

Advocacy Strategy

Immigrant Children in NYC

New York City is a city of immigrants. Over 3 million New Yorkers are foreign born immigrants comprising about 40% of the city, and that number has increased by more than 210,000 in the last two years.¹ We come from more than 150 countries, and we are more diverse than any city in the United States except Miami.² We also have the highest visa approval rates for immigrant children seeking Special Immigrant Juvenile visas.³ We are the only major city in the US with a law requiring us to provide shelter to anyone who asks, regardless of that person’s immigration status—at least, until recently.

Immigrant families arriving in New York City show up at the doors of the Roosevelt Hotel in Midtown, Manhattan, which has been converted into a migrant welcome center. From there, they eat a meal, meet with a case worker, and are assigned to one of NYC’s many shelters—either a specially operated Humanitarian Emergency Response and Relief Centers (HERRCs) or one of the homeless shelters run by the New York City Department of Homeless Services (DHS). Over the last year, an average of 64,000 migrants a month have sought refuge in the NYC shelter system, and 78% of these were part of families with children.⁴ Before this year, families would live in shelters until they could find housing, but at the beginning of 2024, the Eric Adams Administration signed a policy allowing immigrant families to be evicted from shelters every 60 days. The new “60-Day Rule” requires families to reapply and be placed in a new shelter every time they are evicted. The policy especially affects children, who have to switch schools every two months, losing much needed social support and sometimes dropping out of school altogether. NYC Comptroller Brad Lander described the policy as “cruel,” stating that “our city can do so much better.”²

¹ Luis Ferré-Sadurní, “What to Know About the Migrant Crisis in New York City”, New York Times, 2024
<https://www.nytimes.com/article/nyc-migrant-crisis-explained.html>

² New York City Comptroller, “Our Immigrant Population Helps Power NYC Economy”, 2017
<https://comptroller.nyc.gov/reports/our-immigrant-population-helps-power-nyc-economy/>

³ Daniel Mesta, Private Interview, International Rescue Committee (IRC)

⁴ Patrick Spauster, Adrian Nesta & Emma Whitford. City Limits, “NYC Shelter Count”, 2024.
<https://citylimits.org/nyc-shelter-count/>

In national policy, immigration is currently a highly partisan “grenade” that no one wants to touch.⁵ President Elect Donald J. Trump’s track record on immigration has been fraught with human rights abuses. Human Rights Watch recently released a report titled “We Need to Take Away Children” detailing the 2018 “Zero Tolerance Policy” which separated parents from children at the border with the intention of deterring future immigrants.⁶ Trump recently named the creator of the policy, Tom Homan, as his “border czar”.⁷ The Trump administration also tried to eliminate the Deferred Action for Childhood Arrivals (DACA) Program⁸ and used the COVID-19 pandemic as a pretense to expel nearly 16,000 children from the U.S. with no due process.⁹ In expectation of a second Trump administration, immigration advocates are gearing up for a fight.¹⁰

With the likely possibility of a new mayor in the coming months, a general awareness of immigration issues thanks to the recent presidential election, and a heightened need due to the upheaval of many countries around the world, there is a unique need right now to create an impact on a local scale. In the face of waning goodwill towards immigrants and a potential crackdown by the federal government, New York City needs to act immediately to affirm the rights of immigrant children in New York. While many groups already advocate for and provide services to immigrant children in New York City, a children’s rights perspective is needed.

⁵ Alexandra Rizio, Managing Attorney, Policy and Partnerships at Safe Passage Project. Private Interview, 2024.

⁶ Human Rights Watch, “We Need to Take Away Children”, 2024.

<https://www.hrw.org/node/389953>

⁷ Jill Colvin and Rebecca Santana, “Trump names Tom Homan, former director of immigration enforcement, as ‘border czar’”, Associated Press, 2024.

<https://apnews.com/article/trump-homan-ice-border-czar-7dea915b5ea43896390b8020d254f887>

⁸ Drishti Pillai and Samantha Artiga, “Expected Immigration Policies Under a Second Trump Administration and Their Health and Economic Implications”, KFF, 2024.

⁹ American Immigration Council, “Trump Administration Intentionally Expelled Thousands of Unaccompanied Children to Danger Under Title 42”, 2024.

<https://www.americanimmigrationcouncil.org/foia/trump-administration-intentionally-expelled-thousands-unaccompanied-children-danger-under-title>

¹⁰ Miriam Jordan and Jasmine Ulloa, “Immigration Lawyers Prepare to Battle Trump in Court Again”, New York Times, 2024.

<https://www.nytimes.com/2024/11/10/us/trump-immigration-court-lawsuits.html>

Vision

- That all children are welcome in NYC; have a safe, comfortable, and stable place to live; have access to crucial services such as healthcare and education; and have the necessary support to achieve legal status.

