

March 28, 2022

To Governor Kathy Hochul, Lieutenant Governor Brian Benjamin, Majority Leader Andrea Stewart-Cousins and Speaker Carl Heastie:

We, the undersigned immigrant rights organizations in New York, unequivocally oppose Governor Hochul's proposed plan to expand criminalization and incarceration. Bail reform has had a positive impact for immigrant New Yorkers, helping to keep families together as they navigate the criminal legal system as well as the risks of immigration enforcement. It is imperative that you not undo these critical reforms and instead pursue an evidence-based approach of investing in our communities to increase well-being and safety.

Before bail reform, pretrial jailing coerced many immigrants to plead guilty in overcharged cases that carried the risk of detention and deportation, instead of waiting for a fair deal that would not trigger immigration consequences. Now, fewer immigrant community members are at risk of detention and deportation and are able to keep their jobs—and in turn their housing, child care, and basic necessities—while resolving a criminal case.

Raise the Age has also protected immigrants' rights. New York's family court dispositions do not typically trigger harsh immigration consequences, so the law has protected many of New York's immigrant youth from detention and deportation. The Governor's plan to rollback Raise the Age reforms threatens youth with adult prison, and for immigrants, increases the likelihood of permanent separation from their caretakers. This proposal is both unconscionable and ineffective in protecting young people from violence. Data shows that community-based, public health-centered violence intervention programs are the only viable solution to preventing and decreasing gun crime.

Black, Latinx and immigrant New Yorkers have experienced incredible loss and harm during the last several years. At the height of the pandemic, Black New Yorkers had died from COVID-19 at twice the rate and Latinx New Yorkers died at 2.1 times the rate of white New Yorkers.¹ Immigrants are increasingly the target of racist, right-wing attacks, and thousands have been detained and deported. As we help one another get back on our feet, it is imperative that you do not act on this plan, which will take away stability and opportunities that we can not afford to lose.

Instead of putting more New Yorkers behind bars, New York must invest in real solutions for community safety, such as employment programs, neighborhood investments, healthcare access, and housing access that have been shown to reduce violence and crime. We call on you to do

¹ New York City Mayor's Office of Immigrant Affairs, A Demographic Snapshot: NYC's Latinx Immigrant Population, <https://www1.nyc.gov/assets/immigrants/downloads/pdf/Hispanic-Immigrant-Fact-Sheet.pdf>.

right by all New Yorkers—including immigrant New Yorkers—and not resort to the failed policies of mass incarceration.

Sincerely,

African Communities Together
Alianza Agricola
Appellate Advocates
Black Alliance for Just Immigration
The Bronx Defenders
Brooklyn Defender Services
Clemency Coalition of New York
Coalition for Immigrant Freedom (aka Northern Manhattan Coalition for Immigrant Rights)
Columbia County Sanctuary Movement
Deportation Defense Clinic at Hofstra Law School
DRUM - Desis Rising Up & Moving
Envision Freedom Fund
Families For Freedom
FWD.us
Immigrant Defense Project
Justice for Migrant Families
LatinoJustice PRLDEF
Legal Aid Society
Make the Road NY
Mekong NYC
Neighborhood Defender Service of Harlem
New Immigrant Community Empowerment
New York Civil Liberties Union
New York Immigration Coalition
New York County Defender Services
Southeast Asian Defense Project
UnLocal
Vera Institute of Justice
Westchester Women's Agenda
The Workers Circle