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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALICIA INES MOYA GARAY, JUAN
JAIME LOPEZ-JIMENEZ, and
ARRIBA LAS VEGAS WORKER
CENTER,

Plaintiffs,

vs.

CITY OF LAS VEGAS, a municipality;
MICHELE FREEMAN, in her official
capacity as City of Las Vegas Chief of
Department of Public Safety;
BANANTO SMITH, in his official
capacity as Deputy Chief of Detention
Services; DOES 1 through 25, inclusive,

Defendants.

Case No. 2:20-cv-00119-GMN-NJK

**FIRST AMENDED COMPLAINT FOR
INJUNCTIVE AND DECLARATORY
RELIEF AND DAMAGES**

DEMAND FOR JURY TRIAL

Action Filed: January 17, 2020

Judge: Honorable Gloria M. Navarro

INTRODUCTION

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2 1. Plaintiffs ALICIA INES MOYA GARAY, JUAN JAIME LOPEZ-JIMENEZ, and
3 ARRIBA LAS VEGAS WORKER CENTER file this civil rights litigation under the Fourth and
4 Fourteenth Amendments to the United States Constitution, challenging Defendants’ unlawful
5 policy and practice of detaining individuals in the City of Las Vegas jail (“City Jail”) beyond the
6 time they would otherwise be released, solely based on an immigration detainer and without
7 probable cause.

8 2. Freedom from imprisonment without a judicial warrant or probable cause lies at
9 the heart of the Fourth Amendment. Yet, Defendants ignore their constitutional mandate to
10 uphold the Constitution, choosing instead to be an uncompensated extension of Immigration and
11 Customs Enforcement (“ICE”). For at least the last two years, Defendants have worked closely
12 with ICE to enforce civil immigration laws against Latino and other marginalized Las Vegas
13 residents. Defendants maintain an internal policy (“ICE Notification Procedures”) and practice of
14 informing ICE about any foreign-born person who is arrested and booked in the City Jail. As a
15 result of this policy, ICE regularly issues immigration detainers, which are not judicial warrants
16 and are unsupported by probable cause, requesting that Defendants continue to maintain custody
17 of foreign-born arrestees in order to permit ICE to assume their custody. Despite the
18 discretionary nature of these detainers, it is Defendants’ policy and practice to honor these
19 requests from ICE. Defendants routinely hold individuals, including Plaintiffs Moya and Lopez-
20 Jimenez, even if bail is posted or the underlying state criminal charges are resolved. Defendants’
21 policy subjects individuals to a new seizure, which is not supported by probable cause and
22 therefore violates the Fourth Amendment’s prohibition of unreasonable searches and seizures.

23 3. Las Vegas is one of the most diverse cities in the state with one of the highest per
24 capita immigrant populations in the country. Local families are put at risk every day due to
25 Defendants’ collusion with ICE. Defendants’ policy and practice not only violates individuals’
26 rights, it also undermines community safety and wastes local public safety resources.

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JURISDICTION AND VENUE

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2 4. This Court has original jurisdiction under 28 U.S.C. §§ 1331 and 1343 and under
3 42 U.S.C. § 1983 over Plaintiffs’ claims under federal law and the Constitution of the United
4 States. This Court has supplemental jurisdiction over Plaintiffs’ common and state law claims
5 under 28 U.S.C. § 1367. Venue is proper in this District under 28 U.S.C. § 1391(b)(2).

PARTIES

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7 5. Plaintiff Alicia Ines Moya Garay (“Plaintiff Moya” or “Ms. Moya”) is a resident of
8 Las Vegas, Nevada. She came to the United States when she was an infant. She is married to a
9 U.S. citizen and is the mother of two U.S.-citizen children. Ms. Moya has lived in the United
10 States her entire life. She is the primary wage earner for her family.

11 6. Plaintiff Juan Jaime Lopez-Jimenez (“Plaintiff Lopez-Jimenez” or “Mr. Lopez-
12 Jimenez”) is a resident of Las Vegas, Nevada. He came to the United States as a minor. He is the
13 father of six U.S.-citizen children and is the primary wage earner for his family.

14 7. Plaintiff Arriba Las Vegas Worker Center (“Plaintiff Arriba” or “Arriba”) is a
15 grassroots organization that unites day laborers, domestic workers, and other low-wage and
16 migrant workers to defend their rights, fight for dignity, and win justice for all. Its mission is to
17 develop, educate, and empower worker and migrant communities to take action to defend their
18 rights as workers and migrants.