Goals

- **Protect New York City’s “sanctuary city” policies**

Starting with an executive order in 1989, New York City has created several policies limiting city agencies’ ability to cooperate with U.S. Immigration and Customs Enforcement (ICE), making it a so-called “sanctuary city.”¹¹ Between 2014 and 2018, Mayor Bill de Blasio approved laws that prohibit local law enforcement from cooperating with ICE except in cases of suspected terrorism or serious public safety risks.¹² These laws are designed to protect immigrants’ ability to access public services without fear of deportation. Recently, these sanctuary city laws have been under threat by Mayor Eric Adams, who supports rolling them back.¹³ This week, Mayor Adams met with incoming “border czar” Tom Homan, the author of the Trump administration’s Zero Tolerance Policy. Following the meeting, Mayor Adams expressed a desire to circumvent the sanctuary city laws to deport, without due process, immigrants who have been charged of a crime.¹⁴ Despite claiming to “protect the rights of immigrants [...] that are hard-working,”¹⁵ the mayor has focused his rhetoric on deporting

¹¹ Gwynne Hogan, Rachel Holliday Smith, And Rachel Kahn, “What Is a Sanctuary City and What Does That Mean for NYC Under Trump?”, The City, 2024.

<https://www.thecity.nyc/2024/11/15/sanctuary-city-laws-arrests-trump-deportations/>

¹² Rich Calder, “New NYC bill seeks to repeal de Blasio-era ‘sanctuary city’ laws to help weed out ‘criminal migrants”, New York City Council, 2024.

<https://council.nyc.gov/joseph-borelli/2024/06/01/new-nyc-bill-seeks-to-repeal-de-blasio-era-sanctuary-city-laws-to-help-weed-out-criminal-migrants/>

¹³ Paul Liotta, “NYC Mayor Adams calls for change to sanctuary city laws”, New York City Council, 2024.

<https://council.nyc.gov/joseph-borelli/2024/07/09/nyc-mayor-adams-calls-for-change-to-sanctuary-city-laws/>

¹⁴ Luis Ferré-Sadurní and Dana Rubinstein, “Mayor Adams Meets Trump’s ‘Border Czar’ as Immigration Crackdown Looms”, New York Times 2024.

<https://www.nytimes.com/2024/12/12/nyregion/adams-homan-meeting-migrants.html>

¹⁵ Luis Ferré-Sadurní and Dana Rubinstein, “Mayor Adams Meets Trump’s ‘Border Czar’ as Immigration Crackdown Looms”, New York Times 2024.

<https://www.nytimes.com/2024/12/12/nyregion/adams-homan-meeting-migrants.html>

criminals in the name of public safety.¹⁶ Using language such as “criminal aliens” to describe even a portion of the immigrant population perpetuates myths about immigrants that have been repeatedly debunked.^{17,18} In fact, under sanctuary policies, individuals are prosecuted the same way regardless of their immigration status,¹⁹ and some evidence even shows that sanctuary policies make cities safer.²⁰

Sanctuary policies are particularly important to protect migrant children and the children of migrant parents. Four million U.S. citizens under the age of 18 live with an undocumented parent. The result of mass deportation of all unauthorized immigrants will be 4 million children left without a parent. A roll-back of sanctuary city policy would mean that the city could honor requests from ICE to detain anyone suspected of not being a U.S. citizen until they can be deported. Additionally, about 50 thousand undocumented migrant children live in New York City, each of whom has the right to a safe place to live and go to school. Since 2011, ICE policy has prohibited them from arresting parents or students at sensitive locations such as schools, but the Heritage Foundation predicts that the Trump administration will rescind this policy.²¹ A roll-back of sanctuary city laws as well as of the ICE sensitive location policy could create an environment where kids will not be safe anywhere—even in school.

¹⁶ Megan Lebowitz, “His goal is the same goal I have’: NYC Mayor Eric Adams meets with incoming border czar Tom Homan”

<https://www.nbcnews.com/politics/eric-adams-nyc-mayor-meets-trump-border-czar-tom-homan-rcna184064>

¹⁷ American Immigration Council, “Debunking the Myth of Immigrants and Crime”, 2024.

https://www.americanimmigrationcouncil.org/sites/default/files/research/debunking_the_myth_of_immigrants_and_crime.pdf

¹⁸ Anna Flagg, “The Myth of the Criminal Immigrant”, The Marshall Project, 2018.

<https://www.themarshallproject.org/2018/03/30/the-myth-of-the-criminal-immigrant>

¹⁹ Kim Corona, “Getting the Facts Straight on Sanctuary Cities”, New York Immigration Coalition, 2024.

<https://www.nycic.org/2024/02/getting-the-facts-straight-on-sanctuary-cities/>

²⁰ Tom K. Wong, “The Effects of Sanctuary Policies on Crime and the Economy”, Center for American Progress, 2017.

