

The Jerome N. Frank Legal Services Organization

YALE LAW SCHOOL

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Immigration Raids Target Disabled Refugees

More Than 150 Civil Rights, Labor, and Faith Groups Serve Notice on Federal Officials Under Disability Statute, Demand End to Raids

NEW HAVEN, CT (January 5, 2016) - By letter delivered this morning, more than 150 organizations served notice on federal officials that many of the Central American refugees targeted in recent immigration raids are disabled, as that term is defined under the Rehabilitation Act of 1973. The groups also demanded that federal agencies make reasonable accommodation for Central American refugee parents and children with trauma-related disabilities. The notice asks that the government suspend ongoing raids pending a review to determine whether the asylum and immigration proceedings that led to these families' removal orders complied with federal disability law.

“A very high proportion of the Central American mothers and children now targeted for ICE raids have survived sexual assault or other forms of extreme violence, have mourned the loss of close family members to particularized violence, and today suffer the inevitable consequences of exposure to this trauma,” the letter to Attorney General Loretta Lynch and Secretary of Homeland Security Jeh Johnson states. “Mothers and children who witnessed and survived arrest, torture, and murder of family members, and attempts on their own lives, will be grossly re-traumatized by ICE raids.”

The Rehabilitation Act of 1973 requires that federal programs, including removal proceedings and immigration enforcement operations, provide reasonable accommodations to ensure that disabled persons are not denied meaningful access to benefits or services. The notice describes extreme violence suffered by many of the refugees, who include single mothers and toddlers, in their countries of origin. As a result, these individuals suffer from severe symptoms of posttraumatic stress disorder, generalized anxiety, and depression.

“For mothers who have survived violence and journeyed with their children to the United States seeking safety, the law requires asylum and immigration processes in which they can meaningfully participate—but that’s not what they are getting,” **said Conchita Cruz, a law student intern with the Worker & Immigrant Rights Advocacy Clinic at Yale Law School**, the organization that drafted the letter. “The government has failed to provide assistance to these disabled families, and now it plans to re-traumatize these families and remove them on the basis of potentially unlawful processes. If the government does not provide opportunities to surrender in advance of immigration raids and fails to provide counsel to disabled refugees, they are violating the Rehabilitation Act.”

"As a physician who cares for victims of torture and human rights concerns, I am deeply concerned about the health, well-being Central American women and children subjected to these deportation raids," **stated Dr. Allen Keller, Associate Professor, NYU School of Medicine and Director of the Bellevue/NYU Program for Survivors of Torture**. "These women and children were traumatized both in their home countries and then here in the U.S.-detained at our border under inhumane condition. As such, many of them are suffering from the effects of this trauma, including anxiety, PTSD and depression. They are an extremely vulnerable population and should be treated as such."

“Disabled women and children with strong claims for refugee status are at risk of forced return to the life-threatening dangers they fled, because the government has failed to ensure that their trauma-related impairments do not prevent them from communicating and presenting their claims,” **said Swapna Reddy, also a law student intern with the clinic at Yale Law School**. “And the ongoing raids make the problem worse. Many families could move to reopen their removal orders, even after surrendering for arrest. But additional trauma caused by the raids will make it even more difficult for these disabled families to advocate for themselves—even though, ironically, their trauma is evidence itself that many of these mothers and children should be granted humanitarian relief under the law.”

A copy of the letter is available [here](#).

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