



NEIGHBORHOOD DEFENDER SERVICE
OF HARLEM

Board Chair
Matthew Mazur

April 10, 2025

By Email

Advisory Board Members
Jonathan Abady
Damaris Hernandez
Miriam Gohara
Melody Rollins-Downes
David Sanford
Elinor Tatum

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

CEO
Rick Jones

Dear Mr. Conroy:

Managing Director
Piyali Basak

I write to you on behalf of every client represented by the Neighborhood Defender Service of Harlem'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").

Neighborhood Defender Service of Harlem 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 NDS counsel, and they do not consent to be placed in any identification procedures without the presence of their NDS counsel in any matter, including immigration.

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 in any matter, including immigration.



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

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David Sanford
Elinor Tatum

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

CEO
Rick Jones

Managing Director
Piyali Basak

Thank you,

A handwritten signature in black ink that reads "Piyali Basak".

Piyali Basak
Managing Director
Neighborhood Defender Service of
Harlem

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