

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANGEL DE JESUS ZEPEDA RIVAS, et
al.,

Plaintiffs,

v.

DAVID JENNINGS, et al.,

Defendants.


Case No. 20-cv-02731-VC

ORDER APPROVING CLASS NOTICE

The Court approves the attached notice, which is a simplified version of the proposed notice submitted by the defendants. In light of the difficulties that jails and detention facilities are currently having in enabling detainees to connect with their attorneys by phone, the Court has concluded that guaranteeing a call within 8 hours would be unduly burdensome.

IT IS SO ORDERED.

Dated: May 1, 2020



VINCE CHHABRIA
United States District Judge

Notice to all people who are held by ICE in Yuba County Jail or Mesa Verde Detention Facility.

A federal court has issued a Temporary Restraining Order (“TRO”) in *Zepeda Rivas v. Jennings* Case No. 20-cv-02731 (Northern District of California) to move toward conditions of safe social distancing for persons held by ICE in Yuba County Jail or Mesa Verde Processing Facility (“the class”). The TRO identifies a process under which the court will decide whether to temporarily release people to mitigate the spread of COVID-19. The case is a class action, and the court has appointed lawyers to represent detainees for the limited purposes of this case. The TRO also orders ICE to ensure that the lawyers (“class counsel”) have the ability to promptly communicate with detainees. This notice is to inform you of how to reach class counsel regarding the possibility of your release through this process. Whether or not you choose to participate in this process, it will not affect any efforts you are making to defend against removal in your immigration case.

Background on the Lawsuit

On April 20, 2020, the ACLU Foundations of Northern and Southern California, Lawyers’ Committee for Civil Rights of San Francisco Bay Area (“LCCR-SF”), San Francisco Public Defender’s Office (“SF-PD”), Lakin & Wille LLP and Cooley LLP filed this class action in federal court in San Francisco, California on behalf of all individuals in ICE detention at Yuba County Jail and Mesa Verde. The class action sought prompt court action to protect class members’ rights under the Fifth Amendment to have adequate protection from COVID-19 infection and health complications due to infection.

Following a hearing on April 28, the federal judge in this case, Vince Chhabria, issued the TRO described above. Judge Chhabria has ordered both ICE and class counsel to collect, and provide the court with, information about each class member.

How to Reach Class Counsel

You have the right to speak with class counsel. You may call class counsel to discuss your detention. Class counsel may call you as well. If you do not want the court to consider ordering your release, you should communicate that to class counsel. ICE will provide dedicated private phone rooms, cell phones (if available at the facility), and tablets (if available at the facility) to make legal calls.

Legal calls to class counsel and legal-related calls to family members will ordinarily be accommodated within 8 waking facility hours, but no more than 24 hours after you submit a request. Please indicate that your request for a legal call is for purposes of *Zepeda Rivas v. Jennings*.

You can also contact Class Counsel by calling them via their **Lyon Pin: 7654**.