

NEWS ARTICLES ON KEY ISSUES - NOVEMBER 12, 2020

LATEST STATISTICS

Number Of Confirmed COVID-19 Cases Among ICE Staff And Detained Immigrants

By U.S. Immigration And Customs Enforcement – November 11, 2020

As of **November 6, 2020**, the total detained population is: **17,163**¹. There have been **409** confirmed cases of COVID-19 among those in ICE custody as of **November 9, 2020**². To date, there have been **59,857** total detainees tested.

COVID-19 ICE Detainee Statistics by Facility			
Custody/AOR/Facility	Confirmed cases currently under isolation or monitoring	Detainee deaths ³	Total confirmed COVID-19 cases ⁴
Atlanta Field Office			
Charleston County Detention Center	0	0	2
Columbia Regional Care Center	0	0	1
Folkston ICE Processing Center	3	0	71
Irwin County Detention Center	1	0	44
Robert A. Deyton Detention Center	1	0	2
Sheriff Al Cannon Detention Center	0	0	1
Stewart Detention Center	1	3	374
Baltimore Field Office			
Worcester County Jail	0	0	1
Boston Field Office			
Bristol County Detention Center	0	0	1
Franklin County House of Corrections	0	0	7
Strafford County Corrections	0	0	2
Wyatt Detention Center	1	0	3
Buffalo Field Office			
Buffalo (Batavia) Service Processing Center	0	0	50
Chicago Field Office			
Chase County Detention Facility	17	0	77
Clay County Justice Center	17	0	17
Lincoln County Detention Center	0	0	1
McHenry County Adult Correctional Facility	0	0	5
Montgomery County Jail	1	0	1
Pulaski County Detention Center	11	0	88
Dallas Field Office			
Bluebonnet Detention Facility	14	0	318
Eden Detention Center	2	0	54
Johnson County Law Enforcement Center	0	0	1
Kay County Detention Center	0	0	1
Moore Detention Center	0	0	28
PrairieLand Detention Facility	6	0	103

COVID-19 ICE Detainee Statistics by Facility			
Custody/AOR/Facility	Confirmed cases currently under isolation or monitoring	Detainee deaths ³	Total confirmed COVID-19 cases ⁴
Dallas Field Office Cont'd			
Rolling Plains Detention Center	0	0	56
Denver Field Office			
Aurora Contract Detention Facility	31	0	120
Detroit Field Office			
Calhoun County Correctional Center	22	0	38
Geauga County Jail	0	0	1
Monroe County Jail	1	0	1
Morrow County Correctional Facility	3	0	51
Saint Clair County Jail	0	0	11
El Paso Field Office			
Cibola County Correctional Center	0	0	1
El Paso Service Processing Center	35	0	283
Otero County Processing Center	7	0	182
Torrance County Detention Center	0	0	55
Houston Field Office			
Coastal Bend Detention Center	0	0	12
Houston Contract Detention Facility	1	0	148
IAH Polk Adult Detention Facility	6	0	31
Joe Corley Detention Center	1	1	51
Montgomery Processing Center (Houston)	2	0	219
Los Angeles Field Office			
Adelanto ICE Processing Center	1	0	242
Miami Field Office			
Baker County Detention Center	0	0	4
Broward Transitional Center	1	0	153
Glades County Detention Center	2	1	177
Krome North Service Processing Center	8	0	201
Larkin Behavioral Health Center	0	0	2
San Juan Staging Facility	0	0	1
Wakulla County Jail	3	0	40
Newark Field Office			
Elizabeth Detention Center	0	0	18
Essex County Jail	0	0	8
New Orleans Field Office			
Adams County Correctional Center	5	0	98
Alexandria Staging Facility	15	0	170

