

# Suffolk County Legislature

Richard Koubek, PhD., Chair  
Kathy Liguori, Vice Chair

AYESHA ALLEYNE  
Wyandanch Homes and Property  
Development Corporation

PEGGY BOYD  
Family Service League

CHRISTINA DELISI  
For Presiding Officer DuWayne Gregory

LEGISLATOR TOM DONNELLY

BARBARA EGLOFF  
Eastern Suffolk BOCES

CHARLES FOX  
EOC - Suffolk, Inc.

DON FRIEDMAN  
Empire Justice Center

KIMBERLY GIERASCH  
Suffolk County Department of Health

GRETA GUARTON  
LI Coalition for the Homeless

MICHAEL HAYNES  
Long Island Cares, Inc./  
Harry Chapin Food Bank

ARLENE JACKSON  
Suffolk County Community College

RICHARD KOUBEK, PhD  
Gerald Ryan Outreach Center

RICHARD KREBS  
Suffolk Works Employment Program,  
Suffolk County Department of Labor,  
Licensing and Consumer Affairs

KATHY LIGUORI  
HabiTots Preschool & Child Care Center

CHRISTIAN LIMBACH  
Suffolk County Association of  
Municipal Employees

DENNIS J. NOWAK  
Acting Commissioner, Suffolk County  
Department of Social Services

JEFFREY REYNOLDS, PhD  
Family and Children's  
Association/LICADD

RACHEL SEILER, PhD  
Community Development Corporation  
of LI

MICHAEL STOLTZ  
Association for Mental Health and  
Wellness

LUIS VALENZUELA, PhD  
LI Council of Churches

BETH ZWEIG  
Nassau/Suffolk Law Services Committee,  
Inc.

Catholic Charities



**WELFARE TO WORK COMMISSION**  
of the Suffolk County Legislature  
c/o Clerk of the Legislature  
725 Veterans Memorial Highway

November, 2018

**TO:** Members of the Suffolk County Legislature

**RE:** Impacts of federal immigration policies on Suffolk County

Alarmed by reports that federal immigration policies are creating a climate of fear among undocumented immigrants in Suffolk County that is causing them to avoid supportive services which they need, the Welfare to Work Commission studied this situation in 2018 by hearing presentations from five agencies that serve immigrants. The Commission was especially concerned with the fate of the citizen children of undocumented parents who are entitled to supports that they may not be receiving. The attached report summarizes these disturbing trends presented to the Commission:

- There has been a decline in women reporting cases of domestic violence.
- Immigrants are afraid to report crimes to the local police.
- Immigrant parents of citizen children are not renewing SNAP (Food Stamps) and WIC (Women, Infant and Children Nutritional Services) and they are afraid to seek assistance at local food pantries.
- Immigrants are not securing health care through programs such as Medicaid and Child Health Plus.
- Immigrant parents are not applying for child-care subsidies to which their citizen children are entitled.

ICE arrests are up 50 percent on Long Island over the past two years; ICE arrests of undocumented immigrants with no criminal record have tripled. DACA and TPS protections have been revoked. In addition, the Administration is considering a policy change that would make receipt of any public benefit grounds for barring or removing immigrants' legal status.

Undocumented immigrants live in every legislative district; they make major contributions to the economy. Many may turn to your legislative office for help. **For this reason, the Welfare to Work Commission has produced the attached report as well as a list of community resources that you can use to assist them.**

Yours truly for the Commission.

**Richard Koubek, PhD, Chair**

**Kathy Liguori, Vice Chair**

# Impacts of Federal Immigration Policies on Suffolk Residents

## A Report By The Welfare to Work Commission of the Suffolk County Legislature

November, 2018

**Welfare to Work Assessment of Federal Policy Impacts on Suffolk County:** During 2018 the Welfare to Work Commission took up impacts that federal immigration policies are having on Suffolk residents. At three 2018 Commission meetings (April 12, May 11, September 13), representatives of five agencies that serve immigrants presented anecdotal and empirical data confirming a significant decline in Suffolk immigrants seeking supportive services – including undocumented parents too afraid to apply for supportive services to which their citizen children, born in the US, are entitled.

