



**The Chilling Effect of ICE Courthouse Arrests:
How Immigration and Customs Enforcement (ICE)
Raids Deter Immigrants from Attending Child Welfare,
Domestic Violence, Adult Criminal, and Youth Court Hearings**

Executive Summary

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Introduction

Immigration and Customs Enforcement (ICE) was founded as the interior immigration policing arm of the Department of Homeland Security (DHS) in 2003. Since that year, ICE has conducted searches for immigrants in multiple settings including homes, job sites, and courts.

To test whether ICE raids have had a chilling effect on immigrant communities accessing the courts, Ceres Policy Research (Ceres) partnered with the Immigrant Defense Project to conduct a nation-wide survey to document the impact of these raids.

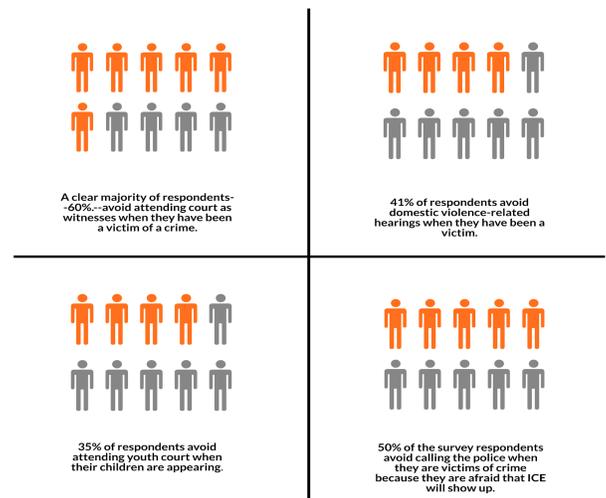
Findings

We partnered with over 20 organizations across the country to obtain 1,000 surveys from people in mixed immigration status families. The 1,000 participants resided in 123 cities in 11 states. Respondents varied across gender, sexual orientation, race, and ethnic identity, immigration status, and country of origin, though they closely mirror the national immigrant population.

Analysis of the survey data finds that respondents, in fear of ICE, avoid attending a wide range of hearings. This avoidance threatens to broadly disrupt due process.

The findings show that avoidance and fear extend to many stakeholders interacting with the courts:

- **48%** of respondents that are court involved believe that judges are helping ICE arrest people.
- **49%** of respondents that are court involved believe that prosecutors are helping ICE arrest people.



- **50%** of the survey respondents avoid calling the police when they are victims of crime because they are afraid that ICE will show up.

Other findings include:

- A clear majority of respondents—**60%**—avoid attending court as witnesses when they have been a victim of a crime.
- **41%** of respondents avoid domestic violence-related hearings when they have been a victim.
- **37%** of respondents avoid appearing in a child welfare hearings when involved in dependency court.
- **40%** of respondents avoid appearing in adult criminal court when they are a defendant or have a bench warrant.
- **35%** of respondents avoid attending youth court when their children are appearing.
- **33%** of survey respondents who are court-involved avoid all types of hearings because they are afraid that ICE will take their children away.

Discussion

These findings suggest that large proportions of immigrants—particularly those who are undocumented, have DACA status or a current deportation order—are avoiding court. Such failures are disrupting many different court proceedings. Parents are failing to appear in child welfare and youth court. People aren't calling police when they are needed. Survivors of violence are failing to appear in domestic violence hearings and criminal court. People defending themselves in criminal proceedings are being denied the ability to effectively fight their cases. ICE courthouse arrest activity significantly interferes with equal access to the courts.