COVID-19 ICE Detainee Statistics by Facility			
Custody/AOR/Facility	Confirmed cases currently under isolation or monitoring	Detainee deaths ³	Total confirmed COVID-19 cases ⁴
New Orleans Field Office Cont'd			
Allen Parish Detention Center	2	0	12
Catahoula Correctional Center	0	0	119
Etowah County Jail	0	0	22
Hancock County Jail	1	0	1
Jackson Parish Correctional	15	0	109
LaSalle ICE Processing Center - Jena	1	0	77
LaSalle ICE Processing Center - Olla	0	0	25
Pine Prairie ICE Processing Center	0	0	65
Richwood Correctional Center	9	0	125
River Correctional Center	9	0	56
South Louisiana Correctional Center	0	0	3
Winn Correctional Center	15	1	240
New York City Field Office			
Bergen County Jail	0	0	6
Hudson County Jail	0	0	14
Philadelphia Field Office			
Cambria County Prison	0	0	11
Pike County Correctional Facility	0	0	22
York County Prison	8	0	108
Phoenix Field Office			
CCA Florence Correctional Center	21	0	50
Eloy Federal Contract Facility	1	0	256
Florence Detention Center	3	0	77
La Palma Correctional Facility	11	0	450
Salt Lake City Field Office			
Cache County Jail	7	0	15
Henderson Detention Center	5	0	22
Nevada Southern Detention Center	2	0	12
Nye County Jail	0	0	39
Washington County Jail	1	0	4
San Antonio Field Office			
El Valle Detention Facility	35	0	87
Karnes County Family Residential Center	0	0	89
Laredo Processing Center	0	0	7
LaSalle County Regional Detention Center	0	0	1
Limestone County Detention Center	0	0	56

COVID-19 ICE Detainee Statistics by Facility			
Custody/AOR/Facility	Confirmed cases currently under isolation or monitoring	Detainee deaths ³	Total confirmed COVID-19 cases ⁴
San Antonio Field Office Cont'd			
Port Isabel Detention Center	3	0	168
Rio Grande Detention Center	2	0	162
South Texas Family Residential Center (Dilley)	3	0	8
South Texas ICE Processing Center (Pearsall)	9	0	224
Webb County Detention Center (CCA)	4	0	92
San Diego Field Office			
Imperial Regional Detention Facility	0	0	3
Otay Mesa Detention Center (San Diego CDF)	17	1	189
San Luis Regional Detention Center	4	0	18
San Francisco Field Office			
Golden State Annex Facility	0	0	2
Mesa Verde ICE Processing Center	0	0	59
Seattle Field Office			
Northwest ICE Processing Center (NWIPC)	0	0	16
St. Paul Field Office			
Douglas County Corrections	0	0	1
Freeborn County Adult Detention Center	0	0	4
Linn County Jail	0	0	2
Phelps County Jail	0	0	2
Polk County Jail	0	0	15
Washington D.C. Field Office			
Caroline Detention Facility	2	0	41
Immigration Centers of America - Farmville	0	1	339
TOTAL	409	8	7,152

¹ ICE's FY 2019 Average Daily Population was 50,165.

² "Currently under isolation or monitoring" includes detainees who tested positive for COVID-19 and are currently in ICE custody under isolation or monitoring. This number excludes detainees who previously tested positive for COVID-19 and were either returned to the general population after a discontinuation of medical monitoring/isolation or are no longer in ICE custody.

³ "Detainee deaths" includes those who have died after testing positive for COVID-19 while in custody; COVID-19 may not be the official cause of death.

⁴ "Total confirmed COVID-19 cases" is the cumulative total of detainees who have tested positive for COVID-19 while in ICE custody since testing began in February 2020. Some detainees may no longer be in ICE custody or may have since tested negative.

There have been 45 confirmed cases of COVID-19 among ICE employees working in ICE detention facilities.

1 at Adelanto ICE Processing Center (Adelanto, CA)	1 at Essex County Correctional Facility (Newark, NJ)
15 at Alexandria Staging Facility (Alexandria, LA)	1 at Florence Correctional Center (Florence, AZ)
2 at Aurora Contract Detention Facility (Aurora, CO)	2 at Houston Contract Detention Facility (Houston, TX)
1 in Bergen County Jail (Hackensack, NJ)	1 at Hudson County Jail (Kearny, NJ)
1 at Butler County Jail (Hamilton, OH)	2 at La Salle ICE Processing Center (Jena, AL)
1 at El Paso Processing Center (El Paso, TX)	11 at Otay Mesa Detention Center (San Diego, CA)
2 at Elizabeth Contract Detention Facility (Elizabeth, NJ)	2 at Stewart Detention Center (Lumpkin, GA)
1 at Eloy Detention Center (Eloy, AZ)	1 at T. Don Hutto Residential Center (Taylor, TX)

There have been 153 confirmed cases of COVID-19 among ICE employees not assigned to detention facilities.

