

PIRC Statement on Anticipated End of York ICE Detention and York Immigration Court

July 12, 2021

Civil immigration detention is unnecessary and, in many cases, harmful. PIRC supports its ultimate end. Wherever possible, DHS should seek to release individuals rather than transfer them to other locales as a result of end of the contract between York County Prison and DHS. PIRC will be active in its support of clients and *pro se* individuals seeking release rather than transfer.

Given the current system in which immigration detention still exists, we believe access to counsel and legal orientation services is paramount for immigrants that remain detained, whether locally, regionally, or nationally. PIRC exists to assist those who might otherwise navigate the system alone. We will continue to offer our support to detained immigrants to every extent possible.

A sudden reactionary closing of the York Immigration Court will have varied effects on detained immigrants, practitioners, pro bono service providers, and other stakeholders. EOIR should be very deliberate as it considers all options moving forward. Simply closing as a result of being a rider on the DHS/York Prison contract is not prudent given the current backlog of cases nationally.

PIRC seeks the best outcome for detained immigrants to the extent that it is clear. If the York Court could become a non-detained docket, so as to not cause undue delay and prolonged cases for those who would otherwise move off of the existing docket, that would be beneficial to many immigrants remaining in its jurisdiction, as there is a current infrastructure of private bar and pro bono service providers, like PIRC, that remain local to York.

However, given our organizational observation that a detained docket is very efficient at deporting individuals who remain unrepresented with a lack of access to evidence, family and other witnesses, and language access resources, PIRC cannot support perpetuation of the status quo. Remote appearances of individuals detained elsewhere to the York Court by tele-video conferencing remain very concerning to PIRC and other advocates. To the extent that EOIR would consider a resumption of a detained docket exclusively by tele-video conferencing, PIRC cannot lend its support.

PIRC acknowledges and appreciates the complexities of navigating a path forward. Much is still unclear. Nevertheless, PIRC remains steadfastly committed to immigrants, detained or otherwise, in the movement for justice and equity.