

**\*\*FOR IMMEDIATE RELEASE\*\***

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## **JUDGE ORDERS TRUMP ADMINISTRATION TO REUNITE FAMILY TORN APART BY BROOKLYN ICE SHOOTING AS COVID-19 ENDANGERS ALL IN DETENTION**

*JUEZ FEDERAL ORDENA REUNIFICACIÓN DE FAMILIA ROTA POR BALA DE LA MIGRA ANTE AMENAZA DEL CORONAVIRUS*

New York, NY — A federal judge ordered the Trump administration to immediately free Gaspar Avendaño Hernandez from a nearby detention center as a wave of newly confirmed COVID-19 cases endangers the lives of thousands in the region's jails. He was released late in the evening of April 1, 2020, and is finally back with his family.

“My family will finally be able to embrace each other for the first time since we were violently attacked and separated by Trump's immigration officers,” said **Carmen Cruz, mother of 26 year-old Erick Diaz Cruz who was shot in the face by ICE officers** as they violently assaulted and repeatedly tased her long-time partner Gaspar in front of their Brooklyn home February 6th.

Gaspar's release comes after his legal team from **Make the Road New York, the Immigrant Rights Clinic at New York University School of Law, and Brooklyn Defender Services** filed an emergency motion for his release at a federal courthouse in Manhattan. They argued that Mr. Avendaño Hernandez was particularly vulnerable to the dangerous spread of COVID-19 inside the Hudson County jail and that the Trump administration was violating Avendaño Hernandez's constitutional rights by continuing to detain him and deny him medical care.

“ICE's actions are threatening people's lives. From their violent assault on Gaspar and Erick back in February, to their continued imprisonment of Gaspar during a COVID19 outbreak, ICE has shown a deliberate disregard for public safety,” said **Alina Das, co-director of the Immigrant Rights Clinic and one of Mr. Avendaño Hernandez's attorneys**. “We are deeply grateful that the federal court intervened to order Gaspar's release, and we hope that more courts—and the public—will continue to pressure ICE until it frees everyone in its custody.”

After the violent February 6th ICE shooting a coalition of community members, elected officials, legal service providers and others rallied to demand freedom for Gaspar and justice for Erick Diaz Cruz. This includes **Council Member Carlos Menchaca, Council Member Brad Lander, Council Member Carlina Rivera, Representative Nydia Velazquez, Representative Jerry Nadler, Public Advocate Jumaane Williams, State Senator Zellnor Myrie, State Senator Gounardes, Assembly Member Ortiz, New Sanctuary Coalition, Chinese American Planning Council, Sunset Park ICE Watch, Young Progressives of America, Rise and Resist, Close the Camps, Jews for Racial and Economic Justice, Legal Aid Society, New York Nurses Association, SEIU 1399, Good Shepherd Lutheran Church, Black Lives Matter, Fight Back Bay Ridge, Doctors for Camp Closures, Equality for Flatbush, UPROSE, Indivisible Nation BK**, and many more.

“What happened to Gaspar is one terrible incident among many underscoring that, too often, ICE acts as a rogue agency and has needlessly persecuted our immigrant communities, **said Rep. Nydia M. Velázquez (D-NY)**. “ICE's actions now, during the coronavirus pandemic, are especially risky. As the agency continues needlessly detaining our neighbors, there is a serious chance of the disease's spread in detention facilities. I'm profoundly relieved the court made the right decision to release Gaspar and reunite him

with his family. I continue monitoring this case, will keep pressing for the agency to be held accountable for its actions that day and will advocate for the release of others who are unjustly detained.”

"As ICE continues to terrorize communities in the midst of the COVID-19 pandemic, this development for one family is a moment of hope for many. Gaspar's release is overdue, and I thank the attorneys and advocates who have worked tirelessly to reunite his family in this time of crisis, said **Public Advocate Jumaane Williams**. “This is a time to focus on harm reduction, and as I made clear in my recent COVID-19 response and recovery report, we must move immediately to stop ICE from inflicting further harm on our immigrant New Yorkers – ceasing enforcement actions and releasing detainees– while ensuring that COVID-19 relief efforts help all who are vulnerable, regardless of immigration status.”

"Justice was delivered for Gaspar yesterday, but it was not by accident, and not because the system works. It happened because of the tireless advocacy of his lawyers and because New York City’s government is committed to sanctuary for all. While ICE continues to arrest people during a pandemic, these public defenders are rushing to save lives by releasing them from COVID-19 death traps. I am proud to have connected Gaspar and his family to the Mayor’s Office of Immigrant Affairs, who connected them to the public defenders who won him his freedom. Yet there is still more to do. Thousands of immigrants remain locked up and I will continue to fight until we free as many people as possible from detention during this pandemic," said **New York City Council Member Carlos Menchaca, Chair of the Immigration Committee**.

