



FAMILIES *in* FEAR

• THE ATLANTA IMMIGRATION RAIDS •



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Introduction

Before daybreak on Jan. 2, 2016, agents from Immigration and Customs Enforcement (ICE) began sweeping into homes in the Atlanta area as part of a multistate operation that ended with the detention of 121 immigrants, apparently all women and children.¹

The raids in Georgia, Texas and North Carolina signaled a new and alarming development by a federal government with a history of abusive immigration enforcement that is now only being made worse by its failure to effectively address the humanitarian crisis in El Salvador, Guatemala and Honduras.

Rather than fulfill its commitment to protect and provide refuge to families fleeing violence and persecution in these countries, the Obama administration has taken the same fatally flawed approach to law enforcement that has led to our nation's mass incarceration crisis. Under President Obama, the Department of Homeland Security (DHS) has pursued needlessly aggressive – and potentially unconstitutional – law enforcement action against vulnerable immigrants. The result has been the incarceration of hundreds of thousands of men, women and children, including the families swept up in these raids, over the last eight years.

As this investigation by the Southern Poverty Law Center and the Georgia Latino Alliance for Human Rights demonstrates, it's an approach that has trampled legal rights, subjected mothers and children to terrifying and unnecessary police encounters, and torn families apart. This report provides direct accounts from survivors and witnesses of the ICE raids in the Atlanta area.

As these stories show, the Atlanta raids raise grave constitutional concerns:

➔ **The raids appear to have been conducted without warrants.** ICE agents did not show residents copies of warrants, which are required regardless of a person's immigration status. When asked for copies of warrants or orders to enter a home, ICE agents ignored the requests, threatened residents or simply ordered them to "be quiet."

➔ **ICE agents entered homes without obtaining lawful and voluntary consent.** Officers used the threat of arrest and illegal coercion to obtain it. They frequently deceived residents by saying they were police officers searching for a criminal (even showing a photo of an African-American man in some instances), or by saying the women would only be gone for a few hours to allow ICE to examine their electronic ankle shackles.

➔ **ICE agents denied women access to lawyers.** Although immigration matters are typically regarded as civil matters, which do not require the appointment of an attorney at government expense, individuals still have a constitutional right to counsel as long as it is at no cost to the government.²

ICE officials, however, would not allow the women swept up in the raids to contact their

lawyers until after their removal to the South Texas Family Detention Center in Dilley, Texas – often telling them that they had no further legal options. They also failed to notify them of a free, nonprofit legal organization at the detention center.

➔ **Women were instructed to sign legal documents they did not understand.** On multiple occasions, ICE agents instructed detainees to sign documents that were written only in English. This is especially troubling since many women were denied access to lawyers.

➔ **Mothers and children with valid claims to immigration relief were detained before exhausting their legal options.** Despite ICE's assertion that all of the targeted individuals had been issued final orders of removal by an immigration court,³ a subsequent legal review of cases led the Board of Immigration Appeals to grant reprieves from deportation because these families *had not*, in fact, exhausted their legal options.⁴

➔ **ICE had granted many of the detained women permission to remain in the United States.** These women had complied with orders of supervision by ICE, which permit them to remain in the United States subject to certain conditions, including regular check-in appointments with ICE or wearing electronic ankle shackles that allow ICE to track their location. Some women even had upcoming ICE appointments when they were swept up in the raids.

➔ **ICE focused these raids in jurisdictions with weak due process protections.** Individuals appearing before Atlanta immigration courts have one of the lowest rates of legal representation of any large city in the country.⁵ Judges in Atlanta's immigration courts have among the highest asylum denial rates in the nation.⁶ Women and children with valid immigration claims in these jurisdictions are particularly unlikely to have full access to justice.

➔ **ICE has refused to release children and their mothers from immigration detention – a violation of a national settlement.** As of this writing, the government has now held immigrant children in detention centers for more than 20 days, which is prohibited under a settlement agreement in *Flores v. Johnson*. Children in DHS custody have the right to be released to a parent, including their accompanying parent, regardless of the parent's immigration status. DHS must release children with their mothers unless the mother poses a significant flight risk or public safety threat.⁷

While the focus of this report is Atlanta, this investigation revealed that these issues are not confined to this area. Victims of raids from Virginia and Texas reported questionable tactics that were remarkably similar. Quite simply, Atlanta is not an aberration. This disturbing pattern of raids that have traumatized communities and potentially violated constitutional

protections is ample evidence to halt future raids by ICE, the nation's largest law enforcement agency.

