

EXHIBIT 8

NEWS

'They're killing us': Immigrants complain of inhumane conditions inside NYC holding site



MADISON SWART/Hans Lucas/AFP via Getty Images



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Immigrants being detained in federal holding rooms in Lower Manhattan have complained of being unable to bathe or change clothes, cramped conditions, sometimes being provided just one meal a day, and sleeping on concrete benches or the floor.

Some immigrants staying at U.S. Immigration and Customs Enforcement holding rooms at 26 Federal Plaza also report stays lasting days at a time — as many as 10 days in one case referenced in a court filing.

“There's no room to sit down – standing room only,” said Rebecca Rubin, an immigration attorney for the New York Legal Assistance Group, who has had at least three clients detained in the cells.

The allegations came in court papers filed by lawyers representing immigrants held at the Lower Manhattan facility and in interviews with immigrants who said they were detained there.

Congressmembers, who for weeks have been refused entry at the site on the ground that the facilities are not “detention centers” but rather off-limits “processing centers,” have also raised concerns.

“Do not go treating people subhumanly — treating immigrants, simply because they are not born here — as if they are second class, as if they are not human,” Rep. Dan Goldman, a New York Democrat, told reporters Tuesday in a press conference outside the facility. “That is not what this country's about.”

DHS Assistant Secretary Tricia McLaughlin, in a statement, dismissed the complaints in their entirety: “Any claim that there is overcrowding or subprime conditions is categorically false. All detainees are provided with proper meals, medical treatment, and have opportunities to communicate with their family members and lawyers.”

She added: “As we arrest and remove criminal illegal aliens and public safety threats from the U.S., ICE has worked diligently to obtain greater necessary detention space while avoiding overcrowding.”

In a previous statement, McLaughlin said, “26 Federal Plaza is not a detention center. It is a Federal building with an ICE law enforcement office inside of it.”

The holding areas are guarded rooms on the 10th floor of the federal government office building, just steps away from state and federal courthouses and City Hall. Those being detained include immigrants taken into custody after immigration court hearings in the same building.

The rooms used to be temporary holding areas where immigrant detainees were held for a few hours before being transferred to larger, more permanent and resourced detention centers, according to local immigration attorneys. But the lawyers said in recent months, detainees have been sleeping overnight in overcrowded facilities, some for days.

“In the past... it was sort of understood that (detainees) weren’t going to be spending any sort of meaningful time there,” said Harold Solis, co-legal director of Make the Road New York, the local chapter of the national immigrants' rights advocacy group. “This is definitely a different reality that people are experiencing there.”

S. Michael Musa-Obregon, a New York-based immigration attorney, added, “It used to be a holding pen, like a central booking. Now it’s becoming a temporary jail.”

Several members of New York's congressional delegation, including Reps. Nydia Velázquez, Adriano Espaillat, Jerry Nadler and Goldman, all Democrats, have tried in recent weeks to inspect the holding areas but were denied entry.

Federal law allows lawmakers to inspect detention facilities, with no notice needed. But in a conversation with Nadler and Goldman, ICE Deputy Field Office Director William Joyce said the site was a temporary “processing center,” not a detention facility and not subject to inspection.

In the June 18 exchange with the two lawmakers, recorded by Gothamist in a hallway at 26 Federal Plaza, Joyce said the holding areas were “approaching capacity.”

He added that detainees were being held overnight, but that claims of migrants staying for a week or more were "an exaggeration.”

'These conditions are inhumane'

Immigration lawyers contend, based on ICE's public detainee tracking system, that a detainee named Joselyn Chipantiza-Sisalema had been detained inside the facility for 10 days.

Make the Road NY filed a lawsuit on July 3 against the federal government, advocating for her release.

Lawyers for Chipantiza-Sisalema, a 20-year-old high school student, wrote in a court filing, “She has told her parents that her conditions of confinement are extremely distressing: she is sleeping on the floor, she is in the same clothes she was detained in and the food she is provided is inadequate.”

Chipantiza-Sisalema wasn’t allowed to call or visit with a lawyer, she wasn’t allowed to call anyone but her parents and she had spoken with her family only three times, for a minute each time, according to the court filing.

