



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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**Monday, Jan. 28, 2018**

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**Executive Office for Immigration Review**

**'Digging a bigger and bigger hole': Shutdown stalls Trump's deportation efforts**  
[Washington Post](#) [1/25/2019 12:00 PM, Maria Sacchetti and Michael E. Miller, 9763K] reports that the country's longest-ever government shutdown, launched by President Trump in the name of border security, ended Friday — at least temporarily. But the damage to the administration's immigration enforcement efforts will likely last for years. During the shutdown, immigration jails remained filled with more than 40,000 detainees a day, on

average, and officials said Border Patrol agents and immigration fugitive teams were still arresting people, despite working without pay. But the agents were pouring new cases into an immigration court system that was nearly paralyzed by the shutdown. Before the government's partial closure, the courts were grappling with a historic backlog of more than 800,000 cases. Then three-fourths of the roughly 400 immigration judges were furloughed, and more than 80,000 cases were canceled. The hearings will probably be rescheduled months or years down the road, undermining the administration's goal of unclogging the court system and speeding the resolution of cases. Despite dire warnings from former Homeland Security secretaries that the shutdown could affect public safety, current DHS officials, union representatives and federal contractors insisted that immigration enforcement had not been affected. "The mission is still getting done," said Manuel Padilla Jr., director of the DHS-led Joint Task Force-West and until recently the Border Patrol chief for the Rio Grande Valley. "Everyone is still gung-ho."

As part of its effort to resolve immigration cases, the Trump administration had set quotas for immigration judges and vowed to cut the backlog in half by next year. But the shutdown "clearly and seriously impedes the ability to slash any backlog," said Ashley Tabaddor, president of the National Association of Immigration Judges and an immigration judge in Los Angeles. Rescheduling weeks' worth of cases — some of which are complex — will be like "a huge game of Tetris," she said.

### **The shutdown is over for now, but big delays loom in Immigration Court**

[Philadelphia Inquirer](#) [1/28/2019 5:00 AM, Jeff Gammage, PA] reports that the end of the partial government shutdown is expected to reopen the nation's shuttered Immigration Courts. That's the good news. The bad news: The 35-day closure caused immigration hearings to be canceled at a rate that was approaching 20,000 a week, meaning that many people will have to wait additional years to have their day in court, according to immigration lawyers and former judges. An estimated 86,200 Immigration Court hearings were canceled between Dec. 22, the start of the shutdown, and Jan. 25, according to the Transactional Records Access Clearinghouse at Syracuse University. California led the nation in canceled hearings, with 9,424 through Jan. 11. New Jersey ranked fifth, with 1,894, and Pennsylvania 10th, with 1,163. "This moves the court system closer to implosion," said former Immigration Court Judge Jeff Chase, now in private law practice in New York. Some migrants who already have waited two, three, or even four years for their hearings may have to wait two or three years more. "All the cases that were missed will be delayed significantly," said Philadelphia lawyer Brennan Gian-Grasso, chairman of the city chapter of the American Immigration Lawyers Association. "I think it will result in extra years for the most busy dockets."

### **Backlog of Immigration Cases Continues**

[KTRH](#) [1/28/2019 6:30 AM, Nikki Courtney, TX] reports the President announced a temporary end to the partial government shutdown on Friday, which should help morale among the nation's 400 immigration judges. They were watching dockets, already a nightmare, get worse as many worked without pay and some sat at home for a month. Now that the government is assured of remaining open for at least a few weeks the judges can get back to tackling the backlog, but they're not going to be able to solve the problem. There are major flaws in the system, immigration judge Mark Metcalf tells KTRH News. "You address those defects by, one – getting more judges. The other way you fix it is by insisting on border security so you add to the backlog with more cases." As of November 30 last

year, the backlog was at more than 800,000 cases, and is expected to cross the seven-digit mark next month.

**Immigrants affected by government shutdown could wait years for new day in court**  
[San Diego Union-Tribune](#) [1/28/2019 4:00 AM, Andrea Castillo, CA] reports that last Friday, President Trump agreed to temporarily reopen the government, including immigration courts, for three weeks while lawmakers continue negotiations on funding for border security. The agreement affords a temporary truce in a partisan fight that has paralyzed Washington. But for many caught up in a serpentine court system already overwhelmed with backlogged cases, the shutdown derailed a lengthy process that could take weeks or months to get back on track. The shutdown has not only resulted in thousands of cancelled court hearings but also generated chaos for everyone involved in the immigration system. Most judges have been furloughed and those who remain are working without pay. Lawyers have cancelled flights for out-of-town hearings and, absent direction from the Justice Department, continue to meet filing deadlines imposed by courts that aren't open to accept them. Dozens of immigrants have shown up at courthouses every day, some unaware of the shutdown, many simply to prove that they didn't intentionally skip their hearing. With more than 76,000 pending cases as of November, Los Angeles already had the nation's second-largest immigration court backlog, according to the Transactional Records Access Clearinghouse at Syracuse University. Across the country, more than 800,000 cases were pending, a figure that has swollen from a low of less than 125,000 in 1999. Every week of the shutdown added 20,000 cancellations to the backlog. By Jan. 11, more than 9,000 court cases were canceled in California alone. Meanwhile, about 300 of the nation's nearly 400 immigration judges have been furloughed, said Ashley Tabaddor, president of the National Assn. of Immigration Judges. Immigration court schedules are split between hearings for detained and released immigrants. Tabaddor said hearings for detained immigrants, which make up less than 10% of the entire docket, have continued during the shutdown and are being overseen by judges who aren't getting paid. Spokespeople at the Executive Office for Immigration Review, which oversees immigration courts, didn't return phone calls or emails. A voicemail message on the office's general communications line states that the line will be unstaffed "for an indefinite period."

**Immigration Spending Surges as White House Calls for More Funds**  
[Bloomberg](#) [1/25/2019 7:04 AM, Michaela Ross, Madi Alexander, and Paul Murphy] reports federal contract spending for immigration enforcement and processing surged nearly 40 percent over the past four fiscal years with two of the top earners being private prison companies that have faced multiple allegations of inhumane treatment of migrants. Total spending in fiscal 2018 was \$7.4 billion compared with \$5.3 billion spent four years ago. CoreCivic Inc. and the GEO Group Inc., which provide detention services, migrant transportation, and other services, received boosts of \$85 million and \$121 million respectively over the four-year period, a Bloomberg Government analysis of contract data from the U.S. General Services Administration shows. These private, for-profit prison companies and public jails and detention centers housed a record 48,000 undocumented adults and children in families as of Jan. 1, the latest date for which data is available, according to Immigration and Customs Enforcement. The analysis spotlights a system that has evaded congressional budgeting limits, watchdog groups and lawmakers say. The Bloomberg Government data analysis includes contract obligations for immigration enforcement and processing-related agency operational costs, not just detention. The agencies looked at include U.S. Citizenship and Immigration Services, Customs and Border

Protection, ICE, U.S. Marshals Service, Executive Office for Immigration Review, and portions of the Departments of State and Health and Human Services, including the Administration for Children and Families.

### **New crisis: 43 percent of illegal immigrants skip court hearings, 49 percent for minors**

[Washington Examiner](#) [1/27/2019 3:35 PM, Paul Bedard, DC] reports that U.S. immigration courts have hit a new crisis point, with nearly half of illegal immigrants roaming in the country failing to show up for legal hearings, resulting in a massive number of deportation orders, according to an analysis of court records. The court system said that in 2017, 43 percent of aliens freed pending hearings disappeared into the country and never showed up for scheduled follow-up hearings. In pure numbers, that means 41,302 aliens out of 95,342 never showed up for their court hearings. Among those under 18 allowed into the country, 49 percent failed to show up. It has been worse, with court skipouts reaching 59 percent in 2005 and 2006. "From 1996 through 2017, 37 percent of all aliens free pending trial disappeared. From the 2,680,598 foreign nationals that Immigration and Customs Enforcement (ICE) released on their own recognizance, 1,320,000, received deportation orders, 75 percent of them (993,593) for failure to appear.

### **Asylum seekers coming through the southern border ordered to wait in Mexico**

[Cronkite News](#) [1/25/2019 9:05 AM, Veronica Graff, AZ] reports effective immediately, asylum seekers who enter the United States illegally through the southern border now will have to wait in Mexico while their cases make their way through an extremely backlogged immigration court system. The Trump administration made the announcement late Thursday and with it, a sharp pivot in its asylum policy. The action, known as the Migrant Protection Protocols, will issue migrants a "Notice to Appear," for their case proceedings. In its announcement, the Department of Homeland Security highlighted that Mexico will provide them with all appropriate humanitarian protections for the duration of their stay. Phoenix immigration attorney Judy Flanagan, who handles asylum cases, said the new policy is illegal. "To say that they have to wait outside for a decision, that is just an absolute violation of federal law," Flanagan said. The current immigration-court backlog is nearing 800,000 cases, according to a letter Trump sent to Congress earlier this month. However, only 395 judges are assigned to review all of those cases, according to the Executive Office for Immigration Review.

### **DHS Returning Migrants To Mexico Raises Due Process Fears**

[Law360](#) [1/25/2019 8:16 PM, Suzanne Monyak] reports the Trump administration has begun sending migrants seeking asylum or other immigration benefits in the U.S. back to Mexico to await a decision on their claims, ushering in a sweeping policy change that has sparked due process and safety concerns among advocates and immigration attorneys. Calling it an "unprecedented action" in a Thursday statement, Department of Homeland Security Secretary Kirstjen Nielsen said that the government has now put into the effect the new policy, first announced in December, to return certain individuals crossing the southwestern border to Mexico while their immigration cases are pending. In a memo also released Thursday, dubbed the "Migrant Protection Protocols," the department said the government had notified Mexico that the U.S. was implementing the protocols under U.S. law. "This humanitarian approach will help to end the exploitation of our generous immigration laws," Nielsen said in the statement, citing concerns that asylum-seekers will fail to show up for their hearings if allowed to remain in the U.S. In a Friday press

conference, Roberto Velasco Álvarez, a spokesperson for Mexico's foreign relations ministry, told reporters that the U.S. embassy had informed Mexico it would be sending 20 migrants over the border at San Ysidro in California per day, beginning Friday. While he said that the Mexican government does not agree with the protocols, which he described as "unilateral," he said Mexico was committed to respecting the migrants and their human rights. Velasco Álvarez also said that the country would not be accepting unaccompanied minors — who are excluded from the protocols — or individuals with health issues. DHS had first announced in December its plans to return migrants who cross the southwestern border "illegally or without proper documentation" to Mexico while their immigration court cases are pending. "'Catch and release' will be replaced with 'catch and return,'" Nielsen said in a Dec. 20 statement when the policy was announced, referring to the practice of releasing migrants seeking immigration benefits in the U.S. while they wait for their immigration hearings.

Thursday's "Migrant Protection Protocols" memo offers a glimpse at what the implementation of "catch and return" would look like, which has some immigration attorneys and advocates worried that asylum-seekers and other immigration petitioners may not be able to effectively present their cases while remaining in Mexico. In the memo, DHS said that petitioners waiting in Mexico will have the right to retain counsel at their own expense and will be "provided with a list of legal services providers in the area which offer services at little or no expense to the migrant," but did not specify whether it meant attorneys in Mexico or near the location of their immigration court hearing. The memo also says that petitioners will be allowed to enter the U.S. to attend their immigration court hearings, raising a slew of questions about how that would actually be accomplished. With the immigration court backlog climbing above 800,000 — and rising fast with thousands of immigration court hearings for non-detained individuals canceled since the partial government shutdown began in December — petitioners can find themselves waiting months — or even years — for their immigration claims to be decided.

### **Immigration Courts May Reopen on Monday**

[Long Island WINS](#) [1/25/2019 9:05 AM, Patrick Young, Esq., NY] reports if a continuing resolution is passed by Congress and signed by President Trump, the Immigration Courts will reopen on Monday. I just received this message from the Executive Office of Immigration Review (EOIR) which administers the Immigration Courts: Assuming that Congress passes the proposed CR and the President signs it before Monday, the non-detained immigration courts will be open as scheduled on Monday. Anyone with a hearing notice for Monday should appear as scheduled. There will likely be some confusion and disorganization at first, so we are asking all parties to be patient as we restart operations. While many will be happy that the courts will reopen on Monday, January 28, the fact that cases will go ahead is ominous. Because of the ongoing and seemingly endless shutdown, some immigrants may not realize that their cases will go ahead next week. If they fail to appear on the date of the hearing, they may be ordered deported.

### **Joe's Deportation Nightmare: Giudice Could Be Kicked Out Of U.S. As Soon As March**

[Radar](#) [1/25/2019 6:43 AM, Mary Jacob] reports that thousands of immigration cases will be delayed due to the government shutdown, which means many people facing deportation may get to stay in the United States for longer than expected. Unfortunately for jailbird Joe Giudice, he could be kicked out of the country as soon as March, RadarOnline.com can

exclusively reveal. An immigration official told Radar that since Giudice, 46, is a detainee, his appeals process is still expected to proceed as normal — and a decision will be made before his release from prison on March 14. "In most cases appeal decisions have been delayed and everything is on freeze until the government shutdown is over," the official explained to Radar. "However, in cases of detainees, things are still processing as normal because they are priority." As Radar exclusively reported, an immigration judge ordered the *Real Housewives of New Jersey* star removed from the United States and deported back to his native Italy on October 10, 2018. He filed a last-ditch-effort appeal the following month.

### **[NY] Shutdown Delays Leave Immigrants In Extended Legal Limbo**

[Law360](#) [1/27/2019 8:02 PM, Cara Bayles] reports Luz had been looking forward since October to her Jan. 9 court date, which would have decided whether she was eligible to stay in the United States, where she's lived for 46 years. But when her Legal Aid Society attorney, Margaret Garrett, called New York Immigration Court last month, she was greeted by a recording that said "due to a lapse in appropriations, court operations are limited to cases involving detained individuals." The judge would have decided whether Luz was eligible to seek relief from removal proceedings. Luz is one of 5,320 New Yorkers whose hearings had been canceled as of Jan. 11 — a number that's no doubt gone up since then. Unlike federal district court, immigration court falls under the purview of the U.S. Department of Justice and has been subject to partial closures due to the government shutdown that began in December. Immigration judges are hearing only the cases of people who are in custody, and according to a study from Syracuse University, the court's backlog for non-detained immigrants is rapidly growing. Nationwide, courts have canceled about 20,000 hearings per week. By Friday, an estimated 86,000 hearings for non-detained immigrants had been canceled nationwide, according to numbers from Syracuse. Because the caseload was already large before the shutdown, and judges' calendars are jam-packed, those hearings might be rescheduled years in the future.

It isn't easy to guess how long it will take to get canceled hearings back on the calendar. That depends on backlog, which varies wildly from judge to judge, according to Judge Ashley Tabaddor, president of the National Association of Immigration Judges. She said some members of her organization have 5,500 cases, and their calendars are already booked through the end of 2020. On Friday, the president signed a bill ending the shutdown for three weeks while lawmakers continue to negotiate a long-term funding compromise. But even if a deal is reached before Feb. 15, the monthlong shutdown's effect on immigration courts will outlast the protracted battle between President Donald Trump, who refused to approve a budget without funding for a wall along the U.S.-Mexico border, against Democrats, who said they wouldn't negotiate over border security as long as the shutdown continued. "The irony isn't lost on us that the immigration court is shut down over immigration enforcement," Judge Tabaddor said. "This is not the first time that we see action on the part of the agency and administration that has been inconsistent with their stated position of reducing the backlog."

### **[MD] Immigration court backlog piled up in Maryland, nationally during the U.S. government shutdown**

[Baltimore Sun](#) [1/25/2019 2:45 PM, Doug Donovan, MD] reports as the federal government's partial shutdown dragged on, immigration courts across the nation — including in Maryland — canceled tens of thousands of hearings due to lapsed funding for the Department of Justice, according to Syracuse University's Transactional Records



Access Clearinghouse, or TRAC. By Jan. 11, the number of canceled immigration hearings reached nearly 43,000, TRAC reported. If the partial shutdown had continued through the end of January, "as many as 100,000 individuals awaiting their day in court" would have seen their cases delayed. With the shutdown over as of Friday, TRAC estimated that 86,192 cases have been canceled — with an estimated 1,367 in Maryland, which ranked eighth among states hardest hit by cancellations." Individuals impacted by these cancellations may have already been waiting two, three, or even four years for their day in court," the report states. The cancellations will add thousands of cases to the national system's "active case backlog," which increased 49 percent since 2017 to 809,041 as of Nov. 30, TRAC reported. Maryland ranked first in the nation for how quickly its backlog increased during that period. The caseload at the immigration court in Baltimore more than doubled, growing 107 percent — from 17,074 in 2017 to 35,300 at the end of November. "The state of Maryland continues to lead the pack with the highest rate of increase in pending cases since the beginning of FY 2017," TRAC reported.

### **[UT] Here's how the shutdown delayed hundreds of immigration hearings in Utah — and led to at least one man's deportation**

[Salt Lake Tribune](#) [1/27/2019 4:14 PM, Jessica Miller, UT] reports he had been told by Homeland Security to buy a plane ticket to Mexico. The man was in the United States illegally, but his immigration attorney, Adam Crayk, said he had planned to file a motion to reopen the case and delay his deportation so they could argue before a judge that he should be able to stay. His wife is a U.S. citizen, Crayk said, and he had come back to the United States years ago after she fell on hard times. His attorneys were planning to challenge some of the documentation that led to the latest deportation order. But there was no one there to file the case. No judge to decide whether it should be reopened — or if the man should be able to stay in the country while his case is pending. Instead, the man was arrested by Immigration and Customs Enforcement earlier this month and sent back to Mexico. This is one of the outcomes of the longest government shutdown in history, where immigration courts were shuttered but ICE agents still on the job. And even as the shutdown reached its end Friday, the 35-day shuttering of immigration courts is expected to have implications on cases for months to come. Hundreds of immigration cases in Utah were canceled after the shutdown began in late December, according to data from the Transaction Records Access Clearinghouse (TRAC). The nonprofit research center based at Syracuse University estimated that more than 40,000 immigration cases have been canceled as of Jan. 11. And as the shutdown stretched on, it estimates that another 20,000 hearings are canceled every week.

## **Policy and Legislative News**

### **Trump Signs Spending Bill, Ending Longest Government Shutdown in U.S. History**

[Wall Street Journal](#) [1/25/2019 9:30 PM, Rebecca Ballhaus, Kristina Peterson and Vivian Salama] reports that President Trump reached a deal with congressional leaders Friday to reopen the government for three weeks despite getting no new funding for a border wall, setting the stage for whirlwind talks to bridge deep disagreements between Democrats and Republicans on immigration policy. The bill, which includes an extension of border-security funding at current levels, was quickly passed by the Senate and House and was signed into law by the president late Friday. The short-term deal provides financial relief for about 800,000 federal workers, who have been furloughed or on the job without pay for more than a month and missed another paycheck Friday. Announcing the pact in a speech from the

Rose Garden, Mr. Trump said he would start negotiations between the House and Senate over a full-year bill funding the Homeland Security Department, which oversees the border. The deal Mr. Trump announced marks a retreat from the hard-line stance he had taken throughout the shutdown, which began Dec. 22 over a clash between the president and Democrats over whether to fund a border wall. [Editorial note: consult source link for video]

[The White House](#) [1/25/2019 2:17 PM, President Donald J. Trump, 437K] reports President Trump made the following remarks, in part: "My fellow Americans, I am very proud to announce today that we have reached a deal to end the shutdown and re-open the federal government. As everyone knows, I have a very powerful alternative, but I didn't want to use it at this time. In a short while, I will sign a bill to open our government for three weeks until February 15th. I will make sure that all employees receive their back pay very quickly, or as soon as possible. After 36 days of spirited debate and dialogue, I have seen and heard from enough Democrats and Republicans that they are willing to put partisanship aside – I think – and put the security of the American people first. They have said they are for complete border security, and they have finally and fully acknowledged that having barriers, fencing, or walls – or whatever you want to call it – will be an important part of the solution. A bipartisan Conference Committee of House and Senate lawmakers and leaders will immediately begin reviewing the requests of our Homeland Security experts – and experts they are – and also law enforcement professionals, who have worked with us so closely. We want to thank Border Patrol, ICE, and all law enforcement. Over the next 21 days, I expect that both Democrats and Republicans will operate in good faith."

The [Wall Street Journal](#) [1/25/2019 4:30 PM, Michael C. Bender and Kristina Peterson] reports the president had previously offered to exchange \$5.7 billion in funding for steel barriers on the southern border for three years protection from deportation for undocumented immigrants brought to the U.S. by their parents when they were children. Mr. Trump also proposed \$800 million in humanitarian assistance, \$805 million in new drug-detection technology, 2,750 more border agents and law-enforcement officials, 75 new immigration judge teams and a new system to allow Central American minors to apply for asylum in their home countries. Mrs. Pelosi and other Democratic congressional leaders rejected it immediately, arguing that the president needed to reopen the government before negotiations could begin. They balked at the asylum changes and the temporary protections for the young immigrants, rather than the permanent ones they are seeking.

Reported similarly: [U.S. News & World Report](#) [1/25/2019 4:47 PM, Susan Milligan, 2894K]

### **White House dangles threat of another shutdown over wall**

[Washington Post](#) [1/27/2019 6:03 PM, Deb Riechmann] reports that two days after the record-long shutdown ended, the White House made clear Sunday that President Donald Trump is prepared to shutter the government again without a border wall deal from Congress. Trump has asserted there is a "crisis" at the southern border requiring a wall, blaming previous presidents and Congress for failing to overhaul an immigration system that has allowed millions of people to live in the U.S. illegally. Last month, he put that number at 35 million, while on Sunday he pegged it at 25.7 million-plus – figures offered without evidence. Both are higher than government and private estimates. His homeland security chief cited "somewhere" between 11 million and 22 million last month. In November, the nonpartisan Pew Research Center reported 10.7 million in 2016 – the lowest in a decade. The president also tweeted Sunday that the cost of illegal immigration so far this year was nearly \$19 billion; he didn't cite a source. Compare that with research in 2017

from a conservative group, the Federation for American Immigration Reform: \$135 billion a year or about \$11.25 billion a month. In coming weeks, a bipartisan committee of House and Senate lawmakers will consider border spending as part of the legislative process and may seek help from outside experts.

Reported similarly:

[Wall Street Journal](#) [1/27/2019 1:46 PM, Kristina Peterson]

[Politico](#) [1/26/2019 9:42 AM, Quint Forgey]

[FOX News](#) [1/27/2019 10:05 PM, Samuel Chamberlain, 9216K]

[WSTM](#) [1/25/2019 6:01 PM, Stephen Loiaconi, 22K, NY]

[VOA News](#) [1/28/2019 1:50 AM, Staff, 1183K, DC]

### **Trump will secure border 'with or without Congress,' Mulvaney says**

[Washington Post](#) [1/27/2019 8:20 PM, Robert Costa and Felicia Sonmez] reports that President Trump is again considering invoking emergency powers to build his proposed wall on the U.S.-Mexican border without congressional approval, roiling the latest bipartisan negotiations over immigration with the renewed threat of unilateral executive action and further dividing Republicans already reeling from the fallout of the shutdown. "The president's commitment is to defend the nation, and he will do it either with or without Congress," acting White House chief of staff Mick Mulvaney said on "Fox News Sunday." The partial shutdown, which was the longest in U.S. history, ended Friday with Trump agreeing to temporarily reopen the government without any money for his border wall. Inside the West Wing over the weekend, Trump told advisers that declaring a national emergency may now be his best option as he scrambles to assert himself in a divided government and secure wall funding, according to four people involved in the discussions who were not authorized to speak publicly. One White House official described Trump's decision to reopen the government as "clearing the deck" for executive action rather than a retreat.

Reported similarly:

[CNN](#) [1/27/2019 10:20 AM, Kevin Bohn]

### **Trump cites 'ridiculous' costs of illegal immigration amid wall push**

[The Hill](#) [1/27/2019 11:52 AM, Brett Samuels] reports that President Trump on Sunday asserted that the U.S. has already incurred nearly \$19 billion in costs related to illegal immigration in 2019, and called it "ridiculous" that millions of immigrants are living in the U.S. illegally. Trump claimed in a tweet that there are close to 26 million immigrants living in the U.S. illegally, casting doubt on the more commonly cited figure of 11 million. The president typed "DHS" in his tweet, but did not provide a source for the figures he shared.

### **Border Patrol union chief: New Trump administration policy is 'incentivizing illegal immigration'**

[CNN](#) [1/25/2019 3:31 PM, Geneva Sands and Catherine E. Shoichet, 5847K] reports the Trump administration's approach to its latest asylum policy will encourage more people to cross the border illegally, the head of the Border Patrol's union told CNN on Friday, warning that officials are "opening up a Pandora's box." The policy, which officials have said would begin on Friday, would send some asylum seekers back across the border to Mexico while their cases are pending in U.S. immigration courts. "This is attacking the legal process, because it's discouraging people from following the law," National Border Patrol Council

President Brandon Judd said. It's rare for the president of the Border Patrol union – who supported Trump on the campaign trail and recently stood beside him in Washington to help make the case for a border wall – to criticize the administration's immigration policies. Judd said he's speaking out because he's concerned the new policy will put more stress on Border Patrol agents. "I do not see this as criticism of the President at all. I (am) critical that we are opening up a Pandora's box," he said. "I'm raising these concerns because in essence what we are doing is punishing people who are trying to follow the laws and rewarding people who cross illegally."

### **Angel Mom Mendoza: Americans Victimized by Illegal Aliens Living Proof U.S. Needs Wall**

[Breitbart](#) [1/25/2019 8:32 PM, John Binder, 2015K] reports that Angel Mom Mary Ann Mendoza says Americans who have been victimized by illegal aliens are living proof that United States needs a wall along the southern border to stop illegal immigration. On Friday, President Trump announced he would reopen the federal government by signing a three-week funding bill that does not include money for his proposed wall along the U.S.-Mexico border. Mendoza – who co-founded Angel Families after her 32-year-old son Brandon Mendoza was killed by a drunk illegal alien who was driving the wrong way down a highway in Mesa, Arizona – told Breitbart News in an exclusive statement that it is Rep. Nancy Pelosi and Sen. Chuck Schumer who are "holding Americans hostage" by refusing to support any measures to curb mass illegal immigration. The latest polling from Harvard/Harris finds that more than 80 percent of American voters either strongly or somewhat support a crackdown on illegal alien crime, including 96 percent of Republicans, 70 percent of Democrats, and 79 percent of swing voters. Mendoza said the president's plan to form a negotiating committee to strike a deal that he hopes will at least partially fund construction of a border wall will reveal, starkly, who elected Democrats represent. Illegal immigration at the southern border, for December 2018, has increased 81 percent compared to this same month the year before. There were about 22,000 illegal alien minors who crossed the southern border last month. Last year, alone, the Immigration and Customs Enforcement agency arrested nearly 2,000 convicted and suspected illegal alien killers, leaving behind countless American and legal immigrant victims.

### **Asylum seekers worry new U.S. policy will mean more waiting**

[Washington Post](#) [1/25/2019 12:57 PM, Elliot Spagat and Maria Verza] reports that a shift in the Trump administration's immigration policy could mean more waiting for asylum seekers in Tijuana. The Mexican government said Friday that the United States plans to return 20 migrants per day at the San Ysidro border crossing as they await an answer to their asylum requests. "The Mexican government doesn't agree with this unilateral move," but will accept the migrants under certain conditions, said Roberto Velasco, spokesman for Mexico's Foreign Relations Department. He said the U.S. government wants to extend the practice, known as "Remain in Mexico," to the rest of the border crossings. U.S. officials have said Mexican asylum seekers and children traveling alone are exempt from the new policy. Mexico will not accept migrants who have appealed a denial of asylum, unaccompanied children or people with health problems, Velasco said. He did not say how or where Mexico would house the migrants, who might have to wait months or years for their asylum claims to be resolved. Sen. Dianne Feinstein of California and Rep. Jerrold Nadler of New York, both Democrats, released a statement warning, "Asylum seekers are easy prey for criminals and gangs in Mexico, but the Trump plan forces people to remain in harm's way, even if there is a significant possibility they will be persecuted or tortured in Mexico." About

2,400 names are on the asylum processing list at San Ysidro. U.S. officials have been calling up to 100 names a day.

[ABC 10 News](#) [1/25/2019 9:15 PM, Cassie Carlisle, 55K, CA] reports the Department of Homeland Security issued a release Thursday saying the changes are due to the high volume of asylum claims with no merit and the high number of migrants who disappeared in the U.S. while waiting for a ruling. "We have implemented an unprecedented action that will address the urgent humanitarian and security crisis at the Southern border. This humanitarian approach will help to end the exploitation of our generous immigration laws. The Migrant Protection Protocols represent a methodical commonsense approach, exercising long-standing statutory authority to help address the crisis at our Southern border," according to Secretary of Homeland Security Kirstjen M. Nielsen.

Additional reporting:

[Washington Post](#) [1/25/2019 7:51 PM, Maya Averbuch, 9763K]

[Los Angeles Times](#) [1/25/2019 9:30 AM, Scott Martelle]

[Aljazeera](#) [1/25/2019 7:04 AM, Staff]

[Breitbart](#) [1/25/2019 8:57 AM, Staff, 2015K]

[PBS](#) [1/25/2019 6:40 PM, Staff]

[NPR](#) [1/26/2019 7:35 AM, Max Rivlin-Nadler]

[CBS News](#) [1/25/2019 7:04 PM, Kate Smith]

[FOX News](#) [1/25/2019 6:43 AM, Lucia I. Suarez Sang]

[U.S. News & World Report](#) [1/25/2019 12:52 PM, Alan Neuhauser]

[Fortune](#) [1/25/2019 3:19 PM, Emily Price, 1015K]

[UPI](#) [1/25/2019 5:06 PM, Patrick Timmons, 303K]

[Reuters](#) [1/25/2019 2:05 PM, Julia Love and Delphine Schrank]

[The Texas Tribune](#) [1/25/2019 6:00 PM, Julián Aguilar, 102K, TX]

[KVIA](#) [1/25/2019 2:07 PM, Maria Verza, 19K, TX]

[Rio Grande Guardian](#) [1/26/2019 8:07 AM, Dayna Reyes, 1K, TX]

[San Diego Union-Tribune](#) [1/25/2019 2:55 PM, Steven Mayers and J. Freedman, CA]

[ABC 10 News](#) [1/26/2019 7:49 PM, Cassie Carlisle, 55K, CA]

### **Mexico's migrant shelters, expected to house U.S. asylum seekers, are reportedly already at capacity**

[The Week Magazine](#) [1/25/2019 4:59 PM, Marianne Dodson, 327K, NY] reports migrant shelters in Tijuana, Mexico, are overflowing and unable to take on an influx of U.S. asylum seekers who are expected to be sent into Mexico after reaching the U.S. border. Mexico's foreign ministry spokesman Roberto Velasco said the first group of migrants affected by the Trump administration's Migrant Protection Protocols would be sent to request asylum Friday, per Reuters. The Trump administration announced the policy on Dec. 20, which requires non-Mexican migrants who enter the U.S. through its southern border to wait in Mexico while immigration requests are processed. Asylum applicants have historically been allowed to stay in the U.S. while waiting for their hearing, but that process can take several years due to a backlog of more than 800,000 cases. Advocates in Mexico say the policy could stretch facilities on border towns too thin.

### **Mexico Moves to Encourage Migrants to Stay and Work**

[New York Times](#) [1/25/2019 6:27 PM, Jeff Ernst and Kirk Semple, 20737K] reports that Mexico's new president Andrés Manuel López Obrador has moved decisively to encourage

migrants fleeing poverty and violence in Central America to stay and work in Mexico. A migrant caravan heading from Central America into Mexico – the largest ever – has already swollen to more than 12,000 people, with many saying they intend to remain in Mexico, at least for the time being. Many in the caravan said they decided to migrate after a decision by the Mexican government to drastically speed up the process for securing a yearlong humanitarian visa that allows migrants to legally travel and work in Mexico. A spokeswoman with Mexico's national migration agency said the expedited process would be permanent. The Mexican government has said it has a labor shortage and is trying to fill tens of thousands of low-skilled jobs around the country. To address the root causes of migration, Mr. López Obrador has vowed to promote job creation in southern Mexico and Central America, and has been pushing a \$30 billion regional development plan. He has also ordered tax cuts in dozens of municipalities along the northern border in an effort to spur economic development and job creation.

Additional reporting:

[Breitbart](#) [1/26/2019 12:57 PM, Robert Arce, 2015K]

[Townhall](#) [1/27/2019 4:40 PM, Beth Baumann, 287K]

### **Migrants Say They Pay For Inclusion On 'La Lista' To Make Border Crossing**

[The Appeal](#) [1/25/2019 12:36 PM, Debbie Nathan, 10K] reports that at some international bridges on the southern border, the United States has ceded management of the first steps of this country's asylum process to officials in Mexico. Immigration advocates and migrants say that the officials solicit large bribes from migrants attempting to lawfully cross into the U.S. and request refugee status. At the center of the crossing ordeal on the international bridges is what migrants call "La Lista," a handwritten list of names of people seeking refuge in the U.S. Those who haven't paid bribes get stuck at the bottom of La Lista. The Department of Homeland Security's Office of the Inspector General visited some bridges in the summer of 2018 and observed that CBP and ICE holding facilities did often seem at capacity. Taylor Levy, the legal coordinator for the nonprofit migrant shelter system Annunciation House, in El Paso, Texas, has argued otherwise. She submitted a declaration to a lawsuit against President Trump, the Department of Homeland Security, ICE, CBP, and other federal agencies and individuals for separating migrant families. Michael Seifert, the border policy analyst for the ACLU of Texas, says that he and other advocates have spoken to U.S. authorities about La Lista-related bribes and mistreatment happening just yards south of the border and that they have done nothing in response.

### **San Francisco Therapists Help Migrant Families Cope with Trauma**

[KQED](#) [1/26/2019 4:35 PM, Julie Small, 160K, CA] reports on a chilly January morning, two psychotherapists from the Bay Area arrived at the Greyhound bus station in San Antonio, Texas to meet with dozens of migrant families who had just been dropped off by Immigration and Customs Enforcement officials. The two bilingual therapists, Alicia Cruz and Chris Mullen, have worked together for a decade at Kaiser in San Francisco and see clients in offices right next to each other. They were prepared to put their therapeutic skills to use in the most unlikely place: the waiting area inside the bus station. It was easy for the women to spot the parents and children just released from detention: They were wearing brightly colored sweatsuits, parkas and brandless tennis shoes issued to them by ICE. The families were delivered there from the country's two largest ICE family detention centers, each about an hour away, and issued one-way tickets to travel on to relatives or sponsors around the country. Although the total number of people apprehended crossing the U.S.-

Mexico border has dropped significantly in recent years, the number of families has grown dramatically, from 15,000 people traveling in families in 2013 to 107,000 last year. Most are fleeing gang violence, government corruption or extreme poverty in their home countries in Central America.