With the raids halted, Congress should investigate not only the apparent constitutional violations committed by ICE agents during these raids but misconduct in other aspects of immigration enforcement as well. The federal government must adopt a practical, comprehensive response to the Central American refugee crisis and improve access to counsel for immigrants. It must offer alternatives to punitive detention practices and shutter the family detention centers holding these immigrants. We must uphold our constitutional values as we address this humanitarian crisis. It is time to ensure that immigrant families no longer live in fear.

Detailed recommendations are contained at the end of this report.

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- 1 Statement by Jeh Johnson, Secretary of the Department of Homeland Security (Jan. 4, 2016), available at <http://www.dhs.gov/news/2016/01/04/statement-secretary-jeh-c-johnson-southwest-border-security>.
 - 2 See, e.g. *Olvera v. INS*, 504 F.2d 1372 (5th Cir. 1974); *U.S. v. Campos-Asencio*, 822 F.2d 506 (5th Cir. 1987).
 - 3 Statement of Jeh Johnson, *supra* note 1.
 - 4 Soni Sangha, *Hasty Raids Led to Mistakes: Deportation Halted for at Least 20 Migrants Targeted*, FoxNewsLatino, Jan. 8, 2016, available at <http://latino.foxnews.com/latino/politics/2016/01/08/hasty-raids-led-to-mistakes-deportation-halted-for-at-least-20-migrants/>.
 - 5 Ingrid Eagly & Steven Shafer, *A National Study of Access to Counsel in Immigration Court*, 164 U. Penn. L. Rev. 1, 38 (2015).
 - 6 Jeremy Redmon, *Winning Asylum Is Tough in Georgia's Immigration Courts*, Atlanta Journal Constitution, Apr. 18, 2014, available at <http://www.ajc.com/news/news/national-govt-politics/winning-asylum-is-tough-in-georgias-immigration-co/nfcqY/>; Executive Office for Immigration Review, Fiscal Year 2013 Statistics Yearbook, Table 12, Table 16 (2014).
 - 7 See *Flores v. Johnson*, No. 2:85-cv-4544, Order Re: Plaintiffs' Motion to Enforce Settlement of Class Action (C.D. Cal. Jul. 24, 2015).

Ana Lizeth Mejia Gutierrez

Ana Lizeth is a 31-year-old mother from Honduras. She fled to the United States with her 10-year-old son in 2014, and lived with her aunt and uncle in the Atlanta area. Ana Lizeth had an order of supervision with ICE, which allowed her to stay in the United States. As part of the order, she wore an ankle shackle that notified ICE of her location at all times, and attended regular appointments with ICE to verify her location.

At first it was just the ringing of the doorbell rousing the family from their sleep early on the morning of January 2, 2016.

Then someone began banging on the door.

Ana Lizeth's aunt, Johana Gutierrez, answered. A group of officers were at the door. They said they were police looking for a criminal. They produced a photo of an African-American man for her to identify but she didn't recognize him.

They weren't satisfied with her answer.



Ana Lizeth Mejia Gutierrez was never given an opportunity to call an attorney or family members when ICE agents took her from Atlanta to Texas for deportation.

“We were treated like criminals. I don’t understand why. I had gone to my ICE supervision appointments, and even had an appointment scheduled in a few days. My son has been scared, and cries at night.”



Johana Gutierrez and Salvador Alforo were roused from their sleep when ICE agents took their niece, Ana Lizeth Mejia Gutierrez.

They told her the man lived at her address and that she should let them in. She asked them for an order or warrant, only for her request to be ignored. Johana’s husband was getting nervous. He insisted that she let them in.

When she complied, a group of about eight officers crowded into the house. They gathered everyone into the living room and began demanding identification.

They weren’t police officers. They were ICE agents.

Ana Lizeth’s identification was taken by the agents. They told her to gather some clothes – she was being deported. Ana Lizeth was terrified. The officers were yelling and her 10-year-old son was crying and shaking. Her aunt asked the agents why they’d lied to get into the house. She again asked for an order or warrant.

They didn’t answer.

