

FOR IMMEDIATE RELEASE:

***** PRESS RELEASE *****

**NEW YORK ASSEMBLY INTRODUCES GROUNDBREAKING NEW
BILL TO PROTECT IMMIGRANTS FROM UNLAWFUL ICE ARRESTS
AT COURTHOUSES**

The Protect Our Courts Act would prohibit federal immigration agents from making arrests without a judicial warrant and is the first-of-its-kind nationally

NEW YORK – June 1, 2018 – The New York State Assembly has introduced the Protect Our Courts Act ([A11013](#)), a groundbreaking new bill that would prohibit Immigration & Customs Enforcement (ICE) agents from making civil arrests at New York State courthouses without a judicial warrant or court order. The protection extends beyond courthouse walls, and applies to arrests of individuals going to or leaving a court as well. To date, the bill offers the most protective regulations on ICE courthouses arrests in the U.S.

Sponsored by Assemblywoman Michaelle Solages, the Protect Our Courts Act upholds a pillar of our democracy – equal access to our judicial system, regardless of immigration status – and will protect any party in a court proceeding in New York State, including victims, witnesses, and defendants attending a variety of courts, such as family and housing court.

Since the beginning of 2017, there has been an unprecedented 1200% increase in ICE courthouse arrests across New York State, effectively disrupting court functions, sowing fear in immigrant communities seeking justice, and undermining public safety. In fact, a statewide [survey](#) conducted by the Immigrant Defense Project found that more than two-thirds of advocates working with survivors of violence said they have clients who have decided not to seek help from the courts due to fear of ICE. Another [report](#) from the ACLU found that courthouse arrests were deterring immigrants from reporting crimes.

New York is leading the way in providing meaningful protection to its immigrant communities. In April, Governor Andrew Cuomo signed an Executive Order banning ICE arrests in state-run buildings without a judicial order. The Protect Our Courts Act follows suit by helping ensure access to courts for all New Yorkers.

On Tuesday, June 5th, a dual press conference will be held in Albany and NYC to announce the bill and call attention to the ongoing ICE courthouse arrest crisis. More information to follow.

To learn more about courthouse raids, visit www.immigrantdefenseproject.org/ice-courts/.

Assemblymember Michaelle C. Solages, said:

“Residents of our State rely on the court system to address important legal issues that affect our communities. All New Yorkers regardless of income, race, religion or immigration status should have the opportunity to use the court system to advocate for themselves and their interests. Federal immigration agents searching and detaining immigrants inside our courts, deters individuals from interacting with the court system which in turns has a chilling effect on our rights. I join the Immigrant Defense Project, SEIU 32BJ and all other advocates to ensure that our courts remain safe for all New Yorkers.”

Assemblymember Ron Kim, said:

“While President Donald Trump and ICE continue to target and punish law abiding immigrants, here in New York, we stand strong together to protect all New Yorkers. I look forward to working closely with my colleagues to get ICE out of our courts. I applaud the Immigrant Defense Project, and Assemblymember Michaelle Solages efforts to bring this timely and meaningful legislation to protect the integrity of our court system in New York.”

Public Advocate Letitia James, said:

“Safe and universal access to the court of law is key to a fair, democratic society and a basic requirement in the vindication of individual rights. ICE’s indiscriminate campaign of courthouse arrests puts all New Yorkers at risk and goes against everything we stand for. The Protect Our Courts Act is a thoughtful and commonsense update of longstanding Civil Rights Law, made necessary by an unprecedented attack on our immigrant communities and our judicial system. I thank Assembly Member Solanges and the Immigrant Defense Project for their leadership, and look forward to working with them as we continue this fight against unjust courthouse arrests.”

Brooklyn District Attorney Eric Gonzalez, said:

“I have been calling on ICE for months to treat our courthouses as sensitive locations and to stop arresting people inside those buildings. These actions jeopardize public safety by instilling fear in immigrant communities, which makes victims and witnesses afraid to come forward to report crimes, and unable to get justice. Keeping Brooklyn safe and strengthening community trust in law enforcement are my top priorities as Brooklyn DA, and ICE’s actions undermine those important goals. I support the efforts to end this misguided practice.”

Alisa Wellek, Executive Director of the Immigrant Defense Project, said:

“For too long, ICE has been allowed to roam free in our courthouses and use them as hunting grounds for immigrants. The Protect Our Courts Act is a groundbreaking bill that will help ensure equal access to courts and protect the constitutional rights of all New Yorkers. We applaud Assembly Member Solages for taking this courageous stance in defense of our courts.”

Héctor Figueroa, President of 32BJ SEIU, said:

“We are heartened by the bill introduced by Assemblymember Michaelle Solages to put an end to the presence of ICE agents in courthouses. Instead of serving justice, increased and aggressive ICE enforcement in and near courtrooms denies justice to victims of domestic violence and of violent crimes, and terrorizes witnesses of crimes into staying silent. This doesn’t just hurt immigrants, it hurts all of us and makes us less safe.”

