

**FOR IMMEDIATE RELEASE**

June 17, 2019

William Montgomery / 713-582-3201  
[press@asylumadvocacy.org](mailto:press@asylumadvocacy.org)

## **VICTORY FOR ASYLUM SEEKERS SUING ICE & CBP**

*Asylum Seekers and Government Settled Lawsuit for \$125,000*

**New York, NY** – Today, the Asylum Seeker Advocacy Project (ASAP) announced that Suny Rodriguez, and her son, won \$125,000 in a major legal victory against Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP). This is the first lawsuit to seek monetary damages under the Federal Tort Claims Act (FTCA) on behalf of asylum seekers who were subjected to family detention. Ms. Rodriguez and her son were represented by the Worker and Immigrant Rights Advocacy Clinic (WIRAC) at Yale Law School as lead counsel, ASAP, Elora Mukherjee of the Columbia Law School's Immigrants' Rights Clinic, and Gibbons P.C.

When asked why she decided to file this lawsuit, Ms. Rodriguez shared: "I decided to bring this lawsuit because I wanted to bring to light the injustices against asylum seekers – mothers and fathers who bring their children to the United States in search of safety. What happened to my family should never happen to anyone's family. I hope that other families will see my case and no longer be scared to stand up and tell the public the truth about what goes on at the border."

With Ms. Rodriguez's case as important precedent, ASAP plans to help more asylum-seeking families fight back, especially those who have been impacted by zero tolerance policies at the border such as family separation. Earlier this year, ASAP and the International Refugee Assistance Project (IRAP) announced a strategic partnership to bring cases on behalf of individuals who have suffered abuses in detention, and who were separated from their families by the U.S. government, including monetary damages cases under the FTCA.

"We are in awe of Ms. Rodriguez's courage to challenge the mistreatment she and her family faced in detention and at the border," said ASAP Co-Director, Conchita Cruz. "Her victory has the power to serve as a blueprint for future lawsuits against CBP and ICE, and as a source of inspiration for families who want to hold the government accountable for the trauma, pain and suffering caused by inhumane immigration and border policies."

"Ms. Rodriguez has worked tirelessly to advocate alongside and on behalf of immigrants like herself. The success of her lawsuit is a reflection of her powerful spirit and leadership in a social movement demanding accountability at the border," said Aseem Mehta, law student intern with the Worker and Immigrant Rights Advocacy Clinic.

"The victory of Ms. Rodriguez and her son serves as a critical reminder," said Columbia Law School Professor Elora Mukherjee. "The U.S. government must uphold its basic legal obligation to treat all immigrant families and children with dignity and respect, as required by both

domestic and international law. When the government fails to do so, it will literally pay for the consequences.”

“It has been an honor to represent Ms. Rodriguez and to work alongside the attorneys from ASAP and law students and faculty from Yale and Columbia Law Schools, who are so committed to the cause of social justice at this particularly challenging time in history,” said Lawrence S. Lustberg, the Director of the John J. Gibbons Fellowship in Public Interest and Constitutional Law. “It is only with such courageous clients and committed advocates that the rule of law can prevail and justice can be achieved in cases like this one.”

Ms. Rodriguez fled Honduras in late 2014 with her minor son, and her son’s father. Shortly after crossing the border, they were detained by CBP officials, who separated Ms. Rodriguez and her son from his father. Ms. Rodriguez and her son were then transferred to ICE custody at the family detention center in Dilley, TX, where they were detained for over four months, in violation of federal court orders limiting the detention of children. Ms. Rodriguez and her son filed an administrative complaint with Department of Homeland Security in the fall of 2015, but the Department denied their request for compensation for the inhumane treatment received while in detention. Ms. Rodriguez and her son then filed a federal lawsuit in the District of New Jersey on August 17, 2016. The lawsuit sought monetary damages under the FTCA for the mistreatment that Ms. Rodriguez and her son suffered while imprisoned in border detention facilities, including inhumane conditions, threats of family separation, and coercive tactics pressuring them to abandon their legitimate asylum claims.

###