



Legislative Newsletter

Neighbors Link strongly supports budgets and policies that respect the dignity of each human and recognize the contributions made by immigrants. The following pages discuss key legislative and budget issues we are working for in 2023.

Access to Representation Act

Unlike in criminal proceedings, where defendants are given a lawyer if they cannot afford one, immigrants do not have the right to a government-paid attorney in immigration court. For the many immigrants who cannot afford to hire a private attorney, the only options are to find a nonprofit to help or represent themselves. It is clear that having a lawyer represent someone in deportation proceedings makes an enormous difference; 60% of undetained immigrants with lawyers win their cases, versus 17% who don't have legal help.

Advocacy Item

- Pass the Access to Representation Act (S999/A170) to ensure the right to counsel for all immigrants facing deportation in New York. This Act would mandate that New York State appoint a lawyer to anyone in the state who has a case before an immigration judge or who has a basis to appeal or request to reopen an old deportation order, and meets income requirements. The Access to Representation Act would also guarantee stable funding streams for immigration legal services.



Dina Yesenia Huayllani is a client of Neighbors Link Community Law Practice and she spoke at a press conference in New York City at the launch of the campaign to call for passage of the Access to Representation Act:

"My family and I decided to leave our country urgently because our lives were at risk... Neighbors Link was able to help me receive political asylum and my hope is, just as I was able to get legal assistance, that new families that are arriving here will get the legal assistance that they need."

New York for All

Our entire community is safer when all residents, regardless of immigration status, feel safe driving to work, taking their kids to school and reporting crimes to law enforcement. Unfortunately, many members of the immigrant community often feel unsafe interacting with state and local government agencies for fear that this will lead to a devastating interaction with Immigration and Customs Enforcement (ICE).

The Westchester County Immigration Protection Act was an important local step in building trust between local residents and law enforcement by defining what information county law enforcement can share with federal officials. It is now critical that we bring this legislation to the state level.

Advocacy Item

- Pass the New York for All Act (S987) to broadly prohibit state and local officers from enforcing federal immigration laws, funneling people into ICE custody, and sharing sensitive information with ICE. The Act also prohibits ICE and Customs and Border Protection (CBP) from entering non-public areas of state and local property without a judicial warrant. It also ensures that people in custody are given notice of their rights before being interviewed by ICE, and begins the process of limiting ICE and CBP access to state information databases.

ONA Funding

The New York State Office for New Americans (ONA) funds critical services for immigrant New Yorkers, including naturalization services, work authorization assistance, DACA screenings, English language education, community navigation and workforce development workshops. ONA also runs the New Americans Hotline, which provides tens of thousands of referrals every year. However, at the current level, ONA is significantly underfunded to actually meet the needs of immigrants. Increasing the funding would allow improved access to critical services across the state.

Advocacy Item

- Increase funding from the current \$8M to \$20M. This funding would allow for the creation of new ONA opportunity centers, additional staff to support naturalization services, additional adult literacy classes, increased coverage for other languages and improved access to the New Americans Hotline.



Neighbors Link first established our partnership with the New York State Office for New Americans (ONA) in 2016, when our Mount Kisco center was awarded an ONA Opportunity Center grant, designating us as a recognized resource among a statewide network of service providers for new Americans. We have continued our work with ONA through various programs by facilitating conversations on immigration, leading workshops for immigrant service providers, providing legal services, acting as legal counsel in our region, offering citizenship preparation classes, and offering ESOL classes.

Coverage for All

New York is healthier and safer when everyone can access affordable, quality healthcare. Unfortunately, over 150,000 New Yorkers currently lack health insurance because of their immigration status. Other states, including California and Illinois, have remedied this situation by using state funds. New York needs to allocate funds to make immigrants eligible for affordable, quality coverage through a state-funded essential plan.

Advocacy Item

- Pass the Coverage for All Act (S2237/A3020) to create a state-funded essential plan for all New Yorkers up to 200% of the federal poverty level who are currently excluded because of their immigration status.



Language Access

Many immigrant New Yorkers are unable to access critical state services due to language barriers. Under current law, State agencies must provide for the translation of vital documents in the 10 most commonly spoken non-English languages and provide interpretation services in any language with respect to the provision of agency services or benefits. However, this does not apply to subdivisions of state and county government, such as the Department of Motor Vehicles (DMV) and the Department of Education (DOE). Additionally, the law does not account for the changing demographics of the state.

Advocacy Item

- Pass legislation to expand the current language access policy to include additional state agencies such as the DMV and DOE and require biennial language assessment using both Census and Community Survey data.

Right to Counsel

The COVID-19 pandemic worsened an already dire housing situation in New York State. Currently, New York has one of the highest rates of homelessness in the country and landlords are actively trying to evict more than 270,000 tenants statewide. Across the state, landlords are normally represented during eviction proceedings, but most tenants do not have legal representation. Eviction proceedings are nearly impossible for most tenants to navigate without a lawyer. Ensuring that all tenants facing eviction have legal counsel would be an effective way of protecting tenants' rights.

Advocacy Item

- Pass the Right to Counsel (S2721/ A1493) legislation to ensure that every tenant across New York State has the right to a lawyer when facing eviction. This legislation would apply to all tenants facing eviction, cover any case that could result in a tenant losing their housing and would require the courts, judges, and landlords to ensure that tenants know about and can use their Right to Counsel.

Unemployment Bridge Program

Unemployment insurance is an essential labor right. However, hundreds of thousands of New Yorkers are currently not eligible for unemployment insurance because of their immigration status or the kind of work that they do. This includes undocumented workers, those who are part of the cash economy (including many domestic workers and day laborers), formerly incarcerated workers and many self-employed workers in low-income industries. When these workers lose jobs or income, they have nowhere to turn to support themselves or their families. A permanent fix is needed to ensure that all workers have access to a basic safety net.

Advocacy Item

- Pass the Unemployment Bridge Program to provide for thousands of freelancers, self-employed workers, formerly incarcerated workers and those who are not eligible for unemployment insurance because of their immigration status. This program will give workers access to the support they need to provide for themselves and their families, especially when they face sudden job loss.



"I've been working for 18 years as a day laborer and I never had the opportunity to apply for unemployment insurance... In the long winter months, it is impossible to find work and cover our expenses. That's why we're here, asking legislators to support our campaign to fight to get the unemployment bridge program. We are not asking for charity but respect and a dignified life for day laborers."

- Carlos Matute, worker and Neighbors Link client, at a rally for the Unemployment Bridge Program

DALE Campaign

The DALE (Desde Abajo Labor Enforcement) Campaign seeks to protect undocumented workers who speak out about abuse or unsafe working conditions. Far too often, the fear of deportation results in undocumented workers not coming forward to report rampant abuse.

Advocacy Success and Future Actions

- In a big win for the campaign, on January 13th, 2023, the Department of Homeland Security announced that noncitizen workers who are victims of, or witnesses to, a violation of labor rights, can now access a streamlined and expedited deferred action request process. Deferred action protects noncitizen workers from threats of immigration-related retaliation from exploitative employers. In addition, individuals who are granted deferred action may be eligible for employment authorization.
- There is significant work ahead to ensure that all workers who qualify for this new policy will actually benefit from it. We need President Biden and the Secretaries of Labor and Homeland Security to defend and amplify this policy publicly.