



## Legislation Text

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**File #:** Res 2291-2009, **Version:** \*

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### Res. No. 2291

Resolution condemning the interrogation practices used by Immigration and Customs Enforcement officials on detainees housed in New York City Department of Corrections' facilities.

By Council Member Stewart, James, Mark-Viverito and Mealy.

Whereas, The United States Immigration and Customs Enforcement office (ICE), a division of the Department of Homeland Security (DHS), enters into agreements with state and local law enforcement agencies in order to enforce the nation's customs and immigration laws; and

Whereas, The New York City Department of Corrections (DOC) gives ICE a list of foreign-born detainees housed on Rikers Island and also provides ICE with no-cost space where ICE officials can interview such detainees; and

Whereas, When questioning inmates, ICE officials are often in plain clothes, do not provide interpreters and deny foreign-born inmates their constitutional rights to be presumed innocent, remain silent, and be represented by a lawyer; and

Whereas, Since 2004, at least 13,000 New York City residents, who at one time were detained on Rikers Island, have been placed in deportation proceedings as a result of this practice; and

Whereas, According to the New Sanctuary Coalition, an immigration policy reform group, many Rikers Island detainees are arrested on minor charges or are later determined to be not guilty; and

Whereas, In 2007, ICE officials interviewed 3,979 Rikers Island inmates and placed detainers on 3,212 inmates, sending them to immigration detention centers; and

Whereas, The current deportation practices of ICE officials at Rikers Island often leave families abandoned in New York City and render them dependent on the City's strained social service system; and

Whereas, New York City, home to approximately 2.9 million immigrants, has instituted several policies and procedures to protect immigrants and to encourage them to become active members in City life; and

Whereas, The current practices of ICE officials at Rikers Island go against New York City's long-standing commitment to its large immigrant population and, if continued, will result in an untenable level of vulnerability for immigrant New Yorkers; now, therefore, be it,

Resolved, That the Council of the City of New York condemns the interrogation practices used by Immigration and Customs Enforcement officials on detainees housed in New York City Department of Corrections' facilities.

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JEB  
LS #7624  
12/4/09