❖ Data Source: <https://www.ice.gov/coronavirus>

LATEST NEWS

Lawyers Can't Find The Parents Of 666 Migrant Kids, A Higher Number Than Previously Reported

By Jacob Soboroff and Julia Ainsley – NBC News – November 9, 2020

- ❖ Lawyers working to reunite migrant families separated by the administration before and during its "zero tolerance" policy at the border now believe the number of separated children for whom they have not been able to find parents is 666, higher than they told a federal judge last month, according to an email obtained by NBC News. Nearly 20 percent, or 129, of those children were under 5 at the time of the separation, according to a source familiar with the data. In the email, Steven Herzog, the attorney leading efforts to reunite the families, explains that the number is higher because the new group includes those "for whom the government did not provide any phone number." Previously, the lawyers said they could not find the parents of 545 children after they had tried to make contact but had been unsuccessful. Herzog said in the email to Justice Department attorneys representing the administration, "we would appreciate the government providing any available updated contact information, or other information that may be helpful in establishing contact for all 666 of these parents." Lee Gelernt, deputy director of the ACLU Immigrants' Rights Project, explained to NBC News that the new number "includes individuals in addition to 545 for whom we got no information from government that would allow meaningful searches but are hopeful the government will now provide with that information." The administration imposed a "zero tolerance" policy on the U.S./Mexico border between April and June 2018 under which undocumented migrant parents and children were separated. Prior to the borderwide "zero tolerance" policy, the administration tested family separation in a pilot program in the El Paso sector. The vast majority of the children referenced in the email obtained by NBC News were separated during this pilot program, but the total also includes some children who were separated under zero tolerance.
- ❖ News Article Source: <https://www.nbcnews.com/politics/immigration/lawyers-can-t-find-parents-666-migrant-kids-higher-number-n1247144>



A U.S. Customs and Border officer guiding asylum-seeking migrants across a bridge from Nuevo Laredo, Mexico, into the U.S.
Photo Credit: Fernando Llano/Associated Press

U.S. Expels Migrant Children From Other Countries To Mexico

By Caitlin Dickerson – The New York Times – October 30, 2020

- ❖ U.S. border authorities have been expelling migrant children from other countries into Mexico, violating a diplomatic agreement with Mexico and testing the limits of immigration and child welfare laws. The expulsions, laid out in a sharply critical internal email from a senior Border Patrol official, have taken place under an aggressive border closure policy the administration has said is necessary to prevent the coronavirus from spreading into the United States. But they conflict with the terms upon which the Mexican government agreed to help implement the order, which were that only Mexican children and others who had adult supervision could be pushed back into Mexico after attempting to cross the border. The expulsions put children from countries such as Guatemala, Honduras and El Salvador at risk by sending them with no accompanying adult into a country where they have no family connections. Most appear to have been put, at least at first, into the care of Mexican child welfare authorities, who oversee shelters operated by religious organizations and other private groups. For years, the administration's handling of migrant children has left members of families separated for months on end and unable to reach one another. A report to the courts revealed that the parents of 545 such children currently in the United States, some of them separated from their families as long ago as 2017, still have not been located. Under existing diplomatic agreements and U.S. policies, children from countries other than Mexico are supposed to be put on flights operated by Immigration and Customs Enforcement to their home countries, where they can be reunited with their families. But an email from the U.S. Border Patrol's assistant chief, Eduardo Sanchez, obtained by The New York Times, makes it clear that such transfers have not only occurred, but that they are a clear violation of U.S. policy. According to public data, U.S. authorities have expelled more than 200,000 people since the new public health border closure took effect, but the administration would not answer questions about how many of them were children, nor about how many were sent to Mexico. In December, border authorities acknowledged in federal court that at least 8,800 children have been expelled from the U.S. since March.
- ❖ News Article Source: <https://www.nytimes.com/2020/10/30/us/migrant-children-expulsions-mexico.html>

'We Had A Shortage Last Night Of Beds For Babies': House Report Outlines Chaos Of Administration's Family Separation Policy

