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Criminal Practice

April 10, 2025

**By Email**

James Conroy  
General Counsel  
New York City Department of Correction  
75-20 Astoria Boulevard  
East Elmhurst, N.Y. 11370  
[James.Conroy@doc.nyc.gov](mailto:James.Conroy@doc.nyc.gov)

Dear Mr. Conroy:

I write to you on behalf of every client represented by The Legal Aid Society's Criminal Defense Practice who is or will be in the custody of the New York City Department of Correction to invoke their rights. This letter responds to Executive Order 50, *Authorizing Federal Immigration Authorities to Investigate Criminal Activity on Rikers Island*, promulgated on April 8, 2025. Executive Order 50 purports to authorize federal law enforcement personnel, including Homeland Security Investigations, a division of the U.S. Immigration and Customs Enforcement, to criminally investigate our incarcerated clients in coordination with DOC's Correction Intelligence Bureau ("CIB").

The Legal Aid Society provides the following notices to you with respect to any and all investigations of our clients by federal law enforcement personnel in coordination with CIB or any other DOC personnel:

First, our clients hereby invoke their right to counsel, pursuant to Article I, § 6 of the New York State Constitution, as well as the Sixth and Fourteenth Amendments of the United States Constitution. Our clients do not consent to be questioned without the presence of their Legal Aid counsel, and they do not consent to be placed in any identification procedures without the presence of their Legal Aid counsel.

Second, our clients invoke their right to remain silent, their right against self-incrimination, and their right to confer with counsel, pursuant to Article I, § 6 of the New York State Constitution, as well as the Fifth and Fourteenth Amendments of the United States Constitution.

Third, our clients do not consent to any searches of their person or property, pursuant to Article I, § 12 of the New York State Constitution, and the Fourth and Fourteenth Amendments of the United States Constitution. Our clients do not consent to the taking of any biological matter or biometric information from their person or property.

Finally, our clients do not consent to be questioned without the presence of their Legal Aid counsel regarding any investigation related to immigration enforcement, immigration status, or alienage.

Please immediately advise all DOC staff and federal law enforcement personnel acting pursuant to Executive Order 50 of this invocation.

Thank you,



Justine M. Luongo  
Chief Attorney  
Criminal Practice

cc: Department of Correction Commissioner Maginley-Liddie (by email)