19 8. Defendant City of Las Vegas (“City”) is a municipal entity with the capacity to sue
20 and be sued. It is a Charter City under the laws of the State of Nevada. Employees of the City
21 have engaged in the acts complained of herein pursuant to City policies, practices, and customs.

22 9. Defendant Michele Freeman is the Chief of the Department of Public Safety
23 (“DPS”), a department of the City. DPS provides the public with law enforcement and detention
24 services, manages the City Jail and includes the deputy city marshals who provide public safety at
25 city parks and facilities. Plaintiffs are informed and believe Defendant Freeman oversees and is
26 responsible for the operation and management of DPS. Defendant Freeman is sued in her official
27 capacity.
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1 individual. To lawfully subject the individual to a new seizure LEAs must have probable cause –
2 independent of the initial finding of probable cause for violating state law -- to believe that the
3 individual has committed or was committing a criminal offense.

4 16. Mere unauthorized presence in the United States is neither a criminal matter nor
5 gives rise to an inference that an individual is engaged in criminal activity. Indeed, deportation
6 and removal proceedings are purely civil actions to determine an individual's eligibility to remain
7 in the country. Therefore, an immigration detainer alone is not sufficient to establish probable
8 cause of criminal activity to justify continued detention.

9 **B. Defendants' Policy and Practice**

10 17. Since at least 2017, Defendants have worked closely with ICE and consistently
11 participated in immigration enforcement activities, including notifying ICE of individuals in City
12 custody and their release dates, as well as holding people on immigration detainers beyond the
13 time or authority permitted under state law.

14 18. When an individual is taken into Defendants' custody, Plaintiffs are informed and
15 believe that City personnel ask those individuals who look "foreign" (generally people of color)
16 where they were born. If the individual states that he or she was born outside of the United
17 States, Defendants inform ICE that the individual is in their custody. Defendants maintain an
18 internal policy ("ICE Notification Procedures") of informing ICE about any foreign-born person
19 who is arrested and booked. Plaintiffs are also informed and believe that an ICE officer who
20 works in the City Jail interviews identified individuals regarding his or her immigration status.

21 19. ICE may then issue an immigration detainer. If Defendants receive an
22 immigration detainer for an individual in their custody, Defendants' written policy states that they
23 will detain a person for up to 48 hours beyond the time when he or she would have otherwise
24 been released from custody.

25 20. Over a 26-month period, ICE picked up more than 1,000 people from Defendants'
26 custody. From January 1, 2017, to February 28, 2019, Defendants provided ICE with information
27 resulting in detainers for 1,680 people. Of those, ICE picked up 1,139 – or 67.8 percent – of
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1 them. Additionally, Defendants transferred 58 percent of people to ICE before their cases were
2 closed by a local judge. Further, Defendants detained individuals in the City Jail past their
3 scheduled date of release, pending transfer to ICE, for an average of 1.17 days. While some
4 individuals were picked up before their scheduled release date, others were held for up to five
5 days.

6 **C. Plaintiff Alicia Ines Moya Garay (“Plaintiff Moya”)**

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8 21. On or about July 17, 2018, at around 7 a.m., Plaintiff Moya was pulled over by the
9 Nevada Highway Patrol for allegedly running a red light and arrested on a bench warrant for
10 unpaid tickets. Plaintiff Moya was taken to Defendants’ City Jail. She called her sister to let her
11 know that she was being taken to City Jail.

12 22. Upon her arrival at City Jail, Plaintiff Moya was asked by City personnel
13 something to the effect of, “Where are you from?” Plaintiff Moya answered that she was born in
14 Mexico. Plaintiff Moya was not informed that this casual conversation with Defendants’ staff
15 was related to immigration enforcement or Defendants’ policy and practice of collaborating with
16 ICE.

17 23. Shortly thereafter, Plaintiff Moya was briefly questioned by an ICE agent who
18 asked her whether she was a U.S. citizen or lawful permanent resident. Plaintiff Moya responded
19 that she was neither. The ICE agent did not ask Plaintiff Moya whether she had any other status
20 or authorization. The interview lasted about 2-3 minutes.

21 24. Although there were other women who were being processed at the same time,
22 Plaintiff Moya only saw the ICE officer speak to the only other Latina arrestee.

