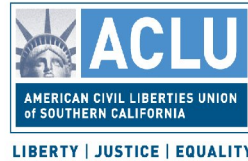


news

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Intolerable Conditions at Downtown Immigration Facility Will End Under Terms of Lawsuit Settlement

LOS ANGELES, Calif. – Immigrants detained in a federal detention center in downtown Los Angeles can no longer be held for weeks on end in crowded cells without drinking water, changes of clothing or sanitary napkins, or be deprived of their ability to defend themselves, under the terms of a settlement announced today by the American Civil Liberties Union of Southern California (ACLU/SC), the National Immigration Law Center (NILC) and the law firm of Paul, Hastings, Janofsky and Walker LLP.

The settlement with the U.S. Immigration and Customs Enforcement (ICE) agency means an end to unsanitary conditions in the basement facility known as “B-18.” It also puts a stop to the practice of shuttling detainees back and forth to overcrowded local jails in an effort to avoid rules prohibiting long-term detention at the facility. The agreement prohibits the agency from holding detainees there for more than 12 hours on any given day or over two consecutive days, subject to limited exceptions.

“The disturbing human shell game of shuttling people back and forth between jails has ended at B-18. This settlement eliminates the unacceptable conditions that existed and restores detainees’ dignity and their right to due process,” said Ahilan Arulanantham, director of immigrants’ rights and national security at the ACLU/SC. “It is one step, but an important one, in correcting our severely broken immigration detention system nationwide.”

The settlement agreement stems from a federal lawsuit brought five months ago by the ACLU/SC, NILC, and Paul, Hastings, Janofsky and Walker LLP, charging that ICE often held immigrants for many weeks in terrible conditions at B-18, a facility which was intended only to hold detainees for short periods of time.

To its credit, the government promptly took steps to correct many of the problems at B-18 shortly after the lawsuit was filed. Within weeks, the agency adopted a rule that detainees could be held at B-18 for no more than 12 hours on any given day. It also significantly improved conditions at B-18 by providing better access to water, hand sanitizers and sanitary napkins.

Prior to the lawsuit, detainees had painted a harrowing picture of conditions at the facility. There was no soap or drinking water. Immigrants were crowded into cells, sometimes waiting for hours without room to sit down. Some had not been able to shower, brush their teeth, or change their clothes in weeks. Women asking for sanitary napkins were often ignored, and

(more)

detainees were often forced to sleep on the floor for several days in a row. Many detainees also had no access to writing material, effectively depriving them of the ability to prepare legal documents needed to defend themselves. The conditions were symptomatic of problems that exist in ICE detention centers around the country and were documented in the recent report “A Broken System: Confidential Reports Reveal Failures in U.S. Detention Centers,” co-written by NILC and the ACLU/SC.

“No longer can ICE stuff people into overcrowded cells or deny detainees their right to see a lawyer. This settlement serves as a safeguard against what was once an almost everyday situation at B-18: unlawful treatment and unsanitary conditions,” said Karen Tumlin, a staff attorney with the NILC. “As this lawsuit shows, major national policy changes are desperately needed to safeguard against the terrible conditions that afflict so many immigrants held in detention centers across the country.”

Under the agreement, ICE must now provide writing material and mail access to B-18 detainees who have a need to prepare legal documents. Additionally, detainees must be notified of this right via a notice posted inside each of the cells. Immigration lawyers and their representatives, sometimes denied visitation in the past, are now guaranteed the right to meet with detainees at the facility during regular business hours.

In order to monitor the situation at B-18, the legal team behind the lawsuit will be provided with electronic rosters of detainees to determine their length of stay. The team has also been granted permission to make occasional visits to the facility to check that there are no violations of the agreement. Inside the facility, every manager and new employee will be made aware of the terms of the agreement, so that they can ensure there is full compliance.

“This agreement shows that the government can create a clean, safe and constitutionally run detention facility, and we hope that the settlement reflects a new priority of the Obama administration,” said Toliver Besson, a partner at Paul, Hastings. “If the administration is truly committed to immigrants’ rights, this facility will be the norm, not the exception, for detention facilities around the country.”

In addition to those named above, counsel for plaintiffs in the case included:: Marisol Orihuela, formerly of the ACLU/SC; Linton Joaquin of NILC; Jamie Broder, James W. Gilliam Jr., Stephen J. Turanchik, Eleanor Mercado, Amanda Gilman, Nick Begakis and Morgan Pietz, all of Paul, Hastings.

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