

Ending State Support for Deportation, Detention and Mass Incarceration



Ending State Support for Deportation, Detention and Mass Incarceration: Legal Services Funding

Immigration legal services save lives, promote safety for those most acutely vulnerable to COVID-19, and support strong and stable communities, especially for Black immigrants and other people of color. But existing resources for affordable legal services are scarce, particularly outside of New York City, where two-thirds of all providers are located. Having a lawyer represent someone in deportation proceedings makes a huge difference. 78% of immigrants with lawyers win their cases, versus 15% who don't have legal help. For immigrants who are detained, only 3% win their cases without a lawyer. 43% of detained immigrants represented across the country through programs modeled after the New York Immigrant Family Unity Project achieve release on bond or parole. New York State can usher in a new vision of justice for immigrant communities by strengthening legal services funding.

The acute need for immigration legal services has only increased during the coronavirus pandemic. More than 200,000 people have been newly detained during the pandemic, even as public health experts caution that detention poses extreme risks to people held in those facilities and to the surrounding communities. Without legal representation, release from detention is all but impossible, and even more people are put at risk of contracting COVID-19.

Investing in legal resources helps stabilize immigrants' lives, which in turn means they are less likely to be victims of crime, including fraud, and more likely to find jobs and continue giving back to New York via innovation, entrepreneurship, taxes, culture, and much more. Legal services must include community-based organizations, which are best positioned to conduct vital outreach, know your rights trainings, and community education, and often are the first on the ground in the wake of a crisis such as an ICE raid.

Recommendation

Increase the funding for immigration legal services to \$15.3 million, from its current \$10 million, to enable legal representatives within the Liberty Defense Project to continue work on existing cases and to allow new providers to serve 1,000 New Yorkers needing legal assistance to protect themselves against federal anti-immigrant enforcement. The funds should be distributed to organizations providing legal representation as well as community-based organizations handling outreach, know your rights presentations, and community education.

Increase the budget of the Office for New Americans to \$9.1 million from its current \$6.4 million, to restore full funding to the ONA Opportunity Centers and to bring the number of centers back to its original 27. This would allow ONA to prepare an additional 400 citizenship applications, host an additional 48 intake days, and restore English classes for approximately 3,000 New Yorkers a year.