23 25. After being booked and processed, Plaintiff Moya was taken to her cell at
24 approximately 1 p.m. that day. Before she went to her cell she was able to speak to her sister,
25 who informed her that they were trying to post bail.

26 26. On July 17, after Plaintiff Moya called, her sister immediately went to the City Jail
27 to post bail, which was set at \$2,700. Plaintiffs are informed and believe that because the City
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1 Jail generally detains those with alleged misdemeanors, bail is typically set without a formal bail
2 hearing. Bail is generally set at the time of booking according to a bail schedule.

3 27. At around 9 a.m., the City Jail clerk informed Plaintiff Moya's sister that Plaintiff
4 Moya was subject to a hold, and that posting bail would not result in her sister's release. It was
5 not until later that Plaintiff Moya and her family learned that she was subject to an ICE detainer.

6 28. Although Plaintiff Moya was entitled to bail, Defendants would not allow Plaintiff
7 Moya to post bail. She remained in the City Jail for two to three days before she went before a
8 judge. In hopes of getting back to her family as soon as possible, Plaintiff Moya pled guilty to the
9 traffic charges. She was sentenced to ten days in City Jail, with three days for time served, and
10 was ordered to be released on July 25, 2018.

11 29. Despite being scheduled for release at 6:15 a.m. on July 25, Defendants did not
12 release Plaintiff. By 8 p.m. on the evening of July 25, Plaintiff Moya, who remained in her cell,
13 asked Defendants' personnel why she wasn't being released. A female officer told her that she
14 would not be "released to the streets."

15 30. Defendants held Plaintiff Moya for approximately 24 hours after her ordered
16 scheduled release. On the morning of July 26, 2018, ICE officers came to the City Jail, shackled
17 her, and transported her to ICE detention in Henderson, Nevada. This is the first time Plaintiff
18 Moya discovered that she was being held because of ICE. She was in ICE custody from then
19 until August 17, 2018, when she was released on \$2,000 bond.

20 31. Any injury that Plaintiff Moya suffered was the direct result of Defendants' policy,
21 practice, and custom of holding her beyond the date she was eligible for release based solely on
22 the ICE detainer.

23 32. Defendants violated Plaintiff Moya's constitutional and statutory rights both by
24 refusing to release her when she could have posted bail and by continuing to incarcerate her
25 beyond her release date as ordered by the court.

26 **D. Plaintiff Juan Jaime Lopez-Jimenez ("Plaintiff Lopez-Jimenez")**
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1 33. On or about April 20, 2018, at around 11:00 p.m., Plaintiff Lopez-Jimenez was
2 pulled over by Las Vegas Metropolitan Police Department for driving with a broken tail light and
3 arrested on a bench warrant for unpaid tickets. Plaintiff Lopez-Jimenez was taken to Defendants'
4 City Jail.

5 34. Upon his arrival at City Jail, Plaintiff Lopez-Jimenez was placed in a holding cell
6 with other arrestees. Eventually, Defendants' staff called out Plaintiff Lopez-Jimenez by name
7 and brought him into an office located within Defendants' City Jail. Once in the office, Plaintiff
8 Lopez-Jimenez was directed by Defendants' staff to speak with an individual by telephone.

9 35. The individual, who did not state his name, title, or whether he worked for
10 Defendants, ICE, or any other law enforcement agency, questioned Plaintiff Lopez-Jimenez
11 regarding his immigration status.

12 36. The unidentified individual asked Plaintiff Lopez-Jimenez his country of birth and
13 something to the effect of, "Did you come here with papers?" Plaintiff Lopez-Jimenez responded
14 that he was born in Mexico and did not come to the United States "with papers." The
15 unidentified individual did not ask Plaintiff Lopez-Jimenez whether he had any other status or
16 authorization.

17 37. On April 21, 2018, the morning after Plaintiff Lopez-Jimenez's arrest, his wife
18 went to the City Jail to try to post bail. Plaintiffs are informed and believe that because the City
19 Jail generally detains those with alleged misdemeanors, bail is typically set without a formal bail
20 hearing. Bail is generally set at the time of booking according to a bail schedule.

21 38. However, when Plaintiff Lopez-Jimenez's wife traveled to Defendant's City Jail to
22 pay the bail, she was not allowed to pay.

