



**IMMIGRANT
DEFENSE
PROJECT**

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Despite Judge's Order, ICE Deports Plaintiff in Class-Action Lawsuit

Attorneys demand ICE return Hector Garcia Mendoza to the U.S.

Garcia Mendoza is plaintiff in suit seeking to free all from detention center plagued by COVID-19

New Jersey - Yesterday evening, Immigration and Customs Enforcement (ICE) deported Hector García Mendoza, despite a stay of removal issued by a federal judge. Attorneys for Mr. García Mendoza -- a named plaintiff in a lawsuit demanding release of all immigrants locked up at New Jersey's Elizabeth Detention Center (EDC) -- immediately took legal action to compel ICE to bring him back home to the United States. Advocates have requested that ICE provide documentation confirming exactly when and where Mr. García Mendoza was deported.

News of the deportation brought anguish and outrage to community supporters, who staged an overnight vigil outside EDC and who began mobilizing online as soon as news emerged that ICE had suddenly taken Mr. García Mendoza out of the detention center. Supporters are continuing to attempt to locate Mr. García Mendoza.

Community leaders, formerly detained people and loved ones, health experts and attorneys, shared further information and reactions during a zoom press conference earlier today, which can be viewed [here](#).

Background: Shortly after the filing of the class action lawsuit last week, attorneys for Immigration and Customs Enforcement (ICE) submitted a letter to the court stating the agency's intent to deport Mr. García Mendoza in the "immediate future." Attorneys from American Friends Service Committee, Immigrant Defense Project, and NYU Immigrant Rights Clinic filed a

petition seeking a stay of the deportation on Tuesday morning. A judge granted the petition shortly before 6:00 PM eastern time.

Mr. García Mendoza, 30, had been detained at EDC since March 2020. He shared a dorm with dozens of other detained men, some of them ill. There was little space among the men, and the living spaces were filthy. An asthma sufferer, Mr. García has experienced chest pain and shortness of breath while detained, but the medical staff have refused him adequate treatment.

Last week, Hector joined three other named plaintiffs in a class action lawsuit seeking to free all people detained at EDC. The suit detailed the dangerous conditions faced by the people confined at EDC, a private immigration prison operated by CoreCivic in New Jersey through a contract with ICE. Last week, CoreCivic - the world's largest private prison corporation, with a long record of abuses - [announced that a guard at Elizabeth had died of COVID-19](#). Previously, [CoreCivic said 18 people detained at EDC tested positive for coronavirus](#).

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 - both private facilities and government-run - is rife with medical neglect and had seen multiple deaths from medical neglect even prior to COVID-19. Physical distancing is impossible in ICE detention and other forms of incarceration, with over 1,000 people detained by ICE positive for COVID-19 and two deaths of detained people confirmed.

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.

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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 and follow [@ImmDefense](https://twitter.com/ImmDefense).

The American Friends Service Committee (AFSC) is a Quaker organization that includes people of various faiths who are committed to social justice, peace and humanitarian service. Its work is based on the belief in the worth of every person and faith in the power of love to overcome violence and injustice. Visit www.afsc.org and follow [@afsc_org](https://twitter.com/afsc_org)

The Immigrant Rights Clinic (IRC) of Washington Square Legal Services, Inc., at NYU Law School, is a leading institution in both local and national struggles for immigrant rights. IRC engages in direct legal representation of immigrants and community organizations in litigation at the agency, federal court, and where necessary Supreme Court level, and in immigrant rights campaigns at the local, state, and national level. Visit [/www.law.nyu.edu/immigrantrightsclinic](http://www.law.nyu.edu/immigrantrightsclinic).