

NYIC IMMIGRATION NEWS

An update by the New York Immigration Coalition on issues affecting immigrants and their communities.

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NEW YORK CITY

City Budget Includes \$2.8 Million for Immigrant Opportunities Initiative, Falls Short of Anticipated \$5 Million Funding Level

On June 24th, the City Council approved an almost \$47 billion budget, including \$2.8 million for the Immigrant Opportunities Initiative (IOI), a program that funds ESL programs, civics classes, and immigrant legal services. The city budget will be finalized pending state approval, which will probably occur when the State Legislature reconvenes in July. At the start of this year's budget process, Mayor Bloomberg's Executive Budget did not include *any* funding for IOI. Advocates fought hard this spring to restore and increase IOI funding to \$5 million (compared with \$1.8 million in FY 2004). Immigrant groups welcomed the \$2.8 million for IOI but were disappointed that the city did not fully fund the initiative at \$5 million.

Additionally, the Council funded \$335,000 for an immigration center in Brooklyn and \$335,000 for ESL programs at senior centers. While this year's increase in funding is an important step towards creating a meaningful funding stream for immigrant services at the city level, immigrant services remain desperately underfunded. Next year, the NYIC will continue the fight to ensure that the city intensifies its commitment to give immigrants the opportunities they deserve. Thanks to everyone who participated in the IOI press conference and joined the budget vigil at City Hall over the last few weeks. For more information, contact Minerva at ext. 238 or Jackie Vimo at ext. 239.

IMMIGRATION

Civil Liberties Restoration Act Introduced

On June 16th, members of Congress took an important legislative first step in ending the assault on immigrants' and citizens' rights by introducing the Civil Liberties Restoration Act (CLRA, S.2528/H.R.4591). In the wake of 9/11, governmental actions have chipped away at basic American freedoms. Immigrant detainees were tried in secret, detained for month after month without charge, and denied the opportunity for individualized bond hearings. Men and boys from 25 predominantly Arab and Muslim countries were fingerprinted, photographed, and interrogated under the Special Registration program. New laws, such as the USA PATRIOT Act, allow government agencies to compile and distribute data about American citizens in

violation of long-recognized principles of privacy. These actions have eroded Americans' civil liberties while doing nothing to improve national security.

If enacted, the CLRA would prohibit the blanket closure of deportation hearings, require the government to timely notify detainees of the charges against them, and mandate individualized determinations of bond. The bill also would offer relief to certain individuals facing deportation as a consequence of Special Registration and reduce the penalties for failure to register. In addition, it would require the government to improve the accuracy of information included in federal databases used by state and local police. Moreover, the CLRA would provide for Congressional oversight of the government's ability to collect data on individuals. Although the bill needs to do more to provide relief for families affected by Special Registration, the bill is an important first step and a statement of principles in the effort to restore civil liberties. For more information, call Karin at ext. 244.

NYS Division of Parole Collaborates With ICE to Round Up Parolees for Deportation

On May 25th, U.S. Immigration and Customs Enforcement (ICE), working in collaboration with the New York State Division of Parole, rounded up and arrested more than 130 immigrants who had previous criminal convictions but had served their sentences and were on parole. This is the latest manifestation of state and local involvement in immigration enforcement. Parole officers asked the immigrants to visit their offices, where, unbeknownst to the immigrants, ICE officers were waiting to pick them up. In some cases, the arrests were made at routine parole visits, but in others, those detained reported that their parole officers had called them in for a special appointment. In some cases, parole officers called to verify parolees' home addresses before ICE swept in for the arrest. Some of those arrested in this manner were no longer even on parole, and parole officers had called "just to check in and see how they were doing."

The operation, which was implemented in New York City, Westchester and Long Island, reportedly involved six months of planning by 500 federal, state, and city officials. The New York Police Department reportedly pulled out of the operation in the end, citing lack of resources and insufficient reimbursement by federal authorities. Of the 134 immigrants arrested, 115 were lawful permanent residents who were likely unaware that their convictions rendered them deportable. These are people who have served their time but are

confronted with disproportionately harsh immigration consequences under the 1996 immigration laws.

