



NEW YORK STATE SENATOR

Brian Kavanagh

Statement by Senator Kavanagh and Assemblymember Cruz Regarding Governor's Veto of S2903A/A9877A, Seeking to Notify Legal Immigrants of Deportation Consequences when Pleading Guilty

[Brian Kavanagh](#)

December 12, 2022

ISSUE:

- [immigrant affairs](#)

Senator Brian Kavanagh and Assemblymember Catalina Cruz released the following joint statement:

“For decades, New Yorkers have sought to protect the Constitutional and legal rights of immigrants. Under federal law, legal immigrants and residents may be subject to deportation if they plead guilty to some minor offenses classified under New York law as violations or low-level misdemeanors. Those whose proceedings do not result in a conviction under New York law, may also face the threat of

deportation. For example, when a guilty plea is entered in a proceeding that results in drug treatment on order of a court as an alternative to conviction and incarceration.

“This legislation, [S2903A/A9877A](#), passed by large majorities in the Senate and Assembly, merely asks the court to “inform” an immigrant defendant that pleading guilty could have a negative impact on their immigration status and ability to stay in the country. To the dismay of many lawmakers, immigration advocates, and immigrant communities, Governor Kathy Hochul decided to veto this legislation.

“As the lead sponsors of this important legislation, our attempts to negotiate in good faith, address any technical concerns of the Governor’s staff, and prevent a veto fell on deaf ears. Justice can not be served piecemeal and immigrants deserve the full protection of the law. We will continue to work with our colleagues in the Assembly and the Senate to ensure that legal immigrants and residents in New York have the full protection of our laws and our Constitution. Our immigrant neighbors deserve nothing less.”

related legislation

[2021-S2903A](#)

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- Introduced
 - In Committee Assembly
 - In Committee Senate
 - ◦ On Floor Calendar Assembly
 - ◦ On Floor Calendar Senate
 - ◦ Passed Assembly
 - ◦ Passed Senate
 - Vetoed By Governor
 - Signed By Governor
 -

[Requires notice of risk of deportation of non-citizens, prior to accepting a plea](#)

January 26, 2021

Vetoed

Sponsored by [Brian Kavanagh](#)

Do you support this bill?

subscribe Aye Nay