

EXPANDING RIGHTS



Through our PardonNY campaign, IDP connected with hundreds of immigrants—helping many apply for pardons, vacate old convictions, and/or find counsel to help fight their cases. We responded to an urgent need for pardons as a form of deportation defense in communities targeted by raids, especially the Southeast Asian community, and are working on a campaign that would expand clemency for immigrants.

In April, IDP’s One Day to Protect New Yorkers Act became law in New York as part of the state budget. One Day reduces the maximum sentence for NY misdemeanor offenses from 365 days to 364 days, protecting immigrants from arrest, detention, deportation, and family separation.

In June, NY changed criminal penalties for low level marijuana possession and created an automatic expungement of some marijuana convictions. IDP ensured that efforts to erase old marijuana convictions would not inadvertently harm non-U.S. citizens. The final bill includes automatic expungement, which may be of limited use in immigration proceedings, but also includes an expansion of post-conviction relief for old marijuana convictions. This provides a path to vacate old marijuana convictions in state courts in a way that will be recognized by immigration agencies and courts.

RESISTING ICE POLICING



Two year after starting the ICE Out of Courts Coalition, a campaign to stop ICE’s targeting of immigrants at courthouses, we celebrated a victory in April: the NYS Office of Court Administration (OCA) announced new rules prohibiting ICE from arresting individuals in state courthouses without a judicial warrant or order. New York is the first state in the country to make this groundbreaking rule change. Our coalition is focused on pushing the New York State legislature to pass the Protect Our Courts Act, which supplements the OCA policy by maximizing protections against ICE courthouse arrests. IDP also helped initiate and support two groundbreaking lawsuits, one filed by NYS Attorney General James and Brooklyn District Attorney Gonzalez, and the other by the Legal Aid Society and Cleary Gottlieb, making the case that ICE arrests in and around courthouses impede the administration of justice and undermine public safety.

CHANGING THE NATIONAL CONVERSATION



In collaboration with our Immigrant Justice Network partners, IDP launched the **#NewWayForward** campaign this year, calling for an end to the criminalization of immigrants, and the harsh federal policies that have driven the mass incarceration and deportation of people of color.

Support for the campaign has been wide ranging, with the endorsement of over 200 organizations and the vocal support of celebrity-activist Diane Guerrero.

Comm/Unity: IDP coordinates the Comm/Unity Network, a cohort of national communicators dedicated to challenging the criminalization of immigrants. In October, we brought our partners to NYC to strategize for 2020. Drawing upon the work of network members and community partners and range of available research, this November we released a in-depth strategic playbook for immigrant rights communicators who are fighting detention, deportation, and criminalization.



LITIGATION

IDP's litigation focuses on the intersection of the immigration and criminal legal systems. IDP coordinates and supports litigation on critical legal issues by securing pro bono counsel, filing amicus briefs, and providing deep technical assistance to lawyers who are challenging the immigration consequences of criminal offenses that have discriminatory impact on Black and Latinx immigrant communities.

Expanding Eligibility for Relief from Deportation—Victory in *Marinelarena v. Barr!* For ten years, IDP, with the support of the Stanford Immigrant Rights Clinic and Orrick, Herrington & Sutcliffe, has been fighting to ensure that immigrants seeking relief from deportation (and other immigration benefits) are not barred if certain documents from prior criminal legal system contacts are not available. In July, the 9th Circuit, referencing IDP's amicus brief, adopted our position. This decision will make many more noncitizens with convictions eligible for relief.

COMMUNITY DEFENSE

IDP defends immigrants from ICE on multiple levels, including creating timely and accessible resources, deepening partnerships with community allies, and waging campaigns to challenge ICE policing

Over the past 6 years, IDP has been tracking ICE raids trends and tactics by monitoring and verifying over 1000 raids through the hotline and community outreach. We have steadily developed and updated materials to broadly share this information. When ICE announced mass raids over the summer, IDP fielded many inquiries from elected officials, media, organizations, and community members, and our materials were accessed by tens of thousands of people. We have also continued to focus on ICE surveillance tactics through our ICEwatch raids map, campaign work, media outreach, reports, and other resources.

IN THE NEWS

Our free national hotline receives over 2,000 calls per year. We provide expert advice to advocates, attorneys, and community members. and set priorities informed by those directly affected by harsh laws and ICE practices. We share just one of many success stories that started with a hotline call.

HOTLINE

Long-time green-card holder released after being subject to an unlawful detention: IDP received calls from the mother and wife of a Bronx father of six. He came to the U.S. as a green card holder about 18 years ago, at age 13. A week prior, he was detained by Customs and Border Protection (CBP) when returning from a trip abroad. Unfortunately, his family, in their desperation to be reunited with him as soon as possible, hired a private attorney who charged them thousands of dollars and said there was nothing to do besides speed up his deportation.

We connected the family to the Center for Appellate Litigation (CAL), who agreed to represent him in his appeal of an old criminal conviction. As it turns out, his certificate of disposition was incorrect, and his actual conviction did not put him at risk of deportation. The CAL attorney was able to secure his release from detention and get his proceedings terminated. ICE detained him for about a month without sufficient evidence to pursue a case, and the private attorney could have facilitated his deportation. But now, he is back with family and community in the Bronx. IDP is looking into a Federal Tort Claims Act lawsuit so he can hold ICE accountable for his unlawful detention.

