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

NYC Public Defenders Respond to Mayor Adams' Call to Modify NYC's Detainer Law Which Would Allow Local Law Enforcement to Transfer New Yorkers 'Suspected' of Crimes to ICE

(NEW YORK, NY) - The Legal Aid Society, Brooklyn Defender Services, The Bronx Defenders, New York County Defender Services, Neighborhood Defender Service of Harlem and Queens Defenders issued the following joint statement in response to Mayor Eric Adams' [call](#) this afternoon to modify New York City's detainer law to allow local law enforcement to transfer anyone "suspected of committing serious crimes" to U.S. Immigration and Customs (ICE):

"What Mayor Eric Adams seeks would result in local law enforcement being able to transfer New Yorkers merely suspected of a crime to ICE, upending local criminal court proceedings while perpetuating family separation and dividing communities.

"Our detainer law is based on the principles of due process and the orderly administration of justice. These protections aim to ensure that New York City complies with the constitutional requirement of probable cause when working with ICE to detain someone. This allows people, many of whom have been targeted by our city's racist policing policies, to remain in New York City to fight their cases rather than be turned over to ICE officials, who may detain and deport someone without a criminal trial or conviction. Since the passage of these laws, the New York State Court of Appeals ruled that warrantless arrests of immigrants for alleged federal civil immigration violations are [unconstitutional](#). Changes to our detainer laws will impact a wide range of people, including people who have recently arrived in New York City to seek asylum, but also long-time residents.

"Instead of attempting to gut these fundamental protections, causing terror among our immigrant neighbors and putting countless New Yorkers in danger of being separated from their families and deported without due process, Mayor Adams should be working to support pending measures to strengthen detainer laws, including the ICE Out! legislative package of Intros 158, 184, and 185, given the [findings](#) of several City Council hearings showing the City is already communicating with ICE in violation of existing law.

"State lawmakers can also do their part to end our state's complicity with ICE by enacting the New York for All Act (S.987/A.5686) and the Dignity Not Detention Act (S.306/A.4354).

"Our lawmakers must do all they can to affirm that all New Yorkers can be safe and thrive, not push policies that would run afoul of our city's status as a home that welcomes and celebrates immigrants."

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