal Services

**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: 3/5/2024

(PLEASE PRINT)

Name: Sophia Dalsimer

Address: 151 W. 30th St, NYC

I represent: New York Lawyers For The Public Interest

Address: 151 W. 30th St, NYC

**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: Tom Tortorici, ED of legal and Support Initiatives

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: 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: Jasniya Sanchez, Deputy Chief of Staff

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: Molly Schuetter, Interim Director

Address: _____

I represent: OASO

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: 03-05-2024

(PLEASE PRINT)

Name: Monique A. Francis

Address: 555 W. 57th Street, 11th Floor

I represent: CUNY Citizenship Now!

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: Ira Yankwitt

Address: _____ Brooklyn

I represent: The Literacy Assistance Center

Address: 85 Broad St. NYC

**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: 03-05-2024

(PLEASE PRINT)

Name: Ana Galeana

Address: [REDACTED] Brooklyn, NY 11237

I represent: Mixteca

Address: 245 23rd St, Brooklyn, NY 11215

**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: 3/5/2024

(PLEASE PRINT)

Name: Marc Valinoti

Address: 45 Wadsworth Ave, NY NY 10033

I represent: NMIC

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: Liza Schwartzwald

Address: 131 West 33rd St

I represent: New York Immigration Coalition

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: 3/5/24

(PLEASE PRINT)

Name: Ellen Pachnanda - Brooklyn Defender

Address: 177 Livingston St.,

I represent: Brooklyn Defender Services

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: 3/5/24

(PLEASE PRINT)

Name: Karla Ostolaza

Address: 360 E 161st St., Bronx, NY

I represent: Bronx Defenders - NYIFUP

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: Deborah Lee

Address: 49 Thomas St. 5th Fl., NY, NY

I represent: The Legal Aid Society. 10013

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: 3/5/24

(PLEASE PRINT)

Name: Sierra Kraft

Address: 802 Dean Street

I represent: ICARE Coalition - legal services for immigrant children

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: Meeva Dhar

Address: _____ Pleasantville, NY 10970

I represent: Cony citizenship Now

Address: 570 Sted NY, 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: _____

(PLEASE PRINT)

Name: Abigail Dorcin

Address: 774 Port Richmond Ave

I represent: La Colmena

Address: _____

Please complete this card and return to the Sergeant-at-Arms