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Court Ruling for Texas Migrants Today Marks First-of-its-Kind Victory Against Governor Abbott’s Operation Lone Star

Texas court drops charges against two migrant fathers arrested as part of Operation Lone Star. Legal victory follows Grassroots Leadership’s groundbreaking work to expose the systematically racist, abusive, and unconstitutional nature of the program.

Del Rio, Texas – Tuesday, September 28, 2021, the state of Texas dropped misdemeanor charges against two migrant fathers–Ivan Nava and David Muñoz–who had been arrested and detained for more than 50 days as part of Governor Abbott’s Operation Lone Star. Grassroots Leadership and Just Futures Law filed two petitions for writ of Habeas Corpus for their cases earlier this month.

During the hearing today before the 63rd District Court in Val Verde County, Texas, attorneys for Nava and Muñoz argued that the State of Texas failed to meet its probable cause burden and engaged in unconstitutional acts of selective prosecution and unlawful detention. The prosecutor’s office agreed to dismiss the charges against both applicants, which is a major victory and the first of its kind for people detained under Operation Lone Star.

The civil rights organizations demand that the Department of Homeland Security (DHS) drop the immigration detainers and halt any transfers of Ivan Nava and David Muñoz to U.S. Immigration and Customs Enforcement (ICE) or U.S Customs and Border Protection (CBP) for the two men. The civil rights groups additionally demand that ICE cease any collaboration with Texas law enforcement in Operation Lone Star, and that Texas terminate this unlawful program immediately.
The Lone Star Program is a multi-billion dollar Texas law enforcement operation designed by Governor Greg Abbott to facilitate the rapid deportation of immigrants by targeting suspected migrants through racial profiling and then prosecuting them based on the lowest-level state misdemeanor offenses, such as trespassing. Videos posted by one county sheriff show individuals herded into mass hearings in parking lots. The migrants were forced to sign pre-filled legal forms in English they could not understand and detained for extended periods of time in inhumane prison settings. Hundreds have been arrested in the Lone Star Operation since the program launched in March of 2021.

“Now that David and Ivan have challenged their unlawful arrest and detention in Texas court and won the dismissal of their cases, the Biden Administration must end their collaboration with Governor Abbott’s racist and unconstitutional program by dropping the detainers and granting humanitarian parole to everyone arrested under Lone Star,” said Alicia Torres, Grassroots Leadership. “We demand David and Ivan’s immediate release from Briscoe, and ability to remain in the U.S. to seek redress for the violation of their civil rights under Operation Lonestar.”

"Ivan Nava and David Muñoz are just two of hundreds of men who have been targeted and abused by Governor Abbott’s unlawful Operation Lone Star,” said Kevin Herrera, Staff Attorney for Just Futures Law. "After today’s court ruling, we are moving forward to secure the men’s immediate release from Texas jail and to assure that they are not detained by federal authorities. Operation Lone Star relies on racial profiling and systemically violates due process. We demand DHS halt transfers of any of our clients to ICE or CBP, and that DHS cease any collaboration with this unconstitutional program."

Read more about the Operation Lone Star in this fact sheet. Representatives from Grassroots Leadership and attorneys Kevin Herrera and Kathryn Dyer are available for comment.

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Grassroots Leadership is an Austin, Texas-based national organization that works for a more just society where prison profiteering, mass incarceration, deportation, and criminalization are things of the past. Follow us @Grassroots_News.

Just Futures Law is a transformative legal organization that defends and builds the power of immigrants’ rights and criminal justice organizers and base-building community groups working to disrupt and dismantle our deportation and mass incarceration systems. Follow us @JustFuturesLaw.