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ACLU, Lawyers for Civil Rights file lawsuit to protect life-saving government program for immigrants with critical illnesses

Lawsuit filed on behalf of the Irish International Immigrant Center

BOSTON, September 5, 2019 – The ACLU of Massachusetts and Lawyers for Civil Rights (LCR) today filed a lawsuit challenging the Trump administration's abrupt termination of a government program that protects immigrants with life-threatening health conditions. Together with pro bono support from Goodwin, the ACLU and LCR filed the new lawsuit on behalf of the Irish International Immigrant Center (IIIC).

The lawsuit arises from an unconscionable and illegal policy shift: For decades, U.S. Citizenship and Immigrations Services (USCIS) has operated a program through which immigrants battling serious illness can request "deferred action." Immigrant families who are part of this program received a measure of protection from deportation while receiving life-saving medical treatment in the United States. Last month, the Trump administration abruptly ended the deferred action program. Earlier this week, USCIS committed to ending the program except for applications received before August 7, 2019.

"The Trump administration is hellbent on causing as much suffering as possible for immigrant families," said Carol Rose, executive director of the ACLU of Massachusetts. "This attack on children and their families is inhumane and unlawful. We will not stand for it: The ACLU and our partners are in this fight until all immigrants are treated with compassion, humanity, and justice."

"This lawsuit is being filed to protect the immigrant children and families we serve, all of whom face life-threatening health conditions," said Ronnie Millar, executive director of the IIIC. "Granting deferred action for medical conditions is a valuable humanitarian lifeline for these families. Our clients are very brave and have suffered greatly already. We hope this lawsuit will help prevent further suffering."

"Life-saving medical care and treatment should not be politicized," said Iván Espinoza-Madrigal, executive director of Lawyers for Civil Rights. "Terminating humanitarian protection for immigrants with life-threatening health conditions is a death sentence. In Boston, we are blessed to have the leading medical care in the world. As Americans, it is our moral obligation to use our resources to save lives."

The IIIC serves 19 affected people and families in Massachusetts who have applied or were applying for deferred action based on a serious medical need. The IIIC's clients include children seeking treatment for illnesses such as cancer, cerebral palsy, muscular dystrophy—and the parents who care for them. Many of these families have been forced to wrestle with devastating decisions including whether to leave children behind in the United States to continue receiving life-saving care. "One's immigration status should not negate their basic human rights and access to care," said Ira Levy, partner at Goodwin. "We urge the courts to protect the lives of immigrants during their most critical times of need."

According to the lawsuit, the termination of the deferred action program violates the Administrative Procedure Act and the Equal Protection guarantee of the U.S. Constitution. The lawsuit asks a federal court to declare the termination unlawful and to ensure the continuation of the life-saving program.

For more information about the Irish International Immigrant Center, go to: www.iiicenter.org

For more information about the ACLU of Massachusetts, go to: www.aclum.org

For more information about Lawyers for Civil Rights, go to: <http://lawyersforcivilrights.org>

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