Last year, after a controversial family separation policy was struck down by the courts, the Trump administration proposed a plan to hold parents and children indefinitely in ICE custody — part of an effort to terminate a longstanding legal agreement that limits ICE detention of children. But ICE has space for about 3,600 people in its three family facilities and advocates in Texas say the families released at the bus station have typically been held by ICE for a week or two. Under a 1997 legal settlement, children are not supposed to be held in U.S. Customs and Border Protection facilities for longer than 72 hours, except in "exceptional circumstances." Last year, attorneys for migrant children filed affidavits with a federal judge documenting numerous violations of that limit. But after two children died in CBP custody in December, officials indicated they would work to transfer parents and children to ICE family detention centers more quickly. Earlier this month, the Department of Homeland Security declined to confirm whether that has occurred. In an email to KQED, DHS spokeswoman Katie Waldman called the current situation "an immigration crisis," and blamed the federal courts for creating a "loophole that rewards parents for bringing their children with them to the United States." "As long as activist judges continue to set national immigration policy they continue to put family units and innocent children in harm's way," she added.

### **Trump ordered 15,000 new border and immigration officers — but got thousands of vacancies instead**

[Los Angeles Times](#) [1/27/2019 3:00 AM, Molly O'Toole, 3575K] reports that two years after President Trump signed orders to hire 15,000 new border agents and immigration officers, the administration has spent tens of millions of dollars in the effort — but has thousands more vacancies than when it began. In a sign of the difficulties, Customs and Border Protection allocated \$60.7 million to Accenture Federal Services, a management consulting firm, as part of a \$297-million contract to recruit, vet and hire 7,500 border officers over five years, but the company has produced only 33 new hires so far. The president's promised hiring surge steadily lost ground even as he publicly hammered away at the need for stiffer border security, warned of a looming migrant invasion and shut down parts of the government for five weeks over his demands for \$5.7 billion from Congress for a border wall. The Border Patrol gained a total of 120 agents in 2018, the first net gain in five years. But the agency has come nowhere close to adding more than 2,700 agents annually, the rate that Kevin McAleenan, commissioner of Customs and Border Protection, has said is necessary to meet Trump's mandated 26,370 border agents by the end of 2021.

Immigration and Customs Enforcement canceled a solicitation for a hiring contract with a similar pay structure to Accenture's last May, citing delays in its hiring timeline and limited funding from Congress. ICE said at the time it would restart the contracting process by the end of 2018 to help it meet Trump's hiring order. It has yet to do so. Homeland Security officials declined to say how much has been spent or how many people have been hired since Trump's executive orders, saying the partial government shutdown prevented them from accessing the data. After Trump signed his executive orders in 2017, ICE requested \$830 million to hire about 3,000 new officers and build capacity to ultimately bring on 10,000, according to a Government and Accountability Office report. Instead, Congress last year gave ICE \$15.7 million for 65 new agents plus 70 attorneys and support staff. Over the

past two years, ICE has brought on 1,325 investigators and deportation officers, according to the agency. The agency typically loses nearly 800 law enforcement officers each year, so it has not kept pace and remains far behind the president's order.

Reported similarly: [The Hill](#) [1/27/2019 3:50 PM, Emily Birnbaum]

### **56% of Registered Voters Say Government Is Doing 'Too Little' To Keep Illegal Immigrants From Coming To U.S.**

[Townhall](#) [1/26/2019 11:38 AM, Timothy Meads, 287K] reports political analyst Ryan James Girdusky pointed out an interesting factoid from a recent ABC/Washington Post poll – most American voters believe the United States is doing "too little" to keep illegal aliens from coming to the United States. The ABC/WaPo poll was taken prior to President Trump's shutdown announcement but contains some surprising results in the face of the Democratic Party and legacy media narrative which encourages illegal immigration. According to the poll taken on "Jan. 21-24, 2019, among a random national sample of 1,001 adults, with 65 percent reached on cell phones and 35 percent on landlines," 56% of registered voters believe that the government is doing "too little" to curb unlawful entry into the country.

### **Criminologist: Illegal Immigrant Crime a Border Security Issue**

[Washington Free Beacon](#) [1/25/2019 2:34 PM, Charles Fain Lehman, 105K, DC] reports illegal immigrant crime is a major component of America's on-going immigration debate; a new essay from criminologist Barry Latzer investigates whether or not crime by illegally resident people merits stricter border enforcement. Writing in the Manhattan-Institute-affiliated City Journal, Latzer argued that while illegal immigrant crime is not on par, proportion-wise with native-born crime, it still rises to a level that merits taking "measures to secure our borders." President Donald Trump has routinely claimed that there is a connection between illegal immigration and crime. Critics, in turn, have pointed to research – predominantly from the libertarian-leaning Cato Institute – which argues that illegal immigrants commit crimes at rates lower than native-born citizens. Latzer argues that there is insufficient information about the number of illegal immigrants actually resident in the country to estimate a true rate of crime by the same group. This is necessarily true, as illegal immigrants by their nature prefer not to be identified as such by governments. Additionally, Latzer notes, actual data on the number of illegally resident offenders is unavailable because some states – especially high-immigration California – opt not to provide information on their prisoners' immigration status.

### **Gov't Defends DACA Rollback As Discretionary In 2nd Circ.**

[Law360](#) [1/25/2019 9:50 PM, Stewart Bishop] reports that the Trump administration on Friday urged the Second Circuit to allow its decision to end protections for young immigrants brought to the U.S. illegally as children, defending its decision to rescind the Obama-era Deferred Action for Childhood Arrivals program as an exercise of prosecutorial discretion. The appeal is a challenge to orders by U.S. District Judge Nicholas Garaufis in Brooklyn, who found that DACA beneficiaries and a coalition of several U.S. states had shown that the termination of the program likely targeted Hispanics, in violation of the Constitution's equal protection clause.

**She didn't apply for DACA. Now she and thousands of Dreamers are heading toward limbo**



[Dallas News](#) [1/25/2019 8:16 PM, Obed Manuel, TX] reports Maria Lopez is a 17-year-old with an almost perfect GPA. She's involved with after-school clubs and community organizations. She attends a top Dallas ISD magnet high school and is likely an ideal candidate for some elite universities. But Lopez is an unauthorized immigrant. And she's not one of the almost 700,000 Dreamers shielded from deportation by the Deferred Action for Childhood Arrivals program created under President Barack Obama. Instead she's among a new generation of possibly more than 250,000 kids around the country who were too young or never made initial requests for DACA before President Donald Trump tried to rescind the program. They now face a life of being stuck in the shadows, unable to legally work or live normal lives.

### **'I Came Because Of A Dream': Honduran Father And Son Meet For The First Time In The U.S.**

[NPR](#) [1/27/2019 7:53 AM, Lulu Garcia-Navarro, 4491K] reports that we catch up with a Honduran father and son caught between President Trump's immigration policies. The son has claimed asylum in the U.S. The father has Temporary Protected Status, which is set to end. [Editorial note: consult source link for audio]

### **[ME] Maine's Largest City Strains Under Asylum-Seeker Influx**

[Wall Street Journal](#) [1/27/2019 10:00 AM, Jennifer Levitz] reports that this community has long offered a generous hand to immigrants. But Maine's largest city, population about 67,000, is now struggling with an influx of asylum seekers, to the point where a local official is alerting shelters in other parts of the country to discourage people from heading here. "The word is out there that our community is open to that population and has some assistance programs," said David MacLean, administrator of Portland's Social Services Division. "Our local resources are not able to keep up." Asylum seekers, who are primarily from African countries, now make up 90% of the people living in Portland's city-run family shelter and overflow shelter, where new arrivals sleep on mats. A city fund that assists with necessities is dwindling fast, and pro-bono lawyers are overwhelmed with cases, Mr. MacLean said. Portland's strain comes as the number of asylum requests, in which people ask to be allowed to stay in the U.S. for humanitarian reasons, has ballooned. That is contributing to the well-publicized bottleneck at the Southwest border and the political clash over it.

### **[NY] Nassau Says ICE Office Location is Changing, But Not Relationship With Agency**

[WNYC](#) [1/28/2019 5:11 AM, Staff, NY] reports County Executive Laura Curran wants to relocate Immigration and Custom Enforcement's local office. Curran said she wants to show the immigrant community that they shouldn't fear reporting crimes, and that the county is in compliance with a recent court decision that limits its cooperation with ICE. Moving the offices from the jail campus a few hundred yards south to an obscure part of a public medical complex will accomplish that, she said. "It's not obscure," said Pat Young, program director for the Central American Refugee Center. He recently parked in a lot across from the site of ICE's future offices watching dozens of cars take the shortcut, back entrance to the hospital. "If you have ICE vehicles coming through here, ICE agents wearing their jackets, uniforms, they will be seen by people coming to the hospital." Young and others who work on behalf immigrants said moving ICE closer to the hospital could be worse than having it near the jail.

**[NY] NY City comptroller says undocumented immigrants who suffered wage theft will not be reported to ICE**

[NY1](#) [1/27/2019 7:08 AM, Staff, NY] reports that the New York city comptroller is looking for 1,500 people who were victims of wage theft while working on city contracts. "The reason these workers are cheated is because there is a feeling with some of these contractors that you can get away with that because the workers are immigrants, or they may appear vulnerable," said City Comptroller Scott Stringer. He says his office has already recovered \$12 million from companies for 1,500 people who suffered wage theft. But Stringer says he's recovered an additional \$2.5 million that still must be distributed. Officials say undocumented immigrants who receive wage awards will not be reported to Immigration and Customs Enforcement. "Come to the consulates. The consulates are a safe environment for all of you if you don't want to approach the authorities," said Carlos Gerardo Izzo, the press attache for the Consulate of Mexico. [Editorial note: consult source link for video]

**[NY] Nassau County Decision To Relocate ICE Still Problematic, Say Immigrant Advocates**

[WSHU](#) [1/25/2019 6:43 AM, Charles Lane, CT] reports that health care and civil rights groups are disputing Nassau County's claim that there will be no public health impact by moving the offices used by Immigration and Customs Enforcement from the jail to the county hospital. County Executive Laura Curran told ICE to leave the county jail campus, but then offered the federal agency space next door at Nassau Community Medical Center. Curran said she asked ICE to vacate the jail in order to build trust between law enforcement and the immigrant community. She said ICE's new location is in the rear of the hospital and won't be visible from the street. Advocates for immigrants say patients using the hospital rear entrance will see the ICE officers and marked cars. Angela Papalia, a social worker for Adelphi's Breast Cancer Support Program, said patients will skip appointments if they or their family are at risk of deportation.

The [Island Now](#) [1/26/2019 3:27 PM, Jessica Parks, 3K, NY] reports President Donald Trump called the move one made by "radical Democrats" on Wednesday night. He said the reason for Curran's decision is "because they don't want them doing anything to disturb MS-13." Curran's call for the relocation of the agency from its current location in East Meadow came last week after a recent court decision that prohibits local law enforcement agencies from holding those detained by ICE or an administrative warrant at their facilities. "The law is the law, and we will follow it," Curran said in a statement. "Removing ICE from the trailer gives us an opportunity to eliminate confusion in the immigrant community and demonstrate that inmates are there for crimes."

**[NY] New York passes Dream Act, offers financial aid and scholarships to undocumented immigrants**

[Newsweek](#) [1/25/2019 11:16 AM, Daniel Moritz-Rabson] reports that New York lawmakers passed a state version of the DREAM Act on Wednesday, approving legislation that will allow undocumented students the ability to receive scholarships and state financial aid. The bill passed in the Senate by a 40-20 vote and the State Assembly by a vote of 90-37, according to CNN. Governor Andrew Cuomo said he intended to sign it into law. The New York legislation opens up state financial aid programs for individuals who are undocumented or graduated, or they have received a high school equivalency diploma and spent a minimum of two years of high school in New York. It also establishes a privately

financed "DREAM fund" dedicated to providing scholarships to the children of immigrants. "Dreamers" refers to undocumented immigrants brought into the country as children who would benefit from the federal Development, Relief and Education for Alien Minors (or DREAM) Act, which Congress hasn't passed, or from the Deferred Action for Childhood Arrivals program, known as DACA. About 560,000 undocumented immigrants live in New York City, according to a March 2018 report from the Mayor's Office of Immigrant Affairs. The legislation came after Democrats gained a majority in the state Senate for the first time in 10 years. [Editorial note: consult source link for video]

**[NC] NC sheriff: Immigrant criminals 'raping our citizens'**

[Fayetteville Observer](#) [1/25/2019 10:23 AM, Isaac Groves, NC] reports that the Alamance County Board of Commissioners approved \$2.8 million Tuesday, Jan. 22, to let the Sheriff's Office go forward with contracts to house federal detainees in the county jail. The commissioners voted 5-0 to add \$2.8 million to the sheriff's current budget pending the negotiation of contracts that would cover those costs with ICE and the U.S. Marshals Service to hold detainees in the Alamance County jail. The \$2.8 million would let the Sheriff's Office hire 30 people, including detention officers and a lieutenant, buy uniforms and equipment for them, as well as computers, transportation vans, linens and toiletries for inmates. The Sheriff's Office has signed a \$530,773 contract with the Marshals Service paying \$82 per inmate per day and \$29 per hour for transporting prisoners, according to a news release Wednesday, Jan. 23. The \$2 million contract with ICE is under review, according to the release, and would include \$155 per inmate with guaranteed minimum payment for 50 beds no matter how many prisoners ICE holds at the jail, and a transportation fee of \$33.54 per hour. The other \$204,447 in the budget increase would fund a 3 percent pay increase for detention officers up to sergeants, and a "separation allowance," like the one required for sworn officers to keep officers in the job. Only those who retired from Alamance County after at least 15 years would be eligible. [Editorial note: consult source link for video]

Reported similarly: [Winston-Salem Journal](#) [1/25/2019 6:32 PM, Staff, NC]

**[IL] BPD Chief Addresses ICE Policy, 'Paranoia' Over Immigration**

[WGLT](#) [1/25/2019 6:32 PM, Eric Stock, IL] reports that Bloomington Police Chief Clay Wheeler says his office hasn't had any contact with Immigration and Customs Enforcement agents in the six months since his office enacted a policy that specifies his officers won't aid in immigration matters. "I can understand how it was a concern because there was the paranoia or the thought that there was much more going on," Wheeler says. "In different parts of the country there was. It didn't necessarily translate to here." In July, Mayor Tari Renner directed Wheeler to implement a plan for how Bloomington officers are to interact with immigration agents after a so-called Welcoming ordinance appeared to lack the votes to pass. Pro-immigration activists had voiced opposition to the proposal saying it lacked sufficient protections for undocumented immigrants. Wheeler said the department requires officers direct ICE requests to him, or to a lieutenant if ICE needs an immediate response. He said only occasionally does ICE inquire about a criminal investigation. He said the most notable example has been human trafficking, where he says undocumented immigrants are often the victim of these crimes because they fear they will be deported if they report it to police. [Editorial note: consult source link for audio]

**[TX] Removed: Mexican authorities dismantle migrant camp on Gateway bridge**

[Brownsville Herald](#) [1/26/2019 10:15 PM, Nadia Tamez-Robledo, 4K, TX] reports that Mexican immigration officials have dismantled a camp of asylum-seekers on the Gateway International Bridge, causing some people to sleep in a nearby park to avoid being skipped over by U.S. customs agents. It happened about a week before a federal policy went into effect Friday requiring some immigrants to wait in Mexico while their asylum claims are processed. It's unclear whether the two incidents are related. Mike Benavides, a volunteer with the humanitarian aid group Team Brownsville, said he crossed into Matamoros around 4 p.m. Jan. 19 to check on the migrants and get a head-count for the dinner that would be delivered later. His group had provided tarps, cots, blankets, heaters and other supplies for the adults and children who passed through the camp while awaiting a chance to apply for asylum. Benavides said all of the supplies were gone when he returned at 6 p.m., and migrants told him Mexican immigration officials had taken everything in the camp while informing them they would no longer be allowed to sleep there.

**[TX] Surprise: 'ICE isn't doing raids' here. The sheriff tells why**

[Star-Telegram](#) [1/26/2019 7:24 PM, Bud Kennedy, 146K, TX] reports when Tarrant County trained local deputies to do the work of federal immigration officers, it was explained as a way to help Washington find violent criminals. But the way Sheriff Bill Waybourn now explains it, having his deputies hold anyone here illegally actually helps those immigrants' families, too. In a fascinating twist on immigration enforcement, Waybourn told a grassroots conservative political group last week that U.S. Immigration and Customs Enforcement officers no longer raid homes or round up families here. "ICE isn't doing raids in Tarrant County," Waybourn told the Project Fort Worth group, "Because they only come to the Tarrant County jail." Since 2017, when Waybourn agreed to have 12 deputies trained to act as local ICE agents under the federal program known as 287(g), ICE just picks up some of the immigration violators in the jail and doesn't go out looking for them, he said. "They don't go out into the neighborhoods," Waybourn, a first-term Republican and former Dalworthington Gardens police chief, told the meeting at an Elks Lodge in west Fort Worth. "Do you see ICE out in any neighborhoods? You're not going to."

**[NM] Sanctuary bill limiting police power advances in Senate**

[Santa Fe New Mexican](#) [1/26/2019 7:00 PM, Milan Simonich, 19K, NM] reports a panel of Democrats in the New Mexico Senate used their superior numbers Friday to advance a bill that would prohibit state and local police agencies from using any resources to enforce federal immigration law. The Public Affairs Committee voted 4-3 for the measure, Senate Bill 196. All the Republicans on the committee voted against the bill, but didn't bother debating it. Immigrants and their advocacy groups packed a hearing room to support the bill. New Mexico's chief law enforcement officer, state Attorney General Hector Balderas, sent a surrogate to announce that he favors it. Balderas is a Democrat. The bill's intent to stop local and state police agencies from investigating or apprehending foreigners suspected of breaking federal immigration law.

**[OR] 'It has no legit purpose': Demonstrators protest outside Portland ICE**

[KATU](#) [1/27/2019 9:44 PM, Staff, OR] reports that demonstrators protested outside the Portland Immigration and Customs Enforcement office Saturday while President Donald Trump continued tweeting about his plans to build a wall. In a tweet Saturday, Trump said, "Build a wall and crime will fall," but the Portland protesters feel otherwise. They're calling for the end of ICE. There are more than 14,000 total inmates in Oregon prisons, according

to data from the Oregon Department of Corrections. The numbers show there are 910 inmates with ICE holds.

### **[OR] Portlanders dress as super heroes in protest against ICE**

[Portland Tribune](#) [1/26/2019 6:32 PM, Zane Sparling, OR] reports that to a backtrack of rock 'n' roll — and with a towering robot in tow — activists reignited their attempts to disrupt a federal immigration facility in Southwest Portland. Though the facility is closed on weekends, about 100 protesters gathered outside the U.S. Immigration and Customs Enforcement building, 4310 S.W. Macadam Ave., at 2 p.m. for a rally arranged by a local group calling itself The ICE Breakers on Saturday, Jan. 26. Attendees were encouraged to dress up as super heroes for what was billed as a family-friendly day of resistance. But organizer Francisco Aguirre reminded the crowd that a double identity is a survival strategy, not a fashion statement, for millions of undocumented workers toiling across America.

### **[CA] LA's Sheriff Wants To Kick ICE Out Of The Jails. What That Really Means**

[LAist](#) [1/25/2019 6:00 AM, Frank Stoltze, CA] reports that while President Trump has shut down the federal government over his demand for a border wall, in Los Angeles the big immigration question is what to do with unauthorized immigrants in the nation's largest local jail system. L.A. County Sheriff Alex Villanueva ousted incumbent Jim McDonnell in November in part because he promised voters he'd kick ICE out of the jails and hand over fewer inmates for deportation. For years, ICE agents have been allowed to use space inside Twin Towers downtown, where all inmates are processed in and out of L.A. County jail. Using the sheriff's public website, they figure out when a suspected unauthorized immigrant is being released and request deputies to transfer the person to ICE. When Villanueva says he's going to kick ICE out of the jails, he doesn't mean he's going to stop turning people over. It means he's going to force ICE agents to work outside the jail facilities. "So the bad guys are still going to get transferred," the sheriff told LAist. "It's just the physical presence of ICE in the jails that we are altering." ICE did not respond to requests for comment on Villanueva's plan. But the man who once oversaw ICE's criminal investigations in Los Angeles said suspected unauthorized immigrants who commit crimes are a high priority for the agency and L.A. County jail is a prime place to find them. Immigration agents "could set up shop right outside the door and try to talk to people as they come out of the jail," said Claude Arnold, who was special agent in charge of ICE's Homeland Security Investigations unit in the region for five years until 2015. "They could cordon off part of the street and park a detention bus there," he said, adding, "think of the chaos that could cause."

Under SB 54, the so-called sanctuary state law that took effect a year ago, California sheriffs are prohibited from handing over to ICE jail inmates who've been convicted of any of 800-plus less serious misdemeanors – like traffic offenses and trespassing. The most recent statistics available are from 2017. That year, the sheriff's department handed over 1,223 unauthorized immigrants to ICE for deportation, transferring them inside the jails or in some cases at courthouses. That was only about one-fourth of the nearly 5,000 people ICE asked for. Immigrant rights activists have their own estimates of how many fewer people would be deported as a result of Villanueva's possible policy change. There is general agreement, however, that the sheriff would still be handing over at least several hundred people a year.

## Legal News

### **Appeals judges see delay tactics in child immigration fight**

[Washington Post](#) [1/25/2019 6:32 PM, Larry Neumeister] reports that both sides in the dispute over a program sparing many young immigrants from deportation appear to be purposefully dragging out their legal fight, federal appeals judges said Friday. The observations came as a three-judge panel of the 2nd U.S. Circuit Court of Appeals heard arguments in New York. Circuit Judge Dennis Jacobs smiled as he noted that the panel's eventual ruling would be "preliminary and duplicative" since it pertains to a temporary ruling by a Brooklyn federal judge that came before evidence is fully gathered and analyzed and while similar cases proceed elsewhere. The U.S. government is appealing Judge Nicholas G. Garaufis' finding last February that President Donald Trump's administration failed to offer legally adequate reasons to end the Deferred Action for Childhood Arrivals program. Then-Attorney General Jeff Sessions had said President Barack Obama's 2012 decision to implement DACA was an unconstitutional exercise of authority. Often called "dreamers," for never-passed proposals in Congress called the DREAM Act, participants in the program were brought to the U.S. illegally as children or came with families who overstayed visas. The ruling by Garaufis came in lawsuits brought by immigration rights groups and 16 states and the District of Columbia. Ruling in similar fashion to a San Francisco judge, Garaufis concluded the Trump administration relied on an "erroneous" belief the program was unconstitutional. Jacobs noted that a speedy resolution in the courts to the DACA dilemma was unlikely. He told Anisha Dasgupta, a New York state lawyer who argued that Garaufis' ruling should be upheld, that the legal strategy by DACA supporters guaranteed they would get a nationwide injunction.

Reported similarly: [Bloomberg](#) [1/25/2019 4:00 AM, Patricia Hurtado]

### **Judge declines to stay his order blocking admin policy making it more difficult for people to qualify for asylum**

[CNN](#) [1/25/2019 12:07 PM, Dan Berman] reports Federal Judge Emmet Sullivan on Friday rejected a Justice Department request to stay his earlier ruling blocking the Trump administration's policy that makes it difficult for victims fleeing domestic and gang violence to qualify for asylum in the United States. Last month, Sullivan agreed with a group of women and children who said the policy imposed a heightened standard in reviewing their claims, concluding that the administration must stop deporting migrants currently in the U.S. "without first providing credible fear determinations consistent with the immigration laws." Friday, he wrote: "The government now requests a stay, pending appeal of the Court's Order, to enable the unlawful policies to continue to apply in all expedited removal cases, except the plaintiffs ... Defendants' motion for stay is DENIED."

### **[NH] ICE frees Indonesian woman after 7 months in jail**

[Foster's Daily Democrat](#) [1/25/2019 7:35 PM, John Doyle, 21K, NH] reports Etty Tham was "Overjoyed" to be released from jail Friday after being held for more than seven months by Immigration and Customs Enforcement. Tham, an Indonesian immigrant and grandmother, was detained last spring at an immigration checkpoint on Interstate 93 near Lincoln, about 90 miles south of the Canadian border. She had been held at the Strafford County House of Corrections since June. Tham filed a lawsuit in U.S. District Court, asking for a review of the "legality and reasonableness" of her federal custody and "civil, non-criminal detention." According to documents associated with the lawsuit, Tham has no criminal record and there

was no question concerning regarding her being a danger to the community. Attempts to reach ICE for comment Friday were not successful. Tham said the conditions of her release require her not to leave New England for more than 48 hours. She said she will be monitored with an electronic bracelet, for which she will be fitted next week.

### **[NH] Haitian Asylum Seeker's Deportation Blocked By Judge**

[Law360](#) [1/25/2019 6:46 PM, Kevin Penton] reports a New Hampshire federal judge on Friday barred the federal government from deporting an asylum applicant who is the nephew of a Haitian politician and journalist who unsuccessfully ran for president in 2015, holding that the transfer would violate the applicant's rights under federal law. U.S. District Judge Paul Barbadoro ordered a stay of removal for Patrice Compere that is to remain in place until the resolution of his motion to reopen his asylum case before the Board of Immigration Appeals, according to a memorandum by the judge that lays out his instructions. The federal government had argued that Judge Barbadoro lacked jurisdiction to consider the bid by Compere for the court to pause the removal because Congress has not authorized district courts to consider such challenges, according to the memorandum, but the judge rejected that argument. Compere, the nephew of Clarens Renois, argues that he fears for his safety should he be deported to Haiti. Compere contends in court documents that Haitian authorities may target him either because his record of convictions for drug-related offenses or because he is related to Renois, who has worked as a correspondent for several news organizations based on the Caribbean island and from abroad. Compere was detained by U.S. Immigration and Customs Enforcement officers in October 2017 following a drug possession conviction from the previous year, according to Friday's memorandum.

### **[NY] Documents Show New York Court Officers Alerted ICE About Immigrants in Court**

[Documented](#) [1/26/2019 4:09 PM, Mazin Sidahmed and Felipe De La Hoz, NY] reports in mid-March of 2017, a court officer at the Manhattan Criminal Court on Centre Street was approached by Immigration and Customs Enforcement Agent, Willie Outlaw. Outlaw, who was in plain clothes, asked the court officer to call him when a man named Stanley\* appeared for his court date, then gave the officer his business card. Shortly afterward, Stanley arrived. The court officer then did something that court administration has previously denied its officers have done: He called Outlaw and told him that Stanley had arrived to the court. Stanley's criminal case was dismissed, but as he left the courthouse Outlaw and two other ICE officers arrested him. Outlaw and other ICE agents have been routinely visiting courthouses throughout New York state for the last two years as part of an overall effort to ramp up enforcement actions against immigrants. The goal is to snag immigrants when they arrive for hearings on unrelated matters. While the state Office of Court Administration contends that it does not help facilitate ICE arrests at courthouses, Documented has exclusively obtained reports that detail several occasions in which New York State Court Officers have assisted ICE agents in carrying out arrests.

### **[MN] Amid a growing backlog of asylum cases, men from Iraq wait and adjust to life in Coon Rapids**

[Minneapolis Star Tribune](#) [1/26/2019 8:30 PM, Maya Rao, 465K, MN] reports Azhar Al-Rubaie still carries a cracked cellphone. He doesn't want to forget how security forces in the Iraqi city of Basra tried to confiscate it in a scuffle while he was reporting on protests that drew international headlines. Months after the clash, he is applying for asylum in Minnesota.

Much of the national immigration debate has highlighted migrants from Central America applying for asylum after crossing the Mexican border without proper documentation, a group that the Trump administration is taking controversial steps to try to restrict. But Al-Rubaie is part of a less visible group of people who apply for asylum after legally arriving in America — in his case, on a tourist visa he secured before the Basra protests intensified. Awaiting his fate in an Iraqi friend's apartment in Coon Rapids, Al-Rubaie is part of a surge of asylum-seekers in the U.S. The immigration courts have seen an enormous backlog of asylum cases dating back to the Obama administration — the Department of Homeland Security says the government received 106,041 asylum requests in the last fiscal year, more than quadruple the number in 2008.

**[OR] Medford man seeking asylum takes deportation case to Supreme Court**

[Medford Mail Tribune](#) [1/26/2019 11:32 PM, Nick Morgan, 17K, OR] reports that a Medford man who has "never been given the opportunity to present his case in front of an immigration judge" is putting his hopes in the United States' highest court in the land to intervene in a deportation that he claims could mean certain death. Joaquin Ledesma-Conchas, 43, a Mexican national who's lived in Southern Oregon for more than 25 years, is asking the U.S. Supreme Court to step in after the Board of Immigration Appeals refused to reopen and reconsider a deportation that originates in the 1990s. The deportation would do more than separate Ledesma-Conchas from his four children and the Peachwood Village manufactured home that Jackson County property records show he's owned with the mother of his children since 2008 – his Tucson, Arizona, lawyers argue that being sent to Mexico puts him at the mercy of violent drug cartels. Ayala Law Office of Tucson, Arizona, representing Ledesma-Conchas, said in its January petition to the Supreme Court that he "fears for his life in Mexico." Ledesma-Conchas, a property owner who's listed in some public records as "Joaquin C. Ledesma," is asking the Supreme Court to reopen his case to apply for asylum. At issue is that there's no clear standard as to the "exceptional circumstances" that would require the Board of Immigration Appeals to reopen his case. The BIA, part of the Department of Justice's Executive Office for Immigration Review, previously has denied Ledesma-Conchas' motion to reopen his immigration case as "untimely" based on a 1999 ruling in the case that had gone uncontested for more than a decade. In May of last year, the Ninth Circuit Court of Appeals ruled the BIA "did not abuse its discretion" in the denial.

**[CA] No One Has To Prove The Allegations In An Interpol Red Notice. But They Were Enough For ICE To Separate This Mother From Her Family.**

[Buzz Feed](#) [1/27/2019 12:27 PM, Hamed Aleaziz] reports at 6 a.m. on November 19th, Aida Carolina Andrade-Amaya walked out of her home, on her way back to work, girding herself for her first full day separated from her two-month old baby Mario Jr. As she approached her vehicle, however, she noticed a car parked across the street. Suddenly, the car sped up, its lights flashing and blocked her vehicle. Within instants, she was approached by a man and a woman wearing bullet proof vests, black pants, and black boots. They handcuffed her. What Aida had not known as she left for work that morning was that Immigration and Customs Enforcement officers had been watching her, tracking her routines and confirming her address and likeness, as they do in all of their targeted arrests made in communities. The officers on scene had in possession what they mistakenly believed was an international arrest warrant in the form of an Interpol Red Notice, part of an effort by the immigration agency to use the opaque process to target certain immigrants. Her mind racing and her breathing accelerating, Aida told the ICE officers that she was already in immigration court, fighting for asylum after she entered the country without



authorization in 2012. She had never been in trouble with the law. The arrest was just the latest setback in Aida's decade-long odyssey for safety, one that saw her flee years of domestic violence in her home country of El Salvador before arriving in America where she confronted new obstacles. Aida remains locked up at a California jail that holds ICE detainees two hours northeast in the Central Valley. "ICE arrested Aida Carolina Andrade-Amaya on November 19, 2018 at her residence after discovering she has ties to Mara Salvatrucha 13 (MS-13) and is also wanted in El Salvador for aggravated robbery and aggravated burglary," said Richard Rocha, a spokesman for the agency.

John Sandweg, former director of ICE during the Obama administration, was once sure that Red Notices were an appropriate means to prioritize the detention of immigrants in the country. But in the years following his role at ICE, Sandweg has become concerned about their use even though he still considers many of the notices and subsequent ICE arrests appropriate. The former director doesn't believe that the notices are vetted properly and thinks that they can be abused by countries, such as Russia, to get ICE to detain those who have fled the country. For her part, Aida crossed the border without authorization in 2012 and applied for asylum. She passed an interview determining she had a "credible fear" of danger in El Salvador and was released. Her attorneys point out that since her entry into the US she has had no criminal history. In immigration court, the mere presence of Red Notices can prove crucial in determining whether immigrants remain in custody. To that end, Aida will soon be due for a bond hearing in front of an immigration judge. The Red Notice could have serious consequences right from the start of the hearing, when the judge will determine whether she is a danger to the community. If so, she will be ineligible for bond and will remain in custody.

## **Enforcement News**

### **Migrant children illegally held in unlicensed facilities, attorney says**

[The Hill](#) [1/25/2019 1:33 PM, Nathaniel Weixel, 3038K] reports the Trump administration has been illegally holding unaccompanied migrant children in unlicensed facilities in violation of a federal agreement designed to protect them, attorneys say. Peter Schey, one of the lead attorneys representing detained children, told The Hill he sent the Justice Department a letter outlining a series of violations, including about 10 or 12 facilities that failed to produce licenses when inspected, including the largest facility for unaccompanied children in the country, located in Homestead, Fla. Schey said he is preparing to file a motion in the coming days, alleging numerous violations of the Flores agreement from the Departments of Justice and Health and Human Services. Migrant children's time in government custody has grown longer, in part due to the new policies that make sponsors afraid to come forward because of immigration enforcement. The administration is working on new regulations that it says would terminate and replace the Flores agreement. The proposal would allow immigration officials to keep children and their parents detained together for the entire length of their court proceedings, which could take months.

### **Accept Me, But Deport My Neighbor**

[Medium](#) [1/25/2019 7:03 PM, Staff] reports that in December of 2018, the Trump administration announced a reinterpretation of a 2008 deal between the U.S. and Vietnam that bars the deportation of any immigrant that came to the states before July 12, 1995—the day when formal diplomatic relations were reestablished between the two nations. Instead, Trump claimed that the agreement did not prevent the deportation of those with prior

criminal convictions. A report by the Asian American Legal Defense and Education Fund found that in 2016, Vietnamese Americans were the most conservative Asian American group, with 32% voting for Donald Trump, and 27% enrolled as Republicans. Former United States ambassador to Vietnam Ted Osius – who resigned in protest of President Trump's proposed policy – spoke to NPR from Vietnam. "I know for a fact they won't be treated well at all. They have no way of getting a job here because they won't be able to be issued identity cards. If they're the children of American servicemen, they won't be trusted. They will most likely end up in prison. And this future administration will consider them human rights cases and try to get them back to the United States. It doesn't make sense to be sending these people to Vietnam." Many of those with deportation orders are not violent offenders. The American Immigration Council states that 68% of the legal permanent residents deported every year are deported for nonviolent crimes. Many visa and green-card holders who commit offenses do not only serve the usual punishment, but are also held by immigration authorities for extended periods of time. A study by the Center for Latin American and Latin Studies on the notorious MS-13 gang found that it was able to grow and spread from a minor Los Angeles street gang into an international criminal affiliation through deportations. A Department of Justice report from the Congressional Research Service stated the same findings.