- Anita Halasz, Executive Director of LI Jobs with Justice
- Cheryl Keshner, Senior Paralegal, Empire Justice Center, Long Island Office
- Carmen Maquilon, Director of the Catholic Charities' Office of Immigration and Refugee Resettlement
- Rebecca Sanin, President and CEO of the Health and Welfare Council of Long Island
- Patrick Young, Program Director for CARECEN

What follows is a summary of the information they presented to the Commission.

**Suffolk Immigrants Facing ICE Arrest and Deportation:** The current Administration has stepped up Immigration and Customs Enforcement (ICE) arrests of undocumented immigrants by 50 percent on Long Island. Nationally, according to NBC News, ICE arrests of undocumented immigrants with no criminal record have tripled<sup>1</sup>. In addition, the Administration has begun proceedings to revoke Deferred Action for Childhood Arrivals (DACA) protections for undocumented children brought to the US by their parents, 10,000-15,000 of whom are Long Islanders. The Administration is also revoking Temporary Protected Status (TPS) for 15,000 Salvadorans and 5,000 mostly Hondurans and Haitians on Long Island. Additionally, the Administration has broadened the criteria for ICE arrest and deportation to now include all 11 million undocumented immigrants in the United States including 70,000-100,000 living on Long Island. In addition, former Attorney General Jeff Sessions announced that the Administration is redefining the grounds for asylum to exclude domestic and gang violence – the two major requests made by Central American immigrants seeking entry into the United States.

These policies are creating a climate of fear among undocumented immigrants that is taking a toll on employers who are losing workers, families who are losing breadwinners and especially children who fear the loss of their parents. Mixed-status families in which

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<sup>1</sup> <https://www.nbcnews.com/politics/immigration/under-trump-arrests-undocumented-immigrants-no-criminal-record-have-tripled-n899406>

undocumented parents have citizen children face especially confusing and fearful dilemmas as parents decide whether enrolling their children in supportive programs might lead to their own deportation.

**Public Benefits and Services that Immigrants Can Access:** At the May 11<sup>th</sup> Commission meeting, Cheryl Keshner of the Empire Justice Center reported that there are different eligibility criteria for different public benefits, depending upon whether they are federally or state funded, so that some immigrants may qualify for assistance in one category but not another.

- Income eligible refugees, asylees and TPS recipients may qualify for cash assistance and Medicaid yet may not be eligible for SNAP benefits.
- Adults who have been Legal Permanent Residents (LPR) for 5 years (or LPR with 40 qualifying quarters of work) may qualify for SNAP; LPR children do not have a 5-year wait.
- Immigrants who are PRUCOL (Permanently Residing Under Color of Law) and undocumented immigrants who are pregnant may be able to access Medicaid in NY State.
- Undocumented children may qualify for Child Health Plus up to their 19<sup>th</sup> birthday.
- Child care subsidies are available to children of undocumented immigrants if the child is a legal permanent resident, a citizen or qualifies for preventive services. (At a July 30<sup>th</sup> meeting of the Suffolk County Child Care Commission, Jennifer Rojas, Executive Director of the Child Care Council of Suffolk, reported that there has been a noticeable decline in immigrant parents securing licensed child care for their children.)
- All immigrants, regardless of status, have a right to access public education and hospital emergency room services. Emergency Medicaid and financial assistance (Charity Care) should be offered by the hospital to assist with medical expenses if a person is low income and does not have medical insurance

**Stepped Up ICE Arrests and SPCD Policies that Create a Climate of Fear:** At the April 12<sup>th</sup> Commission meeting Patrick Young of CARECEN stated that his agency has seen evidence that ICE arrests in the Long Island/NYC area are up 50 percent since the Trump inauguration. Suffolk County has twice as many arrests as Nassau despite a similar number of immigrants living in each county, likely due to the MS-13 gang activity in Suffolk. He stated that persons accused of misdemeanors are being detained for ICE action, even after their acquittal. Mr. Young reported that some undocumented immigrants have been arrested while accompanying their children to school. Anita Halasz from Long Island Jobs with Justice described a Long Island situation in which an undocumented immigrant with no criminal record who had lived in the US. for 11 years made a turn in his car without signaling which led to a police stop and then deportation.