The ICE agents took Ana Lizeth and her son from their family. It was the start of a journey to a detention center about 1,000 miles away. Along the way, they spent time in a jail cell, in the back of a van with another mother and her children, and aboard a plane before they arrived at their destination the next morning: the South Texas Family Residential Center in Dilley, Texas. During the journey, Ana Lizeth was never given the opportunity to call her immigration attorney – or anyone for that matter.

She was eventually taken to a meeting with the consulate and told to sign papers from ICE agreeing to leave the United States. She refused to sign the document because it was in English, which she cannot read.

Amid this confusing whirlwind, she learned immigration attorneys were available at Dilley but only after another detainee told her. “I tried to go to a legal meeting, but the ICE agents would send me other places in the detention center,” she said.

Ana Lizeth was finally able to meet with the attorneys at the detention center – a day after ICE deported numerous families from Honduras and Guatemala. She believes if more women had known attorneys were available and had been allowed access to them, some of those families would have been spared deportation.

At the detention center, she tried to make sense of everything that had happened.

“We were treated like criminals. I don’t understand why. I had gone to my ICE supervision appointments, and even had an appointment scheduled in a few days,” said Ana Lizeth, who is still detained in Dilley with her son. “My son has been scared, and cries at night. He is not eating. ... I don’t understand why we were taken in a raid, especially in that way.” •

Lesly Padilla Padilla

Lesly is a 26-year-old mother who fled Honduras with her twin 9-year-old sons to escape her abusive partner in June 2014. ICE raided Lesly's home in the Atlanta metropolitan area on the morning of January 2, 2016.

Lesly and her sons were locked in a cell with other women and children.

Many of the women were crying, apparently swept up in the ICE raids like Lesly and her two children. But it didn't make sense. She regularly met with ICE for check-in appointments and wore an ankle shackle with a GPS device that reported her location to them.

She was even wearing it earlier that morning when she answered her front door to discover what she believed were police officers outside her home. They said they were looking for a man named "David."

Lesly told them no one named David lived there.

They were undeterred. They said they needed to search her apartment, because they had been told that David lived at her address. They showed her a picture of an African-American man. She again said that no one named David lived in her apartment.

The officers insisted, so she let them in.

Once they were in her home, the officers said that they were from ICE. They told her that she had an order of deportation and that she and her children had to come with them. They wouldn't even allow Lesly to call her immigration attorney.

"My children were crying," she said. "They asked me what was going on. They asked me what I had done wrong, and why the police had come to our house. I told them, 'nothing,' and that we hadn't done anything."

They were taken to a detention facility and placed in the cell with the other women and

"My children were crying. They asked me what I had done wrong, and why the police had come to our house. I told them, 'nothing,' and that we hadn't done anything."

“When I was in Atlanta, I was working, learning, and building a life. My kids were learning English quickly, and doing well. I was working hard ... I am afraid to go back to Honduras, and if we return, there will be nowhere safe for us to go.”

children. There were metal benches and a toilet that sat in the middle of the cell. There was no privacy.

Lesly and the children were ultimately taken to the Texas Family Detention Center in Dilley, Texas. She was told they would be deported and to sign a document that was in English, which she couldn't read. She refused. Ultimately, Lesly and two other women who refused to sign the documents were told that they would not be deported.

“I have asked my family to pray for me,” said Lesly, who after several weeks at Dilley was just transferred to another family detention center in Berks County, Pennsylvania. She has requested to be released on bond, but the government has opposed her motion. “When I was in Atlanta, I was working, learning, and building a life. My kids were learning English quickly, and doing well. I was working hard ... earning money to support us. ... [My children] are my biggest blessing. I am afraid to go back to Honduras, and if we return, there will be nowhere safe for us to go.” •

Rosa Vargas Morales

Rosa is a 37-year-old mother of three who fled Guatemala with her children. Her home near Atlanta was raided on Jan. 2, 2016. The agents took Rosa and two of her children from her home even though she had an order of supervision with ICE.

The first raid on Rosa's home came before dawn.

There was a loud banging at the door and flashlights were shining into the windows of her home. The home was surrounded by ICE agents and the family was afraid.

"[The children] were so scared that they were shaking," Rosa said.

