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## THE COUNCIL

# **committee report and briefing paper OF THE Justice Division**

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**COMMITTEE ON JUSTICE SYSTEM**

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#### April 10, 2019

**Oversight:** ICE Out of New York City Courts

**Res. No. 828-2018:** By Council Members Menchaca and Lancman

**Title:** Resolution calling on the State Legislature to pass, and the Governor to sign, the “Protect Our Courts Act” (A.2176 / S.425), in order to protect certain interested parties or people from civil arrest while going to, remaining at, or returning from the place of such court proceeding

# **Introduction**

On April 10, 2019, the Committee on Immigration, chaired by Council Member Carlos Menchaca, will hold an oversight hearing to examine ICE enforcement in New York City courts. The Committee will also hold a first hearing on Res. 828-2018, sponsored by Council Members Menchaca and Lancman, in relation to the New York State Protect Our Courts Act. The Committee expects to receive testimony from the Mayor’s Office of Immigrant Affairs (‘MOIA’), as well as advocates, legal and social services providers and members of the public.

# **Background**

*ICE’s Increased Enforcement in Courts*

Immediately after the presidential inauguration on January 20, 2017, the Trump administration laid out its mass deportation agenda in an Executive Order, “Enhancing Public Safety in the Interior of the United States.”[[1]](#footnote-1) This agenda included targeting sanctuary cities, increasing community arrests and raids, and following immigrants at their state-level court appearances in criminal court and civil courts, such as family court, and specialized courts, such as Human Trafficking Court.[[2]](#footnote-2)

Whereas under the Obama Administration, reports of state-level courthouse arrests were infrequent,[[3]](#footnote-3) U.S. Immigration and Customs Enforcement’s (‘ICE’) use of this tactic under the Trump Administration escalated quickly. The Immigrant Defense Project (‘IDP’), which has been monitoring ICE courthouse raids since 2013, first reported a sharp increase in courthouse raids in 2017.[[4]](#footnote-4) Between 2017 and 2018, IDP documented reports of arrests that came in from New York, Massachusetts, Washington, Oregon, New Jersey, Colorado, New Mexico, Pennsylvania, Maryland, Illinois, Texas, and Ohio from public defenders, legal services providers, anti-violence advocates, immigration lawyers, and family and community members. IDP reported that ICE operations in and around New York courts continued to increase, reaching an unprecedented level.[[5]](#footnote-5) Since 2016, ICE operations in and around New York courthouses have increased by 1736%,[[6]](#footnote-6) with a comparative marginal increase between 2017 and 2018 by 17%.[[7]](#footnote-7) Between 2016 and 2018, New York City continued to account for about 75% of arrests statewide, with Queens and Brooklyn reporting the largest numbers.[[8]](#footnote-8) IDP reported that in 2018 there were 178 courthouse arrests in New York State, with 24 additional ICE sightings.[[9]](#footnote-9) IDP also reported an expansion of ICE tactics using courthouses to surveil potentially removable immigrants, and increased interactions with their families and loved ones who have come to court in support.[[10]](#footnote-10)

*Impact of ICE Presence in Courthouses*

ICE targeting state courthouses for immigration enforcement has tangible impact on local communities and interferes with the City’s ability to seek justice for its criminal defendant residents in their ongoing, non-immigration related cases. In the recent report “Safeguarding the Integrity of Our Courts: The Impact of ICE Courthouse Operations in New York State” released by the New York ICE Out of Courts Coalition, stakeholders describe the broad impacts of ICE presence in state courthouses:

* ICE operations impede the prosecution of cases, as victims or witnesses to crime are either apprehended by ICE before the termination of a case, or fear engaging with the court system and retract their statements regarding open cases;[[11]](#footnote-11)
* ICE operations have led victims of crime to report crimes to local law enforcement officers using fake names and addresses, which are impossible to follow-up on, when a case moves forward;[[12]](#footnote-12)
* ICE operations have led to a significant decline in community participation in Criminal Justice programming: such as Immigrant Affairs Unit Hotline at District Attorney offices,[[13]](#footnote-13) District Attorney Clean Slate program participation,[[14]](#footnote-14) visits to New York City’s Family Justice Centers;[[15]](#footnote-15)
* ICE operations at problem-solving and civil courts throughout New York City has led to decreased willingness to participate all aspects of our state and local justice system;[[16]](#footnote-16)
* ICE operations have led to rising fear of attending court and increasing issuance of bench warrants, often contrary to the legal interests of clients: “clients are more likely to take unfavorable pleas to avoid returning to court;”[[17]](#footnote-17)
* ICE operations have led to a rise in “disappearing litigants” whether because litigants are apprehended by ICE as they are appearing for court dates or because ICE fails to produce individuals in their custody for ongoing court cases as ICE considers itself “no bound by state court orders;”[[18]](#footnote-18)

