

Testimony by the New York Legal Assistance Group (NYLAG)
before the NYC Council Committee on Governmental Operations, State & Federal Legislation
regarding:

Protecting New York City from Federal Overreach

November 20, 2025

Chair Alexa Avilés, Council Members, and staff, good afternoon and thank you for the opportunity to speak to the Oversight Committee about legal services for immigrant New Yorkers. My name is Jodi Ziesemer, and I am the Policy Director, Immigration Emergency Response, at New York Legal Assistance Group (NYLAG). NYLAG uses the power of the law to help New Yorkers in need combat social, racial, and economic injustice. We address emerging and urgent legal needs with comprehensive, free civil legal services, impact litigation, policy advocacy, and community education. NYLAG serves immigrants, seniors, the homebound, families facing foreclosure, renters facing eviction, low-income consumers, those in need of government assistance, children in need of special education, domestic violence survivors, persons with disabilities, patients with chronic illness or disease, low-wage workers, low-income members of the LGBTQ community, Holocaust survivors, veterans, as well as others in need of free legal services.

All of our practice areas serve immigrant New Yorkers, with five units with that provide immigration law services to New Yorkers across a breadth of legal matters: from humanitarian applications for survivors of sexual and gender based violence and people in need of medical support, to removal defense, to federal litigation and habeas petitions, to appellate work, citizenship, and more. In FY25, across NYLAG's immigration practice areas we provided services in 18,463 immigration cases, benefiting 48,721 individuals, including children.

The Immigration Landscape

There has been a dramatic sea change in local and national immigration sphere in the ten months since the second Trump Administration has assumed power. These changes encompass high profile, unprecedented enforcement action throughout the country, violent arrests, exponential increase in detentions, and rapid deportations including to third countries. Between January and July 2025, nearly 5,000 New Yorkers have been arrested by Immigration and Customs Enforcement (ICE), more than the entire total of people arrested in 2024.¹ This new enforcement landscape has been marked by chaos and illegal actions by ICE and the Government, making the practice of immigration law challenging and unpredictable. While as of August 2025, there are 340,000 cases currently pending before New York State immigration courts, this number does not capture the full scale of immigration enforcement against New Yorkers, who are being put into expedited removal proceedings, having their immigration cases dismissed before trial, transferred by ICE to other states, and being detained at numbers double those from a year ago.²

In addition to well-documented enforcement action, there has been less visible policies to undermine and revoke lawful status, delay processing of documentation, and increased enforcement actions for immigrants in all parts of the immigration process from visas to naturalization. The Trump Administration has attempted, through a multi-prong approach, to eviscerate our asylum system and dismantle the neutral adjudications at USCIS, Department of State, and Immigration Courts. There are very few checks on enforcement and the recent infusion of substantial funding to DHS to establish more robust infrastructure and staffing for immigration enforcement will have lasting effects for decades.

¹ <https://www.wxnews.org/local-news/2025-08-19/ice-arrests-in-new-york-surpass-2024-totals-after-recent-surge>

² https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative/immigration-court-legal-representation-dashboard?token=4FrZTPZ-AANDchNGxbQcgxF_-cRsiyF2

New York anticipates that the federal government will increase its targeting of New York City and New York states in the upcoming months.³ State National Guard troops have been deployed to Washington D.C.,⁴ Los Angeles, Chicago, Portland⁵ and Memphis⁶ on the pretext of addressing crime but actually supporting or assisting in federal immigration enforcement actions. While a state judge recently ruled that New York officials cannot be forced to cooperative with federal authorities in immigration arrests,⁷ this does not mitigate the risk of out of state actors being brought in to enact the aggressive deportation agenda of this Administration. ICE arrests throughout the country have been violent and racist and violative of local as well as Constitutional norms. ICE enforcement efforts have extended beyond immigrant communities to target activists and faith-leaders,⁸ journalists,⁹ U.S. citizens,¹⁰ and elected officials,^{11, 12 13} creating an environment of fear and lawlessness.