By Priscilla Alvarez – CNN – October 29, 2020

- ❖ "We had a shortage last night of beds for babies," an official at the Office of Refugee Resettlement wrote to the agency's director on November 11, 2017. "Overall, infant placements seem to be climbing over recent weeks, and we think that's due to more separations from mothers by [Customs and Border Protection]," added Commander Jonathan White. The exchange was indicative of the chaos that would ensue in the months to follow, as the administration hastily implemented its controversial "zero-tolerance" policy, which called for the prosecution of all adults who illegally crossed the southern border and thereby, separated them from their children. More than two years later, the ramifications of those early separations are still unfolding. A court filing revealed earlier this month [October] that lawyers are still unable to reach the parents of 545 children who had been split from their families by U.S. border officials between 2017 and 2018. The Democratic-led House Judiciary Committee opened up an investigation into the "zero-tolerance" policy in January 2019, calling for the three federal agencies involved -- the Department of Homeland Security, the Justice Department, and the Health and Human Services Department -- to turn over documents. The investigation culminated into a 551-page report that chronicles the development, and fallout, of the policy that led to the separation of thousands of families.
- ❖ To read the report, go to:
https://judiciary.house.gov/uploadedfiles/the_trump_administration_family_separation_policy_trauma_destruction_and_chaos.pdf?utm_campaign=4526-519
- ❖ News Article Source: <https://www.cnn.com/2020/10/29/politics/family-separation-report/index.html>

Texas Detention Facility Becomes Staging Ground For Expulsions Of Migrant Families With Children

By Camilo Montoya-Galvez – CBS News – October 29, 2020

- ❖ An immigration detention center in south Texas has been converted into a staging ground to hold migrant families with children who the administration seeks to expel from the U.S. without a court hearing, asylum interview or consultation with lawyers. The U.S. Immigration and Customs Enforcement (ICE) family detention center in Karnes City, Texas, is being used exclusively to hold migrant parents and children processed under an emergency pandemic-era policy that requires their swift expulsion from U.S. soil, the agency and outside lawyers told CBS News. An ICE spokesperson confirmed the Karnes facility is now only housing "Title 42 family units prior to their expulsion" through deportation flights. The term "Title 42" refers to the process the administration has created to expel border-crossers under public health laws during the pandemic, rather than placing them in deportation proceedings or allowing them to request forms of U.S. humanitarian refuge, like asylum. The administration has said the expulsions, which were authorized through orders issued by the Centers for Disease Control and Prevention (CDC), are necessary to prevent migrants from potentially spreading COVID-19 inside detention facilities and infecting border officials and the broader U.S. public. More than 200,000 expulsions have been carried out across the U.S.-Mexico border since March, including of 8,800 unaccompanied children, whose legal protections have been effectively suspended during the pandemic. The Karnes facility is one of three detention centers overseen by ICE designed to hold undocumented families with children. The facility, which is run by the for-profit prison company, GEO Group, is located southeast of San Antonio, more than 130 miles away from the U.S.-Mexico border. According to ICE records, it can hold 830 migrants. Its location means that officials have been transporting migrant families at least more than 100 miles from the southern border — and nearly 200 miles if originating from the highly-transited Rio Grande Valley — to then hold them in a detention facility with active COVID-19 cases before expelling them under an order with the stated purpose of containing the virus. The administration's decision to use the Karnes facility as a detention center for migrant parents and children in rapid expulsion proceedings comes after a federal judge ordered it to stop holding minors in hotels beyond limited three-day stays. Prior to that ruling in early September, ICE had been using hotels to hold more than 2,200 unaccompanied minors and 600 families with children while it arranged to expel them.
- ❖ News Article Source: <https://www.cbsnews.com/news/ice-migrant-families-expulsion-karnes-city-texas-detention-center/>

ICE Air Deportation Flights

By Tom Cartwright and Margaret M. Seiler – Witness at the Border – November 9, 2020

- ❖ ICE Air flights totaled 89, including 21 deportations to 7 different countries in Latin America and the Caribbean.
- ❖ ICE Air Flights – October 2020: Record month for ICE Air deportation flights - 129 (up from 70 in Aug.) to 15 different countries in Latin America and Caribbean. Additionally, flights to Africa and India.
- ❖ ICE Air Flights – 2020 Year-to-Date: In 2020, total deportation flights a startling 835. Total ICE Air flights in 2020 at a staggering 4,109 flights, including 1,922 "shuffle" domestic flights not directly connected to a deportation leg.
- ❖ Statistics Source: <https://www.witnessattheborder.org/posts/11920> ;
<https://static1.squarespace.com/static/5e221cacff87ba2d2833cf54/t/5fa590ef04d7e4489fb49287/1604686081038/ICE+Air+Oct+Ytd+v5PDF.pdf>

