

# **The Right Balance: Smart Policing and Inclusive Immigration Policies in New York City**

Bitta Mostofi, Acting Commissioner of NYC Mayor's Office  
of Immigrant Affairs

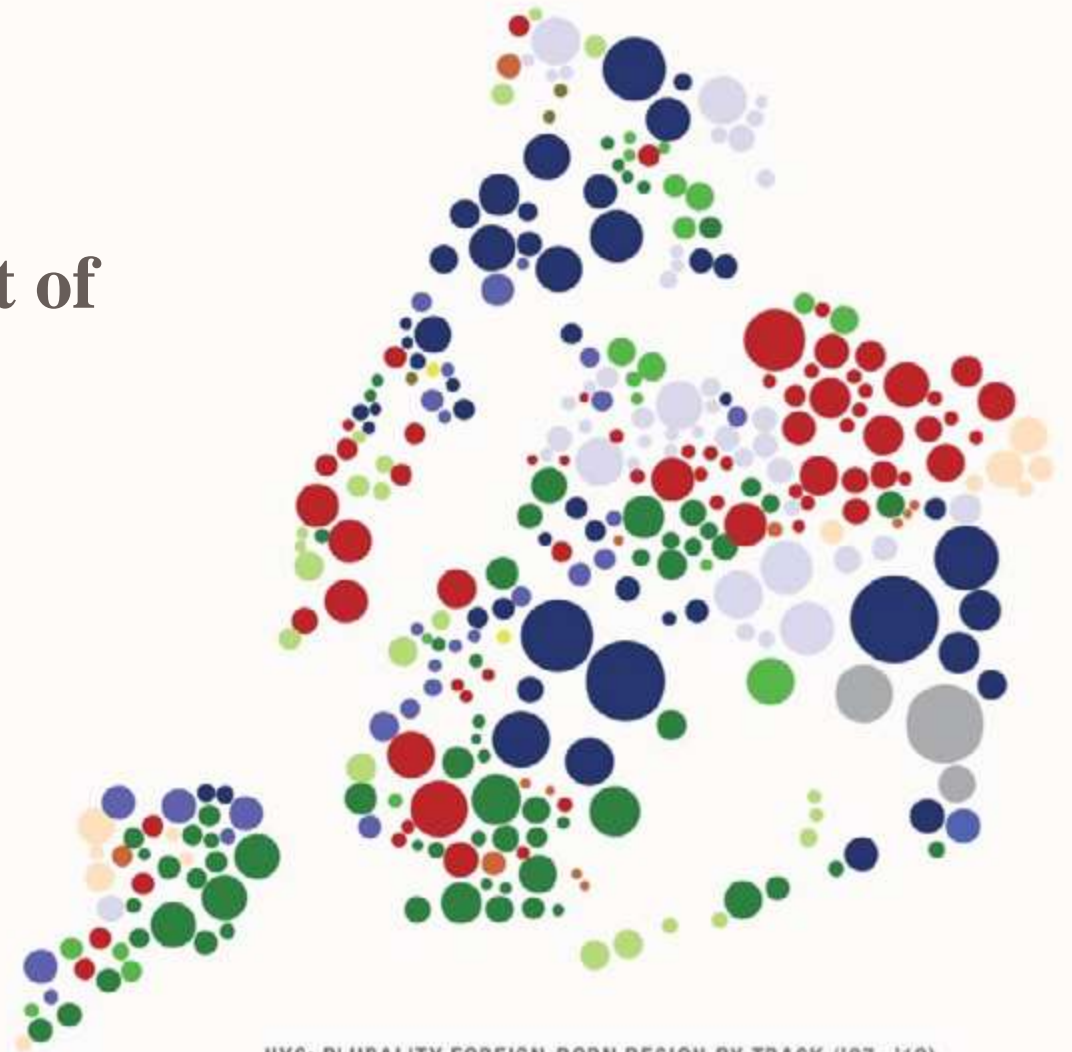
*Strategic Approaches on Migrants with Irregular Status In  
Europe*

*St Hugh's College, Oxford, 18-22 September 2017*

# **In NYC, we see ourselves as the ultimate city of immigrants**

- Nearly 40 percent of NYers are immigrants, similar to London, highest levels in a century
- NYC immigrants as a city would be second biggest city in country, second only to NYC
- Immigration is central to NYC's identity as a global city

Nearly 40 percent of  
New Yorkers are  
immigrants



NYC: PLURALITY FOREIGN-BORN REGION BY TRACK ('07 -'12)

- SOUTH AMERICA
- CENTRAL AMERICA
- CARIBBEAN
- EASTERN AFRICA
- NORTHERN AFRICA
- WESTERN AFRICA
- NORTHWEST EUROPE
- SOUTHERN EUROPE
- EASTERN EUROPE
- SOUTH CENTRAL ASIA
- SOUTHEAST ASIA
- WESTERN ASIA
- EAST ASIA

