

Immigrants' Rights Organizations File Lawsuit to Stop ICE from Hiding Locations of Detained People

New Trump administration policy subjects thousands to intentional disappearance, keeping attorneys and families in the dark

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BOSTON — A group of legal services organizations today filed a lawsuit challenging the federal government's new policy of hiding the locations of thousands of people detained by U.S. Immigration and Customs Enforcement. The policy unlawfully interferes with communication between detainees, their families, and their lawyers.

The lawsuit was filed in the U.S. District Court for the District of Massachusetts on behalf of Greater Boston Legal Services, Rian Immigrant Center, Florence Immigrant and Refugee Rights Project, and Amica Center for Immigrant Rights. The groups argue the new policy unlawfully blocks them from locating, communicating with, and providing legal services to their clients and potential clients.

For over 16 years, the U.S. Department of Homeland Security has made the location of detained noncitizens available via its Online Detainee Locator System. In September, DHS abruptly changed course and stopped sharing the location of detained people with final orders of removal, either via the locator service or in direct response to queries from family members or attorneys. This policy of mass disappearance has thrown thousands into an administrative black box without any justification.

The new policy facilitates the Trump administration's mass deportation campaign by making it more difficult to provide detainees with access to attorneys and the judicial system — and thus more difficult to challenge unlawful detention and pursue lawful pathways to remain in the United States. Noncitizens with final orders of removal may still pursue a number of legal remedies to challenge their detention and deportation — but if they cannot access legal counsel or the courts, they may never have a chance to seek these remedies before they are deported.

The lawsuit alleges that ICE's implementation of this new policy is arbitrary and capricious, and thus a violation of the Administrative Procedure Act. The complaint also alleges that ICE's policy violates the plaintiffs' First Amendment rights. Finally, the complaint alleges violations of the Freedom of Information Act because the government failed to publish details of their new policy. The plaintiffs are asking the court to vacate the new policy, and will shortly file a motion to stay the new policy while their case proceeds.

The plaintiffs are represented by the National Immigration Law Center, National Immigration Project, the American Civil Liberties Union, the ACLU of Massachusetts, and Annelise Araujo Law.

The following are statements from the plaintiffs and their legal counsel:

Attorneys representing the plaintiffs: “The Trump administration’s new policy of mass disappearance should send a chill through everybody’s spine. By choosing to hide even the most basic information about thousands of people in its custody, the government is unlawfully blocking their access to legal counsel and the courts, and keeping desperate loved ones in the dark. This shockingly malicious policy was implemented suddenly, without any legal basis or justification, and with immediate, devastating impacts for our clients and the people they serve. The government must reverse course immediately, restore the Online Detainee Locator System, and stop hiding people in its vast network of detention facilities.”

Jacquelynne J. Bowman, executive director of Greater Boston Legal Services: “No one should be denied a meaningful opportunity to defend their rights because the government has made it impossible for their lawyer to find them. Even with representation, navigating the legal system is complex for immigrants facing deportation. This arbitrary new administrative change leaves hundreds of thousands of people at risk of potentially life-altering consequences without essential legal help.”

Jackie Kelley, director of immigration legal services at the Rian Immigrant Center: “We cannot allow the United States government to indefinitely disappear human beings. If we cannot locate our clients, we cannot pursue the relief for which they are legally eligible. The law gives our clients the right to seek protection. This policy obstructs that right when our clients need it most.”

Laura St. John, legal director at the Florence Immigrant & Refugee Rights Project: “The Trump administration is disappearing people within the immigration detention system. This should terrify every single one of us. Thousands of people are no longer being shown on the online detainee locator system, making it impossible for attorneys to locate their clients or identify people who might need emergency legal assistance. How can people in detention possibly have access to due process and safety if there is no way for their families or advocates to know where they are being held?”

Aimee Mayer-Salins, deputy program director of legal coordination at the Amica Center for Immigrant Rights: “When someone you love is in ICE custody, they shouldn’t simply disappear into a black hole. Families deserve to know where their loved ones are being held, and this lawsuit is about protecting that basic right.”

Find this press release online [here](#).

Find more information about Greater Boston Legal Services et al. v. Mullin [here](#).