



**IMMIGRANT
DEFENSE
PROJECT**

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New Yorkers Call for Passage of Protect Our Courts Act as Report Shows ICE Skirts Court Rules to Surveil and Arrest Immigrants

Activists Rally at Capital at 11am at the Million Dollar Staircase

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Majority Support in Both Houses to Protect Equal Access to Courts by Limiting ICE Arrests In and Around Courthouses

Immigrant Defense Project Report on 2019 ICE Activity in NY Courthouses Shows Arrests and Surveillance up 1700% over 2016 level

Albany, NY-- Immigrants and allies are rallying in Albany on Tuesday to demand the legislature pass the [Protect Our Courts Act](#) as soon as possible in the 2020 session to outlaw ICE arrests without a judicial warrant in or around all courthouses in the state.

Lead bill sponsors Senator Brad Hoylman and Assembly Member Michael Solages and activists from Immigrant Defense Project, Make the Road NY, Sanctuary for Families, Columbia County Sanctuary Movement, Worker Justice Center of NY, New York Immigration Coalition, Association of Legal Aid Attorneys(ALAA) / UAW Local 2325, and Hispanic Federation will rally today after the Immigrant Defense Project releases its latest report detailing ICE's use of New York courthouses to surveil and arrest immigrants.

IDP's report, [Denied, Disappeared, and Deported: The Toll of ICE Operations at New York's Courts in 2019](#), details how ICE continued its expansive courthouse operations, with 127 arrests and 76 sightings last year, exceeding 2016 rates by over 1700%. Nearly half of

these operations occurred after the New York State Unified Court System (UCS) issued a Directive to limit ICE courthouse arrests practices on April 17, 2019— in part, requiring ICE to provide a judicial warrant to make an arrest inside a courthouse.

ICE's internal records—received by IDP via FOIA litigation—show that after the Directive was issued, superiors advised ICE agents that they could still use the courthouses to surveil, but just needed to make arrests outside the courthouse. In one email, an ICE employee writes: "[We can enter the courthouses to observe...we are good to make the arrest outside the courthouse with or without a judicial warrant.](#)"

From April 2019 onward, ICE used tactics that skirted the Directive by moving their arrests to court entrances and exits, while still surveilling people inside courthouses. In some cases, ICE violated the Directive outright—refusing to identify themselves as required, failing to wait for a supervising judge to review, and escorting an individual out of the courthouse to handcuff them outside. ICE use of force resulted in injuries, broken glass doors, and crippling fear of attending court.

"ICE's ongoing aggressive and disruptive tactics at courthouses across New York State highlights the urgent need for the Protect Our Courts Act," said Mizue Aizeki, Deputy Director of the Immigrant Defense Project. "Immigrant Defense Project has documented ICE's complete disregard for the rights of New Yorkers in the pursuit of their deportation agenda. Judges, prosecutors, defenders, and hundreds of community based organizations have been calling on ICE to end their courthouse operations. Now that we have the support of the majority of the legislature in both houses, there is no time for delay—we need New York legislators to pass the Protect Our Courts Act as soon as possible."

The Protect Our Courts Act already has majority support, with 33 cosponsors in the Senate and 73 in the Assembly.

"The American judicial system is based on equity and equal accessibility to justice. We must continue to reaffirm our belief in these principles even as federal law enforcement agencies enact and executive policies that are antithetical to those ideals," **said Assembly Member Michaele Solages**. "According to a report from the Immigrant Defense Project, courthouse arrests by ICE have risen dramatically statewide. From ICE raids to administrative rule changes, we have seen a concerted effort on the federal level to spread fear in immigrant communities. The Protect Our Courts Act is the appropriate measure to combat these intimidation tactics. I am especially grateful to partner with both Senator Hoylman and the Immigrant Defense Project in pushing forth this issue to the forefront of our political discourse."

