



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Letter to AG and Chief Administrative Judge on Protect our Courts Act

SENATOR BRAD HOYLMAN-SIGAL & ASSEMBLYMEMBER MICHAELLE C. SOLAGES March 11, 2025

| ISSUE: **HELP US PROTECT OUR CHILDREN, IMMIGRATION RIGHTS, COURTS**

March 10, 2025

Dear Attorney General James and Judge Zayas:

We write to express concern regarding the implementation of the Protect Our Courts Act (Chapter 322 of the Laws of 2020). As you know, this law shields participants in a court proceeding from civil arrest without a judicial warrant while going to, remaining at, or returning from the place of the court proceeding. In February, the Unified Court System (UCS) reported that federal law enforcement had conducted two successful detentions at New York State courts—including one arrest without a judicial warrant. This represents a flagrant and disturbing violation of the Protect Our Courts Act.

Federal immigration enforcement in New York State courts undermines access to justice, chills participation in the judicial system, and makes all state residents less safe. When New Yorkers fear that appearing in court could result in a deportation, they are less likely to report crimes, less likely to serve as witnesses, and less likely to assert their rights. Furthermore, by undermining the proper functioning of New York's judiciary, civil arrests

during court proceedings violate the Constitution's guarantee to every state of a "Republican Form of Government."

Given one individual was illegally detained by federal law enforcement while inside a courthouse, we urge you to:

1. Exercise the powers granted to the Attorney General under § 28 of the Civil Rights Law to bring an action for appropriate equitable and declaratory relief.
2. Clarify the measures to be taken when federal law enforcement ignore the advice of UCS personnel and proceed to conduct an illegal enforcement action in a New York State court without a judicial warrant.

We thank you for your efforts to protect access to justice and the rule of law in our State.