#### **[NY] One asylum-seeker explains why he's fleeing Trump's America and seeking refuge in Canada**

[Insider](#) [1/26/2019 6:32 PM, Michelle Mark, 1082K] reports that a migrant man named George wanted to make one thing clear as he approached the Canadian border: he loathes President Donald Trump. He was so repulsed by the current state of America, and so fearful of his place within it, that he took his chances on a dead-end road at the northernmost edge of upstate New York, and braced himself to walk across a small, dirt-filled ditch to enter Canada illegally. George spoke to INSIDER just before he made his illicit crossing to Canada in October, as some 40,000 other migrants have done in the last two years. Many have hung their hopes on the possibility that Canada will grant them asylum protections the U.S. won't. Many of the migrants come from overseas, obtaining temporary visas to the U.S., flying to New York City, and traveling through upstate New York to traverse the illegal border crossing at Roxham Road. But George is different. He told INSIDER he has lived in the U.S. for 25 years – and now he's had enough.

#### **[NY] Apple slams ICE detention of Albany mission worker**

[Times Union](#) [1/25/2019 6:25 PM, Bethany Bump, NY] reports that the sudden detention of a beloved Albany cook this week sparked public outcry from the local human services community and Albany County Sheriff Craig Apple, who publicly decried the priorities and whims of the federal immigration system. Kinimo Ngoran came to the U.S. without inspection more than a decade ago, in hopes of gaining asylum from religious persecution of Christians in his home country of the Ivory Coast in West Africa. But he was denied, and ordered removed, according to his attorney Fred Korkosz. While Ngoran's attorney at the time worked on his appeal, the Department of Homeland Security issued him a temporary stay of deportation, forbidding his immediate removal. Korkosz believes this was due, at least in part, to the volunteer work he had been doing for the Capital City Rescue Mission in Albany. He was also granted permission to finally start working legally, and Perry Jones, the head of the mission, hired him as a full-time cook. He eventually married an American citizen, an Albany woman. His wife filed an immigrant visa petition seeking permanent residence status for him in February 2017, Korkosz said, and is still waiting to hear back.

On Wednesday, as part of a routine visit to the U.S. Citizenship and Immigration Services office in Latham (mandated as part of his temporary stay), he was taken into federal custody and told his stay was up. Ngoran was held overnight in Albany County Jail before being transported to the Buffalo Federal Detention Facility in Batavia, where he now awaits deportation. Albany County Sheriff Craig Apple, who works frequently with the mission, posted a scathing response to the ordeal on Facebook early Friday morning.

Reported similarly:

[WNYT](#) [1/27/2019 7:59 AM, Staff, 29K, NY]

[News 10 ABC](#) [1/26/2019 11:22 PM, Dave Rush, 23K, NY]

### **[NY] Trump's golf course employed undocumented workers – and then fired them amid showdown over border wall**

[Washington Post](#) [1/26/2019 3:17 PM, Joshua Partlow and David A. Fahrenthold] reports that they had spent years on the staff of Donald Trump's golf club, winning employee-of-the-month awards and receiving glowing letters of recommendation. Some were trusted enough to hold the keys to Eric Trump's weekend home. They were experienced enough to know that, when Donald Trump ordered chicken wings, they were to serve him two orders on one plate. But on Jan. 18, about a dozen employees at Trump National Golf Club in Westchester County, N.Y., were summoned, one by one, to talk with a human resources executive from Trump headquarters. During the meetings, they were fired because they are undocumented immigrants, according to interviews with the workers and their attorney. The fired workers are from Latin America. The sudden firings — which were previously unreported — follow last year's revelations of undocumented labor at a Trump club in New Jersey, where employees were subsequently dismissed. The firings show Trump's business was relying on undocumented workers even as the president demanded a border wall to keep out such immigrants. In Westchester County, workers were told Trump's company had just audited their immigration documents — the same ones they had submitted years earlier — and found them to be fake.

The [Washington Examiner](#) [1/26/2019 4:26 PM, Melissa Quinn, DC] reports, "We are making a broad effort to identify any employee who has given false and fraudulent documents to unlawfully gain employment," Eric Trump, who with Donald Trump, Jr. controls day-to-day operations for Trump's company, said. "Where identified, any individual will be terminated immediately." Eric Trump went on to say it's one reason why "my father is fighting so hard for immigration reform. The system is broken."

Reported similarly:

[New York Times](#) [1/26/2019 10:36 PM, Mihir Zaveri and Annie Correal]

[The Hill](#) [1/26/2019 4:20 PM, Tal Axelrod, 3038K]

[Huffington Post](#) [1/26/2019 9:47 PM, Bernard Condon]

[CNN](#) [1/26/2019 6:56 PM, Sophie Tatum]

[NBC News](#) [1/27/2019 11:33 PM, Kate Snow and Tim Stelloh]

[New York Post](#) [1/26/2019 4:57 PM, Mary Kay Linge, 3265K, NY]

### **[PA] Mountain Top pilot faces deportation over abuse case**

[Citizens Voice](#) [1/25/2019 12:33 PM, James Halpin, 47K, PA] reports a Mountain Top pilot who pleaded guilty to corrupting a minor after being accused of fondling a young girl is now facing possible deportation. Jostein Brakvatne, 56, of Fairview Twp., is being held at the

Pike County Correctional Facility on an immigration detainer placed by U.S. Immigration and Customs Enforcement officials. The agency's online detainee locator says Brakvatne was born in Norway. ICE places detainers on immigrants arrested in criminal cases when agents have "probable cause to believe that they are removable from the United States," according to the agency's website. The status of Brakvatne's case was not immediately clear Friday. ICE officials said no one was available to answer questions. "All of ICE's public affairs officers are out of the office for the duration of the government shutdown," agency spokeswoman Jennifer Elzea wrote in an email. "We are unable to respond to media queries during this period because we are prohibited by law from working."

**[PA] He came to the U.S. legally as the son of a soldier. Now 'one mistake' could have him deported to Vietnam**

[WHYY](#) [1/27/2019 8:41 PM, Laura Benshoff, PA] reports that in 1992, Hung Le got in trouble with the law. Le said his employer at the time roped him into helping commit a robbery, for which he was arrested. At the age of 22 and unfamiliar with the U.S. legal system, he pleaded guilty to charges including theft, simple assault, and conspiracy, and he served eight years' probation. Now, Le is one of an estimated 7,000 Vietnamese immigrants newly threatened with deportation due to old criminal offenses after decades in the United States. On Sunday afternoon, more than 40 Southeast Asian community members and their supporters rallied outside a shopping center in South Philadelphia, part of a national campaign to draw attention to increased federal efforts to deport immigrants from Vietnam, Cambodia, and Laos. "These are non-citizens who during previous administrations were arrested, convicted, and ultimately ordered removed by a federal immigration judge," Katie Waldman, a spokesperson for the Department of Homeland Security, told Politico last month.

**[PA] Police charge illegal immigrant years after obtaining fake ID**

[ABC 27](#) [1/25/2019 11:30 PM, Alex Peter, PA] reports State Police in Harrisburg said Friday a Mexican citizen in the country illegally stole personal information from a Scranton resident more than a decade ago, and went undetected with a fraudulent ID until this week. Attorney Corky Goldstein has dealt with cases that involve illegal immigration before, but he believes that shouldn't be the focus here: he said identity theft and fraud, aren't unique to one group. Rigoberto Manchaca-Martinez told State Police he stole a Scranton man's birth certificate and social security number in order to land a job; and it seems it worked for nearly two decades. He is next due in court February 5.

**[TN] Judge grants Chapman Highway crash suspect bond**

[WBIR TV](#) [1/25/2019 9:25 PM, Lauren Hoar, 55K, TN] reports a judge reinstated bond Friday for the man charged in a deadly Chapman Highway crash. The Knox County judge granted Francisco-Eduardo Franco Cambrany, an immigrant who is charged with criminally negligent homicide, bond at \$3,500. A different judge revoked his bond at a hearing two weeks ago over concerns if he posted bond he would be taken into ICE custody. The judge also added bond restrictions including GPS monitoring. Cambrany would also not be allowed to drive or leave the county. Court documents show he has lived in the U.S. illegally for more than a decade. As of 6 p.m. Friday, Cambrany was still listed as an inmate in the Knox County jail.

Reported similarly: [WATE](#) [1/25/2019 12:06 AM, Blake Stevens, 32K, TN]

**[TN] ICE Jailed Pregnant Woman and Could've Killed Her Unborn Child**

[Daily Beast](#) [1/28/2019 5:11 AM, Natalia Megas] reports that Carmen Puerto Diaz and her husband were at the end of their marriage interview with Citizen and Immigration Services (USCIS) when an officer walked in with handcuffs. USCIS had just validated her marriage to U.S. citizen Ricardo Loza, clearing the way for a possible green card to give her permanent residence in the United States. Immigration and Customs Enforcement, however, discovered Puerto had an old order of removal from when she entered the U.S. without documentation over a decade earlier. Puerto told the ICE officer she had hypertension and needed her medication with her, which had been in her purse. Puerto, who is more than five months pregnant, said she was denied access to her medication for two and a half days, which she needs to take every twelve hours, even after pleading for it and experiencing palpitations, headaches, and dizziness. Loza reached out to a local immigration attorney's office and retained Johnna Main Bailey, Puerto's attorney, who said a supervisor at the local ICE office told her that he would forward Puerto's medical records to West Tennessee Detention Facility, where Puerto was being transferred. Once Puerto arrived at West Tennessee Detention Facility, she was still denied her medication. A CoreCivic spokesperson did not comment about Puerto's case, but said "all detainees undergo a full medical screening at time of intake." But Puerto said she did not receive any. The night she was transferred to LaSalle Detention Facility, Puerto was finally given back the medicine from her purse. The next day, Saturday, she was released but may still be deported. Bailey said that if Puerto had not been released, she is not sure she would have obtained appropriate medical treatment in Honduras.

#### **[GA] Candlelight vigil held in support of detained immigrants**

[Tifton Gazette](#) [1/26/2019 11:00 AM, William Malone, 1K, GA] reports singing "We Shall Overcome" and carrying signs in support of immigrants, a group of around 50 attended a candlelight vigil outside of Irwin County Detention Center, on Martin Luther King Jr Day, Jan. 21. The vigil was in honor of the 22 people who died inside immigrant detention centers since 2017. The group showed support and solidarity for the immigrants currently held in Ocilla by marching with signs and candles while chanting supportive chants. The two organizations responsible for planning the vigil and getting the word out were Somos South Georgia and members from South Georgia Immigrant Support Network. The two groups focus on helping people affected by the current immigration laws.

#### **[FL] Here's a List of Companies Making Money from Miami's Child-Migrant Detention Camp**

[Miami New Times](#) [1/27/2019 9:00 AM, Jerry Iannelli, 66K, FL] reports that adult detainees are being sent to a GEO Group immigrant detention facility on their 18th birthdays. When one of his abusive mother's gangbanger friends held a gun to his chest and threatened to pull the trigger, Nolibiz Orellana knew he'd die in Honduras. So this past January, the then-17-year-old made the harrowing journey to the U.S.-Mexico border, crossed over, and asked for asylum. Instead of releasing him to his relatives in Nebraska, though, the feds sent him to the Homestead Temporary Shelter for Unaccompanied Children. Orellana spent three months in the remote South Miami-Dade facility until April 8 — his birthday. That's when Immigration and Customs Enforcement agents showed up at the children's shelter, slapped handcuffs on Orellana's wrists, chained them to his waist, and shackled his legs together. The agents drove Orellana to the Broward Transitional Center, an infamous immigration jail in Pompano Beach, where he was thrown into a cell with men twice his age. Orellana's saga isn't just shocking — it's also illegal, say Miami immigration attorneys who have succeeded in forcing ICE to release several other 18-year-olds in recent months. Even

worse, they say what happened to the Honduran refugee seems to have become ICE's national policy. "When they turn 18, it's basically, 'Happy birthday,' and then they slap on handcuffs and take them off to adult detention centers," says Lisa Lehner, an attorney with the nonprofit Americans for Immigrant Justice who is representing Orellana. Lehner and her colleagues have filed seven lawsuits since early July on behalf of those 18-year-old immigrants. In five of those cases, ICE has quickly released the immigrants to relatives or guardians while their cases work through the courts. Asked about the cases, Nestor Yglesias, a Miami-based ICE spokesperson, says the agency "conducts targeted enforcement in compliance with federal law and agency policy."

**[FL] Guitarist for Zeta faces deportation to Venezuela**

[Gainesville Sun](#) [1/25/2019 1:35 PM, Andrew Caplan, FL] reports Daniel Eduardo Hernandez Saud said he is doing everything he can to ensure he isn't deported to Venezuela, where turmoil, violence and mass protests are occurring over a debate surrounding that country's future. After all, Saud and his band mates have a batch of upcoming Florida shows to play and are busy working to grow their U.S. fan base. Saud, 28, is a founding member and guitarist for the experimental punk band Zeta. While on tour, Saud, a Venezuela native, was recently denied his residency application through U.S. Citizenship and Immigration Services. Now he faces deportation and is fighting to keep his band together to continue touring in the U.S.

**[OH] Immigrant mother claiming sanctuary in northwest Columbus church given legal relief from ICE**

[NBC4 Columbus](#) [1/26/2019 6:26 PM, Staff, 98K, OH] reports an immigrant woman who has been living in sanctuary in a northwest Columbus church for nearly three months will be leaving the church after she received a reprieve from Immigration and Customs Enforcement. According to a press release, she is the first person claiming sanctuary in Ohio to be granted legal relief from ICE, along with documents to provide a pathway for her to obtain legal status. The woman, only identified under the pseudonym Angelica, has been staying at the Just North United Church of Christ since Oct. 29, 2018. Now, she can return to her family without fear of deportation.

Reported similarly:

[FOX 28](#) [1/27/2019 6:32 PM, Joseph Cooke, OH]

[Monthly Columbus](#) [1/26/2019 4:23 PM, Suzanne Goldsmith, 2K, OH]

**[TX] Illegal immigrant sentenced for sexual contact with child at Wichita Falls motel**

[Wichita Falls Times Record News](#) [1/27/2019 2:42 PM, Patrick Johnston, 5K, TX] reports a Honduran man reportedly in the United States illegally has been sentenced for having sexual contact with a child in Wichita Falls. Jose Raul Ramos-Martinez, 36, pleaded guilty Thursday to one count of indecency with a child by sexual contact – a second-degree felony. Per a plea agreement, Ramos-Martinez was given three years in prison with a credit of 1,004 days served. He has remained in the Wichita County Jail since his arrest on April 26, 2016. The jail's online inmate roster states that Ramos-Martinez was also being detained by the U.S. Immigration and Customs Enforcement.

**[TX] Illegal immigrant allegedly sexually assaults two girls**

[Temple Daily Telegram](#) [1/25/2019 4:13 PM, Deborah McKeon, 8K, TX] reports agents with U.S. Immigration and Customs Enforcement, Bell County Sheriff's Department deputies and

the U.S. Marshal's Service helped the Bell County Special Crimes Unit locate and arrest a man charged with sexual assault. In the Bell County Jail Friday was Francisco Barron-Munoz, 45, an illegal immigrant living in Belton. He was held in lieu of a \$200,000 bond after his Jan. 10 arrest on the warrant. An immigration hold was also placed on Barron-Munoz, jail records showed.

**[KS] Lawn worker sentenced to prison for 'outrageous' sex crime against student on Lawrence school grounds**

[Lawrence Journal-World](#) [1/25/2019 7:38 PM, Sara Shepherd, 30K, KS] reports Jesus Cervantes Garcia is on his way to prison for 2 1/2 years. The prosecutor said prison is due punishment for what Cervantes Garcia did: while mowing the lawn at Lawrence High School, proposition a 16-year-old girl and pay her \$8 to give him oral sex in the woods nearby. "It is just outrageous that someone who is working at a school would proposition and receive sex, and pay one of the students," prosecutor Mark Simpson said. "That is a serious offense, and something that he ought to go to prison for." Cervantes Garcia, 34, of Kansas City, Mo., was sentenced Friday in Douglas County District Court. He previously entered a plea and was convicted of unlawful sexual relations, a felony. Initially he'd been charged with commercial sexual exploitation of a child, a more severe felony. With his lack of criminal history, Kansas sentencing guidelines call for a prison sentence of 31 to 34 months for the conviction, Judge Sally Pokorny said. She sentenced him to 31 months in prison, followed by two years of post-release supervision. He also must register as a sex offender for 25 years. While Cervantes Garcia's immigration status has not been confirmed in open court, the Journal-World learned from U.S. Immigration and Customs Enforcement that he is a Mexican citizen in this country illegally, and that he had previously been deported in October 2016.

**[CO] Denver school system apologizes for threat to report striking teachers on visas to immigration authorities**

[The Hill](#) [1/25/2019 9:33 AM, Chris Mills Rodrigo] reports the Denver Public School system on Thursday apologized for saying it would report striking teachers on visas to immigration authorities, the Denver Post reports. The Denver Classroom Teachers Association voted earlier this week to begin a district-wide walkout to secure better pay for educators. Soon after the announcement, one area school received a letter from the district saying that teachers on H or J visas that would choose to strike would be reported to immigration and the U.S. Department of State, according to the Post. The Colorado People's Alliance shared the letter, which stated that if teachers "have a pending case and choose to strike, this could impact the decision on the case." Marisol Calderon, a local teacher, told the Post that employees at her school saw the letter, including one Venezuelan who is seeking asylum and another who is about to become a U.S. citizen. Calderon called the letter a "scare tactic." District spokesman Will Jones said late Thursday that "an incorrect communication was provided by a DPS employee regarding our educators on H-1B and J-1 visas." The district said the error "was the result of a misinterpretation of the information that we received from our immigration firm, and the communication was in no way intended to cause fear for our educators on visas.

Reported similarly: [CNN](#) [1/25/2019 1:05 PM, Joe Sterling]

**[CO] Community rallies around Summit County activist facing deportation**

[Summit Daily News](#) [1/25/2019 7:20 PM, Sawyer D'Argonne, 12K, CO] reports community members from around the county gathered at the Summit County Library in Silverthorne to chants of "Sí se puede!" as they called for support in their fight to keep Javier Dominguez in the country. Dominguez, a Mexican native and resident of Summit County for the last 25 years, is currently facing deportation back to Mexico due to a number of run-ins with the law including a domestic violence incident in 2012 and a DUI in 2015 (the Summit Daily was unable to obtain court records on the cases before print deadline). But community members are rallying behind Dominguez and his family, hoping that he will be granted a stay of deportation so that he can remain in the United States with his wife and four children. Dominguez will head to court in Denver on Monday where he'll likely find out whether or not he'll be deported back to Mexico. The Colorado Immigrant Rights Coalition has started a petition to grant Dominguez a stay of deportation, and the family is hoping to get as many signatures as possible before the hearing next week.

**[UT] California man charged in Summit County with human smuggling**

[Park Record](#) [1/26/2019 6:32 PM, Angelique McNaughton, UT] reports that an officer with the Department of Homeland Security arrested a man in Summit County on Jan. 19 after, prosecutors allege, the officer found eight immigrants hiding in the man's vehicle during a traffic stop. Rolando Gomez-Gomez, 33, of Los Angeles, was charged in Summit County's 3rd District Court on Jan. 22 with human smuggling, a third-degree felony; providing false personal information to a peace officer, a class C misdemeanor; and speeding. A probable cause statement shows that a task force officer with the Homeland Security Investigations Criminal Interdiction Team stopped Gomez-Gomez's vehicle while it was traveling eastbound on Interstate 80 in Summit County. The officer said the vehicle was traveling 78 mph in a 70-mph zone and swerving. Court documents state that, when the officer stopped the vehicle, he noticed eight men "attempting to hide." Gomez-Gomez initially gave the officer a false identification card with a different name, claiming he did not know his passengers, according to the charges. The officer's search of a federal database revealed his true identity and that he had been stopped several times for smuggling. Prosecutors allege the men in the vehicle told law enforcement they had paid Gomez-Gomez to take them to other states, including Nebraska and New Jersey. Gomez-Gomez later allegedly admitted to transporting the men for money and taking other immigrants on trips throughout the country on other occasions. As of Thursday, Gomez-Gomez was in custody at the Summit County Jail. He was being held on an Immigrations and Customs Enforcement hold.

**[NV] Undocumented immigrant admits killing couple in spree cited by Trump, police say**

[CNN](#) [1/26/2019 3:16 PM, Madeline Holcombe, 5847K] reports an undocumented immigrant has admitted to killing a Reno, Nevada, couple using a gun he stole from their home, police say in a probable cause document. President Donald Trump recently cited the killings and two others in a tweet in support of building a wall on the southern US border. "Four people in Nevada viciously robbed and killed by an illegal immigrant who should not have been in our Country," the President tweeted Monday. "We need a powerful Wall!" The four people referenced include the Reno couple, plus two women who police say were victims of homicide in nearby Douglas County. Connie Koontz, 56, was found dead January 10 in her home, and Sophia Renken, 74, was discovered dead January 13, also in her home. Jerry David, 81, and his wife, Sherri David, 80, were found killed January 16 in their Reno home. Investigators also discovered that possessions, including firearms, were stolen from the



victims' homes. Wilber Ernesto Martinez-Guzman, 19, was arrested January 19. He was arraigned Thursday on 36 charges of burglary, possession of stolen property and obtaining money by false pretenses. Prosecutors said he was found with weapons and other items stolen from the homes of the four victims. He has not been charged in any of the deaths.

Reported similarly: [Las Vegas Review-Journal](#) [1/25/2019 10:15 PM, Ken Ritter, et al., NV]

**[WA] Border Patrol Interrogated Portland Comedian Mohanad Elshieky At A Greyhound Station in Spokane: "They Kept Repeating the Word 'Illegals'"**

[Willamette Week](#) [1/27/2019 9:32 PM, Katie Shepherd, 78K, OR] reports Portland stand-up comedian Mohanad Elshieky says federal immigration officials interrogated him at the Greyhound station in Spokane, Wash., questioning his legal work permit and ID, even though Elshieky was granted legal asylum status last October. After stowing his luggage under the Greyhound bus and taking a seat, Elshieky says border patrol agents boarded the bus and asked four people to show IDs. "I assumed they worked for the bus station," he says. Then the border patrol agent asked Elshieky if he was a U.S. citizen, and alarm bells sounded in his head. Elshieky legally came to the U.S. from Benghazi on a J1 visa in 2014 and applied for political asylum. The U.S. Customs and Border Patrol agents were not satisfied with Elshieky's ID, he recalls. He showed them his work permit, which he carries in his wallet. One of the agents called another immigration official and asked whether the permit number was authentic. Elshieky says the phone was not on speaker, but he could tell that the person on the other line confirmed that the permit was real. Still unsatisfied, the immigration officials asked for a passport and for proof of Elshieky's asylum approval—a 3-page document that Elshieky says is not practical to carry everywhere. "They kept repeating the word "illegals" over and over and over again," Elshieky says. He says the border patrol agents let him back on the bus, but told him to carry his asylum approval in the future. Spokane City Council banned Border Patrol sweeps on Greyhound buses, but the mayor has said the rule cannot be enforced. The pushback from local and state governments has frustrated federal employees. In an email exchange between U.S. Immigration and Customs Enforcement officials sent in April 2017, a group of feds urgently tried to put together a plan to detain a man who had been arrested and placed in an Oregon jail. Elshieky says he's never been confronted by immigration officials before. "The whole argument of politicians or people on the news – 'Just do it the legal way. Come here legally, that's all you need to do' – this kind of proves that doesn't matter at all," he says.

Additional reporting:

[Newsweek](#) [1/27/2019 9:44 PM, Scott McDonald, 2656K]

[KGW8](#) [1/27/2019 10:50 PM, Brooke Wolford, et al., 74K, OR]

**[CA] Illegal Alien Child Rapist Sentenced To 401 Years In Prison, Victim Begs For No Deportation So He Can't Return**

[Townhall](#) [1/26/2019 10:58 AM, Timothy Meads] reports a previously deported illegal alien has been sentenced to 401 years in prison for a variety of sexually violent crimes against children that occurred in 2010 and 2013, reports ABC11. On December 4th, 2018 a "jury found Macario Cerda, 39, guilty of three counts of forcible rape, one count of kidnapping to commit rape, one count of criminal threats, and seven counts of lewd acts upon a child under the age of fourteen." According to police, Cerda had been romantically involved with the victim's mother. In 2013, Cerda forcibly kidnapped the mother's daughter and raped her in his van. While Cerda temporarily stepped outside the vehicle, the girl jumped into the passenger seat and drove away to safety. The illegal alien was subsequently arrested by

authorities. The police further discovered that this same victim "discovered the victim had also been raped...when she was a minor in 2010, which resulted in the pregnancy and birth of a baby." Prior records show that the rapist had been previously deported, but returned within five months and subsequently committed these crimes.

**[Guatemala] Guatemalan boy who died in U.S. custody laid to rest**

[Washington Post](#) [1/27/2019 6:16 PM, Associated Press] reports that villagers in this remote indigenous community of western Guatemala did their best Sunday to give a proper farewell to Felipe Gomez Alonzo, the 8-year-old migrant boy who died in U.S. custody at a New Mexico hospital on Christmas Eve. They held a candlelight vigil, draped his small white coffin with flowers and then carried him to his final resting place. Older sister Catarina scratched his name with a stick into a simple concrete headstone. Women in brightly embroidered shirts and skirts oversaw the last rites since many of the men in the village left for the U.S. long ago. The hamlet, set on a plain and surrounded by misty, pine-covered mountains, is a place of crushing poverty and lack of opportunity, home to a single small school, dirt roads that become impassible during the rainy season and rudimentary homes without insulation, proper flooring, water or electricity. The community is populated by families who fled to Mexico during the bloodiest years of Guatemala's 1960-1996 civil war but returned after the signing of peace accords. It was extreme poverty and lack of opportunity that drove Felipe's father, Agustin Gomez, to set off for the U.S. with the boy, the family has said. Others from the community had been able to cross the U.S. border with children, so he figured they would have the same luck. Felipe was chosen because he was the oldest son. Felipe and Agustin were apprehended by the U.S. Border Patrol in mid-December. After nearly a week in custody, the boy developed a cough, fever and began to vomit. New Mexico authorities said an autopsy showed Felipe had the flu. He was the second Guatemalan migrant child to die while in U.S. custody in December, sparking concerns of inadequate conditions at detention facilities.

**{End of Report}**



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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**Tuesday, Jan. 29, 2019**

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## Executive Office for Immigration Review

### Shutdown Compounds Woes for Immigration System

[Wall Street Journal](#) [1/29/2019 2:52 AM, Louise Radnofsky] reports the immigration-court backlog grew by at least 10% during the partial government shutdown, as a funding dispute centered on border security left the nation's overloaded immigration system digging out of an even deeper hole than before the five-week standoff. The court backlog, at more than 800,000 cases before the funding gap that started Dec. 21, swelled by at least 80,000 as courts stopped hearing most cases and Justice Department lawyers were furloughed, stalling litigation over immigrant-family separations and asylum claims by people crossing the border between official entry points. "It's chaos on top of disaster," said Paul Wickham Schmidt, a retired immigration judge and former chairman of the Board of Immigration Appeals. "It's already a system bursting at the seams....We have a shutdown over border security and immigration, but they shut the mechanism that issues final deportations. How does that make sense?" The backlog came into focus Monday as hundreds of thousands of federal employees returned to work after the shutdown ended Friday. President Trump signed a bill to reopen the government even though it lacked funding for his proposed wall along the border with Mexico. A bipartisan committee of 17 lawmakers, assigned to craft a longer-term deal on border security, scheduled its first meeting for Wednesday.

The Trump administration says immigration-court delays allow illegal immigrants to stay in the U.S. even if they don't have strong claims to do so. Immigrant advocates say the delays weaken the cases of immigrants who do have claims to stay, and leave them in limbo. Before the shutdown, the administration tried to accelerate the courts' docket by imposing case-completion quotas on its 400 judges. The president also proposed adding 75 judges as part of an ultimately unsuccessful deal to end the shutdown. The shutdown resulted in lost work for the government—with no new judges to show for it. The active-case backlog was 809,041 at the end of November, said the Transactional Records Access Clearinghouse at Syracuse University, which tracks court activity. Between Dec. 21 and Jan. 11, a period that included some days where the courts would have been closed for holidays, 42,726 scheduled hearings had been canceled, TRAC said. TRAC estimated that each subsequent week the courts were closed would result in approximately 20,000 canceled hearings.

### 'Catch-Up for Years' as Backlogged Immigration Courts Open

[Associated Press](#) [1/28/2019 5:56 PM, Deepti Hajela and Olga R. Rodriguez] reports the nation's immigration courts were severely backlogged even before the government shutdown. Now it could take years just to deal with the delays caused by the five-week impasse, attorneys say. With the shutdown finally over, the courts reopened Monday morning to immigrants seeking asylum or otherwise trying to stave off deportation, and hearings were held for the first time since late December. Court clerks scrambled to deal with boxes and boxes of legal filings that arrived after the doors opened. Over 86,000 immigration court hearings were canceled during the standoff, the biggest number in

California, followed by Texas and New York, according to an estimate from the Transactional Records Access Clearinghouse at Syracuse University. It estimates the courts have more than 800,000 pending cases overall.

The shutdown did not affect hearings for immigrants being held in immigration detention. It also had no bearing on applications for green cards and U.S. citizenship, which are handled by U.S. Citizenship and Immigration Services and are funded by filing fees. The cancellations were bad news for the many asylum applicants who have been waiting years to win approval so that they can bring loved ones to this country. It could be years before they are given new court dates, immigration attorneys said. But for those with weak asylum cases, the canceled hearings could be a good thing, enabling them to keep on living in the U.S. and fend off deportation for now. A spokeswoman for the Executive Office for Immigration Review, the part of the Justice Department that oversees the immigration courts, could not immediately say how many hearings were delayed or when they would be rescheduled. Judge Ashley Tabaddor, president of the National Association of Immigration Judges, said: "What is clear is that the cases that were set for trial during shutdown will likely ultimately end up at the end of the line when a new date is picked."

### **Immigration Courts Face More Than 80,000 Canceled Hearings in Federal Shutdown**

[Bloomberg BNA](#) [1/29/2019 1:15 AM, Ashley Tabaddor] reports the longest running government shutdown in history has brought increased attention to our nation's immigration court system and the impact of the shutdown on the ever increasing backlog, currently at 800,000 cases and growing daily during the shutdown. Yet most people are unaware of the primary factor underlying our current morass — that the immigration court is located within the Department of Justice, headed by the U.S. Attorney General, the nation's chief federal prosecutor. Thus, the immigration court system fails to meet the most fundamental concept of our American judicial principles — that courts must be independent and neutral, free from interference and influence of the prosecutor or any party before it. The dysfunction of the court stems from its structural defect of placement within the DOJ. One example is the incessant docket shuffling in furtherance of the latest law enforcement priorities. The Obama administration had the "surge" dockets, which placed the newest cases of "adults with children" or "unaccompanied children" immigrants at the top of the court's docket. Compounding this problem is the administration's unprecedented decision to subject immigration judges to numerical completion quotas and deadlines as a precondition to keeping their jobs. To date, more than 80,000 hearings have been canceled, and by the end of January (if the shutdown continues), the number will rise at a rate of more than 20,000 a week. More than three-quarters of our judges have been shut out of their courts. Only the cases of those individuals who are held in immigration detention are proceeding as previously scheduled. But those cases are less than 10 percent of the total 810,000 pending case backlog. Once the shutdown is over, the cases that were postponed will likely be placed at the back of the line, resulting in delays of several years before the individual's day in court.

### **Immigrants affected by government shutdown could wait years for new day in court**

[Los Angeles Times](#) [1/28/2019 9:50 PM, Andrea Castillo] reports Alfredo and Claudia Valdez were an hour and a half into their drive from Bakersfield to a Los Angeles federal courtroom, brimming with expectation that a judge there would finally declare them legal United States residents. It was early January, nearly two weeks into the partial federal shutdown. The couple were aware of the shutdown, but because they live so far away, they

couldn't risk the court reopening and missing their morning hearing. After a phone call to his lawyer confirmed that the court was still shuttered, a dejected Alfredo turned the car around. Last Friday, President Trump agreed to temporarily reopen the government, including immigration courts, for three weeks while lawmakers continue negotiations on funding for border security. The agreement affords a temporary truce in a partisan fight that has paralyzed Washington. But for people such as the Valdez family, caught up in a serpentine court system already overwhelmed with backlogged cases, the shutdown derailed a lengthy process that could take weeks or months to get back on track. The shutdown has not only resulted in thousands of canceled court hearings but also generated chaos for everyone involved in the immigration system.

Most judges were furloughed, and those who remained worked without pay. Lawyers canceled flights for out-of-town hearings and, absent direction from the Justice Department, continued to meet filing deadlines imposed by courts that weren't open to accept them. Dozens of immigrants showed up at courthouses every day, some unaware of the shutdown, many simply to prove that they didn't intentionally skip their hearing. With more than 76,000 pending cases as of November, Los Angeles already had the nation's second-largest immigration court backlog, according to the Transactional Records Access Clearinghouse at Syracuse University. Across the country, more than 800,000 cases were pending, a figure that has swollen from a low of fewer than 125,000 in 1999. Every week of the shutdown added 20,000 cancellations to the backlog. By Jan. 11, more than 9,000 court cases were canceled in California alone. Meanwhile, about 300 of the nation's nearly 400 immigration judges were furloughed, said Ashley Tabaddor, president of the National Assn. of Immigration Judges. Immigration court schedules are split between hearings for detained and released immigrants. Tabaddor said hearings for detained immigrants, which make up less than 10% of the entire docket, continued during the shutdown and were being overseen by judges who weren't getting paid. Morale among judges was already at historic lows before the shutdown, said Tabaddor, who is based in Los Angeles. In October, the Justice Department implemented a quota system tied to performance evaluations under which immigration judges are expected to complete 700 cases a year to receive a "satisfactory" rating. She said the DOJ had not provided guidance about whether those quotas would be waived once the government fully reopened. "Each day, it becomes exponentially more difficult to get back up to speed in a short timeframe," she said. "What I understand right now is there are piles and piles of filings that are just sitting there. The first thing we're going to have to do is dig ourselves out from under the mountain of paperwork."