As ICE presence has increased nationally, interactions with local law enforcement has decreased or become strained. A coalition of advocates and legal service providers documented a high concern about contacting law enforcement among immigrant survivors of intimate partner violence in 2017.[[19]](#footnote-19) Simultaneously, advocates report that orders of protection issued against intimate partners or family members have decreased from 235,282 in 2016 and 232,803 in 2017 while abusers are increasingly threating to call ICE on their partners and family members.[[20]](#footnote-20) The same survey found that 43% of providers had clients who had dropped a civil or criminal case due to fear of ICE arrests in courts.[[21]](#footnote-21) In Los Angeles, the city police chief indicates that sexual assault reports from the Latino community have dropped by a quarter in 2017, compared to the same period in 2016, and reports of domestic violence have decreased by almost 10%.[[22]](#footnote-22) In 2017, IDP released results from a survey of immigrant New Yorkers, expressing distinct fears of going to court because of ICE, including: “I have a disabled child and I fear going to court for custody,” “I won’t be safe if I need to go to court for any reason. I will not feel safe reaching out to any agencies in case I need help,” “They could send me to immigration even if my case is pending,” and “I should be able to go to court without having to be scared of getting arrested or deported.”[[23]](#footnote-23)

*ICE Policies and Implementation*

On ICE’s Frequently Asked Questions (FAQ) page on Sensitive Locations and Courthouse Arrests,[[24]](#footnote-24) ICE states that it has implemented a policy whereby enforcement actions are not to occur at or be focused on sensitive locations such as schools and places of worship.[[25]](#footnote-25) This policy is intended, according to ICE, “to enhance public understanding and trust, and to ensure that people seeking to participate in activities or utilize services provided at any sensitive location are free to do so, without fear or hesitation.”[[26]](#footnote-26) ICE further states on its FAQ page that it does not view courthouses as a sensitive location.[[27]](#footnote-27) The rationale given for pursuing enforcement actions inside courthouses is that “the increasing unwillingness of some jurisdictions to cooperate with ICE in the safe and orderly transfer of targeted aliens inside their prisons and jails has necessitated additional at-large arrests.”[[28]](#footnote-28) In response to why courthouse arrests seem to be occurring more frequently, ICE repeats that it is because “some law enforcement agencies no longer honor ICE detainers or limit ICE’s access to their detention facilities.”[[29]](#footnote-29) ICE has clearly ramped up enforcement actions in state courthouses as a direct response to local law enforcement agencies limiting their cooperation with ICE’s enforcement of federal immigration law, targeting sanctuary cities for intrusion in courthouse proceedings.

In January 2018, ICE issued a memo stating that it would limit its civil immigration enforcement actions inside courthouses to only certain people, such as gang members, those with criminal convictions, or people who pose national security threats.[[30]](#footnote-30) The memo stated that ICE officers would not go after family members or friends of arrest targets unless they pose a threat to public safety or intervene in the ICE arrest.[[31]](#footnote-31) Additionally, the memo stated that officers “should exercise sound judgment when enforcing federal law and make substantial efforts to avoid unnecessarily alarming the public.”[[32]](#footnote-32) However, reports of courthouse arrests and the resulting chilling effect of ICE’s presence in the courts show that this is not the case.

For example, crime victims and witnesses, while not named in the directive, have been arrested in ICE operations.[[33]](#footnote-33) In February 2017, ICE arrested a transgender woman inside an El Paso courthouse while she was awaiting a hearing about her request for a protective order against an abusive ex-boyfriend.[[34]](#footnote-34) In June 2017, three plainclothes ICE officers, identified by legal service providers at the Queens Human Trafficking Court, targeted defendants who were attending adjournment hearings. Thankfully, the Trafficking Court Judge, Toko Serita, communicated to one of the defense attorneys and they were able to defer releasing the defendant while ICE was present.[[35]](#footnote-35) ICE did not detain any defendants from the Queens Human Trafficking Court in that instance, but they did detain three seemingly unrelated individuals outside the Queens criminal courthouse that same day.[[36]](#footnote-36) These are just a few instances, exemplifying a problematic interference of federal law enforcement in state courthouses.

