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THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
211 EAST 43RD STREET, SUITE 1404
NEW YORK, NY 10017

VIA E-MAIL

January 23, 2019

Assembly Member Joseph R. Lentol
Chair of the Codes Committee
New York State Assembly
LOB 632
Albany, NY 12248

State Senator Jamaal T. Bailey
Chair of the Codes Committee
Legislative Office Building
Room 707
Albany, NY 12247

Resolution supporting New York State Senate Bill S425 and Assembly Bill A2176, The Protect Our Courts Act

At the November 14, 2018 Full Board meeting of Manhattan Community Board Six, the Board adopted the following resolution:

WHEREAS, this act makes it unlawful for *any* law enforcement officer (including Immigration and Customs Enforcement) to arrest a person for a civil violation while traveling to, attending, or leaving court unless a judicial warrant or court order authorizing the arrest is presented to court staff;

WHEREAS, it also prohibits officers from outside of New York (including ICE) from entering a courthouse to enforce federal immigration law unless they present a valid judicial warrant or court order authorizing the arrest;

WHEREAS, by making civil arrests unlawful, this bill effectively stops ICE from making arrests in our courts without a valid judicial warrant or court order from a federal judge;

WHEREAS, this bill protects any person, including victims, witnesses or potential witnesses, defendants, family or household members, or anyone part of a non-criminal court proceeding such as a family or housing court matter;

WHEREAS, this bill includes enforcement measures including empowering judges to hold any person who violates the law in contempt of court, instructing the New York Attorney General to pursue legal action on behalf of individuals who are arrested in violation of this law, and more importantly, recognizing that individuals have a right to pursue legal claims when they are arrested;

WHEREAS, the Office of Court Administration will designate attorneys to review any judicial warrants or court orders presented *before* allowing any non-local law enforcement, including ICE, to enter a courthouse to make a civil arrest and requires that the court document any warrants or court orders presented to staff;

THEREFORE, BE IT RESOLVED that Manhattan Community Board Six (CB6) would appreciate having *zone of protection* defined out so that anyone traveling to or from the courts on a civil matter would be protected against law enforcement agencies making arrests. While this already exists in New York's civil rights law, it should be carefully spelled out in New York State Senate Bill S425 and Assembly Bill A2176 to avoid any ambiguity;

BE IT FURTHER RESOLVED that Manhattan Community Board Six fully supports the timely passage of New York State Senate Bill S425 and Assembly Bill A2176.

VOTE: 31 in Favor 0 Opposed 3 Abstention 0 Not Entitled

Best regards,



Cody Osterman
Assistant District Manager

Cc: Hon. Liz Krueger, New York State Senator
Hon. Brad Hoylman, New York State Senator
Hon. Richard N. Gottfried, New York Assembly Member
Hon. Dan Quart, New York Assembly Member
Hon. Harvey Epstein, New York Assembly Member
Hon. Michaelle C. Solages, New York Assembly Member
Carin van der Donk, Chair, CB6 Housing, Homeless, & Human Rights Committee