<https://www.americanprogress.org/article/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>

²¹ The Associated Press, “Will deportation fears keep immigrants’ kids from school?”, ABC27, 2024.

<https://www.abc27.com/national/will-deportation-fears-keep-immigrants-kids-from-school/amp/>

– **Pass the New York State bill, “New York for All,” S.987/A.5686**

The New York State Bill, “New York for All,” S.987/A.5686 would extend to a state level laws against colluding with ICE that already exist in New York City.²² Passing a sanctuary law at the state level would protect New York City’s sanctuary laws, and it would represent a shifting public opinion in favour of immigrants. Though the bill has been introduced every cycle since 2020, it has never made it out of committee, in part because of misconceptions about immigration and public safety.²³ According to a recent Newsweek poll, 70% of New York City residents blame immigrants for the current crime rate,²⁴ when in reality, immigrants are less likely to commit crime than those born in the U.S.²⁵ According to another recent poll, 46% of New York State voters think that migrants are more of a burden than a benefit, 82% think the recent influx of immigrants is a serious problem, and 58% think that “New Yorkers have already done enough for new migrants and should now work to slow the flow of migrants to New York”²⁶ These biased opinions will have to shift in order to pass the New York for All Act because state policymakers will look for support from their constituents before supporting the bill themselves.

– **End shelter evictions for families with children**

Since the beginning of 2024, families with children and unaccompanied children who mistakenly end up in the family shelter system are evicted from shelters every 60 days. In 2024, only 63% of families were successfully placed in a shelter in the borough where their youngest school-aged child was attending school.²⁷ Children who move to a new shelter technically have the right to be bussed to their previous school, but this is often ludicrously

²² New York Immigration Coalition, “New York for All”, accessed 2024.

<https://www.nyc.org/our-work/campaigns/new-york-for-all/>

²³ Chris Gelardi, “Will Hochul Fight Trump’s Plan for ‘Mass Deportations’?”, New York Focus, 2024.

<https://nysfocus.com/2024/11/12/new-york-hochul-donald-trump-plan-deportations>

²⁴ Matthew Impelli, “New Yorkers Blame Migrants for City’s Crime Rate”, Newsweek, 2024.

<https://www.newsweek.com/new-york-city-migrants-immigration-crime-poll-1901956>

²⁵ Anna Flagg, “The Myth of the Criminal Immigrant”, The Marshal Project, 2018.

<https://www.themarshallproject.org/2018/03/30/the-myth-of-the-criminal-immigrant>

²⁶ “Siena College Poll Conducted by the Siena College Research Institute”, 2023.

<https://static.politico.com/ab/4c/2e23de284e05aa668a40396aa6c3/sny0823-crosstabs.pdf>

²⁷ NYC Department of Homeless Services, “DHS Data Dashboard—Fiscal Year 2024 Qtr 4”, 2024.

<https://www.nyc.gov/assets/dhs/downloads/pdf/dashboard/tables/FY24-DHS-Data-Dashboard-Data.pdf>

impractical. One in six children who are evicted from a shelter drop out of school completely, and even those who don't often miss school for days at a time while they are reassigned.²⁸

Many of the services needed for migrant children are provided via schools including meals, social support, and education. Education is widely known to be a powerful protective factor of other children's rights, including sex trafficking and child labor.²⁹ In particular, immigrant children who don't go to school end up working to support their families.³⁰ Having a stable location helps to make sure that children can exercise their right to education, to recreation, and to food as well as their right to protection from forced labor and sexual exploitation. The policy on shelter evictions was only recently introduced, so it is important to show the immediate and far-reaching impact the policy has had on immigrant children. In order for the policy to be repealed, the concerns it addressed, primarily the overcrowded shelter system and insufficient budget, will have to be addressed another way, for example, by expediting work visas for parents.

Key Targets

– 2025 NYC Mayoral Candidates

Mayor Eric Adams has a record low approval rating of only 28%, and only 31% of New Yorkers approve of the way he is handling the influx of immigrants (although many might wish for a more, not a less, aggressive attitude). Many of the mayoral candidates and potential candidates for the 2025 New York City elections have a more immigration friendly attitude, including current NYC Comptroller Brad Lander, who has spoken out against the 60-day rule; NY State Senator Jessica Ramos, who is a child of immigrants and an advocate for immigrant rights; and former NY State Governor Andrew Cuomo, who passed executive orders similar to the New York for All act during his time as governor.

²⁸ Gwynne Hogan, "One in Six Children in Migrant Shelters With Time Limits Have Left the City School System", The City, 2024.

<https://www.thecity.nyc/2024/11/19/migrant-shelters-children-school/>

²⁹ Joanna Anil, "Why Education is the Greatest Weapon in Fighting Human Trafficking.", Global Renewal, accessed 2024.

