



Federal Court Blocks Deportation Of Mexican Man Living In Montana

By [NATE HEGYI \(/PEOPLE/NATE-HEGYI/\)](/PEOPLE/NATE-HEGYI/) • 15 HOURS AGO



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A federal appeals court in Helena has blocked the deportation of a Mexican man who recently settled a lawsuit over claims that he was sexually assaulted in an Immigration and Customs Enforcement Facility in Jefferson County.

COURTESY OF EMMA KERR CARPENTER

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A federal appeals court in Helena has blocked the deportation of a Mexican man who recently settled a lawsuit over claims that he was sexually assaulted in an Immigration and Customs Enforcement Facility in Jefferson County.

Attorney Shahid Haque says the temporary stay, granted Wednesday evening, will remain in effect until the court issues a judgment.

"It could actually take many months to make any progress on a case like this with the ninth circuit because they have such a backlog of cases," he says.

Haque says Audemio Orozco-Ramirez was arrested Wednesday morning during a regular check-in with U.S. Immigration and Customs Enforcement, also known as ICE.

He says ICE officials intended to put his client on a plane to Mexico within days, but were stopped by the temporary block. Haque says his client has now been moved at a detention facility in Utah.

"It really makes no sense whatsoever to keep him in detention in Utah for many, many months while this process works out," Haque says. "So we're going to ask that immigration release him and allow him to return to his seven children."

In a statement released Thursday, Republican Senator Steve Daines remarked on the now-blocked deportation.

"We cannot reward unlawful behavior because doing so will only encourage more people to enter our country illegally," says Daines. "We must secure our border, strengthen and enforce our current laws, and thoroughly scrutinize potential immigrants."

Orozco-Ramirez lived in Montana for over two decades. In 2013, he was arrested during a traffic stop and placed in custody after immigration officials determined he entered the country illegally. Orozco-Ramirez says he was then sexually assaulted while in ICE custody at a Jefferson County Jail.

Haque says video of that sexual assault was deleted.

"There's no adequate explanation for the missing footage," he says. "Their explanation as to why there's no footage during the night in question was that they claimed motion sensors made the cameras turn off. But we were able to show, without a doubt, that the video cuts out while there's motion."

Late last year, Orozco-Ramirez agreed to a \$125,000 settlement with the county.

Haque says there's a way for Orozco-Ramirez to be here legally, because he's eligible for a special visa (<https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status>) intended for people who are victims of certain crimes.

"All kinds of people are granted U visas and they may have entered the country illegally at first, but the U visa nevertheless provides a process for them to stay here."

However, Haque says ICE has not responded to his client's visa certification request. It's been almost two years since they filed it.

A spokesperson for Senator Daines says he has "confidence in ICE and defers questions on the case to them."

But when YPR called ICE they declined to comment. Republican congressman Greg Gianforte and Democratic Senator Jon Tester were unable to respond to YPR's requests for a comment before deadline.

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