

ACLU Files Class-Action in Southern California on Behalf of Immigrants



Summary: *The ACLU claims that immigrants are kept locked up because they lack the funds to pay unnecessarily high bond cash fees.*

Immigrants everyday are locked up because they cannot afford to pay the cash bond set by the government, or at least this is what a new class-action lawsuit claims. These immigrants include legal residents, asylum seekers, and illegals.

Read [Should Immigrants as Young as Three Represent Themselves in Court?](#) to learn more.

The American Civil Liberties Union of Southern California filed the lawsuit with other civil rights group against the Department of Justice, U.S. Immigration and Customs Enforcement, and the Department of Homeland Security.

ACLU staff attorney Michael Kaufman said, “Poverty or lack of financial resources should not deprive a person of his or her freedom while in civil immigration proceedings. Such detention violates the due process and equal protection guarantees of the Fifth Amendment, the Eighth Amendment’s Excessive Bail Clause and immigration issues.”

Read [ACLU Sues U.S. Government for Lack of Representation for Child Immigrants](#).

In the lawsuit, the ACLU alleges that ICE and immigration judges are not forced to weigh whether an immigrant can pay the bond or not. In criminal cases awaiting trial, a defendant is usually allowed to be released on bail depending on their community connection and ability to pay. The defendants are given the chance to post a deposit bond in addition to property as collateral.

See [California Bill Offers \\$3 Million to Immigrants](#).

The lawsuit was filed on behalf of Cesar Matias, a 37-year-old Honduras immigrant seeking asylum. He was ordered to be released on \$3,000 bond but has been unable to pay it. Three courts since have been unwilling to reduce or accept other forms of bond payment. It has been over three years since he was first detained.

Source: <http://www.npr.org/sections/thetwo-way/2016/04/06/473292483/lawsuit-says-some-immigrants-are-locked-up-because-theyre-poor>

Photo: meebal.com