1. Develop policies and protocol for investigating ICE violence and criminal behavior, NYPD role in protests and bystanders resistance to ICE action

In past years, ICE in New York City shot a bystander in the face while making a civil immigration apprehension¹⁴, hospitalized a journalist who was filming ICE actions¹⁵, and violently

³ https://www.wsj.com/us-news/new-york-officials-to-team-up-with-wall-street-to-keep-national-guard-out-a3e391c9?gaa_at=eafs&gaa_n=AWetsqc8yGOxEret-QnNHvqj6psi3RxYwLFfMyId2QNkMGLR7TolAMTrK_xl1AbAitQ%3D&gaa_ts=69lca1a2&gaa_sig=_cMU1kTu59Ler6e1CnS6J0tdM-j_Yh43htwyXP-URKJF_LBbuIKAboHtB4juhXIKe9yJBZRMMe9Tk947UDxUrQA%3D%3D

⁴ <https://www.pbs.org/newshour/nation/while-wary-of-trumps-motives-some-d-c-residents-uneasily-back-parts-of-the-national-guard-deployment>

⁵ <https://www.npr.org/2025/11/16/nx-sl-5610485/national-guard-chicago-portland-texas-california>

⁶ <https://www.nbcnews.com/news/us-news/tennessee-judge-rules-national-guard-deployment-memphis-unlawful-rcna244552>

⁷ [BREAKING: Judge Rules New York Need Not Aid ICE Arrests](#)

⁸ <https://www.reuters.com/legal/government/nearly-two-dozen-arrested-faith-leaders-protest-outside-chicago-area-ice-2025-11-14/>

⁹ <https://www.cnn.com/2025/09/30/us/ice-new-york-immigration-court-journalists>

¹⁰ <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>

¹¹ <https://www.reuters.com/legal/government/new-york-democratic-politicians-arrested-ice-jail-manhattan-2025-09-19/>

¹² <https://www.nytimes.com/2025/09/18/nyregion/elected-officials-arrested-ice-new-york.html>

¹³ <https://wisconsinexaminer.com/2025/05/09/newark-mayor-detained-by-federal-agents-during-protest-at-ice-jail/>

¹⁴ <https://www.nytimes.com/2020/02/11/nyregion/ice-officer-shooting.html>

¹⁵ <https://www.cnn.com/2025/09/30/us/ice-new-york-immigration-court-journalists>

abused, maimed, and assaulted vulnerable immigrants, including pregnant women, children, and otherwise vulnerable individuals.¹⁶ A security guard at the federal building in downtown Manhattan raped an immigrant who was accessing services in the federal building.¹⁷ Earlier this year, an ICE officer opened fire in L.A. injuring two people.¹⁸ Nationwide, ICE has also arrested more than 170 U.S. citizens in 2025¹⁹ and made criminal arrests of city officials²⁰, activists²¹, and lawyers²², including tear-gassing LAPD officers.²³ Currently, NYPD does not have a protocol for investigating or charging criminal activity by federal officials, including ICE.

The New York Attorney General's office has developed an online portal for the public to report illegal ICE activity and criminal behavior.²⁴ Illinois has similarly developed a hotline and email to report ICE tampering with Illinois license plates after a video recorded an ICE officer saying that they replace the license plates on their vehicles every day to conceal their identity during ICE arrests and raids.²⁵ States from California to Colorado have threatened to prosecute ICE officials for violations of state law.²⁶ New York would benefit from expanding the Attorney General's reporting portal but also the development of other reporting mechanisms not connected to any government entity to coalesce information from the public and stakeholders to facilitate accountability by misconduct and illegal activity by federal and state agents.

¹⁶ <https://abc7ny.com/post/ice-officer-relieved-duties-violent-confrontation-manhattan-courthouse-26-federal-plaza-goes-viral/17888417/>

¹⁷ <https://www.nytimes.com/2023/06/05/nyregion/migrant-rape-security-guard-charged-nyc.html>

¹⁸ <https://www.latimes.com/california/story/2025-10-23/ice-raids-dangerous>

¹⁹ <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>

²⁰ <https://www.reuters.com/legal/government/new-york-democratic-politicians-arrested-ice-jail-manhattan-2025-09-19/>

²¹ <https://www.theguardian.com/us-news/2025/oct/21/new-york-city-chinatown-ice-raids-protests>

²² <https://www.npr.org/2025/04/09/nx-s1-5357455/attorney-detained-by-immigration-authorities>

²³ <https://www.latimes.com/california/story/2025-10-23/ice-raids-dangerous>

²⁴ <https://thehill.com/homenews/state-watch/5568435-letitia-james-ice-investigation/>

²⁵ <https://www.ilsos.gov/news/2025/october-22-2025-giannoulas-to-ice-agents-dont-mess-with-illinois-license-plates.html>

²⁶ <https://www.washingtonexaminer.com/news/justice/3863118/doj-draws-red-line-interfering-ice-state-democrats-escalate-threats/>

NYLAG encourages the support of two pieces of state legislation to create a private right of action for holding federal and state officials accountable for unconstitutional conduct. New York Senate Bills 3280 (2025–26 Leg., Reg. Sess. (N.Y. 2025))²⁷ and 176 (2025–26 Leg., Reg. Sess. (N.Y. 2025))²⁸. Both of these civil rights bills offer a potential pathway for pursuing damages against federal officials who act unconstitutionally. These bills would bring New York in line with other states such as California, Maine, New Jersey, and others to authorize damages actions against federal officials for federal constitutional violations.²⁹ These bills are essential for accountability and ensuring that no government official is beyond the law.