### **The shutdown is over for now, but big delays loom in Immigration Court**

[The Inquirer](#) [1/28/2019 5:00 AM, Jeff Gammage, PA] reports the end of the partial government shutdown is expected to reopen the nation's shuttered Immigration Courts. That's the good news. The bad news: The 35-day closure caused immigration hearings to be canceled at a rate that was approaching 20,000 a week, meaning that many people will have to wait additional years to have their day in court, according to immigration lawyers and former judges. An estimated 86,200 Immigration Court hearings were canceled between Dec. 22, the start of the shutdown, and Jan. 25, according to the Transactional Records Access Clearinghouse at Syracuse University. California led the nation in canceled hearings, with 9,424 through Jan. 11. New Jersey ranked fifth, with 1,894, and Pennsylvania 10th, with 1,163. "This moves the court system closer to implosion," said former Immigration Court Judge Jeff Chase, now in private law practice in New York. Some migrants who already have waited two, three, or even four years for their hearings may have to wait two or three years more. The Immigration Court system now has a lot more

work to make up — but still has the same roughly 400 judges presiding in 62 courts around the country. Immigration Court in Philadelphia is at the Robert Nix Federal Building at 900 Market St. "It's chaos on top of disaster," said retired Immigration Court Judge Paul Wickham Schmidt, who left the bench in 2016 after 13 years hearing cases in Arlington, Va. "People with good cases are denied justice, while others postpone their day of reckoning indefinitely. Many of these cases will never be decided unless Congress reforms this broken system." The backlog of active Immigration Court cases topped 809,000 at the end of November.

### **Immigration hearings resume after government shutdown**

[SCPR](#) [1/28/2019 12:00 PM, Leslie Berestein Rojas, CA] reports immigration courts nationwide and in Southern California reopened Monday after a five-week government shutdown, during which tens of thousands of hearings were postponed. Immigration judges began hearing cases already scheduled for this week. Individuals who were scheduled for hearings during the shutdown will be given new hearing dates. The immigration courts already face a huge backlog; in L.A. it was more than 76,000 as of last November. [Editorial note: [Audio at source](#)]

### **US immigration authorities detail so-called return-to-Mexico guidance for migrants**

[CNN](#) [1/28/2019 4:55 PM, Geneva Sands and Priscilla Alvarez] reports the Trump administration officially laid out its new policy to force migrants seeking asylum in the United States to remain Mexico to await their immigration court proceedings -- a significant change in US asylum policy. The memorandum, which was issued by US Citizenship and Immigration Services, would require some asylum seekers, many of whom are from Central America, to stay in Mexico, instead of the US, until their immigration court hearings. A massive immigration court backlog has resulted in cases being scheduled years out; it's not clear whether these cases will be on a similar timeline or expedited. The policy is expected to be challenged in court by immigration-rights advocates. President Donald Trump has repeatedly criticized the nation's immigration system, particularly the practice of releasing immigrants into the US until their immigration court hearings. According to Justice Department data, the majority of immigrants do attend their immigration court proceedings. Still, an influx of immigrants at the US-Mexico border with the arrival of caravans appears to have flamed the President's concerns.

Customs and Border Protection is instructed to refer migrants who claim they'll be persecuted or tortured in Mexico to US Citizenship and Immigration Services for further interviews; asylum officers are then expected to conduct follow-up interviews in person, via video teleconference or by telephone. If migrants don't meet the threshold, they'll be expected to stay in Mexico until their immigration court proceedings. Citizenship and Immigration Services is one of a few US agencies that will be involved in sending migrants back to Mexico. Customs and Border Protection is expected to handle the initial processing, while Immigration and Customs Enforcement will manage transportation to and from the border and court appearances, according to an administration source. Additionally, DHS is working with the Department of Justice's Executive Office for Immigration Review to "streamline the process and conclude removal proceedings as expeditiously as possible," said a fact sheet released by DHS last week. The uncertainty over when immigration court proceedings will be scheduled and how they'll be handled is raising concerns among immigration lawyers.



### **'Remain in Mexico' policy could also be the Trump administration's most dangerous**

[ThinkProgress](#) [1/28/2019 12:27 PM, Rebekah Entralgo, 402K] reports as of last week, Central American migrants who attempt to cross the U.S.-Mexico border without proper paperwork at the San Ysidro port of entry – the most popular official border crossing – will be returned to Mexico to wait out their cases. Some immigration experts have called the policy – titled "Migration Protection Protocols" but known colloquially as "Remain in Mexico" – the largest change to U.S. immigration policy since the 1990s. The change means that Central American migrants, who have a legal right to seek asylum in the United States, will be forced to wait for upwards of a year in Mexico while their claim languishes in a massive backlog of immigration court. Instead of holding immigrants in Customs and Border Protection custody after they've been medically screened, identified, and ultimately transferred to Immigration and Customs Enforcement, the government will now issue asylum seekers a 45-day notice to appear before a judge in immigration court. They will be allowed to visit the United States for court hearings, but will have to live in Mexico during the interim. DHS anticipates it will take multiple hearings to resolve a case, meaning a lot of back and forth travel for asylum seekers. If they lose their case, they will be deported back to their country of origin. A 2015 study by Syracuse University's Transactional Records Access Clearinghouse showed that without legal representation, only 1.5 percent of women with children who had passed their credible fear interviews were given asylum in the United States. Aside from potentially violating international human rights laws, the "Remain In Mexico" policy could also put thousands of Central American migrants at risk of harm or even death. It is not yet clear how long asylum seekers will have to remain in Mexico, but if the current immigration court backlog is any indication, it could be years. The U.S. Justice Department employs fewer than 400 immigration judges to adjudicate a backlog of cases that has reached over 800,000.

### **Judge Will Make Decision About Teresa Giudice's Husband Joe's Deportation Appeal Soon, Despite Government Shutdown Delaying Cases!**

[All About The Truth](#) [1/28/2019 12:00 PM, Katie Gray] reports due to the partial government shutdown, that ended on Friday, thousands of immigration cases were delayed. For that reason, people facing deportation may be staying in the United States for a little longer than expected. However; Teresa Giudice's husband, Joe Giudice, could be deported out of the country as soon as March according to Radar Online. An immigration official told them that since Joe is a detainee, his appeals process is still proceeding as normal. Noting that a decision will be made before his release from prison on March 14. The Real Housewives of New Jersey couple have been appearing on the show since season 1. We've seen their ups and downs on the RHONJ and right now they are in the process of finding out the outcome of their appeal. Officials said, "In most cases appeal decisions have been delayed and everything is on freeze until the government shutdown is over. However, in cases of detainees, things are still processing as normal because they are priority." An immigration judge had ordered Joe be removed from the United States and deported back to his native Italy on October 10, 2018. He then filed an appeal the following month.

### **[NY] Government Shutdown Is A 'Disaster' for Immigration Court Backlog, Judge Says**

[Gothamist](#) [1/28/2019 4:22 PM, Beth Fertig, NY] reports at Federal Plaza in Lower Manhattan, the nation's busiest immigration court reopened Monday morning after the unprecedented 35-day government shutdown. Judges put on their black robes again, government attorneys wheeled shopping carts full of paperwork to courtrooms, and lawyers

and clients attended their previously scheduled trials and procedural hearings. But beneath the calm surface of a court getting back to business, many immigration attorneys said they were deeply concerned about the impact on clients whose hearings couldn't take place during the shutdown. Attorney Sofia Dee said she had four clients whose trials were cancelled. "I have no idea what's going to happen with those," she said. When hearings are cancelled, judges reschedule them for their next available opening — which could mean another year or more, depending on the judge's calendar. New York's immigration court has a backlog of more than 105,000 cases and many judges aren't scheduling new hearings until 2022. The research group TRAC at Syracuse University estimates more than 86,000 immigration hearings nationally may have been cancelled during the shutdown — as many as 10,000 cases in New York alone. California, New York and New Jersey were among the five states most affected. One New York judge who came back to work on Monday, called it "a disaster" for the court's backlog. The individual asked not to be quoted because judges are not allowed to speak to the press.

The Executive Office for Immigration Review, which runs the courts, has not responded to questions about the impact of the shutdown on rescheduling cases in New York or any change of priorities. New York's immigration judges have extremely busy calendars. On Monday, some had 70 or more cases scheduled for "master calendars," procedural sessions when immigrants and their lawyers file motions before they get to the trial stage. This is normal. Support staff worked over the weekend with overtime to get the cases ready, according to New York immigration judge Amiena Khan, executive vice president of the National Association of Immigration Judges, speaking in her capacity as a union representative. But things weren't as calm in Los Angeles. Union president Ashley Tabaddor, who is based in L.A., said all hearings except for trials there had to be cancelled when the court reopened on Monday. "Our clerks could not be expected to pull the files for hundreds of cases in time for court," she explained. She said she also heard some cases were adjourned because no interpreters had been requested in advance. Because of the shutdown, the union wants the Department of Justice to halt a quota system it began in October for immigration judges, who work for the agency. Each must complete 700 cases a year to get a satisfactory performance rating. "They want the agency to suspend the application of the quotas and deadlines in light of the great disruption of the shutdown on our dockets and ability to work properly," Tabaddor said, of her fellow judges.

**[TX] Immigrants impacted by government shutdown could wait until 2023 for court** [Houston Chronicle](#) [1/28/2019 1:00 AM, Lomi Kriel, 199K, TX] reports the nation's already backlogged immigration courts lurched back to life Monday following a record government shutdown in the name of border security. The impact on the courts — an often publicly forgotten arm of immigration enforcement — will likely be felt for years. With a record 827,000 pending cases, including more than 51,000 in Houston, the 35-day long shutdown pushed an already overburdened system closer to the precipice. More than 80,000 hearings were canceled, according to the Transactional Records Access Clearinghouse, a research center at Syracuse University. Texas had the third-most postponed hearings in the country after California and New York. Across the nation Monday, judges rescheduled some cases to 2023 even as government attorneys arrived to work with no prepared files, causing further delays. The Executive Office for Immigration Review, an arm of the Department of Justice overseeing immigration courts, has been understaffed for years, with about 350 judges across the nation struggling to tackle an ever-worsening caseload. An average immigration judge could oversee more than 2,000 cases.

### **[TX] How the government shutdown affected immigration court case backlog**

[KVIA](#) [1/28/2019 5:26 PM, Mauricio Casillas, 19K, TX] reports the government is back open, but the effects of the partial government shutdown were far-reaching. Immigration hearings for non-detained migrants were canceled during the shutdown. Immigration attorney Cynthia Lopez said the shutdown made an already vast backlog of cases even worse. "Essentially if someone has been scheduled for a court hearing these past few weeks, they just haven't had court," Lopez said. "Some attorneys are saying they got rescheduled dates in the summer – June or July." According to a database from the Transactional Records Access Clearinghouse from Syracuse University, there's more than 4,600 pending immigration cases in the El Paso area. The government is funded until February 15th. If bipartisan leaders cannot come to an agreement, the government could shut down once again.

## **Policy and Legislative News**

### **Government Reopens as Trump Casts Doubt on Prospects for a Border Wall Deal**

[New York Times](#) [1/28/2019 3:06 PM, Eileen Sullivan and Alan Blinder] reports that hundreds of thousands of federal employees returned to work on Monday with a presidential promise of a paycheck "very quickly" but no guarantee that they will be working in three weeks, when a temporary stopgap of funding expires. President Trump and congressional Democrats arrived at a short-term agreement late on Friday, reopening the government after 35 days and the longest government shutdown in history. Lawmakers have until Feb. 15 to reach a compromise on the Republican request for billions of dollars to be allocated for a border wall — a wall Democrats have refused to fund. Referring to the odds that a deal could be struck over that time, Mr. Trump told The Wall Street Journal on Sunday, "I personally think it's less than 50-50." Mr. Trump said he would use emergency powers to fund the wall if an agreement could not be reached.

Additional reporting:

[New York Times](#) [1/28/2019 3:06 PM, Sheryl Gay Stolberg]

[National Review](#) [1/28/2019 8:19 AM, Jack Crowe]

[Newsweek](#) [1/28/2019 9:49 AM, Jason Lemon]

### **This is not just border security, it is national security: Former Acting ICE Director**

[FOX News](#) [1/28/2019 3:02 PM, Staff] reports that former Acting ICE Director Tom Homan on the debate over funding for a wall along the U.S. border with Mexico. [Editorial note: consult source link for video]

### **If Trump can't get 'the wall,' give border agents 'more wall'**

[Washington Examiner](#) [1/28/2019 12:07 PM, Eddie Scarry, DC] reports that talking about "the wall" is now like banging your head against one. President Trump did a fantastic job selling the idea to the public, but the debate on controlling our jungle-like immigration system has shifted and now he needs to adjust. Otherwise, the border will be no more secure when he leaves the White House than when he arrived. That means he needs to stop yelling about "the wall," where Democrats are completely uncompromising and screaming "racism" for entirely political reasons. He needs to start talking about "more wall," which all the border patrol agents I spoke to in Texas (mostly Latinos, by the way) are asking for. There is no "the wall" that will ever get built — not least because Trump has

never explained what it would look like or where it would go. But more importantly, there is already "wall" in place. We just need more of it, and depending on where it goes, it's going to look different.

### **Mexico won't accept minors awaiting U.S. asylum claims**

[Associated Press](#) [1/28/2019 11:30 PM, Staff] reports that the head of Mexico's immigration agency says his country won't accept migrants younger than 18 while they await the resolution of their U.S. asylum claims. National Immigration Institute Commissioner Tonatiuh Guillen says Mexico also won't extend the policy beyond a single border crossing, the El Chaparral gate in Tijuana. Mexican officials had previously said the United States had expressed interest in extending the "remain in Mexico" policy to other border crossings. But Guillen said Monday that Mexico will accept only asylum seekers aged 18 to 60 at one crossing, El Chaparral. Mexico also will accept migrants only from Guatemala, El Salvador and Honduras, and will give them four-month visas. Guillen said that since Dec. 1, Mexico has given almost 4,000 transit visas to Central Americans, most of whom hope to reach the United States.

Additional reporting:

[Newsweek](#) [1/29/2019 5:55 AM, Chantal Da Silva]

[News Radio 1200 WOAI](#) [1/28/2019 7:22 AM, Michael Board, TX]

### **Mexico stands with migrants. The new U.S. asylum policy must respect their rights.**

[Washington Post](#) [1/28/2019 2:52 PM, Roberto Velasco Alvarez] reports Mexico is adopting a new migratory framework in line with the solidarity that has always characterized our foreign policy. Our new policies rely on a comprehensive vision to understand migration and all its repercussions from their root causes. We believe trying to halt the flow of migrants without addressing the factors that force people to flee their countries is insufficient. As President Andrés Manuel López Obrador stated in a letter to President Trump, a plan to boost development in Guatemala, El Salvador and Honduras that creates employment and, as a consequence, lowers crime rates, represents a better and more effective alternative than merely focusing in stemming the outflow of immigrants. The ongoing initiative between Guatemala, El Salvador, Honduras and Mexico is designed to raise investment, enhance governance, reduce violence and foster economic growth. Our governments must properly implement several complex policies to meet this ambitious set of goals. The technical expertise and financial support of the United States represent a significant advantage toward the success of those policies, and should be commended.

### **DHS Struggling to Hire Border Agents, Immigration Officers, Despite Trump's Promise of 15,000 Jobs**

[Newsweek](#) [1/28/2019 7:41 AM, Chantal Da Silva] reports that it has been two years since President Donald Trump signed an order to hire 15,000 new border agents and immigration officers as part of his administration's border security crackdown. However, despite dedicating tens of millions of dollars to the effort, his administration has reached less than 5 percent of that goal. So far, the U.S. Customs and Border Protection (CBP) agency has only seen 33 new hires from a \$60.7 million contract that was awarded to management consulting firm Accenture Federal Services as part of a larger \$297 million deal to recruit new border agents over a five-year span, The Los Angeles Times reported. While Border Patrol saw a net gain of 120 agents in 2018 (the first net gain in five years, according to a recent report by CNN), House Speaker Nancy Pelosi recently brought attention to the fact

that are currently nearly 3,000 job vacancies within the CBP. That's 2,000 more than the agency was reported to have at the time Trump signed an order demanding a hiring surge.

### **Boy, 8, who died in border patrol custody laid to rest in Guatemala, relative says**

[CNN](#) [1/28/2019 3:57 PM, Elliott C. McLaughlin and Angela Barajas] reports that Felipe Gomez Alonzo, the 8-year old boy who died in U.S. custody on Christmas Eve, was laid to rest in Yalambojoch, Guatemala, his half-sister said on Monday. The family has yet to receive any indication from American authorities as to what led to Felipe's death, she said. A spokesman for the New Mexico Office of the Medical Investigator told CNN last month that the average time for a death investigation is six to 12 weeks, but it could take longer. The office said last month that Felipe, who died in U.S. Customs and Border Protection custody, had the flu, but no official cause of death has been released.

The boy's father, Agustin Gomez Perez, is still in the United States, she said, but she isn't sure where he's living. He must check in regularly with immigration officials, she said. On December 18, about 3 miles west of the El Paso border crossing, Felipe and his dad were detained for illegal entry. Noticing Felipe was ill on Christmas Eve, a border agent took him to a hospital, where he was diagnosed with a cold and later a fever. "The child was held for an additional 90 minutes for observation and then released from the hospital midafternoon on December 24 with prescriptions for amoxicillin and Ibuprofen," CBP said in a statement. That evening, the boy began vomiting and was taken back to the hospital. He died hours later at Gerald Champion Regional Medical Center in Alamogordo, New Mexico, about 90 miles north of El Paso, the CBP said. The father was released on his own recognizance, U.S. Immigration and Customs Enforcement spokeswoman Liz Johnson said. The Guatemalan consulate in Phoenix said it was assisting with his immigration case.

### **Trump's AG Pick Likely To Channel Sessions On Immigration**

[Law360](#) [1/28/2019 1:34 PM, Nicole Narea] reports as William Barr's nomination to serve as U.S. attorney general continues to move through the Senate, immigration attorneys anticipate a Justice Department head in the mold of predecessor Jeff Sessions who would maintain a hard line on immigration enforcement and actively work to set precedents at the Board of Immigration Appeals. Attorneys said that both Barr's record as the U.S. attorney general under former President George H.W. Bush from 1991 to 1993 and his more recent statements indicate that he will carry on the legacy of Sessions, who he has publicly praised as an "outstanding attorney general." The Kirkland & Ellis LLP counsel has voiced support for a number of President Donald Trump's immigration policies rolled out during Sessions' tenure, including his "zero-tolerance policy" of prosecuting all unauthorized border-crossers and even the earliest versions of his travel ban targeting nations the administration deems to be security threats. With a Senate Judiciary Committee vote on his confirmation scheduled this week, Barr may soon take the helm of the U.S. Department of Justice and become a partner to Trump on his immigration agenda, attorneys said.

### **House Committee Plans Hearing About Trump's Deployment of Military to the Border**

[Fortune](#) [1/28/2019 3:31 PM, Renae Reints, 1015K] reports the House Armed Services Committee will hold a hearing about the Trump administration's deployment of the military to the U.S.-Mexico border on Tuesday, NPR reports. In the run up to the 2018 midterm elections, President Donald Trump frequently claimed that a dangerous migrant caravan was approaching the southern border. He sent thousands of active duty military troops there to help block the migrants – a move some say was a political stunt to drum up support for

Trump's border security plan. The new chairman of the House Armed Services Committee, Democratic Rep. Adam Smith of Washington, aims to look into the matter. "We want an explanation of the policy. We want to shine a light on it and make it clear – in my view – that there is no legitimate purpose here," Smith said on NPR Monday morning. [Editorial note: consult source link for video]

**[NY] ICE Courthouse Arrests Up 1700% Since Trump's Inauguration: Report**  
[Daily Beast](#) [1/28/2019 3:02 PM, Scott Bixby, NY] reports that arrests of undocumented immigrants at courthouses in New York state by U.S. Immigration and Customs Enforcement have become so sudden and aggressive that bystanders think they have just witnessed a kidnapping, according to a new report issued Monday. In "The Courthouse Trap: How ICE Operations Impacted New York's Courts in 2018," released by the Immigrant Defense Project on Monday, the nonprofit group outlines changes in the enforcement arm of the U.S. immigration system that have resulted in 1700 percent increase since President Donald Trump took office. The allegations in the report, collected from lawyers, legal aid groups, and the Immigrant Defense Project's hotline, include dragging suspected undocumented immigrants from cars, slamming their family members against walls, and trailing immigration attorneys in order to arrest their clients. In 2016, that network reported 11 arrests at courts across the state; that number had increased to more than 200 in 2018.

"Officers and agents will generally avoid enforcement actions in courthouses, or areas within courthouses, that are dedicated to non-criminal (e.g., family court, small claims court) proceedings," ICE tells readers in a page dedicated to answering questions about courthouse arrests. Matthew Bourke, an ICE spokesperson, told The Daily Beast that the agency doesn't statistically track arrests made at courthouses. "Unfortunately, we can't speak to the data you've referenced," said Bourke. The report also alleges that plainclothes ICE officers targeted people appearing at rehabilitative community justice courts and parole reentry programs, where officers have reportedly arrested undocumented immigrants without identifying themselves or providing administrative warrants proving that they have reason to believe someone is subject to deportation. "ICE officers and agents do not have dedicated uniforms, so all would be in 'plainclothes' — sometimes — with ICE identifiers depending on the planned enforcement action," Bourke told The Daily Beast. "Depending on the circumstances surrounding an enforcement action, an administrative warrant may not be provided until after the formal arrest has occurred." Officers should identify themselves as law-enforcement officials during an arrest, Bourke added.

[The Intercept](#) [1/28/2019 10:32 AM, Ryan Devereaux, 500K] reports that the increase in courthouse arrests in New York followed the issuance of a new directive on such operations, signed by former ICE Acting Director Thomas Homan, who once told lawmakers that undocumented people should live in fear of his agency.

Reported similarly:

[Law360](#) [1/28/2019 5:11 PM, Suzanne Monyak]

[Metro](#) [1/28/2019 1:31 PM, Kristin Toussaint, 82K]

[Brooklyn Daily Eagle](#) [1/28/2019 12:40 PM, Rob Abruzzese, NY]

[Next City](#) [1/28/2019 12:40 PM, Rachel Kaufman, PA]

[Pacific Standard](#) [1/28/2019 12:40 PM, Jack Herrera, CA]

**[NY] Curran allowing ICE agents to remain in trailer at jail for now**

[Long Island Newsday](#) [1/28/2019 5:12 PM, Scott Eidler, 255K, NY] reports Nassau County Executive Laura Curran said Monday that officials from the U.S. Immigration and Customs Enforcement agency could remain for the time being at a trailer at the county's jail in East Meadow while she reviews the agency's proposal for permanent quarters on jail grounds. The announcement was the latest twist in a controversy over where to house six agents from ICE's Office of Enforcement and Removal Operations. County officials originally asked them to leave without offering them a new location, but then said last week they could relocate to the neighboring Nassau University Medical Center. Late last year, county officials, citing an appellate court ruling from last November that overturned a Suffolk policy for detaining individuals under federal warrants, gave ICE until Jan. 31 to vacate the trailer. Law enforcement union officials protested moving ICE from the jail. Civil liberty activists objected to placing ICE agents on hospital grounds. They said they worried that patients would fear getting arrested and stop going to the hospital, which treats many patients who are uninsured or low-income.

Reported similarly:

[News 12 Long Island](#) [1/28/2019 5:16 PM, Staff, 5K, NY]

### **[CO] Teller County Sheriff Will Turn Jailers Into Immigration Enforcement Agents**

[Westword](#) [1/28/2019 9:00 AM, Conor McCormick-Cavanagh, 106K, CO] reports the Teller County Sheriff's Office has signed an agreement with Immigration and Customs Enforcement to turn some of its jailers into immigration enforcement agents. Signed by Sheriff Jason Mikesell, what's known as the 287(g) agreement will give Teller County Jail personnel the chance to be trained and certified to enforce immigration law within the jail. Chosen jailers won't be allowed to handle the whole deportation process without assistance from ICE, but they can at least get it started. The trained jailers will be able to question inmates about their immigration status, serve arrest warrants for immigration violations, and issue immigration detainers, among other responsibilities. The Teller County Sheriff's Office will foot the bill for any additional personnel costs related to these new duties, according to the agreement. The ACLU of Colorado is suing the Teller County Sheriff's Office over its past cooperation with ICE. Although legal director Mark Silverstein concedes that it is unclear how the 287(g) agreement will affect the current lawsuit, he argues that the decision to further tie the two agencies together would damage the community.

### **[AZ] Hundreds of migrants cross Arizona border after 'several busloads' dropped off in Mexico**

[CNN](#) [1/29/2019 1:15 AM, Geneva Sands] reports that in the early morning hours Thursday, several busloads of migrants were dropped off on Highway 2 in Mexico, just south of the Arizona border. In total, 242 people – mostly families from Guatemala – were arrested when Border Patrol agents arrived at the scene after the migrants were detected by a mobile surveillance system. In December, Customs and Border Protection Commissioner Kevin McAleenan raised concerns that a new trend was emerging of very large groups of migrants arriving at the southern border by bus and unloading in remote areas. "So far in this fiscal year, and this has been a brand-new phenomenon this fiscal year, we have started to see extremely large groups arrive together several times, usually once or twice a week since about mid-October," said McAleenan in December. Coast Guard medical staff, including a physician, were flown on a helicopter to the Ajo Border Patrol station to screen every child in the group and more than a dozen adults complaining of medical issues. Acting Tucson Border Patrol Chief Jeffrey Self told CNN that the increase in large group apprehensions is

taking resources away from other border security missions, like narcotics interdiction. In fiscal year 2019 to date, Tucson Sector, which extends from the New Mexico state line to the Yuma County line, has seen more than a 231% increase in family apprehensions compared with the same period in fiscal year 2018, according to Customs and Border Protection.

### **[CA] DHS Secretary Nielsen to Tour San Ysidro Port of Entry, Evaluate Migrant Protection Protocols**

[NBC 7 San Diego](#) [1/28/2019 8:48 PM, Andrew Johnson, 98K, CA] reports Secretary Kirstjen Nielsen with the Department of Homeland Security will tour the San Ysidro Port of Entry to assess the crossing's working protocols Tuesday, the agency announced. The operational tour will show Nielsen how the Migrant Protection Protocols are being implemented. MPP refers to when U.S. authorities send migrants outside of the U.S., usually to Mexico, for the duration of their immigration proceedings, according to DHS's website. "Secretary Nielsen will see firsthand how MPP implementation will ensure migrants are protected according to U.S. and international obligations while also addressing the crisis at our Southern Border," read a press release from DHS Monday. DHS said MPP aids the "chaotic migration" at the southern border and "restore(s) the integrity of the United States immigration system."

## **Legal News**

### **Connection To US Not Enough For Asylum, 11th Circ. Says**

[Law360](#) [1/28/2019 6:02 PM, Carolina Bolado] reports the Eleventh Circuit on Friday denied two Mexican immigrants asylum, ruling that being targeted by criminal groups in Mexico because they have been in the United States and have family there does not make them part of a specific social group entitled to asylum under the Immigration and Nationality Act. The federal appeals court upheld decisions by an immigration judge and the Board of Immigration Appeals to deny Maria Belen Perez-Zenteno and her son, Gerardo Melchor Perez, asylum because they failed to show that they are members of a statutorily protected group. The appeals court said the group is "extraordinarily numerous" and "wholly amorphous" and noted that millions of Mexican citizens have visited or lived in the United States. In her arguments for asylum, Perez-Zenteno cited a 2015 Human Rights Report from the U.S. State Department, but the Eleventh Circuit said that report mentioned people like journalists, human rights activists, indigenous people and members of the LGBT community, among others, but not people with family in the U.S. The appeals court also noted that the report said kidnapping, which Perez-Zenteno dealt with in Mexico, remains a serious problem for people of all socioeconomic levels.

### **[GA] Immigrant rights activist Eduardo Samaniego to be deported**

[Daily Hampshire Gazette](#) [1/28/2019 1:49 PM, Dusty Christensen, 13K, MA] reports after 100 days of incarceration, local immigrant rights activist Eduardo Samaniego has accepted so-called "voluntary departure" and will be deported to Mexico, a country he left a decade ago. In October, Samaniego was arrested in Georgia after forgetting his wallet and failing to pay \$27.75 in cab fare -- a misdemeanor charge his supporters say has since been dropped after the fare was paid. Because of his immigration status, Samaniego was transferred from jail to the custody of Immigration and Customs Enforcement, or ICE, and on Friday Samaniego decided to accept deportation before an immigration judge. The decision is one



that Samaniego's supporters are calling a denial of due process. Samaniego's lawyer, Charles Kuck, said the judge presiding over the case ignored Kuck's partner's argument that Samaniego wasn't capable of competently making decisions because of his mental state. Samaniego recently had been transferred from a Georgia ICE detention facility to Columbia Regional Care Center in South Carolina, an immigrant detention center that doubles as a mental health hospital. A judge gave Samaniego 30 days to purchase a ticket to Mexico, and he will remain in custody until ICE puts him on that plane, Kuck said.

### **[FL] Kids in Miami Migrant Camp Used as "Bait" to Catch Adult Sponsors, Civil-Rights Group Says in Lawsuit**

[Miami New Times](#) [1/28/2019 8:40 AM, Jerry Iannelli, 66K, FL] reports that according to a class-action lawsuit filed last week by the Southern Poverty Law Center, among the nation's most prominent civil rights groups, a young girl from Mexico called "M.C.L" in court filings. is one of multiple young people who are being used by the Trump administration as "bait" to hunt down immigrants in the United States to deport. The suit alleges the practice is widespread among the 100-plus federal immigrant-detention facilities across the nation – including kids at Homestead, which is slated to become the largest facility in the country. The SPLC filed the lawsuit after a whistleblower leaked documents showing the U.S. Office of Refugee Resettlement was sharing sponsor information with Immigration and Customs Enforcement. The whistleblower stated the policy was adopted as part of the Trump administration's "family separation" effort, whereby kids were separated from their parents at the border in what is almost certainly a violation of international law. The SPLC says it was designed to intimidate adults so they don't sponsor immigrant kids.

### **[CA] Immigrant Detained More Than A Year Must Get Bond Hearing**

[Law360](#) [1/28/2019 3:06 PM, Suzanne Monyak] reports a longtime U.S. resident from Mexico must receive an individualized bond hearing before an immigration judge, a California federal judge has ruled, holding that the federal government had violated the man's due process rights by detaining him for longer than a year. In a Friday order, Magistrate Judge Jacqueline Scott Corley granted Juvenal Garcia Gonzalez's petition for a writ of habeas corpus and held that the government "must establish by clear and convincing evidence" at the bond hearing that he is a danger to the community or a flight risk in order to continue detaining him. The judge leaned on a 2011 Ninth Circuit decision known as *Singh v. Holder*, which held that the government bears this burden of proving an individual is a flight risk or a danger in order to hold that person in prolonged immigration detention. The U.S. Supreme Court's ruling last year in *Jennings v. Rodriguez* — which held that those in mandatory immigration detention are not entitled to bond hearings after six months — did not overturn *Singh*, the court held, because *Jennings* focused on whether bond hearings are statutorily required and "not whether they are constitutionally required." In October, the California federal court denied Garcia Gonzalez's motion for a temporary restraining order seeking to be released from detention, which at that point had lasted under a year. At a hearing the following month, an immigration judge denied his application to readjust his status, and he has appealed the immigration judge's ruling to the Board of Immigration Appeals, the decision says.

### **[CA] Asylum Seekers Seeing Delays in Court Proceedings as Government Reopens**

[NBC 7 San Diego](#) [1/28/2019 8:27 PM, Danielle Radin and Brenda Gregorio-Nieto, 98K, CA] reports the government reopened Monday but federal departments are still feeling the burden. There is a major backlog at already crowded immigration courts as thousands of

hearings were canceled during the federal shutdown. "For people waiting to go to court, it leaves a lot of uncertainty and stress in lives," said William Baker, an immigration attorney in San Diego. The shelter at the Normal Heights United Methodist Church is currently at full capacity for asylum seekers. The church provides them with clothes, shoes and a place to stay while they wait for their court hearings. The church also provides asylum seekers with transportation to and from their court hearings. Most asylum seekers in this shelter are from Russia, Ukraine, Brazil, and Haiti. Since the government reopened, the church has seen an increase in asylum seekers coming through their doors. Many immigrants fear that they will not get a new court date in the next three weeks, a timeline President Donald Trump gave Congress to come to an agreement before another government shutdown would happen. [Editorial note: consult source link for video]

### **[CA] Immigrant's Supporters Rally To Urge Magistrate To Order Bond Hearing**

[SF Gate](#) [1/28/2019 3:56 PM, Staff, CA] reports about 20 supporters of a Richmond man who has been in immigration detention for nearly two years held a rally outside the Federal Building in San Francisco Monday to urge a U.S. magistrate to order a new release hearing for him. Raul Lopez, 46, a Guatemalan immigrant who has lived in the United States for 29 years, is seeking asylum, a process that could take years in the immigration court system. U.S. Magistrate Judge Sallie Kim is presiding over a habeas corpus lawsuit in which he is seeking her help in gaining release during that process. Lopez has asked for either an order for a new bond hearing before an immigration judge or a direct order for release. An immigration judge denied Lopez release last fall on the ground he is a danger to the public because of three misdemeanor driving-under-the-influence convictions between 2010 and 2016.

## **Enforcement News**

### **[NH] Immigrant held for more than 7 months released**

[Washington Times](#) [1/28/2019 9:56 AM, Associated Press, DC] reports that an Indonesian immigrant held for more than seven months by Immigration and Customs Enforcement in New Hampshire has been released. Ety Tham, of Portsmouth, was detained last spring at an immigration checkpoint on Interstate 93 near Lincoln. She had been held at the Strafford County House of Corrections since June. Tham entered the U.S. in 2000 or 2001 and overstayed a tourist visa. A petition for asylum was denied. She told Foster's Daily Democrat on Friday when she was released, "I'm very happy. I'm going to see my family. I miss my family." Tham has two grown daughters and has two grandchildren. Earlier this month, she lawsuit in U.S. District Court, asking for a review of the "legality and reasonableness" of her federal custody and "civil, non-criminal detention."

Reported similarly: [WMUR](#) [1/28/2019 6:41 PM, Jennifer Crompton, 102K, NH]

### **[NY] Eric Trump takes aim at media, 'incompetent' lawmakers after reports of firings of undocumented workers at father's golf club**

[Washington Post](#) [1/28/2019 2:06 PM, John Wagner] reports that Eric Trump lashed out Monday at the media and called on Congress to fix the nation's immigration laws following news reports that about a dozen longtime employees of one of his father's golf clubs were recently fired because they are undocumented. The crackdown at National Golf Club in Westchester County, N.Y., came amid the protracted partial government shutdown as the

president was seeking funds for a border wall intended to keep out such immigrants. The Washington Post broke the news on Saturday, and NBC News later followed up with a report. In his tweets, Eric Trump, who, along with his brother, Donald Trump Jr., has day-to-day control of his father's businesses, suggested the story was minor compared with other events in the world. In his tweets, Eric Trump also called on Congress to fix the country's immigration laws. Eric Trump did not respond to specific questions from The Post about how many undocumented workers had been fired at other Trump properties and whether the company had, in the past, made similar audits of its employees' immigration paperwork. He also did not answer whether executives had been aware that they employed undocumented workers.

