



**For Immediate Release**

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## **Immigrant Defense Project and American Friends Service Committee Win Critical Victory Freeing Vulnerable Immigrants from Detention in New Jersey**

NEW YORK- Amidst the calls across the country to release people from detention, jails, and prisons as the COVID-19 pandemic puts them at risk, U.S. District Court Judge John Michael Vazquez has ordered ICE to release a group of vulnerable immigrants fighting for their freedom from Essex County Correctional Facility in Newark, New Jersey.

This decision, issued on Thursday, is believed to be the first of its kind in New Jersey and may be influential in other cases fighting for people's release from jail and detention. The serious threat COVID19 poses to detained people has sparked a wave of hunger strikes inside detention, "car protests," and lawsuits under the banner of #FreeThemAll. At least 77 cases of COVID-19 have been reported in ICE detention nationally so far.

The Immigrant Defense Project (IDP) and American Friends Service Committee (AFSC) filed a lawsuit demanding the release of five immigrants living with medical conditions that put them in danger of severe illness or death should they contract COVID-19. ICE released two of the petitioners after the petition was filed, and the Court freed the other three.

ICE systematically deprives tens of thousands of immigrants of liberty, creating a system of detention across the country which did not exist a few decades ago. Detention is rife with medical neglect and had seen multiple deaths from medical neglect even prior to COVID19. ICE has always had extensive power to free detained immigrants. As part of broader efforts to end mass incarceration, immigrant rights advocates have long called for the ending of immigration detention and for resources to be redirected to health and housing.

The five people released are now at home with their families, but tens of thousands of people in detention remain at risk. IDP, AFSC, and other advocates are fighting for their release from the dangerous and inhumane conditions they face.

The Court found that COVID-19 represents a threat to all people at the facility, including people held under contract for ICE, people held in the county's custody, and officers, noting that county jails were not designed with pandemics in mind. The decision highlighted the dangers due to the number of people detained at the jail; the inherently limited living, sleeping, and bathroom facilities; and the lack of access to hygiene products.

Echoing health experts, the decision found that incarceration prevents at-risk detainees from adhering to social distancing guidelines or the needed level of personal hygiene that have been touted as the most effective means to thwart the spread of the virus. The Court rejected ICE's arguments that the individuals should not be freed because of a past criminal record or pending charge. The Court also noted that the possibility of a widespread outbreak within the jail would only increase the pressure on the state and country's already-overburdened healthcare system, putting not just immigrants at risk but also the whole community.

"This crisis has taught us that our health depends on each other. Yet, it is impossible to flatten the curve in prisons, jails, and immigration detention centers because of the inherent nature of mass incarceration," said Alisa Wellek, Executive Director of the Immigrant Defense Project. "Every person freed from one of these cages now means more lives will be saved. We will take this victory and keep fighting ICE's systemic abuses alongside those most impacted to [#FreeThemAll](#)."

"While we celebrate victories like this one, we strive to free the hundreds of individuals who remain in detention in New Jersey," said Nicole Miller, Legal Services Director of the American Friends Service Committee Immigrant Rights Program. "With a growing number of confirmed cases of COVID-19 among detainees, incarcerated people and staff at jails and detention centers around the state and the death of several facility employees, it is critical that all detainees be released and reunited with their families during this public health crisis. We call on ICE to exercise its discretion and authority to make the right decision to save lives."

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### ***About the American Friends Service Committee***

The American Friends Service Committee (“AFSC”) is a Quaker organization whose work is shaped by its spiritual framework and based on the belief in the worth of every person, and faith in the power of love to overcome violence and injustice. Founded in 1917, AFSC has programs throughout the United States that work with immigrants, through legal representation, leadership training, community organizing, and policy advocacy. AFSC’s Immigrant Rights Program in New Jersey, in particular, has provided legal representation for over 20 years to hundreds of immigrant detainees. In addition, AFSC programs across the United States have engaged in organizing and advocacy with and on behalf of individuals in immigration detention in their quest to reunite with their families and their communities, as they also work to end detention and deportation.

### ***About the Immigrant Defense Project***

The Immigrant Defense Project (IDP) is a New York-based nonprofit that works to secure fairness and justice for immigrants in the racially-biased U.S. criminal and immigration systems. IDP fights to end the current era of unprecedented mass criminalization, detention and deportation through a multi-pronged strategy including advocacy, litigation, legal support, community partnerships, and strategic communications. Visit [www.immigrantdefenseproject.org](http://www.immigrantdefenseproject.org) and follow [@ImmDefense](https://twitter.com/ImmDefense).