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# Trump's Election Prompts 'Flood' of Worried Calls to NY Immigration Attorneys

Andrew Denney, New York Law Journal

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President-elect Donald Trump's past promises of mass deportation have put New York immigrants on alert, prompting a wave of worried calls and emails to attorneys who, in the absence of concrete policy proposals, are finding it challenging to advise their clients.

Trump had previously called for the deportation of 11 million immigrants, saying at one point last year that he would do so with the help of a deportation squad, as well as blocking Muslims from entering the United States.

But since his upset victory last week, his stance on immigration appears to have softened somewhat: He has said that he would focus on removing 2 to 3 million immigrants with criminal records.

Despite that uncertainty, immigrants are still concerned about what a Trump presidency means for their status.

"Everyone's been in a state of panic," said Rebecca Sosa, a New York City solo immigration attorney. She said that, while there have yet to be any fully formed proposals as to how the Trump administration will handle immigration, she and other advocates have been organizing to ensure that immigrants will have protection.

Neil Weinrib of Neil A. Weinrib & Associates in Manhattan, whose practice focuses on the tristate area but works with clients around the country, said that, amongst the "flood" of calls and visits from clients since Election Day, was an Irish national whose wife has a green card. While the couple has a child who was born in this country, he is considering moving away from his home in Westchester County to New York City, a "sanctuary city" where he might be protected from removal.

"That gives you an idea of what people are thinking about right now," Weinrib said.

Mayor Bill de Blasio has pledged to protect the privacy of the more-than 3 million immigrants living in the city, specifically those who have obtained IDNYC cards.

New York City's sanctuary city policy limits its cooperation with Immigration and Customs Enforcement, but does not prevent immigration authorities from operating within its boundaries.

Deportations of both criminals and noncriminals were already on the rise under President Barack Obama: According to figures from the Department of Homeland Security, there were more than 414,000 deportations nationwide in 2014—of which 40 percent were criminals—and an average of more than 402,000 each year since he took office.

Under President George W. Bush, there were 251,567 deportations on average each year.

"People think that Obama's giving it away," Weinrib said. "He isn't."

But Trump's more recent statements that deportation efforts would focus on immigrants with criminal records has also raised concerns for immigration attorneys; removal proceedings can be brought against an immigrant for a broad array of circumstances, even for being a drug user.

"A lot of people have very minor convictions," said Labe Richman, a Manhattan solo attorney who specializes in cases pertaining to criminal convictions and their effects on immigration.

Another top concern among immigrants and advocates is the fate of the Deferred Action for Childhood Arrivals (DACA) program, which Obama authorized in 2012 by executive order and expanded in 2014 to allow immigrants who came to the U.S. before they were 16 and who have lived there continuously since 2010 to obtain a renewable work permit.

According to figures from U.S. Citizenship and Immigration Services, there have been more than 741,000 people approved for DACA status since its inception.

Among them is Cesar Vargas, a Mexican immigrant who is authorized to be in the U.S. under DACA and who was admitted to practice law in New York earlier this year after a four-year effort. Vargas works with the DREAM Action Coalition, which advocates for undocumented immigrants.

Vargas said that while Trump has gone "back and forth" on his plans for an immigration policy, his transition team includes hard-liners on immigration such as Kansas Secretary of State Kris Kobach, the author of Arizona's controversial SB 1070, a 2010 law that required police officers to demand papers from people they suspected of being in the U.S. illegally.

Vargas, now an immigration attorney working on Staten Island, said he has been working with immigrants by helping them to know their rights and to make emergency plans in case they are at risk for removal, as well as helping them to organize and form communities.

"At this point we need to hope for the best and prepare for the worst," Vargas said.

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