

ICE Out!

NYC

ICE Out! NYC is a campaign to restrict our City from conspiring with U.S. Immigration and Customs Enforcement (ICE) in the detention and deportation of our communities.

We're fighting for passage of legislation in the New York City Council to:

1
Limit communication between the NYC Department of Correction (DOC) and ICE.

Intro 396

2
Limit the New York Police Department's (NYPD) ability to hold people on immigration detainers.

Intro 395

3
Create a way for immigrant New Yorkers harmed by violations of the detainer laws to seek justice.

Intro 214

New Yorkers have fought for years to limit the City from conspiring with ICE. In 2014, the City Council passed laws limiting when the NYPD and DOC will honor an ICE detainer and whose information they could share with ICE.

For NYPD and DOC to honor a detainer, the law required ICE to present them with a warrant signed by a federal judge. Despite the goals of the law, the City has kept funneling people into ICE custody.

*Our coalition seeks amendments to Intros 396 and 395 to strengthen due process and make clear: DOC and NYPD may communicate with ICE **only where there is a judicial warrant.**

A detainer (or "immigration hold") is a tactic ICE uses to ask a City agency to help them arrest someone.

These are NOT signed by a judge and there is NO requirement to comply with them.

City agencies



ICE



INTRO 396

The Problem: DOC staff continue to facilitate the transfer of people into immigration detention by informing ICE when they will be released, so ICE can come pick them up. DOC believes they may conspire with ICE if a person has certain felony convictions or is a match on an inaccurate government watch list, even when ICE doesn't have a warrant signed by a federal judge. This punishes people with ICE arrest because of past contact with a racist criminal legal system, undermines the City's commitment to protect immigrants, tears apart families and creates long-lasting trauma.

The Solution: This bill makes crystal clear that DOC cannot communicate with ICE about a person for purposes of ICE enforcement unless there is a warrant signed by a federal judge.

INTRO 395

The Problem: State law prohibits any law enforcement agency from holding a person past their release date for ICE, unless ICE presents a warrant signed by a federal judge—something that never happens. Yet, current City law claims NYPD may detain a person for ICE without a warrant if they have certain prior convictions and reentered the country after a prior removal, or they are a match on an inaccurate government watch list. This problematic language invites the NYPD to detain people contrary to New York state law.

The Solution: This bill will prohibit the NYPD from holding a person for ICE without a warrant signed by a federal judge, bringing the local law in line with state law and closing this gap in New York City's laws.

INTRO 214

The Problem: When the detainer laws are violated, there is currently no way for ordinary New Yorkers to hold officers and agencies accountable for infringing on their rights.

The Solution: This bill will create a "private right of action"—which allows a private person to take legal action to enforce their rights — so that people wronged by the City's violation of these laws can seek justice in court, including the payment of money. Immigrant New Yorkers and their communities suffer long-term harm when New York City agencies ignore and misinterpret local detainer laws. This bill would make sure that DOC and NYPD face consequences when this happens, better ensure compliance, and prevent family separation of immigrant New Yorkers.

 Join us!

