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THE COUNCIL OF
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February 14, 2020

Dear City Council Members,

We are writing to update you on the increase in ICE activity in New York City. As you may have seen, the New York Times reported today that the Trump Administration is planning on deploying tactical units from the southern border in a further escalation of its pressure tactics on Cities that protect immigrant rights. Since our letter of January 24, 2020, the reports of ICE arrests in New York City have increased both in number and aggression. In the first six weeks of 2020, Immigrant Defense Project (IDP) received 60 reports of ICE raids in NYC—in the six weeks prior to January 1, IDP received 10 reports. In addition to the high profile ICE shooting from last week, many of these reports highlight increasingly aggressive ICE behavior and tactics, including ICE pulling over unarmed New Yorkers with their guns drawn and aggressively pulling people out of vehicles.

Even without causing physical harm, ICE's raids are destructive and destabilizing. It is clear that ICE is sinking to new depths to target New York City and New York State for political gain and to attack policies that protect the rights of New Yorkers. The recent reports of ICE raids make it extremely clear of how this cruel agency operates, how violent, misleading and harmful their tactics are, and what happens when a divisive administration flagrantly targets NYC, its pro-immigrant policies, and its vibrant communities.

We are very concerned by the trends that have emerged in these past six weeks, and ICE's stated plan to escalate these raids. IDP has received 60 reports of ICE raids in all 5 boroughs and we believe that there are more arrests that ICE have made that have not been reported to IDP.

We are sharing information on recent trends so that you are up-to-date of recent trends, and are able to inform your offices and constituents. These trends include:

- Reports of ICE using mobile fingerprint devices
- Reports of ICE having guns drawn, without identifying themselves as ICE (saying they are police or "narcotics squad")
- Reports of ICE making "collateral arrests" (including multiple people arrested at once)
- ICE driving in unmarked cars
- ICE agents dressed in jackets or vests that only say "POLICE"
- ICE's ongoing use of ruses to trick people that they are "police" or NYPD
- An ongoing presence of ICE agents around courthouses

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Three examples of recent reports of ICE pretending they were local police or that they were conducting an investigation include:

- On January 31, 2020, an unmarked ICE vehicle pulled over a car in Sunset Park, Brooklyn at 9am. The driver of the car was stopped at a red light when plain-clothes ICE agents approached the car with their guns drawn. They told the driver they were “narcotics police” and that they needed to search his car. The driver complied with their request and the ICE agents searched his car, and then asked for his ID. When he showed his ID, the agents arrested him, only then revealing that they were ICE agents. The driver happened to see someone on the street that he recognized and so was able to leave his car with her.
- On February 2, 2020, plain-clothes ICE agents went to a home in the Bronx in the early morning. They were looking for an individual who was not at home. The agents told his wife that they were looking for her husband about a warrant. When she asked what the warrant was about, the agents told her it had to do with her car and someone else driving it. She told her husband the police wanted to speak with him about a warrant. When her husband called them, the ICE agent told him that he needed to come to the precinct to speak with them about the warrant. Believing that this was an NYPD officer, on February 7, the individual went to 44th police precinct in the Bronx with a letter invoking his rights that he had received from a criminal defense attorney as he believed there was an NYPD warrant for him. When he was standing outside the 44th precinct, he called the agent as the agent had told him to do. Within a minute or two, four vehicles pulled up and the individual was arrested by ICE. This was the first time he realized that it was ICE agents who had come looking for him and not NYPD officers.
- On February 11, 2020, at least three ICE agents wearing jackets with the words “POLICE” and “ICE” visible gained entry to an apartment in Borough Park, Brooklyn. They then knocked on an apartment door, and a woman opened the door. She was eight months pregnant. The agents asked her for help identifying a person in a photo. She looked at the photo and told them she did not recognize the person in the photo. They then asked her about her partner (who was not in the photo) and she said he was not in the apartment and had not been there since the weekend. The agents thanked her and left. The ICE agents then traveled to her partner’s workplace, a bodega in Bay Ridge, Brooklyn. Seven ICE and Border Patrol agents questioned him and then arrested him.

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Because there is a lot of confusion around ICE's use of ruses, IDP has created a [primer on ICE ruses](#)¹ and flyers in [English](#) and [Spanish](#)² explaining the ways in which ICE agents pretend to be local police officers. These flyers help the public understand what ICE ruses are, how they are used, and how to invoke one's rights. In our January 24, 2020 letter we provided details on IDP's Know Your Rights materials, which can be found at immdefense.org/kyr.

If constituents or community members would like to seek immigration legal services or speak to an immigration attorney, please direct them to ActionNYC, which offers free, safe immigration legal help in a network of trusted community organizations and schools. They can make an appointment to receive services by calling 1-800-354-0365 between 9AM and 6PM, Monday – Friday. If you hear reports of ICE raids or arrests from constituents or community members, please feel free to share them with IDP. We do not need confidential information about the individuals arrested. Instead, focus on gathering information about the tactics used by ICE during the encounter. To report an ICE raid, please contact Genia Blaser, Senior Staff Attorney, at genia@immdefense.org.

The Trump administration has made clear that there are no bounds to try and force their agenda on New York, but we will continue to stand firm to preserve the New York that we have fought together to build.

Sincerely,



Carlos Menchaca
New York City Council Member
38th Council District, Brooklyn

¹ Available at immdefense.org/ice-ruses

² Flyers in [English](#) and [Spanish](#)