



Due Process, Mental Health Treatment Grossly Lacking in Immigration Court & Detention System, According to New Texas Appleseed Report

AUSTIN, Texas, March 30 /PRNewswire-USNewswire/ -- Major reforms are needed in the nation's immigration court and detention system to ensure fair treatment and due process for immigrants with mental disabilities, according to new findings released today by **Texas Appleseed**, with *pro bono* counsel **Akin Gump Strauss Hauer & Feld LLP**.

A quarter of all immigrants apprehended annually in the U.S. are sent to detention facilities in Texas, "but the problems documented in our new report, *Justice for Immigration's Hidden Population*, are not unique to Texas," said Texas Appleseed **Executive Director Rebecca Lightsey**.

Steven Schulman, Akin Gump's firmwide Pro Bono Partner, said, "Immigrants with mental disabilities are being detained in a system ill-equipped to care for them and often arbitrarily transferred away from their communities, denied basic due process in a complex immigration court system, and released from detention or removed from the U.S. with little concern for their safety and well-being."

"There is legal precedent for extending special legal protections to vulnerable populations, like immigrants with mental disabilities in the immigration court and detention system," he said. Other major Texas Appleseed recommendations include:

- Immigrants with mental disabilities should be placed in the least restrictive setting -- and allowed to continue receiving mental health services in the community or a hospital while their immigration cases are adjudicated.
- Immigration Customs Enforcement (ICE) should improve and establish consistent procedures for screening and diagnosing mental disabilities, improve mental health care in detention, and provide timely access to medical records. "When immigrant detainees do not receive timely or appropriate medication, many decompensate to the point that they cannot participate meaningfully in deportation proceedings," said Texas Appleseed **Senior Policy Analyst Ann Baddour**.
- Over 80 percent of detained immigrants have no attorney, and currently there is no process for establishing competency in immigration court. The U.S. Department of Justice should adopt consistent procedures to address these issues.

- ICE should develop and follow clear procedures ensuring safe domestic release or repatriation of immigrants with mental disabilities. (In one case cited in the report, a family has not been able to find their son two years after his release from detention.)

The report is available at www.texasappleseed.net.

SOURCE Akin Gump Strauss Hauer & Feld LLP