



Legislation Text

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**File #:** Res 1922-2013, **Version:** \*

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Res. No. 1922

Resolution calling on the United States Congress to pass and the President to sign legislation to prohibit the deportation of lawful permanent residents solely for conviction of non-violent or minor criminal offenses.

By Council Members Eugene, Barron, Brewer, Cabrera, Chin, Dromm, Jackson, James, Koo, Palma, Vann, Williams and Rodriguez

Whereas, A lawful permanent resident (“LPR”) is a person who, in accordance with federal immigration law, has been lawfully accorded the privilege of residing permanently in the United States as an immigrant; and

Whereas, LPRs are legally permitted to work, own homes and properties in the United States, and can join certain branches of the United States Armed Forces, among other privileges; and

Whereas, In 2012, over a million immigrants obtained LPR status in the United States and 66 percent of people with LPR status received such status due to a family relationship with a United States citizen or lawful permanent resident of the United States; and

Whereas, In 2012 alone, New York State welcomed nearly 150,000 LPRs, making it the second largest population of LPRs in the nation; and

Whereas, Many LPRs have a long history of residency in New York State and City, strong community ties, careers and families, including children and spouses who are United States citizens; and

Whereas, Under federal immigration law, LPRs who are convicted of certain non-violent or minor criminal offenses often face detention and deportation proceedings; and

Whereas, Such individuals pose no threat to society and should not be subject to removal from the United States; and

Whereas, In 2011, the United States Department of Homeland Security (“DHS”) issued a memorandum detailing the agency’s new deportation policy and the criteria for prosecutorial discretion in deportation cases; and

Whereas, DHS’ deportation policy states their priorities are the removal of immigrants with serious convictions,

known gang members, repeat offenders, and/or who pose a serious threat to national security; and

Whereas, Immigrants whom DHS deems qualified for prosecutorial discretion will have their case closed; and

Whereas, Unfortunately, the policy has been applied inconsistently and since implementation the number of deportations has not varied, with approximately 400,000 removals per year reported since 2009; and

Whereas, DHS' policy has not altered its practices and immigrants are being deported at historic rates, leading many immigration practitioners to deem the policy ineffective; and

Whereas, Deportation forces the parent of a child to either leave the child behind indefinitely, or take the child to the parent's country of origin, which is often completely unfamiliar and unsafe for the child and which often lacks comparable economic and educational opportunities in comparison to those in the United States; and

Whereas, When children are separated from their parents they often face severe hardships such as limited economic, housing and food stability; and

Whereas, In order to end the removal of non-violent LPRs, who pose no real danger to society, the United States government must enact legislation to end such practices since deportation would have no benefit to the United States and be contrary to the family's best interest; and

Whereas, Ending the deportation of LPRs convicted of non-violent or minor offenses will preserve families and maintain physical and economic security for their spouses and children who bear the brunt of such deportations; now, therefore, be it

Resolved, That the Council of the City of New York calls upon on the United States Congress to pass and the President to sign legislation to halt the deportation of lawful permanent residents solely for conviction of non-violent or minor criminal offenses.

JSM  
LS# 4659  
6/25/13