

NIJC Urges U.S. Department of Homeland Security to Investigate Rape at Montana Detention Center and Implement Overdue Prison Rape Elimination Act Regulations

November 14, 2013



Heartland Alliance's National Immigrant Justice Center (NIJC) calls on the U.S. Department of Homeland Security (DHS) to release the overdue final regulations to implement the Prison Rape Elimination Act (PREA), which could have prevented the rape last month of an immigrant man held in U.S. Immigration and Customs Enforcement (ICE) custody in a Montana jail.

NIJC filed a civil rights complaint with the DHS Office of Civil Rights and Civil Liberties calling for an investigation into the claims of Audemio Orozco-Ramirez, a father of seven and long-time U.S. resident who says he was raped at Jefferson County Jail in Boulder, Montana.

"Based on the evidence we have seen, ICE has failed on all counts to protect Mr. Orozco-Ramirez's basic human rights and safety," said NIJC Associate Director of Litigation Claudia Valenzuela, who is representing Mr. Orozco-Ramirez in his civil rights complaint.

Mr. Orozco-Ramirez says he was attacked in his sleep during his first night in ICE custody at Jefferson County Jail, which is contracted to hold ICE detainees for less than 72 hours as they await transfer to other facilities. Mr. Orozco-Ramirez says it took two days, until he was transferred to a jail in Idaho, before he was able to identify a law enforcement officer he could trust to ask for help. Once he reported the assault, Jefferson County and ICE officers forced him to participate in an interview in handcuffs without his lawyer. ICE has refused to provide Mr. Orozco-Ramirez any information about its investigation. Montana's *Great Falls Tribune* this week published a front-page story detailing Mr. Orozco-Ramirez's story and evidence of the assault obtained by Mr. Orozco-Ramirez's immigration lawyer, Shahid Haque-Hausrath.

"If Jefferson County Jail had implemented the safeguards provided under the Prison Rape Elimination Act (PREA), there is a strong chance Mr. Orozco-Ramirez never would have had to endure the horror he describes," Valenzuela said. "He certainly would not have had to wait two days after his assault to ask for help, or be barred from seeing his attorney during the interviews with ICE."

Congress passed PREA to ensure U.S. jails and detention centers take preventive measures to keep detainees safe from sexual assault, and to ensure victims are able to safely report assaults and have access to medical and mental health treatment. DHS missed the September 2013 implementation deadline established by Congress in its 2013 reauthorization of the Violence Against Women Act. NIJC and the Montana Immigrant Justice Alliance (MIJA) have launched a joint [petition](#) calling on DHS to investigate Mr. Orozco-Ramirez's case and release its final regulations for implementation of PREA in all facilities that hold immigrants in DHS custody.

The NIJC-MIJA petition also calls on DHS to certify that Mr. Orozco-Ramirez has cooperated in its investigation of the assault, an important step that would allow him to qualify for a U visa, a special form of protection reserved for immigrant victims of crime. Mr. Orozco-Ramirez, who was deported in 2011 and later returned to the United States to be with his children, currently has a deportation order that could permanently separate him from his family.

[Click here to take action and demand justice for Audemio Orozco-Ramirez, who was raped in immigration detention.](#)

Tags: [Detention](#) [Federal Litigation](#) [policy](#)

[TAKE ACTION](#)[DONATE](#)

LOVE DETAINED

Watch Michael and Michele's story and act to defend human rights:



PRESS CONTACT:

Contact Tara Tidwell Cullen, associate director of communications, at (312) 660-1337 or by [email](#).

TOPICS

Sort NIJC press releases and blog posts:

[Asylum](#)
[Citizenship](#)
[Court Reform](#)
[Detention](#)
[DREAM Act](#)
[Enforcement](#)
[Federal Litigation](#)
[Immigration Reform](#)
[Legislation](#)
[LGBT Immigrants](#)



