



Recent Cases of U.S. Citizens Subjected to Unlawful Immigration Detainers
August 20, 2015

California

- x Summary Diego Rojas is a U.S.-born citizen, who in 2014 was arrested on suspicion of burglary and detained at the Twin Towers Correctional Facility in Los Angeles. After Mr. 5 RMDV ¶ V VLVWHU SDLG KLV EDLO 0U 5RMDV ZDV RQ KLV ZD \$ QJHOHV & RXQW\ 6KHULII ¶ V 'HSDUWPHQW ZKLFK SDUWLFLSD aside, interrogated him about his citizenship. S DQG WKUHDWHQHG WR ORFN KLP prove that he was an American. Mr. Rojas was finally released 14 hours later, when his sister arrived with his birth certificate. In November 2014, Mr. Rojas filed a claim against the L.A. County Sheriff's Office. L II ¶ V 'HSDUWPHQW

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 f ACLU Blog 3 VSHQW KRXUV DW DQ / \$ MDLO EHFDXVH
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- x Summary The plaintiffs in this proposed class action seek relief against ICE for violations of the Administrative Procedure Act, No. 13

-4416 (C.D. Cal. filed June 19, 2013)

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- f ACLU of Southern California Video [Lawsuit filed against ICE over unconstitutional detention of American citizens](#) - X Q H
- f ACLU of Southern California Press Release [ICE lifts immigration hold on US citizen](#) G4 TM8(a)-5(ido G5(o.11(on)9(el)-(e)z] TJ ET EMC /P <</MCID 258> BDC

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post bail was directly traceable to ICE, so he had adequately alleged that ICE caused his loss of liberty. The proceedings are currently ongoing at the district court. *Mendoza v. Garcia*, 768 F.3d 1009 (9th Cir. 2014))

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f Courthouse News Service ^{9th}

~~Court Decision~~ The district court held that the plaintiff, a U.S. citizen, stated a viable Fourth Amendment claim against both ICE and local law enforcement officials where he decision, most of the defendants settled: the federal defendants paid the plaintiff \$25,000, and the City of Allentown also paid the plaintiff \$25,000. However, the district court mandatory orders from the federal government and that Lehigh County could not be held decision. 2Q DSSHDO WKH 7KLUG & LUFXLW UHYHUV ÅG pKH

f ACLU Press Release [ACLU-PA Files Suit on Behalf of Woman Illegally Detained by ICE](#) - D Q

Rhode Island

- x Summary Ada Morales is a naturalized U.S. citizen, who was erroneously detained by Rhode Island law enforcement officials on immigration detainers not once, but twice in 2004, and again in 2009. When Ms. Morales was arrested in 2009 on state charges by state police, a judge ordered her release from the state prisons, but she was held for an additional 24 hours on an ICE detainer while immigration officials investigated her immigration status. This was despite the fact that Ms. Morales told ICE officials that she was a U.S. citizen and offered to show them her naturalization certificate and passport. Morales was only released after ICE agents took her into federal custody, transported her to their office, and interviewed her. Ms. Morales filed a lawsuit in April 2012.
 - o Court Decision A federal judge in Rhode Island found that the Fourth Amendment holding that mere investigative interest—including investigation into one's immigration status—is not enough to justify warrantless imprisonment. The First Circuit Court of Appeals affirmed this decision on July 17, 2015. *Morales v. Chadbourne*, 996 F. Supp. 2d 19 (District of Rhode Island, 2014), affirmed on appeal, 750 F.3d 110, 2015 WL 4385945 (1st Circuit, July 17, 2015)
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