# **In the U.S., NYC has been part of longstanding debate on immigration and public safety**

As safest big city in the country, and with largest immigrant population, NYC is important intersection of inclusive policies and effective policing

**NYPD has been key partner in making our city safer, including for immigrant New Yorkers**

Our police recognize that partnerships with immigrant communities make us safer

# **That starts with NYPD policy to not ask people asking for help about their immigration status**

- This policy goes back to previous administrations that recognized that we need immigrant NYers to feel comfortable asking for help in order to confront crime
- In light of the new administration in Washington, Comm. O'Neill reiterated this policy in memo to officers early this year

## **In addition, this Administration has upgraded our efforts to assist immigrant crime victims**

- Under federal law, local law enforcement can assist certain immigrant crime victims obtain special visas (U and T visas) for cooperating with investigations or prosecutions
- This Administration has increased the City's capacity to assist on these visas, created a web resource for the public and conducted outreach with communities, advocates & lawyers

# More broadly, Mayor de Blasio has led progressive efforts to get people out of the criminal justice system while keeping our communities safe

- Ending stop and frisk, which had disproportionate negative impact on black, Latino and immigrant communities
- Moving from arrests to summons
  - Signing Criminal Justice Reform Act to give NYPD discretion to issue summons for certain nonviolent offenses, instead of making arrests
- Signing 2014 detainer laws that determine extent of local cooperation with federal immigration enforcement officers



# NYC is navigating recent changes in federal policies attempting to penalize cities like New York in the name of public safety

- Public safety is our highest priority in NYC – as the top terrorist target in the country, we are hypervigilant about making NYC safe for everyone
- Despite what you may hear, any implication that NYC harbors serious, violent criminals is false
- For the small number of immigrants convicted of committing serious or violent crime, we voluntarily cooperate with requests from federal authorities
- NYC has limited cooperation with ICE to prioritize people committing serious or violent crimes
- And recent court ruling on AG Sessions' attempt to threaten funding to like-minded cities echoes our suspicion that his crusade is unconstitutional

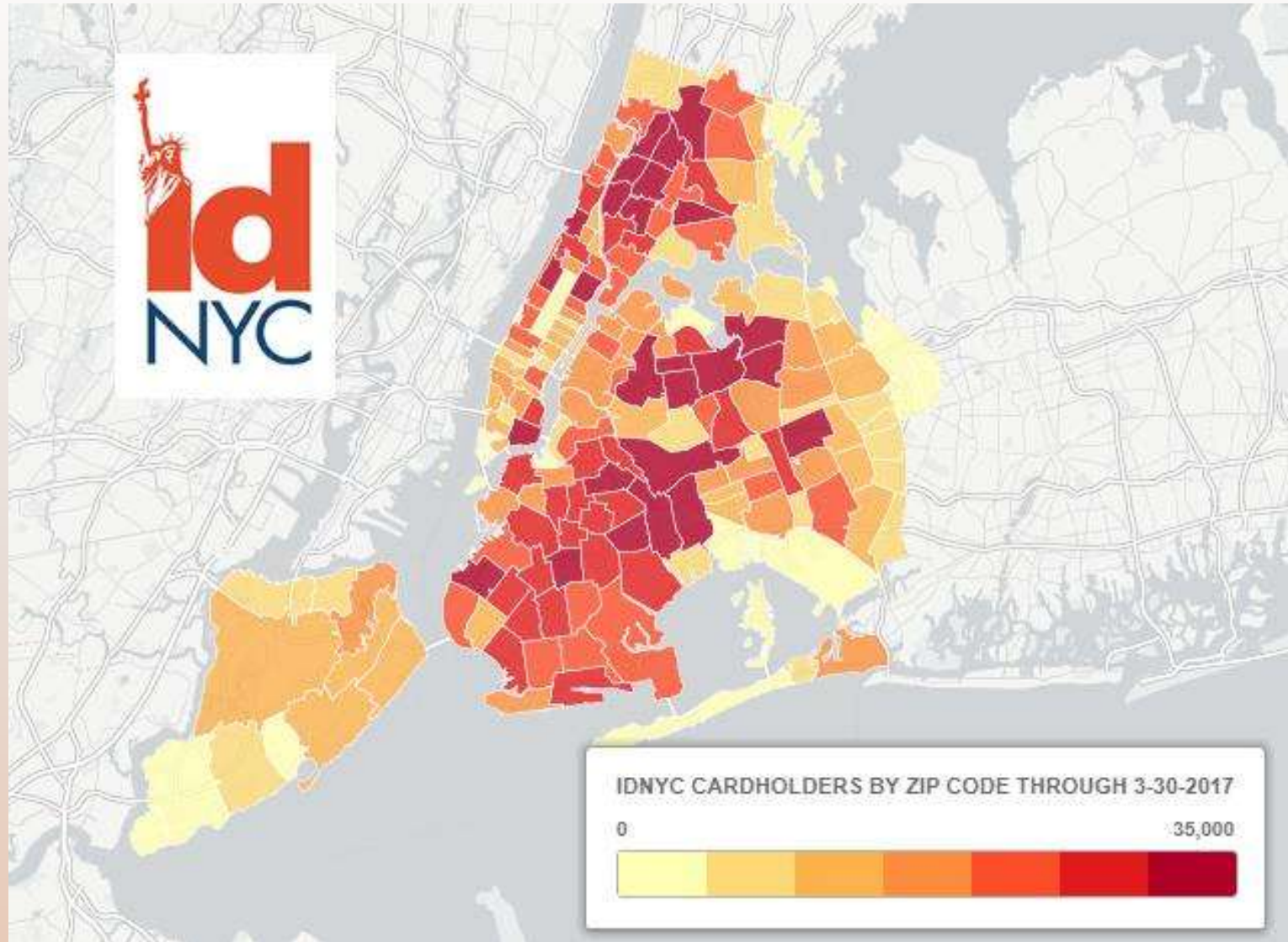
**Policing and public safety, while important, does not touch on all the other aspects where we've made City government and NYC more inclusive of our immigrant communities**

