



Thank you to Chair Encarnacion and the other members of the Committee on Immigration for the opportunity to testify today.

My name is Rachel Jordan, and I am the Managing Attorney for Partnerships and Advocacy at Safe Passage Project, a non-profit legal services organization that provides free representation to immigrant children facing deportation. We currently serve over 1,600 children and youth who live in the five boroughs of New York City and on Long Island.

Safe Passage Project works closely with partner organizations through the ICARE Coalition, with the goal of providing high quality legal representation to as many unaccompanied children and youth as possible. Once we accept a client, we commit to their case until we achieve the best possible outcome for them - typically, a green card. Our clients' cases take three to seven years on average due to delays in visa availability and court backlogs. We receive funding from the City Council through UMFI, the SIJS Initiative, School-Based Immigrant Rapid Response, the Speaker's Initiative, and DoVE. The City Council's unwavering support for immigrant children through these initiatives has been groundbreaking on a national level, and it has been transformative for Safe Passage Project's clients and the scope of legal services we have been able to provide them. Yet the current level of support we are receiving from the City is no longer sufficient to meet the needs of our clients as we confront a federal administration determined to eviscerate all rights and protections for immigrant youth.

The Current Crisis and the Impact on Safe Passage Clients and Staff

The federal government's daily attacks on immigrant youth and their families have taken a severe toll on both our clients and our staff. Faced with the systemic stripping of due process rights in Immigration Court and an increase in brutal ICE enforcement tactics, Safe Passage Project's already hard-working team of attorneys and social workers are being pushed to the limit to prevent the unjust incarceration and deportation of our clients. It has become increasingly clear that the administration is specifically targeting Special Immigrant Juveniles, despite the fact that Congress provided a humanitarian pathway to lawful permanent residence for these young



people, and the U.S. Citizenship and Immigration Services (USCIS) has already granted them Special Immigrant Juvenile Status (SIJS) after a state family court made the determination that they were subjected to abuse, abandonment, or neglect, and should not be returned to their country of origin.

Below is a brief snapshot of some of the challenges our clients and staff are facing.

1. Warrantless ICE Arrests of Special Immigrant Juveniles

- ICE continues to conduct aggressive enforcement operations across the country, including warrantless arrests of Special Immigrant Juveniles. Since November 2025, ICE has detained two Safe Passage Project clients with Special Immigrant Juvenile Status and no criminal records, after subjecting them to unlawful arrests that appear to have been racially motivated. One client, who was arrested in Long Island while on his way to work in NYC, was released following the filing of a petition for writ of habeas corpus, while the other, a Brooklyn resident who was arrested by ICE while he was in Pennsylvania, remains detained while his habeas proceedings continue. In both cases, ICE stripped our clients of their SIJS deferred action and work authorization after their unlawful arrests. As Judge Gary Brown of the United States District Court for the Eastern District of New York put it in one client’s habeas case, this was “[a reprehensible act of unimaginable cruelty.](#)”
- Each of these habeas cases has required extra hours of work from Safe Passage Project attorneys, including training on this complex area of law, rapid registration applications to enable us to file in local federal district courts, and hours spent briefing the legal issues in each case.

2. Termination of Deferred Action for Special Immigrant Juveniles

- In 2025, USCIS terminated the program that provided deferred action, access to employment authorization, and a respite from deportation for Special Immigrant Juveniles. Last summer, Safe Passage Project supported plaintiffs and advocacy groups suing to restore access to deferred action for SIJS beneficiaries, and in November 2025, a federal court in New York ordered the government to reinstate



the policy. Despite the court's direction, the government has only granted deferred action to a handful of SIJS beneficiaries following the order.

- As a result, many of our clients with approved SIJS do not have access to work permits and Social Security numbers, and have lost a critical layer of protection from deportation while awaiting visas. This forces them into the shadows, thereby increasing their vulnerability to food insecurity, housing instability, and labor exploitation. As a result of this increased vulnerability, our Safe Passage social workers will need to expend more time connecting clients to food assistance programs, navigating shelter processes, providing mental health support, and connecting clients to city and state agencies for alternative forms of identification.

3. Widespread Firings of Immigration Judges & Hostile Board of Immigration Appeals Decisions Targeting Special Immigrant Juveniles

- The federal government has conducted record-breaking purges of experienced, even-handed Immigration Judges (IJs) since January 2025. The Executive Office for Immigration Review (EOIR) has since hired many IJs lacking immigration law experience, while promoting IJs with notably anti-immigrant records to leadership roles. The high-volume New York City immigration courts have been particularly impacted by this purge.
- Since January 2025, the Board of Immigration Appeals (BIA) has issued an unparalleled number of precedential decisions reducing legal protections for immigrants, which have had the effect of maximizing deportations at the expense of due process rights in immigration courts. Recent rulings have allowed immigration judges to dismiss asylum claims without hearings, restrict the right to bond hearings for broad categories of immigrants, and speed up deportations of children with pending and approved Special Immigrant Juvenile Status in removal proceedings.
- The BIA recently announced a sweeping new rule that would permit it to summarily dismiss the vast majority of appeals before it, essentially stripping immigrants in removal proceedings of meaningful access to appellate review. While the worst of these changes have been temporarily enjoined by litigation,



there is no doubt that the Board will continue to wage its campaign to curtail immigrants' due process in favor of their swift deportations.

- These changes have forced our attorneys to expend additional hours and effort litigating even minor procedural issues, like seeking continuances. Because of the rise in removal orders, uncertainty around BIA policies, and the BIA's decision to forgo its traditional role as a neutral arbiter, our attorneys are now being forced to prepare all cases in removal proceedings for eventual review by the U.S. Court of Appeals for the Second Circuit.

4. Punishingly High Fees to Apply for Humanitarian Relief and Seek Appellate Review

- The H.R. 1 bill passed by the federal government in July 2025 has set exorbitantly high new fees for children and youth seeking humanitarian protection in the form of SIJS (at a present fee of \$250) and asylum (at a present fee of \$100 for an initial application, in addition to a \$100 annual fee for each year the application remains pending). Under the bill, EOIR has also massively increased its fees - it currently costs over \$1000 to file an appeal or to move to reopen a decision in immigration court. These fees are set to increase yearly.
- Safe Passage Project clients, the majority of whom entered the U.S. as unaccompanied children fleeing abuse, abandonment, neglect, and persecution in their home countries, often have no way to afford these prohibitive fees, and as a result, our organization must cover them. The strain of these costs is particularly pronounced in immigration court, as inexperienced and biased judges are increasingly being pressured to dismiss viable cases for relief, resulting in higher numbers of erroneous removal orders that cost our clients and our organization thousands of dollars to challenge.

Rising to the Moment

Safe Passage Project attorneys and social workers are not backing down. If our clients' cases now require our attorneys to expend additional hours on training and litigation in order to fully preserve our clients' rights, our attorneys will spend those hours. If more of our clients require our social workers to help them find shelter, food, and alternative identification because



they have lost access to work authorization, our social workers will do everything they can to connect them with the resources they need. But we are feeling the strain, and when each staff member is forced to work harder on each individual case, our organizational ability to take on new clients is inevitably reduced. For that reason, we strongly urge the Council to **grant our funding request of \$5,100,000** (an increase of \$674,944 from last year's funding), to ensure that Safe Passage Project can meet the increasingly complex legal and social work needs of immigrant children and youth in this historic moment.

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