



**IMMIGRANT
DEFENSE
PROJECT**

FOR IMMEDIATE RELEASE: August 21, 2023

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**Advocates for Immigrant Survivors of Violence Urge Governor Hochul to Sign
Fair Courts for Immigrant New Yorkers Bill Into Law**

ALBANY, N.Y.-- Over two dozen national and New York-based advocates for immigrant survivors of violence today called on Governor Hochul to sign [the Fair Courts for Immigrant New Yorkers Act](#) into law to offer critical protections for immigrant survivors of gender based violence in the criminal legal system. The bill is sponsored by Senator Kavanagh and Assemblymember Cruz.

Twenty-eight national and New York-based legal and community-based organizations working with and addressing the needs of immigrant victims and survivors of crime, domestic violence, sexual assault, human trafficking, forced marriage, and child abuse have signed a letter to the governor urging her to sign the bill into law.

In June the legislature passed the bill, which would ensure that immigrant New Yorkers facing criminal charges get a clear notification that there could be harsh immigration consequences and be alerted to get the advice they are constitutionally entitled to from their attorneys.

“As part of the cycle of violence and abuse, survivors often experience arrest, prosecution, conviction, and incarceration,” the groups said in their letter to the governor. “The criminal legal system is ... especially stressful for survivors of violence

who may be considering the potential of continued violence from their abuser, adding to the pressure to accept a plea to end the process. We are concerned that without a complete understanding of immigration consequences, survivors may unnecessarily accept pleas that are severe and life-changing.” The groups conclude that “it is absolutely vital for immigrant survivors to receive proper notification of potential immigration consequences from the criminal court, and are prompted to seek accurate and clear advice from their counsel to make informed decisions.”

[ASISTA Immigration Assistance](#), the Immigrant Defense Project, and other legal advocacy organizations, and community-based organizations alike [have been united](#) in condemning the veto last year and [urging Governor Hochul to sign it](#). The bill makes critical protections meaningful for all immigrant New Yorkers and creates accountability mechanisms where immigrants’ rights are violated.

QUOTES FROM SIGNATORIES:

“In recent years, the Department of Homeland Security has taken an increasingly harsh approach to immigrants with even minor criminal histories,” **notes ASISTA’s Legal & Policy Director, Cristina Velez**. “Many criminalized survivors experience arrest and conviction as an outcome of trauma flowing from abuse, including isolation from resources and information about their options. We at ASISTA are proud to support the Fair Courts for Immigrant New Yorkers bill now on Gov. Hochul’s desk, and hope that it will help immigrant survivors facing convictions to achieve the safety and stability promised by survivor-based remedies.”

“It is unfathomable that defendants are currently agreeing to plead guilty to minor criminal offenses without receiving a proper notification from the court that could lead to their deportation or inability to obtain citizenship,” **said Joan Gerhardt, Director of Public Policy and Advocacy of the New York State Coalition Against Domestic Violence**. “NYSCADV strongly supports the rights of all individuals participating in New York’s court system to have a thorough understanding of their rights and the consequences of pleading guilty. We thank Assemblymember Cruz and Senator Kavanagh for introducing this critical bill, and urge Governor Hochul to sign it into law as soon as possible.”

“As the nation’s largest non-profit victim assistance organization, we strongly support legislation to ensure Fair Courts for Immigrant New Yorkers,” **said Jimmy Meagher, Policy Director at Safe Horizon.** “Our Immigration Law Project and Anti-Trafficking Program provide legal assistance and support to undocumented and immigrant survivors of violence and abuse. Our staff attorneys and social workers witness up close the consequences and costs for immigrant survivors of receiving misleading or incorrect information about plea deals from the courts. Immigrant defendants, including criminalized survivors, have the right to know the potential risks of pleading guilty to even minor offenses. We applaud the bill’s sponsors – Assembly Member Catalina Cruz and State Senator Brian Kavanaugh – for their leadership, and we urge Governor Kathy Hochul to sign this bill into law immediately.”

"As an organization that represents the diverse South Asian diaspora and builds power with community members experiencing abuse and violence in New York, we know well that immigrant survivors face isolation in the criminal legal system," **said Kavita Mehra, Executive Director of Sakhi for South Asian Women.** "Without access to support they need, our community members are often vulnerable to criminalization. It is for this reason that we need the Governor to sign the Fair Courts for Immigrant New Yorkers bill and ensure that immigrant survivors make informed pleas and have the opportunity to seek the advice they are entitled to."

“As an organization that seeks to make the law work for all New Yorkers, we know that, annually, thousands of immigrants seeking immigration relief learn the hard way that they are barred from immigration benefits because they made critical criminal justice decisions without proper counsel,” **said Tomás H. Lucero, Senior Victims of Crime Paralegal, Empire Justice Center.** “We support the call for the Governor to stand on the right side of history and sign this bill to buttress constitutional rights for immigrant survivors of crime and all immigrants in our state.”

"To truly protect all survivors of intimate partner violence in New York, it is critical that immigrant survivors in the criminal legal system have accurate notice that a plea could put them at risk of detention and deportation," **said Madeline Garcia Bigelow,**

Associate Director of the Urban Justice Center's Domestic Violence Project. "We call on the Governor to sign the bill before her for the second time."

"Trafficking survivors are frequently arrested for offenses related to their trafficking experience. The stress and anxiety of entering the criminal legal system and the system's lack of knowledge about survivors' rights result in many receiving criminal records," **said Emma Ecker, Senior Policy Specialist with Freedom Network USA.**

"For this reason, it is imperative that immigrant survivors of trafficking are able to make informed decisions with full knowledge of potential immigration consequences. After passing the state legislature for the second time, we call on Governor Hochul to sign the Fair Courts for Immigrant New Yorkers bill now."

[Read the full letter and list of signatories here](#)

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Established in 2008, ASISTA is a national leader in the movement for safety and justice for immigrant survivors of gender-based violence. ASISTA's founders helped write the immigration provisions of the federal Violence Against Women Act (VAWA) and Victims of Trafficking and Violence Prevention Act (TVPA), affording legal status to hundreds of thousands of survivors and their children since 1994. With over 2,500 members nationwide, ASISTA's work is focused on 1) providing expert case consultation, training, and resources to attorneys and advocates navigating the complex immigration system on behalf of survivors of gender-based violence, including intervening in specific cases as needed; 2) pushing for federal, state and local policies that ensure safety and justice for immigrant survivors; and 3) coordinating lawsuits to prevent the government from unfairly deporting survivors of violence. To learn more about ASISTA's work, [click here](#). Follow us on [Facebook](#), [Twitter](#), [Instagram](#), and [LinkedIn](#).

The Immigrant Defense Project (IDP) is a New York-based nonprofit that works to secure fairness and justice for immigrants in the racially-biased U.S. criminal and immigration systems. IDP fights to end the current era of unprecedented mass criminalization, detention and deportation through a multi-pronged strategy including

advocacy, litigation, legal support, community partnerships, and strategic communications. Visit www.immigrantdefenseproject.org and follow [@ImmDefense](https://twitter.com/ImmDefense).