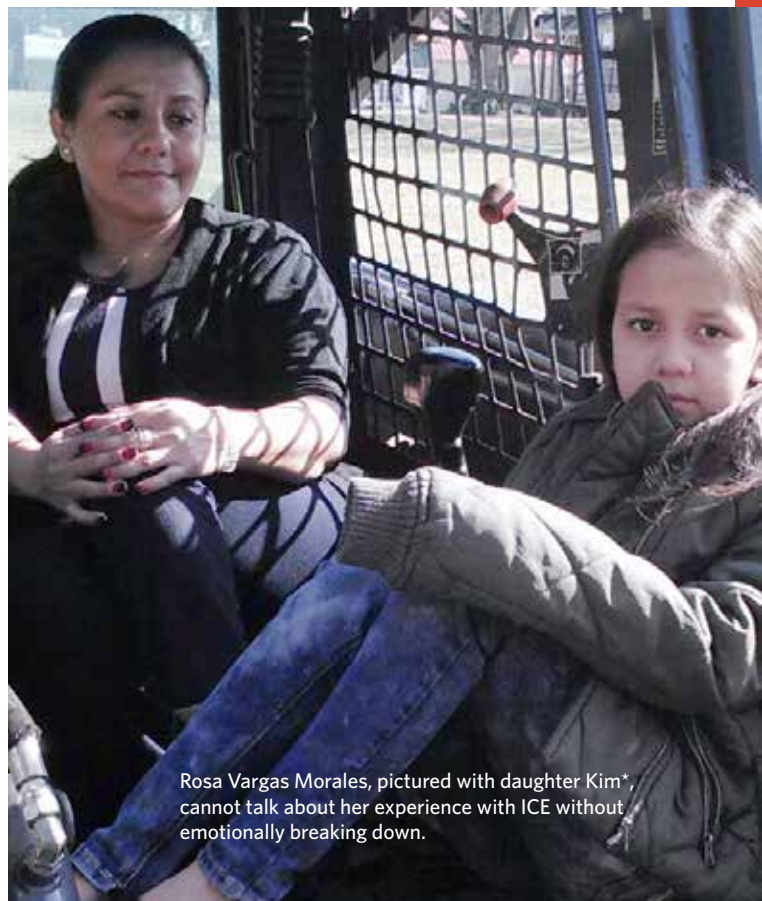
They didn't answer the door. They waited out the ICE agents until they left.

With the agents gone, Rosa's brother, Rene, left the home to get something for the children to eat. On the way back, two vehicles blocked him – one in front and the other behind him. Two police officers with guns on their hips stepped out of the vehicles. They told Rene that they were looking for a person named "Miguel Soto."

Rene told them he did not know anyone by that name, but the officers were persistent. They said they needed to enter his home – even threatening to arrest him for obstructing their investigation if he did not let them in the house. When Rene asked again if they had an order or a warrant, the officers told him in Spanish to be quiet or they would arrest him.

He reluctantly complied, believing they were looking for someone named "Miguel Soto."

ICE officers poured into the home without showing



Rosa Vargas Morales, pictured with daughter Kim*, cannot talk about her experience with ICE without emotionally breaking down.

"I still don't understand why I was the target of the raid. Immigration had given me a work permit, and I was on an order of supervision. I don't understand how we could be treated so badly – and treated like I am worthless."

a warrant or an order. Even when Rene again asked to see a warrant, they told him to shut up or risk arrest. The officers wanted Rosa and two of her children to leave with them. Rosa was confused, and explained that she had attended all of her court appointments, and had a work permit from ICE.

The work permit doesn't mean anything, the agent said.

Rosa and her children were given a few minutes to gather their things. Family members began to cry. "My baby grandson began wailing," Rosa said. "He tried to walk to me and give me a hug. My brother, Rene, pleaded with the agents to let him say goodbye to all of us. They did not let him."

At a detention center in Atlanta, she tried to explain again that she had work authorization from ICE. The agent told her that she "didn't have a chance."

"I told him that with all respect, I had the right to ask questions and talk with my lawyer," she said.

The agent told her not to make him mad.

The agents urged her to sign a document, which she only signed because she couldn't talk to a lawyer. Rosa and her children were then loaded onto a plane bound for the South Texas Family Detention Center in Dilley, Texas. The journey was a miserable one. She had a painful headache and the agents wouldn't give her any water or medication. She eventually fainted on the flight.

