



**Testimony in Support of Increased Immigration Legal Services Funding**

**Submitted by ICARE**

**January 25, 2024**

Respected Members of the New York State Assembly and Senate,

My name is Sierra Kraft, and I serve as the Executive Director at Immigrant Children Advocates' Relief Effort (ICARE). ICARE is a coalition of legal service providers and advocates dedicated to expanding legal representation for unaccompanied immigrant children facing deportation in New York City. While advocating for universal access to counsel for all immigrants, our primary focus is on addressing the unique challenges faced by these vulnerable young individuals. As a dedicated member of the Campaign for Access, Representation, and Equity (CARE) for Immigrant Families, the well-being of immigrant children remains a top priority for our organization.

ICARE extends its gratitude to the New York State Assembly and Senate for convening this crucial hearing. We have consistently emphasized the critical importance of access to legal representation for immigrants in removal proceedings and when applying for immigration benefits, with a specific emphasis on the challenges faced by unaccompanied children. New York currently ranks 4th highest in the country for the number of unaccompanied children released to sponsors, and each year, thousands of these children in New York City find themselves in deportation proceedings without the support of legal representation, navigating the complexities of immigration court alone and desperately fighting for their lives.

It is essential to underscore that immigrant children are not granted the right to an attorney in immigration proceedings, placing the burden on them to find legal representation or bear the financial burden. The data unequivocally underscores the importance of representation: the unaccompanied children we represent have a 90% likelihood to win their cases, while those without the support of a trained lawyer stand a mere 15% chance of winning their cases, often leading to rapid deportation where their lives are at risk.



These figures represent a call to action—a need for immediate intervention and support for those in dire need. To address this urgent need, ICARE urges the allocation of \$150 million in the 2025 New York State Budget. This investment should encompass:

- \$62 million for deportation defense;
- \$65 million for infrastructure, including training, recruitment, retention, and rapid response, and;
- \$23 million for education and integration.

Our state must equip all immigrants facing deportation, especially unaccompanied immigrant children, with the basic tools and support they need to protect their rights, secure economic stability, and remain united with their families. The \$44.2 million the Governor proposed to fund immigration services in the Executive Budget falls short of last year's \$63 million investment amounts to a cut of \$20 million for critical services that are now needed more than ever.

Furthermore, ICARE strongly advocates for the passage of the Access to Representation Act (ARA). This groundbreaking legislation would create a statutory right to counsel for immigrants facing deportation in New York, establishing stable and sustainable funding streams for providers striving to meet the urgent need. The ARA ensures that no unaccompanied child is left to defend themselves against a trained government lawyer alone due to an inability to afford representation. Instead, they would have the right to an attorney to help protect themselves and their families from deportation.

New York State must preserve its legacy as a national leader in funding legal services, as exemplified by the New York Immigrant Family Unity Project (NYIFUP). Our state's commitment to upholding freedom, fairness, and family unity is not only a lifeline for immigrant New Yorkers but also essential for the well-being of all communities across the state.

In conclusion, ICARE unequivocally endorses the continued funding of immigration legal services, emphasizing the expansion of funding to \$150 million, with a particular emphasis on the unique needs of unaccompanied children. We also advocate for the immediate passage of the Access to Representation Act. We extend our heartfelt gratitude for your dedication to



immigrant communities, for convening this hearing, and for providing us with the opportunity to testify today.

Thank you for your service.

In Community,

*Sierra Kraft*

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