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Alexa Avilés

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NYC Council Member Alexa Avilés' Testimony to the Charter Revision Commission *July 12, 2024*

Thank you Chair Scisurra and to the Members of the Charter Revision Commission for the opportunity to provide testimony. My name is Council Member Alexa Avilés, representing District 38 in Brooklyn. I'm here to dispel some myths going around about what keeps us safe.

Sanctuary city policies and safety. I serve as the Chair of the New York City Council Committee on Immigration. As chair, it is my responsibility to speak for the several million immigrant New Yorkers (nearly 40% of all New Yorkers according to the 2020 census). I am outraged by comments made before this commission that would paint an entire group of people with a broad brush that only serves to dehumanize our community members but also offers changes to policies with no empirical data or sound rationale.

New York City's sanctuary policies began in 1989, when Mayor Ed Koch issued an executive order that barred city officials from sharing information about immigrants with federal agencies in most circumstances so that immigrants could access city services without fear. This policy was actively reissued and respected by every subsequent Mayor including Republicans, Independents, and Democrats. Despite their varying ideologies, each recognized that in order for the City to thrive, there needed to be trust fostered between immigrant communities and city agencies. For decades, this city has upheld the belief that everyone, regardless of immigration status, should be treated equally under the law.

Contrary to this fabricated worldview, [studies](#) such as CAP's from 2017 show us that counties with these policies on the books have better economies and are safer than those that do not. Public safety experts, including hundreds of police officers across the country, have found that sanctuary improves law enforcement's ability to investigate and respond to crime. Sanctuary policies have helped to foster trust between local agencies and community members. For people needing help such as survivors of violence, they need to trust they can get help without fear of deportation. For workers who are being exploited, they can safely report what is happening to them. In cities without sanctuary, we saw immigrant families suffer in isolation for fear of deportation because they were too fearful to seek medical attention. Devoid of the

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fearmongering and misinformation, sanctuary laws have widespread support and have expanded public safety.

It is important to note that sanctuary laws uphold due process while allowing for accountability. The administration depicts sanctuary laws as a loophole for accountability. Nothing is further from the truth. Immigrant New Yorkers, like others who face charges for a crime, have a right to due process. If a court finds them guilty as charged, those individuals can be held accountable. There is no loophole for accountability. The law allows for NYPD to engage with ICE if an individual is convicted of one of the 170 felonies and the agency has a judicial warrant. People should have the ability to access due process and not be punished multiple times for the same offense. Double punishment is unjust for anyone. We are a country of due process and laws, now is not the time to upend long standing policies that serve to keep us safe.

Fears over what this administration has referred to as a "[migrant crime wave](#)" are nothing more than rhetoric in a city that does not track crime rates based on immigration status. Statements attacking and criminalizing immigrants foments violence in our communities. In fact, this Commission should be looking to curtail illegal actions by agencies that have been reported violating current sanctuary policies on the books. Unfortunately, [some agencies have a track record of breaking our existing laws and colluding with ICE](#), disrupting trust between immigrant communities and city government, which undermines the spirit of the civil rights of countless New Yorkers. This must stop.

I implore the Commission to follow evidence, rationality, and a longstanding, effective, bipartisan policy tradition when determining if it will weigh in on our city's sanctuary policies, and notions of what it takes to keep us safe. **Do not fall for scare tactics peddled by a few loud voices.**

Public Safety & Public Engagement. The second myth concerns the Council's recently passed "How Many Stops Act". As a prime council sponsor of this legislation, I worked for years to get this legislation over the line, meeting with countless law enforcement professionals, residents, and advocates alike to ensure this legislation was the best it could be. The notion that it came out of the blue or was enacted without community input is plainly put: nonsense. Not only were there robust public engagement campaigns that were simultaneously happening, but

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the administration itself has been engaging with the legislation over a significant period of time. The public hearing for this legislation was over 5 hours.

Moreover, the idea that it will somehow bog cops down was refuted by the NYPD's own Deputy Commissioner in [a PIX 11 interview](#) on June 28th saying implementation requires quote "minor policy operational changes. We didn't have to do much with technology. Just a tweak." Perhaps the administration should spend more of its time engaging in meaningful and thoughtful solutions oriented policy making done in good faith rather than spending money creating cheesy propaganda videos and confusing the public by spreading misinformation and fear. The legislative process is a well oiled machine that is democratic, effective and open. Any assertion to the contrary is simply untrue.

In conclusion, I encourage the Commission to engage in a serious interrogation of the ways we can improve our governing doctrine by ensuring any proposals/recommendations are thoroughly vetted with sound data and evidence. I must note, the administration is interested in more public review of public safety legislation but did very little public outreach for this much more significant project of reviewing our City Charter. That contradiction is glaring and speaks more to the real petty motivation than actually doing right by New Yorkers.

Sanctuary laws protect immigrant New Yorkers and the Council's legislative process is sound. While the administration can disagree with the policies we pass as the co-equal branch of government, they cannot simply just change the process to suit their whims or biases. We each hold a serious responsibility to uphold democratic principles and institutions, not play petty politics with our policies and government.

Thank you.

A handwritten signature in black ink, appearing to read "Alexa Avilés".

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