It is impossible for Rosa, who is still detained in Dilley with her children, to talk without crying when she thinks about that horrible morning nearly a month ago, and what has happened since. Each day in the detention center she felt more and more desperate. She cannot make sense of the situation.

"I still don't understand why I was the target of the raid," she said. "Immigration had given me a work permit, and I was on an order of supervision. I don't understand how we could be treated so badly – and treated like I am worthless." •

Gabriela

Gabriela* fled El Salvador with her daughter to escape violence. She lived in Atlanta with relatives and worked as a housekeeper at a local hotel when she and her daughter were caught in the immigration raids on Jan. 2, 2016.

When Gabriela took the call at work, her daughter was on the other end of the phone crying.

ICE agents had surrounded the family home and questioned family members about her whereabouts. They had even searched the house, and accused her family of hiding her. She could tell her 13-year-old daughter, Mayra*, was scared.

“After I received the call I was worried and confused,” Gabriela said. “I didn’t know what was happening, but I had to keep working.”

She was working in the hotel laundry room when two ICE officers surprised her. She left with the officers, who would not even let her gather her belongings or change out of her work uniform.

As she was led away, she saw her boss and the hotel manager.

“They looked concerned about what was happening,” she said. “I don’t know what the officials said to them, but I was very worried about the whole situation. I felt ashamed to have those people watching me while I was taken outside without even being allowed to change clothes.”

Gabriela then saw her sister, Rosa Diaz, and Mayra outside. They had driven to the hotel after the raid at home. Mayra was still in her pajamas. The officers probably followed them to the hotel, according to Gabriela.

The officers told Rosa that they would leave with the mother and daughter, but return in two hours. It was a similar story they had given at their home. They just needed to put an electronic ankle shackle on Gabriela – she’d be back in two hours.

That wasn’t what happened.

The officers made Mayra leave her cell phone. They took them to an immigration office

“After I received the call I was worried and confused. I didn’t know what was happening, but I had to keep working.”

The officers told Linda that they would leave with the mother and daughter, but return in two hours. It was a similar story they had given at their home. They just needed to put an electronic ankle shackle on Gabriela – she'd be back in two hours.

That wasn't what happened.



Rosa Diaz arrived at the hotel where her sister, Gabriela*, worked just in time to see ICE agents taking her away.

filled with crying women and children who had been caught in the raids. They were not allowed to call anyone as they waited. The mother and daughter were then taken far from Atlanta – to a family detention center in Dilley, Texas.

This was far more than a two-hour trip.

And no one asked Gabriela about the details of her case until after she was in Texas. That's where she was told she had no other option except deportation, and had to sign a document that ICE put in front of her. She spoke to her consular officer, who advised her to get legal help.

Gabriela has since been allowed to meet with lawyers at the detention center. The lawyers submitted an application for a stay in her case and it was granted. As for now, Gabriela and her daughter remain in the detention center – roughly 1,000 miles from their home, family and friends. •

Ana Silvia Orellana Urias

Ana Silvia is a 32-year-old mother of four children from El Salvador. ICE officers raided her home near Atlanta on the morning of Jan. 3, 2016. Hear audio her mother recorded of the raid at www.splcenter.org.

Ana Silvia shook with fear as ICE agents stood outside her apartment door. She was enduring what so many other women and children had experienced in the past 24 hours during these raids. She awoke to banging on her door. There were ICE agents saying they were only there because of her electronic ankle shackle.

Ana Silvia was confused because she had just changed the batteries on her shackle, and she had appointments to check in with ICE twice in January. When she attempted to use her cellphone to call her lawyer about the raid, an agent took the phone away from her. ICE agents told her she wasn't being deported.

But she was being deported.

She and her children – ages 3 to 17 – were shipped off to a detention center hundreds of miles away. She also endured the same



Ana Silvia Orellana Urias, pictured with son Jake*, was pressured to sign a legal document as ICE attempted to deport her.



Digna Urias recorded audio of the ICE raid that ended with agents seizing her daughter, Ana Silvia.

troubling law enforcement practices others experienced during the raids in Atlanta and elsewhere across the country that weekend:

- ICE agents didn't show a warrant or order;
- They denied her an opportunity to speak with an attorney;
- They pressured her to sign legal documents she didn't understand;
- They surrounded her house;
- They lied to enter her home.