23 39. On April 22, 2018, Plaintiffs Lopez-Jimenez's wife grew increasingly desperate
24 and inquired about his bail to a bail bondsman. The bail bondsman informed Plaintiff Lopez-
25 Jimenez's wife that he was subject to an immigration hold. It was at this point that Plaintiff
26 Lopez-Jimenez's wife and family discovered that he was being detained because of an
27 immigration hold.

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1 40. Plaintiffs are informed and believe that Plaintiff Lopez-Jimenez was entitled to
2 bail and, although his family was willing and able to pay his bail, Defendants would not allow
3 Plaintiff Lopez-Jimenez to post bail. He remained in the City Jail for three days before he went
4 before a North Las Vegas Municipal Court judge on April 24, 2018.

5 41. The judge ordered Plaintiff Lopez-Jimenez released to payment of bail. Within an
6 hour of his hearing, Plaintiff Lopez-Jimenez's family paid the bail and he was ordered to be
7 released on April 24, 2018.

8 42. Despite being scheduled for release on April 24, Plaintiff Lopez-Jimenez
9 remained in Defendants' custody until the next morning. On April 25, 2018, Plaintiff Lopez-
10 Jimenez was handed his clothes and told to dress-out for his release from Defendants' City Jail.
11 When Plaintiff Lopez-Jimenez returned from the restroom, ICE officers were present and waiting
12 for him. ICE officers told Plaintiff Lopez-Jimenez to turn around, shackled him, and transported
13 him to ICE detention in Henderson, Nevada. He was in ICE custody for approximately a month
14 and half, when he was released on \$7,000 bond.

15 43. Any injury that Plaintiff Lopez-Jimenez suffered was the direct result of
16 Defendants' policy, practice, and custom of holding him beyond the date he was eligible for
17 release based solely on the ICE detainer.

18 44. Defendants violated Plaintiff Lopez-Jimenez's constitutional and statutory rights
19 both by refusing to release him when he could have posted bail and by continuing to incarcerate
20 him beyond his release date as ordered by the court.

21 **E. Plaintiff Arriba Las Vegas Worker Center**

22 45. Plaintiff Arriba's mission is to develop, educate, and empower worker and migrant
23 communities to take action to defend their rights as workers and migrants. In furtherance of their
24 mission Arriba: (1) provides training on workplace health and safety and supports workers to
25 report violations and address hazards at work, as well as support workers to advocate for safe and
26 healthy working conditions and access to personal protective equipment on the job; (2) assists
27 workers in addressing issues related to wage theft by unscrupulous employers/contractors; (3) and
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1 supports Temporary Protected Status (“TPS”) holders in Nevada build a movement for permanent
2 residency for all TPS families.

3 46. As a grassroots organization that unites low-wage and migrant workers and
4 empowers them to take action to defend their rights, regardless of their citizenship status, Arriba
5 relies on active involvement from workers and other allies within community. Defendants’
6 unlawful policy and practice has sowed local distrust of local law enforcement, created
7 uncertainty and fear among Arriba’s membership, and frustrated Arriba’s mission of empowering
8 low-wage and migrant workers to advocate for their rights.

9 47. Additionally, in the last few years, Arriba has also had to divert its resources,
10 including staff time, to address ICE detainers in Las Vegas’ city and county jails. On January 30,
11 2019 and December 16, 2019, Arriba filed public record requests to learn more about Defendants’
12 role in collaborating with ICE and has been tracking and analyzing the information received from
13 the City.

14 48. Arriba also directly supports individuals and their families who have been victim
15 to such local police/ICE collaboration. In this capacity, Arriba has had to divert its resources
16 towards education, training, and bond funds in order to counteract the increased cooperation
17 between Defendants and ICE.

18 **F. Defendants Continue to Honor Immigration Detainers**

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20 49. On September 27, 2019, the Central District for California ruled that ICE is
21 enjoined from (1) issuing detainers to state and local law enforcement agencies in states where
22 there is no explicit state statute authorizing civil immigration arrests on detainers and (2) issuing
23 detainers based on probable cause, when the investigation of immigration status and removability
24 consists of only a database search. *Gonzalez v. Immigration and Customs Enforcement*, No. 2:12-
25 cv-09012-AB (FFMx), 2019 WL 4734579 (C.D. Cal. Sept. 27, 2019).