As ICE increases its presence and the violence and frequency of raids and arrests in New York City, there will be a consequent increase in federal agents encounters with bystanders, protesters, community members, and city officials. New York City should develop similar processes for collecting reports on potential criminal acts by federal agents committed within New York City and devise a protocol for investigating, and charging criminal acts by federal officials. As we are seeing ICE action across the country, New York City can learn from these incidents and plan in advance of ICE officials making a concerted, targeted effort to attack New York City residents. Through safe reporting methods for violations of law and abuse by any state or federal agent, private rights of action for governmental misconduct, and individual accountability, we can better protect all New Yorkers.

2. Strengthen NYC sanctuary laws by championing proposed city legislation on accountability

²⁷ <https://www.nysenate.gov/legislation/bills/2025/S3280>

²⁸ <https://www.nysenate.gov/legislation/bills/2025/S176>

²⁹ https://statedemocracy.law.wisc.edu/featured/2025/explainer-state-created-damages-remedies-against-federal-officials/#_ftn18

New York City should follow the example of Chicago's Mayor Brandon Johnson in creating an Executive Order for "ICE Free Zones" which creates clear mechanisms to prohibit federal immigration agents from using any City-owned property in their ongoing operations.³⁰ Our current sanctuary laws prohibit the sharing of information or the cooperation of city officials in ICE enforcement activity and attempt to limit the use of City property in the targeting and arrest of New York City residents; however, these city ordinances have no enforcement mechanisms and compliance is hard to track or monitor. New York City has an ordinance in our city Administrative Code (§2-410) which limit federal enforcement access to city property; however, the number of exceptions and lack of enforceability have rendered this ordinance largely ineffective. We should strengthen our laws to shield our residents from ICE activity at city run shelters, schools, hospitals, parks, and administrative offices. The use of City resources for ICE arrests erodes trust between immigrant communities and the City, weakening the relationships that are essential to ensuring community safety and constitutional policing.

New York City Council has passed laws limiting when the New York Police Department and Department of Corrections will honor ICE detainers and whose information they can share with ICE officials. Despite the goals of the law, the City has kept funneling New York City residents into ICE custody. New York City needs stronger protections to restrict any official within our City from cooperating. The City Council should pass should champion three key pieces of city legislation to strengthen our City's sanctuary laws and create a private right of action for accountability in our existing laws. The first is the NY Trust Act, which will create a private right

³⁰ https://www.chicago.gov/city/en/depts/mayor/press_room/press_releases/2025/october/city-property-executive-order.html

of action for people harmed by the violation of NYC's sanctuary laws.³¹ The second is Proposed City Council bill 396,³² which would prohibit collusion between the Department of Corrections and ICE, effectively preventing further Executive Orders or actions, like the recently vacated mayoral order 50, which allowed ICE to operate in our city jails.³³ Finally, City Council should further limit NYPD and NYC Department of Corrections from cooperating with ICE in holding immigrants in city jails and police stations to facilitate transfer to ICE detention.³⁴

3. Support City, State, and Federal legislation to End Federal Agents' Use of Identify-Masking Tactics

It is well-documented that Federal Agents engaged in immigration enforcement action use identity-masking tactics such as wearing full-face masks, improvised covers for their faces, dressing in plain clothes without badges or uniforms that identify them as federal agents.³⁵ These tactics are designed to intimidate and create fear in the communities in which they are operating and to create confusion as to the agents' authority and purpose of their actions.³⁶ Masking the individual identity of federal agents likely has the effect of encouraging more violent, brutal, and unlawful conduct as it potentially shields them from personal accountability for their individual actions.³⁷ There was a video of a federal agent violently abusing a woman while arresting her in the federal building this September. Because of his face-mask, it was challenging to identify the agent and neither ICE nor DHS has confirmed this identification.³⁸ This practice has been so

³¹ https://www.immigrantdefenseproject.org/wp-content/uploads/IDP_NY-Trust-v2.pdf;
<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6557545&GUID=6001C297-C4FA-46E3-A61A-8BDB4FB6FC21>

³² <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6557965&GUID=FAEA2D4D-BF6E-4215-B2BB-50E3067406EE>

