



NYIC State 2021 Priorities

Ending State Support for Deportation, Detention and Mass Incarceration: Legal Services Funding and Access to Representation Act ([S.81/A.01961](#))

Unlike in criminal proceedings, where defendants will be given a lawyer if they cannot afford one, immigrants do not have a right to a government-paid attorney. Those who cannot afford to hire a private attorney must find a non-profit able to help or represent themselves. 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.

Investing in legal resources helps stabilize immigrants' lives, which in turns 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 in the form of innovation, entrepreneurship, taxes, culture, and much more. Legal services must include community based organizations who are best positioned to conduct vital outreach, know your rights and community education, and often are the first on the ground in the wake of a crisis such as an ICE raid.

Recommendations

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.

Pass the Access to Representation Act to ensure a right to counsel for all immigrants facing deportation in New York ([S.81/A.01961](#)) and guarantee that no one must defend themselves against a trained government lawyer alone in order to protect themselves and their families from deportation. The Act will provide stable funding streams for immigration legal services, easing uncertainty on both the legal representatives and their clients. By becoming the first state to enact a right to counsel for immigrants and, in the meantime, by renewing and adding to its initial investment, New York can once again show itself to be a leader in common sense policies.

For more information contact Anu Joshi (ajoshi@nyic.org).

New York Immigration Coalition

131 W 33rd St. Fl 6
New York, NY 10001
212 627 2227
nyic.org