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

## **NYIFUP Statement on Bergen County Corrections Officer Testing Positive for COVID-19 and Continued ICE Enforcement During Pandemic**

*NYC Public Defenders Blast ICE Response to COVID-19 For Continuing to Put Lives at Risk*

**(NEW YORK, NY) – The Legal Aid Society, Brooklyn Defender Services, and The Bronx Defenders** – New York City’s defender organizations providing free legal representation to detained immigrants through the New York Immigrant Family Unity Project (NYIFUP) – today released the following statement in response to news of a corrections officer at Bergen County Jail testing [positive](#) for COVID-19 and [reports](#) that ICE has no plans to release detained immigrants from detention:

“Every day, ICE’s continued negligence and inaction brings us closer to disaster. We are deeply concerned for our clients as the threat of a wide-scale outbreak of COVID-19 within immigrant detention facilities grows.

An outbreak of this nature is entirely avoidable. Since the start of this pandemic, we’ve been calling on ICE to release all people from ICE custody, including vulnerable people who are

particularly susceptible to infection. As those on hunger strike in the Essex County Correctional Facility have stated, ICE has numerous mechanisms by which to release currently-incarcerated people whose health and safety are at imminent risk, including on bond, supervised release, and deportation. We have also called for ICE to halt immigration enforcement so that communities can protect themselves during this public health emergency.

ICE has refused to heed our requests. They have instead tried to mislead the public by promising a de-escalation of enforcement, while continuing to use ‘public safety’ as a pretext to terrorize immigrant communities at a time of immense vulnerability and heightened risk of spreading COVID-19. ICE’s claims of de-escalation are deceptive and miss the point entirely: all ICE enforcement must immediately cease and ICE must release people from their custody because -- as a matter of public health and basic human decency -- no one should be detained during a global pandemic.

In spite of what they publicly claim, ICE is continuing to arrest people in their homes and on the streets as part of what they call "Operation Palladium," a politically-motivated interior enforcement operation they began in January 2020 to punish sanctuary cities. In their statement announcing the operation, ICE specifically named people who are subject to mandatory detention as targets under their new enforcement priorities, even though individuals subject to mandatory detention include people who have been convicted of such minor offenses as possessing marijuana, shoplifting, and even turnstile jumping.

In New York City, which operates some of the busiest immigration courts in the nation, the detained dockets continue to burst at the seams with newly-detained immigrants and an impractical, inefficient court system. We have filed dozens of individual parole requests and federal court petitions highlighting people’s individual vulnerabilities to demand ICE use its discretionary authority to release people who are detained. To date, the federal government has across the board ignored our escalating requests and dire warnings, yet still claim to work toward securing the public welfare.

Now with a confirmed case inside a detention facility, it may be merely hours, not days, before we reach a crisis point. If ICE wants to act in the public interest, they must commit to stopping all further enforcement and releasing all people in their custody immediately.”

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*The New York Family Immigrant Unity Project (NYIFUP) is the nation’s first public defender system for immigrants facing deportation—defined as those in removal proceedings before an immigration judge.*

*Funded by the New York City Council since July 2014, the program provides a free attorney to almost all detained indigent immigrants facing deportation at Varick Street Immigration.*