Advocates and Elected Officials Applaud as City's New Immigration Law Comes Into Effect

Today, advocates in New York City celebrate a new immigration law coming into effect, which will protect thousands of immigrant New Yorkers from being transferred into federal deportation proceedings.

As of today, New York City will no longer hand over its residents to federal immigration authorities if they meet certain criteria: they have not been convicted of a crime; they have no criminal cases, criminal warrants, or outstanding deportation warrants or orders pending against them; and they are not listed on federal gang and terrorism databases. In other words, New York City will not hand over immigrants to ICE who are found not guilty, have their charges dropped, or obtain a non-criminal outcome (such as a violation or "youthful offender" conviction) in their case.

The new law, Local Law 2011/62, was introduced by Council Member Melissa Mark-Viverito last summer with the support of Make the Road New York, the New Sanctuary Coalition, and a coalition of advocacy groups. It was signed into law by Mayor Bloomberg on November 22. The City’s Department of Corrections, which administers the local jails, spent the last four months working with immigration advocacy groups to ensure proper implementation.

With today’s news, New York City joins other localities such as Cook County, Illinois, and Santa Clara, California, in refusing to honor federal requests (“detainers”) that are contrary to many of our values as New Yorkers: family unity; trust between the immigrant community and the police; and the conservation of local law enforcement and financial resources.

“All of our faith traditions place special importance on the family. I am happy that today the city will begin to protect many immigrant families from deportation. This law is a step towards fully honoring the contributions immigrants make to this city and country, and I am proud to stand with other religious leaders, elected officials and community members to mark the day it takes effect,” said Rev Dr. Omar Almonte, Pastor Central Baptist Church in Bushwick and member congregation of Make the Road New York.

“Beginning today, thousands of New Yorkers who find themselves in City jails but are not convicted will be protected from deportation,” said Council Member Melissa Mark-Viverito. “This new law, which I was proud to sponsor in the City Council, takes a major step forward in keeping New York City’s families united. I look forward to working with my partners in government and the advocacy community to ensure that immigrant New Yorkers are aware of this new law and know their rights.”

“With this law going into effect, this is sending a strong and unified message that this city will no longer allow innocent immigrants, who pose no threat, to be unfairly detained and deported due to an antiquated immigration system. I want to thank everyone that was involved in making this law happen, especially our partners in government,” said Christine Quinn, Speaker of the New York City Council.

“Too many immigrants have been unfairly detained and deported because of our broken immigration system,” said Council Member Daniel Dromm, Chair of the Committee on Immigration. “The implementation of this legislation will begin to put an end to these unnecessary deportations and send a clear message that New York City is not a place where immigrant lives are destroyed but rather a place where they can thrive and continue to give back to our great country. I commend Make the Road NY for taking the necessary steps of informing our immigrant community of this important new law and I encourage all immigrant New Yorkers to learn about their rights and these new protections that will keep their families united.”

“The implementation of Local Law 2011/62 on Wednesday, March 20, 2012, is a welcome reality in the immigrant communities of New York City. The Riverside Church has for decades advocated for the fair and just treatment of all who come to our shores and seek asylum, family connections, freedom from oppression, and the chance to provide for their families. Our faith history and sacred writings implore us to practice a radical hospitality and care for the sojourner, the widow and the orphan. Unjust practices in arrests, detentions, and deportations have been decimating
immigrant families, separating parents from children and husbands and wives who are non-criminals. We celebrate this first step and seek to free our immigrant sisters and brothers from further abuse from the injustice of flawed immigration law and enforcement,” said Rev. Robert B. Coleman, from The Riverside Church and member of the New Sanctuary Coalition.

“As cities across the country are standing up to federal immigration policies that co-opt local police and resources to funnel people into an unjust deportation system, we applaud New York City for taking this important first step and encourage our elected officials to expand this legislation to protect more immigrants in the future,” said Alisa Wellek of the Immigrant Defense Project.

“The hard work of immigration advocates over a period of more than three years has finally come to fruition in a law that protects some of the most vulnerable members of our society,” said José León, a legal intern at the Kathryn O. Greenberg Immigration Justice Clinic of the Benjamin N. Cardozo School of Law. “New York City once again takes the lead in pressing social issues and leads the country through example on how we should treat our immigrants in the United States. This law makes me feel proud to call New York City my home.”

To commemorate the new law going into effect, Make the Road New York will distribute a new Know Your Rights Manual for immigrants about the new law. (Click here to download a copy in Spanish: http://maketheroad.org/pix_reports/Discrecionalidad_De_Inmigracion_2011.pdf. English version will be available this afternoon.)

“As an immigrant I have fought for this law because of what it means for our community. I am proud today to have been a part of the effort to make New York a more welcoming, humane, and just city,” said Lucy Tzunum, a Guatemalan immigrant and member of Make the Road New York. “We have been spreading the information of the new law, and will use all the tools available to me to teach my community about the new protections for immigrants in Department of Correction Facilities,” concluded Tzunum.

Text of the law is available to download here: http://legistar.council.nyc.gov/View.ashx?M=F&ID=1818073&GUID=1A9C4E0A-0DDC-4038-AC64-AB8BB3BA177A.

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