



2017-2018 New York State Immigrant Opportunity Agenda:

Eight Ways that NY Must Lead the Way in the Trump Era

In a year when immigrant communities and working-class communities of color are under attack by the Trump administration and a hostile Congress, it is more critical than ever that New York stand as a beacon for the rights and needs of these communities. Albany must move beyond supportive rhetoric and take real, concerted action to protect immigrants and their families from the onslaught from Washington. Make the Road New York introduces the New York State Immigrant Opportunity Agenda as a series of measures that New York should swiftly adopt to offer the necessary protections.

NY DREAM Act (A-3039 / S-471A): Expand NYS TAP (Tuition Assistance Program) to cover DREAMers. Each year, thousands of undocumented youth in New York graduate from high school with little hope because they are ineligible for financial aid to attend college. The NYS DREAM Act would allow undocumented students who meet the criteria to apply for state financial aid that is currently available to others, such as the Tuition Assistance Program (TAP). California, Texas, New Mexico and Minnesota have passed similar bills. NY DREAM is a critical pathway to provide tuition equity and equal opportunity to undocumented youth in our state.

NY Liberty Act (A-3049 / S-4075A): Limit information sharing and cooperation between New York State law enforcement agencies and Immigration and Customs Enforcement (ICE). During the Obama administration, New York suspended cooperation with “Secure Communities,” an anti-immigrant program that the Trump administration is now reviving. The assaults on immigrants, and the public safety of all, due to the entanglement of local law enforcement with ICE will only get worse during the Trump administration, which has also pledged to attack localities that seek to protect immigrants. It is critical that New York lead the way to stop this. The New York Liberty Act offers a multi-pronged approach that keeps state and local agencies and law enforcement from asking people their immigration status or place of birth, unless legally required, and prevents such agencies from responding to ICE “hold” requests unless presented with a judicial warrant.

Drivers Licenses for All (A-4050, A-2477 / S-338): Allow all qualified New Yorkers, irrespective of immigration status, to obtain a drivers’ license. With the Trump administration already beginning its attacks on immigrants, it is critical that New York adopt proactive measures to protect them. The state currently prevents hundreds of thousands of otherwise-qualified New Yorkers from obtaining a license because of their immigration status. This puts many immigrants—who, in many parts of the state like Long Island and the Hudson Valley, need to drive to get to work, drop kids at school, or get to a doctor’s office—at risk of traffic stops that could lead to arrest and deportation. Given President Trump’s vow to tear apart immigrant families that have had any contact with law enforcement, New York urgently needs to protect its immigrant community by restoring access to drivers’ licenses to all. Making licenses available to all New Yorkers also enhances public safety by allowing all drivers to operate fully within the law and obtain insurance coverage and creates a reliable revenue stream for New York.

New York Immigrant Family Unity Project: Extend the New York Immigrant Family Unity Project (NYIFUP) to the entire state. As the nation’s first system of universal immigration representation, NYIFUP ensures that no New York family will be torn apart simply because they

cannot afford counsel. Deportation tears apart social fabric, and costs NYS employers some \$13.4 million each year. For \$3.6 million annually NYS can extend the reach of this program to mitigate the damaging effects of family separation, better bring the immigration system in line with our values of a fair trial and access to justice, and save NYS money. NYIFUP has been piloted in New York City, Batavia and Ulster County with demonstrated cost-effective impact.

Expand Adult Literacy Funding: Increase NYSED Funding for Adult Literacy Education (ALE) to \$17.2 million and support the Regents' recommendation of a \$10 million investment in Bridge Programs. These programs are critical for promoting opportunities for immigrant communities and for enabling New Yorkers to get and keep jobs and to continue their career paths. Adult education also gives parents tools to support their children's academic success. Already massive unmet need is compounded this year by the implementation of the federal Workforce Investment and Opportunity Act (WIOA), which will exclude thousands of learners from federal funding streams. This is a key moment for New York to increase funding for ALE.

Reduce Unnecessary Arrests (A-3201): With "broken windows" and "zero tolerance" policing models in place around the state, too many New Yorkers' efforts to build a better life for their families are derailed by arrests for offenses so minor that the State does not even consider them to be crimes. Harmful and needless arrests for low-level, ticket-able offenses can carry significant social and public costs to taxpayers, and can jeopardize employment opportunities, and access to health, housing, and other programs—with more vulnerable populations facing the disproportionate impact of needless exposure to the criminal justice system. These policies particularly endanger immigrants, for whom any law enforcement interaction can lead to deportation. Legislation to reduce unnecessary arrests would help protect all New Yorkers and avoid wasting resources on small infractions.

Strengthen Worker Protections: New York must act immediately to protect immigrant workers from exploitation in ways that survive forced arbitration agreements. Immigrant workers are at particular risk of exploitation at a moment when many employers feel they can threaten immigrant workers with impunity. This crisis has two dimensions. First, the New York State Department of Labor (DOL) is woefully under-resourced, and most of its funding comes from the federal government. Under Trump, the federal government cannot be counted on to play any role in protecting workers, and New York State preemption law severely limits the power of cities to help. Second, corporations' increased use of forced arbitration agreements is compelling workers to cede their right to go to court if they face illegal exploitation on the job. With forced arbitration making it impossible for immigrant workers to enforce their own rights in court, the DoL must step into the breach. The state must dramatically increase DoL resources to protect workers; enact new ways to enforce the law when workers have been tricked into signing forced arbitration agreements; and at least double penalties for retaliating against workers blowing the whistle on abuse.

Coverage for All: About 433,000 New Yorkers are unable to access comprehensive coverage because of their immigration status. New York State should increase the upper age limit of Child Health Plus from 18 to 29, to make nearly 100,000 additional young adult immigrants eligible for high quality coverage. In the face of the attacks from President Trump and the Congressional Republicans on the Affordable Care Act and immigrant communities, New York should also continue to explore mechanisms to provide health insurance coverage to all New Yorkers, regardless of immigration status.