



NYCLU Legislative Priorities — Comprehensive Immigration Reform, 111th Congress

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The New York Civil Liberties Union is committed to working with congressional members to pass a comprehensive immigration reform package this session. New York State has a large immigrant community that suffers because of the failures in our immigration system. These deficiencies must be fixed. At the same time, the NYCLU is working to ensure that the rights of American citizens are not needlessly compromised in the effort to pass comprehensive immigration reform.

Therefore, the NYCLU urges lawmakers to:

Support a Path to Citizenship for Undocumented Immigrants in the United States

- The U.S. has an estimated 12-15 million undocumented immigrants with up to 1 million undocumented immigrants living in New York. This population exists as a second class society that lives largely outside of the protection of the law and faces rights and liberties abuses on a frequent basis.
- The only way to end this two-tiered society is to create a meaningful path to citizenship for undocumented immigrants that will bring all communities out of the shadows and into the protection of the law.

End Local Enforcement of Federal Immigration Law

- Initiatives such as the 287(g) program that deputize local law enforcement agencies to enforce federal immigration laws have not been proven to be effective and create a climate of fear within immigrant communities and lead to racial profiling of Americans.
- Law enforcement associations—including the Major Cities Chiefs Association and the International Association of Chiefs of Police—agree that local enforcement of immigration law harms public safety and destroys trust between police agencies and the communities they serve.
- Congress should put a halt to all federal programs, including existing and any new 287(g) agreements, that rely on local enforcement of immigration law.

Restore Due Process, Judicial Oversight and Basic Fairness to the Immigration System

- Under the Constitution, all persons in the U.S.—regardless of immigration status—are guaranteed due process under the law. We must have an immigration system that lives up to the standards of justice and freedom that draw the world's immigrants to our shores.

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- The judicial process is essential to enforcing legal and constitutional protections for immigrants and non-immigrants alike. Every person in the U.S. must have the opportunity to have a judge hear the facts of his or her case before being imprisoned for months or years at a time or deported from the United States. Congress must eliminate unfair mandatory detention and deportation and expedited removal as tools for immigration enforcement and allow judges to review Department of Homeland Security policies and practices.

Create Enforceable Humane Standards for Conditions of Immigration Detention

- About 300,000 men, women, and children are detained by Immigration and Customs Enforcement (ICE) each year. Many of these individuals are kept in substandard conditions without access to basic medical care, and at least 104 have died in ICE custody since 2003.
- It currently costs \$99 per day to keep a person in ICE detention. During this economic downturn, Congress must explore alternatives to detention in certain cases that are just as effective but could cost as little as \$12 per day.
- Congress must uphold basic human rights in our immigration prisons. Congress must create codified and enforceable standards for the humane treatment of detainees—including children—in immigration custody.

Oppose Expanded E-Verify Program and Backdoor Efforts to Create a National ID Card

- Congress must not sacrifice Americans' liberties in its attempt to pass a comprehensive immigration reform package by creating a national biometric worker identity card or a national mandatory electronic employment verification system, which will inevitably lead to the creation of a national ID card system.
- National ID systems and electronic employment verification systems pose a serious threat to Americans' privacy because they form the backbone of a system to create electronic profiles of every American. When linked to other databases, a biometric-based national ID system will provide the federal government with invasive information about people's everyday activities.
- During an economic downturn, Congress shouldn't make it harder for Americans to work. It is unacceptable for the federal government to make getting a job dependent upon possessing a national ID card or being cleared through an E-Verify system that depends on faulty and invasive national databases.
- Congress must find a way to reform our immigration system while protecting Americans' rights and liberties.



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