³³ <https://www.immigrantdefenseproject.org/community-organizations-advocates-celebrate-court-order-blocking-mayors-attempt-to-bring-ice-back-to-rikers/>

³⁴ <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6557964&GUID=A9C68971-D174-4CC6-910A-2D218CEB0A65>

³⁵ <https://www.theatlantic.com/politics/2025/11/ice-immigration-masks/684868/>

³⁶ *Id.*

³⁷ *Id.*

³⁸ https://migrantinsider.com/p/scoop-ice-list-identifies-agent-who?utm_source=post-email-title&publication=

unpopular that various levels of the government from the FBI,³⁹ to state Governors⁴⁰ to private organizations such as the New York State Bar Association,⁴¹ have demanded that ICE stop their agents from wearing masks while conducting public missions.

New York State has proposed a piece of legislation to prohibit this practice in New York. The Mandating the End to Lawless Tactics (MELT) Act (A08908/S08462) introduced by Senator Fahy and Assemblymember Simone, would ban the use of face coverings and would mandate that ICE wear uniforms and identification while operating in their official capacity.⁴² This bill echoes a recently passed law in California that criminalizes the practice of any law enforcement concealing their identity while performing their official duties.⁴³ The MELT Act adds penalties to law enforcement for an analogous bill signed into law by Governor Hochul this summer to criminalize the practice of facial concealment to evade identification in connection with a criminal act.⁴⁴

There is pending federal legislation that would prohibit federal agents from wearing face masks while on duty. The Visible Identification Standards for Immigration-Based Law Enforcement or VISIBLE Act, bars federal agents from using face masks during public operations. Proponents of the bill note that face coverings create a climate of fear and make it difficult to identify ICE agents who commit wrongdoing, creating a lack of accountability and creates an environment where impersonation of federal agents becomes easier to perpetrate and more challenging to curb.⁴⁵

³⁹ <https://www.the-independent.com/news/world/americas/us-politics/fbi-ice-mask-crime-impersonators-b2859575.html>

⁴⁰ <https://newjerseymonitor.com/2025/10/21/nj-governor-ice-agents-masks/>

⁴¹ <https://www.nycbar.org/press-releases/statement-on-wearing-of-masks-by-ice-agents/>

⁴² <https://www.nysenate.gov/newsroom/press-releases/2025/patricia-fahy/senator-fahy-introduces-melt-act-prohibit-masking-ice>

⁴³ https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260SB627

⁴⁴ <https://www.amny.com/news/hochul-lawmakers-public-mask-restrictions-budget-2025/>

⁴⁵ <https://barragan.house.gov/2025/07/29/spectrum-news-lawmakers-introduce-visible-act-to-require-ice-agents-to-lose-their-masks/>

NYLAG encourages New York City Council to support both the state and federal legislation to end the practice of ICE and other federal agents acting under the auspicious of the Department of Homeland Security from using face masks to terrorize our community. NYLAG staff have witnessed firsthand the confusion, fear, and violence of arrests by masked-ICE agents. At a minimum, people have a right to understand that they are being approached or apprehended by an agent of the U.S. government in their official capacity—knowledge that is currently obfuscated by face-masks, lack of uniforms and badges. This legislation would ensure this basic level of accountability.

4. Support New York For ALL Bill

The New York for All Act, S.2235 (Gounardes) / A3506 (Reyes), would help immigrant New Yorkers lead more open lives and take care of family, preserves state and local resources for our communities, and ensures New York dollars cannot be diverted to carry out a cruel, politicized immigration agenda. The legislation prohibits New York's state and local government agencies, including police and sheriffs, from colluding with ICE, disclosing sensitive information, and diverting personnel or other resources to further federal immigration enforcement. While New York City has city ordinances and executive action to prevent city officials from colluding with federal immigration enforcement action, few other jurisdictions in New York state curtail cooperation with federal authorities and we have seen, particularly in Suffolk and Nassau counties that city and county officials have illegally colluded with ICE to arrest and detain many of their residents, including school children.⁴⁶ Support for New York for All Act, would cultivate safe and vibrant communities for all New Yorkers, regardless of immigration status.

⁴⁶ <https://www.notus.org/immigration/immigrant-detention-verdict-local-police-cooperation>

NYLAG appreciates the convening of this hearing to receive testimony from the community impacted by federal overreach and the organizations who work within and alongside affected immigrant communities. As policies and practice change, we hope that there will continue to be spaces for ongoing conversation and feedback on how we can ensure our City is upholding the rule of law for every person that lives within our City and calls it home.