Mr. Young reported that ICE officers now act with administrative warrants signed by ICE officers rather than with judicial warrants signed by a judge that require much higher levels of evidence. Using the less restrictive ICE administrative warrants, ICE officers sometimes arrest all the people living in a building where they are conducting a search for

a specific immigrant. He further stated that this increased ICE activity is occurring despite the fact that being undocumented is not a crime but rather a civil offense.

Ms. Halasz reported on April 12<sup>th</sup> that, while Long Island is not experiencing dragnet or roundup raids, ICE is present arresting undocumented immigrants in their homes, at their workplaces, in court or even on the streets. Ms. Halasz, like Mr. Young, stated her concern about the increase in ICE arrests of people without a criminal record, or with minor offenses from years ago such as DUIs. She stated that these ICE arrests are relevant to the Commission's work since, when breadwinners are taken away, the families suffer from the loss of income. In addition, ICE arrests are sometimes related to actions by Suffolk County police officers who honor ICE administrative warrants, thereby adding to the climate of fear and creating situations where immigrants are reluctant to report crimes or cooperate with the local police in law-enforcement activities.

It should be noted that immigrant advocates have been meeting with members of the Legislature's Public Safety Committee since the spring of 2018 and that several meetings with advocates have been arranged by County Executive Steve Bellone, Suffolk County Police Commissioner Geraldine Hart and Suffolk County Sheriff Errol Toulon to address police relations with immigrant communities. In addition, on November 14, 2018 the Appellate Division of the New York State Supreme Court ruled, 4-0, that in Suffolk County, "the retention of prisoners, who would otherwise be released, pursuant to ICE ... administrative warrants is unlawful..."<sup>2</sup> It remains to be seen if Suffolk County will appeal this decision to the New York State Court of Appeals. The decision will likely impact on-going discussions between Suffolk County officials and advocates regarding the police honoring ICE administrative warrants in situations such as traffic stops.

### **How the Climate of Fear is Impeding Immigrants' Access to Supportive Services:**

Carmen Maquilon of Catholic Charities stated at the April 12<sup>th</sup> Commission meeting that her office is seeing an increase in the number of immigrants not reapplying for public benefits such as Food Stamps (SNAP) or Women, Infant and Children Nutrition Services (WIC), which are administered by her Department. In addition, her agency has witnessed an increase in the number of DACA students who are without health insurance. Ms. Maquilon also stated that there is a noticeable decrease in domestic violence reports, again due to the climate of intimidation experienced by immigrants too afraid to file formal reports. Her staff, like CARECEN, is dealing with a sharp increase in requests for assistance as the ICE arrests have mounted on Long Island.

Ms. Keshner corroborated what speakers at the Commission's April meeting had stated: the climate of fear is preventing many immigrants from accessing public benefits that they or their family members are eligible to receive. Michael Haynes of Long Island Cares, a Commission member, added that the number of undocumented immigrants seeking help at local food pantries has fallen due to their fear of visiting public spaces.

