

Unequal Access To Justice: Courthouse Arrests

Brenda Rodriguez Lopez-WAISN Co-Director

Abigail Scholar - Executive Director, Central Washington
Justice For Our Neighbors



WASHINGTON IMMIGRANT
**SOLIDARITY
NETWORK**



WHO WE ARE

Washington Immigrant Solidarity Network (WAISN) is a powerful coalition made up of over 100 immigrant and refugee rights organizations, labor unions and faith communities in Washington.

How We Work

WAISN



WHO WE ARE CWJFON

Our mission is to provide free legal services and to support pro-immigrant policy change at the state and local level to ensure that all community members have equal access to power and justice.

Our long-term goal is to support local systems of community strength, healing and justice wherein everyone can live a life free of the fear of family separation, deportation and systematic injustice.



- RAPID RESPONSE -

REPORT ICE ACTIVITY



WASHINGTON IMMIGRANT
**SOLIDARITY
NETWORK**

- CALL OUR HOTLINE -

1-844-724-3737

**BUILDING IMMIGRANT & REFUGEE
POWER STATEWIDE**

INCREASED DEPORTATION FORCE

or violent arrest of undocumented Kansas City immigrant



N CAMERA: VIOLENT ICE ARREST IN KANSAS



NYTIMES.COM

9-Year-Old Girl Was Detained at Border for 30 Hours Despite Being a U.S. Citizen

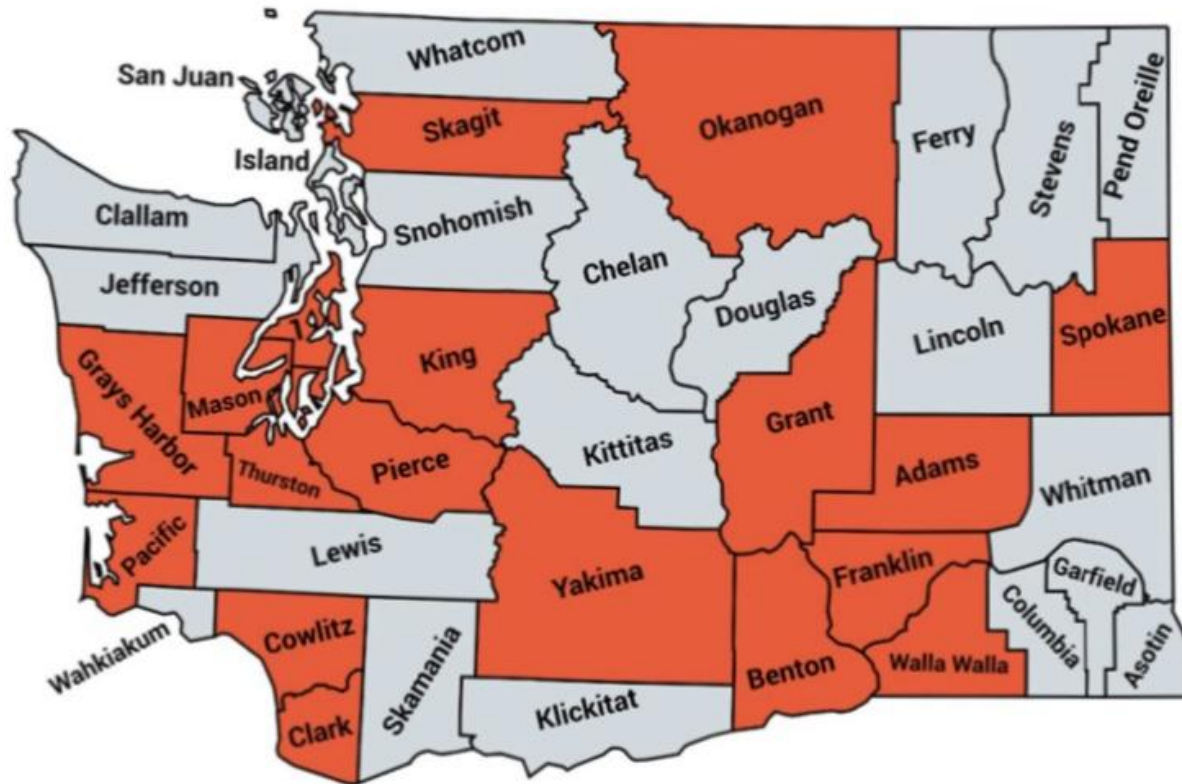


ICE ACKNOWLEDGES COURTHOUSE ARRESTS

- Immigration Customs and Enforcement (ICE) issued a [policy memo](#) in January, 2018 acknowledging courthouse arrests are on the rise
- ICE claims courthouse arrests:
 - Have become necessary since local jurisdictions are not accepting the ICE detainers
 - People are checked for weapons when entering the courthouse, the agency argues it is “safer” for ICE officers to conduct arrests there
 - ICE argues their operations are for “specific, targeted aliens” and do not aim at arresting family members or friends accompanying the individual
- While Custom Border Protections (CBP) have not officially released a memo or statement acknowledging their involvement in courthouse arrests, we know they have been active in our state.

INCREASE IN COURTHOUSE ARRESTS

- Since January of 2018, WAISN's Hotline has received **100** calls & reports of sightings, immigration activity and detentions inside, outside, or near the courthouse in
 - Adams, Grant, Franklin, Okanogan, Yakima, Skagit and Thurston counties
 - The highest volume of calls and reports are from Grant and Adams counties with more than one report a week
 - The most recent arrest was last week in Yakima
- Aside from family members calling to report apprehensions, we also learn about other apprehensions of community members through witnesses, service providers, public and private criminal defense attorneys, and social media platforms.