"I told ICE that I wanted to speak to my lawyer," she said. "They told me that I had no hope and that I needed to sign, but I wouldn't."

When Ana Silvia and her children arrived at a family detention center in Texas, she was again urged to sign a document despite her demands to speak to an attorney. Under pressure, she signed. And like so many others, Ana Silvia, who is still in the South Texas Family Detention Center in Dilley, Texas, has been left with questions.

"I don't understand how we could be treated so badly," she said.
It's something legal experts and advocates are also wondering. •

Susana Arevalo Hernandez

Susana is a young mother of two young children who fled violence in El Salvador, and joined her mother, who was living in Atlanta. When Susana was taken from her home by ICE agents on Jan. 2, 2016, she was under an order of supervision with ICE and had been wearing an ankle shackle that monitored her location. She even attended regular check-in appointments with ICE.

When Susana and her children left their home with ICE agents, she wasn't worried.

She had an appointment with ICE in two days. She thought they had shown up to check on her electronic ankle shackle. Her mother thought the same thing, opening the door for the agents when they showed up that morning. An ICE agent even told Susana's mother that her daughter would be



Susana Arevalo Hernandez fears her family will be killed if ICE forces them to return to the violence of El Salvador.



Susana Arevalo Hernandez's children are being held with her in a detention center in Texas following an ICE raid in Atlanta.



back later that day.

Susana and her children were taken to an immigration office, and she saw other women and children. The ICE agents took her upstairs and told her she was being deported.

"I got really worried because I am afraid for my life and that of my children if I am returned to El Salvador," Susana said. "My children had also gotten upset because they could see that I was visibly upset. I was so nervous and scared that I felt my blood pressure drop, I was crying and I couldn't breathe. At that point, I felt dizzy and I suffered a seizure."

But it was her daughter Ana*, 8, and son Frederick*, 6, who were on her mind during this emergency.

"I started begging the officials to call my mother because my children weren't being put in the ambulance to go with me," she said. "So, I wanted to make sure they would be safe and taken care of by a family member."

Her mother never received a call.

She was released from the hospital later that night. Susana and her children were taken by ICE to the South Texas Family Detention Center in Dilley, Texas, the next day. Her health worsened. She suffered an epileptic seizure that evening, and two more over the next three days.

ICE officials told Susana they were putting her on a plane back to El Salvador. An agent threatened her and told her that if she didn't leave, things would be worse for her. She insisted on calling her attorney and was finally able to reach someone with the legal service organization at the detention center.

But it appeared to be too late.

Susana and her children found themselves on a plane bound for the country and the violence she had hoped to escape. But shortly before the plane took off, ICE officials removed them from the flight – the Board of Immigration Appeals ordered the government to let her stay in the United States to fight her case.

Despite this reprieve, Susana and her family still face obstacles and uncertainty.

She believes she's suffering more seizures as a result of this experience. She has suffered at least six since she has been in ICE custody. She has an appointment with a neurologist to evaluate her for surgery in Atlanta – surgery she may now never receive. Her son is developmentally disabled and is not receiving treatment in detention.

More than anything, Susana, who is still detained in Dilley with her children, is also worried about her children and the future.

"We are afraid we will be killed in El Salvador," she said. "I'm so nervous after the raids. The only place we feel safe [at the detention center] is in the legal trailer, where our lawyers are, because at least we know we will not be deported from there." •

Dominga Rivas Angel

Dominga is a 27-year-old mother of two young children. She left El Salvador seeking safety in the United States. She had an attorney working on her immigration case when she was stopped for a traffic violation in late 2015. Dominga was being held in an immigration detention center in Oscilla, Georgia, when ICE agents pulled her into the midst of the raids in Atlanta. Dominga was forced to assist ICE with detaining and deporting her children.

Something was happening.

On New Year's Day, ICE moved Dominga from the immigration detention center in Oscilla, Georgia, back to an Atlanta jail. The next day she was told to change into her street clothes. The reason? ICE needed her to help them find her children – whether she wanted to or not.

After telling them that her children were with her sister, Doris, the ICE agents handcuffed Dominga and drove her to her sister's house.

It was a stomach-turning ride.