Reported similarly:

[Huffington Post](#) [1/28/2019 3:51 PM, David Moyer]

[FOX News](#) [1/28/2019 2:49 PM, Elizabeth Llorente]

[Fortune](#) [1/28/2019 2:49 PM, Emily Price]

**[NY] Ravi Ragbir, joined by protesters, emerges from tense ICE check-in**

[New York Daily News](#) [1/28/2019 11:40 AM, Stephen Rex Brown and Marco Poggio, 1101K, NY] reports Activist Ravi Ragbir emerged Tuesday from a required check-in with ICE surrounded by protesters and politicians who denounced President Trump's immigration policies as racist and inhumane. Ragbir, executive director of New Sanctuary Coalition, was required to visit ICE offices in Lower Manhattan despite court orders blocking his deportation to Trinidad while he seeks to vacate a criminal conviction for wire fraud. "This is what they want to do, they want to break our spirit. They want to destroy our humanity. They want us to give up by threatening us and intimidating us," Ragbir said. One year ago, ICE took Ragbir into detention, sparking rowdy protests that resulted in the arrests of 18 people.

**[NY] Community rallies behind ICE-detained Albany mission chef**

[Albany Times Union](#) [1/28/2019 7:24 PM, Mallory Moench, 105K, NY] reports normally on Mondays at lunch, Kinimo Ngoran would be cooking over a giant skillet in the kitchen at the Capital City Rescue Mission to serve 800 meals to the city's homeless population. This Monday was different: Ngoran, who entered the country illegally from the Ivory Coast and has been trying to legalize his status for more than a decade, was in federal immigration detention near Buffalo. Instead, executive chef Max Ansong filled in for him over a vat of beef chili. "He is my strong guy, he's my second," Ansong said in his chef's garb after lunch. "He had a big heart for helping people. It looks like everyone can do the work that we're doing, but it takes heart to do what we're doing. You are dealing with people who are hurting. Kinimo just loved them." Last Wednesday, Ansong was waiting for Ngoran to come back to work from his twice-yearly routine check-in at the U.S. Immigration and Customs Enforcement office in Latham. Ngoran never came back: ICE arrested and detained him, overnight in the Albany County Jail and now in Batavia Federal Detention Center near Buffalo. ICE spokesman Khaalid Walls said Ngoran was previously ordered removed from the U.S. by a federal immigration judge in 2004 and courts subsequently denied his appeals. While Ngoran's attorney at the time worked on his appeal, the Department of Homeland Security issued him a temporary stay of deportation, forbidding his immediate removal. Walls said that Ngoran has been regularly reporting to ICE under an order of supervision issued in 2012 because the agency was previously unable to obtain a travel document from his home country.

Reported similarly: [ABC 10 News Albany](#) [1/28/2019 7:12 PM, Mary Wilson, 23K, NY]

**[PA] He came to the U.S. legally. Now 'one mistake' could have him deported**

[WITF](#) [1/28/2019 5:05 AM, Laura Benshoff, PA] reports in 1992, Hung Le got in trouble with the law. The son of a U.S. service member and a Vietnamese mother, Le had recently arrived in Philadelphia, following a short stint in Virginia, thanks to the Amerasian Homecoming Act, which helped children of U.S. soldiers get immigration status in this country. Le said his employer at the time roped him into helping commit a robbery, for which he was arrested. At the age of 22 and unfamiliar with the U.S. legal system, he pleaded guilty to charges including theft, simple assault, and conspiracy, and he served eight years probation. Now, Le is one of an estimated 7,000 Vietnamese immigrants newly threatened with deportation due to old criminal offenses after decades in the United States. On Sunday afternoon, more than 40 Southeast Asian community members and their supporters rallied outside a shopping center on West Oregon Avenue in South Philadelphia, part of a national campaign to draw attention to increased federal efforts to deport immigrants from Vietnam, Cambodia, and Laos. Under U.S. immigration law, lawful immigrants, including green card holders, can be deported if they've been convicted of certain crimes. "These are non-citizens who during previous administrations were arrested, convicted, and ultimately ordered removed by a federal immigration judge," Katie Waldman, a spokesperson for the Department of Homeland Security, told Politico last month.

**[PA] When Manuel was deported from Pittsburgh to Guatemala, he entered the 'deportation-to-death pipeline'**

[PublicSource](#) [1/28/2019 6:30 AM, Joanna Bernstein, PA] reports that on a quiet afternoon in mid-April, my phone rang; I didn't recognize the number. I answered, and it was my friend Francisco Brito Corio. I was fairly certain he had returned to Guatemala from Pittsburgh sometime in the past year, but I wasn't sure. Our small talk didn't last long. "They took him," Francisco blurted, about a minute into our call. "They killed Manuel. They took my only son." Francisco's 23-year-old son had gone out the night before and never returned home. The following day, Francisco's neighbor came knocking on his door to inform him that Manuel Brito had been killed and his body was laying on the side of a road nearby. ICE agents had previously detained Manuel, which led to his deportation. He was killed two years later. With that, he entered what many immigration advocates and attorneys call the deportation-to-death pipeline, the killing of undocumented Mexican and Central American immigrants in their home countries after they have been deported. I tried to contact ICE's Office of Public Affairs several times by phone and email to inquire about the events leading up to Manuel's arrest. No one responded. PublicSource made several attempts this month to reach ICE as well as press contacts for the White House and the Department of Homeland Security. None of the offices responded to phone calls or detailed emailed questions about ICE's protocol for making home visits or searching for undocumented minors. Automated email responses from ICE and the White House indicated that the ongoing government shutdown meant that press contacts were unable to work.

**[PA] Undocumented family relocates to Germantown church**

[Temple News](#) [1/29/2019 12:05 AM, Diana Cristancho, 4K, PA] reports Carmela Apolonio Hernandez shares a small, cinder block bedroom with her four children inside of Germantown Mennonite Church on Washington Lane. Hernandez and her children, originally from Mexico, lived in sanctuary for about a year at the Church of the Advocate on

Diamond Street near Gratz from December 2017 until last month. Hernandez was denied asylum and fears for the safety of her and her family if they return to Mexico. U.S. Immigration and Customs Enforcement has allowed Hernandez time to determine how to get back to Mexico since a judge issued a deportation order in September 2016, the official wrote. ICE cannot enforce the order at a sensitive location without "prior approval from an appropriate supervisory official or exigent circumstances necessitating immediate action." The family's relocation to Germantown was carefully planned and ICE was notified of their new location, said Blanca Pacheco, the co-director of the New Sanctuary Movement of Philadelphia. After weeks of protest in July 2018, Mayor Jim Kenney announced that Philadelphia would no longer share its Preliminary Arraignment Reporting System with ICE.

**[MD] Federal judge extends order barring Frederick resident's deportation**

[Frederick News-Post](#) [1/28/2019 6:41 PM, Cameron Dodd, 21K, MD] reports a federal judge has extended an order barring the deportation of a Frederick resident involved in an ongoing lawsuit against the county. U.S. District Judge Catherine C. Blake on Friday ordered the Department of Homeland Security not to remove Roxana Orellana Santos from Maryland or the United States until Feb. 28 or further notice. Santos is the plaintiff in a lawsuit against Frederick County in which a federal judge found Sheriff Chuck Jenkins responsible for violations of her constitutional rights during a 2008 arrest. Santos, originally from El Salvador, has been in deportation proceedings since deputies illegally arrested her on a federal civil immigration matter. Immigration and Customs Enforcement officials detained Santos earlier in January during a routine check-in appointment, The News-Post previously reported. Santos' attorneys and supporters have been working for her release. Santos is participating in ongoing settlement conferences with Frederick County concerning damages and changes to sheriff's office policies resulting from the lawsuit.

**[VA] Driver charged with killing 4-year-old Richmond boy**

[WTVR-TV](#) [1/28/2019 11:29 AM, Scott Wise, 82K, VA] reports a driver accused of hitting a family's car, killing a four-year-old boy, has now been charged with involuntary manslaughter. Jose A. Gonzalez-Flores, 28, was arrested in August, two days after the Belmont Road crash that killed four-year-old Elias Camacho and injured members of family. Gonzalez-Flores and another man were in the 2011 Dodge Ram pickup that struck the 2000 Toyota Camry in which Camacho rode with his parents and siblings, according to police. Gonzalez-Flores and his friend, 28-year-old Edilberto Hernandez-Perez, left the crash scene. Gonzalez-Flores was initially only charged with felony hit and run, driving with a suspended license, and possession of a controlled substance. Following their August arrests, U.S. Immigration and Customs Enforcement (ICE) filed a detainer on both men while they investigated them for being in the country illegally.

**[TN] Illegal Alien Granted \$3.5K Bond After Allegedly Killing Pierce Corcoran**

[Breitbart](#) [1/28/2019 5:50 PM, John Binder, 2015K] reports as Breitbart News reported, Pierce Corcoran – an aspiring personal trainer – was killed in a head-on car crash allegedly caused by 44-year-old illegal alien Francisco Eduardo Franco-Cambrany days before New Year's Eve. The illegal alien, police said, was driving without a license and without proper registration for his vehicle. He has been charged with negligent homicide and driving without a license. Now, Franco-Cambrany could be able to leave prison while he awaits trial for Corcoran's death as General Sessions Court Judge Patricia Long granted a \$3,500 bond, noting that agents with the Immigration and Customs Enforcement agency could take

the illegal alien into custody should he be released. Long has required the illegal alien to wear an ankle monitor if he is released on bond.

**[OH] A Rust Belt City Wrestles With Fear, Immigration, and its Future**

[CityLab](#) [1/28/2019 8:59 AM, John Russo and Sherry Linkon] reports that one year ago, on January 29, 2018, Fidaa Musleh got an unexpected call from her husband, Amer Othman Adi. He was calling from O'Hare Airport in Chicago, where he was boarding a flight to Jordan. After a three-decade battle to fend off deportation and a couple of weeks in detention at the Northeast Ohio Correctional Center (NEOCC) near his adopted hometown of Youngstown, Amer was being deported. He was calling his wife to say goodbye. Adi's long fight to stay in America exemplifies the tenacity of many immigrants. He'd entered the U.S. on a visa in 1979 at age 19. A decade later, after his marriage to an American woman ended and he had remarried, the Immigration and Naturalization Service charged Adi with fraud and revoked his green card. He fought deportation through legal means, but in 2007, the Immigration and Customs Enforcement agency (ICE) ordered him deported. While Adi was fighting those decisions, he started a family and opened several businesses in downtown Youngstown, including the popular Downtown Circle convenience store, which also housed a Middle Eastern deli. That business was one of several successful new shops and restaurants that sparked a business renaissance in the center of this famously blighted city. "I opened a business here when no one else wanted to," he told the Cleveland Plain Dealer. At the time of his deportation, Adi employed about 60 people.

**[OH] Mexican woman leaves church sanctuary in Ohio as a legal resident**

[Providence Journal](#) [1/28/2019 4:45 PM, Danae King, 51K, RI] reports a Mexican woman who had been living in sanctuary in a Northwest Side church since October walked out last week as a legal U.S. resident — a first in Ohio. Angelica, a nickname given to the 41-year-old woman to protect her identity from people targeting her and her three children, left Just North United Church of Christ on Wednesday with her family after her attorneys, Liliana Vasquez and Inna Simakovsky, brought her the visa they'd received in the mail for her that day. Angelica got a U visa, granted to people who were victims of crime while in the United States and are helping law enforcement. Five other people remain in sanctuary in Ohio, including two women in Columbus, said the Rev. Noel Andersen, a national grass-roots coordinator at Church World Service who tracks sanctuary cases in the country.

**[OH] St. Henry man sentenced for attempted illegal use of a minor in nudity oriented material-faces deportation**

[WCSM](#) [1/28/2019 10:45 AM, Kevin Sandler, 1K, OH] reports 29 year old Fernando Marquez of St. Henry has been found guilty in Celina Municipal Court of attempted possession of a minor in nudity oriented material. Marquez was accused of asking a 15 year old female for inappropriate pictures, even offering her money for them. The U.S Department of Immigration and Customs Enforcement has a holder on Marquez. It is expected Marquez will be deported to Mexico after he is released from the Mercer County Adult Detention Facility on February 27.

**[TX] Illegal immigrant sentenced to 10 years for injury to a child**

[Temple Daily Telegram](#) [1/28/2019 4:16 PM, Deborah McKeon, 8K, TX] reports that an illegal immigrant who lives in Buckholts was sentenced Friday to 10 years in prison after he pleaded guilty to injury to a child, Milam County District Attorney Bill Torrey said. Mario Alberto Rodriguez, 28, was primarily investigated by Buckholts Police Chief Shawn

Newsom for a July 2018 incident that was a first-degree felony. Immigration and Customs Enforcement placed a hold on Rodriguez. Once Rodriguez serves his time in the Texas Department of Criminal Justice, ICE will begin hearings to deport him, Torrey said.

**[NV] Man accused in 4 murders worked for slain couple**

[Washington Post](#) [1/28/2019 5:34 PM, Associated Press] reports that documents say a 19-year-old Salvadoran man charged in four deaths in Nevada worked last year as a landscaper at the home of a Reno couple he's accused of killing, using a gun that he stole from their property. Court documents filed Monday in Reno say Wilber Ernesto Martinez-Guzman told investigators he shot 80-year-old Sharon David when she found him breaking into her home Jan. 16. They say Martinez-Guzman admitted also killing her husband, Gerald David, and used the same gun to kill Connie Koontz and Sophia Renken in their homes in nearby Gardnerville.

Reported similarly:

[Washington Times](#) [1/28/2019 11:34 AM, Scott Sonner, 527K, DC]

[FOX News](#) [1/28/2019 8:21 PM, Samuel Chamberlain, 9216K]

[Nevada Appeal](#) [1/28/2019 3:55 PM, Geoff Dornan, NV]

[Carson NOW](#) [1/28/2019 12:43 PM, Kelsey Penrose, 2K, NV]

**[WA] Comedian says Border Patrol agents pulled him off Greyhound bus to check his status, then told him his papers were fake**

[Washington Post](#) [1/28/2019 3:06 PM, Luz Lazo] reports that a Portland, Ore.-based comedian says U.S. Customs and Border Protection agents forced him Sunday to get off a Greyhound bus in Spokane, Wash., and show proof of citizenship. The agents then accused him of having fake documents, comedian Mohanad Elshieky said in a Twitter thread that went viral, reviving outrage about the agency's practice of boarding intercity buses and demanding identification and proof of citizenship from passengers. "I explained to them that I was granted asylum here in the United States, and that the work permit they currently hold and the license are impossible to get unless your presence here is legal," said Elshieky, a native of Libya. The interrogation went on for 20 minutes, he said. "They told me that I was lying and these could pretty much be falsified." Customs and Border Protection officials have said the agency had been doing such "routine" checks for several years, but civil rights advocates have described the searches as uncommon. A request for comment to CBP on the Spokane incident was not immediately answered. Rep. Alexandria Ocasio-Cortez (D-N.Y.) retweeted Elshieky's thread and offered the incident to support her call for eliminating Immigration and Customs Enforcement. (The inspection, however, was conducted by the sister agency, Customs and Border Protection).

[Oregon Public Broadcasting](#) [1/28/2019 1:15 PM, Amelia Templeton, 57K, OR] reports Bill Kingsford, a special operations supervisor with the Border Patrol's Spokane office, confirmed that agents on the bus stopped Elsheiky. "He presented them with an employment authorization card and a drivers' license," Kingsford said of Elsheiky. "The problem is that neither one of those documents are a correct form to show his immigration status here in the country." Kingsford said federal law requires immigrants such as Elsheiky to carry the proper documentation proving their status with them at all times. The law Kingsford cites – 8 USC 1304 – describes a requirement that immigrants with green cards carry them at all times. Elsheiky, because of his unusual status as a person granted asylum, doesn't have a green card yet; he must wait until a year after his asylum claim was granted.

Reported similarly:

[The Hill](#) [1/28/2019 9:43 AM, Emily Birnbaum, 3038K]

[NBC News](#) [1/28/2019 9:42 PM, Tim Stelloh, 4061K]

[New York Magazine](#) [1/28/2019 4:20 PM, Amanda Arnold, 1824K, NY]

[ThinkProgress](#) [1/28/2019 4:30 PM, Alan Pyke, 402K, DC]

[Spokesman-Review](#) [1/28/2019 12:40 PM, Jonathan Glover, WA]

[Oregonian](#) [1/28/2019 1:45 PM, Fedor Zarkhin, 488K, OR]

[KCBY](#) [1/28/2019 4:15 PM, Staff, 7K, OR]

[East Bay Times](#) [1/28/2019 2:27 PM, Staff, 62K, CA]

### **[WA] Border Patrol arrests ex-police officer from Mexico**

[KNDO](#) [1/28/2019 6:02 PM, Staff, WA] reports agents from the U.S. Border Patrol's Spokane Sector arrested a person in Othello who was illegally in the United States and had prior arrests for homicide and drug possession. Through law enforcement efforts, agents determined that a person in the Othello area had legally entered the U.S. back in 2013. Authorities learned of his arrest shortly after his entry and subsequently revoked his immigration status.

### **[CA] 7 people indicted for attempting to help illegal immigrant California cop killer flee to Mexico, officials say**

[FOX News](#) [1/28/2019 2:27 PM, Travis Fedschun, 9216K] reports seven friends and relatives of an illegal immigrant accused of killing a California police officer the day after Christmas were indicted on federal charges for allegedly helping the man attempt to flee to Mexico, federal officials said Friday. The group is accused of helping Gustavo Perez Arriaga, 33, after he allegedly shot and killed Newman Police Officer Ronil Singh during a traffic stop. All seven were charged with conspiring to hide Perez Arriaga, and smuggle him back to Mexico, according to the Fresno Bee. Members of the group allegedly gave Perez Arriaga clothes, money and a new phone and hid his pickup truck, among other efforts. "We can't ignore the fact that this could have been preventable," Stanislaus County Sheriff Adam Christianson said in December, asking why the state was "providing sanctuary for criminals gang members. It's a conversation we need to have."

### **[CA] 12 People Detained After Arriving on Boat in Huntington Beach; Homeland Security Investigating: Officials**

[KTLA](#) [1/28/2019 10:51 PM, Kristina Bravo and Chris Wolfe, 267K, CA] reports federal officials said they've detained 10 Chinese nationals and two Hispanic males who arrived by boat in the Huntington Beach area on Monday. Authorities had received a call about a smuggling vessel, said Matt Rice, assistant special agent for Homeland Security Investigations. The agency responded to the area along with local police, Customs and Border Protection and the Coast Guard. Rice said the individuals from China consist of nine males and one female. He said it's unknown whether the two Hispanic males were "smuggling guides" or part of the "smuggling venture." A spokesperson with the Department of Homeland Security told KTLA that investigators were not speculating on the boat's point of origin at this point, but were conducting interviews to determine what happened. If investigators identify smugglers in this case, they will be prosecuted. The other passengers could face deportation, authorities said. The case is being investigated by the U.S. Coast Guard, the Orange County Sheriff's Harbor Patrol, Customs and Border Protection with the Department of Homeland Security, U.S. Immigration and Customs Enforcement, as well as Huntington Beach and Seal Beach Police.



Reported similarly: [San Diego Union-Tribune](#) [1/28/2019 6:25 PM, Alene Tchekmedyan]

**[CA] Illegal immigrant accused of raping, impregnating 14-year-old girl**

[News 7 Miami](#) [1/28/2019 7:10 PM, Johari Canty, 59K, FL] reports a man accused of illegally entering the country twice has now been accused of raping and impregnating a 14-year-old girl. According to the Fresno Bee, deputies were called to a California hospital where the now-15-year-old girl was giving birth to the baby after hospital workers became concerned with the girl's age. The girl told detectives that she met 31-year-old Hector Manuel Montez on Facebook and that one day, he picked her up from school because she missed the bus and needed a ride home. Instead of taking her home, the girl said Montez took her to a secluded area and raped her. According to KSEE, detectives said the teen hid her pregnancy for as long as she could before she finally told her mother and grandmother while on a family trip to Honduras. Montez was later arrested and is now being held on a bail of \$5,275,000. Detectives tell KSEE that Montez is from Honduras and he has been previously arrested for entering the country illegally, once in Texas in 2012, and again in 2015 in Arizona.

**{End of Report}**



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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**Wednesday, Jan. 30, 2019**

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## **Executive Office for Immigration Review**

### **Courts wade through post-shutdown backlog of cases**

[The Hill](#) [1/30/2019 6:00 AM, Lydia Wheeler] reports the government is fully reopened, but the effects of the partial shutdown will be felt for months in the federal judiciary as courts across the country play catch-up. Without money to pay its attorneys during the 35-day funding lapse, the Department of Justice (DOJ) successfully convinced judges to put a number of cases on hold or push back filing deadlines. The shutdown has also had a major impact on immigration courts, which are controlled by the Justice Department, not the Administrative Office of the U.S. Courts. As of Jan. 11, the Transactional Records Access Clearinghouse at Syracuse University found that 42,726 immigration court hearings had been canceled as a result of the shutdown, adding to the 809,041 active cases already backlogged.

### **The shutdown is over, but immigration courts are in "total chaos"**

[CBS News](#) [1/29/2019 5:15 PM, Kate Smith] reports immigration courts reopened to a scene of "chaos" this week after being closed for more than a month due to the partial government shutdown. Some immigration attorneys say it could take weeks for the courts to return to normal. Nearly 90,000 immigration hearings were canceled because of the shutdown, according to Syracuse University's Transactional Records Access Clearinghouse. Hundreds of thousands of documents didn't get filed during the closure, leaving a mountain of work for court administrators to wade through. CBS News heard from 12 immigration attorneys from around the country who described their experiences following the shutdown. "Court is total chaos," said Alan Pollock, a New Jersey-based immigration attorney, in an email to CBS News. At Pollock's court in Newark, judges and government attorneys — those who argue against a migrant's case — didn't have time to organize the files they needed. All hearings on Monday at Newark ended up being adjourned and slated to be rescheduled, Pollock said. In Los Angeles, every final decision hearing — or master hearing, as it's technically called — was cancelled, according to Ashley Tabaddor, the president of the National Association of Immigration Judges and a Los Angeles-based immigration attorney.

The immigration court system, which is overseen by the Department of Justice, handles a range of cases involving non-citizens, including issuing green cards and ruling on asylum claims. The courts also issue temporary Social Security cards — needed for work permits and driver's licenses — making many hearings intensely important for immigrants. As late as Sunday morning, many attorneys and immigrants weren't sure whether their hearings scheduled for Monday were still happening, said Brian Casson, a Virginia-based immigration attorney. In Arlington, Virginia, some need to travel for two days via public transportation to make their court appearances. Arlington's immigration court was a scene of "complete chaos" on Monday, according to Casson. His hearing on Monday was nearly two hours late. On Tuesday morning, the scene was still "particularly crazy," he said. The backlog of cases is more than 800,000 and immigration judges have full dockets until 2021 and 2022. Attorneys aren't sure when their cases will be rescheduled, and many have assumed it could take years. [Editorial note: consult source link for video]

### **Judges Say Trump's Shutdown Broke Immigration System for Years**

[Daily Beast](#) [1/29/2019 5:07 PM, Scott Bixby, NY] reports President Donald Trump's record-long shutdown may be over, (for now), but immigration judges and attorneys worry that the

record government shutdown's disastrous effects on the immigration court system will last for years. The 35-day government shutdown, ignited over Trump's demands for congressional funding of his long-promised border wall, exacerbated the very immigration crisis the president claims the barrier would solve, halting nearly all immigration court cases and putting three in four immigration judges on furlough. Hearings on asylum cases, deportation, and appeals against orders of removal were delayed indefinitely, pending a "reset" upon the government's re-opening that shuffled tens of thousands of cases to the back of the line. The only way to solve the pileup, one prominent immigration judge told *The Daily Beast*, is to trade Trump's demand for a 2,000-mile wall, and instead double the number of immigration judges to deal with cases. "If we've got a million cases backlogged, we need a thousand judges," said Judge Dana Leigh Marks, an immigration judge in San Francisco and president emeritus of the National Association of Immigration Judges. The current roster of roughly 400 judges, she said, "is less than half of what we need."

The Department of Justice, which oversees the immigration court system, already had a crisis on its hands before the shutdown, Marks said, with a backlog of at least 800,000 cases in a system with too few judges and too little funding. The swell of asylum seekers from El Salvador, Guatemala and Honduras, combined with the Trump administration's crackdown on undocumented immigrants in the United States, had created a years-long backlog of pending immigration court cases. The number of pending immigration court cases grew by 84 percent since the end of 2013, according to the Department of Justice's Executive Office for Immigration Review, and jumped by 26 percent just since the end of 2016. "They allowed the courts to get to the anemic state that we were in prior to the shutdown," said Marks, who has served as an immigration judge for 33 years. With the cancellation of tens of thousands of immigration cases that will now be shuffled to the back of a years-long line, "the shutdown's effects will last for years." That backlog—which doesn't even include an estimated 300,000 closed "low-priority" cases that the Justice Department ordered to be reopened in May—is currently being pushed through a mere 60 immigration courts across the United States. The roughly 400 immigration judges who keep that system moving have been given the Sisyphean task of clearing their dockets, a mission that even the most industrious judges think may be unfeasible.

### **Government shutdown causes lasting backlog in immigration courts**

[Jurist](#) [1/29/2019 2:57 PM, Matthew Borges, PA] reports as US immigration courts opened on Monday to the 86,000 cases that were canceled during the shutdown, attorneys speculate that it could take years to get through this backlog. As of the end of November, it was estimated that there were more than 800,000 cases pending before the immigration courts. Jennifer Williams, an immigration law attorney at Legal Aid in New York City said, "They're going to be playing catch-up for years." Judge Ashley Tabaddor said some judges have 5,500 pending cases and are already booked through the end of 2020. The backlog is troubling for immigrants because, in the two or three year wait to get a new court date, immigration laws could change. There is a proposal from President Donald Trump that would add 75 immigration judges to the system in addition to ramping up border security. His proposal would stop many immigrants from entering the country in the first place and prevent others from bringing their case to the court at all, cutting down the backlog.

### **Nearly 900,000 immigration cases outstanding as 82,000 hearings canceled during shutdown**

[Washington Examiner](#) [1/29/2019 9:39 PM, Anna Giaritelli, DC] reports a data research group estimates that more than 82,000 immigration hearings were canceled because the

judges were furloughed during the partial government shutdown. Hearings for migrants claiming asylum and others that had been scheduled in front of 385 judges are believed to have been canceled, according to Transactional Records Access Clearinghouse, a data analysis organization within New York's Syracuse University. The data research group counted 42,726 hearings that had been scheduled to take place between Dec. 22, the start of the shutdown, and Jan. 11, but were canceled because no judges were around to decide the cases. The research group said for every week beyond Jan. 11, an estimated 20,000 additional hearings were canceled. Another two weeks passed before President Trump agreed to sign a bill that would fund the lapsed quarter of federal government that had gone without money, allowing immigration judges to go back to work and hear cases. The shutdown officially ended late Friday, Jan. 25. By that time, around 82,000 hearings total would have been missed, the Clearinghouse calculated. The delay pushes the number of asylum and other type of immigration cases now waiting to be decided on to more than 890,000. The organization had counted 809,041 cases as of late November. A DOJ spokesperson could not confirm the number of hearings canceled during the shutdown. However, the official said the canceled cases will be rescheduled as quickly as possible.

The Executive Office for Immigration Review, within the Justice Department, oversees all immigration cases in its 65 immigration courts and adjudication centers nationwide. All illegal entrants have the right to claim credible fear of returning home and because so many were doing so, the government was overwhelmed. While the U.S. government has protocols in place for asylum hopefuls to request the special status in their home countries, many migrate through Mexico and show up at Customs and Border Protection ports of entry or illegally enter, then surrender to Border Patrol agents. That person will then claim credible fear of returning home and a Border Patrol agent will hear his or her initial claim and decide if it meets criteria to continue as a candidate for asylum. If it does not, the person will be deported by Immigration and Customs Enforcement. If the case meets the credible fear criteria, it will be handed over to Citizenship and Immigration Services, where an officer will formally interview the migrant.

### **Backlog Of Immigration Cases Jumped 10 Percent To 880,000 During Shutdown**

[The Daily Caller](#) [1/29/2019 2:36 PM, Grace Carr] reports that the five-week government shutdown caused the number of immigration cases waiting to be heard in court to grow by 10 percent after furloughed lawyers weren't able to process cases. An already massive case backlog grew from roughly 800,000 to 880,000 cases between Dec. 21 and Jan. 11, The Wall Street Journal reported Tuesday. Close to 43,000 scheduled hearings were canceled during the time period while Justice Department lawyers were furloughed and could not hear cases, according to data from the Transactional Records Access Clearinghouse, the WSJ reported. "It's chaos on top of disaster," said retired immigration judge and former chairman of the Board of Immigration Appeals, Paul Wickham Schmidt. "It's already a system bursting at the seams." Court closures result in roughly 20,000 canceled case hearings per week.

### **After shutdown over 800,000 immigration cases backlog courts**

[KVOA 4](#) [1/29/2019 6:28 AM, Sean Mooney, 18K, AZ] reports that the nation's immigration courts were severely backlogged during the partial government shutdown. Over 86,000 immigration court hearings were canceled during the span of the shutdown. On Monday, hearings were held for the first time since late December for immigrants seeking asylum or

trying to keep from being deported. Attorneys said it could take years just to deal with the delays. The courts are estimated to have more than 800,000 pending cases overall.

### **Immigration courts open in fits and starts after government shutdown lifts**

[San Antonio Express-News](#) [1/29/2019 7:24 PM, Silvia Foster-Frau, 39K, TX] reports the record 35-day government shutdown, caused by a dispute over President Trump's demand for border wall funding, ground San Antonio's Immigration Court operations to a halt. The seven immigration judges handling cases here were furloughed, thousands of hearings were canceled, and lawyers, left in the dark, scrambled to submit motions, petitions and other filings. After the shutdown ended Friday, judges returned to work with stacks of files on their desks and dozens of canceled hearings to add to their already over-booked schedules. More than 86,000 hearings across the country were canceled during the shutdown, further jamming an already clogged system, according to an estimate by Transactional Records Access Clearinghouse, a research program at Syracuse University. More than 800,000 cases are pending nationwide, according to TRAC's November data.

### **Immigration court data shows 45%, half of minors released before trial disappear**

[American Mirror](#) [1/29/2019 12:09 PM, Victor Skinner, 16K] reports new data from U.S. immigration courts for 2017 show many of the illegal immigrants released before trial never show up for court, resulting in tens of thousands slipping through the system each year. The Center for Immigration Studies broke down the 2017 figures recently provided to Congress by the Executive Office for Immigration Review, a Justice Department agency that manages immigration courts, and the data shows the broken system is still broken. Immigration policy analyst Mark Metcalf, formerly with the George W. Bush Justice Department, reports that a total of 43 percent of all aliens free pending trial – or 41,302 out of 95,342 – did not show up for court in 2017. For unaccompanied children, it was 49 percent. According to Metcalf: "American immigration courts consistently have the highest failure to appear (FTA) rates of any state or federal courts in the country. From 1996 through 2017, 37 percent of all aliens free pending trial disappeared. From the 2,680,598 foreign national that Immigration and Customs Enforcement released on their own recognizance, 1,320,000 received deportation orders, 75 percent of them (993,593) for failure to appear ... On average, more than 45,000 people each year disappeared from court since 1996, making failures to appear the single greatest source of deportation orders in the immigration court system."

### **[NY] The Nation's Busiest Immigration Court Reopens After Government Shutdown**

[WNYC](#) [1/29/2019 9:39 PM, Staff, NY] reports on Monday, the nation's busiest immigration court in New York City reopened after the unprecedented 35-day partial government shutdown. Many immigration attorneys said they were deeply concerned about the impact on clients whose hearings couldn't take place during the shutdown. The research group TRAC at Syracuse University estimates more than 86,000 immigration hearings nationally may have been canceled during the shutdown — as many as 10,000 cases in New York alone. California, New York, and New Jersey were among the five states most affected. One New York judge who came back to work on Monday called it "a disaster" for the court's backlog. WNYC reporter Beth Fertig visited the nation's busiest immigration court in Lower Manhattan to see how judges and attorneys are managing this new load of cases. [Editorial note: consult source link for audio]

### **[NY] Local immigration cases backlogged due to the shutdown**

[Rochester First](#) [1/29/2019 6:00 PM, Josh Navarro, 19K, NY] reports about 800,000 immigration cases have been delayed nationally due to the government shutdown including

hundreds of them here in the Rochester area. Even though the government is back open, many of those cases may have to wait longer now to head to court. Immigration attorneys and many undocumented immigrants may have to wait up to a year or more to have their cases heard. "It's like a domino effect," said José Pérez, immigration attorney. Pérez said the only cases being presented during the shutdown were those who were recently detained or have been incarcerated. All the other cases such as asylum claims, voluntary departure or refugees status hearings were all suspended during the shutdown. According to Transactional Records Access Clearinghouse or TRAC at Syracuse University, the state of New York is second highest number in the nation of people impacted by cancellations. In Monroe and the surrounding counties, there's well over 100 backlogged cases. [Editorial note: consult source link for video]

### **[TX] Shutdown leads to another year of uncertainty for Guinean couple**

[Austin American-Statesman](#) [1/29/2019 4:22 PM, Renzo Downey, 123K, TX] reports Amadou and Aissatou were supposed to have their asylum case tried in immigration court on Jan. 3, more than a year and a half after they arrived in the U.S. Now, because of the 35-day partial government shutdown, they'll likely have to wait another year to present their case to an immigration judge. Immigration courts began operating as normal this week, but an estimated 86,000 immigration court hearings nationally were canceled during the shutdown. Those hearings likely will be rescheduled behind the existing backlog of court dates. Amadou and Aissatou are hoping to be granted asylum because of the political persecution they faced in Guinea. If they are denied asylum, they will be deported to Guinea, where in addition to the political persecution, they may face persecution for marrying without the consent of Aissatou's family. Transactional Records Access Clearinghouse, a data research center at Syracuse University, estimated that 13,094 court dates would have been missed in Texas had the shutdown continued through Feb. 1. The U.S. Department of Justice, which operates the Executive Office for Immigration Review, has not yet released an official count. At the U.S. border, the couple was detained by U.S. Immigration and Customs Enforcement because they arrived without visas, standard for most immigrants seeking asylum. Amadou was released from detention at the South Texas Detention Center in Pearsall in December 2017 after posting bail raised by the brother of a friend he met at the facility. Aissatou, who was detained separately at the T. Don Hutto Residential Center in Taylor, was released on bail in June 2018.