Editorial: Trauma, Stain Of Policy That Rips Children From Parents

By the Express-News Editorial Board – October 21, 2020

- ❖ On Tuesday, October 20, NBC News reported lawyers assigned to identify migrant families who were separated by the administration have told a federal judge they've yet to find the parents of 545 children and that two-thirds of those parents were deported to Central America without their children. This is no less surprising than it is heartbreaking and infuriating, and it is the natural consequence of an unconscionable policy created to inflict pain. Although the "zero tolerance" policy officially began in 2018, the administration began separating children at the border in 2017 through a pilot program in El Paso. Most of the nearly 3,000 families separated through zero tolerance in 2018 remained in custody in the U.S., but more than 1,000 family separations happened through the 2017 pilot program, and many of those parents had already been deported by the time Trump, in June 2018, signed an executive order ending zero tolerance. After the signing of that executive order, a federal judge in California ordered that the separated families be reunited. The administration had no system in place to track the children. Two months ago, NBC News obtained a copy of a Justice Department memo in which federal prosecutors running the pilot program warned that children younger than 12 shouldn't be separated because they wouldn't be able to find their parents on their own. (But 13-year-olds and 14-year-olds would be able to do this by themselves?) Then-Deputy Attorney General Rod Rosenstein's response, according to a draft report by the Justice Department's inspector general, was that no child was so young that they shouldn't be separated from their parents. There are children who have now been separated from their families for as long as three years. Mothers and fathers escaped the violence of their native lands to save the lives of their children only to have them taken away by U.S. officials. The administration had no moral or legal standing to separate these children and then deport their parents — deportations that, for some of them, were death sentences. What the government did, in our names, is an indelible stain on our nation and everyone who signed off on it. An administration that would conceive of a plan to separate children from their parents and then proceed to sadistically carry it out with no remorse can't be expected to atone for its sins by doing everything possible to find the parents of these children. That righteous and life-saving work will be done by lawyers and organizations. Aided, perhaps in a few months, by a new and more compassionate administration. Until then, night will fall, morning will rise, and the nightmare of children separated from their parents will continue.
- ❖ News Article Source: <https://www.expressnews.com/opinion/editorials/article/Editorial-Trauma-stain-of-policy-that-rips-15665533.php>

REFUGEES/ASYLUM SEEKERS

The U.S. Separated Families Decades Ago, Too. With 545 Migrant Children Missing Their Parents, That Moment Holds A Key Lesson

By Ivón Padilla-Rodríguez – Time – November 2, 2020

- ❖ On Thursday [October 29], the House Judiciary Committee released a 550-page report confirming that the Administration had "full knowledge that hundreds of children would likely be lost to their families forever" as a result of its 2018 "zero tolerance" policy. This discovery directly contradicts Administration officials' repeated denials that "zero tolerance" intentionally separated families—the insistence that what happened to children was nothing more than a side effect of the decision to prosecute adults for unlawful entry. Now, 545 children are still living with the consequences of "zero tolerance," more than two years after its implementation. These minors still have not been reunited with their parents. Despite the apparent novelty of this policy, this is not the first time undocumented children have had to endure prolonged family separation, lone deportation or relegation to the foster care system. About 40 years ago, authorities separated families and lost track of children. Nor is this the first time government officials have obscured such a situation—a fact that offers dual lessons for the present about how to reconcile competing accounts of immigrant treatment. In the 1970s and '80s, at a moment when the law numerically restricted Latino immigration while poverty and violence constrained young people's lives in Mexico and Central America, the face of unauthorized immigration changed dramatically to include growing numbers of women and children. The Immigration and Naturalization Service responded by stepping up its enforcement efforts. This hardening of the U.S.-Mexico border, the U.S. government's preference for refugees fleeing communism and growing desperation among migrants contributed to the explosion of the coyotaje (human smuggling) business. In 1979, when 340,00 immigrants were arrested at the border, more than 8,000 were children and 600 of them served as witnesses. In the late 1980s, the government incarcerated about 5,000 children a year and used 900 as witnesses in a single year. Immigration authorities resorted to incarcerating the women and children based on the erroneous belief, which is still untrue even today, that undocumented immigrants do not show up for scheduled court appearances if released from detention.
- ❖ News Article Source: <https://time.com/5906441/family-separation-immigration-history/>