*Public Outcry*

Beginning in early 2017 and continuing to this day, court officials, elected officials, and advocates across the country have been criticizing courthouse arrests for deterring victims and witnesses from coming forward. For example, in March 2017, Justice Cantil-Sakauye of the Supreme Court of California wrote a letter to then-Attorney General Jeff Sessions and DHS Secretary John F. Kelly requesting that ICE agents stop arresting immigrants at courthouses, explaining that courthouses are a vital forum for ensuring access to justice and protecting public safety, and that they should not be used as bait in the enforcement of immigration laws.[[37]](#footnote-37) In April 2017, the Mayor of Denver, Presiding Judge of the Denver County Court, City Attorney, District Attorney, and various Denver City Council members wrote a letter to ICE, urging ICE to make courthouses a “sensitive location.” Chief Justices of the Oregon Supreme Court, New Jersey Supreme Court,Connecticut Supreme Court, and Rhode Island Supreme Court, and many others also followed with letters and public statements about how ICE’s presence in courthouses creates heightened fear in immigrant communities, and negatively impacts the justice system by discouraging victims from reporting crimes, witnesses from coming forward, and individuals from appearing in court.[[38]](#footnote-38) The letters make clear that by effectively denying immigrants access to justice, judges, attorneys, and officials fear that ICE’s presence in courthouses is eroding the public’s confidence in the justice system, and impeding due process for these individuals and communities.

In June 2017, the New York City Council’s Committee on Immigration and the former Courts and Legal Services Committee held a joint hearing on the increased ICE enforcement at New York City Courthouses. The committees received testimony from New York City-based legal and social service providers who first noticed the rise in ICE activity in and around City courthouses.[[39]](#footnote-39)

In December 2018, a group of dozens of former state and federal judges asked ICE to add courthouses to the list of “sensitive locations” where ICE officers generally do not go.[[40]](#footnote-40) The judges cited reports of a marked increase in ICE activity in courts over the past two years, stating, “Judges simply cannot do their jobs—and our justice system cannot function effectively—if victims, defendants, witnesses, and family members do not feel secure in accessing the courthouse.”[[41]](#footnote-41) ICE arrests had been documented in dozens of states, the judges wrote, affecting survivors of domestic violence, victims of human trafficking, and parents seeking to protect their children from unsafe living conditions.[[42]](#footnote-42)

This issue of federal immigration officials arresting individuals in or around criminal courts has also united both sides of the criminal legal system, with both prosecutors and public defenders criticizing what they perceive as damaging interference with the system’s functioning.[[43]](#footnote-43) In February 2019, the New York City district attorneys from Brooklyn, Manhattan, and the Bronx protested the practice of ICE officers making arrests inside New York City courthouses.[[44]](#footnote-44)

*The New York State Office of the Court Administrator*

The New York State Office of the Court Administrator (‘OCA’) is the administrative arm of the New York State Unified Court System (‘UCS’), and falls under the direction of the Chief Judge of the State of New York, the Hon. Janet DiFiore.[[45]](#footnote-45) The Chief Judge serves as both Chief Judicial Officer of the State, and the Chief Judge of the Court of Appeals.[[46]](#footnote-46) The Chief Judge establishes statewide standards and administrative policies, after consulting with the Administrative Board of the Courts and receiving approval by the Court of Appeals.[[47]](#footnote-47) Executive officers of the OCA are responsible for the day-to-day operations of courts, including trial-level and specialty courts, and work with Administrative Judges in New York’s courts to allocate resources and meet their needs and goals.[[48]](#footnote-48)

OCA’s current policy is “to permit law enforcement agencies to act in the pursuit of their official legal duties in New York State courthouses, provided that the conduct in no way disrupts or delays court operations, or compromises public safety or court decorum.”[[49]](#footnote-49) In furtherance of this policy, OCA protocols require representatives of law enforcement agencies who enter a New York State Courthouse to take a person into custody, without a warrant,[[50]](#footnote-50) to identify themselves to court personnel and disclose any enforcement actions they may take inside the courthouse.[[51]](#footnote-51) Court personnel are required to immediately pass this information to their supervisor, who must inform the judge that such representatives are in the courthouse and intend to arrest a participant in a case before the judge.[[52]](#footnote-52) Every arrest made in the courthouse under these circumstances must be documented and reported by court personnel.[[53]](#footnote-53)

