



One Day to Protect New Yorkers

The Undersigned Individuals and Organizations Support the One Day to Protect New Yorkers Campaign

Recognizing that the combination of current New York criminal law and federal immigration law results in many New Yorkers being deported and denied critical immigration relief for misdemeanor convictions, and that these harsh consequences eventually cause families to be torn apart, leaving children without economic or familial support, **we support an amendment to the New York penal law that reduces the maximum penalty for A misdemeanors by one day, from 365 days to 364 days.** This minor change will:

- **Prevent Deportations Based on Misdemeanor Offenses:** Because A misdemeanors in New York have a *potential* sentence of one year, green card holders living in the United States legally can often be deported for a single misdemeanor conviction, even if they are not sentenced to a single day in jail. Reducing the maximum potential sentence by one day would spare thousands of people from deportation.
- **Protect Vulnerable New Yorkers:** Immigration law is supposed to protect people who would face persecution if deported (asylees) and immigrant victims of domestic violence (VAWA recipients). However, because A misdemeanors in New York have a *potential* sentence of one year, these vulnerable New Yorkers can be deprived of protection based upon a single misdemeanor conviction, sometimes even if they are not sentenced to any jail time. Reducing the maximum potential sentence by one day would help protect these vulnerable New Yorkers.
- **Restore Discretion to Immigration Judges:** Currently, a conviction for certain misdemeanor offenses can trigger mandatory deportation, even for green card holders. Because of the way New York's one-year maximum sentence for misdemeanors interacts with a draconian provision of federal immigration law, Immigration Judges are often deprived of discretion to even determine whether deportation is warranted. Reducing the maximum potential sentence by one day would restore discretion to immigration judges.

This minor amendment of reducing the maximum New York A misdemeanor sentence by only one day would protect thousands of New Yorkers from being separated from their families and livelihoods. New York is home to one of the most diverse populations in our nation and this immigrant population has contributed significantly to the economic and cultural development of the Empire State. We support this campaign because it will greatly mitigate the damages caused by our broken and harsh immigration system and it will enlist New York among other progressive states which have already enacted similar laws to protect their immigrant populations.

**For more information on the One Day to Protect New Yorkers campaign, please contact
1Day4NY@immdefense.org**

Respectfully Signed,

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Appellate Advocates
Asian American Legal Defense and Education Fund
Bronx Defenders
Brooklyn Defender Services
Campaign for Alternatives to Isolated Confinement
Campaign to End the New Jim Crow
Center for Community Alternatives
Center for Popular Democracy
Central American Legal Assistance
Coalition of Reentry Advocates (CoRA)
College Initiative
Correctional Association of New York
Downtown United Presbyterian Church Justice Team
Families for Freedom
Greater Rochester Coalition for Immigration Justice
Her Justice
Hispanic Federation
Hudson Valley Community Coalition
Incarcerated Nation Corp.
Interfaith Impact of NYS
Jails Action Coalition
LatinoJusticePRLDEF
Legal Action Center
Legal Aid Society of Nassau County
Make the Road New York
Minkwon Center for Community Action
Neighborhood Defender Service of Harlem
New Sanctuary Movement NYC
New York Anti-Trafficking Network
New York City Anti-Violence Project
New York Immigration Coalition
New York State Defender Association
Northern Manhattan Coalition for Immigrant Rights
Queens Law Associates
ReEntry Columbia
Rochester Committee on Latin America
SEIU 32BJ
Sex Workers Project
Sisters of St. Joseph, Rochester, NY
The Community Service Society of New York
The Fortune Society
The Interfaith Alliance of Rochester
The Osborne Association
Urban Justice Center
Violence Intervention Program
Wayne Action for Racial Equality
Workers Justice Center of NY