

PRESS RELEASE

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HONDURAN MOTHER & SON SUE OBAMA ADMINISTRATION OVER FAMILY IMMIGRATION DETENTION ABUSES

Refugees request damages for months-long detention and the mistreatment and coercion suffered in government's family detention facilities

NEWARK, NJ: Today, two refugees who fled violence and persecution in Central America filed suit against the Obama Administration for the unlawful and inhumane treatment they received when they first arrived in the United States. Suny Rodriguez Alvarado and her seven-year-old son, Angelo, left their home in Honduras because of persistent threats of police violence, only to be subjected to prolonged detention, coercion, and abuse by Department of Homeland Security officials. The suit, filed in federal court in New Jersey, is the first of its kind to seek damages for the harms suffered by refugees such as Ms. Rodriguez and her son as a result of the government's violation of its obligations to afford bona fide refugees protection from further harm while in Immigrations and Customs Enforcement (ICE) detention.

Ms. Rodriguez and Angelo, along with Ms. Rodriguez's partner and Angelo's father, Rafael, fled Honduras in late 2014 in fear of continued police abuse and threats against their family. After a tumultuous journey, they arrived in the United States in early 2015, only to face abuse and coercion again, this time at the hands of U.S. immigration authorities. Customs and Border Protection (CBP) officials detained the family shortly after they crossed the border, subjecting them to coercive and inhumane detention conditions, and separating Ms. Rodriguez and her son from Rafael. CBP then transferred the family to ICE custody in a family detention center in Dilley, Texas. ICE detained Ms. Rodriguez and Angelo for the next four months, in violation of federal court orders prohibiting the detention of children. ICE engaged in these detention practices for the unlawful purposes of deterring future migrants and coercing refugees like Ms. Rodriguez and Angelo to abandon their claims for protection in the United States.

Reflecting on her experience and her reasons for bringing the lawsuit, Ms. Rodriguez said she hope to correct the "injustice that the immigration authorities forced me and other moms and their children in detention to endure." Ms. Rodriguez also noted, "I want people to know about ICE's efforts to try and force me to agree to deportation to Honduras even though my family and I were fleeing persecution." She hopes that others will be able to come forward as well to challenge DHS's continued treatment and abuse of families in detention facilities.

Ms. Rodriguez's lawsuit comes nearly two years after the Obama administration launched a massive and unprecedented program to detain and deport refugees fleeing Central America. Prior to the summer of 2014, DHS almost never detained families. That changed when the agency opened detention facilities in Artesia, New Mexico, and Dilley, Texas, and converted a third facility in Karnes City, Texas to house families. Yet despite the documented abuses

occurring in the facilities, the administration continues to detain hundreds of families seeking protection from the extreme violence they have fled in Central America.

“As Ms. Rodriguez’s and Angelo’s experiences demonstrate, DHS has used family detention as a tool to deter and send back asylum seekers who have come to the United States merely to preserve their own lives,” said Aaron Korthuis, a law student with the Worker and Immigrant Rights Advocacy Clinic at Yale Law School, which is representing Ms. Rodriguez and her son. “Their story underscores what is fundamentally wrong about DHS’s family detention, and we hope that their bravery in holding the government accountable will encourage others to do the same.”

Conchita Cruz, Co-Director of the Asylum Seeker Advocacy Project (ASAP) at the Urban Justice Center, further emphasized Ms. Rodriguez’s compelling personal narrative and her courage. “Ms. Rodriguez stood up to DHS while she was detained – speaking out about the terrible treatment she was facing and the horrors she saw other women and children live through in detention. We are proud to be helping Ms. Rodriguez stand up once again to prevent what she and her son lived through from happening to others and to ensure that Americans know about the deplorable conditions asylum-seekers have been forced to endure at the border.”

Ms. Rodriguez filed an administrative complaint with DHS in the fall of 2015, but the Department denied her request for compensation for the inhumane treatment she received while in detention. She is now commencing the federal lawsuit under the Federal Tort Claims Act, which allows plaintiffs to sue the federal government for tortious actions committed by its employees. In addition to the legal clinic at Yale, she is represented by Gibbons P.C., a private firm in New Jersey, Elora Mukherjee, a clinical professor at Columbia Law School, and the Asylum Seeker Advocacy Project (ASAP) at the Urban Justice Center.