"I felt very sick and faint," Dominga said. "I could breathe, but it was hard. I had begun to feel sick when I was taken from Oscilla to Atlanta. By the time we got to my sister's house, I felt nauseated, and felt like vomiting."

More than a dozen ICE agents arrived at Doris' home; some began pounding on the door while others surrounded the house. At first, Doris wouldn't open the door. She could see them through her window curtains, and asked the agents at her door what she could do for them. She could also see her sister.

"Many people in the cell were crying. My kids were crying. At one point, the ICE officers told us to be quiet, and that there was too much noise."

"I was very confused at the moment," Doris said. "I was very glad to see my sister, but was very scared and worried at the same time."

When Doris finally opened the door, the agents rushed into the home. An officer pulled Doris back, preventing her from going to console her weeping sister. Doris was told the agents were there to get the children. They had a deportation order for them. Doris tried to explain that she had been talking with an attorney about receiving formal custody of her nephews. The agent offered some instant legal advice: She had no right to the children.

The agents went into the basement where the children were sleeping, startling them and causing them to cry. Doris was told to dress them and pack their things.

They were going away.

Dominga and her children were taken to a jail cell in Atlanta, which filled throughout the day with people from the raids.

"Many people in the cell were crying," she said. "My kids were crying. At one point, the ICE officers told us to be quiet, and that there was too much noise."

Dominga asked the ICE officers if she could call her lawyer, but no one was allowed to make a call. The officers told her that it didn't matter because her immigration case was over. The agents also made her sign a form in English. She didn't know what it said, but an agent was blunt: It meant she would be deported.

Dominga and her children are now in the South Texas Family Detention Center in Dilley facing an uncertain future. •

Recommendations

As this report makes clear, these immigration raids have traumatized families and terrorized communities. The tactics employed by ICE agents also raise serious legal questions. The United States must address the humanitarian crisis in Central America, not resort to unconstitutional tactics that punish those we are bound by law to protect. The following recommendations describe how the government can comprehensively address this crisis while strengthening due process protections and access to justice for immigrants, ensuring transparency of law enforcement, and respecting everyone's right to be safe and secure in their own homes.

Congress

- ➔ Conduct hearings and investigations into possible constitutional violations by ICE agents in immigration raids, and in immigration enforcement more broadly.

Department of Homeland Security

- ➔ Stop the raids immediately.
- ➔ Assure communities that DHS does not endorse the use of unconstitutional law enforcement tactics and that agents who violated the law will be held accountable.

- ➔ Adopt a practical, comprehensive response to the Central American refugee crisis. This response includes refugee screening and resettlement, the granting of Temporary Protected Status for individuals in the United States, and other necessary humanitarian remedies.
- ➔ Stop detaining children and close family detention centers. DHS must adopt permanent alternatives to detention, because it is costly, unnecessary and inhumane.
- ➔ Implement the recommendations of the President's Task Force on 21st Century Policing by decoupling federal immigration enforcement from routine local policing. ICE should discontinue its use of immigration detainers and routine notification requests to local law enforcement agencies, which have raised serious concerns about due process violations and racial profiling of immigrant communities.

Department of Justice

Executive Office for Immigration Review

- ➔ Due process protections for immigrant detainees must be improved to ensure they have access to justice. This includes providing government-appointed counsel to immigrants in detention. A protocol should be adopted to improve access to legal counsel and legal orientation

programs. This protocol should also ensure that adequate legal notice is provided to asylum seekers.

➔ The inconsistent adjudication of asylum claims by the immigration courts must be addressed. This means identifying immigration judges whose asylum decisions are highly discrepant from their peers across the nation. They should receive supplemental training and supervisory oversight on asylum decisions. Board of Immigration Appeals funding and the number of immigration judges and support staff must all be increased as well.

Local Government

➔ Decline to hold individuals on the basis of ICE detainers. Local governments should also decline to honor routine notification requests. Immigration detainers and notification requests are voluntary. They are not warrants, and raise serious constitutional concerns. They do not provide probable cause for arrest to place these individuals in ICE custody.

➔ Invest in free and accessible legal representation for asylum seekers and immigrants without representation.



CREDITS

AUTHORS Eunice Hyunhye Cho, Lisa Graybill

EDITOR Jamie Kizzire

DESIGN DIRECTOR Russell Estes

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Media Inquiries (334) 956-8372

