



**Testimony in Support of the Access to Representation Act and
Increased Immigration Legal Services Funding in the New York State Budget
Submitted to the Joint Legislative Budget Hearing on Public Protection by the New York
Immigration Coalition
January 25, 2024**

My name is Marlene Galaz and I am the Director of Immigrant Rights Policy at the New York Immigration Coalition (NYIC) and the organization's policy lead on the Campaign for Access, Representation, and Equity (CARE) for Immigrant Families. The NYIC is an umbrella policy and advocacy organization for more than 200 multiethnic, multiracial, and multisector groups across the state working with immigrants and refugees, including many immigration legal service providers. We appreciate the New York State Legislature for organizing this crucial hearing. We have consistently emphasized the vital need for immigrants to have access to legal representation, this year, we are requesting that you allocate \$150 million for life saving immigration legal services.

Immigrants on the brink of deportation face the dire prospect of permanent family separation and potential return to life threatening conditions. Shockingly, they lack a guarantee of legal representation if they cannot afford it. As of November 2023, a staggering 170 thousand individuals in New York found themselves desperately fighting for their lives as they navigate the complexities of immigration court alone.

The statistics underscore the absolute urgency of representation: detained immigrants with legal support are up to 10.5 times more likely to secure a favorable outcome compared to those left without this crucial lifeline. Even for non-detained individuals, the impact is stark—60% of those with legal representation succeed, while a mere 17% of their unrepresented counterparts find success. These figures demand immediate intervention and support for those in desperate need. The time for action is now.

Our State must equip all immigrants facing deportation with the tools and support they need for rights protection, economic stability, and family unity. The \$44.2 million the governor proposed for immigration services falls short of last year's investment of \$63 million, constituting a \$20 million cut for critical services in a time of growing need.

In the Fiscal Year 2025 budget, we urge you to ensure a total investment of \$150 million in immigration services, including \$106 million in addition to the \$44.2 million in the Governor's Executive Budget. We also urge the passage of the Access to Representation Act (S.999A/A.170A), establishing a right to representation for those at risk of deportation in New York.

The 2025 New York State Budget must allocate \$150 million to address urgent and long-term legal and social service needs for immigrant families. This investment should comprise:

- \$62 million for deportation defense services.
- \$65 million for recruitment, retention, and training of legal teams, infrastructure, and expansion of rapid-response services.
- \$23 million for programs and outreach connecting immigrants with services to preserve rights, gain citizenship, financial literacy education, voter registration, workforce participation, English learning, and more.

We also urge the passage of the Access to Representation Act (ARA) to create a statutory right to counsel and stable funding streams for providers. This bill guarantees that no one faces deportation alone due to an inability to afford representation. Instead, people have the right to an attorney to protect themselves and their families.

New York State must build on the legacy of the New York Immigrant Family Unity Project (NYIFUP) and sustainably expand immigration legal services programs. Our state's leadership in funding legal services is crucial for immigrant communities and the well-being of all state residents. The current labor shortage demands swift action. Immigrants eager to contribute to the workforce are unjustly hindered by delays in obtaining work authorization.

Now, more than ever, investing in compassionate immigration policies is both a moral imperative and a strategic move for collective safety and economic prosperity. Let us fortify our commitment to a state where everyone, immigrant or not, can thrive safely at home, in their jobs, and with their families.

Therefore, the NYIC endorses continued funding of immigration legal services, the expansion of funding to \$150 million, and the immediate passage of the Access to Representation Act. Thank you for your work on behalf of immigrant communities, for calling this hearing, and for the opportunity to testify today.