“Courthouses should be a sanctuary for justice, not a hunting ground for federal agents looking to round up undocumented immigrants. The 1,700% increase of ICE arrests of immigrants in and around New York courthouses documented in this new report by the Immigrant Defense Project clearly demonstrates that Albany must take immediate action to safeguard the integrity of our judicial system,” said **Senator Brad Hoylman**. “The Protect Our Courts Act will bar ICE arrests in the vicinity of our courtrooms without a judicial warrant and restore confidence in the ability of immigrants to attend judicial proceedings, whether as a litigant, witness, or family member. I look forward to working with Assembly Member Solages, my Senate colleagues, IDP and other advocates in passing this important legislation this session.”

While New York City courts saw the most ICE surveillance and arrests with 38 operations in Brooklyn, 34 in Queens and 26 in Manhattan, there were also 85 operations upstate. There were huge spikes in activity in Suffolk (24 operations), Rockland (15 operations) and Nassau (8 operations). Westchester County also saw a continuation of ICE operations with 21 total in 2019.

Immigrants and advocates say the Protect Our Courts Act is their top legislative priority this session.

“Sanctuary for Families’ clients – over 70% of whom are immigrants, most of them women – have endured unimaginable trauma as victims of domestic violence, human trafficking and other forms of gender-based abuse. Many are in desperate need of the protection of our legal system. We know, without doubt, that they are fearful of coming forward to get orders of protections, securing child custody agreements and testifying against their abusers. They should not have to make the impossible choice between their safety and the chance of deportation. We urge all to read the Immigrant Defense Project’s latest report on ICE’s use of New York courthouses and the New York State legislature to pass the Protect Our Courts Act. Our immense thanks to Assemblywoman Solages and Senator Hoylman for their continuing leadership on this urgent matter,” said **Hon. Judy Harris Kluger, executive director of Sanctuary for Families**.

“Both research and experience show that ICE activity near courthouses interferes with the pursuit of justice. When immigrants are afraid to go to court, they are unable to fight for their own rights or assist others with their cases,” said **Emma Kreycher, Advocacy Director, Worker Justice Center**. Whether testifying as a witness, paying a traffic ticket, appearing before family court, suing in small claims court, holding a landlord accountable, or seeking justice as a victim of crime, all New Yorkers should be able to participate in state and local court proceedings

without fear of being summarily apprehended by ICE. The Protect Our Courts Act safeguards due process and keeps ICE from further terrorizing our immigrant communities."

"Hispanic Federation urges the New York State Legislature to stand in support of the Protect Our Courts Act and defend the fundamental right for all New Yorkers to access the courts," said **Andrew Ochoa Program Coordinator, Immigration & Civic Engagement Hispanic Federation**. "Increased immigration enforcement at the hands of ICE in New York courthouses has increased by 1700% under the current Administration. These tactics prevent vulnerable immigrant communities from obtaining necessary services and accessing State and Federal courts. In such a critical time for immigrants in our country, we must stand on the right side of history and do everything in our power to protect those most vulnerable."

"Columbia County Sanctuary Movement will continue to accompany community members to court, take direct action to prevent ICE court raids and advocate for legislative solutions. Our community deserves equal access to justice and we won't rest until they have it," said **Bryan MacCormack, Executive Director, Columbia County Sanctuary Movement**.

You can read the report here:

<https://www.immigrantdefenseproject.org/wp-content/uploads/Denied-Disappeared-Deported-FINAL.pdf>

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About the Immigrant Defense Project

The Immigrant Defense Project (IDP) is a New York-based nonprofit that works to secure fairness and justice for immigrants in the racially-biased U.S. criminal and immigration systems. IDP fights to end the current era of unprecedented mass criminalization, detention and deportation through a multi-pronged strategy including advocacy, litigation, legal support, community partnerships, and strategic communications. Visit www.immigrantdefenseproject.org and follow [@ImmDefense](https://twitter.com/ImmDefense).