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Westchester Lawmakers Pass Immigrant Protection Act



Sam Barron



The scene at the Board of Legislators as the Immigrant Protection Act passed. Photo Credit: *Contributed*

This story has been updated.

The Westchester County Board of Legislators approved the Immigrant Protection Act 10-5 Monday, though County Executive Rob Astorino has vowed to veto.

The bill prevents Westchester County from using its resources to assist federal investigations that are based on race, gender, ethnicity, sexual orientation, religion or national origin. It also prohibits county departments and officers from sharing confidential information with the Immigration and Customs Enforcement agency (ICE) unless ICE demonstrates probable cause

“The Immigrant Protection Act improves public safety for all county residents,” said. Legislator MaryJane Shimsky (D-Hastings-on-Hudson). “Law enforcement agencies around the country agree that community trust and cooperation is critical to their work. When an immigrant mother in Westchester is the victim of a crime she needs to trust that she can seek the support of the police – this legislation aims to do exactly that.”

Astorino criticized the legislation, calling it confusing and saying it could cost the county millions of dollars in federal grants.

"I'm opposed to this Act because it puts public safety at risk, especially those in our immigrant communities; puts Westchester at odds with our own federal government; creates rights not available to ordinary citizens; will jeopardize approximately \$13 million in federal funds and is so confusing as to be unenforceable," Astorino said. It all adds up to be a dangerous idea, and for those reasons, I will veto this legislation."

Legislators Catherine Borgia, Virginia Perez, Benjamin Boynkin, Ken Jenkins, Alfreda Williams, Shimsky, Michael Kaplowitz, Catherine Parker, Jim Maisano and David Gelfard voted yes. Legislators John Testa, Sheila Marcotte, Francis Corcoran, Gordon Burrows and David Tubiolo voted no.

Margaret Cunzio and Lyndon Williams were absent. According to Matthew Richter, communications director for the Board of Legislators, he expects the veto to be sustained by an 11-6 vote. Twelve legislators must vote in favor for the veto to be overridden.

Astorino said Westchester will become a "sanctuary county" if the bill is passed. Legislator Catherine Borgia said the bill simply ensures county law enforcement focus their attention and resources on protecting public safety in Westchester.

Hector Lopez, president of the Westchester Hispanic Law Enforcement Association, the county's largest law enforcement group representing Hispanic officers, said that while his members respect and understand the vital role that immigrants play in this county, passage of the law endangers law-abiding residents while providing a safe haven for undocumented immigrants who have broken the law.

"The passing of this Act opens the doors for undocumented immigrants involved in criminal activity, such as the ruthless MS-13 gang, to migrate to Westchester and prey on other immigrants, many of whom will not report crimes committed against them for fear of retribution," Lopez said. "This act is placing handcuffs on our law enforcement officers, not the criminals."

George Longworth, the commissioner of the Westchester County Office of Public Safety, called it reckless.

"I want to be 100 percent clear: This bill is being passed over the objections of Westchester County law enforcement authorities," Longworth said. "It will make Westchester families and police officers less safe. Anything that inhibits our ability to work with federal law enforcement partners like the FBI, the Department of Homeland Security and other agencies is a bad and reckless idea."

The bill was praised by Attorney General Eric Schneiderman. Schneidermann said the board used his office's legal guidance to draft the bill.

"We'll continue to work with our local partners to ensure that both our immigrant communities and our public safety are protected from the dangerous policies coming out of Washington," Schneidermann said.

Neighbors Link helped work with the board in drafting the Immigrant Protection Act.

"We are deeply gratified to have the support of the majority of the Westchester Board of Legislators for the Immigrant Protection Act," said Carola Bracco, executive director of Neighbors Link. "While it was passed with amendments, we are confident that the spirit of this legislation is retained."

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