Border Officials Turned Away Unaccompanied Immigrant Children More Than 13,000 Times

By Hamed Aleaziz – BuzzFeed News – October 28, 2020

❖ The Department of Homeland Security has expelled unaccompanied immigrant children from the U.S. border more than 13,000 times since March, when the administration gave the agency unprecedented powers to close off access at the border during the coronavirus pandemic, according to an internal document obtained by BuzzFeed News. The figure represents a major jump in child expulsions since the CDC issued an order allowing border officials to expel nearly all immigrants crossing from Mexico as the coronavirus was spreading rapidly across the world in March. Previously, unaccompanied children were sent to government-run shelters as they attempted to pursue their asylum cases. But the administration has argued that the policy is necessary to prevent the spread of the coronavirus in the U.S. and has been a key tool for border agents. In September, a border official declared in federal court that around 8,800 children had been turned around through the use of the CDC order. The internal DHS document states that since March, there have been more than 13,000 “encounters” with unaccompanied immigrant children under the new policy. Before the pandemic, unaccompanied children picked up by Border Patrol agents would be sent to the Office of Refugee Resettlement, where they would be housed in shelters as they officially started applying for asylum and waited to be reunited with family members in the U.S.



Guatemalan children arriving in Guatemala City after being deported from the United States in 2019. Under existing agreements and policies, children from countries other than Mexico are supposed to be put on flights to their home countries, where they can be reunited with their families.

Photo Credit: John Moore/Getty Images

❖ News Article Source:

<https://www.buzzfeednews.com/article/hamedaleaziz/border-officials-turned-away-unaccompanied-immigrants>

Trump Administration Sets Record Low Limit For New U.S. Refugees

By Reuters Staff – October 28, 2020

❖ President Donald Trump finalized his plan in a memo and said the ceiling for fiscal 2021, which started this month [October], includes 6,000 unused placements from last year “that might have been used if not for the COVID-19 pandemic.” In his statement, Trump said any new refugees this year should be placed by the U.S. State Department in parts of the country open to hosting them. Tens of thousands of refugees have applications in the pipeline for the United States, even as increased vetting by the administration and the novel coronavirus have slowed arrivals for the 2020 fiscal year, which had an 18,000 quota. Trump’s 2021 plan allocates 5,000 slots for refugees facing religious persecution, 4,000 for refugees from Iraq who helped the United States, and 1,000 for refugees from El Salvador, Guatemala and Honduras, leaving 5,000 for others. It bans refugees from Somalia, Syria and Yemen except in cases of “special humanitarian concern,” citing terrorism risk.

❖ News Article Source: <https://www.reuters.com/article/idUSKBN27D1TS>

U.S. No Longer Leads World On Refugee Protections

By Anita Snow and Julie Watson – The Associated Press – October 26, 2020

❖ For decades, America led the world in humanitarian policies by creating a sanctuary for the oppressed, admitting more refugees annually than all other countries combined. That reputation eroded during the current administration as the number of refugees allowed in by more than 80%, and Canada replaced the U.S. as No. 1 for resettling people fleeing war and persecution. The administration has lowered the cap for refugee admissions each year, dropping them to a record low of 15,000 for 2021. The administration also narrowed eligibility this year, restricting which refugees are selected for resettlement to certain categories, including people persecuted because of religion and Iraqis whose assistance to the U.S. put them in danger. As many as 1,000 refugees who were ready to travel now may not be eligible because they don't fit into one of the categories, said Mark Hetfield, president of HIAS, a refugee resettlement group. For example, many Syrians may no longer qualify because no category is for those fleeing war, he said. The administration also has rolled back other humanitarian protections, like Temporary Protected Status (TPS) for 400,000 immigrants fleeing natural disasters or violence. Those from countries like Honduras, Nicaragua, Haiti, Nepal and Syria now face deportation under a plan to end the program in January.

