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ACLU SUES IMMIGRATION AND NATURALIZATION SERVICE

Southern California ACLU, in conjunction with the Mexican-American Legal Defense and Education Fund, filed a class action suit Friday, June 22, against the Immigration and Naturalization Service (I.N.S.).

The historic suit charges indiscriminate and unconstitutional arrests and deportation of persons of Latin appearance, including American citizens and legal residents, who "by virtue of appearance have been and continue to be subject to arrest without probable cause or without reason to believe that there is likelihood of imminent escape."

In the past month 10,000 or more brown skinned persons have been rounded up without warrant, and in most cases without hearings or rights of counsel, and deported.

Donald T. Williams, acting district director of INS, said that the raids would continue indefinitely in an attempt to decrease the "very heavy concentration of aliens illegally in the area."

Williams, also named as a defendant in the suit, said the "routine investigative efforts (of INS) have been unable to cope with the problem" (sic).

Most of the raids have taken place at places of employment especially in the garment industry, at homes and at schools. Some people have been indiscriminately approached even at bus stops.

The suit, supported by the Immigration Lawyers Association and CASA (Autonomous Center for Social Action, a social movement fighting indiscriminate deportations), charges that all persons of brown skin are being subjected to a "systematic pattern of conduct and custom of consisting of:

- Mass arrests without probable cause...;
- Coercion and duress resulting in the signing of voluntary departure waivers;
- Physical assaults upon Plaintiffs' persons and property;
- Forcible entry into homes with subsequent want on destruction of personal property without justifiable cause;
- And other acts of violence, brutality, harrassment, humiliation, and intimidation."

(more)

There are numerous violations of Constitutional rights involved in the dragnet raids: freedom of speech, assembly, travel, privacy, security of one's person and property; denial of due process of law, equal protection of law and other blatant disregard for rights and democracy.

There are 12 named plaintiffs in the suit. Many of them are natural citizens of the U.S. or legal residents who were simply swept away by "overzealous" agents.

Yolanda Loya was born in Texas but was forcibly removed by INS agents and deported without due process. No warrant for arrest was issued in her case or, for that matter, in anyone's case.

Max Anthony Duarte de A and Gerald Duarte de A are both U.S. citizens but were approached in their home by raiding agents. Their mother was ordered to produce proof of citizenship. An INS agent assaulted one son, took the legal documents and fled. Hours later other agents returned to the house and shipped the entire family to Tijuana.

Veila Limon heard her neighbor Bertha Duarte de A scream. She ran to the house. When she inquired what was happening she was assaulted.

Rogelio Duenas was accosted in CASA's office at 9 a.m. June 5 while washing his face. He was grabbed, handcuffed and told that the agents didn't need an arrest warrant since he was a "wetback."

The suit is supported by affidavits from Dolores Avalos and Maria Guzman, both residents of Harbor City and American citizens, who observed some 20 INS agents raid an apartment house located at 253rd St. in Harbor City in the early morning of June, 5.

"These officers were shoving people of Mexican descent into vans parked out front of the apartment building." "I saw the Immigration and Naturalization officers entering the apartment without knocking," wrote Dolores Avalos.

"One fourteen year old boy..." wrote Maria Guzman, "was treated extremely roughly by these officers. Although he was not resisting or struggling, he was handcuffed and pushed around very harshly. I observed a bruise on his head. One of the officers had a gun drawn and pointed at him."

This method of treating people reminds one of the 1954 L. A. raids which netted INS officials 1,101, 223 deportees (by their own count). Too much of the history of Mexican-American relations has been replete with arrests, beatings, killings and deportings of millions of persons of brown skin.

The ACLU is suing for immediate relief from these dragnet raids. It first filed for a temporary restraining order as a step to obtain a permanent injunction. In addition pecuniary damages for each named plaintiff of \$10,000 or more is

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requested.

The ACLU knows that these terror methods do not solve any problems but instead create many. Moreover, such illegal actions constitute a frightening disregard for democratic rights and procedures.

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