## **Policy and Legislative News**

### **GOP leaders signal no taste for renewing shutdown over wall**

[Washington Post](#) [1/29/2019 6:23 PM, Alan Fram and Andrew Taylor] reports wary of reigniting a clash that proved damaging to Republicans, congressional GOP leaders signaled Tuesday that they want to de-escalate the battle over President Donald Trump's border wall and suggested they could be flexible as bargainers seek a bipartisan agreement. In what seemed a message aimed at the White House, Senate Majority Leader Mitch McConnell criticized the two confrontational tactics that Trump has threatened to employ if negotiators can't craft a border security accord to his liking. The president has said he'd trigger a fresh shutdown or declare a national emergency on the Southwest boundary, a disputed move that could let him redirect budget funds to building segments of the wall. The remarks by McConnell, R-Ky., were noteworthy because the guarded lawmaker seldom volunteers his opinions and reporters had not specifically asked him about a shutdown or a possible emergency declaration. The comments underscored his



party's eagerness to put the 35-day partial federal shutdown behind them and avoid additional jarring clashes, and suggested possible divisions between GOP lawmakers and the White House. "I'm for whatever works that would prevent the level of dysfunction we've seen on full display here the last month and also doesn't bring about a view on the president's part that he needs to declare a national emergency," McConnell said when asked to describe a border security agreement he'd support.

Additional reporting:

[The Hill](#) [1/29/2019 12:00 PM, Buck Sexton, 3038K]

[Washington Examiner](#) [1/29/2019 2:14 PM, Byron York]

### **Trump lost the shutdown. But there's a way he can get his leverage back.**

[Washington Post](#) [1/29/2019 5:01 PM, Marc A. Thiessen, 9763K] reports having lost the government shutdown standoff, President Trump has also lost his leverage. Democrats are standing firm in opposition to a border wall, but they have also been at pains to argue that they are not weak on border security. House Speaker Nancy Pelosi and Senate Minority Leader Charles E. Schumer say Democrats support "smart, effective border security solutions - just not the president's wasteful and ineffective wall." Trump should call their bluff. He should go back to the experts at the Department of Homeland Security and ask them: If Democrats refuse to give you the additional physical barriers you have said are essential to secure the border, what other funding would you need to make up for it? The total, he should tell the border professionals, can be far more than \$5.7 billion. Just tell me what you need — the sky's the limit. Then, the president should then use his State of the Union address to demand that congressional Democrats fund every single penny.

### **Put Washington in a time-out. Bring in people who know something about the border.**

[Washington Post](#) [1/29/2019 6:08 PM, Karen Tumulty, 9763K] reports if we really want to get serious about border security, it is time to put the Washington politicians in a timeout and bring in people who know what they are talking about. At a closed meeting of senior House Democrats a couple of weeks ago, Rep. Carolyn B. Maloney(D-NY) came up with an idea that had some promise: Why not ask the governors of the four states along the U.S.-Mexico border — who happen at the moment to be two Democrats and two Republicans — for their ideas of how best to spend federal money to make the border safer? Her proposal has not gotten anywhere. But it — or some version of it — deserves serious consideration now that one partial government shutdown is over and another looms.

### **House Dems say Dreamers likely won't be part of deal to avert shutdown**

[Politico](#) [1/29/2019 1:09 PM, Melanie Zanona and Sarah Ferris] reports that House Democrats aren't expecting protections for young undocumented immigrants to be included in a border security package that will be negotiated to avert another government shutdown. House Majority Leader Steny Hoyer told reporters on Tuesday that a deal likely won't include protections for recipients of the Deferred Action for Child Arrivals program, which helps young undocumented immigrants stay in the country. Any deal also won't address holders of Temporary Protected Status, a designation given to some migrants that shields them from deportation. But the Maryland Democrat plans to bring both a bill protecting DACA and TPS recipients to the floor in the "near future," he added. House Minority Leader Kevin McCarthy (R-Calif.), however, suggested Tuesday that Republicans would support a final agreement that included a legal fix for the tens of thousands of Dreamers who could face deportation.

### **After shutdown, Democrat says DHS Secretary won't testify before Congress**

[Atlanta Journal-Constitution](#) [1/28/2019 7:00 PM, Jamie Dupree, 644K, GA] reports a top House Democrat blasted the Secretary of Homeland Security on Tuesday for refusing to testify before a House committee next week on issues dealing with illegal immigration, as Rep. Bennie Thompson (R-MS) said it was unacceptable for Secretary Kirstjen Nielsen to say that she was unavailable for an oversight hearing about security along the southwest border. "As Secretary of Homeland Security, you should be prepared to testify on border security, the very issue that caused the recent shutdown, at any time," Thompson wrote in a letter released on his committee's website. Democrats have pressed to hear from Nielsen for several weeks, especially after press reports showed that more illegal immigrant children were separated from their parents than had been previously acknowledged by the Trump Administration – and by Nielsen in her own past testimony. Per House Homeland chair Bennie Thompson, Kirstjen Nielsen declined to testify before his committee next week, citing the shutdown.

### **Pentagon: Several thousand more troops to the Mexico border**

[Washington Post](#) [1/29/2019 4:49 PM, Lolita C. Baldor] reports the U.S. will be sending "several thousand" more American troops to the southern border to provide additional support to Homeland Security, Acting Defense Secretary Pat Shanahan said Tuesday, providing for the first time new estimates for the next phase of the military aid. He said the troops will mainly be used to install additional wire barriers and provide a large new system of mobile surveillance and monitoring of the border area. Plans call for about 150 more miles of concertina wire placed mainly in the gaps between ports of entry. It's still not clear how many of the roughly 2,400 active duty forces currently working the border mission will go home and not be replaced, but the Pentagon estimates that the total number of forces deployed there over the coming months will exceed 4,000. The Department of Homeland Security, said Shanahan "has asked us to support them in additional concertina wire and then expanded surveillance capability, and we've responded with, you know, here how many people it would take and this is the timing and mix of the people to support that." The Pentagon has approved an extended U.S. deployment to the border through the end of September. As of Tuesday, officials were still working out exactly how many forces would be deployed and what units should be tapped.

Reported similarly: [Politico](#) [1/29/2019 3:27 PM, Wesley Morgan]

### **Asylum seekers are being sent back to Mexico as Trump administration rolls out new policy**

[Washington Post](#) [1/29/2019 2:50 PM, Maya Averbuch and Kevin Sieff] reports that the United States on Tuesday returned a Honduran asylum seeker to Mexico, marking the beginning of a sweeping new policy that forces asylum seekers to wait in Mexico as their claims are processed in American courts. Homeland Security Secretary Kirstjen Nielsen planned to visit the San Ysidro port of entry later in the day to "assess implementation" of the new regulation, according to a DHS statement. The policy is one of the most dramatic changes to the American asylum system in decades — an attempt by the Trump administration to deter migration by reducing the number of migrants who live and work in the United States while awaiting their court dates. The Mexican government has said repeatedly that it disagrees with the policy, which officials argue is being imposed on the country by the United States. Tonatiuh Guillén, the commissioner of Mexico's immigration agency, said on Monday night that Mexico would admit only Central Americans between the

ages of 18 and 60 as a part of the new policy. Because a large portion of asylum seekers are family units or unaccompanied minors, the Mexican response could erode the potential impact of the new policy.

[CNN](#) [1/29/2019 8:01 PM, Catherine E. Shoichet and Natalie Gallón] reports more than a month after Homeland Security Secretary Kirstjen Nielsen announced the United States would force some asylum seekers to remain in Mexico while their cases make their way through U.S. immigration courts, and days after officials revealed the policy would begin, the Trump administration's new measure apparently began with one migrant returned back over the border. A Department of Homeland Security official confirmed that one person had been returned to Mexico under the new policy, and that others would be processed Wednesday and for the remainder of the week. The policy's official debut at the San Ysidro Port of Entry came as Nielsen visited the port.

[NBC News](#) [1/29/2019 10:26 AM, Staff] reports U.S. authorities plan to bus asylum seekers back and forth to the border for court hearings in downtown San Diego, including an initial appearance within 45 days. Due largely to a court-imposed 20-day limit on detaining children, families are typically released with a notice to appear in immigration court. With a backlog of more than 800,000 cases, it can take years to settle cases.

Additional reporting:

[New York Times](#) [1/29/2019 11:04 PM, Paulina Villegas and Kirk Semple, 20737K]

[NBC News](#) [1/29/2019 12:10 PM, Daniella Silva, 4061K]

[ABC News](#) [1/29/2019 2:01 PM, Anne Flaherty, 2413K]

[NPR](#) [1/29/2019 8:59 PM, Richard Gonzales]

[Breitbart](#) [1/29/2019 9:37 AM, Staff, 2015K]

[ThinkProgress](#) [1/29/2019 8:46 AM, D. Parvaz, 402K, DC]

[ThinkProgress](#) [1/29/2019 12:44 PM, Rebekah Entralgo, 402K, DC]

[KTLA](#) [1/29/2019 5:14 PM, Staff, 267K, CA]

[San Diego Union-Tribune](#) [1/29/2019 11:25 AM, Kate Morrissey, 214K, CA]

### **Feds Give Some Asylum Seekers Online Access To Check Status Of Petitions**

[KURV](#) [1/29/2019 1:36 PM, Staff, 1K, TX] reports the federal government is providing a new option for some asylum seekers to check the status of their petitions. Yesterday the United States Citizenship and Immigration Services issued a statement saying the status of some asylum seekers' petitions can be checked online. The service has updates on most cases with the exception of those of defensive asylum applicants whose removal proceedings are already pending in immigration court.

### **With unrest at home, some Nicaraguans flee to the U.S.**

[ABC News](#) [1/28/2019 11:03 PM, Isela Salomon and Claudia Torrens] reports a new element has joined the flood of migrants clamoring to get into the United States – Nicaraguans fleeing their homeland's political unrest and violence. In recent years, Nicaraguans had been only a small drop in the wave of Central Americans trying to migrate to the U.S., mostly from the poor and crime-wracked nations of Honduras, Guatemala and El Salvador. Now physicians, taxi drivers and other Nicaraguans are streaming in and applying for asylum or at least temporary protection, saying they fear they will be persecuted if forced to return home. President Donald Trump's administration recently said it was ending a program that allowed earlier Nicaraguan migrants to live in the U.S.

temporarily, putting more than 5,000 at risk of deportation. It has also imposed tough new rules on asylum seekers in general, though at the same time, it has strongly accused Ortega's government of human rights abuses and imposed financial sanctions on high-level Nicaraguan officials. About 1,000 Nicaraguans were detained along the U.S. border with Mexico in the full 12 months from October 2016 through September 2017 – a fairly typical number for recent years. New asylum applications filed by Nicaraguans in immigration courts rose from 351 in fiscal year 2016 to 599 the following year and 654 in the latest fiscal year.

### **Homeland Security Secretary Tours San Ysidro Port Of Entry**

[Times of San Diego](#) [1/29/2019 11:41 PM, Alexander Nguyen, 11K, CA] reports U.S. Secretary of Homeland Security Kirstjen Nielsen traveled to San Diego Tuesday to meet with immigration officials and tour the San Ysidro Port of Entry. Nielsen thanked employees of U.S. Immigration and Customs Enforcement for the services they provide and received a briefing on the federal government's "migrant-protection protocols," which went into effect Friday. Under the new rules, immigrants who apply for asylum at the U.S.-Mexico border will no longer be allowed into the United States while they await a hearing date. Instead, they are required to stay in Mexico while immigration officials under the Department of Homeland Security purview review their cases. "The will enable DHS to take a huge step forward in bringing order to chaotic migration flows, restoring the rule of law and the integrity of the United States immigration system and allowing DHS to focus resources on providing relief to individuals fleeing persecution, while at the same time holding those accountable who make false asylum claims," Nielsen said.

### **Salvadoran man has evidence he's not a gang member. U.S. still separated him from his kids**

[Reveal](#) [1/29/2019 8:00 AM, Laura C. Morel, CA] reports that in early November, U.S. Customs and Border Protection officers accused a Salvadoran father – known in court documents only as "Mr. A" – of being an MS-13 gang member. They didn't show him any evidence to back up their claim. Mr. A denied he was ever part of the group and stripped off his clothes to prove he wasn't hiding any gang-related tattoos. Still, the officers didn't believe him. On Nov. 5, officers hauled Mr. A out of a Texas immigration detention facility to court for a hearing. When he returned to his cell that day, his 11-year-old daughter and 9-year-old son were gone. He hasn't seen them in the nearly three months since, even though the government hasn't offered any proof of his gang membership. Mr. A's lawyers have compiled a stack of evidence to the contrary. More than six months after President Donald Trump announced the end of his administration's family separation policy, Mr. A's case highlights the government's ongoing practice of breaking up families at the U.S.-Mexico border.

### **More Undocumented Immigrants Are Living in US Sanctuary Churches**

[VOA News](#) [1/29/2019 7:59 AM, Bill Rodgers, DC] reports Rosa Gutierrez Lopez was frightened and desperate when immigration authorities told her to buy a plane ticket because she had to leave the U.S. by last December 10. The 40-year-old undocumented immigrant from El Salvador had been living in the United States since 2005, working in restaurants and other jobs in northern Virginia. With three American-born children, she had been granted deferred action by Immigration and Customs Enforcement (ICE) after being picked up in 2014 for being in the country illegally. While she lives in sanctuary, her lawyers are filing a motion to petition for asylum because of widespread gang violence in El

Salvador. Three of her close relatives have been murdered by gangs in recent years, and Gutierrez Lopez fears she would be targeted as well if she is deported. Gutierrez Lopez is one of 50 undocumented immigrants publicly known to have sought refuge in 39 churches across the country, according to Church World Service. While the total number of people now in sanctuary is unknown, in large part because those involved want to keep the cases private, the CWS notes there has been an increase since the Trump administration was inaugurated when the number of public cases was 37. More significantly has been the jump in the number of congregations involved in offering sanctuary, from 400 at the start of 2017 to more than 1100 today.

### **[VT] Advocates Seek Stronger Barrier Between Local Police, Federal Immigration Authorities**

[Vermont Public Radio](#) [1/29/2019 4:46 PM, Peter Hirschfeld, 15K, VT] reports civil rights groups say Vermont isn't doing enough to prevent local police agencies from helping federal authorities identify and detain immigrants who are in the country illegally. Since his inauguration in 2017, President Donald Trump has tried to enlist local police agencies in federal immigration enforcement. His push has been met with resistance in Vermont, where Democratic lawmakers and the Republican governor have said they don't want state or local police outing migrant farmworkers to Immigration and Customs Enforcement. The Vermont chapter of the American Civil Liberties Union and a group called Migrant Justice both say existing policy allows for undue collaboration between local law enforcement and federal immigration authorities. [Editorial note: consult source link for audio]

### **[MA] County Jails Bring Millions Of Dollars To Mass. By Housing ICE Detainees**

[WBUR](#) [1/30/2019 4:53 AM, Shannon Dooling, MA] reports that many Massachusetts towns and cities have been pushing back against President Trump's crackdown on immigration since he was elected. A growing number have established sanctuary policies, and groups have called on local universities to end contracts with U.S. Immigration and Customs Enforcement (ICE). Amid this highly-charged political backdrop, Massachusetts sheriffs continue to house ICE detainees in their jails for the federal government. It's a longstanding practice that brings millions of dollars into the state. Bristol, Franklin, Plymouth and Suffolk County sheriffs' offices each hold contracts with the federal government to house ICE detainees in their respective facilities. Suffolk County's contract dates back to 2003. In a series of public records requests, WBUR asked the four sheriffs' offices for the daily bed rate charged per ICE detainee. Those fees range from a high of \$98 a day per ICE detainee at Bristol County to a low of \$90 dollars a day per detainee at Suffolk County. WBUR also requested estimated daily costs associated with housing those same inmates. Bristol County Sheriff's Office was the only county to provide daily average costs per inmate. Sheriff Thomas Hodgson said, on average, it costs \$88 a day to house an inmate. That's compared to the \$98 a day the sheriff's office charges ICE per detainee. When asked what happens to the \$10 difference, Hodgson deferred to the state. ICE spokesperson John Mohan said in an email that when determining where ICE detainees are placed, "there are multiple factors taken into consideration including the availability of beds at a particular facility in addition to other factors. The numbers of detainees housed at different locations are a fluid number and do typically fluctuate from month to month, or year to year; there is no one factor that alone determines this number."

### **[NY] ICE should be banned from Nassau jail, groups say**

[Newsday](#) [1/29/2019 10:18 PM, Scott Eidler, NY] reports that Nassau County Executive Laura Curran drew new criticism Tuesday from civil liberties groups who condemned her decision to allow federal immigration agents to remain at the county's jail in East Meadow, after she had asked them previously to relocate. Late last year, county officials asked ICE to vacate a trailer on the jail's property by Jan. 31, without offering them a place to relocate. The agency objected, citing a yearslong collaboration with county officials on the property. Law enforcement unions objected to ICE's eviction, and President Donald Trump criticized the move last week. Curran said Monday that ICE could remain for the time being on jail grounds while she reviews their proposal to work elsewhere on the property, but away from the visitors' center where the agency's trailer is located. Eliana Fernandez, lead organizer for Make the Road New York, a Brentwood-based immigrant rights organization, said in a statement that Curran "should return to her original position of removing ICE from the jails, period. The best way to ensure public safety for all Nassau County residents is to draw a bright line between county government and federal immigration enforcement."

### **[NY] ICE funds targeted to help immigrants detained and in community**

[Albany Times Union](#) [1/29/2019 2:15 PM, Mallory Moench, 105K, NY] reports a legal aid organization is expected to oversee and implement a plan to use grant funding to help immigrants in the Albany County Jail and in the community. The funding will come from federal immigration authorities. Last year, the county received close to \$5 million from U.S. Immigration and Customs Enforcement for housing hundreds of migrants who were transferred to the Colonie jail after crossing the U.S.-Mexico border. The detainees came from 27 countries and most sought asylum from violence or persecution at home. In November, the Albany County Legislature announced it would be redirecting \$170,000 from ICE funds to hire a full-time attorney at the jail. Albany County Sheriff Craig Apple on Monday said he would recommend that The Legal Project, which provides legal services for low-income clients and immigrants and already helps in the jail, be authorized to fill the position for an immigration attorney. He said the Albany County Legislature should vote on the grant in February.

### **[PA] Across Pa., feds detaining undocumented immigrants at unrelated court hearings**

[WHYY](#) [1/30/2019 4:53 AM, Laura Benshoff, PA] reports that federal immigration officers made arrests in and around courthouses in nearly one-fifth of Pennsylvania's counties since 2017, according to a report published by Temple University Law School's Sheller Center for Social Justice. The paper was the first in the commonwealth to pull together information on this ramped up enforcement tactic where officials detain undocumented immigrants when they arrive at unrelated court hearings as defendants. The report, based on anecdotal evidence, detailed the ways in which county court staffers and judges sometimes share information with U.S. Immigration and Customs Enforcement, ask court participants about their immigration status and coordinate probation appearances so that ICE can take someone into custody. ICE officials said in a statement that courts provide a safe setting to take immigration law breakers into custody. Family members and witnesses are not arrested, "absent special circumstances." "ICE civil immigration enforcement actions inside courthouses include actions against specific, targeted aliens with criminal convictions, gang members, national security or public safety threats, aliens who have been ordered removed from the United States but have failed to depart, and aliens who have re-entered the country illegally after being removed," said the officials. In a 2018 directive, ICE advised its own agents to "generally avoid enforcement actions in courthouses." Last year, nearly 70

former judges wrote a letter to the Acting U.S. Immigration and Customs Enforcement Director, saying courthouse arrests hamper the criminal justice system.

**[MI] City attorney says Kalamazoo can take federal grant without helping ICE**

[Michigan Live](#) [1/29/2019 1:30 PM, Malachi Barrett, MI] reports that elected leaders are confident the city of Kalamazoo can accept a federal grant that funds a youth outreach program while ignoring language that forces compliance with immigration enforcement agents. Requirements added to U.S. Department of Justice grants in 2017 deny federal funds if cities don't cooperate with Immigration and Customs Enforcement in deporting non-citizens. The conditions clash with a 2018 resolution passed by the City Commission that prohibits resources from assisting federal agencies in separating undocumented children from their families and detaining people based on their immigration status. New grant conditions require jurisdictions to provide ICE with access to prisons and jails and give the agency 48-hours' notice before a person of interest is released. The Kalamazoo City Commission accepted a Edward Byrne Justice Memorial Assistance Grant worth \$75,000 on Tuesday, Jan. 29. City Attorney Clyde Robinson said Kalamazoo can accept the grant without helping ICE thanks to one of many legal challenges working their way through the court system. The U.S. Conference of Mayors and Evanston, Illinois issued a joint lawsuit against the U.S. Attorney General in 2018. Last August, the presiding judge issued an injunction preventing the Attorney General from attaching the immigration enforcement requirements to the Byrne grants.

**[TX] A Texas School District Is Helping Immigrants Facing Deportation. Here's Why.**

[Huffington Post](#) [1/29/2019 4:29 PM, Kate Kilpatrick, 6834K] reports Abigail Rubio, 16, was eating lunch in the cafeteria of Honey Grove High School when she found out ICE was raiding the trailer factory where her dad worked. On August 28 last year, helicopters and hundreds of officials descended on Load Trail, one of several trailer-manufacturing factories in and around Sumner, a rural town in northeastern Texas near the border with Oklahoma. One hundred fifty-nine workers – among them welders, painters and finishers – were arrested on immigration charges. In this small Texas town where Friday nights belong to high school football, Superintendent Todd Morrison decided these weren't struggles families should deal with alone. The burly, gray-haired Morrison, who runs the Honey Grove Independent School District, which has 645 students across its elementary, middle and high schools, says nine parents or guardians of Honey Grove students were detained during the Load Trail raid. The day after the raid, Morrison accompanied family members of those arrested to the Iglesia Evangelica Filadelfia, a church with a largely immigrant congregation, so they could get legal advice from the volunteer attorneys who had gathered onsite. In the days and weeks that followed, he made sure counselors were available to the affected students.

**[NM] The Trek Across the Border Veers Into More and More Remote Terrain**

[New York Times](#) [1/29/2019 5:30 PM, Simon Romero and Caitlin Dickerson] reports the Border Patrol's tiny base in the southwest corner of New Mexico is so remote that the wind howls through the surrounding basin where jaguars still stalk their prey. But that hasn't stopped thousands of Central Americans from journeying in recent weeks to the rural outpost and other isolated points along the Southwest border, launching increasingly desperate bids for asylum in the United States. In a two-day span in January, 362 migrants surrendered to the Border Patrol in Antelope Wells, overwhelming the small base's capacity to process asylum requests. Last week, a new group of 306 migrants arrived at the same

location, including children in need of immediate medical care — a situation officials in New Mexico say is without precedent. Prompting these trips to ever-more-remote border locations are not only the nearly 700 miles of border wall and fencing built since 2006, but the Trump administration's increasingly rigid immigration policies aimed at deterring the flow of migrant families, mostly from Central America, that have streamed in from Mexico since 2014.

[Wall Street Journal](#) [1/29/2019 1:42 PM, Alicia A. Caldwell] reports as busy border crossings in California and Texas have become the focus of government enforcement efforts, more smugglers are taking migrants to tiny Antelope Wells, which consists of just a two-lane highway and a port of entry open to legal crossers six hours a day. Official statistics aren't available for this barely populated area of New Mexico, but agents say groups of 100 or more migrants have crossed the border there at least 25 times since October. They typically cross at night, easily passing a steel barrier intended to stop cars, not people. Adults can simply lift small children over it. In the Border Patrol's El Paso Sector, which includes New Mexico and far West Texas, more than 24,000 migrants were arrested for illegally crossing the border between Oct. 1, the beginning of the government's fiscal year, and Christmas. That compares with 4,849 between October and December of 2017.

#### **[AZ] Guatemalan toddler injured in fall from Arizona border wall, days after more than 200 migrants found in desert**

[FOX News](#) [1/29/2019 3:33 PM, Travis Fedschun] reports that a 3-year-old Guatemalan girl traveling with nearly 50 other illegal immigrants was injured Sunday when she plummeted 16 feet from the top of an outdated section of border wall in Arizona, shocking surveillance video shows. U.S. Customs and Border Protection agents soon descended on the spot, east of the San Luis port of entry, and rendered aid to the toddler — who miraculously incurred only minor injuries. Officials on Monday released video of the terrifying tumble on Twitter. Agents apprehended 49 people from Guatemala who used a smuggler's ladder to illegally cross the "outdated section" of the wall, according to CBP. The 3-year-old girl was on the ladder when she fell, officials said. Separately, the agency said border patrol agents in southwest Arizona rounded up an even larger contingent of border jumpers on Thursday. Ajo station officials were met with 242 Central Americans who had "crawled over and under the crude vehicle barrier separating the United States from Mexico." The group, which was discovered west of Lukeville, Ariz., included 130 juveniles, 11 of them traveling without a legal guardian. Two of the juveniles were taken to a local hospital for treatment, the agency said.

#### **[CA] County Will Consider Suing Trump Admin Over Migrant Release Policy**

[Voice of San Diego](#) [1/29/2019 4:07 PM, Maya Srikrishnan, 14K, CA] reports San Diego County Supervisor Dianne Jacob wants to sue the federal government over the end of its "Safe Release" program, which has resulted in thousands of asylum-seeking families being released in San Diego, often with scant resources or a place to go. In late October, the Department of Homeland Security changed how it releases migrants into the country. When families turn themselves in at a port of entry to request asylum or ask Border Patrol agents for asylum after they've crossed into the country illegally, they spend a few days in custody and then are released. Before the October change, ICE previously reviewed migrant families' post-release plans, ensuring they had travel arrangements to connect with a sponsor elsewhere in the United States — typically a relative or friend willing to receive them



and who could ensure they go to their immigration hearings. ICE has stopped confirming those plans amid the uptick in families requesting asylum along the U.S.-Mexico border. The agency has said it no longer has the capacity to conduct those reviews.

## Legal News

### **Are courts back to business as usual with temporary end to government shutdown?**

[ABA Journal](#) [1/29/2019 7:00 AM, Debra Cassens Weiss, 33K] reports that the government shutdown has ended, at least until Feb. 15. That's good news for the federal judiciary, but there are still some lasting effects in court cases, particularly in immigration courts where backlogs are intensifying. After the shutdown began Dec. 22, the Department of Justice requested delays in pending civil cases and immigration courts canceled thousands of hearings. The federal judiciary continued most operations, however, by tapping court fees and other funding sources. As a result of the temporary funding deal, federal courts' funding sources will be replenished, including some funds tapped to keep courts operating during the shutdown, according to David Sellers, spokesman for the Administrative Office of the U.S. Courts. That means courts likely would have a new plan to temporarily continue operations if another shutdown happens Feb. 15.

## Enforcement News

### **Trump's company plans to check the legal status of employees following report that it hired undocumented workers for years**

[Washington Post](#) [1/29/2019 9:05 PM, Jonathan O'Connell, Elise Viebeck and Tracy Jan, 9763K] reports President Trump's company plans to institute E-Verify, a federal program that allows employers to check whether new hires are legally eligible to work in the United States, in every one of its golf clubs, hotels and resorts. The move is the first acknowledgment by the president's private business that it has failed to fully check the work status of all its employees, despite Trump's claims during the 2016 campaign that he used E-Verify across his properties. On Tuesday, Eric Trump told The Post that the company did not previously enroll all its resorts and golf courses in E-Verify because the program is not required by law in most states, many competitors do not use it and the system is not foolproof. This week, several undocumented immigrants who were fired recently from Trump properties met with congressional Democrats, who began circulating a letter seeking an FBI investigation. Anibal Romero, an attorney for the workers, said the Trump Organization may have committed immigration, tax, Social Security and ERISA fraud and that "any attempt" to deport the workers "could be considered obstruction of justice."

Additional reporting:

[New York Times](#) [1/29/2019 4:53 AM, Miriam Jordan, 20737K]

[CNN](#) [1/29/2019 3:33 PM, Priscilla Alvarez]

[North Jersey Record](#) [1/29/2019 6:49 PM, Monsy Alvarado, et al., NJ]

### **End Forced Labor in Immigrant Detention**

[New York Times](#) [1/29/2019 4:00 PM, Victoria Law] reports that there are more than 48,000 people being held in immigrant detention in more than 200 facilities in the United States. More than two-thirds of them, according to the National Immigrant Justice Center, are confined by private companies, working on contracts with the federal government. Those

numbers have ballooned in the last two years under the Trump administration, drawing new attention to the terrible conditions detainees are living in. One feature of privately run centers – the Voluntary Work Program – is the subject of six separate lawsuits, which say that privately run immigrant detention centers are coercing detainees into working for a dollar a day and punishing those who don't. The lawsuits demand, among other things, that the practice stop and that detained workers be paid minimum wage. But the dollar-a-day rule has stalwart defenders in Congress. In response to a class-action lawsuit in which formerly detained immigrants said they were forced to work, 18 Republican Congressmen sent a letter on March 7, 2018, to then-Attorney General Jeff Sessions, the head of ICE and the secretary of the Department of Labor, exhorting those agencies to help GEO Group defend itself.

### **[VT] Congolese asylum seeker arrested on Vermont's border fears deportation**

[VT Digger](#) [1/29/2019 4:41 PM, Elizabeth Hewitt, 18K, VT] reports the last time the gang members came to Bienfait's home in Democratic Republic of Congo, demanding a large sum of money, he knew it didn't matter if he could pay up when they returned. "I understood that even if I paid this money, they would end up killing me anyway," he said. A plane, a bus and a taxi ride later, Bienfait stood on the United States side of the border in Derby Line – thousands of miles away from his bedroom where the men had threatened his life – planning to cross and seek asylum in Canada. Bienfait barely made it over the threshold before he was turned away, sent back to the U.S. and detained by immigration authorities. After his long journey, he was unwittingly stopped by a 15-year-old agreement that determines how many asylum cases are handled at ports of entry along the U.S.-Canada border. The Safe Third Country Agreement was implemented as part of a suite of border security policy changes after the Sept. 11, 2001, terrorist attacks. It was aimed to regulate the flow of people seeking asylum crossing over the border between the United States and Canada. The policy requires most immigrants seeking asylum from other parts of the world to do so in the first country they arrive in, whether it is the United States or Canada.

### **[NY] ICE nabs dozens of illegal immigrants, some with sex crime convictions, in New York**

[FOX News](#) [1/29/2019 11:57 AM, Adam Shaw] reports that Immigration and Customs Enforcement (ICE) announced Tuesday that it arrested 118 illegal immigrants in New York in a five-day raid this month, more than 107 of whom were convicted criminals or had pending charges against them – and the agency slammed local politicians for protecting them and endangering the public. "In years past, most of these individuals would have been turned over to ICE by local authorities upon their release from jail based on ICE detainers. Now that many sanctuary cities, including New York City, do not honor ICE detainers, these individuals, who often have significant criminal histories, are released onto the street, presenting a potential public safety threat," ICE said in a statement on Tuesday. The agency, which has faced calls for its abolition from left-wing activists and a number of 2020 Democratic Party hopefuls, announced that 55 had either been issued a deportation order and failed to deport, or had previously been removed and returned illegally. The statement said that several had prior convictions for offenses such as child sex crimes, weapons charges, and assault. "Ultimately, efforts by local NYC politicians have shielded removable criminal aliens from immigration enforcement and created another magnet for more illegal immigration, all at the expense of the safety and security of the very people it purports to protect," the release said.

ICE has been aggressively defending itself against charges from activists that it targets otherwise law-abiding illegal immigrants, and regularly issues updates noting the crimes of those who it arrests and seeks to deport. Thomas Decker, field office director for ERO New York, praised ICE officers, and said it was done despite "obstacles" placed in their way by local politicians. "In spite of the significant obstacles that ICE faces due to the dangerous policies created by local jurisdictions, which hinders the cooperation between ICE and local law enforcement, ICE will continue to devote the full efforts of our agency to protecting citizens and enforcing federal immigration law despite challenges being pursued by politically motivated individuals." President Trump has been a full-throated defender of the agency. In July, he hailed their usefulness in fighting MS-13 and said agents are "tougher and smarter" than criminals in the country. "Dems do not appreciate the great job they do!" he tweeted.

Reported similarly:

[Breitbart](#) [1/29/2019 6:00 PM, Michelle Moons]

[WGY News Radio](#) [1/29/2019 3:59 PM, Sean Hannity, 1K, NY]

[Yonkers Daily Voice](#) [1/29/2019 11:57 AM, Joe Lombardi, NY]

[Queens Daily Eagle](#) [1/29/2019 7:57 PM, David Brand, NY]

[The Daily Caller](#) [1/29/2019 5:18 PM, Hillary Silverman, 867K, DC]

### **[NY] A Member of Congress Tried to Go to an Immigration Activist's ICE Check-in. ICE Tried to Block Her.**

[The Intercept](#) [1/29/2019 7:00 AM, Nick Pinto, 500K] reports that Rep. Yvette Clarke, D-N.Y., said that what she saw Monday morning while accompanying a New York immigration activist to his mandated check-in at the New York field office of U.S. Immigration and Customs Enforcement left her with serious concerns about the agency's secrecy and the way it treats the people it summons to its offices. Clarke was accompanying Ravi Ragbir, the executive director of the New Sanctuary Coalition of New York City, whose attempted deportation by ICE a year ago during a check-in generated a massive street protest and a strident condemnation from the federal bench. Ragbir has several ongoing legal proceedings – including a First Amendment lawsuit alleging that ICE is targeting him for deportation based on his political speech – and federal courts in both the 2nd and 3rd Circuits of the U.S. Court of Appeals have issued stays forbidding ICE from deporting him until those proceedings are resolved. Even so, Ragbir's supporters weren't entirely sure that ICE officials wouldn't attempt to deport him anyway, and so they asked elected officials, including Clarke and current as well as former members of the New York City Council, to escort Ragbir when he kept his appointment at 26 Federal Plaza in lower Manhattan.

Elected officials have joined Ragbir for many of his ICE check-ins in recent years. When Ragbir attended a check-in in 2017, then-City Council Speaker Melissa Mark-Viverito was moved to tears by her conversations with mothers and children waiting without legal representation for meetings that could end in deportation. The City Council members were ordered to leave the hallway afterward by a man who, though he would not identify himself at the time, proved to be Scott Mechkowski, who as deputy director of ICE's New York field office oversaw the attempted deportation of Ragbir last year. According to Ragbir's First Amendment lawsuit, Mechkowski later told Ragbir's lawyers that he still felt "resentment" over the encounter, naming Mark-Viverito and identifying Williams as "that guy from Brooklyn." In the interval, ICE has changed its policy, restricting access to the ninth-floor waiting room where people present themselves to find out whether they are being deported.

