

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON IMMIGRATION

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May 7, 2019
Start: 10:27 a.m.
Recess: 10:40 a.m.

HELD AT: 250 Broadway - Committee Rm.
16th Fl.

B E F O R E: CARLOS MENCHACA
Chairperson

COUNCIL MEMBERS:
Margaret S. Chin
Mark Gjonaj
Francisco Moya
Daniel Dromm
I. Daneek Miller
Mathieu Eugene

A P P E A R A N C E S (CONTINUED)

1 COMMITTEE ON IMMIGRATION

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2 SERGEANT-AT-ARMS: Mic test. One. Two.
3 One. Two. One. Two. Today's date is May 7th,
4 2019. Today's committee vote is on immigration.
5 It's being recorded by Daniel Hope.

6 [gavel]

7 CHAIRPERSON MENCHACA: [speaking foreign
8 language]. My name is Carlos Menchaca, City Council
9 member and Chair of the Immigration Committee. I
10 want to thank the members who are joining us this
11 morning from Manhattan. Council member Chin from
12 Queens. We have Council member Moya and Council
13 member Dromm. And last month the Committee on
14 Immigration, along with the Committee on Justice
15 System, Chaired by my colleague, Council member
16 Lancman, held an oversight hearing title ICE out of
17 New York Courts. We also hear a resolution,
18 resolution 828, cosponsored by myself and Chair
19 Lancman calling on the state legislature to pass and
20 the governor to sign them up Protect Our Courts Act.
21 8 dot 2176, the Senate bill 425 in order to protect
22 certain interests, parties, or people from civil
23 arrest while going to, remaining at, or returning
24 from the place of such court proceeding. At our ICE
25 Out of Courts hearing, we heard extensive reports

2 from IDP, Bronx legal services, and many of the other
3 social and legal service providers that have seen
4 clients affected by this policy daily. They
5 discussed an extensive 80 page report which they put
6 together documenting how ICE courthouse arrests
7 impact the criminal justice system. And an
8 incredible thing happened after that hearing.
9 Because of the continued fierce advocacy of these
10 organizations, the office of Court administration
11 issued a new court rule on April 17th requiring
12 judicial warrants for ICE arrests in courthouses.
13 This new rule is unprecedented. New York is now the
14 first state to bar ICE from making arrests in court
15 without a judicial warrant and this rule is the
16 result of that effort of the organizations that of
17 been on the front lines on this issue: IDP, the
18 Bronx legal services, and all the other legal
19 organizations and advocacy groups. And I want to
20 take a moment to congratulate them for this victory
21 and congratulate all New Yorkers who have been
22 chiming in on this issue. I want to commend them for
23 continuing to fight for the rights of immigrants
24 every day and to thank them for helping us to hold
25 this federal administration accountable. But there

2 is always more to be done in though the new rule
3 restricts arrests inside the courthouses, the Protect
4 our Courts Act would extend even further by
5 restricting arrests of individuals entering and
6 exiting courthouses and bar courthouse entry to ICE
7 without a judicial warrant and grant a civil right of
8 action to sue civil law enforcement for court house
9 arrest without a judicial warrant. So, today, we
10 will be voting on resolution 828A, commending the New
11 York State office of Court administration for
12 promulgating rules that require a judicial warrant
13 for any civil arrest in a New York state court and
14 calling on the state legislature to pass in the
15 governor to sign the Protect Our Courts Act in order
16 to further protect certain interest parties or people
17 from civil arrest while going in and remaining at or
18 returning from the place of such court proceeding.
19 The unchecked interference of ICE in the state court
20 system endangers New Yorkers access to due process
21 and public safety. It removes criminal defendants
22 from our jurisdiction making it impossible to seek
23 justice in their ongoing non-immigration related
24 cases. It makes witnesses to crime and victims of
25 crime less likely to engage in the court system.

2 This is unacceptable. In New York, must do
3 everything in its power to protect the sanctity of
4 our justice system and our civic institutions. As
5 such, strongly encourage the committee members to
6 vote yes on passing reso 828A. So I want to thank
7 the staff here and the Immigration Committee, Council
8 Harbani Ahuja, committee policy analyst Elizabeth
9 Cronk, my staff including chief of staff Soshi Mang
10 (sp?), Communications director Tony Chorado--
11 Chorido (sp?), and the staff of the Justice System
12 Committee. Okay. We are ready.

13 LEGAL COUNSEL: Good morning. This is
14 the Committee on Immigration's vote on resolution
15 828A. We will begin with Chair Menchaca.

16 CHAIRPERSON MENCHACA: I vote yes.

17 LEGAL COUNSEL: Councilwoman Chin?

18 COUNCIL MEMBER CHIN: Aye.

19 LEGAL COUNSEL: Council member Dromm?

20 COUNCIL MEMBER DROMM: Aye.

21 LEGAL COUNSEL: Council member Moya?

22 COUNCIL MEMBER MOYA: Aye.

23 LEGAL COUNSEL: By a vote of four in the
24 affirmative, zero in negative, and zero abstentions,
25 the item has passed.

2 CHAIRPERSON MENCHACA: Thank you. We're
3 going to leave the vote open for a few more minutes
4 as members come in and thank you to all the members
5 for coming in today. Thank you. So we will close
6 the vote now on this resolution and we'll be voting
7 it in the full council tomorrow and I just want to,
8 again, say thank you to all the advocates that have
9 been pressuring not just the state, but really,
10 really bringing our New York City voice to this
11 conversation. Many of the ICE arrests that are
12 happening in courts are happening here in the city
13 and we have something to say about that. And the
14 resolution makes that clear. Thank you so much.

15 [gavel]

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1 COMMITTEE ON IMMIGRATION

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 4, 2019