



Community Board 12 - Manhattan Washington Heights & Inwood

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Shahabuddeen A. Ally, Esq., Chairperson
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September 27, 2017

President Donald J. Trump
The White House
1600 Pennsylvania Ave NW,
Washington, DC 20500

Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Honorable Mayor Bill de Blasio
City Hall
New York NY, 10007

Re: Resolution to Support Protection from Possible Law Enforcement Outcomes for NYC Residents affected by the Rescission of the DACA Program.

Dear President Donald J. Trump:

At the General Meeting, Tuesday, September, 26, 2017 Community Board 12 Manhattan, passed the following resolution with a vote of 36 in favor, 1 opposed, 2 abstention requesting protection from possible law enforcement outcomes for NYC residents affected by the rescission of the Deferred Action for Childhood Arrivals (DACA) program.

Legislative absence, court decisions and executive orders aimed at reaching some kind of equilibrium have created confusion and a legal limbo for the DACA eligible individuals. Given the need to protect these individuals from possible and unknown law enforcement outcomes Community Board 12, Manhattan supports DACA, is against its rescission, objects to any possible law enforcement outcomes that threaten current DACA applicants and their families and supports the continuance of our municipality remaining a 'sanctuary city' and our state remaining a 'sanctuary state' and supports funding for any law abiding DACA recipient residing in New York City who may be arrested or subjected to any deportation proceeding.

Finally, Community Board 12, Manhattan supports the swift passage of key provisions of Resolution No. 1484 at the city level, passage of the DREAM Act of 2017 at the state level, as well as the BRIDGE Act of 2017 at the federal level based on increased border security and without leveraging its passage on specific funding of a 'border wall' and calls for the restoration of DACA, post June 2017 with no time limits, with protections for these "Dreamers" and until Congress passes a comprehensive, fair, consensus driven and veto proof immigration legislation that becomes law.

Whereas, The **Deferred Action for Childhood Arrivals (DACA)** program, formulated by the Obama administration in June 2012 allowed certain unauthorized immigrants who entered the country or stayed here as minors through no fault of their own to receive a renewable two-year period of deferred action from arrest, detention, deportation, or imprisonment and be given eligibility status for a work permit; and

Whereas, The U.S. Citizenship and Immigration Services (USCIS) since June 2016 received 844,931 initial applications for DACA status, of which 741,546 (88%) were approved, 60,269 (7%) were denied and 43,121 (5%) were pending and of those enrolled some 42,000 reside in New York State (30,000 alone in

New York City) where an estimated 21,000 more residents are eligible save educational requirements and another 10,000 will be eligible as they grow older. Nationwide there are some 1.7 million people who also still might be eligible according to the Pew Research Center, the American Immigration Council and the Migration Policy Institute; and

Whereas, To qualify for DACA, applicants must meet several heavy requirements, above those not necessarily possessed by many American citizens and pay \$495 to apply and for renewals - although meeting them does not guarantee approval; and

Whereas, Some twenty five (25) Republican-held states in June 2014 sought an injunction in federal court because they feared any new executive order was an overreach that would conferred legal status to a new class of unauthorized immigrants related to DACA (in this case the parents of these children) without Congressional actions. It still left many eligible non-applicants vulnerable for arrest and deportation since the US Supreme Court sustained the injunction of the lower court but let the original DACA stand due to a (4-4) decision; and

Whereas, On September 5, 2017, the new administration in the White House under pressure and a deadline from some of these same hardliner states that sought to permanently end DACA by an amended lawsuit with no wind down formally rescinded the program, but delayed implementation for six months to give Congress time to act and allowed only renewals for DACA permits that expire during that time period; and

Whereas, There have been attempts by Congress to pass the so-called 'Dream Act' to replace DACA this legislative absence and court decisions have created confusion and a legal limbo that has been exacerbated by executive orders aimed at reaching some kind of equilibrium to provide opportunities and a measure of freedom and security in a divided nation without legislating a true pathway to citizenship; and