# IDNYC

IDNYC is recognized by NYPD as an official ID

- If presented with ID, officers can issue summonses for low-level violations rather than making arrests

# IDNYC heat map:



## **Protecting our schoolchildren**

Last school year, City announced updated protocol to set rules regarding access for non-local law enforcement

# NYC Department of Education letter to immigrant families enrolled in DOE schools:

## Supporting All of Our Students

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### Letter for Parents

May 15, 2017

Dear Students and Families,

We are writing with an update to our letters from January 30, 2017 and March 21, 2017, to reassure you that all students, regardless of immigration status, are welcome in NYC public schools. We will do everything in our power to protect students, staff and families.

We also want to make you aware of an incident that took place on May 11, 2017. Two individuals who stated they were federal agents from U.S. Citizenship and Immigration Services went to P.S. 58 in Queens and inquired about a 4<sup>th</sup>-grade student. They were not given access to any students. We are committed to protecting the right of every student in New York City who attends public school. The DOE is working with the Mayor's Office of Immigrant Affairs and the NYPD to look into this concerning incident.

As outlined in the DOE's protocol, Federal agents, including Immigration and Customs Enforcement (ICE), will not be permitted to enter schools, except when absolutely required by law. Additionally, the DOE does not track immigration status of students or family members, and will not release student information unless absolutely required to by law.

If you have questions or need resources, we are hosting *Know Your Rights* workshops for students, parents and community members, which are continuing to take place across the City. The workshops provide information on the rights of immigrant New Yorkers, City services that are available, safety planning and fraud prevention. The workshops connect participants to legal services through ActionNYC and we will be increasing the number of workshops available in the coming weeks.

We want to remind you that all New Yorkers, regardless of immigration status, can continue to access City services. If you have any questions, call 311 or visit <http://schools.nyc.gov/supportingallstudents> to learn more about the DOE's immigration protocol, and to access resources to support you and your family.

Public schools are at the center of our democracy and we will continue to work together to protect all students and families and fulfill our mission of delivering a high-quality education to all New York City students. That includes providing schools with guidance on how to facilitate discussions with staff and students that promote respectful conversations about diversity and inclusivity.

We are a city of immigrants, and we stand strongly next to each one of you in protecting the rights of students and all New Yorkers.

Sincerely,

Carmen Fariña  
Chancellor  
NYC Department of Education

Nisha Agarwal  
Commissioner  
Mayor's Office of Immigrant Affairs

## **Access to justice**

Over \$31M committed to immigration legal services



# ActionNYC ad:



**FREE, SAFE IMMIGRATION HELP**

ActionNYC is your bridge to free, safe immigration legal help in your community and in your language. We are here to help you and every immigrant New Yorker confidentially learn your legal options.

**Call 311 and say "ActionNYC" to make an appointment**

Visit [NYC.gov/ActionNYC](http://NYC.gov/ActionNYC) for more  
*All services are confidential*

**NYC**  
Bill de Blasio  
Mayor

Mayor's Office of  
Immigrant Affairs  
Wanda Aguirre  
Executive Director

**ActionNYC**



## Outreach to immigrant communities

- Over 600 Know Your Rights Forums in 2017
- Days of Action – DACA, housing discrimination, Muslim ban

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