

New York Must Defend Immigrant Communities

Invest in Immigration Legal Services, Pass the Access to Representation Act, and Pass the BUILD Act

New York's immigrant communities are under unprecedented attack from the Trump administration:

- As ICE arrests have tripled across the nation, New York has seen some of the most drastic increases. Between January and July of 2025, ICE detained nearly 5,000 New Yorkers, arresting more people in those five months than in all of 2024.ⁱ
- As of August 2025, nearly 340,000 cases are pending before New York State immigration courts, and the number of detained immigrants has nearly doubled in the past year.ⁱⁱ
- In 2025, the federal government allocated an additional \$170 billion for immigration enforcement, enabling ICE to recruit thousands of new ICE agents and massively expanded capacity for immigrant detention.ⁱⁱⁱ

New York must rise to the moment and ensure that immigrant New Yorkers can access sustainable and comprehensive legal help so they can stay with their families, work, go to school, and remain in their communities. Representation can mean the difference between staying at home or permanent family separation, and even the difference between life or death. Strengthening and expanding immigration legal services is critical to protect families, support unaccompanied children who are being fast-tracked through court, and safeguard the state's economic future.

Invest **\$175M** in immigration legal services via the Office for New Americans

To ensure long-term sustainability and expansion of services, Fiscal Year (FY) 2027 investment should include:

- \$85 million to sustain existing legal and social services programs, fund recruitment and retention initiatives, and ensure equitable compensation.
- \$50 million to stand up new emergency deportation defense and social services.
- \$40 million for capacity-building and infrastructure investments to expand the pipeline of immigration legal professionals entering the field and strengthen provider infrastructure to support scaling up services.

Pass the **Access to Representation Act (ARA)**

The ARA (A270/S141) would establish a right to counsel in immigration court under a universal representation model, ensuring that anyone facing deportation who cannot afford a lawyer will be provided one. The ARA will equip the state to protect the rights of immigrant New Yorkers for years to come.

Pass the **Building Up Immigrant Legal Defense (BUILD) Act**

The BUILD Act (A2689/S4538) would invest four years of funding to grow and strengthen legal services through:

- Workforce development and training.
- Expansion of legal representation to underserved communities and rural regions.
- Integration of social workers and community-based organizations to coordinate client support and free up attorney time.
- Investment in physical, administrative, and technological infrastructure.

Why It Works:

- **Legal representation matters:** Immigrants with legal representation are up to 10.5 times more likely to win their cases compared to those without legal help.^{iv}
- **Fairness, equity, and dignity:** Everyone deserves a fair day in court, even if they cannot afford a lawyer. Moreover, access to legal representation disrupts systems that disproportionately subject Black immigrants and other immigrants of color to detention and deportation.^v
- **A strong economy:** Immigrants make up over a quarter of the state's workforce, including 190,800 entrepreneurs. Immigrants in New York contributed \$31.3 billion in state and local taxes in 2023.^{vi} And providing state-wide access to counsel for all people facing deportation would generate an estimated \$8.4 billion net benefit for federal, state, and local governments.^{vii}
- **Safe families, and stable communities:** Immigrants make up almost a quarter of New York State's total population and more than a third of New York's children have an immigrant parent.^{viii}

Pass the ARA. Pass the BUILD Act. Fund \$175M in FY27 through ONA.

For more information, visit care4immigrants.org.

Endnotes

The Campaign for Access, Representation, and Equity (CARE) for Immigrant Families is a coalition of legal services providers, community advocates, faith leaders, and labor unions, headed by a steering committee comprised of Immigrant Children Advocates' Relief Effort, Neighbors Link, New York Civil Liberties Union, New York Immigration Coalition, Vera Institute of Justice, and Immigration Immigrant Advocates Response Collective.

ⁱ Brian Sharp, "ICE Arrests in New York Surpass 2024 Totals After Recent Surge," WXXI News NPR, August 19, 2025, <https://www.wxxinews.org/local-news/2025-08-19/ice-arrests-in-new-york-surpass-2024-totals-after-recent-surge>.

ⁱⁱ Vera Institute of Justice, "Immigration Court Legal Representation Dashboard," accessed October 17, 2025, <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative/immigration-court-legal-representation-dashboard>. In August 2025, there were 1024 people with cases before New York immigration courts in detention, compared to 602 people in August 2024.

ⁱⁱⁱ Adriel Orozco, "Immigration Challenges and Concerns in Implementing the 'One Big Beautiful Bill'" American Immigration Council, July 15, 2025, <https://www.americanimmigrationcouncil.org/blog/immigration-challenges-implementing-the-one-big-beautiful-bill>.

^{iv} Ingrid V. Eagly and Steven Shafer, "A National Study of Access to Counsel in Immigration Court," *University of Pennsylvania Law Review* 164, no. 1 (2015), 9, <http://perma.cc/82F5-WE2D>.

^v Juliana Morgan-Trostle, Kexin Zheng, and Carl Lipscombe, *The State of Black Immigrants: Part I: A Statistical Portrait of Black Immigrants in the United States and Part II: Black Immigrants in the Mass Criminalization System* (New York: NYU Law Immigrant Rights Clinic and Black Alliance for Just Immigrants, 2022), <http://perma.cc/WM8H-HBTZ>.

^{vi} Vera Institute of Justice, "Profile of Immigrants in New York," March 2025, https://vera-institute.files.svdcn.com/production/downloads/publications/NY_Immigrant_Population_Profile.pdf.

^{vii} New York City Comptroller Brad Lander, *Economic Benefits of Immigration Legal Services* (New York: Office of the New York City Comptroller, 2024), <https://perma.cc/WH2Z-QHUYf>.

^{viii} Ibid.