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IDP Unveils New Statistics & Trends Detailing Statewide ICE Courthouse Arrests in 2017

Reports of ICE Targeting Immigrants at Courthouses Increased Nearly 1200% since Last Year

Spike Reflects Dangerous New Era of Enforcement and Immigrant Rights Violations under Trump Administration

NEW YORK – December 31, 2017 – The **Immigrant Defense Project (IDP)** released new statistics & trends detailing Immigration and Customs Enforcement (ICE) arrests and attempted arrests in courthouses across New York State from January to December 2017. IDP compiled statistics from attorneys and advocates who work with immigrants and the family members of immigrants as part of their practice.

There have been **144 reports of ICE arrests and attempted arrests in courthouses this year**, up from 11 reports in all of 2016. **This more than 1200% increase from 2016** signifies a new era in aggressive ICE enforcement emboldened under the Trump administration.

“The exponential increase in ICE courthouse arrests reflects a dangerous new era in enforcement and immigrant rights violations,” said Lee Wang, Staff Attorney at IDP. “Immigrants seeking justice in the criminal, family, and civil courts should not have to fear for their freedom when doing so. The alarming ICE trends we’re seeing in New York undermine the safety and promise of sanctuary.”

“These arrests plague our clients in every borough and deter immigrants and others from seeking services offered by the court that should always be accessible,” said Tina Luongo, Attorney-In-Charge of the Criminal Defense Practice at The Legal Aid Society. “This report shows that courthouse arrests will only continue to proliferate under this Administration. We hope to work with Albany leaders and the Office of Court Administration next session on a legislative remedy that could address this injustice that’s now truly statewide.”

KEY STATISTICS & TRENDS:

- **The majority of ICE courthouse arrests are taking place in NYC.** Of the 144 reports, 97 of the incidents took place across all five counties of New York City. 84 were arrests; 13 were attempted arrests.

- **47 of the incidents took place in upstate New York and Long Island.** These incidents were spread across 16 counties including Westchester, Nassau, Suffolk, Ulster, Columbia, Putnam, Rockland, Onondaga, Albany, Saratoga, Monroe. 44 were arrests; 3 were attempted arrests.
- **Both documented and undocumented immigrants are being arrested. In cases where immigration status is known, 1 out of the 5 incidents involve documented immigrants.** Of these, the vast majority are green card holders, while others are in the U.S. on valid visas.
- **ICE has expanded arrests to target undocumented immigrants with NO prior criminal history.** 28% of the undocumented immigrants ICE has targeted have NO prior criminal history. In many of these cases, individuals were facing a first-time arrest for a traffic violation. And in some cases, charges were dismissed, but ICE still proceeded with the arrest.
- **Most immigrants were reporting to court on low-level offenses.** In cases where criminal charges were known, 80% of individuals who were arrested while attending court were appearing for violations and misdemeanors.
- **Immigrants are being arrested in a broad range of courts—including criminal courts, family courts, traffic courts, and specialized courts that are designed as rehabilitation programs.** ICE has arrested immigrants twice in family courts, once at a child support hearing, and another at a visitation hearing. They have also targeted immigrants in Youth Parts (designed to help provide rehabilitation to teenagers) and Community Courts (designed around a restorative justice model that emphasizes rehabilitation).
- **ICE has targeted immigrants in particularly vulnerable groups.** Several of those arrested have documented mental health issues, and/or are survivors of family violence. ICE agents have also gone after immigrants in Human Trafficking Intervention Court, which is designed for victims of human trafficking who face prostitution-related charges.
- **In some cases, court staff have facilitated ICE arrests.** In at least 21 incidents, employees of the Office of Court Administration assisted ICE agents. Assistance has included notifying ICE agents of an immigrant's presence in the courtroom, delaying the calling of a case to facilitate an arrest, physically assisting an arrest, and escorting ICE into restricted areas of the court meant only for court personnel.

Advocates across the country are working with state court justices and legislators to identify and implement solutions to address ICE's reckless disregard for public safety and access to justice. Given the complex entanglement of the criminal justice system with federal immigration law and deportation policies, many sanctuary cities often inadvertently feed the President's deportation machine. State and local officials need to stop federal immigration agents from using the U.S. court system to trap immigrants for arrest, detention, and deportation.

For more information, please visit the Immigrant Defense Project at ImmigrantDefenseProject.org.

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