

**FOR IMMEDIATE RELEASE**

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PRESS CONTACT

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BUFFALO IMMIGRATION JAIL**

New York, NY – The New York Civil Liberties Union and the International Refugee Assistance Project at the Urban Justice Center filed papers late last night asking a federal court to end the unlawful detention of asylum-seekers detained at the Buffalo Federal Detention Facility in Batavia, New York.

After the January inauguration of President Trump, the facility made a sudden and secret change to immigration practices. Even though federal policy states that parole should be granted to asylum-seekers who can establish their identity and are not a flight risk or danger, Batavia officials effectively stopped granting parole to asylum-seekers in late January, leaving dozens of people who fled violence and persecution to languish in jail.

“The Trump Administration's war on immigrants now extends to people fleeing persecution and lawfully seeking asylum here in the United States,” said **Christopher Dunn, associate legal director of the New York Civil Liberties Union**. “The federal courts are the last line of defense for the dozens of asylum-seekers being held unlawfully at Batavia.”

The plaintiffs in this case all voluntarily presented themselves at the U.S. border and requested asylum. The government interviewed each plaintiff and concluded all were likely to face a significant possibility of persecution or torture in their home country. They were then sent to Batavia, where they were entitled to be fairly considered for release on parole while awaiting their asylum hearings – that never happened.

Data obtained by the NYCLU shows that after President Trump's inauguration in late January, parole at Batavia plummeted from 50 percent to just above 10 percent. As one Batavia official told a detainee, asylum-seekers had a “one in a million” chance of getting parole after Trump became president.

On July 28, the NYCLU and IRAP filed suit on behalf of a single Somali asylum-seeker, charging that he had been unlawfully denied parole under the new policy. The government quickly released him, but the NYCLU and IRAP expanded the case in August by adding all asylum



seekers being held unlawfully at Batavia. Because many asylum-seekers continue to languish in detention at Batavia, the two groups filed last night's request for emergency relief.

"Asylum-seekers at Batavia are desperate to see their families and to prepare for their upcoming asylum hearings, which is impossible if you are in jail," **said NYCLU staff attorney Aadhithi Padmanabhan**, counsel on the case. "We are moving quickly to end the unlawful and unjust regime of detention at Batavia."

The NYCLU and IRAP lawsuit also seeks bond hearings for all asylum-seekers who have been detained for over six months at the Batavia facility. Federal courts have recognized that the Constitution bars the government from detaining immigrants for more than six months without an opportunity to seek release on bond, yet many asylum-seekers at Batavia have been held beyond six months without any hearing.

"Asylum-seekers fleeing violence and persecution deserve compassion, not months locked up once they arrive to the safety of this country," **said Mariko Hirose, litigation director of IRAP**. "They are entitled to a fair chance of release to keep them from suffering even more trauma."

"The Trump Administration has turned its back on the plight of people fleeing oppressive regimes and violence in their home countries, but we will not," **said NYCLU Executive Director Donna Lieberman**. "Just as we are fighting the Muslim travel ban, we will fight this disgraceful treatment of asylum-seekers."

In addition to Dunn, Hirose and Padmanabhan, counsel on the case include NYCLU staff attorneys Robert Hodgson and Paige Austin. NYCLU legal fellow Scout Katovich and paralegal Andrea Barrientos also are on the case.

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