



ASYLUM SEEKER ADVOCACY PROJECT

FOR IMMEDIATE RELEASE

William Montgomery

713-582-3201 | William.Montgomery@asylumadvocacy.org

ASAP Sues Government to Stop Deportations in Advance of ICE Raids

New York, NY — The Asylum Seeker Advocacy Project (ASAP) today joined the Central American Resource Center (CARECEN), Immigrant Defenders Law Center (ImmDef), and Public Counsel in suing the Department of Justice and the Department of Homeland Security in an effort to stop the deportations of thousands of asylum seekers in danger of being arrested in raids rumored to begin this Sunday. ASAP and the other legal service providers bringing suit are represented by the American Civil Liberties Union Foundation of Southern California, New York Civil Liberties Union, and the law firm Munger, Tolles, & Olson LLP.

The lawsuit aims to protect the refugee families and children slated for deportation by the Trump Administration, most of whom have fled widespread violence in El Salvador, Guatemala, Honduras, and other countries at the hands of their governments, murderous gangs, and other transnational criminal networks. The complaint filed today argues that the constitution requires the government to bring unrepresented individuals before an immigration judge so they can have a fair day in court before they face deportation.

“Our government is attempting to detain and deport families who came to the Mexico-U.S. border seeking asylum, and who were never given the opportunity to even present their case before an immigration judge,” **said Conchita Cruz, Co-Executive Director of the Asylum Seeker Advocacy Project (ASAP).** “For those seeking safe haven at the Mexico-U.S. border, deportation can be a death sentence. We must ensure each and every asylum seeker has their day in court.”

“The Trump Administration’s plan to arrest and deport thousands of Central American families and children without giving them a fair day in court is both illegal and immoral,” **said Ahilan Arulanantham, senior counsel at the ACLU SoCal.** “More than one hundred years ago, the Supreme Court decided that immigrants could not be deported without due process. These vulnerable refugees deserve that basic protection.”

The government asserts the power to deport these refugees without any hearing because they failed to appear in immigration court. However, as the lawsuit describes in detail, these refugees failed to appear because of massive bureaucratic errors and, in some cases, deliberate misdirection by immigration enforcement agencies. The agencies' flagrant and widespread errors made it impossible for people to know when their hearings were being held.

As both legal services organizations and news agencies have repeatedly documented, the refugees' notices to appear in court were sent to incorrect addresses; sent after hearing dates had already passed; issued for dates when courts were not in session; and in some cases for court dates that literally did not exist (such as weekends and September 31). For example, on January 31, 2019 alone, thousands of refugees lined up for hours at courts across the country with paperwork showing that date for their hearings, only to be told there would be no hearings that day. Many of them were ordered deported for failing to appear. These refugees are now a primary target of Trump's impending mass arrests.

"The Trump administration's threats against immigrants run roughshod over basic fairness and due process," **said Donna Lieberman, executive director of the New York Civil Liberties Union.** "For the many families who came here as refugees fleeing violence, deportation is a death threat. We will fight to ensure no one faces this kind of peril without having their case considered in court."

"The Trump administration's plan to send families and children who came to this country seeking refuge from violence and abuse in their home countries back to those places, without so much as one opportunity to show a judge they are entitled under U.S. law to stay, is fundamentally at odds with what this nation stands for," **said Brad Phillips, partner at Munger, Tolles, & Olson.** "We hope by this lawsuit to stop the administration's unlawful and inhumane plan in its tracks."

The case was filed in U.S. District Court in New York, Southern District.

Read the lawsuit [here](#).

###