

A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR ST. JEAN TARD

Re: Supporting Passage of the New York for All Act (S.2235/A.3506)

WHEREAS, New York State has long recognized the importance of ensuring that all residents can access government services, public safety, health care, education, and the courts without fear or discrimination; and

WHEREAS, Immigrant residents are integral to the economic vitality, workforce stability, cultural life, and civic fabric of Erie County and the State of New York; and

WHEREAS, Public safety is best served when all residents feel safe reporting crimes, cooperating with law enforcement, seeking emergency assistance, and participating in civic life without fear that routine interactions with government will expose them to civil immigration enforcement; and

WHEREAS, The Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Patrol (CBP), and U.S. Border Patrol exercise significant enforcement powers, and it has exercised those powers arbitrarily both nationally and locally in a manner that directly affect civil liberties and public trust; and

WHEREAS, On February 24th, Nurul Amin Shah Alam, a nearly-blind non-English-speaking refugee from Myanmar was found deceased nearly five days after he was dropped off by Federal Immigration Officers at a Tim Hortons on Niagara Street on a cold winter night without the ability to communicate to someone where he lived; and

WHEREAS, Shah Alam had come into Federal Custody after being released from the Erie County holding Center due to a detainer being placed on his case, which is a request for someone who is a non-U.S. Citizen to be taken into their custody should they be released; and

WHEREAS, Federal civil immigration enforcement is the responsibility of the federal government, and state and local governments are not required to divert limited public resources to carry out federal civil immigration functions; and

WHEREAS, The New York for All Act (S.2235 / A.3506) would establish uniform, statewide standards governing when and how state and local entities may interact with federal immigration authorities, replacing a patchwork of local practices with clear rules grounded in due process and constitutional protections; and

WHEREAS, The New York for All Act would prohibit state and local agencies from engaging in civil immigration enforcement, including participation in federal deputization programs, while preserving cooperation with federal authorities pursuant to valid judicial warrants and court orders; and

WHEREAS, The legislation maintains full authority for state and local law enforcement to enforce New York criminal law and does not interfere with federal immigration authorities' independent enforcement powers; and

WHEREAS, The Act designates the New York State Attorney General as the primary enforcement authority, providing consistent oversight and guidance while relieving local governments of uncertainty and legal risk; and

WHEREAS, Uniform statewide standards promote clarity, consistency, and accountability for local governments, law enforcement agencies, and residents alike; and

WHEREAS, The Erie County Legislature has a longstanding interest in policies that protect civil rights, promote public safety, ensure responsible use of taxpayer resources, and support stable and inclusive communities.

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature hereby expresses its support for the passage of the New York for All Act (S.2235 / A.3506) by the New York State Legislature; and be it further

RESOLVED, That the Erie County Legislature urges the New York State Legislature and the Governor of the State of New York to enact the New York for All Act to establish clear, statewide standards governing civil immigration enforcement and protect the rights and safety of all New Yorkers; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to transmit certified copies of this resolution to the Governor of the State of New York, the Temporary President of the New York State Senate, the Speaker of the New York State Assembly, and the Erie County delegation to the New York State Legislature.