While the OCA states that it does not help facilitate ICE arrests at courthouses, uniformed court officers have participated in several ICE operations by assisting in arrests, providing information to ICE agents about individuals, and allowing ICE to make arrests in private areas of the courthouse.[[54]](#footnote-54) For example, a bystander outside of the Queen Criminal Court captured on camera several plainclothes ICE agents working with at least three uniformed court officers to arrest a father who was on his way into the courthouse.[[55]](#footnote-55) In another account, ICE agents were spotted arresting a man as he left Manhattan Criminal Court after uniformed court officer notified them of his court appearance date.[[56]](#footnote-56) OCA has also produced documents filed by court officers after arrests by ICE agents, in response to a Freedom of Information Law (FOIL) request, cataloguing 66 arrests by ICE agents in New York State courthouses between February 2017 and August 2018, with uniformed court officers or clerks assisting ICE agents in making six of those arrests.[[57]](#footnote-57)

*Protect Our Courts Act*

 In January 2019, New York State Senator Hoylman and New York State Assembly Member Solages introduced the “Protect our Courts Act” (A.2176/S.425), which would exempt individuals from civil arrest while “going to, remaining at, or returning from the place of such court proceeding.”[[58]](#footnote-58) Absent a signed judicial warrant or judicial order authorizing a civil arrest, A.2176/S.425 would prohibit the civil arrest of any person attending a court proceeding “duly and in good faith.” The legislation would designate the willful violation of the exemption as contempt of the court and false imprisonment, and would grant individuals the ability to bring a civil action for appropriate equitable and declaratory relief in instances of violation of the exemption. The bill further amends New York State Judiciary Law to allow courts to issue orders to protect the prohibition of civil arrests of any person in a court proceeding. It would further require that non-local law enforcement officials identify themselves and their purpose when entering a courthouse.

1. **Legislative Analysis**

Res. No. 828-2018 (Menchaca, Lancman), in relation to the New York State Protect our Courts Act, calls on the New York State legislature to pass, and the Governor to sign, A.2176/S.425 which would exempt individuals from civil arrest while in New York Court houses.[[59]](#footnote-59) Without this legislation, non-local law enforcement agents will continue to interfere with New York Courts, impinging on New Yorkers access to due process and public safety, making witnesses to crime and victims of crime less likely to engage in the court system.

1. **Conclusion**

The escalation of ICE enforcement at courthouses nationally breaks the hard earned-trust between immigrant communities and local law enforcement and courts. Without this trust, immigrant defendants may forego their right to a fair and impartial hearing, crime victims may chose not to report crimes or withdraw complaints, and witnesses may decline to assist in the investigation or prosecution of a crime—all out of fear that their mere presence in the courthouse puts them at increased risk of being arrested by ICE and deported. Through this oversight hearing, the Committees hope to learn about the significant increase in ICE’s disruptive enforcement in New York City courts since 2017, highlight community-based crisis-response organizing, and underscore the need for New York State legislation to minimize ICE presence in courts, as well as maintaining the immigrant community’s trust in the judiciary.





Res. No. 828

Resolution calling on the State Legislature to pass, and the Governor to sign, the “Protect Our Courts Act” (A.2176 / S.425), in order to protect certain interested parties or people from civil arrest while going to, remaining at, or returning from the place of such court proceeding

By Council Members Menchaca and Lancman

Whereas, Under the Trump administration, U.S. Immigration and Customs Enforcement (ICE) arrests of immigrants have increased overall, and targeting tactics that were rare under the Obama administration have become commonplace; and

Whereas, The Immigrant Defense Project (IDP) reports that since 2016, ICE operations in and around New York courthouses rose 1700%; and

Whereas, IDP reports that New York City accounts for 75% of ICE courthouse interactions between 2016 and 2018, with Queens and Brooklyn reporting the largest numbers of courthouse arrests and sightings; and

Whereas, In April 2017, the New York State Office of Court Administration (OCA) issued an updated protocol related to law enforcement agency activities in courthouses; and

Whereas, OCA’s policy requires law enforcement officials to: identify themselves, inform the judge if a participant in a case before them is a target, and clarifies that OCA personnel remain responsible for “ensuring public safety and decorum in the courthouse at all times;” and

Whereas, In January 2018, ICE released its first policy on enforcement actions in courthouses; and

Whereas, After this release, IDP reports that ICE agents expanded the reach of courthouse arrests, continuing to target friends and family members accompanying individuals to court; and

Whereas, In 2019, the media publication ‘Documented’ obtained documents through Freedom of Information Law request detailing six instances between February 2017 and August 2018 in which OCA officers or clerks assisted ICE agents in making arrests; and

