



IMMIGRANT  
DEFENSE  
PROJECT

# 2020 highlights

## CHALLENGING ICE POLICING



After three hard-fought years, the ICE Out of Courts Coalition celebrated this summer when the New York State legislature passed the Protect Our Courts Act with overwhelming support. We expect to see the bill sent to Gov. Cuomo's desk for his signature before the end of the year, making the Protect Our Courts Act a state law. This legislative win follows two other key [#ICEOutofCourts campaign](#) victories: a federal court ruling in June, finding ICE's courthouse arrests are illegal and the NYS Office of Court Administration's issuance of a rule prohibiting ICE arrests inside courthouses without a judicial warrant.

In response to the Trump administration's aggressive targeting of immigrants in NYC and NYS, IDP stepped up our ICE raids monitoring. As ICE increased raids activity and threatened to deploy Border Patrol BORTAC units as reinforcement in NYC, we provided critical resources and information to community members, advocates and elected officials. In the first 11 weeks of 2020, IDP received reports of 143 ICE raids, over 400% more than the last 11 weeks of 2019. Summaries of those raids, along with others we've tracked over the last seven years, are available at [raidsmap.immdefense.org](#).

In April, IDP's litigation team secured an important victory in *Prado v. ICE*, a lawsuit arising out of an egregious raid at a supportive housing complex in NYC. A federal district court denied the government's motion to dismiss almost entirely, allowing the case to move to discovery and trial preparation. The decision will have a positive impact for individuals seeking damages for unlawful arrests and detention by immigration authorities.

### COMMON ICE RUSES: BY PHONE

<b>Lost ID Ruse</b> "We found a lost ID."	<b>"Can we come to you?"</b>
<b>You're a Suspect Ruse</b> "We're investigating a crime and you are a suspect."	<b>"Can you come to us?"</b>

ICE agents lie or use ruses (deceptive methods) over the phone:

- to obtain information
- to locate the person they are looking to arrest
- to arrange a location to meet in person, outside the home

It is common for ICE agents to call the person they are looking for and act like they are the local police. Sometimes they will claim to be from a specific police precinct or unit. Often, they will ask where the person is and then ask to meet them.

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## SURVEILLANCE, TECH & IMMIGRATION POLICING

This year, IDP expanded its project on **Surveillance, Tech and Immigration Policing** which aims to turn the tide on the largely unchecked role of tech in policing and local governance. As part of the NYC Municipal ID Coalition, IDP helped lead a campaign that [halted the administration's plan for a Digital ID](#). We opposed the City's plan to add a smart chip to the IDNYC—a primary form of ID for many undocumented and homeless NYers—in order to protect New Yorkers from serious privacy, surveillance, consumer protection, and other unwarranted risks. IDP is also working with allies to ensure that the Governor signs a NYS bill passed in July to protect [COVID-19 contract tracing data](#) from police and ICE.

In support of [Mijente's #NoTechforICE](#), we advanced our [joint campaign](#) to demand that Thomson Reuters and RELX drop their contracts with ICE. We partnered with [Just Futures Law's COVID-19 FOIA Project](#), to monitor how government and tech companies are rapidly expanding tech surveillance and to ensure that a public health emergency is not misused to increase deportation and criminalization.

We also continued to create [community defense resources and trainings](#) based on our ongoing monitoring of ICE raids trends and tactics, serving as a key resource for advocates, community members, elected officials, and media about ICE practices. This summer we developed resources and training materials on [ICE car stops](#) and on the common ways ICE misleads people, including pretending to be local police through [ruses](#). We are expanding our resources on ICE surveillance tactics, such as ICE's increasing use of data from Automated License Plate Readers and biometrics collection.

### Why assert your rights?

IMMIGRANT DEFENSE PROJECT

It could help **build a defense in immigration court** for you or another person.

You can help **fight back** against culture of fear that ICE and CBP use to terrorize communities.

**Because you have rights!**

## FEDERAL ADVOCACY

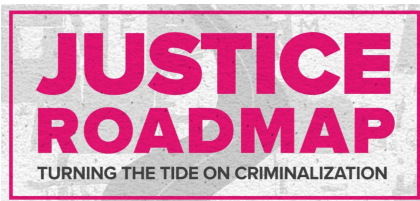
IDP partnered with the [Movement for Black Lives \(M4BL\)](#) and others to develop the immigration provisions in the BREATHE Act, a visionary bill that divests resources from incarceration and policing and reimagines their use in building healthy, sustainable and equitable communities. We are thrilled that this vision incorporates the [New Way Forward Act](#), which IDP helped to introduce in 2020, and provides a guide to end the criminalization of immigrants. We hope that our partnership with M4BL helps to build recognition that state violence underlies the criminal and deportation systems. Learn more at: [breatheact.org](https://breatheact.org).

IDP continued to coordinate [Comm/Unity](#), a national cohort of communicators dedicated to challenging the criminalization of immigrants. In 2020, Comm/Unity issued a first-of-its-kind [style guide](#) for journalists covering immigrants who've had contact with the criminal legal system and also engaged in public opinion research seeking to unravel criminalization.



"Fresh Air" by Kah Yangni

## JUSTICE ROADMAP



Two years ago, IDP and allies brought together organizations engaged in criminal justice, immigration, and racial justice legislative campaigns to form the [Justice Roadmap](#), a unique collective space in New York State. In 2019, we issued our initial Justice Roadmap—a collection of bills that address harms caused by the criminal and immigration systems, in particular on communities of color. We continue our work to develop a shared legislative platform focused on the intersection between the criminal legal system and

immigrant rights, and grounded in basic human dignity, racial justice, and human rights. The Roadmap includes reforms through the full spectrum of systemic contact—from street stops and arrests, through their cascading and sometimes permanent punishments, such as parole denials and deportation. Our efforts are oriented towards long-term power-building to win the passage of transformative, decarceral legislation and further public understanding that policing and punishment regimes fly counter to public safety and community health.

## LITIGATION

Responding to the COVID-19 pandemic, IDP worked with the [American Friends Service Committee](#) to win the first District Court of New Jersey decision releasing medically vulnerable individuals from Essex County Jail. Together with Holwell Shuster & Goldberg, IDP continues the fight to free many others detained in New Jersey. As part of a campaign to free all immigrants from the Elizabeth Detention Center, IDP filed a [class action lawsuit](#) with AFSC and the NYU Immigrants Rights Clinic.

At the Supreme Court, IDP continued to support litigation on critical criminal-immigration issues, filing a key amicus brief in [Pereida v. Barr](#), argued by Orrick, Herrington & Sutcliffe in October. The case caps a decade of IDP's work with Orrick and the Stanford Immigrants Rights Clinic to ensure that immigrants are not barred from seeking relief from deportation because certain documents from the criminal legal system are missing or not available. A positive decision in this case would make many more noncitizens with convictions eligible for relief from deportation.

## HOTLINE

**This summer, in support of the uprisings for racial justice, IDP expanded its free national hotline, which provides expert criminal-immigration advice to advocates, attorneys, and community members.**

Over the last several months, many immigrants have been called to protest but want information about how attending a protest or being arrested at a protest could impact their immigration status. IDP, through its hotline, has been providing crucial advice to immigrant New Yorkers about the right to protest and how to do so safely, in addition to legal support to immigrants and their loved ones and attorneys after a protest-related arrest. Expanding our hotline service to include helping immigrants make informed decisions about when and how to engage in public demonstrations further advances IDP's goal of empowering immigrant communities.



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