26 50. Nevada does not have a statute authorizing an arrest for civil immigration
27 violations. In response to this decision, on October 23, 2019, the Las Vegas Metropolitan Police
28 Department (“LVMPD”), which is run by the Clark County Sheriff’s Department, announced it

1 “would no longer honor federal immigration detainers for civil immigration violations,” adding
2 that “[t]his decision would also affect LVMPD’s jail-based Memorandum of Agreement with ICE
3 (287(g)),” a contract between LVMPD and ICE which allowed some LVMPD officers to enforce
4 federal immigration laws in LVMPD detention facilities.

5 51. On October 24, 2019, the City of Las Vegas made an announcement on their
6 official Twitter page stating: “Our City Attorney has determined that we will also suspend our
7 287(g) agreement with ICE and will not detain inmates on federal immigration holds due to a
8 California court ruling. We’d like to remind the public that our city jail is for misdemeanors
9 only.”

10 52. Despite this announcement, Defendant City never entered into a formal 287(g)
11 agreement with ICE. In fact, Plaintiffs are informed and believe that the City explicitly declined
12 to enter into such an agreement with ICE.

13 53. Outside of a single social media post, Defendant City has neither issued a formal
14 announcement nor initiated an official suspension of its policy, practice and custom of
15 collaborating with ICE and honoring ICE detainers beyond the time an individual would
16 otherwise be released for their underlying state violation.

17 54. Plaintiffs are informed and believe that Defendants have continued to honor ICE
18 detainers despite Defendant City’s twitter announcement.

19 55. According to data provided by Defendants in response to a recent Nevada Public
20 Records request, ICE holds have been issued against twenty-four people in Defendants’ custody
21 between October 24, 2019 and December 15, 2019. At least five of these individuals have been
22 subjected to unlawful prolonged detention in City Jail after being held passed their scheduled
23 release date and ultimately released to ICE custody.

24 CAUSES OF ACTION

25 FIRST CAUSE OF ACTION

26 **Fourth Amendment Violation (Unlawful Seizure); 42 U.S.C. § 1983**

27 56. Plaintiffs re-allege and incorporate by reference the allegations set forth in all prior
28 paragraphs of this Complaint.

1 57. At all relevant times, Defendants acted under color of state law.

2 58. Defendants’ policy, practice, custom, and actions deprived Plaintiffs of their
3 Fourth Amendment rights under the United States Constitution.

4 59. The Fourth Amendment provides “[t]he right of the people to be secure in their
5 persons” and protects against “unreasonable searches and seizures” without a warrant and without
6 probable cause. U.S. Const. Amend. IV.

7 60. Defendants intentionally violated Plaintiffs Moya and Lopez Jimenez’s right to be
8 free from unreasonable seizures without probable cause, by refusing to allow Plaintiffs to post
9 bail for which they were eligible.

10 61. As set forth above, Defendants continued to detain Plaintiffs Moya and Lopez-
11 Jimenez after the expiration of any and all state law basis to detain them, including after they
12 could have secured their release on bond and/or after the resolution of their state charges, solely
13 on the basis of ICE detainers and without probable cause to believe that Plaintiffs were
14 removable, thus seizing Plaintiffs in violation of the Fourth Amendment.

15 62. Plaintiffs Moya and Lopez-Jimenez suffered damages, including emotional
16 distress and economic losses, in an amount to be determined at trial, and as a proximate result of
17 Defendants’ conduct.

18 63. Defendants’ detention of individuals beyond the time they would otherwise be
19 released, solely based on an immigration detainer and without probable cause, is a violation of the
20 Fourth Amendment. Defendants’ unlawful conduct has forced Plaintiff Arriba to divert its
21 resources towards providing direct support for individuals subject to prolonged and unnecessary
22 detention and has frustrated Plaintiff Arriba’s mission of empowering low-wage and migrant
23 workers to advocate for their rights.

24 64. Defendants’ unlawful conduct therefore should be enjoined and Plaintiff Arriba is
25 entitled to a declaratory judgment that Defendants’ unlawful conduct violates the United States
26 Constitution.

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SECOND CAUSE OF ACTION**Fourteenth Amendment Violation (Due Process); 42 U.S.C. § 1983**

65. Plaintiffs re-allege and incorporate by reference all allegations set forth in all prior paragraphs of this Complaint.