Whereas, When ICE arrests a defendant during an unrelated court proceeding, ICE is under no obligation to produce them for such court appearance; and

Whereas, The fear of deportation acts as a deterrent for victims of crime, witnesses to crime, and defendants, to engage in the criminal court system; and

Whereas, In January 2019, New York State Senator Hoylman and New York State Assembly Member Solages introduced the “Protect our Courts Act” (A.2176/S.425), which would exempt individuals from civil arrest while “going to, remaining at, or returning from the place of such court proceeding;” and

Whereas, Absent a signed judicial warrant or judicial order authorizing a civil arrest, A.2176/S.425 would prohibit the civil arrest of any person attending a court proceeding “duly and in good faith;” and

Whereas, The legislation would designate the willful violation of the exemption as contempt of the court and false imprisonment, and would grant individuals the ability to bring a civil action for appropriate equitable and declaratory relief in instances of violation of the exemption; and

Whereas, The unchecked interference of federal law enforcement, specifically ICE, in the state court system endangers New Yorkers’ access to due process and public safety, generally, by making witnesses to crime and victims of crime less likely to engage in the court system; and

Whereas, Federal interference additionally removes criminal defendants from our jurisdiction, making it impossible to seek justice in their ongoing, non-immigration related cases; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass, and the Governor to sign, the “Protect Our Courts Act” (A.2176 / S.425), in order to protect certain interested parties or people from civil arrest while going to, remaining at, or returning from the place of such court proceeding.