*THIS REPORT WAS CREATED IN COLLABORATION WITH THE WASHINGTON DEFENDER ASSOCIATION, NORTHWEST IMMIGRANT RIGHTS PROJECT, CENTRAL WA JUSTICE FOR OUR NEIGHBORS, NORTHWEST JUSTICE PROJECT, ACLU- OF WASHINGTON, ASIAN PACIFIC INSTITUTE ON GENDER BASED VIOLENCE.

“In Grant County, formal agreements appear to exist between county officials and CBP, whereby the former share daily court dockets with immigration authorities to facilitate courthouse arrests. This appeared to result from a January 24, 2018 meeting between Grant County Prosecutor Garth Dano and Supervisory Border Patrol Agent Thomas D. Watts, of the Spokane Sector Prosecutions Unit. Following the meeting, Dano wrote to Watts, “Tom, it was great meeting you and the fellas today. [...] Look forward to your help here in Grant county,” to which Watts replied, “It was great meeting you today as well. I look forward to working together in a mutually beneficial relationship.” (See Appendix II, Record 1 below.)”

“In an exchange of emails following this meeting, Watts sent Grant County employees the email addresses of several CBP officers who he says “will be heavily involved in the day to day docket review.” (See Appendix II, Record 2 below.) Indeed, records released to UWCHR show that employees of the Grant County Prosecuting Attorney’s office began to forward calendars for upcoming dockets at the Moses Lake and Ephrata courthouses to the CBP agents the next day, January 25, 2018.”

A similar collaboration is also happening in Adams County.

The report, “Justice Compromise” by UW Center for Human Rights was created with information gathered from the Freedom Of Information Act (FOIA), WAISN, NWIRP and other partners.



COMMUNITY STORIES

TACTICS AND PRACTICES BY ICE & CBP

- Both ICE & CBP agents are conducting arrests in unmarked vehicle and plain clothes
- In only 1 arrest of the 100 reported to WAISN ICE presented a judicial warrant
- Witnesses, including public defenders described the arrests as :men in plain clothes targeting people with Latinx surnames as they walk outside the courthouse.
- Witnesses have described the arrests s “kidnaps” and in some cases have witnessed immigration agents use excessive force
- ICE & CBP will follow the person they are targeting, call their name, surround them, often times forcing and dragging them to the unmarked vehicles.
- Arrests are not limited to outside the courthouse, arrests have also occurred on their way to court, as they drive away and inside the courthouse

UNEQUAL ACCESS TO JUSTICE

- Courthouse arrests have created a chilling effect throughout the state of, primarily in Eastern and Central Washington.
- People are missing their court hearings
- Preventing courts from resolving cases which leads to bench warrant and complicates people's immigration cases
- It is no longer safe for people to resolve their civil matters, access services, appear as witnesses, and file protection orders
- Undermines public confidence in the courts
- Fuels the deportation machine: Spokane, Yakima and Kittitas County Jails, NW ICE Processing Center, and Yakima Deportation Flights



COMMUNITY STORIES

ACCOMPANIMENT

Central and Eastern Washington organizations and grassroots groups like the Walla Walla Immigrant Rights Coalition began providing accompaniment for community members in early 2017. In mid 2017 WWIRC & WAISN began our current relationship of accompaniment.

As coalition partners, WAISN, CWJFON and many others began to work collaboratively on accompaniment in the fall of 2018 in approximately 10 different counties across Central and Eastern Washington. These accompaniments have included district courts, superior courts, county clerks offices, meetings with immigration attorneys, ICE check-ins and biometrics appointments. It has also included accompaniments to grocery stores, DHS meetings, family attorney appointments, bringing community members to women's shelter.

Our approach to accompaniment is holistic. It is not just one thing that can be easily defined other than to be clear that these services are porous and meant to meet the ever changing needs and requests from community members.

It is a program rooted in the shared humanity of all individuals and recognizes that everyone has a right to due process and equal access to justice under the U.S Constitution regardless of nationality and citizenship status.

In Western, Washington courthouse accompaniments began in 2018 at the Kent Municipal court, and is now being offered in: King, Thurston, Pierce, Skagit Grays Harbor and Pacific.

Standing in solidarity with immigrants facing deportation also demonstrates to immigration judges, ICE officers, and government attorneys that there is a community mobilized against their deportation.



JOIN OUR MOVEMENT

- Become an accompanier through:
 - **West**: Church Council of Greater Seattle (King), Strengthening Sanctuary (Thurston County), Pacific Immigrant County Support (Greys Harbor & Pacific County)
 - **East and Central**: Central WA Justice For Our Neighbors (Kittitas, Grant & Adams County), Yakima Immigrant Response Network (Yakima County), Wenatchee Area Immigrant Justice Coalition (Chelan, Douglas, Adams & Grant), Tri Cities Immigrant Rights Coalition (Franklin, Benton & Adams County), Spokane Immigrant Rights Coalition (Spokane County), Walla Walla Immigrant Rights Coalition (Walla Walla County & the Walla Walla Valley)
- Volunteer to be a Hotline Dispatcher with WAISN
- Donate to the Fair Fight Bond Fund