<https://www.globalrenewal.org/our-blog/why-education-is-the-greatest-weapon-in-fighting-human-trafficking>

³⁰ Daniel Mesta, Private Interview, International Rescue Committee (IRC)

- **New York State Assembly Ways and Means Committee/Senate Codes Committee**
Although the New York for All act has been repeatedly introduced in the New York State Assembly Ways and Means Committee and the New York State Senate Codes Committee, it has never made it out of committee.

Strategic Plan

- **Step 1: Form Partnerships**

To avoid repetition of effort and creating conflict, it will be important to work together with organizations who have spearheaded similar initiatives.

- Inquire into the previous failures of the New York for All Act and assess strategies to mitigate risk of the same setbacks.
- Gather organizations opposing the 60-day shelter limit for asylum seeking families and write a formal statement of opposition.
- Contact the office of NYC Comptroller Brad Lander to help assess the status of the 60-day shelter limit law.
- Join the New York Immigration Coalition.

- **Step 2: Data Collection and Reporting**

Implementing effective solutions will require a complete knowledge of the situation. Many advocacy strategies may be ineffective without proper data to back decisions.

- Gather data about supposed vs actual social supports offered to unaccompanied immigrant children.
- Assess conditions for immigrant children living in shelters.
- Analyze and compile information from the Transactional Records Access Clearinghouse (TRAC) into targeted, distributable forms.
- Regularly survey incoming immigrants in an effort to quickly identify human rights violations that happen on the way in.
- Reach out to client facing partners like International Rescue Committee (IRC) and Catholic Charities for contacts who might be willing to go to court against the city.

- **Step 3: Influencing Targets**

After forming partnerships and gathering data, the next step will be public advocacy and

directly influencing the key targets. These strategies may be revised based on the results of the previous two steps.

- Meet with senators who sponsor the New York for All Act.
- Examine the text of the New York for All Act for potentially controversial language.
- Draft a joint policy opinion to be signed by members of the New York Immigration Coalition.
- Find allies by looking for legislators who have sponsored similar bills.
- Reach out to social media influencers who might be willing to share mythbusting immigration info, e.g., those who talk about local NYC issues, police, boroughs, etc.
- Reach out to the Dart Center for Journalism and Trauma to get connected with journalists who will write about immigration topics.
- Publish an op-ed about the 60-day shelter eviction law, timed with the 2025 mayoral elections.
- Initiate litigation against the city for violations of the exception of newborn babies from the 60-day eviction law.
- Recruit bilingual students around NYC to help immigrants fill out work authorization forms.
- Meet with each of the mayoral candidates.
- Arrange a trauma-informed care workshop with decision makers in the Mayor's Office of Immigrant Affairs.

Allies

- New York Immigration Coalition
 - Represents over 200 immigrant and refugee rights groups in New York State.
 - Covers a wide array of immigration policy issues.
- Advocates for Children of New York
 - Currently prioritizing two city budget items related to education for immigrant children:
 - ◆ Promise NYC—Recommending budget increase from \$16 million to \$25 million.

- ◆ Multi-Faceted Immigrant Family Communications and Outreach—Recommending renewing \$4 million funding.
- Safe Passage Project
 - Provides free lawyers to unaccompanied immigrant children.
 - Connects immigrant children to other resources like healthcare, education, and peer support groups.
- International Rescue Committee (IRC)
 - Provides all-encompassing services to refugees and asylum seekers, including children.
 - Has connections to many resources, organizations, and lawyers around the city.
- Trauma-Free NYC
 - Connects trauma-informed organizations around New York City.
 - Provides trauma-informed care training.
- Catholic Charities
 - Helps “newcomers reunite with their families, make their home a safe place, learn English, prepare for citizenship, and apply their talents and skills to gain employment.”³¹
 - Works closely with other immigrant-related organizations such as IRC.
- Kids in Need of Defense (KIND)
 - Protects immigrant children and works to make sure children are well represented in immigration court.
- NYC Comptroller Brad Lander
 - Closely aware of immigrant needs.
 - Recently released an unfavorable investigation of the 60-day shelter limit for asylum seeking families.

³¹ Catholic Charities, “Immigrants and Refugees”, accessed 2024
<https://catholiccharitiesny.org/what-we-do/immigrants-and-refugees/>

- Transactional Records Access Clearinghouse (TRAC)
 - Leading efforts on government data collection related to immigration, especially related to unaccompanied alien children.
- New York Legal Assistance Group
 - Brought a lawsuit against the city for the 60-day shelter rule, which ended in a court mediated settlement.
 - Continues to call for an end to the 60-day rule.
- Dart Center for Journalism and Trauma
 - Recently gave an honorable mention to Hannah Dreier and team at the New York Times for their article, “Alone and Exploited.”
 - Has a network of journalists willing to work on difficult human rights topics.