These arrests may not be the last. ICE and the Parole Division reportedly have a list of 1,300 parolees who may be subject to deportation. It remains unclear whether the May 25th operation was a one-time collaboration or the first in a series of joint sweeps. For more information, call Karin at ext. 244.

Tancredo Amendment to Punish NYC for Immigrant Confidentiality Policy Defeated in Congress

On June 18th, anti-immigrant Representative Tom Tancredo (R-CO) attempted to attach an amendment to the Homeland Security Appropriations bill that would have “prohibit[ed] the use of funds to provide assistance to any state or local government entity or official that prohibits or restricts the sharing of an individual’s citizenship or immigration status with the Bureau of Immigration and Customs Enforcement.” New York City has such a confidentiality policy in Executive Order 41, which is meant to make immigrants feel safe to report crimes and access essential services. Tancredo’s amendment was voted down 148 to 256.

This was the third time Representative Tancredo introduced this amendment. In June 2003, the vote was 102 in favor, 322 opposed. In July 2003, it was 122 to 305. He also considered offering amendments to punish states that allow undocumented immigrants to apply for driver’s licenses and to penalize states and localities that recognize consular identification cards as valid, but neither was offered last week. Advocates should remain vigilant in case these amendments come up again. To learn more, contact Karin at ext. 244.

included provisions allowing third parties to file complaints on behalf of non-unionized workers and authorizing local governments to access employers’ compliance history and use it in making decisions about licenses, contracts, and subsidies. The labor-law-enforcement provisions were included in the Assembly bill at the request of the NYIC and other low-wage-worker advocates but risk being cut out of the Senate bill due to opposition from business lobbyists.

Hospital Language Access Bill: On June 7th, the State Assembly passed A.5431-B, which would give hospitals much flexibility in meeting basic standards to ensure clear communication with limited-English-proficient patients. The Senate companion bill (S.5161-B), however, was not reported out of the Senate Health Committee or brought to a vote due to opposition from the Greater New York Hospital Association. Other health-care providers, including New York City’s Health and Hospitals Corporation, supported the legislation. Advocates made significant progress this session in building support among key Republican senators and should prepare to fight even harder next session to win passage of hospital language access legislation.

Immigrant Consultant Bill: The State Senate and Assembly unanimously passed S.3314-B and A.7137-B, sponsored by Senator Padavan and Assemblyman McLaughlin. This legislation would regulate immigrant assistance services and help prevent fraudulent actions by persons who are not authorized to practice law or provide legal advice on immigration matters. The bill will soon be sent to the governor for his signature. For more information, contact Mark at mlewis699@aol.com or at 845-246-8881.

NEW YORK STATE

State Budget and Legislative Wrap-Up

The State Senate and Assembly adjourned the 2004 legislative session on June 22nd and 23rd, respectively, without a final state budget in place. Instead, they passed an appropriations bill to cover state expenses through August 2nd. The major stumbling point was funding for education and how to address the Campaign for Fiscal Equity (CFE) lawsuit ruling, which requires that the state submit a plan to adequately fund education in New York City by July 30, 2004. The State Legislature is expected back in July to pass the budget and address the CFE lawsuit. The statuses of other state legislative proposals are recapped below:

Minimum Wage Bill: The State Senate adjourned without taking action on a bill to increase the minimum wage. However, the Senate could still vote on a minimum wage bill when it returns in July, and Majority Leader Bruno has stated that he expects the Senate to vote on a bill this year. The bill passed by the Assembly would increase the minimum wage to \$7.10 an hour and



ACTIONS YOU CAN TAKE RIGHT NOW TO HELP PROTECT IMMIGRANTS’ RIGHTS

1. **Urge Senators Schumer and Clinton and your representative to co-sponsor the Civil Liberties Restoration Act (S.2528/H.R.4591)!** None of New York’s senators or representatives have co-sponsored yet. Capitol switchboard: 202-224-3121.
2. **Urge Governor Pataki, Senate Majority Leader Bruno, and Senate Labor Committee Chair Olga Mendez to pass an increase in the minimum wage.** Please tell them that labor-law-enforcement and tipped-worker provisions need to be included in the final bill. Governor Pataki: 518-474-1041. NYS Senate: 518-455-2800.
3. **Urge Governor Pataki to sign the immigrant consultants Bill.** Governor Pataki: 518-474-1041.

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