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RAICES
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Civil and Human Rights Organizations File Joint Complaint Against DHS on Behalf of Pregnant Women Detained by ICE

Groups Report Inhumane Conditions, Inadequate Medical Care and Failure to Implement Agency Policy Limiting the Detention of Pregnant Women

Washington, DC - Today, the American Civil Liberties Union (ACLU), the American Immigration Council (Council), the American Immigration Lawyers Association (AILA), the Center for Refugee and Gender Studies (CGRS), the Northwest Immigrant Rights Project (NWIRP), Refugee and Immigrant Center for Education and Legal Services (RAICES), and the Women's Refugee Commission (WRC) filed an administrative complaint with the Department of Homeland Security (DHS) on behalf of women who are or were pregnant and detained by Immigration and Customs Enforcement (ICE). The complaint's findings include reports by currently and formerly detained women that illustrate ICE's failure to implement its own policy limiting the detention of pregnant women; inhumane detention conditions; and inadequate medical care.

The issues addressed in the complaint are of immediate concern given the Trump administration's executive orders directing ICE to dramatically expand immigration enforcement actions and increase the number of individuals subject to immigration detention.

Recent media reports indicate that immigration arrests of women generally rose by 35 percent in the first four months of 2017 compared to the same period in 2016, and that there were 292 pregnant women detained by ICE in that same time. These numbers are significant considering an August 2016 ICE policy prohibits the detention of pregnant women except in cases where the mandatory detention statute applies or in "extraordinary circumstances."

Several of the case examples noted in the complaint appear to be in direct violation of the ICE policy and illustrate a disturbing trend of ICE officials unjustifiably denying or delaying the release of pregnant women, as well as their failure to provide pregnant women with the necessary medical care.

Teresa* is a 31-year old woman who has been in immigration custody since July 23. She reports that she did not receive medical attention after informing immigration officials that she was four months pregnant and experiencing severe pain and bleeding. She was instead transferred from CBP to ICE custody where she currently remains detained. Despite having

suffered a miscarriage in detention and repeated requests for her release, ICE has declined to release her. She continues to experience headaches, weight loss and other serious medical issues.

Laura* is a 24-year-old woman from Honduras. She and her five-year-old daughter have been detained in a family detention center for over 18 days. She is approximately two months pregnant. Her prior pregnancy resulted in a miscarriage and she is fearful that the extreme stress, anxiety and depression that she is currently experiencing in detention may cause her to miscarry again.

You can read more about these cases and others in the complaint [here](#).

Detention is a profoundly stressful experience due to the uncertainty of immigration proceedings, isolation from legal and community support and separation from family members. For pregnant women in particular, detention creates serious health risks and many women have specific and sometimes complex medical needs that cannot typically be addressed in a detention setting. Recognizing the serious health risks, the 2016 policy requires ICE to evaluate on a weekly basis whether each pregnant woman's continued detention is appropriate.

In July 2017, an ICE spokesperson confirmed that this policy remains in force, though many reports from advocates and attorneys indicate that the ICE policy was not being followed as early as November 2016.

The complaint urges DHS to "conduct a prompt and thorough investigation into the cases" and to "investigate and report on the steps that ICE has taken to implement and oversee its policies."

** Name changed*

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