



## NEW SANCTUARY COALITION OF NEW YORK CITY

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### ***Immigrant Advocates and Religious Leaders Launch a Campaign to Get New York City Out of the Deportation Business and to End Federal Immigration Agents' Immoral Enforcement Operations in NYC Department of Corrections Facilities***

*Over the past several years, federal immigration agents have established a permanent presence on Rikers Island and in other New York City Department of Corrections (“DoC”) facilities. Without any oversight, accountability or written agreement U.S. Immigration and Customs Enforcement (“ICE”) agents have regularly engaged coercive and deceitful interrogations of DoC detainees. Data from a Freedom of Information Act request, publicly released on August 25<sup>th</sup>, 2009, demonstrates that approximately 4,000 DoC detainees are subject to such ICE interrogations each year, leading to deportation proceedings for approximately 3,000 New Yorkers per year.*

*Over 2/3rds of people in DoC custody targeted for these ICE interrogations are pre-trial detainees who still enjoy the presumption of innocence. During these interrogations, ICE agents use heavy-handed tactics and routinely deny the detainees their most basic constitutional rights – including the right to be represented by an attorney. As a result, many New Yorkers who were wrongfully arrested, who are later found not guilty of any crime, who were arrested for minor charges, who are eligible for or in the process of getting legal status, who are asylees and refugees fleeing persecution, or who are green card holders who have spent nearly all their lives in New York, end up in immigration detention.*

*Following meetings with members of the New Sanctuary Coalition and Make the Road New York, former Commissioner Horn of the DoC agreed to make some positive changes to help protect the rights of those interviewed by ICE at Rikers:*

**1) Waiver Forms** - *An amended form 144 would be used to ensure that inmates are interviewed by ICE only with their prior informed and written consent. Inmates and detainees would have the opportunity to sign the form as part of the intake procedure before coming into the presence of ICE officials.*

**2) Training of Escort and Visit Area Officers** – *Trainings will be developed so correction officers know the rights of immigrant detainees based around the 1-page documents developed by the Immigrant Defense Project (IDP) and Families for Freedom (FFF).*

**3) Notices for Counsel Visit Areas** – *We agreed that prominent notices advising interviewees of their rights would be posted in the areas inside and outside the counsel visiting rooms and at officers’ desks before the visiting rooms.*

**4) Counsel Visit Area Accessibility** – *We agreed that in the fall, law students or other community advocates could be stationed in the areas outside the counsel visiting rooms, where detainees and inmates are held immediately before they are presented to ICE to advise inmates of their rights.*

*We recently met with the new commissioner of the DoC, Commissioner Schriro, and she agreed to implement all of these changes and work with the coalition to build upon them. Showing her support for our efforts she will also be implementing a requirement that ICE agents be required to wear*

*uniforms when at Rikers. These steps in the right direction have not prevented ICE from separating families through its work at Rikers Island as:*

- 1) ICE places immigration detainers on inmates at Rikers who refuse to be interviewed by ICE.***
- 2) DoC actively provides ICE agents lists of people being detained at Rikers Island on a regular basis.***
- 3) ICE has now begun interviewing detainees at the courthouse in the Bronx in areas usually reserved for counsel visits.***

*As we continue our advocacy we are demanding that the NYC Department of Corrections:*

- Refuse to accept ICE detainers on New Yorkers who have been promised a path to legalization.***
- Stop using DoC resources to share information with ICE on people being detained.***
- Require ICE to observe the legal rights of all New York City detainees.***
- Immediately stop collaborating with ICE in any way until an agreement that ensures New Yorkers rights are protected is in place.***

*\*For more information or to get involved, contact Angad at [angad@newsanctuarynyc.org](mailto:angad@newsanctuarynyc.org).*