

Honorable James L. Robart
Honorable Michelle L. Peterson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSUE CASTAÑEDA JUAREZ, et al.,

Petitioners-Plaintiffs,

v.

NATHALIE ASHER, et al.,

Respondents-Defendants.

Case No. 20-cv-700-JLR-MLP

**NOTICE OF SUPPLEMENTAL
AUTHORITY**

Pursuant to Local Civil Rule 7(n), Petitioner-Plaintiffs (Plaintiffs) write to advise the Court of Supplemental Authority, issued after Plaintiffs filed their reply in support of a temporary restraining order. *See* Dkt. 68.

Plaintiffs attach as Exhibit A a press release issued by Immigration and Customs Enforcement (ICE) on May 25, 2020, regarding the death of Santiago Baten-Oxlaj, a Guatemalan citizen who died of COVID-19 related complications on May 24, 2020. Mr. Baten-Oxlaj died in ICE custody after his detention at Stewart Detention Center in Lumpkin, Georgia, where he entered custody on March 2, 2020.

1 Respectfully submitted on this 26th of May, 2020.

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CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system.

DATED this 26th day of May, 2020.

s/ Eunice Cho
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EXHIBIT A

Office of Public Affairs
U.S. Department of Homeland Security



U.S. Immigration
and Customs
Enforcement

News Release

May 25, 2020
Contact: Lindsay Williams
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Guatemalan man in ICE custody passes away in Georgia

ATLANTA — A Guatemalan man in the custody of U.S. Immigration and Enforcement (ICE) at the Stewart Detention Center in Lumpkin, Georgia, died Sunday at an area hospital.

Santiago Baten-Oxlaj, 34, was pronounced dead at 5:03 a.m. local time by medical professionals at the Piedmont Columbus Regional Hospital, in Columbus, Georgia, where he had been hospitalized since April 17, 2020.

The preliminary cause of death was listed as complications related to COVID-19.

Consistent with the agency's protocols, the appropriate agencies have been notified about the death, including the Department of Homeland Security's (DHS) Office of Inspector General (OIG), and the ICE Office of Professional Responsibility (OPR). Additionally, ICE has notified the Guatemalan consulate and Baten-Oxlaj's next of kin.

ICE is firmly committed to the health and welfare of all those in its custody and is undertaking a comprehensive agency-wide review of this incident, as it does in all such cases. Fatalities in ICE custody, statistically, are exceedingly rare and occur at a fraction of the national average for the U.S. detained population.

The agency's comprehensive review will be conducted by ICE senior leadership, including Enforcement and Removal Operations (ERO) and the Office of the Principal Legal Advisor (OPLA).

On March 2, 2020, ERO Atlanta arrested Baten-Oxlaj at the Marietta, Georgia, Municipal Probation Office pursuant to his conviction for driving under the influence. On March 26, 2020, an Immigration Judge granted Baten-Oxlaj voluntary departure under safeguards to Guatemala.

At the time of his death, Baten was awaiting departure from the United States.

ICE's Health Service Corps (IHSC) ensures the provision of necessary medical care services as required by ICE Performance-Based National Detention Standards and based on the medical needs of the detainee. Comprehensive medical care is provided from the moment detainees arrive and throughout the entirety of their stay. All ICE detainees receive medical, dental and mental health intake screening within 12 hours of arriving at each detention facility, a full health assessment within 14 days of entering ICE custody or arrival at a facility, and access to daily sick call and 24-hour emergency care. Pursuant to our commitment to the welfare of those in the agency's custody, ICE annually spends more than \$269 million on the spectrum of healthcare services provided to detainees.

U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security.

ICE is a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.

For more information, visit: www.ICE.gov. To report suspicious activity, call 1-866-347-2423.