



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

## Senate Passes "Protect Our Courts Act," Protecting Immigrants From Civil Arrest When Attending Court Proceedings

BRAD HOYLMAN-SIGAL July 22, 2020

| ISSUE: **SENATOR BRAD HOYLMAN, SD 27, PROTECT OUR COURTS ACT, IMMIGRATION, ICE**

NEW YORK—Today, the New York State Senate passed the Protect Our Courts Act ([S.425A/A.2176A](#)), legislation sponsored by Senator Brad Hoylman and Assemblymember Michaelle Solages that would get Immigration and Customs Enforcement (ICE) officers out of our courts. ICE's cruel policy of arresting New Yorkers at or outside courthouses has had a chilling effect on the integrity of our judicial system.

**Senator Hoylman said:** "Donald Trump's heartless immigration policy is a cruel perversion of justice. We cannot allow our courthouses to become a hunting ground for federal agents attempting to round up immigrant New Yorkers. Already, ICE arrests in or around courthouses in New York have spiked by 1,700% since Donald Trump took office. The Protect Our Courts Act, which I'm proud to sponsor with Assemblymember Solages, will get ICE out of our courthouses and make our justice system more just. It will allow all New Yorkers to attend judicial proceedings, whether as a litigant, witness or family member. I'm grateful to Senate Majority Leader Andrea Stewart-Cousins for working with us to pass this crucial legislation, and thankful to the immigrant New Yorkers who made a clear, compelling moral case for why New York must pass this bill."

**Assemblymember Michaelle Solages, Chair-elect of the New York State Black, Puerto Rican, Hispanic & Asian Legislative Caucus, said:** “The American judicial system was founded on the ideals of equity and equal accessibility to justice for all. The Protect Our Courts legislation is simply reaffirming our commitment to those very principles. We have seen Federal ICE agents make a concerted effort to use courthouses as a means of entrapment, which in turn has created a hostile environment for individuals seeking recourse from New York courts. I am grateful for the diligent efforts of the Immigrant Defense Project, New York Immigration Coalition, 32BJ, and other advocates in prioritizing these critical protections for all New Yorkers.”

The Protect Our Courts Act ([S.425A/A.2176A](#)) prohibits Immigration & Customs Enforcement (ICE) and other law enforcement agencies from making civil arrests in and around New York State courthouses, unless they have a judicial warrant or court order. The legislation would provide the most protective regulations on ICE courthouse arrests in the country and ensure all New Yorkers—including those accused of crimes, survivors of domestic violence, and witnesses—are afforded due process and provided equal access to our judicial system.

**Abdullah Younus, Director of Political Engagement for The New York Immigration Coalition, said:** “With ICE's unfettered authority growing amidst this pandemic, it is clear that nothing except the force of law will stop this administration from terrorizing our immigrant communities. We thank Assemblymember Solages and Senator Hoylman for championing this vital piece of legislation ensuring that all New Yorkers can exercise their right to due process freely, safely and without fear. The legislation will ensure that the courts cannot continue to be used as another front in this administration's attacks on immigrant New Yorkers.”

**Mizue Aizeki, Deputy Director of Immigrant Defense Project, said:** “The passage of the Protect Our Courts Act sends a clear message to Immigration and Customs Enforcement (ICE): New

York's courts cannot be used as traps for carrying out the Administration's cruel agenda to criminalize and deport immigrants. This law makes a critical intervention in ICE's police to deportation pipeline and will ensure everyone has equal access to courts. The Immigrant Defense Project and the ICE out of Courts Coalition thanks Senator Brad Hoylman and Assemblymember Michaelle Solages for their tireless leadership on this issue on behalf of immigrant New Yorkers."

**Theo Oshiro, Deputy Director of Make the Road New York, said:** "The passage of the Protect Our Courts Act will protect immigrant New Yorkers, who will be able to access our courts safely without fear of being detained and separated from their loved ones. ICE's presence in our courthouses wreaked havoc on our judicial system and blocked immigrants from equal access to due process. Today's victory is crucial to continue to protect and defend immigrants against the Trump administration's out-of-control deportation machine. We thank lead sponsors Senator Hoylman and Assemblymember Solages for their leadership in passing this bill in both houses, and we urge the Governor to sign it immediately."

According to the Immigrant Defense Project's 2020 report, "[Denied, Disappeared, and Deported: The Toll of ICE Operations at New York's Courts in 2019](#)," ICE made 1,700% more arrests in 2019 than they did in 2016, before President Trump took office. While the New York State Court System issued a directive prohibiting warrantless arrests inside courthouses, nearly half of the 2019 ICE arrests occurred after that directive was in place.

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RELATED LEGISLATION

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**2019-S425A**

- 
- Introduced
    - ◦ In Committee Assembly
      - In Committee Senate
    - ◦ On Floor Calendar Assembly
      - On Floor Calendar Senate
    - ◦ Passed Assembly
      - Passed Senate
  - Delivered to Governor
  - Signed By Governor
  -

Exempts certain interested parties or people from civil arrest while going to, remaining at, or returning from the place of such court proceeding

January 04, 2019

Senate Floor Calendar

Sponsored by **Brad Hoylman-Sigal**

Do you support this bill?