



Lawyers' Committee for
CIVIL RIGHTS
of the San Francisco Bay Area

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CIVIL RIGHTS GROUPS SUE IMMIGRATION OFFICIALS FOR UNLAWFULLY DETAINING SIX-YEAR-OLD U.S. CITIZEN

SAN FRANCISCO – Lawyers’ Committee for Civil Rights, the ACLU of Northern California, the ACLU Immigrant Rights’ Project, and the law firm of Coblenz, Patch, Duffy & Bass LLP, filed a lawsuit today on behalf of a U.S. citizen child who was unlawfully detained for ten hours by immigration officials. Kebin Reyes was taken into custody in the early hours of March 6, 2007 when U.S. Immigration Customs and Enforcement Agency (ICE) agents raided his home in San Rafael, California. He was taken into custody along with his father, Noe Reyes. Kebin was six-years-old at the time of the incident.

“There is a long history of abuse and misconduct by immigration agents,” said Philip Hwang, staff attorney at LCCR. “In recent months, government agents have entered homes without warrants and threatened and intimidated community members. What happened to Kebin is the latest, most shocking incident. This lawsuit is an important step in holding the government accountable.” The Lawyers’ Committee for Civil Rights of the San Francisco Bay Area has brought nine cases against Bay Area immigration agents in recent years.

On March 6, 2007 ICE agents came to the apartment where Kebin and his father, Noe were living. Agents pounded on the door and stormed into the apartment, where they rounded up all the occupants, demanding their immigration papers and passports. Noe immediately gave the ICE agents his son’s U.S. passport, identifying Kebin as a U.S. citizen. An ICE agent then told Noe to wake up his son and said they would take them in for only an hour or two. Noe asked several times to make a phone call so that he could arrange for a family member or family friend to care for Kebin. Each of these requests was denied, and Kebin was forced to watch as his father was handcuffed and taken away. The immigration officers then told Kebin to place his own arms behind his back, like his father’s.

At the ICE processing center in San Francisco, Noe’s additional requests to make a phone call were denied and ICE agents made no efforts to seek alternative care for his son. Kebin and his father were placed in a locked room and for the remainder of the day were only provided with bread and water. Kebin was finally released that evening, only after

Kebin's uncle learned about the incident from neighbors. Kebin's uncle rushed to the ICE office and had to wait several hours before Kebin was finally released.

"Kebin thought he was in jail - this was clearly a traumatic incident for him. There was no reason for his arrest, and no explanation that Kebin's family can offer him. That's because the arrest was arbitrary and irrational. Over six weeks have passed, and Kebin is still having nightmares," said cooperating attorney, Howard Slavitt of the law firm of Coblenz, Patch, Duffy & Bass LLP.

"ICE's treatment of children is not in line with American values of decency and fairness," said Julia Harumi Mass, staff attorney with the ACLU-NC. "In addition to Kebin's case, we have heard reports of children left without care after their parents are detained, immigration agents targeting areas around elementary schools, and children too upset to participate in class after witnessing early morning raids in their communities. The human cost of these tactics is unacceptable."

Since last May when ICE's "Operation to Return Sender" was launched, immigration raids were conducted throughout the nation, resulting in the detention of more than 18,000 immigrants according to recent news reports. In the Bay Area, raids were conducted in several counties including Marin, Contra Costa County, San Francisco, Redwood City, and Santa Cruz.

Civil rights groups became concerned about reports of misconduct and abuse by ICE agents and on March 6, the ACLU-NC, LCCR, and the San Francisco Bay Guardian filed a Freedom of Information Act (FOIA) request seeking records relating to recent enforcement actions. Some of the abusive practices reported in the press included: illegal entries and searches by ICE agents, misidentification of ICE agents as a member of local police forces, inappropriate tactics related to children, ethnic profiling, violations of due process and abusive treatment.

The civil rights groups and the law firm are seeking damages for Kebin Reyes.

For a copy of the legal documents and statements visit www.aclunc.org and www.lccr.com

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