Dear members of the New York State Legislature,

We write today to urge the Assembly and Senate to pass the Protect Our Courts Act (S425A/A2176), a bill that will ensure equal access to state court proceedings regardless of immigration status. We have seen an unprecedented escalation in Immigration and Customs Enforcement (ICE) using the New York State courts to effectuate civil immigration arrests—an increase of 1700% over the past three years. Squads of ICE officers prey on community members, undermining the effective functioning and constitutional underpinnings of the courts and threatening public health and safety of all New Yorkers. Despite an April 2019 directive to stop warrantless arrests inside courthouses, ICE directed its officers to conduct arrests outside of courthouse doors.

We are community-based organizations, unions, civil legal services providers, public defenders, family defenders, victim rights advocates, law schools, faith, and civil rights and liberties groups. The legal service providers in the coalition provide the bulk of indigent legal representation and advocacy in New York State, practicing in criminal, family, civil, and administrative courts. Our clients and community members include adults, children, and families; workers; survivors of violent crime; people accused of crime; and people experiencing discrimination. They are citizens, noncitizens, and mixed-status families and communities.

Since January 2017, we have seen federal immigration officers stalk immigrants in and around New York State court, where they arrest them and place them in civil immigration detention and deportation proceedings or immediately deport them. These arrests mark the resurgence of a long-defunct practice of civil arrests in courthouses—a practice legislatures and courts have regulated for more than a century. The spate of civil arrests that started immediately after President Trump’s inauguration has escalated dramatically over the past three years.

ICE courthouse arrests affect everyone. With arrests up 1700%, those disappeared from court have been survivors of violence, youth, people who are mentally ill or homeless, guardians to U.S. citizen children, people who are LGBT, victims of human trafficking, and asylum seekers.
In and around courthouses, ICE agents have physically separated attorneys from clients, thrown individuals to the ground, and refused to display warrants or share any information.

The practice of plainclothes ICE agents roaming New York state courthouses is not only an affront to fundamental constitutional rights, but it also has a chilling effect on people’s sense of safety in accessing courts.

The Protect Our Courts Act will restore courthouse access across New York State, by making it unlawful for ICE to make a civil arrest while someone is going to, attending or leaving court without a judicial warrant or court order and codifying the Unified Court System directive issued by the Office of Court Administration on April 17, 2019.

The undersigned strongly support the enactment of the Protect Our Courts Act and urge you to act on this.

For more information on the Protect Our Courts Act, please visit https://www.immigrantdefenseproject.org/ice-courts/.

Respectfully signed,

32BJ SEIU  Adhikaar  African Communities Together  African Services Committee  Anti-Defamation League New York  Appellate Advocates  Asian American Legal Defense and Education Fund  Bronx Immigration Partnership  Brooklyn Community Bail Fund  Brooklyn Defender Services  Center for Appellate Litigation  Center for Safety and Change  Central American Legal Assistance  Columbia County Sanctuary Movement  Community Legal Advocates of New York  Day One  Emerald Isle Immigration Center  Empire Justice Center  First Church Buffalo Presbyterian Church  Flatbush Tenant Coalition  Fund for Modern Courts  FWD.us  Garifuna Community Services  Her Justice  Hofstra Law Clinic  Hondureños Contra el SIDA  Human Rights First  Immigrant Defense Project  Immigrant Justice Corps  Kathryn O. Greenberg Immigration Justice Clinic  L.I. Center for Independent Living, Inc.  LatinoJustice PRLDEF  Lawyers for Children  Legal Aid Society of Rochester  Legal Services Staff Association, NOLSW/UAW  LGBT Bar Association of New York  Long Beach Latino Civic Association
Make the Road New York
Mobilization for Justice, Inc.
Nassau Legal Aid Society
National Immigration Law Center
Neighborhood Defender Service of Harlem
Neighbors In Support of Immigrants
Neighbors Link
New York City Gay and Lesbian Anti-Violence Project
New York Civil Liberties Union
New York Coalition Against Sexual Assault
New York County Defender Services
New York Immigration Coalition
New York Lawyers for the Public Interest
New York Legal Assistance Group
New York Religious Action Center of Reform Judaism
Nobody Leaves Mid-Hudson
Northern Manhattan Coalition for Immigrant Rights
Northern Manhattan Immigration Coalition
OLA of Eastern Long Island
Partnership for the Public Good
Prisoners’ Legal Services of New York
Rockland Immigration Coalition
Rural and Migrant Ministry
S.T.R.O.N.G. Youth, Inc.
Safe Horizon
Sanctuary for Families
Sisters of Mercy
South Bronx United
The Bronx Defenders
The Door Legal Services
The Legal Aid Society
The Legal Aid Society of Suffolk County
The Legal Aid Society of Westchester County
The Workers Circle
Trinity Church Wall Street
UnLocal, Inc.
Urban Justice Center
VIIBS
Violence Intervention Program, Inc.
Westchester Women’s Agenda
Worker Justice Center of New York, Inc.
Yam Community Resource, Inc.
Yonkers Sanctuary Movement