



December 15, 2020

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

Legal Aid Statement on Governor Cuomo Enacting the Protect Our Courts Act Into law

(New York, NY) – The Legal Aid Society released the following statement on New York State Governor Andrew Cuomo signing into law the Protect Our Courts Act ([S425/A2176](#)), critical legislation which prohibits 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:

“Today marks a new day for all New Yorkers seeking to participate in our judicial system. Our clients and all those who attend court can now do so without fear of ICE’s predatory and unconstitutional enforcement. New York has sent a clear message to federal immigration agents, and all those who propagate nationalist and xenophobic ideas, that ICE’s illegal enforcement tactics are not welcome and will not be tolerated here.

This moment would not be possible without the steadfast commitment of the ICE Out of Courts Coalition and all the advocates who fought so hard for the Protect Our Courts Act. We thank the Governor and Legislature for safeguarding immigrant communities across the state through this vitally-important legislation.”

Background:

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 statecourts, and is 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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