New York City Council Expected to Approve 2 Plans Aiding Immigrants

By KIRK SEMPLE       JUNE 24, 2014

A long-sought initiative that would provide municipal identification cards to all New Yorkers, including those without legal immigration status, has been finalized, and will come before the City Council for a vote this week, officials said.

Undocumented immigrants could use the cards as proof of residence, and to check out library books, sign leases and open bank accounts, among other benefits.

The Council is expected to consider the item on Thursday, the same day it is slated to earmark $4.9 million to provide a lawyer for every poor, foreign-born New Yorker who has been detained by immigration authorities and is facing deportation, officials said. The initiative would make New York the first jurisdiction in the nation with a fully covered public defender system to assist detained, indigent immigrants in deportation proceedings.

Taken together, the measures, which officials said were expected to pass, would further cement New York’s reputation as one of the most accommodating places in the world for immigrants.

“The city is sending a strong message to its residents that we have your back,” City Councilman Carlos Menchaca, who has championed both initiatives, said in an interview on Tuesday. “These are clear messages,
indicators, commitments that we mean we’re serious about how we take care of our immigrants and, really, all New Yorkers.”

With the passage of the municipal identification bill, a pledge made by Mayor Bill de Blasio, New York would join several other cities that have already introduced similar measures, including Los Angeles, New Haven and San Francisco.

The terms of the bill were hammered out in meetings involving City Council members, the mayor’s office and city agencies, including, perhaps most important, the New York Police Department. Proponents of the initiative wanted to ensure that the police would recognize the cards as acceptable forms of identification during police stops and for other law-enforcement matters.

At the crux of those negotiations was the effort to balance the demand for privacy against the need to protect against fraud, Mr. Menchaca said. Under the arrangement, the city will keep application documents on file for two years, but the police will be required to secure a judicial warrant to look at the files, the councilman said.

City officials still need to work out the bureaucratic mechanics of the program but plan to start issuing the cards by the start of 2015.

The public defender initiative, which is included in the city’s proposed budget, would be an expansion of a publicly funded pilot program started last year that inspired the admiration and envy of immigrants’ advocates across the country.

The plan, called the New York Immigrant Family Unity Project, seeks to help correct a woeful lack of qualified representation in immigration court. In contrast to the nation’s criminal courts, defendants in immigration court have no constitutional right to a court-appointed lawyer.

The initiative would provide legal representation to 1,380 detained, indigent New Yorkers facing deportation at the immigration courts on Varick Street in Manhattan as well as in Newark and Elizabeth, N.J.

The program “marks a sea change in the quality and quantity of
justice that will be afforded to New York City’s immigrants,” said Peter L. Markowitz, a Cardozo School of Law professor who has helped lead the initiative.

Mr. Menchaca said he expected the program to inspire other municipalities and states to start similar initiatives.

“We are the first doing this kind of work at this kind of level, and it’s really going to send a ripple effect across the country,” he said.