At the September 13<sup>th</sup> Commission meeting, Rebecca Sanin reported that, in August of 2018, the Health and Welfare Council of Long Island (HWCLI) conducted a forum for

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<sup>2</sup> Roy, Yancey. "A Limit on detaining for ICE," *Newsday*, November 15, 2018.

agencies that provide services to immigrants. Ms. Sanin reported that the bottom line from the HWCLI forum was the agencies reporting that immigrants are not accessing services to which they qualify because of the climate of fear generated by increased ICE activity in places where immigrants access services on Long Island as well as an overall anti-immigrant climate in the nation and on Long Island and public perceptions that unaccompanied immigrant children and other immigrants pose criminal risks. Ms. Sanin stated that HWCLI coordinates SNAP (formerly Food Stamps) enrollments and works with WIC providers; enrollments in both of which are down, due to immigrant fears of somehow getting caught in an ICE action through their enrollment (or their citizen-children's enrollment) in these programs.

Ms. Sanin corroborated what Carmen Maquilon of Catholic Charities had reported to the Commission on April 12<sup>th</sup>: domestic violence reports by immigrant women are down sharply on Long Island. Ms. Sanin expressed concern that these federal immigration policies and anti-immigrant sentiments are creating a public health crisis and that they are traumatizing immigrants, particularly immigrant children.

**Changes in Federal Public Charge and Asylum Polices:** At the May 11<sup>th</sup> and September 12<sup>th</sup> Commission meetings Cheryl Keshner of Empire Justice and Rebecca Sanin of HWCLI reported that the Trump Administration has proposed changes in federal Public Charge regulations that would make it difficult for immigrants who receive a public benefit such as SNAP or WIC or Medicaid to adjust their immigration status; for example, to seek Permanent Legal Residence. If enacted, this would be effective prospectively, and would not impact those currently receiving assistance. The argument being used by Administration officials is that use of public benefits suggests that the applicant is not self-reliant. Ms. Keshner distributed a fact sheet demonstrating that there are 13 categories of immigrants who are either exempt from the public charge regulations or can seek waivers, such as asylees, refugees and TPS recipients. She again pointed out that the public-charge issue is being used to intimidate immigrants and that it adds to the climate of fear they are experiencing.

**A Public Health Crisis with Traumatized Families and Children:** Undocumented immigrants and immigrants with DACA or TPS status make valuable contributions to Long Island. A January 2018 report by the Seth Forman of the Suffolk County Planning Commission projected that deporting TPS recipients alone “would reduce total economic output in the region by \$1.4 billion, earnings (wages, salaries, benefits) by \$394.7 million, jobs by 13,447, and value-added (or Gross Domestic Product) by almost \$860.3 million.” Beyond such dire economic impacts, the Commission’s assessment of federal policy impacts in Suffolk raised alarms about the human costs of these policies that generate fear and drive immigrants underground and away from much needed supportive services. Suffolk cannot benefit from immigrants too afraid to cooperate with local police in reporting crimes. Suffolk cannot benefit from women too afraid to report incidents of domestic violence. Suffolk cannot benefit from children whose parents are too afraid to renew their Food Stamps (SNAP) or seek help at a food pantry or secure health care such as flu and other immunization shots. Suffolk cannot benefit from working immigrant parents unable to access child-care subsidies, thereby losing their jobs or placing their

children in inferior or even dangerous unlicensed child-care facilities. As Rebecca Sanin told the Commission, she fears that these policies are creating a “public health crisis” on Long Island that is traumatizing families and children.

While certain Suffolk County legislative districts have communities with concentrations of immigrants such as the 1<sup>st</sup> (Riverhead), the 2<sup>nd</sup> (Hampton Bays), the 3<sup>rd</sup> (Mastic Shirley) the 5<sup>th</sup> (Port Jefferson), the 7<sup>th</sup> (Patchogue), the 9<sup>th</sup> (Brentwood and Central Islip) the 15<sup>th</sup> (Amityville and Wyandanch) and the 17<sup>th</sup> and 18<sup>th</sup> (Huntington Station), immigrants negatively affected by federal policies reside in every legislative district. These immigrants are your constituents. Some may actually turn to their local legislators for help. For this reason, **the Welfare to Work Commission is providing you with the attached list of resources to which you can refer undocumented immigrant constituents in need of assistance.**