Additional reporting: [NY1](#) [1/29/2019 6:33 AM, Michael Herzenberg, 47K, NY]

**[GA] Local immigration rights activist being deported**

[WWLP](#) [1/29/2019 7:39 PM, Nick Aresco, 55K, MA] reports a well-known immigration rights activist, who has connections to western Massachusetts is being deported. Eduardo Samaniego has less than 30-days to leave the United States, and go back to Mexico where he is originally from. After 100 days of incarceration, the local immigrant rights activist has accepted "voluntary departure," and will be deported to Mexico, his home country he left about 10-years-ago. Eduardo is a worker leader with the Pioneer Valley Workers Centers in Northampton. He came to the Pioneer Valley as a Hampshire College student in 2014. Most recently, he was put into "ICE" custody in Georgia, and his case has received national attention. Now, supporters, which include faith leaders and elected officials, are fighting for Eduardo, including those at the Pioneer Valley Workers Centers. Rose Bookbinder of Pioneer Valley Workers told 22News, Eduardo's case is similar to thousands across the country. [Editorial note: consult source link for video]

**[GA] Newly released documents reveal mounting chaos and abuse at a troubled ICE detention center**

[Fast Company](#) [1/29/2019 8:20 PM, Robin Urevich] reports that on the last day of his life, Efrain de la Rosa, a 40-year old Mexican citizen detained as an undocumented immigrant, told a social worker he didn't need medication for his schizophrenia. He would die soon, he said. Later that day, De la Rosa knotted together his prison-issue orange socks, fashioned them into a noose, and hanged himself from the top bunk in his solitary confinement cell at Georgia's Stewart Detention Center. De la Rosa spent four months at Stewart, which is operated by the private prison firm CoreCivic. While incarcerated, he repeatedly predicted his own death, reported hearing voices, and refused medication. He was briefly placed on suicide watch and was sent to an outside mental health facility for five weeks. Upon his return to Stewart, he continued to refuse medication and to dwell on death in his conversations with healthcare staff and detainees. Stewart is indistinguishable from a prison even though the detainees are held only to compel their attendance at immigration hearings or to await deportation there, and not as punishment. At the time of his July 10, 2018, death, De la Rosa had been alone in a 13-by-6-foot cell 23 hours a day for three weeks. It was his second stint in solitary confinement. De la Rosa's suicide came just 14 months after that of JeanCarlo Jimenez Joseph, a 27-year-old man who was also mentally ill and hanged himself after 19 days in solitary confinement. He was the 184th detainee to die in the custody of U.S. Immigration and Customs Enforcement since 2003, and the third to die at Stewart since May 2017. The Georgia Bureau of Investigation found no criminal wrongdoing in De la Rosa's death, but its report, which includes findings from the detention center's internal investigation, along with ICE's detention death report, shows that Stewart Detention Center staff made a series of mistakes in De la Rosa's care, beginning with his placement in solitary confinement and ending with a chaotic emergency response when he was found unresponsive in his cell. The report shows that detention center staff repeated some of the same errors in De la Rosa's care that they made in Jimenez Joseph's. The failure to correct such mistakes – which can prove fatal to vulnerable detainees – is common in ICE detention centers, concluded a Department of Homeland Security Office of Inspector General report entitled, "ICE's Inspections and Monitoring of Detention Facilities Do Not Lead to Sustained Compliance." "ICE does not adequately follow up on identified deficiencies or consistently hold facilities accountable," inspectors found.

**[TX] Previously Deported Rapist, Child Molester Apprehended near Texas Border**

[Breitbart](#) [1/29/2019 10:37 AM, Bob Price, 2015K] reports that Del Rio Sector Border Patrol agents apprehended two previously deported criminal aliens as they attempted to make their way back into the U.S. interior. Officials reported that agents assigned to the Carrizo Springs Station arrested a 53-year-old Mexican national on January 24 for illegally crossing the border. Agents transported the migrant to the station for processing where they discovered his criminal and immigration history, according to information obtained from Del Rio Sector Border Patrol officials. Records revealed that a court in Decatur, Illinois, convicted the Mexican national in 2012 for child molestation. Three days later, Brackettville Station agents arrested a 48-year-old Mexican national for illegal entry into the U.S., officials stated. During a background investigation, the agents learned that a court in La Grange, Kentucky, convicted the man in 1996 for rape. Immigration officers deported the criminal alien after he served two years of a five-year prison sentence, officials reported. Both migrants now face federal felony charges for illegal re-entry after removal as a sex offender. If convicted, the men could each face prison sentences of up to 20 years.

**[TX] CBP seizes more than 200 pounds of marijuana hidden in truck at Presidio port of entry**

[El Paso Times](#) [1/29/2019 10:10 AM, Aaron Martinez, 15K, TX] reports marijuana weighing more than 200 pounds was seized Friday by customs officers at the Presidio port of entry. A 2005 Ford F-150 truck driven by 21-year-old U.S. citizen with a 65-year-old Mexican citizen in the passenger seat attempted to cross the port of entry at about 7 a.m. Friday, U.S. Customs and Border Protection officials said. During the primary inspection of the vehicle, officers noticed "inconsistencies in the driver's travel itinerary" and sent the truck for a secondary inspection, officials said. An X-ray scan of the vehicle allegedly revealed anomalies within the bed of the truck. Officers drilled into the truck's bed and found 109 bundles of marijuana weighing about 216 pounds, officials said. The two men, whose names were not released, were detained and turned over to U.S. Immigration and Customs Enforcement agents to face federal charges in connection with the failed drug smuggling attempt.

**[CO] Deportation in Rifle sex assault case halts criminal proceeding**

[Glenwood Independent](#) [1/29/2019 10:28 PM, Thomas Phippen, 7K, CO] reports that within three days of bonding out of the Garfield County Jail, where he had been detained on charges of sexual assault, Jose Solis-Coyado was in federal custody awaiting deportation to Guatemala. Solis-Coyado was arrested Oct. 2, 2018, in Rifle on charges of sexual assault against his son's babysitter. The defendant's 4-year-old boy was taken into child service protection after the arrest, and local attorney Lucy Laffoon was appointed to represent the Respondent Parent Counsel. Solis-Coyado soon posted the \$25,000 bond, according to court records. "As soon as he bonded out of the Garfield County Jail, within 72 hours Immigration and Customs Enforcement showed up somewhere near his residence and took him into custody," Laffoon said. ICE apparently determined that deporting Solis-Coyado was appropriate. "ICE looks at all the facts and circumstances behind a person's record, including a person's record, what judges have said, what they have pending," Denver ICE public affairs officer Alethea Smock said. ICE removed Solis-Coyado to Guatemala in late December. District Attorney Jeff Cheney said his office is investigating the possibility of extraditing Solis-Coyado for trial in Colorado, but deportations can mean criminal cases go unresolved for extended periods of time.

**[NV] ICE clarifies immigration status of murder suspect**

[KOLO-TV](#) [1/29/2019 11:46 AM, Staff, 30K, NV] reports Immigration and Customs Enforcement has confirmed with KOLO 8 News Now that the suspect in four Nevada murders entered the United States illegally. Carson City Sheriff Ken Furlong announced after the arrest of Wilber Ernesto Martinez-Guzman that the suspect was in the U.S. illegally from El Salvador, but his exact status was unclear, such as whether he had overstayed a visa. In a statement, a spokesperson for ICE says, "Mr. Martinez-Guzman is a citizen of El Salvador who entered the United States unlawfully on an unknown date and location. He has no prior criminal or immigration history. ICE has lodged a detainer." That immigration hold is part of what held him in jail while murder charges were pending. [Editorial note: consult source link for video]

**[WA] Comedian traveling home from gig ordered off bus and detained by Border Patrol agents**

[CBS News](#) [1/29/2019 10:53 AM, Caitlin O'Kane] reports that comedian Mohanad Elshieky said on Monday that he was detained by Border Patrol agents while traveling home from a gig. The comedian, who is originally from Libya, was on his way from Spokane, Washington, to Portland, Oregon, where he lives. He said the Greyhound bus he was on stopped and the agents got on. "They walked around before they asked me and few others to step outside and took my documents and interrogated me for around 20 mins then claimed my papers were fake and that I'm 'illegal,'" Elshieky tweeted on Monday. His Twitter thread about the interaction has gone viral, with over 100,000 Twitter users engaging with his posts. "I explained to them that I was granted Asylum here in the United States, and that the work permit they currently hold and the license are impossible to get unless your presence here is legal," Elshieky tweeted. "They told me that I was lying and these could pretty much be falsified." The comedian originally thought the agents worked for Immigration and Customs Enforcement, but later learned they worked for Customs and Border Protections. Rep. Alexandria Ocasio-Cortez joined the thousands of people who retweeted Elshieky, writing: "One of these days, I hope people realize that the idea that ICE should be scrapped isn't so crazy after all. ICE jails children in for-profit detention centers funded by private equity grps. Kids are dying w/ 0 accountability. If that's not totally broken, I don't know what is."

**[CA] 12 detained after panga boat washes ashore on California beach**

[FOX News](#) [1/29/2019 3:33 PM, Lucia I. Suarez Sang] reports that a dozen people were arrested Monday after they attempted to enter the United States illegally from Mexico in a small makeshift boat that washed ashore in California, authorities said. Firefighters examined those aboard after the panga boat – a type of small fishing vessel commonly used by smugglers – showed up off Huntington Beach about 2 p.m. Monday. Immigration officials told FOX11 a concerned citizen spotted the makeshift boat off the coast and called in the tip. When the boat made landfall, about 100 miles north of the U.S.-Mexican border, everyone on board ran for shelter. Authorities said the men and women were cold but uninjured. Nine Chinese men, a Chinese woman, and two Mexican men were handed over to federal custody. One of the Mexican men is believed to be the smuggler. According to CBSLA, the boat first made entry via Anaheim Bay, which is the property of the U.S. Navy. It wasn't immediately clear where the boat originated and it was turned over to the Naval Weapons station for further inspection, the news station reported.

**[CA] 'Stop Hurting My Family': Mother, Baby Reunited After Month-Long Separation At U.S. Border**

[CBS San Francisco](#) [1/29/2019 11:39 PM, Staff, 80K, CA] reports a 23-year old Honduran mother was reunited with her baby daughter at San Francisco International Airport on Tuesday evening after a month-long separation, which came as the family tried to cross the U.S. border in search of asylum. Her 18-month-old daughter Juliet was with her father as the two attempted to cross the border. They were separated when he was arrested and charged with returning to the U.S. after deportation. The father is currently in Arizona fighting another deportation, according Mijente, an organization who has been helping the family. Flores crossed the border separately and was released earlier in January. Immigration authorities said that the father has a criminal history and has been deported several times. "It was a traumatic experience to be taken away from a father in this way and then separated from any and all family members," said Lisa Castellanos of Mijente, who was with Flores and her daughter at SFO. In Spanish, as Castellanos translated, Flores said, "Stop breaking families apart." Castellanos added that, "Babies have died, families have been separated and people seeking asylum have been turned away."

**[CA] Police: Suspect In Multiple Sexual Assaults Of Minors At Tahoe Goodwill Store Is In U.S. Illegally**

[CBS Sacramento](#) [1/29/2019 8:57 AM, Staff, 86K, CA] reports investigators are releasing more information on the case of a man suspected of sexually assaulting multiple minors at a South Lake Tahoe store. South Lake Tahoe police announced on Monday that Sergio Antonio Recendiz-Rodriguez, a 46-year-old Gardnerville resident, was arrested in connection to the alleged incidents. Exactly when and how many incidents took place has not been made clear. The alleged incidents took place at the Goodwill Store in South Lake Tahoe, police say, but Recendiz-Rodriguez was not an employee. Recendiz-Rodriguez is in the U.S. illegally, police say. Immigration and Customs Enforcement has placed a hold on him.

**[CA] Rape suspect extradited without sanctuary city exception**

[San Francisco Examiner](#) [1/29/2019 8:05 PM, Joshua Sabatini, 36K, CA] reports that it turns out San Francisco didn't have to approve legislation Tuesday that critics said would have eroded protections under sanctuary city laws in order to have an alleged rape suspect extradited. The suspect, Mohamed Ben Azaza, 39, was booked into San Francisco County Jail at 12:43 a.m. Monday, a day before the Board of Supervisors was set to vote on the proposal. Ben Azaza, a foreign national from Tunisia, is in jail on four felony counts of rape, including rape of an unconscious person. The Department of Homeland Security had made unusual demands in return for assisting with Ben Azaza's extradition, including that District Attorney George Gascon and the Sheriff's Department notify federal immigration enforcement if Azaza posted bail or was acquitted. Doing so would have violated the city's sanctuary laws, but a spokesperson for the District Attorney's Office said that the federal agency "changed their mind." Supervisor Hillary Ronen, who voted for the proposal at the board's Rules Committee last week, said Tuesday that this was the first time these conditions were ever put on an extradition request and that the "Trump administration has been playing games with this particular case." She said it wasn't clear why the conditions were asked for and then later dropped.

**{End of Report}**



# EOIR MORNING BRIEFING

U.S. Department of Justice  
Executive Office for Immigration Review  
By TechMIS

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Thursday, Jan. 31, 2019

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**Executive Office for Immigration Review**

**The government shutdown took its toll on the nation's immigration courts**

[CNN](#) [1/31/2018 6:00 AM, Priscilla Alvarez] reports the government shutdown over President Donald Trump's proposed border wall has paralyzed the nation's already bogged-down immigration courts. Judge Ashley Tabaddor, the president of the National Association of Immigration Judges, described judges in Los Angeles coming back this week to boxes filled to the rim with mail that had piled up over the course of the 35-day shutdown. "Everybody did the best they could," Tabaddor said. "It's just a lot of trying to work with our

hands tied behind our back." The government shutdown centered on Trump's immigration agenda. His \$5.7 billion request for his signature wall along the US-Mexico border, and congressional Democrats' refusal to give him that money, brought the government to a grinding halt -- including immigration courts. Trump has repeatedly criticized the nation's immigration system, specifically taking issue with the practice of releasing immigrants while they await their court date. To remedy that, his administration has sought to hire more immigration judges in the hopes of unclogging the court. Even so, the shutdown seems to have put those efforts behind. The only cases that moved forward during the shutdown were those of immigrants in detention. All others were postponed. Syracuse University's Transactional Records Access Clearinghouse, which tracks immigration court data, estimated that more than 42,000 immigration court hearings had been canceled as a result of the shutdown -- exacerbating an issue Trump pledged to resolve.

Executive Office for Immigration Review spokeswoman Kathryn Mattingly said in a statement that "non-detained immigration cases that were continued due to the partial government shutdown will be rescheduled to the earliest available hearing date on the immigration judge's calendar." EOIR, which is within the Justice Department, warned the American Immigration Lawyers Association last Friday that there might be "some confusion" as non-detained courts reopened. There are 409 immigration judges nationwide. "EOIR is currently authorized 484 immigration judge positions and is actively working to reach that goal," Mattingly said in a statement, adding that "it is not unusual to see an increase in government retirements at the end of a calendar year." For now, the looming question is when cases postponed during the shutdown will be rescheduled.

### **How the Shutdown Actually Kept Thousands of Undocumented Immigrants in the U.S.**

[Pacific Standard](#) [1/30/2019 11:00 AM, Massoud Hayoun, 90K, CA] reports in a twist of irony, President Donald Trump's government shutdown over border wall funding will keep tens of thousands of undocumented immigrants in the country for much longer, analysts say, as immigration court staff returning to work this week struggle to reschedule postponed hearings. More than 80,000 immigration court hearings were postponed during the shutdown that began in late December, according to estimates by the Syracuse University non-profit data research center, Transactional Records Access Clearinghouse. Immigration court hearings are frequently booked years in advance. With a growing backlog, preceding the shutdown, of over 800,000 cases, court staff cannot simply reschedule all the missed cases for the week after the shutdown; many defendants will have to wait months if not years until a judge takes up their case. It appears that in his all-consuming push to construct a border wall that many analysts say will do little to keep undocumented migrants out of the United States, Trump actually kept tens of thousands of them in the country, awaiting trial. Immigration court staff faced more chaos Monday morning, as they struggled to resume operations after 35 days with 75 percent of judges and staff furloughed. "We were notified over the weekend that the shutdown is over and everyone is expected to return to work on 'business as usual' for Monday," says Ashley Tabaddor, president of the National Association of Immigration Judges. But the courts were bogged down by a push to jump-start activity that had come to a near standstill for over a month. "Everyone is doing their best to just be able to hear the cases that are scheduled for this week before turning their attention to the thousands of hearings that were cancelled because of the shutdown," Tabaddor says. "There are piles and piles of mail that have been delivered over the weeks. [The Department of Homeland Security] has continued to file new cases which now need to

be scheduled for initial hearings. Some courts continued their master calendar hearings if they did not have enough time to pull the files."

### **ICE told hundreds of immigrants to show up to court Thursday — for many, those hearings are fake**

[CBS News](#) [1/30/2018 10:39 PM, Kate Smith] reports ICE agents told hundreds of immigrants to show up to court on Thursday or risk being deported. But lawyers say many of those hearings won't happen because the dates ICE provided are fake. Immigration attorneys in Chicago, Miami, Texas, and Virginia told CBS News their clients or their colleagues' clients were issued a Notice to Appear (NTA) for hearings scheduled Jan. 31. The attorneys learned the dates weren't real when they called the courts to confirm. ICE is required to include court dates with court notices, per a Supreme Court decision last summer, but most don't actually reflect scheduled hearings. The American Immigration Lawyers Association issued a "practice alert" on Tuesday evening, warning members "the next upcoming date on NTAs that appears to be fake is this Thursday." On Wednesday evening, the Executive Office of [for] Immigration Review, the body that oversees all the immigration courts, instructed all attorneys with a January 31 NTA "to confirm the time and date of any hearing." "There will be another episode of mass confusion in the immigration courts [Thursday] as a result of the DHS's decision to issue Notice to Appear with fake immigration court dates," Brian Casson, a Virginia-based immigration attorney, said in an email to CBS News. The fake notices stem from a Supreme Court ruling last summer. Prior to the decision, ICE officials used to send immigrants NTAs with date listed as "TBD" - or "to be determined." The immigration court would issue the migrant an official hearing notice later, said Casson.

One effect of this: The NTAs could block an immigrant's eligibility for "cancellation of removal," a legal residency status granted to some undocumented immigrants after 10 uninterrupted years of living in the U.S. A NTA, even without a hearing date, would interrupt the 10-year "clock," said Jeremy McKinney, a Charlotte, North Carolina-based immigration attorney, in a telephone interview with CBS News. A Supreme Court ruling last summer — *Pereira v. Sessions* — banned the practice, requiring all appearance notices to use actual dates. However, systems weren't in place for ICE to see the court's schedule, so ICE issued fake dates instead. Immigrants were instructed to appear on weekends, midnight, and dates that just didn't exist, like Sept. 31, multiple attorneys told CBS News. On October 31, hundreds of immigrants received phony NTAs. They showed up to court for non-existent hearings to find "extraordinarily long lines," according the recent alert from the immigration lawyers' organization. "It was complete dysfunction and confusion," said McKinney. The problem became so pervasive that on Dec. 21, the Executive Office of [for] Immigration Review issued a rare policy memo telling ICE agents and DHS that courts would "reject any NTA in which the date or time of the scheduled hearing is facially incorrect."

### **Future in US uncertain for Honduran woman after family separation**

[San Francisco Chronicle](#) [1/30/2018 4:48 PM, Tatiana Sanchez, CA] reports after the throng of cameras and onlookers disappeared and the sleepy terminal at San Francisco International was still again, Sindy Flores walked out of the airport late Tuesday night clutching her 17-month-old daughter, Juliet. It had been more than one month since she'd seen her baby. But even as Flores and her other children savored the reunion on Wednesday, she also had to focus on more struggles ahead. She needs stable housing and legal representation as she proceeds with her family's quest for asylum. Flores and Juliet

were reunited Tuesday after the baby was separated from her father at the U.S.-Mexico border in late December. Border agents arrested Kevin Ventura-Corrales for illegally re-entering the country and sent Juliet to a shelter in Texas. The separation was justified, they said, since Ventura-Corrales was charged with a felony. Tuesday's reunion marked the end of a weeks-long saga that spanned several states and government agencies and illustrated the plight of many families who cross the border to petition for asylum, only to find themselves entrapped in the country's complex immigration system.

Even as their cases are pending, the couple's future in the U.S. is shaky. Flores — who has no legal representation — and her three children are living with family in San Francisco as she awaits a decision on her case. When she petitioned for asylum at the border in Calexico, immigration agents arrested Flores and later released her on her own recognizance, which means she signed a written promise to appear in court. She wasn't required to post bail. Flores is expected to formally petition for asylum at her first court hearing but hasn't been given a date to appear in court, said Gonzalez of Mijente. The government shutdown exacerbated an already massive backlog of pending asylum cases. There are more than 800,000 asylum cases waiting to be resolved, according to a New York Times report that crunched data from the Department of Justice Executive Office for Immigration Review and the Transactional Records Access Clearinghouse at Syracuse University. Nearly 122,000 of those cases involve migrants from Honduras. Of the 42,224 asylum decisions made last year, 27,460 cases were denied, according to Syracuse. The Trump administration has started sending asylum seekers back to Mexico as they await their immigration court dates in the U.S. as part of a new policy aimed at discouraging other asylum-seekers from crossing the border.

### **Caught in the Immigration Maze**

[Salt Lake City Weekly](#) [1/30/2019 3:44 PM, Kelan Lyons, UT] reports that Jonathan Paz looks like he's having a staring contest with his office desk. He interrupts his tense glaring with periodic Post-it note scribbling and computer scrolling as he grips his phone and listens to a Department of Homeland Security attorney argue that his client, Mackenley Montfleury, should stay locked up in the Aurora, Colo., Detention Center until the federal government decides whether he should be deported. "Your honor, first of all, it appears to me that counsel is just trying to generalize a criminal record," Paz tells Immigration Court Judge Elizabeth McGrail. "That's not what the law says." Paz is the only member of this conversation who is not in Colorado. Montfleury, McGrail and the DHS lawyer are all in Aurora; Paz is pleading his case from his Salt Lake City office via telephone. He gets more and more exasperated as the conversation drags on. Two of Montfleury's three drug possession charges have either been dismissed or the pleas withdrawn, Paz tells the judge. "Mr. Montfleury is now not even deportable," Paz says. "So, I'm not even sure why we're having a conversation about bond, because he, at this point, should just be released." Montfleury is not an undocumented immigrant. He got his lawful permanent residency (LPR), or green card, in 2005. But Paz says his potential deportation is also a consequence of Trump's broadening of ICE's priorities. "Mackenley would not be in these proceedings under Obama," Paz says. "It just wouldn't be happening."

### **[WA] How the government shutdown left thousands of immigrants in legal limbo**

[KUOW](#) [1/30/2018 4:05 PM, Andy Hurst and Kim Malcolm, WA] reports Kim Malcolm talks with immigration attorney Matt Adams about how the 35 day government shutdown

impacted cases at Seattle's federal immigration court. [Editorial note: consult source link for audio]

## Policy and Legislative News

### **Trump digs in on border wall funds, but Democrats' opening bid is zero**

[Washington Post](#) [1/30/2019 7:03 PM, Erica Werner, John Wagner and Mike DeBonis] reports House Democrats unveiled a new border security plan Wednesday that contains no money for physical barriers along the U.S.-Mexico divide, defying President Trump's insistence on a wall of some kind to stave off another government shutdown. The Democrats' proposal was their opening bid in bipartisan House-Senate negotiations aimed at coming up with a deal to keep the government open when temporary funding runs out Feb. 15. It came just hours after Trump dug in on his conditions for signing off on such a deal, writing on Twitter that lawmakers would be "wasting their time" if they're not considering a wall or physical barrier on the southern border. But in a sign of how difficult it may be for lawmakers to strike a compromise that Trump can support, Democrats dismissed the president's insistence on physical barriers on the border, arguing that security funds would be better spent elsewhere. House Democrats' proposal includes funding for myriad other security measures along the border, including 1,000 additional customs officers, new imaging technology to scan vehicles for drugs and contraband, repairs at ports of entry, and changes aimed at reducing detentions by U.S. Immigration and Customs Enforcement.

Additional reporting:

[Washington Post](#) [1/30/2019 7:19 AM, Associated Press]

[CBS News](#) [1/30/2019 3:54 PM, Associated Press]

[ABC News](#) [1/30/2019 3:40 PM, John Parkinson and Benjamin Siegel]

[CNN](#) [1/30/2019 3:44 PM, Alex Rogers, Manu Raju and Ashley Killough]

[NPR](#) [1/30/2019 11:22 AM, Susan Davis]

[Bloomberg](#) [1/30/2019 5:05 PM, Erik Wasson and Laura Litvan]

[TIME](#) [1/30/2019 9:23 AM, Andrew Taylor and Alan Fram]

### **Dems' border security proposal would release illegal immigrants**

[Washington Times](#) [1/30/2019 2:38 PM, Stephen Dinan, DC] reports that Democrats' new border security proposal would cut the number of detention beds available to hold illegal immigrants for deportation, effectively forcing Homeland Security to release more people into communities. House Democrats detailed the plan — sans a price tag — on Wednesday, just after finishing the first round of negotiations with Republicans to try to avoid another government shutdown in two weeks. Among their ideas are more investigators to investigate drug-smuggling, and more ankle-monitoring and counseling for illegal immigrants, but no money for President Trump's border wall. And the Democrats said they will cut the number of detention beds available to U.S. Immigration and Customs Enforcement to hold migrants awaiting deportation. "It significantly reduces ICE detention beds," said Rep. Lucille Roybal-Allard, one of the Democrats' negotiators. The government is currently funded for a minimum of about 40,000 detention beds. Senate Republicans' plan, which mirrors Mr. Trump's proposal, calls for 52,000 detention beds. Democrats didn't say how much lower they would go on beds. The House and Senate negotiators emerged from Wednesday's first meeting to say they were hopeful of a deal — though there was little sense of a path forward, particularly on how to settle the border security disagreement.

Additional reporting:

[New York Times](#) [1/30/2019 12:03 AM, Emily Cochrane, 20737K]

[The Hill](#) [1/30/2019 5:35 PM, Niv Elis and Mike Lillis, 3038K]

[Politico](#) [1/30/2019 5:56 PM, Jennifer Scholtes, 2577K]

[VOX](#) [1/30/2019 6:00 PM, Li Zhou, 2855K]

### **Eric Trump Urges Father To Declare National Emergency Over Border Wall Funding**

[Huffington Post](#) [1/30/2019 9:15 AM, Hayley Miller] reports that President Donald Trump's son, Eric Trump, on Tuesday wholeheartedly embraced his father's threat to declare a national emergency if Democrats don't agree to fund his long-promised U.S.-Mexico border wall. "I want him to declare an emergency," Eric Trump told Fox News' Sean Hannity on his show Tuesday night. Hannity, one of Trump's loudest cheerleaders in the media, agreed. "Oh, I think he will," he said. After a 35-day partial government shutdown, President Trump on Friday agreed to a stopgap spending bill to reopen the government for three weeks while Congress negotiates funding for border security. Democrats have steadfastly refused to carve out \$5.7 billion in a spending bill to fund his border wall, which he has vowed for years Mexico would pay to build. If his border wall demands aren't met in the spending bill Congress is negotiating, Trump has threatened to not sign it, thus leading to another partial government shutdown on Feb. 15. He has also warned he might declare a national emergency to secure the funding. In declaring an emergency, the president has said he would use his executive power to redirect military construction funds to build the wall.

### **Lawyer group says Trump policies have erected "invisible wall" to slow legal immigration**

[Texas Tribune](#) [1/30/2019 5:34 PM, Julián Aguilar, 102K, TX] reports as President Donald Trump threatens to declare a national emergency to have his long-promised border wall constructed to stop illegal immigration, his administration has also erected an invisible barrier that's hindering legal migration to this country, according to a national group of immigration lawyers. The American Immigration Lawyers Association released a study Wednesday showing that processing times for most visas and applications for citizenship by U.S. Citizenship and Immigration Services have reached record-high levels over the last two years. The study looked at data from the federal government's 2014-18 fiscal years and found that the overall processing times for applications increased by 46 percent over the past two fiscal years. In an email, USCIS spokesman Michael Bars said several factors can affect an individual's application, but longer wait times are a result of more applications. "That is why USCIS has implemented a range of process and operational reforms, hired additional staff, and expanded its facilities to ensure its ability to adjudicate keeps pace with unprecedented demand for its services over recent years," he wrote. "Where possible, cases are completed well within the agency's standard processing goals."

### **As border wall talks continue, agents keep finding cross-border tunnels**

[FOX News](#) [1/30/2019 3:44 PM, Charlie Lapastora] reports that as the battle over border walls continues, more than 400 U.S. Border Patrol agents trained in underground "confined space" agents are faced with an ongoing crisis: tunnels. Two tunnels were found in Mexico this month — both dug into the main sewer in Nogales that flows from Mexico into the U.S. Border Patrol. There were also two other tunnels found on the U.S. side in the past few months. The most recent one, found in December, was a 50-foot long tunnel leading from Mexico to Nogales, Arizona. It had digging tools inside and was submerged underwater,

which Hecht and agents closed up before any illegal drugs could make it through. This incident came just months after another tunnel was found in San Luis, Arizona. Border Patrol attributes the finding of the two Mexican tunnels and those found in the U.S. to the partnership they have that's improving with Mexico federal authorities.

### **Undocumented worker who worked for Trump golf course to attend State of the Union**

[Washington Post](#) [1/30/2019 8:09 PM, Elise Viebeck, 49830K] reports an undocumented worker who recently worked for Trump National Golf Club in Bedminster, N.J., and left after she publicly disclosed her immigration status will attend President Trump's State of the Union address next week. Victorina Morales, who was born in Guatemala, will be a guest of Rep. Bonnie Watson Coleman, a New Jersey Democrat, when the president speaks to a joint session of Congress Tuesday night. Watson Coleman's office confirmed the decision Wednesday. The choice to invite Morales follows news stories about the Trump Organization's failure to fully check the work status of all its employees, even as Trump described illegal immigration as a national crisis and demanded funding for a U.S.-Mexico border wall. The Washington Post reported Saturday that about a dozen undocumented workers were fired this month from the Trump National Golf Club in Westchester County, N.Y. Eric Trump said Tuesday that the company will implement E-Verify, a federal program that vets workers' immigration status, across all of its properties.

Reported similarly:

[The Hill](#) [1/30/2019 5:24 PM, Owen Daugherty, 3038K]

[Politico](#) [1/30/2019 9:13 PM, Rebecca Morin, 2577K]

[Washington Times](#) [1/30/2019 1:21 PM, Staff, 527K, DC]

### **Trump admin faces two big deadlines on family separation policy**

[CNN](#) [1/30/2019 12:02 PM, Priscilla Alvarez] reports the Trump administration is facing two big deadlines Friday in response to a Health and Human Services inspector general report that revealed more migrant children had been separated from their parents than had previously been made public. Within the last two weeks, a House oversight panel and the American Civil Liberties Union have requested that the administration answer to the report, which found that there was no system in place to account for the "thousands" of children who had been separated from the parents along the U.S.-Mexico border. HHS and the inspector general were unable to identify an exact figure, citing "significant challenges in identifying separated children." A House Energy and Commerce Committee subcommittee headed by Rep. Diana DeGette, D-Colorado, gave HHS Secretary Alex Azar until Friday for him to turn over documents related to the administration's "zero tolerance" policy that led to the separation of families. U.S. District Judge Dana Sabraw gave the Justice Department until Friday to respond to the inspector general report as part of the ongoing family separation lawsuit *Ms. L et al. vs. Immigration and Customs Enforcement et al.*

### **Trump Super PAC Launches Seven-Figure Angel Mom Ad Buy Pushing for Border Wall: 'My Separation is Permanent'**

[Breitbart](#) [1/30/2019 1:58 PM, Matthew Boyle, 2015K] reports President Donald Trump's Super PAC America First Policies has launched a seven-figure ad buy targeting several top Democrats in Congress with a message from Angel Mom Michelle Root, whose daughter Sarah was murdered by an illegal alien in 2016. The digital ad buy, Breitbart News has learned, is part of a broader \$1.1 million campaign that will target key lawmakers in states

across the country, specifically in Florida, Ohio, Georgia, Michigan, Pennsylvania, and Alabama, urging constituents in those states to call their representatives and senators to push for funding for President Trump's planned wall along the U.S. border with Mexico. The digital ads include specific phone numbers for people in those states to call their senators and representatives, like Sen. Doug Jones (D-AL) of Alabama or Sen. Sherrod Brown (D-OH) of Ohio, among others. The ad features Michelle Root, whose daughter Sarah was killed by an illegal alien in early 2016. In the ad that America First is airing, Root's mother names her daughter's killer Edwin Mejia. According to the Immigration and Customs Enforcement Most Wanted website, Mejia remains at-large on the run from authorities after he killed Sarah Root.

**Larger group of asylum seekers returned to Mexico as Trump policy gets underway**  
[San Diego Union-Tribune](#) [1/30/2019 7:40 PM, Kate Morrissey, 214K, CA] reports border officials in the U.S. returned about a dozen people, mostly men, to Tijuana on Wednesday on the second day of the Trump administration's policy that requires asylum seekers to remain in Mexico for their immigration court proceedings. The pilot program began Tuesday with one Honduran man crossing back to the plaza at El Chaparral where asylum seekers line up each morning to wait their turn in a months-long queue to ask the United States for protection. Those crossing back will face another wait in Tijuana until they cross on their court dates to see immigration judges in the U.S. Immigration officials on both sides of the border said that 11 more returned on Wednesday. Activists and observers in the plaza said they counted at least 17 who had come back that day. Some crossed back through PedWest at the San Ysidro Port of Entry to El Chaparral alone or in small groups. Others came back as part of a large group led by Mexican immigration officials late in the afternoon.

[KQED](#) [1/30/2019 3:27 PM, Elliot Spagat, 160K, CA] reports the launch is limited to San Diego's San Ysidro border crossing, the nation's busiest, though Customs and Border Protection Commissioner Kevin McAleenan wrote in a memo released Tuesday that it is expected to expand to other crossings "in the near future." Katie Waldman, a Department of Homeland Security spokeswoman, insisted families will be included. A sharp increase in Central American families seeking asylum in the U.S. led to the Trump administration's dramatic move, and limiting families would diminish the impact. "It will be expanded across the entire Southwest border, and it will apply to family groups," Waldman said. Homeland Security Secretary Kirstjen Nielsen said last week that the "migrant protection protocols" being introduced in San Diego are a "methodical common-sense" approach to what she calls a humanitarian and security crisis on the Mexican border. "For far too long, our immigration system has been exploited by smugglers, traffickers and those who have no legal right to remain in the United States," she said. [Editorial note: consult source link for audio]

Reported similarly: [Bustle](#) [1/30/2019 9:30 AM, Joseph D. Lyons, 2683K]

**Latest migrant caravan begins to flood Mexico City as 'remain in Mexico' policy begins**

[FOX News](#) [1/30/2019 3:43 PM, Griff Jenkins] reports as dawn breaks at an outdoor sports stadium here, Mexican Marines are busy cooking beef, eggs and beans for the 2,673 migrants that have arrived here, according to officials. Upon arrival, they receive blankets, shelter, health care, sanitary amenities and hot meals. They are housed in three massive



tents inside the sports complex, are protected by around the clock security and have access to a soccer field and playground. They must fill out a form indicating their country of origin, gender and age – but are not required to give their name. A green bracelet identifies them in the shelter with a number corresponding to the registry. Here they have the option – but are not required – to officially register in Mexico and seek temporary asylum for up to one year. This is part of a larger operation as the total number of migrants that have registered for Mexico's new offer exceeds 12,500. It's part of the new Lopez Obrador administration's "far-reaching" approach to migration in general.