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2. Migration Policy Institute, *Revving Up the Deportation Machinery: Enforcement and Pushback under Trump* (2018) at 2-3, <https://www.migrationpolicy.org/research/revving-deportation-machinery-under-trump-and-pushback> (hereinafter *Revving Up*). *See* also Immigrant Defense Project, *The Courthouse Trap: How ICE Operations Impacted New York’s Courts in 2018* (Jan. 2019), <https://www.immigrantdefenseproject.org/wp-content/uploads/TheCourthouseTrap.pdf>. [↑](#footnote-ref-2)
3. In New York, for example, the Immigrant Defense Project (IDP) received 11 reports total in all of 2016, but received 146 reports in 2017. [↑](#footnote-ref-3)
4. Immigrant Defense Project, *The Courthouse Trap: How ICE Operations Impacted New York’s Courts in 2018* (Jan. 2019), https://www.immigrantdefenseproject.org/wp-content/uploads/TheCourthouseTrap.pdf. [↑](#footnote-ref-4)
5. *Id.* [↑](#footnote-ref-5)
6. ICE Out of Courts Coalition, S*afeguarding the Integrity of Our Courts: The Impact of ICE Courthouse Operations in New York State* (April 2019) (on file with the Committee on Immigration staff). [↑](#footnote-ref-6)
7. Immigrant Defense Project, *The Courthouse Trap: How ICE Operations Impacted New York’s Courts in 2018* (Jan. 2019), https://www.immigrantdefenseproject.org/wp-content/uploads/TheCourthouseTrap.pdf. [↑](#footnote-ref-7)
8. *Id.* [↑](#footnote-ref-8)
9. *Id.* [↑](#footnote-ref-9)
10. *Id.* [↑](#footnote-ref-10)
11. ICE Out of Courts Coalition*, supra* note 6, at 8. [↑](#footnote-ref-11)
12. *Id.* at 11. [↑](#footnote-ref-12)
13. *Id.* at 13. [↑](#footnote-ref-13)
14. *Id.* at 17. [↑](#footnote-ref-14)
15. *Id.* at 23. [↑](#footnote-ref-15)
16. *Id.* at 50-59. [↑](#footnote-ref-16)
17. *Id.* at 38, 40. [↑](#footnote-ref-17)
18. *Id.* at 42-43. [↑](#footnote-ref-18)
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20. ICE Out of Courts Coalition*, supra* note 6, at 22, 34. [↑](#footnote-ref-20)
21. Tahirih Justice Center, *supra* note 19. [↑](#footnote-ref-21)
22. The Guardian, Fearing deportation, undocumented immigrants wary of reporting crimes, March 23, 2017, <https://www.theguardian.com/us-news/2017/mar/23/undocumented-immigrants-wary-report-crimes-deportation>;<http://www.latimes.com/local/lanow/la-me-ln-immigrant-crime-reporting-drops-20170321-story.html>. [↑](#footnote-ref-22)
23. Immigrant Defense Project. (2017) *ICE Out of Courts Campaign Toolkit,* accessed at <https://www.immigrantdefenseproject.org/wp-content/uploads/IDPCourthouseToolkit.pdf>. [↑](#footnote-ref-23)
24. U.S. Immigration and Customs Enforcement, *FAQ on Sensitive Locations and Courthouse Arrests*, <https://www.ice.gov/ero/enforcement/sensitive-loc>. [↑](#footnote-ref-24)
25. *Id.* There are some exceptions to this policy, such as the existence of exigent circumstances. [↑](#footnote-ref-25)
26. *Id.* [↑](#footnote-ref-26)
27. *Id.* [↑](#footnote-ref-27)
28. *Id.* [↑](#footnote-ref-28)
29. *Id.* [↑](#footnote-ref-29)
30. U.S. Immigration and Customs Enforcement, *Directive Number 11072.1: Civil Immigration Enforcement Actions Inside Courthouses,* Jan. 10, 2018, <https://www.ice.gov/sites/default/files/documents/Document/2018/ciEnforcementActionsCourthouses.pdf>. [↑](#footnote-ref-30)
31. *Id.* [↑](#footnote-ref-31)
32. *Id.* [↑](#footnote-ref-32)
33. *Revving Up, supra* note2, at 40-41. [↑](#footnote-ref-33)
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35. Fertig, B. (2017). When ICE Shows Up in Human Trafficking Court. *WNYC.* Accessed at <https://www.wnyc.org/story/when-ice-shows-court/#https://www.wnyc.org/story/when-ice-shows-court/>. [↑](#footnote-ref-35)
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37. Chief Justice Tani G. Cantil-Sakauye, Supreme Court of California, March 16, 2017, <http://newsroom.courts.ca.gov/internal_redirect/cms.ipressroom.com.s3.amazonaws.com/262/files/20172/Chief%20Justice%20Cantil-Sakauye%20Letter_AG%20Sessions-Secretary%20Kelly_3-16-17.pdf>. [↑](#footnote-ref-37)
38. National Center for State Courts, *Improving Relationships with ICE,* <https://www.ncsc.org/Topics/Courthouse-Facilities/Improving-Relationships-with-ICE/ICE.aspx>. [↑](#footnote-ref-38)
39. Hearing testimony, transcript and video recording from June 29, 2017 available at: <https://legistar.council.nyc.gov/MeetingDetail.aspx?ID=555135&GUID=9906F243-956F-4D89-9BD7-FF83A62DC77B&Options=info&Search=>. [↑](#footnote-ref-39)
40. Letter from Former Judges regarding Courthouse Immigration Arrests, <https://www.scribd.com/document/395488473/Letter-From-Former-Judges-Courthouse-Immigration-Arrests>. [↑](#footnote-ref-40)
41. *Id.* [↑](#footnote-ref-41)
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43. Documented, *Documents Show New York Court Officers Alerted ICE About Immigrants in Court*, Jan. 26, 2019, <https://documentedny.com/2019/01/26/documents-show-new-york-court-officers-alerted-ice-about-immigrants-in-court/>. [↑](#footnote-ref-43)
44. Documented, *Early Arrival: District Attorneys Rally to Keep ICE Out of NY Courts*, Feb. 4, 2019, <https://documentedny.com/2019/02/04/early-arrival-district-attorneys-rally-to-keep-ice-out-of-ny-courts/>. [↑](#footnote-ref-44)
45. NYCourts.gov, *Office of Court Administration*, https://www.nycourts.gov/Admin/oca.shtml. [↑](#footnote-ref-45)
46. NYCourts.gov, *Executive Officers*, http://ww2.nycourts.gov/admin/execofficers.shtml#Prudenti. [↑](#footnote-ref-46)
47. *Id.* [↑](#footnote-ref-47)
48. *Id.* [↑](#footnote-ref-48)
49. OCA Memorandum, *Policy and Protocol Governing Activities in Courthouses by Law Enforcement Agencies*, April 26, 2017 and OCA Memorandum, *Protocol Governing Activities in Courthouses by Law Enforcement Agencies*, April 3, 2019 (*see* appendix). [↑](#footnote-ref-49)
50. Issued by a Unified Court System judge, authorizing them to take such person into custody. [↑](#footnote-ref-50)
51. OCA Memorandum, *Policy and Protocol Governing Activities in Courthouses by Law Enforcement Agencies*, April 26, 2017 (*see* appendix). [↑](#footnote-ref-51)
52. *Id.* [↑](#footnote-ref-52)
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57. *Id.* [↑](#footnote-ref-57)
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