Judge Judy Harris Kluger, Executive Director of Sanctuary for Families, said:

“At Sanctuary for Families 75% of the gender violence and sex trafficking survivors we serve are immigrants. Our vulnerable clients rely on the courts for orders of protection, child custody and support and are often witnesses in criminal cases against their abusers. Yet, the very presence of ICE in our courthouses and the threat of detention and deportation deters many of them from ever coming to court and seeking the protections that are rightfully theirs. We applaud Assemblywoman Solages for crafting this measure and urge all of our legislators and Governor Cuomo to make sure this measure becomes law before end of session.”

Juan Cartagena, President and General Counsel of LatinoJustice PRLDEF, said:

“The sanctity of our courts must be maintained in order to ensure that our justice system is not hijacked by fear. ICE officers lurking in the shadows of our courts are like vultures seeking prey who will pounce at the sight of dark skin complexion. LatinoJustice has been fighting for immigrants' rights in the courts and in the streets for decades. We applaud the bill introduced by Assembly Member Solanges and call upon the State Senate and the Governor to join their State Assembly colleagues to take prompt legislative action to ensure that ICE is barred from making arrests in our courts unless they have a judicial warrant. The safety of our communities depends on every individual's ability to access our judicial system.”

Steven Choi, Executive Director of the New York Immigration Coalition, said:

“ICE's increasing presence in our courthouses is a Trump tactic to instill fear in immigrant communities - and it undermines the very integrity of our justice system. America will not be safer or greater if people cannot come forward to report crimes, bear witness at trial, and seek the protection of the law, for fear of deportation. New York State should require ICE to get nothing less than a full judicial warrant before they try to use our courts to do ICE's dirty work. I applaud Assemblywoman Michaelle Solages for introducing this vital bill and urge the Legislature to take action to ensure every New Yorker has equal access to justice.”

Luis Bautista, Staff Attorney at Make the Road New York, said:

“ICE is seeking every tool at its disposal to tear apart immigrant families, including stalking them in and around courthouses. We support the Protect Our Courts Act because it will protect and safeguard communities across New York State from ICE's reckless practices at the courts, while guaranteeing equal and safe access to New York State Courts for all.”

Tina Luongo, Attorney-in-Charge of the Criminal Defense Practice at The Legal Aid Society, said:

“ICE's presence in our courts undermines our ability to represent our clients and safeguard their constitutional rights," "Immigrants, both people who are accused and witnesses, are terrified to appear in court knowing that ICE is indiscriminately targeting anyone who's not a U.S. citizen. Enough is enough. We laud Assembly Member Michaelle C. Solages for introducing this important legislation that addresses a crisis that has plagued our courts since January 2017.”

Sarah Deri Oshiro, Managing Director of the Immigration Practice of The Bronx Defenders, said:

“The presence of Immigration Customs Enforcement (ICE) officers in our courthouses has had a chilling effect on the ability of people to seek justice in our courts. We applaud Assemblywoman Solages for introducing this piece of legislation, which will be an important step towards ensuring that our immigrant communities can enjoy the full protections of our judicial system.”

Evan Bernstein, New York Regional Director of the Anti-Defamation League, said:

“ADL welcomes the introduction of the Protect Our Courts Act (A11013), which would ensure equal access to our state courthouses, regardless of immigration status. We remain deeply concerned about the escalation of Immigration and Customs Enforcement (ICE) enforcement in New York state courthouses. The practice has a chilling effect and denies vulnerable victims and individuals access to justice by deterring them from contacting authorities and accessing courts when needed, such as in the event of a hate crime. This legislation would represent a significant step in ensuring that all community members, regardless of immigration status, can access the justice system without fear of deportation.”

Khalil A. Cumberbatch, Associate Vice President of Policy of The Fortune Society, said:

“The Fortune Society applauds the courageous actions of immigrant advocates, public defenders, and elected officials, especially Assembly Member Michaelle Solages, who seek to protect immigrants in state court buildings from warrantless arrest by Immigration and Customs Enforcement officers. At the very least, ICE in the courthouse interrupts the legal and due processes. At worst, it becomes an out-and-out threat to justice. Immigrants seeking protection from the court, those who are victims or witnesses, and those who go to court to prove their innocence should be able to enter the courthouse without fear of immigration-related jeopardy. Knowing first-hand the harm that immigration detention and the threat of deportation can do to a family, I am proud to stand with this coalition and demand an end to this injustice.”

###

Media Contact:

Alejandra Lopez

Immigrant Defense Project

E: Alejandra@immdefense.org

O: 646-760-0589