

The American Civil Liberties Union, the American Immigration Council, the National Immigration Project of the National Lawyers Guild, and the National Immigration Law Center, in collaboration with Van Der Hout, Brigagliano & Nightingale and Jenner & Block, sued the government to stop deportations at Department of Homeland Security's new family detention facility in Artesia, New Mexico. The lawsuit calls Artesia a "deportation mill," created to send Central American mothers and children home to face certain harm, without any meaningful opportunity to be heard. These women and children have a right to apply for asylum and to the assistance of counsel, among other protections. Their heartbreaking stories of violence, death, rape, and other abuse suggest that the vast majority deserve to stay in this country.

But the lawsuit alleges that government officials created Artesia to limit successful asylum claims, whether or not such individuals would face persecution in their home countries. DHS did this by creating a new, more stringent "expedited removal" system that results in the denial of meritorious asylum claims. The new expedited removal policy was outlined by President Obama in a June 30 letter to Congress that directed DHS to take "aggressive steps to surge resources to our Southwest border to deter both adults and children from this dangerous journey ... and quickly return unlawful migrants to their home countries." As Artesia's supervisor yelled one day to a room full of families, "Our job is to get them deported."

The government's new policies at Artesia also create a host of procedural obstacles for asylum applicants, in violation of due process, the immigration statute, and the governing regulations. This resource page collects declarations of lawyers who have first-hand experience trying to provide effective representation to Artesia detainees, as well as lawyers who observed credible fear reviews in Arlington Immigration Court. Together, these affidavits paint a bleak picture of the lack of due process that the women and children are facing.