Whereas, To lend strong support to those thousands of DACA applicants who registered in good faith and now feel betrayed, cannot rest easy fearing the threat of deportation or losing the ability to work or an education, Congressman Adriano Espaillat summarized the sentiments of many in government, education, corporations, not for profits, faith based institutions and pro-immigration advocates: "closing the door on DACA will have a profound and devastating effect on these individuals and their families and we need to stand united and strong to resist efforts to end DACA as the fate of the country and the future of immigration depends on it"; and

Whereas, Both New York State and the City fearing prosecution for all unauthorized immigrants residing in its boundaries, not only declared themselves territorial sanctuary status as a protection from federal overreach or possible federal law enforcement outcomes, but also declared to do what it believes is right and allotted a combined \$46 million dollars for potential legal costs for such protection prior to DACA's rescission; and

Whereas, There is an immediate need for comprehensive, fair, and veto proof immigration reform ultimately through US Congressional legislation; and

Whereas, There is no joint city, state and federal positive law enforcement dialogue or agreement that would otherwise protect DACA eligible individuals residing in our community district or elsewhere in the state from ICE agents seizing police logs or court records or issuing, summonses in addition to making sweeps, arrest and deportation actions at city or state court appearances for non-felony charges or anywhere without any evidence of a criminal record; now, therefore be it

Resolved That Community Board 12, Manhattan expresses its support for DACA, is against its rescission and rejects the aggrieved and unproven language and narratives of anti-immigrant activists who suggest that 'all those in the country illegally are lawbreakers who hurt native-born Americans by taking away jobs or pushing wages down'; and be it further


Resolved That Community Board 12, Manhattan with our large immigrant community objects to any possible law enforcement outcomes that threaten current DACA applicants and their families should there be no Congressional legislation during or after the current six month rescission; and be it further

Resolved That Community Board 12, Manhattan supports continuance of our municipality remaining a 'sanctuary city' and our state remaining a 'sanctuary state' and supports legal funding for any law abiding DACA recipient residing in New York City who may be arrested or subjected to any deportation proceeding, since there is no specific funds designated for any potential federal litigation involving DACA in this year's budgets, and be it further

Resolved That Community Board 12, Manhattan supports the swift passage of key provisions of **Resolution No. 1484** from the City Council's Committee on Immigration that calls for passing the New York State **DREAM Act of 2017** at the state level, as well as the **Bar Removal of Individuals who Dream and Grow our Economy (BRIDGE) Act of 2017** at the federal level based on increased border security and without leveraging its passage on specific funding of a 'border wall'; and finally be it

Resolved That Community Board 12, Manhattan calls for the restoration of DACA, post June 2017 with no time limits, with protections for these "Dreamers" and until Congress passes a comprehensive, fair, consensus driven and veto proof immigration law that is signed by the White House.

Sincerely



Shahabuddeen A. Ally, Esq.
Chairperson

cc: Hon. Jeff Sessions, US Attorney General
Hon. Eric Schneiderman, NYS Attorney General
Hon. Cyrus R. Vance, Manhattan District Attorney
Hon. Charles E. Schumer, US Senator
Hon. Kristen E. Gillibrand, US Senator
Hon. Diane Feinstein, US Senator
Hon. Richard J. Durbin, US Senator
Hon. Patty Murray, US Senator
Hon. Mitch McConnell, US Senator
Hon. Chuck Grassley, US Senator
Hon. John Cornyn, US Senator
Hon. John Thune, US Senator
Hon. Nancy Pelosi, Congresswoman
Hon. Adriano Espaillat, Congressman
Hon. Paul D. Ryan, Congressman
Hon. Bob Goodlatte, Congressman
Hon. John Conyers, Congressman
Hon. Jerrold Nadler, Congressman

Hon. Letitia James, NYC Public Advocate
Hon. Scott M. Stringer, NYC Comptroller
Hon. Gale Brewer, Manhattan Borough President
Hon. Melissa Mark-Viverito, Council Member
Hon. Marisol Alcantara, State Senator
Hon. Brian Benjamin, State Senator
Hon. Kenneth P. LaValle, State Senator
Hon. Liz Krueger, State Senator
Hon. Carl Heastie, Assembly Member
Hon. Deborah J. Glick, Assembly Member
Assembly Office – 71st District - Vacant
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member
Hon. Carlos Menchaca, Council Member
Hon. Zachary W. Carter, NYC Law Department