“These conditions are inhumane as individuals detained do not have access to beds, regular meals, or communication with loved ones or counsel,” lawyers wrote in Chipantiza-Sisalema’s case. “Detainees also report that they are not able to bathe or change clothes; that the temperature can be extremely hot or cold; and that medical care is not provided.”

Another detainee, Derlis Snaider Chusin Toaquiza, a 19-year-old high school student, was fed one to two meals a day and “forced to sleep sitting up for lack of space,” his attorneys wrote in a lawsuit demanding his release from ICE detention. Toaquiza was held for two days in a small room with over 60 people, according to the filing.

“The room was so crowded that he could not lie down and he had to sleep sitting up,” the filing said.

Enrique, 52-year-old former detainee from Peru who asked not to share his last name for fear of retaliation against his family still living in the United States, said he slept in a holding cell at 26 Federal Plaza for six days in late June.

Enrique said that when he first entered the roughly 5 by 10 meter room, there were about 30 people. Guards gave him an aluminum blanket to stay warm.

By the time he was transferred to another detention center, six days later, he said there were 100 people and not enough blankets to go around.

“We were on top of each other,” Massamba Gueye, a 29-year-old detainee from Senegal, told Gothamist. He said he was detained with about 30 men in a room for one night in early June. Gueye said while he was there, another man fainted, hit his head and started bleeding — but guards didn’t respond.

“Nobody was bothered to even try to help him,” Gueye, who has since been transferred to another ICE facility, said in a phone interview.

'They're killing us. My liver is killing me.'

Immigrants detained at 26 Federal Plaza and their relatives also complain about lack of medical care.

Samara Simone de la Cruz Gooden, 22, said her husband Joan Paul Alcivar de la Cruz, a 27-year-old from Ecuador, was detained at 26 Federal Plaza for at least four to five days in late June. Gooden said most of her husband’s liver had been removed before his detention and he requires a special diet, which he didn’t receive while staying in the holding cell.

“He broke down,” Gooden said. “He was like, ‘They’re killing us. My liver is killing me. I’m pooping out a lot of blood. I’m so scared.’”

Case 1:25-cv-06568-LAK Document 11-8 Filed 08/08/25 Page 6 of 9

De la Cruz didn’t receive any medical help while he was detained at 26 Federal Plaza, Gooden said. Eventually, he was rushed to the hospital, she said, where she wasn’t allowed to speak with him.

De la Cruz was eventually transferred to a facility in Louisiana, where he is currently being held. Attorneys at the New York Legal Assistance Group have filed a lawsuit advocating for his release.

Concerns have arisen about ICE detaining immigrants for days in short-term holding facilities elsewhere across the country.

A lawsuit filed last week in California claims that ICE is holding immigrants in another “processing center” in a basement in downtown Los Angeles — in what the lawsuit describes as “dungeon-like facilities,” with overcrowded, windowless rooms holding dozens of detainees.

Some rooms are so cramped that detainees can’t sit or lie down for hours at a time, the lawsuit alleges. The lawsuit also alleges that detainees lack necessary food, medical care and access to legal counsel. New York Attorney General Letitia James and attorneys general for 17 states filed a brief in support of that lawsuit.

More detention space is coming

On Tuesday, New York City Comptroller Brad Lander, Public Advocate Jumaane Williams and Goldman observed immigration court hearings and arrests inside 26 Federal Plaza.

While speaking to members of the press outside afterward, Goldman shared testimonies of migrants he said had been detained inside, who complained of overcrowded conditions and insufficient food and water.

Lander and Williams urged New Yorkers and elected officials to visit the building and observe immigration court hearings and subsequent ICE arrests. Lander was arrested last month while escorting a man away from his immigration court hearing.

Under President Donald Trump, ICE has ramped up immigration arrests, while at once contending with a shortage of detention space. As of the end of June, nearly 58,000 people were being held in ICE detention centers, according to the latest agency data — far exceeding ICE’s current detention capacity of 41,000 beds.

Immigrants without criminal backgrounds have been among the fastest-growing groups of ICE detainees. Less than a third of ICE detainees, 28.5%, are convicted criminals, according to the data. Another quarter have pending criminal charges and the rest have no criminal histories.

Trump’s signature “big, beautiful” domestic policy bill, recently signed into law, includes about \$170 billion to support the administration's immigration crackdown. That includes about \$45 billion for immigration detention centers, which the American Immigration Council estimates will allow ICE to expand its detention capacity to 116,000 beds.

