

SECTION 9:

MEDIA

*Key media pieces and suggestions
on the role of the media in a state campaign*

BACKGROUND

Media coverage in traditional news outlets and social media has been instrumental throughout the campaign in New York. While there was local media interest in the increase in ICE courthouse arrests throughout the Spring of 2017, it was a particularly abhorrent ICE operation in a court designed for victims of human trafficking that increased coverage. By coincidence, a reporter from New York's public radio station, WNYC, was present in the courtroom when ICE targeted at least two young women. The WNYC story triggered a wave of press coverage about ICE's courthouse arrests and drew the attention of local elected officials who promptly called City Council hearings on ICE's practices.

However, while much press has been reactive, some of it has been earned through organized [press conferences](#), [rallies](#) and attorney [walk-outs](#), and through the [release of statistics](#) on courthouse operations documented by the Immigrant Defense Project.

As the campaign continued, persistent local coverage of ICE courthouse arrests begot national coverage from outlets including the New York Times, the New Yorker, and the Nation. The New York Times discussed

the impact of courthouse arrests on the work of a local prosecutor's office. In-depth coverage from the New Yorker helped to expose some of ICE's underhanded tactics in stalking domestic violence survivors to court and also discussed the disturbing implications of ICE arrests on the constitutional rights of noncitizens.

While traditional media has played a significant role in putting pressure on ICE and the New York Office of Court Administration, social media (#ICEoutofcourts) has also been critical. As ICE operations have persisted, some public defenders have started using twitter to document what ICE is doing in the courts. Tweets from public defenders began to evolve into a defacto alert system for advocates throughout New York City. Social media has also increasingly become an organizing tool for advocates who have staged numerous walk-outs at courts around New York City to protest ICE arrests. Because many traditional media outlets now look to twitter for the latest breaking news, tweets from advocates have often been an important source for reporters. In one incident, a public defender tweeted that he observed several plainclothes ICE agents staking out the Brooklyn Criminal Court. Several reporters rushed to the court and confronted the agents who refused to identify themselves.

Finally, strategically placed opinion pieces have helped to draw attention to ICE courthouse arrests and give voice to important perspectives. Several immigration law experts have published op-eds highlighting the grave threat that these arrests pose to constitutional rights. Elected officials have also bylined pieces that make the case for state level legislation that could limit ICE's operation in the courts.

RESOURCES

Traditional Media

[Michael Gordon, “A mother and son turned up for a domestic violence case. Then ICE arrested them.” The Charlotte Observer](#) (Jul. 20, 2018)

“Maria was scheduled to be in court on July 9 as the defendant in a misdemeanor criminal complaint filed by her former fiance. That case had been preceded by a domestic-violence complaint in which the 16-year-old son had accused the former fiance of severely beating him.”

[Michelle Chen, “Why is ICE Arresting Immigrants in Court,” The Nation](#) (Dec. 3, 2017)

“[T]he menace ICE poses in local courtrooms actually capitalizes on the endemic [dysfunctionality](#) of New York’s criminal-justice system, which enmeshes many vulnerable communities in a cycle of surveillance and punishment. A criminal-justice system that systematically abuses communities of color, advocates say, brings trouble enough for the city’s black and brown communities, so immigrants are doubly exposed to the federal government’s deportation drive.”

[Steve Coll, “When a Day in Court is a Trap for Immigrants,” The New Yorker](#) (Nov. 8, 2017)

Describes an ICE operation targeting a father attending

Family Court and discusses implications for constitutional rights of litigants.

“One of the most disturbing aspects of “interior enforcement” of the immigration laws—meaning arrests and detentions carried out far from the American border, typically by ICE agents—is that the actions can pollute the administration of justice and undermine the rights that the Constitution affords all criminal defendants, whether they are U.S. citizens or not”.

[James Queally, “Fearing deportation, many domestic violence victims steering clear of police and courts,” Los Angeles Times \(Oct. 9, 2017\)](#)

Describes steep declines in the reporting of domestic violence from Latinos in Los Angeles, San Diego, San Francisco, and Houston, Texas.

[Everton Bailey, Jr., “ICE agents mistakenly try to grab Latino county worker near courthouse,” Oregonian \(Sept. 19, 2017\)](#)

Links to video of ICE agents trying to arrest a Latino county worker near a courthouse who is a U.S. citizen. The incident prompted this [ACLU lawsuit](#).

[Leon Neyfakh, “Secret Police,” Slate \(Sept. 14, 2017\)](#)

Reporter gives firsthand account of his encounter with plainclothes ICE agents outside of a Brooklyn court during which agents refuses to identify themselves.

[Liz Robbins, “A Game of Cat and Mouse with High Stakes: Deportation,” New York Times \(Aug. 3, 2017\)](#)

Examines the impact of ICE courthouse arrests on local prosecutors in New York City.

Discusses the creative strategies public defenders use to protect clients at risk of an ICE courthouse arrest.

[Beth Fertig, “When ICE shows up in Human Trafficking Court,” WNYC \(June 22, 2017\)](#)

Feature-length piece providing a firsthand description of an ICE operation in a court designed for victims of human trafficking.

[Jonathan Blitzer, “The Woman Arrested by ICE in a Courthouse Speaks Out,” The New Yorker \(Feb. 23, 2017\)](#)

Investigative piece on ICE arrest of a transgender woman who sought protective order in court. Reveals key details on ICE’s tactics including the use of an abuser’s tip to track down the woman they arrested.

Op-Eds

[Eric Gonzalez and Judy Harris Kluger, “How ICE harms the justice system: The feds’ aggressive tactics in our courthouses are emboldening violent criminals” NY Daily News \(Aug. 2, 2018\)](#)

The Brooklyn district attorney and the executive director of Sanctuary for Families explain why ICE courthouse arrests endanger victims of violence.

[Sen. Marisol Alcantara and Assemblywoman Michaelle Solages, “New York Should Protect Its Courts from ICE” City and State](#) (June 20, 2018)

The two sponsors of the Protect Our Courts Act explain why state-level action is necessary to stop ICE.

[Nancy Morawetz and Lindsay Nash, “Get ICE Out of N.Y.’s Courtrooms” NY Daily News](#) (Jan. 25, 2018)

Two law professors make the case for why state courts can and should implement court rules requiring ICE to have a judicial warrant or court order before executing a courthouse arrest.

[César Cuauhtémoc García Hernández, “ICE’s Courthouse Arrests Undermine Democracy,” New York Times](#) (Nov. 26, 2017)

“[A]rrests at courthouses don’t just derail the lives of the unsuspecting people who are detained, they threaten the very operation of our judicial system. Such arrests scare people away from the courts, keeping them, for example, from testifying at trials or seeking orders of protection. By using this tactic, the nation’s lead immigration law enforcement agency is undermining a pillar of our democracy.”

Social Media Sample Tweets

[Immigrant Defense Project](#): We are here at the rally in NYC with so many other New Yorkers calling for [#ICEOutof-Courts!](#)

[Brooklyn Defender Service](#): ICE OFFICERS IN COURT HALLWAY OF 120 SCHERMERHORN. MISDEMEANOR COURT IN BROOKLYN. CAREFUL

[Association of Legal Aid Attorneys](#): FOR THE 3RD DAY IN A ROW, ICE has been spotted now in Queens Criminal Court (125-01 Queens Blvd), with intent to detain one of our clients. Our attorneys in Queens will walk out at 12pm in protest of this attack and the refusal to act by [@NYSCourts-News](#) and Janet DiFiore. [#ICEOUT](#)

For more media coverage, see:
immdefense.org/courts-media/

