



PRESS RELEASE

Attorney General Frosh Joins Multistate Coalition Fighting to Halt Immigration Arrests at State Courthouses *14 Attorneys General File Amicus Brief Supporting Lawsuit Against DHS, ICE, and CBP*

BALTIMORE, MD (January 17, 2020) – Maryland Attorney General Brian E. Frosh today joined a coalition of 14 attorneys general to halt federal immigration arrests of noncitizens without a judicial warrant or court order in and around state courthouses throughout the nation. In an [amicus brief](#) filed in *State of Washington v. U.S. Department of Homeland Security; U.S. Immigration and Customs Enforcement; U.S. Customs and Border Protection; et al.*, the coalition argues in support of Washington State’s request for a preliminary injunction to immediately halt such arrests by U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP).

“When ICE is arresting people at courthouses, it impedes law enforcement,” said Attorney General Frosh. “Victims and witnesses are afraid to come forward if they think they will be deported, and criminals can get a free pass by preying upon noncitizens.”

Last month, the Washington State Attorney General sued ICE, the CBP, and the Department of Homeland Security (DHS), among others, arguing that the federal government’s policy and practice of arresting noncitizens—both undocumented and those with legal status—at or around state courthouses violated the Administrative Procedure Act, the Tenth Amendment of the U.S. Constitution, and the right of access to courts, which is protected by the First, Fifth, Sixth, and Fourteenth Amendments. Washington filed a motion for a preliminary injunction to immediately halt the Trump administration’s policies.

The amicus brief filed today supports Washington’s motion for a preliminary injunction in the U.S. District Court for the Western District of Washington. In the brief, the coalition argues that the federal government’s arrest practice is common across the states that are a party to the brief and are in violation of a common law privilege against civil arrests at courthouses. The amicus further maintains that the federal government’s practice of conducting civil immigration arrests is deeply harmful to the effective functioning of our court systems.

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 accessing state courts and is actively interfering with and violating the rights of individuals, associations, and organizations across the state.

In filing today's brief, Maryland joins the attorneys general of Connecticut, the District of Columbia, Illinois, Massachusetts, Minnesota, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Virginia.