



449 Troutman Street
Brooklyn, NY 11237

1730 M Street NW, Suite 1115
Washington, DC 20036

populardemocracy.org
T 347-985-2220

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The Honorable Helene E. Weinstein
Chair, Standing Committee on Ways and Means
LOB923, Capitol Building
Albany, NY 12248
wamchair@nyassembly.gov

The Honorable Liz Krueger
Chair, Standing Finance Committee
Room 416, CAP, Capitol Building
Albany, NY 12247
financechair@nysenate.gov

**The Center for Popular Democracy's Testimony
in Support of the New York Immigrant Family Unity Project**

Submitted to the Legislative Budget Hearings on Local Government and Public Protection

Dear Chairperson Weinstein and Chairperson Krueger,

The Center for Popular Democracy (CPD) works to create equity, opportunity, and a dynamic democracy in partnership with high-impact base-building organizations, national organizations and progressive unions. CPD strengthens our collective capacity to envision and win an innovative pro-worker, pro-immigrant, racial and economic justice agenda.

Since 2015, CPD has worked in partnership with the Vera Institute of Justice (Vera) and the National Immigration Law Center (NILC) to launch and support universal representation programs for immigrants facing detention and deportation. New York's trail blazing work with the New York Immigrant Family Unity Project (NYIFUP) has provided a model and created momentum for the more than 35 jurisdictions in 18 states currently publicly funding deportation defense programs. CPD has worked with affiliate organizations in New York, New Jersey, Maryland, Virginia, and Minnesota in fighting for and winning public deportation defense programs. CPD is also working with affiliates in Nevada, North Carolina, and Pennsylvania as they consider launching campaigns for public investment in deportation defense. New York continues to be a model as the first and only state housing a statewide public defender system providing free legal representation to all immigrants fighting their deportation cases in detained court who would not otherwise be able to afford legal representation.

It is difficult to overstate how important publicly-funded deportation defense is. Nationwide, approximately half a million people were booked into detention in FY19 – a 58% increase from

FY17.¹ Detained community members face a broken and biased system described by a judge as akin to hearing “death penalty cases in a traffic court setting.”² Many community members face this system without legal representation, while there is always a lawyer on the other side arguing against their release from detention and ability to remain in the United States. In detention, people face inhumane conditions, loss of liberty, lasting trauma, and barriers to accessing counsel. Meanwhile, the stakes are high. Deportation can result in physical exile from home, separation from family, loss of employment, and even violence or death in a country of origin.

Additionally, the effects of detention and deportation extend far beyond those detained and radiate throughout our communities. An evaluation of the NYIFUP pilot program in New York City revealed that clients served through the program had lived an average of 16 years in the United States and were projected to contribute \$2.7 million in tax revenue each year. Nearly half of the clients were parents to thousands of U.S. children.³ Data from the localities that are part of Vera’s SAFE Network reveal that clients of the program are parents to hundreds of children--82% of whom are U.S. citizens--and have lived in the U.S. for an average of 14 years. Seventy-seven percent of SAFE clients are primary breadwinners for their families.⁴

In the face of the federal government’s increased attacks on our communities, local and state governments have stepped up and invested in deportation defense programs. An investment in these programs is a critical investment in the stability of families, communities, and the economy. Immigrants who are represented are 3.5 times more likely to be released from detention on bond and up to 10 times more likely to establish a right to remain in the United States.⁵

Because of its centrality in both protecting New Yorkers directly and creating a model and momentum for localities and states across the country, we urge you to fund immigrant legal services under the Liberty Defense Project (LDP) at \$15.3 million, which would allow \$6.5 million to be allocated to NYIFUP in FY21.

Sincerely,

Natalia Renta
Senior Policy Strategist
Center for Popular Democracy

¹ U.S. Immigration and Customs Enforcement, “U.S. Immigration and Customs Enforcement Fiscal Year 2019 Enforcement and Removal Operations Report” (2019), available at <https://www.ice.gov/sites/default/files/documents/Document/2019/eroReportFY2019.pdf>.

² The Honorable Mark A. Dummond, “‘Death Penalty Cases in a Traffic Court Setting’: Lessons from the Front Lines of Today’s Immigration Courts,” American Bar Association, January 15, 2019, <https://perma.cc/G5UB-VBKE>.

³ J. Stave et al, *Evaluation of the New York Immigrant Family Unity Project: Assessing the Impact of Legal Representation on Family and Community Unity* (New York: Vera Institute of Justice, 2017), <https://www.vera.org/publications/new-york-immigrant-family-unity-project-evaluation>.

⁴ “Vera Institute of Justice, Due Process for All: Evidence from Year 2 of the SAFE Network” (New York: Vera Institute of Justice, 2019), <https://perma.cc/E32K-4KPU>.

⁵ For a summary of this research, see Karen Berberich and Nina Siulc, *Why Does Representation Matter?* (New York: Vera Institute of Justice, 2018), <https://perma.cc/NTM6-F8UN>.