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

***Following Transmittal of Protect Our Courts Act to
Governor's Desk, Legal Aid Calls on Cuomo to Enact
Landmark Legislation Immediately***

***Bill Will Protect Noncitizen New Yorkers Accessing NYS
Courts From Federal Immigration Enforcement***

(NEW YORK, NY) – **The Legal Aid Society** today issued the following statement calling on New York State Governor Andrew Cuomo to enact into law the Protect Our Courts Act ([S425/A2176](#)), which was recently transmitted by the Legislature to the Governor's desk for consideration:

“Since early 2017, ICE has used courthouses to trap our clients and other immigrant New Yorkers seeking to exercise their constitutional right to access our court system. The agency's warrantless arrests in and around courthouses have created a chilling effect and undermined the integrity of New York's court system, depriving New Yorkers of due process. This legislation passed the Legislature with wide-ranging support, and we call on Governor Andrew Cuomo to enact it into law without delay.”

Background:

The critical legislation will prohibit Immigration and Customs Enforcement (ICE) from making civil arrests without a judicial warrant for people coming to, attending, or leaving from New York state courthouses. Since President Trump's inauguration, ICE courthouse arrests have

skyrocketed by over [1700%](#) in New York, leading to a widespread chilling effect on noncitizens' willingness to initiate and participate in the judicial system. Hundreds of immigrants — both undocumented and those with legal status — have been arrested while appearing in and around state courts since January 2017, including those accused of a crime; parents appearing in child support matters; survivors of domestic violence, sexual assault, human trafficking, and other crimes; people who are mentally ill or homeless; and LGBTQ+ individuals; among others.

Moreover, ICE courthouse arrests disrupt court functions, trample the due process rights of the accused, imperil public safety, and deter immigrants from [reporting crimes](#). By using the court system to trap immigrants for detention and deportation, ICE is deterring immigrants from accessing state courts and actively interfering with and violating the rights of individuals, associations, and organizations across the state.

In September 2019, The Legal Aid Society and Cleary Gottlieb Steen & Hamilton LLP, and New York Attorney General Letitia James and Brooklyn District Attorney Eric Gonzalez [filed two separate lawsuits](#) in the United States District Court for the Southern District of New York (SDNY) against ICE, challenging the legality of the agency's practice of making civil immigration arrests without a judicial warrant or court order in and around New York State courthouses. The litigation is ongoing.

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities.

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