



For Immediate Release  
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## **IDP Reports ICE Courthouse Arrests Continue in New York**

*New data reveals 112 ICE raids in New York courts so far this year*

*In amicus brief, immigration advocates join NY Attorney General suit against ICE to stop courthouse arrests*

*New national report shows negative impact of ICE courthouse arrests on immigrants and their families*

**NEW YORK--** The Immigrant Defense Project (IDP) reported on Tuesday that ICE continues to arrest immigrants at New York courthouses. Although the New York State Office of Court Administration issued a [rule](#) in April 2019 prohibiting ICE from arresting people inside courthouses without a judicial warrant, ICE continued its arrest activity in and around courthouses. IDP announced the findings in an [amicus brief](#) filed with the Southern District of New York in support of the suit filed by New York Attorney General Tish James to stop the ICE courthouse arrests that terrorize immigrants and families.

Under the first two years of the Trump administration, IDP documented [an alarming 1700% increase](#) in ICE arrests and attempted arrests across New York State. In its amicus brief filed today with 40 organizations, IDP reports that there were [112 courthouse raids \(arrests and sightings\) in New York State](#) for the first ten months of 2019—a tenfold increase in arrests compared to 2016—sending a chilling message to immigrants that they are at risk when they attend court. Sightings and arrests continued even after the Office of Court Administration banned ICE arrests without a judicial warrant inside state courthouses.

This message is coming through loud and clear on the national level as well, according to a [report](#) IDP commissioned from Ceres Policy Research. In a survey of 1000 court-involved people who were immigrants or had immigrant family members, 60 percent said they avoided a court date when they were the victim of a crime because they feared being arrested by ICE. Forty-one percent avoided appearing as a victim in a domestic-violence court case and 35 percent avoided attending youth court when their children were appearing, because they were afraid of ICE. Fifty percent of the respondents said they avoided calling the police when they were the victim of a crime because they were afraid ICE would show up.

New York AG James [filed suit](#) against ICE over courthouse arrests in September, saying they are not only illegal but they have undermined the court system in the state as people don't show up to court because they fear they or their family members will be arrested.

"Since 2017, IDP has worked with the ICE Out of Courts Coalition to document the negative impact of ICE courthouse arrest activities through information provided by public defenders, advocates for survivors of violence, district attorneys, judges, and others. The lawsuits, court rules, and community opposition send a unified message that New York will not tolerate ICE's increased targeting of people at courthouses. The federal government's systematic racist policies that target Latinx and Black New Yorkers and other communities of color is inhumane and unjust and it's time to put a stop to it once and for all," said **Alisa Wellek, Executive Director of the Immigrant Defense Project.**

41 organizations, including IDP, have joined the amicus brief.

"The threat of being arrested by ICE in a courthouse forces immigrant victims of gender violence to make the impossible choice between their safety and the chance of deportation. We know, without doubt, that our clients are afraid to come forward. Since January 2017, there has been a 1700 percent increase in ICE courthouse arrests. That produces a chilling effect, which means victims are not accessing the protections they need and deserve. We cannot stand by and allow this miscarriage of justice to continue any longer. We thank Attorney General James for fighting to preserve the sanctity of our courthouses for the safety and protection of the most vulnerable among us," said **Hon. Judy Harris Kluger, executive director of Sanctuary for Families.**

"ICE's practice of targeting and arresting people in and around courthouses jeopardizes safety and undermines our justice system. With the threat of ICE arrests at court, the people we represent are prevented from availing themselves of the protections of law, and our attorneys must advise clients about their rights during ICE arrests before, during, and after court appearances. Immigration-related arrests in our courtrooms cripples the judicial system by rendering the courthouses and due process inaccessible to thousands of New Yorkers who, as a result, will never get their day in court," said **Lisa Schreibersdorf, Executive Director of Brooklyn Defender Services.**

"Immigration Customs Enforcement ("ICE") arrests in our courts have had a devastating and chilling effect on immigrants seeking to defend themselves in courts. The Bronx Defenders applauds this challenge to ICE's unlawful and unconstitutional practice. We must hold ICE accountable and fight to ensure that everyone has the same access to our courts regardless of immigration status," said **Sarah Deri Oshiro, Managing Director of the Immigration Practice, The Bronx Defenders.**

"ICE agents already target our immigrant neighbors at home, at work and on the streets. By allowing these agents to have a continued presence in and around courthouses, we are telling New Yorkers that some people's access to justice and due process matters more than others, risking everyone's safety and well-being. Our communities will only be stronger when all people can actively participate in our democratic institutions freely and without fear," said **Steve Choi, Executive Director, New York Immigration Coalition.**

"New York's justice system is severely compromised when an entire community is unable to access the courts due to fear of harassment or loss of liberty. ICE's courthouse arrest policy sends a signal that equal justice is not for everyone, requiring people from immigrant communities to risk detention and

removal to have their day in court,” said **Amy Belsher, staff attorney at the New York Civil Liberties Union.**

“ICE’s presence in and around courthouses creates a climate of fear that prevents victims of crimes from seeking justice,” said **Gina Caputo, co-founder, Yonkers Sanctuary Movement.**

“The findings from our national survey were even more dramatic than we expected. We are alarmed that 61% of immigrants that have been victims of crime avoid appearing in court as witnesses. And that half of the 1000 immigrants we surveyed believe that judges, prosecutors, and police are coordinating with ICE. This is creating a level of fear that seriously disrupts our justice system at every level. We support all efforts to ensure that immigrants—particularly those who are undocumented, have DACA status, or have a deportation order—have equal access to the courts,” said **Dr. Angela Irvine, Founder and Principal Consultant, Ceres Policy Research.**

Along with the amicus brief in the attorney general’s lawsuit, IDP and the ICE Out of Courts Coalition are also urging the New York state legislature to pass the Protect Our Courts Act (S425/A2176) in the 2020 legislative session. If passed, this landmark legislation would facilitate equal access to courts by adding additional protections from ICE arrests in and around courthouses.

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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](http://www.immigrantdefenseproject.org) and follow [@ImmDefense](https://twitter.com/ImmDefense).