

February 13, 2024

Contacts:

Anthony Chiarito, The Bronx Defenders, [achiarito@bronxdefenders.org](mailto:achiarito@bronxdefenders.org)

Daniel Ball, Brooklyn Defender Services, [dball@bds.org](mailto:dball@bds.org)

Alejandra Lopez, The Legal Aid Society, [ailopez@legal-aid.org](mailto:ailopez@legal-aid.org)

## ***The New York Immigrant Family Unity Project Condemns Attacks on NYC's Sanctuary and Detainer Laws***

### ***Public Defenders Urge Lawmakers to Enact Legislation to Further Safeguard Rights of Immigrant New Yorkers***

**(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)** - issued the following statement in response to calls from lawmakers to erode [New York City's sanctuary and detainer laws](#):

“Sanctuary city policies advanced by New York mayors dating back to Ed Koch rightly sought to disentangle city resources from federal immigration enforcement. In 2014, the New York City Council passed groundbreaking legislation to further protect New York's immigrant communities from U.S. Immigration and Customs Enforcement (ICE) detention and deportation.

“Known as the detainer discretion laws, these laws intend to prohibit the transfer of non-citizens in New York City Police Department and New York City Department of Correction custody into immigration detention without a judicial warrant. The detainer law is about upholding due process and accountability, and aims to ensure that ICE is held to the probable cause standard required by the Constitution before depriving someone of their liberty. 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 is [unconstitutional](#).

“Unfortunately, New York City has eroded trust between immigrant communities and city agencies, from violating these existing sanctuary laws in numerous [instances](#) and reviving discredited broken windows policing tactics that have harsh immigration consequences, to callously evicting recent arrivals in need of shelter. Now, calls to undo New York's sanctuary laws further fuel division and animosity towards immigrant communities at a time when they face the threat of increased surveillance and enforcement.

“Instead of tearing down established protections and feeding more New Yorkers into the deportation machine, New York must do more to safeguard the rights of our immigrant neighbors. The City Council can take action to strengthen the detainer laws with bills like the ICE Out! legislative package, Intros 158, 184, and 185. And our state lawmakers can end our state's complicity with ICE by enacting the New York for All Act. Immigrant communities are the fabric of New York City, and our lawmakers must do all they can to affirm that all New Yorkers can be safe and thrive.”

###