

# Center for Constitutional Rights

## Discrimination, Detention, and Deportation: Immigration & Refugees

**<https://ccrjustice.org/home/what-we-do/our-cases/no-more-deaths-foia-litigation>**

### Policy Issue Resources

The complaint was filed in the Southern District of New York on February 3, 2021.

#### No More Deaths

On April 19, 2019, the Center for Constitutional Rights and No More Deaths jointly filed a Freedom of Information Act request seeking information from Customs and Border Protection (CBP) on Border Patrols policies and practices relating to emergency services it claims it provides along the U.S.-Mexico border. After CBP had not delivered a single document in over twenty months, we filed a lawsuit asking the court to order production.

Each year, hundreds, possibly thousands of migrants die crossing into the United States in search of safe haven. CBP is responsible for nearly all emergency requests for assistance in the desert. This is because state, county, and local law enforcement agencies refer "911 calls for emergency assistance to Border Patrol when Spanish-speaking individuals often migrants are the ones asking for help. This separate-and-unequal referral system has effectively transformed Border Patrol into the de facto emergency services provider along the border, which is squarely at odds with its explicit charge as an immigration enforcement agency.

No More Deaths is a humanitarian aid organization based in southern Arizona. It formed in 2004 as a coalition of community and faith groups dedicated to ending death and suffering in the U.S.-Mexico borderlands through civil initiative. As a humanitarian organization, it engages in a number of direct-aid projects in the border region: delivering water, food, and medical aid to those crossing through the most deadly areas of the Sonoran Desert; conducting community search and rescue for border crossers in distress; providing phone services to those who have been recently deported to Mexican border cities; offering a free immigration legal clinic in Tucson primarily to stop deportations; and more.

The increased scrutiny on government enforcement of immigration policy, especially at the U.S.-Mexico border, has led to the need for an accurate accounting and assessment of how CBP responds to emergency calls, its processing and reporting protocols, its metrics and data-collecting practices, its methods for search and rescue operations, and its policies and procedures when it discovers missing human remains. A meaningful response to the FOIA will shed essential light on CBP's role in exacerbating this grave humanitarian crisis.

This case is part of the Center for Constitutional Rights' larger work on behalf of activists, immigrant rights, and using FOIA to support movement partners.

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