



Dear Neighbors,

Good morning community. As many of you may have read this week, [a federal judge upheld city and state laws](#) in both Denver and Colorado that restrict local engagement with ICE activity, emphasizing that the federal government cannot force state and local officers to carry out federal immigration programs. The Federal Justice Department has brought similar challenges in New York City. This comes amid negotiations between the legislature and the Governor following attacks and murders by ICE Agents of immigrants, refugees, and US citizens. I wanted to update you on state and federal activity related to immigrant rights and protections.

Legislative Update



Yesterday I stood with over 30 of my colleagues urging the immediate passage of the New York for All Act, [A.3506 \(Reyes\)/S.2235 \(Gounardes\)](#). The Act would set clear limits on how state and local agencies in the state interact with federal immigration enforcement. It would prohibit police and other local officials from detaining people for ICE without a judicial warrant, sharing sensitive personal information, or allowing ICE access to non-public spaces like jails and government offices. It also would require agencies to notify people of their rights if ICE is involved. The goal of this legislation is to keep local services focused on public safety and ensure that people can access schools, healthcare, and emergency services without fear of immigration enforcement. [Click here](#) to learn more about the NY4All Campaign and to get involved.

ICE is dismantling families, communities, and our economy. If you look at what is happening here in New York, [a student was taken from her Columbia University dorm](#) without a warrant by ICE agents pretending to be police officers looking for a missing 5-year-old child, [a blind Rohingya refugee father of 2](#) left 5 miles from home in the early morning who was later found dead, [a high school student](#) detained by ICE and held for nearly 10 months, the claim that this is about targeting hardened criminals no longer holds.

Last month we [heard from an ICE Agent Mr. Ryan Schwank who resigned and testified before Congress](#) that 240 critical essential hours had been stripped from ICE academy training, and that trainees were being told to disregard the Fourth Amendment to the United States Constitution. That amendment protects people from unreasonable searches and seizures. It means the government cannot search you, your home, your papers, or your belongings, or take your property, without a valid legal reason. In most cases, law enforcement must have a warrant based on probable cause, real evidence suggesting a crime, and it must clearly state what is being searched and why.

You can see my full press conference remarks [here](#).

We are seeing federal enforcement practices that are causing real harm in our communities. Here in NYS there is a growing coalition of legislators fighting to pass a package of legislation to protect human rights of all immigrants through the following legislation:

- **Dignity Not Detention Act**, [A4181](#). This would stop New York state and
- local governments from entering into or renewing contracts to hold people in immigration detention facilities, and would require existing detention contracts to be terminated.
- **Access to Representation Act**, [A270](#).
- This would create a right to legal counsel in immigration court proceedings, so New Yorkers facing deportation are not forced to navigate that process alone.
- **BUILD Act**, [A2689](#). This complements the right-to-counsel

- bill by funding workforce development and capacity-building for immigration legal services, so there are actually enough trained providers to represent people statewide.
- **MELT Act**, [A8908](#). This would prohibit local, state,
- and federal law enforcement officers from wearing masks or personal disguises while interacting with the public in the performance of their duties, with exceptions for certain protective masks. The aim is to prevent anonymous or deceptive enforcement tactics and increase accountability.
- **Language Access Expansion Act**, [A4875](#).
- This would expand language access requirements by requiring broader translation of vital documents, interpretation services, public language access plans, complaint processes, and clearer standards for state agencies, certain state authorities, and counties. In practice, it is meant to make sure people can actually understand and access public services regardless of the language they speak.

Federal News



On April 1, the Supreme Court heard a case about whether a president can limit birthright citizenship through an executive order. The order would deny automatic citizenship to some children born in the United States if their parents were undocumented or in the country temporarily at the time of birth. The case centers on the 14th Amendment, which for over a century has been interpreted to grant citizenship to nearly everyone born in the U.S. The administration argued that the phrase “subject to the jurisdiction thereof” should be interpreted to mean that the 14th Amendment does not apply to people without legal status or permanent ties to the country, and therefore should not extend to their children.


Civil rights organizations, like the American Civil Liberties Union and immigrant advocacy groups representing affected families, argued that this issue has been settled since 1898, pointing to more than a century of precedent confirming birthright citizenship for children born in the U.S. regardless of their parents’ status. They warned that changing this rule would create a class of people born in this country who are not recognized as citizens. Legally, this would affect whether they can obtain identity documents, whether they are subject to immigration enforcement, whether they have a clear right to remain in the country, and whether they have equal due process rights under the law or access to the courts. Socially, it could limit access to education, healthcare, employment, housing, and public benefits, leaving people more vulnerable to exploitation.

During oral arguments, the justices, including conservative justices John Roberts, Brett Kavanaugh, and Neil Gorsuch, voiced skepticism of this interpretation. They questioned whether there is any historical basis for it and raised concerns about how this interpretation of the amendment could be applied, including how to define who is sufficiently connected to the country. Overall, the Court did not seem convinced by the administration’s arguments, and it seems likely that it will strike down the executive policy. However, they also asked questions focused primarily on the limits of presidential authority. This indicates that they may pursue resolving the case solely by ruling on the extent of that authority rather than reaffirming the century-old interpretation of the 14th Amendment.

A decision to solely reject the executive argument would be dangerous from a human rights perspective because it would avoid fully reaffirming birthright citizenship. It would leave the issue more open to future attempts to revisit or restrict who is entitled to citizenship, including all the rights citizenship confers. It would indicate that the guarantee of citizenship for those born in the U.S. is no longer as settled as it has been. A final decision is expected this summer.

You can listen to the full oral arguments [here](#). Note, the recorded arguments start on the video recording at timestamp 6:45.

In good health,



Anna Kelles, Ph.D.

Assemblymember, 125th A.D.

| ALBANY OFFICE | CORTLAND OFFICE | ITHACA OFFICE |
|------------------|--------------------|-----------------------|
| LOB 538 | 83 Main St | 130 East State Street |
| Albany, NY 12248 | PO Box 5026 | Ithaca, NY 14850 |
| 518-455-5444 | Cortland, NY 13045 | 607-277-8030 |
| | 607-208-2024 | |