



National Immigrant Justice Center



KIRKLAND & ELLIS LLP

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## **FEDERAL LAWSUIT DEMANDS U.S. GOVERNMENT PAY FOR HUMAN RIGHTS ABUSES AGAINST DETAINED IMMIGRANT**

CHICAGO (December 8, 2011) – Heartland Alliance’s National Immigrant Justice Center (NIJC), Kirkland & Ellis LLP, and Americans for Immigrant Justice (formerly Florida Immigrant Advocacy Center) filed a federal lawsuit today on behalf of Carlyle Dale, a lawful permanent resident of the United States who nearly died from medical neglect while languishing in immigration detention for more than five years. The lawsuit comes after the government refused to grant Mr. Dale reparations for his past and continued suffering.

Mr. Dale, a native of Jamaica, has been a permanent resident of the United States for more than 30 years. U.S. Immigration and Customs Enforcement (ICE) detained Mr. Dale in April 2005 and initiated deportation proceedings against him. He spent the next five years in ICE custody, until the U.S. Court of Appeals for the Fifth Circuit ruled that Mr. Dale was not deportable. Throughout his detention, Mr. Dale suffered several serious health problems including chronic asthma and diabetes. Government officials and medical staff repeatedly ignored his requests for needed treatment and failed to provide him with adequate medical care, leading to multiple emergency admissions to the hospital.

While Mr. Dale was detained, NIJC filed a *habeas* petition to challenge his prolonged and arbitrary detention as well as a petition to the United Nations Working Group on Arbitrary Detention calling for his release. Mr. Dale’s story was the subject of a New York Times article highlighting the lack of medical treatment he received in detention.

ICE finally released Mr. Dale in early July 2010. Mr. Dale has since reunited with his family and lives in Florida, but he continues to suffer severe physical and mental injuries as a result of the U.S. government’s deficient medical care and intentional maltreatment. Mr. Dale filed an administrative claim based on the government’s negligence during his detention, which the government denied. The lawsuit challenges the U.S. government’s failure to provide medical care to Mr. Dale and intentionally causing him undue emotional distress throughout his years of detention.

“The U.S. government’s mistreatment of Mr. Dale is intolerable,” said Claudia Valenzuela, associate director of litigation at NIJC and one of Mr. Dale’s attorneys. “We simply ask that the government compensate Mr. Dale for its wrongful conduct and by doing so, recognize the human rights violations that occur in the immigration detention system.”

*Heartland Alliance's National Immigrant Justice Center is a Chicago-based nongovernmental organization dedicated to ensuring human rights protections and access to justice for all immigrants, refugees and asylum seekers through a unique combination of direct services, policy reform, impact litigation and public education. For more information visit [www.immigrantjustice.org](http://www.immigrantjustice.org).*

*Americans for Immigrant Justice is a not-for-profit legal assistance organization dedicated to protecting and promoting the basic human rights of immigrants of all nationalities. Visit [www.aijustice.org](http://www.aijustice.org) for more information.*

*Kirkland & Ellis LLP is a 1,500-attorney law firm representing global clients in complex litigation and dispute resolution/arbitration, corporate and tax, restructuring, and intellectual property and technology matters. The Firm has offices in Chicago, Hong Kong, London, Los Angeles, Munich, New York, Palo Alto, San Francisco, Shanghai and Washington, D.C. The Firm's commitment to pro bono service is demonstrated by its annual contribution of 3 percent of total billable hours to pro bono efforts. In addition, the Kirkland & Ellis Foundation provides financial support to not-for-profit, charitable and law-related organizations. [www.kirkland.com/](http://www.kirkland.com/)*