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**FOR IMMEDIATE RELEASE**

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**LEGAL SERVICES OF NEW JERSEY, HARVARD LAW CRIMMIGRATION CLINIC,  
AND LOWENSTEIN SANDLER LLP SECURE PRELIMINARY INJUNCTION  
AGAINST FEDERAL GOVERNMENT, REQUIRING IMMEDIATE SUSPENSION OF  
POLICY DENYING DETAINED NONCITIZENS ACCESS TO NJ COURTS**

Judge Stephanie L. Haines of the United States District Court for the Western District of Pennsylvania has granted a [preliminary injunction](#) against the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE), and various government officials, requiring the defendants to provide individuals detained at the Moshannon Valley Processing Center (MVPC) [immediate virtual access to the New Jersey court system](#).

The ruling will halt a policy that prohibited individuals detained at the remote Pennsylvania detention facility from virtually appearing at criminal court hearings in New Jersey by barring access to Zoom, Microsoft Teams, or the telephone, even though such technology is readily available and routinely used at MVPC for immigration court appearances.

The U.S. District Court recognized that “deprivations [of access to criminal court proceedings] are illegal under the United States Constitution”, and that such deprivations result in “consequential harms”. Noting that “when ICE assumes legal authority over an individual, it includes responsibility for the individual’s rights and protections,” the U.S. District Court ordered the defendants to “immediately function in compliance with the tenants of the United States Constitution” by granting the individuals detained at MVPC the access to the courts. This is the first time a court has considered the constitutionality of ICE’s policy denying detained noncitizens virtual access to their state criminal court proceedings. MVPC is one of the largest detention facilities in the country, and there are other facilities that also implement this harmful policy and practice.

As Plaintiff Josefina Doe explained, “this achievement is for all of the women who were with me at Moshannon and who cried because they could not present their cases to the court. And my heart breaks for the women who were already deported, or held for too long, without being

heard. I am home today because, due to this lawsuit, I was able to access court for the first time, and the charges against me were dismissed at my first appearance. That allowed me to secure bond and be released. Every single person deserves the same chance.”

Alexandra Goncalves-Pena, Legal Services Director of Plaintiff American Friends Service Committee—Immigrant Rights Program, stated, “We are grateful to Judge Haines for this important decision on behalf of our clients.”

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### **About Legal Services of New Jersey**

Legal Services of New Jersey (LSNJ) coordinates the statewide Legal Services system, which provides free legal assistance to low-income New Jerseyans for their civil legal problems. Through its work, LSNJ strives to secure substantive and procedural justice for those living in poverty. Legal Services embraces the vision of full access to essential civil legal aid for all economically disadvantaged people who cannot secure a lawyer on their own. This belief in the importance of legal assistance to indigent people stems from an underlying concern with fairness, and a conviction that important legal needs of individuals should be addressed.

### **About the Lowenstein Center for the Public Interest**

From its founding, Lowenstein Sandler has been committed to advancing the public interest and serving communities in need. The [Lowenstein Center for the Public Interest](#) embodies this commitment, directing the firm’s strong pro bono program and other forms of civic and philanthropic engagement. Through these efforts, the center addresses significant social problems and offers meaningful assistance to low-income and other marginalized people, along with the organizations that advocate for and support them. This work engages the full range of the firm’s talents and reflects the core values that imbue all of the firm’s efforts: to perform work of the highest quality in a manner that maximizes results for our clients and causes.

### **About the Harvard Law School Crimmigration Clinic within the Harvard Immigration & Refugee Clinical Program**

The Crimmigration Clinic, which is a clinic within the Harvard Immigration & Refugee Clinical Program at Harvard Law School, represents individuals through litigation in administrative tribunals and federal district and appellate courts on a range of issues at the intersection of criminal law and immigration law. The Crimmigration Clinic teaches students litigation skills, including legal research, writing, and oral advocacy. Prior work has included advocacy and litigation relating to immigration detention, deportation, federalism, and constitutional rights.