### **House Homeland Security chair raises possibility of subpoena for DHS chief**

[The Hill](#) [1/30/2019 3:30 PM, Jacqueline Thomsen] reports that House Homeland Security Committee Chairman Bennie Thompson (D-Miss.) on Wednesday left the door open to subpoenaing Homeland Security Secretary Kirstjen Nielsen to appear before his committee if she does not agree on a date to testify in the coming weeks. Thompson, who wrote in a letter Tuesday that Nielsen had denied a request to testify before the committee next week, told reporters that he will give the secretary until the end of February before taking further action to require that she testify. "I'm not reluctant to issue the subpoena," Thompson said. "I'm going to give the secretary the opportunity to look at her calendar, work it out and come to the committee, but I'm not reluctant to use it." The chairman said he had sought the secretary's testimony on Feb. 6, but that his staff was told that she was not available for that date. And Thompson said that as lawmakers work in the coming weeks to pass a government funding bill to avoid another shutdown over border security, it's important for members to hear from Nielsen about the situation at the border.

[USA Today](#) [1/30/2019 2:11 PM, Alan Gomez] reports "As (secretary) you should be prepared to testify on border security, the very issue that caused the recent shutdown, at any time and certainly prior to the potential February 15 lapse in appropriations," Thompson wrote in a letter to Nielsen. Nielsen's press secretary countered by saying she had accepted the invitation to testify, just not on that date. Homeland Security press secretary Tyler Houlton said Nielsen offered alternate dates, and labeled Thompson's letter as "misleading." "Such missives are unproductive and unhelpful in sustaining comity between the Committee and the Department," Houlton said in a statement.

### **[MA] Barnstable County sheriff to hold forum on ICE program**

[Cape Cod Times](#) [1/30/2019 5:34 PM, Geoff Spillane, 18K, MA] reports the Barnstable County Sheriff's Office has scheduled a community meeting to review its partnership with U.S. Immigration and Customs Enforcement, as legislation is reintroduced on Beacon Hill to make the programs illegal in Massachusetts. Todd Lyons, acting field officer for ICE in Boston, and Officer Claudia English, an ICE detention and deportation supervisor, will participate on the panel.

### **[NY] Curran on flip-flopping accusations: 'That is political opportunism'**

[News 12 Long Island](#) [1/30/2019 3:42 PM, Staff, NY] reports that Nassau County Executive Laura Curran's position on U.S. Immigration and Customs Enforcement agents in the county has Republican lawmakers accusing her of flip-flopping, to which she says: "That is political opportunism at its best." Initially, Curran gave ICE until Jan. 31 to vacate the county jail property in East Meadow. Then she said ICE would relocate to the nearby Nassau University Medical Center property. Both moves drew backlash from lawmakers, police union officials and immigrant advocates, and even caught the attention of President Donald

Trump, who said the move was the result of "radical Democrats." Now, ICE is allowed to stay at the jail until a more permanent location is found. "Well I don't know how any Nassau resident at this juncture can feel confident in anything the county executive says," Republican Legislator John Ferretti says. "She flip-flops and changes her position on a daily basis." As for ICE's future in the county, Curran would only say that talks are continuing.

**[NY] Viverito urges state's top judge to ban ICE from courthouses**

[New York Daily News](#) [1/30/2019 1:10 PM, Stephen Rex Brown, 1101K, NY] reports candidate for Public Advocate Melissa Mark-Viverito called Wednesday for the state's chief judge to ban Immigration and Customs Enforcement from courthouses. Her message came days after a report, first reported by the Daily News, showing that ICE escalated activities near city courthouses again in 2018. "ICE agents are terrorizing immigrants, breaking up families, and undermining our justice system – enough is enough. With ICE in our courthouses, immigrants are intimidated and unwilling to come forward. Witnesses do not want to appear in court and victims of abuse cannot report their abusers," said Viverito, who touted her opposition to ICE when she was Council Speaker. The Immigrant Defense Project revealed in a report that ICE increased arrests outside city courthouses by 1,054% from 2016 to 2018. In many of the arrests, plainclothes ICE agents refused to identify themselves, leading bystanders to think they were witnessing a kidnapping, according to the report. An ICE spokeswoman said its agents followed protocol when making courthouse arrests. "ICE officers in New York perform their lawful duties of enforcing the immigration laws of this nation with integrity and pride. These men and women will continue to enforce the laws set forth by Congress as part of their civic duty, despite any criticism or political rhetoric," the spokeswoman said.

**[PA] Report finds ICE arrests at Pennsylvania courthouses are scaring away victims**

[Philadelphia Inquirer](#) [1/30/2019 5:00 AM, Jeff Gammage, 86K, PA] reports in Berks County, an attorney reported that agents sat through her client's Protection from Abuse hearing, then arrested him at its conclusion. Another man was arrested when making a child-support payment at the courthouse. Those allegations and more are contained in a new report by the Sheller Center for Social Justice at Temple University, which says that apprehensions by U.S. Immigration and Customs Enforcement in and around local courthouses in Pennsylvania have frightened away undocumented witnesses and victims, disrupting the course of justice. ICE agents often are assisted in making arrests by local courthouse personnel who provide information on people's legal statuses, the study added. Asked about the new Sheller Center report, ICE officials said their courthouse enforcement includes actions against specific targets who have criminal convictions, are gang members or national-security threats, or have been ordered to be deported or were previously deported. Witnesses in cases, and family members or friends who are accompanying "the target alien," are not to be arrested except in special circumstances, such as if they pose a threat to public safety or interfere with ICE, the agency said. ICE officials said arrests undertaken in courthouses are safer for its officers, the public, and the person being arrested, because all those entering are screened and searched for weapons. Agents are directed to generally avoid making arrests in civil proceedings and in places such as Family Court or Small Claims Court.

**[TX] Williamson County agreement with ICE detention center ends Thursday**

[KXAN](#) [1/30/2019 6:16 PM, Will DuPree, 134K, TX] reports Williamson County will officially cut its ties after Thursday with an immigrant detention center in Taylor. The county

previously had an Intergovernmental Services Agreement with Immigration and Customs Enforcement and private prison company CoreCivic for the T. Don Hutto Residential Center, which houses women detained at the border. In June 2018, the commissioners' court voted 4-1 to end those agreements by Jan. 31, 2019. Grassroots Leadership, a group advocating for immigrant rights in Austin, hoped that the county's action would mean the facility would close by that date. However, it doesn't appear T. Don Hutto will shut its doors anytime soon. On Tuesday Nina Pruneda, a public affairs spokeswoman for ICE sent KXAN a brief statement about the facility's future: "U.S. Immigration and Customs Enforcement (ICE) filed a short-term contract extension with CoreCivic for the T. Don Hutto Residential Facility located in Taylor, Texas, to remain open beyond Jan. 31, 2019." When KXAN asked additional questions, the agency would not comment on how long that contract extension would last.

### **[CA] LA Sheriff Tosses ICE Out of County Jails**

[Courthouse News Service](#) [1/30/2019 1:12 PM, Martin Macias Jr., CA] reports Los Angeles County Sheriff Alex Villanueva issued a directive Wednesday barring U.S. Customs and Immigration Enforcement agents from entering county jails, courts and police stations on civil immigration matters. Villanueva told reporters at the LA Hall of Justice that his directive, which takes effect Friday, brings the county in line with Senate Bill 54 – the California Values Act – which limits local police collaboration with ICE in the Golden State. Former Sheriff Jim McDonnell firmly defended county collaboration with federal immigration officials during his time in office and opposed SB 54, which some election observers say contributed to his defeat last November. The "Trump effect," or the mixing of local law enforcement with federal immigration enforcement, has led to a decrease in victims reporting crimes in communities that are predominantly Latino, Villanueva said. Villanueva, a Chicago-born former LA County sheriff's lieutenant who first joined the force in 1986, said federal immigration law is something Congress should address, not local police officers. "Let's not get involved with endangering any member of our community," Villanueva said, adding the county will reclaim space in jails and courts that were previously reserved for ICE agents. An ICE spokesperson did not immediately respond to a request for comment on the directive.

## **Legal News**

### **[MA] Mass. Court: Witnesses Can Keep Mum On Immigration Status**

[Law360](#) [1/30/2018 10:10 PM, Daniel Siegal] reports the Massachusetts Supreme Judicial Court on Wednesday affirmed a man's murder conviction, rebuffing his argument that the jury should have heard about the immigration statuses of the state's witnesses, ruling that immigration status alone would not affect a witness' ability to be truthful. In a 15-page ruling, the state's high court affirmed a Suffolk County jury's conviction of defendant Fredys Chicas of first-degree murder for the fatal beating of a man after a confrontation at a party. The court held it was not an abuse of discretion for the trial court to deny Chicas' attorney's request at trial to question the prosecution's witnesses about their immigration status. Chicas had argued that this questioning was justified because immigrants in the country unlawfully might have been biased to give testimony that pleased the state.

### **[MA] ICE Detainees Can Now Answer State Charges**

[WGBH](#) [1/30/2018 10:10 PM, Barbara Howard, MA] It has been a problem for a while now: immigrants failing to show up to their state court hearings because they're not being transported from federal Immigration and Customs Enforcement (ICE) detention. But in a rare case of cooperation, it looks like that could be changing. In a new deal struck between the state's court system, the American Civil Liberties Union, public defenders, some sheriffs, and ICE, immigrants in federal custody will now be allowed to go before Massachusetts courts to face state charges brought against them. [Editorial note: consult source link for audio]

**[PA] Jose Ferrufino sentenced to life in prison for 'remorseless' murder of New Providence man**

[Lancaster Online](#) [1/30/2019 3:13 PM, Jeff Hawkes, 51K, PA] reports a Lancaster County judge Wednesday scolded Jose Ferrufino for a "total lack of remorse" before imposing a life sentence plus 15 to 35 years for the murder of a Providence Township man he suspected of having an affair with his wife. A Lancaster County jury last month found Ferrufino, 50, guilty of killing 35-year-old Hugo Garcia-Hernandez on March 22, 2017, rejecting his claim of innocence. Garcia-Hernandez, of 124 Pennsy Road, died from a single shot to the heart after Ferrufino and two other men broke down his bedroom door before 2 in the morning and attempted to bind him with zip ties, according to trial testimony. Ashworth called the point-blank shooting a premeditated assassination. U.S. Border Patrol officers caught Ferrufino, a native of El Salvador, trying to enter illegally near Rio Grande City, Texas, in February 2003. Three years later, an immigration judge canceled Ferrufino's deportation, allowing him to lawfully remain in the United States, according to immigration officials.

**[FL] ICE steps in after BB gun incident**

[Apalachicola Times](#) [1/30/2018 9:27 PM, David Adlerstein, FL] reports U. S. Immigration and Customs Enforcement is pursuing the cases of three men, arrested in connection with a Jan. 18 incident on St. George Island in which a truck's window was shattered by a high-powered BB gun, charged with being in this country illegally. Tamara Spicer, an ICE spokesman, said ICE has filed a detainer on all three men, who were living on the island at the time of their arrest. Rolenio Hilario Perez-Mejia, 26, a citizen and national of Guatemala, was arrested for discharging a firearm in public, firing a deadly missile into a vehicle and criminal mischief – property damage over \$200 and under \$1,000. He was placed on a \$10,500 bond, by Circuit Judge Kevin Carroll, who handled the first appearance via video. A second man, Miguel Angel Gabriel-Mejia, 32, also a citizen and national of Guatemala, was arrested for being a principal or accessory to firing a deadly missile into a vehicle, and for operating a motor vehicle without a valid drivers license, DUI – first offense, and refusal to submit to a DUI test. He was given a \$1,500 bond. Spicer said that upon their release by the sheriff's office, ICE's enforcement and removal operations will take these two men into custody, and begin removal proceedings pending a decision of an immigration judge. A third man, Agustin Mejia-Soto, 32, a citizen and national of Honduras, was arrested for being a principal or accessory to firing a deadly missile into a vehicle, and released on his own recognizance. She said he will not be immediately picked up by ICE, as his case is already under removal proceedings administered by an immigration judge.

**[AZ] Judge Questions Scope of Affected Guests in Motel 6 Settlement Over ICE Raids**

[Phoenix New Times](#) [1/30/2019 6:00 AM, Joseph Flaherty, 66K, AZ] reports that a federal judge overseeing the settlement between Motel 6 and a Latino civil rights group said he needs more information on the number of guests who may have been affected by the

budget chain's practice of giving guest lists to immigration authorities. The questions from Arizona U.S. District Judge David G. Campbell at a hearing in federal court on Tuesday underscore the difficulty of achieving a settlement for a far-flung group of people who were questioned and detained by immigration officers after they stayed at Motel 6 locations. During the hearing, an attorney for Motel 6 acknowledged that tens of thousands of guests' information was turned over to immigration authorities. Data on Motel 6 guests who were questioned by ICE or deported is in the hands of the federal government, the attorney said – if such data even exists. Last year, the Mexican American Legal Defense and Educational Fund, a California-based Latino legal advocacy group, filed a class-action lawsuit against the budget motel chain after Phoenix New Times reporting revealed two Motel 6 locations in Phoenix were providing guest lists to Immigration and Customs Enforcement, leading to the frequent arrest of undocumented guests. MALDEF and Motel 6 reached a settlement last summer, and filed the proposal for the court's approval in November. During Tuesday's hearing, the judge said he needs more specifics before he grants preliminary approval.

### **[CA] Judge Orders New Hearing for Undocumented Richmond Man Detained by ICE Since 2017**

[KQED](#) [1/30/2019 8:30 PM, Staff, 160K, CA] reports a Richmond construction worker who has been detained for nearly two years while fighting deportation will get a bond hearing and a new chance for freedom, a San Francisco federal judge ruled on Tuesday. Magistrate Judge Sallie Kim ordered that Raul Lopez, an undocumented immigrant from Guatemala, be given a bond hearing within 15 days. Lopez was detained by Immigration and Customs Enforcement in March 2017. Judge Kim's order comes amid legal challenges to the indefinite jailing of immigrants, which critics say is a violation of their constitutional rights. He has been convicted of three misdemeanor DUIs, for which he served a total of six weeks in jail, court documents show. After ICE detained Lopez in 2017, the agency has successfully prevented his release on bond, on the grounds that he is a danger to the community because of his criminal record. In her ruling, Judge Kim said that Lopez's prolonged detention was no longer justified. ICE officers evaluate "the totality of circumstances" to make custody determinations, said Jeffrey Lynch, who directs the ICE field office in Denver. "The facts and circumstances around his case, including a conviction for a violent crime and four DUI convictions, deem him a threat to public safety," Lynch said in a statement.

## **Enforcement News**

### **Undocumented former Trump club workers meet senators, seek protection: report**

[The Hill](#) [1/30/2019 9:19 AM, Brett Samuels, 3038K] reports that undocumented former employees of the Trump Organization met with lawmakers in Washington, D.C., on Tuesday to seek protection from Immigration and Customs Enforcement and urge an investigation into the hiring practices at the president's business. CNN reported that Victorina Morales, who last month went public with allegations that the Trump Organization knowingly employed her and other immigrants without legal status, met with New Jersey Sens. Cory Booker (D) and Bob Menendez (D). Three other former Trump Organization workers also attended the meeting. Menendez said he planned to "raise concerns" with federal agencies to ensure the individuals' statuses were not "negatively" affected, CNN reported.

### **[NY] ICE arrests 118 in New York raid: Over 90% were criminals**

[BizPac Review](#) [1/30/2019 3:42 PM, Samantha Chang] reports that the U.S. Immigration and Customs Enforcement (ICE) arrested 118 illegal aliens in the New York City area during a five-day period as part of its crackdown on illegal immigration. Of those 118 individuals arrested, more than 107 people (or 90% of the group) were convicted criminals or had criminal charges pending, ICE announced in a statement. "Several had prior felony convictions for serious or violent offenses, such as child sex crimes, weapons charges, and assault, or had past convictions for significant or multiple misdemeanors," ICE said. Thomas R. Decker, the field office director for ICE Enforcement and Removal Operations in New York, says the agency remains committed to enforcing our national sovereignty and federal immigration laws despite the leftist resistance calling for the abolition of ICE. "In spite of the significant obstacles that ICE faces due to the dangerous policies created by local jurisdictions — which hinders the cooperation between ICE and local law enforcement — ICE will continue to devote the full efforts of our agency to protecting citizens and enforcing federal immigration law despite challenges being pursued by politically motivated individuals."

Jerry Robinette is a former special agent in charge of Immigration and Customs Enforcement's homeland security investigations in San Antonio. In July 2018, Robinette told Fox & Friends that the left is deliberately promoting a false narrative to demonize ICE, because if the public really knew what ICE does, they would not want it abolished. Here's some of what ICE and Border Patrol (both arms of the Department of Homeland Security) do: Every day they protect our communities by preventing violent criminals like MS-13 & 18th Street gang members, child molesters, and smugglers from entering the United States and infiltrating your neighborhood. Homeland Security Investigations (an arm of ICE) stamps out human trafficking, including the sex trafficking of young girls. ICE cracks down on child molesters and pedophiles on the Internet. ICE rescues illegal aliens who get hurt while trying to break U.S. immigration laws. ICE and DHS stop the flow of dangerous illegal drugs from pouring into the United States. ICE cracks down on illegal Dark Net activity (which often involves the selling of human sex slaves and illegal drugs). ICE prevents terrorism.

Reported similarly:

[Breitbart](#) [1/30/2019 2:02 AM, Michelle Moons]

[Epoch Times](#) [1/30/2019 8:52 AM, Zachary Stieber, 221K]

[Times Ledger](#) [1/30/2019 7:50 PM, Emily Davenport, 4K, NY]

### **[NY] Feds Convict Four Men for Smuggling Georgian Woman into New York**

[Breitbart](#) [1/30/2019 2:59 PM, Bob Price, 2015K] reports Swanton Sector Border Patrol agents assigned to the Champlain Station arrested four men on August 21, 2016, after they disrupted a smuggling attempt. The agents stopped a Volkswagen Passat occupied by four men and a woman. During an immigration interview, the agents determined the woman was a citizen of Georgia and that she was illegally present in the U.S. Agents took her into custody and placed the four men under arrest. Agents identified the four men as Olegi Charkoshvili, Zurab Gvarliani, Davit Shatirishvili, and Daviti Sulakauri. The first three men are foreign nationals with Legal Permanent Resident status. The fourth man, Sulakauri, is also a legally admitted foreign national with a pending LPR application, officials stated. A jury in New York convicted the four men on January 18 on a charge of Conspiracy to Commit Alien Smuggling in connection with the August 2016 arrest. The convicted smugglers will be held pending sentencing on the human smuggling conviction and will then

be turned over to U.S. Immigration and Customs Enforcement and Removal Operations officers for deportation proceedings. [Editorial note: consult source link for audio]

### **[NY] 'We Have No Stability Right Now': When Your Husband's Freedom Is at ICE Agent's Discretion**

[Rewire News](#) [1/30/2019 2:00 PM, Tina Vasquez] reports, "¿Cómo estás, mi amor?" This is how Berenilsse Marcial greets her son Louis after picking him up from his after-school program the evening of January 23. She has been going out of her way to seem chipper in front of the second grader, who has been having trouble concentrating at school and won't sleep alone anymore. Marcial doesn't have the words to explain why his step-father has been absent for nearly a month because he is being held in Immigration and Customs Enforcement (ICE) custody, or that their family's fate rests in the hands of two immigration officials they've never even seen before. On January 4, ICE agents detained Marcial's husband, Hector Baca Gutierrez, in New York at a scheduled appointment. Back in November, Baca Gutierrez received a letter from Thomas Decker, the field office director of the District of New York's Enforcement and Removal Operations (ERO) for ICE, telling him to appear on the tenth floor of 26 Federal Plaza on December 13 to meet with "Officer Almodovar." The reason for the appointment simply said "interview." "We knew it couldn't be good," said Neal Datta, Baca Gutierrez's attorney. "The ninth floor of 26 Federal Plaza is where you go to report [to ICE]; the tenth floor is where you go and don't come back out." Baca Gutierrez has been detained for 26 days. His family has struggled over the past four weeks with the emotional and financial impact of his departure.

### **[NJ] Going To School Is A Struggle When Your Family Is Hiding From ICE**

[Huffington Post](#) [1/30/2019 3:44 PM, Kate Kilpatrick] reports that Christine Thompson, 16, recently joined her school's chess club. She hopes it will be a distraction from the terrifying reality that her family could fall apart. "I can ease my mind, strategize, think things through," she said, sitting in a meeting room at the First United Methodist Church of Germantown, a 120-year-old gothic-style church in Philadelphia where her mother, father and younger brother, Timothy, 12, have lived since August. The family moved into the church seeking sanctuary from deportation after U.S. Immigration and Customs Enforcement (ICE) ordered Christine's parents, Clive and Oneita Thompson, to return to Jamaica, a country they left in 2004. They say they believed their lives were at risk. Christine switched schools, leaving Bridgeton High School in southern New Jersey to begin her sophomore year at Philadelphia's International Christian High School. She's working hard and likes her teachers, but she constantly worries about the fate of her parents — and whether she'll be separated from them.

An ICE spokesman provided the following statement in response to a question about why the Thompsons' stay of removal wasn't renewed during the August check-in as the couple had expected: "Oneita Thompson and Clive Thompson, both Jamaican nationals, overstayed their visas going back to 2004. They were ordered removed by an immigration judge and appealed their case up to the 3rd Circuit Court of Appeals, which dismissed their Petition for Review. Despite numerous stay of removals [sic] granted by ICE to allow them to make arrangements to depart the United States, they failed to depart. In an exercise of discretion, ICE has allowed the Thompson's to remain free from custody while finalizing their departure plans in accordance with the judge's order." The statement adds that ICE's sensitive locations policy "remains in effect."

**[VA] Driver indicted for involuntary manslaughter**

[Chesterfield Observer](#) [1/30/2019 12:15 PM, Rich Griset, 1K, VA] reports the driver in a vehicular crash that took place on Aug. 25, 2018, has been indicted with involuntary manslaughter in relation to the incident. On that date, at the intersection of Belmont Road and Sue Jean Drive, a 2011 Dodge Ram pickup struck a 2000 Toyota Camry at about 4:55 p.m. The driver of the 2011 Dodge Ram, later identified as Jose Gonzalez-Flores, 28, fled the scene of the crash. On Jan. 23, a county grand jury issued an indictment for involuntary manslaughter for Gonzalez-Flores in relation to the crash. Initially, the investigation indicated that Edilberto Hernandez-Perez, 28, of the 4100 block of Lamplighter Court in Chesterfield, was driving the truck at the time of the crash. Hernandez-Perez was arrested and charged with felony hit and run and driving without a license. Further investigation indicated that Gonzalez-Flores was actually driving at the time of the crash, and that Gonzalez-Flores had abandoned the truck and fled on foot to Hernandez-Perez' residence. Immigration and Customs Enforcement placed detainers on both men following the incident; as of Jan. 28, the detainer on Gonzalez-Flores is still in place.

**[TN] Pregnant woman abruptly arrested by ICE after green card interview in Memphis**

[Fox 13 Memphis](#) [1/30/2019 3:14 PM, Alexa Lorenzo, 19K, TN] reports a woman is back in Memphis after she was arrested by U.S. Immigration and Customs enforcement leaving the United States Citizenship and Immigration Services office in Downtown Memphis. We spoke with Carmen Puerto Diaz, who only speaks Spanish. FOX13's Alexa Lorenzo translated what Puerto Diaz had to say about her arrest. She said she walked out of the U.S. Citizenship and Immigration Services office in handcuffs. She was born in Honduras and moved to the U.S. almost 15 years ago. Puerto Diaz said she went to the office with her husband, a U.S. citizen, for her green card interview. Diaz said the interview went well, but when she left the office, an ICE agent was waiting for her at the door. Carmen was headed to a detention center in Mason, TN, and so was her unborn child. The doctors declared her pregnancy-high risk early on. She had been taking medicine every 12 hours. She said for two days while at the West Tennessee Detention Facility – she had none. Carmen was transferred to an ICE processing center eight hours away in Jena, Louisiana. She said when she arrived, she was finally able to take her medication. Back in Memphis, her lawyers were trying to get her released. Her lawyers took to social media, urging people to call ICE and ask the agency to release Puerto Diaz. It worked. Lawyers discovered she had a decade's old order for removal, a legal battle she'll continue to fight even after her baby is born. A year ago, if ICE would have found her and seen she was pregnant, they would not have been able to arrest her. We reached out to ICE for a comment both during and after the government shutdown but have yet to hear back.

**[MI] Farmington Hills fake university set up by to nab foreign students**

[Detroit Free Press](#) [1/30/2019 10:38 PM, Niraj Warikoo, 334K, MI] reports the Department of Homeland Security said it set up a fake university in Farmington Hills to target immigrant students who were staying in the U.S. without proper authorization, according to federal indictments unsealed in Detroit Wednesday. Eight people were arrested and indicted for conspiracy to commit visa fraud and harboring aliens for profit, said U.S. Attorney for the Eastern District of Michigan Matthew Schneider. Six of them were arrested in metro Detroit, one in Florida, and another in Virginia. An indictment says the defendants helped at least 600 "foreign citizens to illegally remain, re-enter and work in the United States and actively recruited them to enroll in a fraudulent school as part of a 'pay to stay' scheme." They allege that from February 2017 through January 2019, the defendants "conspired with each other



and others to fraudulently facilitate hundreds of foreign nationals in illegally remaining and working in the United States by actively recruiting them to enroll into a metro Detroit private university that, unbeknownst to the conspirators, was operated by HSI special agents as part of an undercover operation.

An official with ICE said the students involved in this case had come to the U.S. legally to study at universities, but then transferred to the University of Farmington after they arrived in order to work. "Homeland Security Investigations special agents uncovered a nationwide network that grossly exploited U.S. immigration laws," said Special Agent in Charge Steve Francis, who heads the Detroit office of U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI). "These suspects aided hundreds of foreign nationals to remain in the United States illegally by helping to portray them as students, which they most certainly were not. HSI remains vigilant to ensure the integrity of U.S. immigration laws and will continue to investigate this and other transnational crimes." HSI agents have been conducting this investigation since 2015, said the U.S. Attorney's Office.

Reported similarly:

[Washington Post](#) [1/30/2019 4:51 PM, Associated Press]

[The Hill](#) [1/30/2019 8:22 PM, Owen Daugherty, 3038K]

[NBC News](#) [1/30/2019 8:56 PM, Dennis Romero, 4061K]

[Newsweek](#) [1/31/2019 1:14 AM, Scott McDonald, 2656K]

[FOX News](#) [1/31/2019 5:30 AM, Louis Casiano]

[WXYZ](#) [1/30/2019 9:17 PM, Max White, MI]

#### **[TX] ICE force-feeding detainees on hunger strike**

[Washington Post](#) [1/31/2019 3:54 AM, Garance Burke and Martha Mendoza] reports federal immigration officials are force-feeding six immigrants through plastic nasal tubes during a hunger strike that's gone on for a month inside a Texas detention facility, The Associated Press has learned. U.S. Immigration and Customs Enforcement says 11 detainees at the El Paso Processing Center have been refusing food, some for more than 30 days. Another four detainees are on hunger strikes in the agency's Miami, Phoenix, San Diego and San Francisco areas of responsibility, said ICE spokeswoman Leticia Zamarripa on Wednesday. The men say they stopped eating to protest verbal abuse and threats of deportation from guards and lengthy lock ups while awaiting legal proceedings. In mid-January, two weeks after they stopped eating, a federal judge authorized force-feeding of some El Paso detainees, Zamarripa said. She did not immediately address the detainees' allegations of abuse but did say the El Paso Processing Center would follow the federal standards for care. ICE officials say they closely monitor the food and water intake of detainees identified as being on a hunger strike to protect their health and safety.

Reported similarly:

[FOX News](#) [1/31/2019 12:52 AM, Edmund DeMarche, 9216K]

[El Paso Times](#) [1/30/2019 9:07 PM, Daniel Borunda, 15K, TX]

#### **[TX] Previously Deported Felon Attempts Illegal Re-Entry as Family Unit**

[Breitbart](#) [1/30/2019 12:59 PM, Bob Price, 2015K] reports Border Patrol agents working in El Paso apprehended a family unit as they attempted to illegally cross the border near the Bridge of the Americas on January 24. The agents transported the father and son to the station where they proceeded with a biometric background investigation, according to

information obtained from U.S. Customs and Border Protection officials. During the investigation, the agents identified the father as 45-year-old Lauro Garcia-Perez, a Guatemalan national. The records check also included an "extensive criminal history in New Jersey," officials reported. Records obtained by Border Patrol agents revealed that a New Jersey Court convicted Garcia-Perez in 2005 for "burglary-entering structure." The court sentenced the illegal alien to four years confinement, officials reported. The records investigation also revealed previous charges in 2005 for aggravated assault, aggravated sexual assault during robbery, and criminal sexual contact. CBP officials reported that the father and son are now both facing immigration proceedings. "His attempt has been thwarted thanks to the efforts of the U.S. Border Patrol, keeping convicted criminals out of our communities," CBP officials stated. Garcia-Perez could face federal prosecution for illegal re-entry after removal as a convicted felon. If convicted, the Guatemalan national could face up to 20 years in federal prison.

**[TX] Undocumented immigrant with history of sexually abusing children arrested in Montgomery County**

[KiiiTV3](#) [1/30/2019 1:08 PM, Michelle Homer, 5K, TX] reports an early morning traffic stop near New Caney led to the arrest of a Mexican national who has served at least three stints in U.S. prisons for sexually abusing children. Marvin Yovani Mejia Ramos, 50, was turned over to the Department of Homeland Security after his arrest on 69 North by an alert Precinct 4 deputy. Ramos gave a fake name, according to Precinct 4, but the deputy ran an onsite fingerprint scan that revealed his true identity. Ramos was deported in 2013 but soon returned, according to Precinct 4. They say he was arrested in Houston in 2015 for DWI, again under a fake name.

**[UT] January 30 Marks One Year In Sanctuary For Honduran Mother**

[KUER 90.1](#) [1/30/2019 8:00 AM, Rocio Hernandez, 7K, UT] reports that a year ago, Vicky Chavez and her two young daughters were bracing to return to her native Honduras, a country she fled to escape an abusive relationship and death threats. Chavez asked for asylum in 2014, but immigration officials denied her request, and an immigration judge ordered her deported. But when the time came to turn herself into U.S. Immigration and Custom Enforcement last year, Chavez decided to keep fighting and stay in Salt Lake City's sanctuary church, the First Unitarian Church. Today marks one year since Chavez and her girls sought sanctuary there. First Unitarian Church is hosting a vigil tonight to commemorate Chavez's stay there.

**[CA] U.S. Navy veteran must surrender to ICE, could face deportation over criminal past**

[Fresno Bee](#) [1/30/2019 4:51 PM, Rory Appleton, CA] reports a U.S. Navy veteran facing possible confinement in an immigration facility or deportation due to his criminal history has asked Sen. Dianne Feinstein to intervene ahead of his Feb. 12 surrender to a Fresno ICE office. To bring attention to the case of Joaquin Antonio Sotelo Tarin, various advocates, veterans and community members plan to march Thursday morning from ICE's camouflaged Fresno facility on L Street to Feinstein's Tulare Street office, his attorney's office announced Wednesday. Tarin served in Iraq, Kuwait and Afghanistan as a Navy sailor from 2001-06. He joined with a valid green card at 19, nine years after immigrating from Mexico as an undocumented 10-year-old. He has not been to Mexico in 25 years. Edwin Carmona-Cruz is the director of public engagement for Pangea Legal Services, which is handling Tarin's immigration case. Carmona-Cruz said Tarin struggled with drug

and alcohol abuse as a result of his time in the Navy. He became homeless and did not have regular access to veterans services while living in Merced County. In July 2014, Tarin pleaded guilty to felony domestic violence and dissuading a witness charges. He served about a year-and-a-half in prison before being released, Carmona-Cruz said, and was immediately picked up by ICE agents. Tarin was detained in a federal immigration facility for another year-and-a-half before being bonded out in January 2017. An ICE spokesman said Wednesday that the agency is reviewing the facts of the case and could not immediately offer comment.

**[CA] Homeland Security investigate boat carrying 12 foreign nationals that landed at California weapons station**

[Mercury News](#) [1/30/2019 11:30 AM, Erika I. Ritchie, CA] reports that Homeland Security has taken the lead in investigating the landing of a boat carrying a dozen foreign nationals in Anaheim Bay waters at the Naval Weapons Station Seal Beach, officials said. "Agents are now interviewing the aliens to determine immigration status, roles in the criminal scheme, and as material witnesses," said Lori Haley, a spokeswoman for the Department of Homeland Security. "The investigation is ongoing." The 12 people — identified by U.S. Border Patrol as nine Chinese men, one Chinese woman and two Mexican men — were smuggled into U.S. waters on Monday, Jan. 28 in a small fishing craft known as an Aquasport 215. They landed in Navy installation waters near a buffer that had no Navy operations on it. "As soon as they entered Anaheim Bay waters, they were immediately approached by base personnel," said Gregg Smith, a spokesman for the Naval Weapons Station. "Once they approached them, they beached the boat and made a run for it." The foreign nationals ran toward the community of Surfside and jumped the fence. The suspects were met by law enforcement from Seal Beach and Huntington Beach along with U.S. Customs and Border Patrol, Homeland Security agents and state park rangers. The Orange County Sheriff's Harbor Patrol took custody of the boat, towing it to their dock in Newport Beach, said Sgt. Neil Hove. On Tuesday, agents from Homeland Security Investigations took the boat to the Port of Long Beach.

**[CA] Man arrested for alleged sexual assault of minors at South Lake Tahoe Goodwill store**

[Sacramento Bee](#) [1/30/2019 10:12 AM, Michael McGough, CA] reports that a Nevada man was arrested on suspicion of sexually assaulting multiple minors at a Goodwill store in South Lake Tahoe, police said this week. Sergio Antonio Recendiz-Rodriguez, 46, is accused of sexual battery on minors under age 14, the South Lake Tahoe Police Department said in a news release Monday. Recendiz-Rodriguez was found to be in the country illegally and has been placed on an immigration hold by U.S. Immigration and Customs Enforcement, SLTPD said Tuesday in an update. Recendiz-Rodriguez had been living in Gardnerville, Nev. SLTPD said Goodwill shoppers and employees provided helpful witness statements to authorities, and a news release Tuesday noted that Recendiz-Rodriguez was not an employee of the store.

**{End of Report}**