"From the moment of their assault and through their imprisonment, ICE has completely disregarded the health and safety of Gaspar and Erick by not providing them proper medical care and continuing to hold them during the COVID-19 pandemic. We are so happy to hear that after all our advocacy, Gaspar is being released, but we must continue fighting until ICE finally puts proper health policy before its own dangerous agenda and releases all the other individuals they have unfairly imprisoned," said **New York City Councilwoman Carlina Rivera, Chair of the Council's Hospitals Committee**.

"So glad to have good news in this trying time! This community came together in response to this violent and cruel attack by ICE, and we are all so grateful that Gaspar is home safe with his family now, said **Council Member Brad Lander**. “Especially in the midst of this pandemic, ICE detention is putting many lives at risk and tearing families apart.”

“We are extremely happy with this decision even though the government was FORCED to make this decision,” said **Andres Jimenez of New Sanctuary Coalition** “Why does it take a tragedy of this magnitude to force ICE to release our friend? Every person who is incarcerated needs to be freed NOW!”

“We are hopeful with this overdue gesture of justice that Gaspar is back with his family,” said **Rev. Juan Carlos Ruiz of Good Shepherd Lutheran Church**. “We do certainly demand the White House to release all our loved ones to our communities due to this national health emergency, knowing fully that those who are incarcerated are waiting in ovens of death.”

“In a dark time, news of Gaspar Avendaño Hernandez’s release from Hudson County Jail comes as a ray of hope,” said **The Rev. Dr. Chloe Breyer, Executive Director, The Interfaith Center of New York**. “The reunion of Gaspar and his family after his long ordeal— beginning with an ICE shooting in February—suggests that justice does not sleep forever and gives us another reason for rejoicing during the upcoming religious holidays.”

As Avendaño Hernandez wins his release a coalition of advocates is calling on the region’s elected leaders to safely **#FreeThemAll** to protect the lives of immigrants awaiting hearings before federal

immigration courts. Thousands remain in legal limbo as these courts have come to a standstill amid the pandemic.

"ICE's brutally violent assault on Gaspar and Erick and Gaspar's subsequent imprisonment amid a global pandemic is a microcosm of this Administration's obsessive need to terrorize immigrants even as the nation faces down a historic emergency," said **Murad Awawdeh, Executive Vice President of Advocacy & Strategy, New York Immigration Coalition**. "We applaud the federal court's intervention ordering Gaspar's release, and we renew our call for ICE to immediately release all of its detainees."

"With COVID-19 continuing to spread like wildfire within prisons and detention camps, we are so glad that Gaspar is being released and reunited with his family," said **Rachel McCullough, Director of Organizing at Jews for Racial & Economic Justice**. "He never should have been snatched in the first place, and we continue to call for accountability from ICE, Mayor de Blasio, and the NYPD for the immense trauma that this family has suffered. Now more than ever, ICE operations must cease and our government must free them all from detention."

"We're incredibly grateful for the news that our friend Gaspar has finally reunited with his family, especially his partner Carmen, after this traumatic ordeal. Gaspar and Erick are victims of ICE's long standing cruelty and violence and while we celebrate Gaspar's release today, we will not stop until he is free from the system," said **Whitney Hu, co-organizer of Sunset Park ICE Watch**. "And we'll keep advocating and fighting for the release of all of our friends who are being held behind bars. Especially as COVID-19 spreads quickly through jails, detention centers, and prisons. This isn't a political issue, it's a humanitarian issue. We must free them all."

"We are immensely happy to hear the news that Gaspar has been reunited with his family. I'm proud of the grassroots organizing work we did that brought the community together to effectively fight for his freedom," said **Carlos J. Calzadilla-Palacio, President of Young Progressives of America**. "We continue to call for the immediate freedom of all immigrants detained in ICE custody and for the end of ICE's terror operation. These inhumane detention centers deprive people of basic healthcare, making them even more dangerous for survival amidst the COVID-19 outbreak."

"I am happy that Gaspar is able to be reunited with his family. This is definitely a time of joy. What happened to him was both unjust and immoral, said **Anthony Beckford President of Black Lives Matter Brooklyn and the Brooklyn Chapter of Copwatch Patrol Unit**. We must continue the fight to make sure this never happens again to his family and other families as well."

"The court's order to free Gaspar Avendaño Hernandez affirms the calls from hundreds of supporters who have rallied and demanded #FreedomforGaspar. We stand with Gaspar Avendaño Hernandez, and everyone who is being held in unsafe conditions during this health crisis," said **Rodrigo Camarena, Director of the Immigration Advocates Network**.

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