

# Center for Constitutional Rights

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

<https://ccrjustice.org/home/what-we-do/our-cases/al-otro-lado>

### Policy Issue Resources

On September 2, 2021 Judge Bashant partially grants plaintiffs' motion for summary judgment.

Southern Poverty Law Center, American Immigration Council, Mayer Brown

[Al Otro Lado](#), a non-profit legal services organization, and plaintiffs Abigail Doe, Beatrice Doe, Carolina Doe, Dinora Doe, Ingrid Doe, and Jose Doe, acting on their own behalf and on behalf of all similarly situated individuals presenting themselves at ports of entry along the U.S.-Mexico border.

*Al Otro Lado, Inc., et al. v. Alejandro Mayorkas, et al.*, is a class action lawsuit against officials at the U.S. Department of Homeland Security (DHS) and Customs and Border Protection (CBP) in a federal district court in California challenging CBPs unlawful practice of depriving asylum seekers access to the U.S. asylum process. The plaintiffs allege that CBP and DHS are systematically violating U.S. and international law by denying individuals even the opportunity to apply for asylum; instead the government is consistently turning away individuals facing persecution, forcing them to return to countries where they face grave violence and risk of death.

The lawsuit documents numerous cases in which CBP denied asylum seekers who presented themselves at ports of entry along the U.S.-Mexico border the right to seek protection in the United States. This illegal conduct included falsely representing to individuals that asylum is no longer available in the United States, that asylum seekers need permission from the Mexican government to seek asylum, or that asylum seekers must apply at other locations. In some cases, asylum seekers were threatened and falsely told that if they did not abandon their effort to obtain asylum, they would lose custody of their children.

The governments illegal conduct is occurring as the Northern Triangle countries of Guatemala, El Salvador, and Honduras are experiencing levels of violence not seen since civil wars wracked the region decades ago; the UNHCR [recorded](#) a nearly fivefold increase in people from these countries seeking asylum in the United States since 2008.

Women in particular and especially transgender women and children [can experience extreme violence](#) when fleeing their home countries, facing rape, assault, and extortion. Black immigrants are also facing escalating denials, with many Haitian refugees [seeking asylum at the border](#). Immigrant justice advocates point to U.S. foreign policy fueling violence and instability in Central America for decades as the root cause of this crisis, now being exacerbated by the Trump administrations escalation of draconian immigration policies.

As an increasing number of Central Americans are applying for asylum in Mexico, the U.S. government is actively encouraging and funding the Mexican government to increase the detention and deportation of Central American asylum seekers found within their territory. At the same time, unprecedented levels of violence throughout Mexico are displacing thousands of Mexican families, many of whom cannot find safety in their own country and are forced to seek safety in the U.S. CBPs unlawful conduct can constitute a death sentence for asylum seekers, many of whom are being actively pursued during their dangerous journey to the border.

This case is part of the Center for Constitutional Rights larger work fighting abusive immigration policies, supporting immigrants and immigrant rights organizations, and upholding international human rights.

CCR and co-counsel file for class certification, documenting the practice of unlawful denial of access to the asylum application process as systematic all along the U.S.Mexico border.

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