Jessica Gould contributed reporting.

This story was updated with comment from the Department of Homeland Security.

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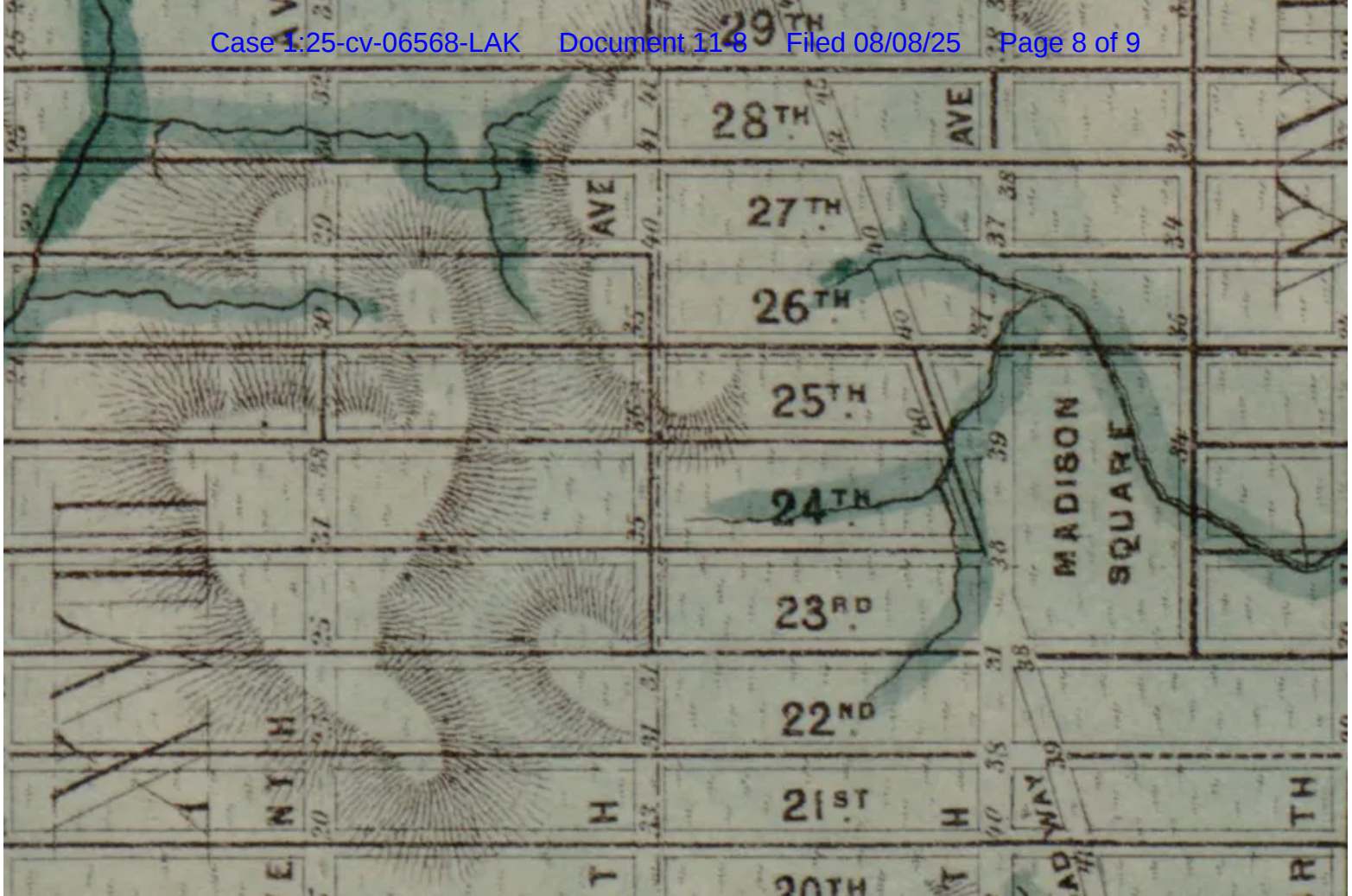


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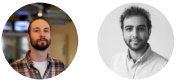
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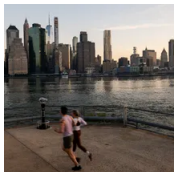
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