

WNY REGIONAL IMMIGRATION ASSISTANCE CENTER

MONTHLY NEWSLETTER

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Everything You Need to Know for Your Noncitizen Clients

If your noncitizen client is facing criminal charges or adverse findings in Family Court. Please contact the WNY Regional Immigration Assistance Center.

We are funded by the New York State Office of Indigent Legal Services (ILS) to assist mandated representatives in the 7th and 8th Judicial Districts in their representation of noncitizens accused of crimes or facing findings in Family Court following the Supreme Court ruling in *Padilla v. Kentucky*, 559 U.S. 356 (2010), which requires criminal defense attorneys to specifically advise noncitizen clients as to the potential immigration consequences of a criminal conviction before taking a plea. There is no fee for our service. Please consider contacting us, whether you are a criminal defense, appellate or family defense attorney, for any of the following services:

- To receive advisals on plea offers and other dispositions to reduce and alleviate the immigration consequences on a noncitizen's status
- To join you in communicating to your client the aforementioned advisal we have provided
- To assist you by providing language access to communicate with a client who does not speak English when your office does not have such capacity, or provide you with a list of referrals to interpretation/translation services
- To assist you in determining the status of a noncitizen who does not have documentation of that status available
- To communicate our advisal concerning your noncitizen client in writing or orally to opposing counsel or to a court
- To provide CLEs on the immigration consequences of crimes to your defender community
- To participate in case conferences with you and others in your office to discuss noncitizen cases in the criminal justice system
- To refer you to deportation defense services and counsel

The WNYRIAC is on Instagram!

Exciting news for our local attorneys! The WNYRIAC has expanded its online presence to Instagram. You can now connect with us at @labb_wnyriac to access even more valuable resources.

This platform will serve as a hub for weekly tips tailored specifically for lawyers representing the foreign-born in New York State criminal and family courts. Stay informed and enhance your practice by following WNYRIAC on Instagram, where we will be sharing expert insights, updates, and guidance to support attorneys in navigating the complexities of immigration issues within the legal system.

Don't miss out on this opportunity to stay at the forefront of developments in immigration law in the state of New York!



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STATISTICAL INSIGHTS: EXPLORING RECENT IMMIGRATION TRENDS IN WESTERN NEW YORK

By Abbey Brown, Legal Assistant, WNYRIAC, Legal Aid Bureau of Buffalo, Inc.

This edition shares about the current statistical landscape of immigration, offering a brief exploration of recent local immigration and asylum trends. We hope you find the data intriguing and eye-opening. The information presented is sourced from Syracuse University's Transactional Records Access Clearing House (TRAC) system.

ASYLUM BACKLOG

The Immigration Court Asylum Backlog in New York has experienced a significant and continuous increase in recent years. In 2022, the backlog stood at 111,041 cases, but by 2023, it surged to 134,502. Notably, applicants from Ecuador, China, India, El Salvador, Honduras, Mexico, Russia, Guatemala, Bangladesh, Venezuela, and Colombia faced the highest numbers of pending cases. For the coming new year (2024), the backlog has reached a projected 140,722 cases, indicating a persistent upward trend.

NATIONAL IMMIGRATION COURT BACKLOG REACHES 3 MILLION

A recent report from the Syracuse TRAC system on December 18, 2023 states: "A new record was reached in November. The Immigration Court backlog passed 3 million pending cases. Just 12 months ago, during November 2022, the backlog was 2 million. That means the case backlog has grown by a million cases in just the past 12 months.

During just the last quarter of July to September 2023, the backlog jumped by nearly 400,000 cases -- an average increase of 130,000 cases per month. During October and November 2023 the monthly growth was even higher.

Previous administrations [...] have failed when they tried to tackle the seemingly intractable problem of the Immigration Court's backlog. [...] [A]verage caseloads of the 682 judges now on the bench have jumped to 4,500 per judge."

[Read more here.](#)

LOCAL ASYLUM STATISTICS

IN BUFFALO

1,147 PENDING ASYLUM
CASES IN 2022

2,510 PENDING ASYLUM
CASES IN 2023

2,620 PENDING CASES IN
2024

265 ASYLUM DECISIONS:

128 GRANTED ASYLUM
131 DENIED ASYLUM
6 OTHER RELIEF
GRANTED

IN BATAVIA

51 PENDING ASYLUM
CASES IN 2022

44 PENDING ASYLUM
CASES IN 2023

60 PENDING CASES IN
2024

44 ASYLUM DECISIONS:

6 GRANTED ASYLUM
37 DENIED ASYLUM
1 OTHER RELIEF
GRANTED

Western New York Refugee Resettlement and Immigration Trends

“According to experts, in recent years, Rochester has opened its doors to a number of refugees, reaching a peak in 2016 of over 1100 resettlements in the county. Prior to 2017, resettlement rates in the greater Rochester area had been among the highest in New York, just behind Utica and Buffalo. George Mason University Institute for Immigration Research reports 31% of Rochester’s immigrants have immigrated since 2010. The majority of those immigrants are Jamaican (10%) followed by Cuban (7%), Chinese (6%) and Dominican (6%). The majority of those who are foreign-born living in the Finger Lakes Region have become naturalized US Citizens (57%). The naturalization rate varies by county, from as low as 43 percent in Steuben County to 70 percent in Wayne County.” (2021 Finger Lakes Regional Community-Health-Assessment).

The Role of Refugee Resettlement in Population Growth & Economic Stability throughout WNY

“The resettlement of refugees has demonstrably slowed population decline in many upstate areas. Since 2002, more than 50,000 refugees have been resettled in towns and cities throughout upstate. For example, from 1910 to 2000, Utica, a small industrial city northwest of Albany, lost almost half its population. Since 1981, the city has resettled over 16,500 refugees from Bosnia and 30 other nations, which has demographically and economically helped stabilize the city and reverse its population decline. Today 40 languages are spoken in the Utica City School District and 19.4% of the population are foreign-born residents. Utica is not alone; today, three of New York’s upstate city areas are in the top 50 metro areas in the nation for refugee resettlement: Buffalo (#13), Syracuse (#20) and Rochester (#32). In more rural areas, immigrants continue to play a central role in the agricultural economy.” (NYSBA, 2021).

FYI: DIGNITY NOT DETENTION ACT

In New York State the Dignity Not Detention Act (A4354/S306) is a proposed bill that would prohibit New York governmental entities, such as state, county and local jails, from receiving payment for participating in immigration detention or engaging in immigration detention contracts. This includes forbidding the renewal of any existing immigration detention contracts and terminating existing immigration detention contracts as well as prohibiting any person, business, or private entity from owning or operating an immigration detention facility. This bill was first introduced in the 2021-2022 legislative session where it remained in the assembly committee. Learn more here: <https://drive.google.com/file/d/14UkD3EzIzG0e1yZTKNjNKif78Anj91s4/view>

The WNY Regional Immigration Assistance Center

A partnership between the Ontario County Public Defender’s Office and the Legal Aid Bureau of Buffalo, Inc.