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**ATTORNEY GENERAL RAOUL FIGHTS TO HALT IMMIGRATION ARRESTS AT STATE COURTHOUSES**

***Raoul, 13 Attorneys General File Amicus Brief Supporting Lawsuit Against DHS and ICE***

**Chicago** — Attorney General Kwame Raoul joined a coalition of 14 attorneys general [in filing an amicus brief](#) encouraging the end of federal immigration arrests of noncitizens in and around state courthouses without a judicial warrant or court order. In the brief, Raoul and the coalition urge the court to uphold a Massachusetts district court’s preliminary injunction that effectively halted these arrests by U.S. Immigration and Customs Enforcement (ICE). This amicus brief follows an amicus brief Raoul filed earlier this year, opposing the same policy in the State of Washington.

“Courthouses and judicial complexes house vital governmental services for our communities in Illinois,” Raoul said. “My office is committed to ensuring that these services remain available to all people, regardless of their citizenship status.”

In April 2019, the Middlesex and Suffolk counties district attorneys, along with a number of immigrant advocates, sued ICE and the Department of Homeland Security (DHS), arguing that the federal government’s policy and practice of arresting noncitizens — both undocumented and those with legal status alike — at or around state courthouses violated the Administrative Procedure Act; the Tenth Amendment; and the right of access to courts, which is protected by the First, Fifth, Sixth, and 14th amendments. The plaintiffs filed a motion for a preliminary injunction to immediately halt the policies and were successful. The federal government appealed the preliminary injunction to the U.S. Court of Appeals for the First Circuit.

Raoul and the coalition of attorneys general now urge the appellate court to affirm the lower court’s order; arguing that the federal government has been pursuing its expanded arrest policy in all of the states that are filing this brief, in violation of its statutory authority and the common law privilege against civil arrests at courthouses. These unlawful arrests have made it increasingly difficult and sometimes impossible for state judiciaries and prosecutors to maintain the open, safe and fair courts necessary for the orderly administration of justice and the preservation of public safety, since many immigrants are now afraid to report crimes, testify in court or cooperate with law enforcement or prosecutors.

The brief further explains that the federal government’s practice of conducting civil immigration arrests is deeply harmful to the effective functioning of the states’ court systems and has specifically interfered with state judicial proceedings and the ability of states to pursue criminal prosecutions.

Since 2017, ICE courthouse arrests have skyrocketed across the nation — leading to a widespread, chilling effect on noncitizens’ willingness to initiate and participate in the judicial system. Immigrants have been arrested while appearing in and around state courts since January 2017, including those accused of a crime; parents appearing in child support matters; survivors of domestic violence, sexual assault, human trafficking, and other crimes; people who are mentally ill or homeless; and LGBTQ individuals, among others. These arrests have happened on a near-daily basis.

Moreover, ICE courthouse arrests disrupt court functions, trample the due process rights of the accused, imperil public safety and deter immigrants from reporting crimes. By using the court system to trap immigrants for detention and deportation, ICE is effectively keeping immigrants from ever accessing state courts in the first place and actively interfering with and violating the rights of individuals, associations, and organizations across the state.

Joining Raoul in filing the brief are the attorneys general of Connecticut, the District of Columbia, Maryland, Minnesota, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington.