



**The Bronx
Defenders**



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*****FOR IMMEDIATE RELEASE*****

NYIFUP Demands ICE Release Immigrants In Local Jails And Halt All Arrests Due To Their Failure To Respond To COVID-19 Crisis

*NYC Public Defenders Also Calling for Postponement of Appointments
for People Under ICE Supervised Release*

(NEW YORK, NY) – The Bronx Defenders, Brooklyn Defender Services, and The Legal Aid Society – New York City’s defender organizations providing free legal representation to detained immigrants through the New York Immigrant Family Unity Project (NYIFUP) today called on Immigration and Customs Enforcement (ICE) to respond to the growing COVID-19 crisis by releasing all people in their custody at New York City-area detention facilities, halting arrests in the tri-state area, and postponing appointments for people placed under ICE supervised release.

The statement comes after ICE failed to respond to a demand letter issued on Friday, March 6, 2020 to ICE and the wardens of the jails that contract with ICE - Bergen County Jail, Essex County Correctional Facility, Hudson County Correctional Facility, and Orange County Jail - seeking information about the agencies’ plans to address the impending spread of the new coronavirus, COVID-19.

The NYIFUP organizations release the following joint statement:

“Last Friday, the NYIFUP organizations contacted ICE and other local jail officials to ensure that ICE and local jail officials were implementing safety and preventive measures to protect currently-incarcerated people from COVID-19 at the Bergen County Jail, Essex County Correctional Facility, Hudson County Correctional Facility, and Orange County Jail. ICE has

thus far not responded, and has failed to provide any guidance on any measures that are being taken to protect the people held in their custody from COVID-19.

Instead, we have learned through the people we represent who are incarcerated in these jails that they are not receiving basic disinfectants, soap, hand sanitizer, or even toilet paper. These abysmal conditions and lack of response to our inquiries underscores that the ongoing incarceration of people by ICE during the global COVID-19 pandemic is not only a policy failure but an abhorrent health crisis that must be addressed immediately.

As advocates and attorneys who work every day on behalf of people held inside these jails, we have witnessed how ICE has repeatedly proven recklessly indifferent to their safety, and at times, even to their lives. The safest preventative measure for the incarcerated people we represent every day is to immediately restore their freedom and physical liberty. Because ICE and local jail officials have demonstrated that they cannot guarantee their safety, we call on ICE to immediately release all people in their custody at these four facilities.

At a minimum, ICE must release people who are at the highest risk of serious health complications if they contract COVID-19. This includes, but is not limited to, older adults, pregnant women, people with respiratory conditions, people who are immunocompromised (including people who are HIV+), people with severe mental health conditions, and people with other chronic health conditions that make them particularly vulnerable to infection. All of these individuals should be released with a discharge plan, along with a minimum of 30-day supply of medications as required by law, for post-release treatment and services in community-based settings.

Additionally, we urge ICE to halt all arrests in the tri-state area and postpone appointments for people who are under supervised release in the New York field office. Arresting people in the midst of a global pandemic serves no function or purpose other than to terrorize people and potentially spread a highly infectious virus. Requiring people to check in with deportation officers as they sit in crowded waiting rooms for hours at a time is dangerously counterproductive to the calls for social distancing and limiting gatherings.

This is a public health emergency that ICE has proven it is not equipped to handle. We demand the immediate release of people currently in ICE custody at the aforementioned facilities, the halting of all arrests by ICE's New York Field Office, and postponement of all appointments for people under supervised release of the agency.”

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