66. The Eight Amendment provides that “[e]xcessive bail shall not be required, nor excessive fines imposed[.]” While the Excessive Bail Clause of the Eighth Amendment “does not bar the state from detaining arrestees without bail, or from considering interests other than flight prevention in setting bail,” it does “prevent[] the imposition of bail conditions that are excessive in light of the valid interests the state seeks to protect by offering bail.” *Galen v. Cty. of Los Angeles*, 477 F.3d 652, 660 (9th Cir. 2007) (citing *U.S. v. Salerno*, 481 U.S. 739, 754 (1987)).

67. Furthermore, while an accused does not have an absolute right to bail, she does have “a Fourteenth Amendment due process right to have a state's bail system administered without caprice or discrimination.” *Kelly v. Springett*, 527 F.2d 1090, 1093 (9th Cir. 1975)).

68. Under Nevada law, a person arrested for an offense other than murder of the first degree must be admitted to bail. Nev. Rev. Stat. § 178.484. The state court is bestowed with the discretionary power to set bail within statutory and constitutional limits. *See id.*; *see also Bergna v. State*, 102 P.3d 549, 551 (Nev. 2004).

69. Defendants’ practice of refusing to accept bail from Plaintiffs Moya and Lopez-Jimenez and other individuals like them, who are willing and able to pay the bail amount and could have secured their freedom but-for Defendants’ unlawful practice, solely on the basis of immigration detainers filed against them, violated Plaintiffs right to have a state's bail system administered without caprice or discrimination.

70. Plaintiffs Moya and Lopez-Jimenez suffered damages, including, but not limited to, emotional distress and economic losses, in an amount to be determined at trial, and as a proximate result of Defendant’s conduct.

71. Defendants’ denial of bail for individuals who are willing and able to pay the bail amount, solely on the basis of immigration detainers filed against them, violates the Fourteenth Amendment. Defendants’ unlawful conduct has forced Plaintiff Arriba to divert its resources

1 towards providing direct support for individuals subject to prolonged and unnecessary detention
2 and has frustrated Plaintiff Arriba's mission of empowering low-wage and migrant workers to
3 advocate for their rights.

4 72. Defendants' unlawful conduct therefore should be enjoined and Plaintiff Arriba is
5 entitled to a declaratory judgement that Defendants' unlawful conduct violates the United States
6 Constitution and state law.

7 **THIRD CAUSE OF ACTION**

8 **False Imprisonment in Violation of Nevada Law**

9 73. Plaintiffs re-allege and incorporate by reference all allegations set forth in all prior
10 paragraphs of this Complaint.

11 74. Under Nevada law, false imprisonment is an unlawful violation of the personal
12 liberty of another, and consists in confinement or detention without sufficient legal authority.

13 75. Defendants are responsible for the conduct of their employees under the doctrine
14 of *respondeat superior*.

15 76. Defendants intentionally instigated or participated in the false imprisonment of
16 Plaintiffs Moya and Lopez-Jimenez, in violation of Nevada law, by detaining Plaintiffs in
17 Defendants' custody beyond the time or authority permitted under state law, without probable
18 cause and in violation of the Fourth Amendment.

19 77. Plaintiffs Moya and Lopez-Jimenez suffered damages, including, but not limited
20 to, economic losses, humiliation, fear, and emotional distress, in an amount to be determined at
21 trial, and as a proximate result of Defendants' conduct. Plaintiffs are entitled to compensation for
22 physical discomfort or inconvenience, and for any resulting physical illness or injury to health.

23 **JURY TRIAL**

24 78. Plaintiffs hereby request a jury trial.

25 **PRAYER FOR RELIEF**

26 79. WHEREFORE, Plaintiffs pray that this Court award:
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1 a. A declaratory judgment that Defendants' policy, practice, and/or custom of
2 detaining arrestees in the City Jail solely on the basis of an immigration detainer and beyond the
3 time or authority permitted under state law, violates the United States Constitution and state law;

4 b. A preliminary and permanent injunction restraining Defendants, their
5 representatives, successors, assigns, officers, agents, servants, employees, and all other persons
6 acting or claiming to act or, on behalf of, or in active concert or participation with Defendants,
7 from continuing or engaging in the unlawful conduct complained of herein;

8 c. Monetary damages in an amount to be proven at trial;

9 d. Costs and attorneys' fees against Defendants as to the causes of action alleged
10 under the Constitution and laws of the United States, pursuant to 42 U.S.C. § 1988;

11 e. All remedies provided by 42 U.S.C. § 1983; and

12 f. Such other relief as this Court may deem just and proper.

13 Dated: April 16, 2020

14 /s/ Adrian Hernandez
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