❖ News Article Source: <https://www.startribune.com/under-trump-us-no-longer-leads-world-on-refugee-protections/572873881/>

DETENTION CENTERS

U.S. Detained Migrant Children For Far Longer Than Previously Known

By Aura Bogado and Melissa Lewis – San Diego Union Tribune – October 30, 2020

- ❖ The federal Office of Refugee Resettlement has a clear mandate: to hold children temporarily while it finds them a home, either with family or friends in the United States, or in foster care. But new data reveal that vast numbers of children have been stranded in custody for the long haul, living out a chunk of their childhoods in a government shelter system that's at best ill-equipped to raise them and at worst a factory of abuse and trauma. The data, obtained through a public records lawsuit filed by Reveal from the Center for Investigative Reporting, show that the U.S. government has detained more than 25,000 migrant children for longer than 100 days over the last six years. In that time, at least 266,000 children were held in government custody, the records show, meaning that nearly 1 in 10 of them experienced prolonged detention. Nearly 1,000 migrant children have spent more than a year in refugee shelters. At least three children have spent more than five years in custody since 2013. In some instances, pregnant teenagers gave birth while in refugee agency custody. New records reveal six babies born with U.S. citizenship were held for a year or more in shelters in Texas and Arizona. In response to criticisms of the administration's family separation policy, refugee officials have said they've reduced the average length of stay for migrant children in their custody. According to the agency, children spent an average of 66 days in the system in fiscal year 2019 before being reunited with family, placed with a sponsor or foster family, or deported. The new government data show that most children placed into the custody of the Office of Refugee Resettlement since 2014 — 74% — were reunified with families in fewer than 66 days. But long-term detentions were not uncommon, dating to the Obama administration. The data, which cover the final two years and four months under President Obama and the first three years and seven months of the Trump administration, show that lengthy detentions have accelerated under President Trump. They indicate that 7,401 children, or about 6%, who entered custody in those Obama years remained in the shelter system for more than 100 days. Under Trump, that number jumped to 17,676 and the rate of long-term detentions nearly doubled to 12%. In 2018, the height of family separation, more than 20% of children in shelters were held for more than 100 days.
- ❖ News Article Source: <https://www.sandiegouniontribune.com/news/nation-world/story/2020-10-30/migrant-children-have-languished-in-u-s-custody-for-as-long-as-7-years>



Immigrants from Honduras are escorted back across the border by Border Patrol agents in 2018 in Hidalgo, Texas. Photo Credit: David J. Phillip/Associated Press

More Than 40 Immigrants Have Died In ICE Custody In The Past Four Years. Here Are Thousands Of Records About What Happened.

By Kendall Taggart, Hamed Aleaziz and Jason Leopold - BuzzFeed News – October 29, 2020

- ❖ Since January 2017, at least four dozen people have died while being held in detention by Immigration and Customs Enforcement. One man from Jamaica, who had an aggressive but treatable form of cancer, was locked in solitary confinement for over a week without receiving medical care and died a month later. A Honduran transgender woman who sought asylum in the U.S. was severely dehydrated, showed signs of starvation, and wasn't given antiretroviral medication before she died, according to the local medical examiner, of complications from AIDS. And at least three people killed themselves even though they were supposed to be under close observation for mental health concerns. In June 2019, BuzzFeed News filed a Freedom of Information Act request seeking the release of emails, investigative reports, medical records, and other documents related to 25 deaths in custody that ICE had publicly disclosed since President Donald Trump took office. When the agency did not promptly provide records, BuzzFeed News filed a successful lawsuit against the Department of Homeland Security, ICE's parent agency. To date, DHS has produced more than 5,000 pages of documents related to deaths in ICE custody. Collectively, they tell the story of how ICE has in some instances failed to provide adequate care to detainees, some of whom are locked up for months or years before their immigration cases are resolved.
- ❖ To read the documents related to deaths in ICE custody, go to: <https://www.documentcloud.org/public/search/projectid:%2051148-ice-detainee-deaths%20>
- ❖ News Article Source: <https://www.buzzfeednews.com/article/kendalltaggart/here-are-thousands-of-documents-about-immigrants-who-died>

DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

California, 3 Other States Sue To Allow New Immigrant Applications To DACA Program

By Bob Egelko – San Francisco Chronicle – November 2, 2020

- ❖ The administration is ignoring the law and a Supreme Court ruling by slashing eligibility for DACA, the program allowing young undocumented immigrants to live and work legally in the United States, California and three other states said in a lawsuit Monday [November 2]. The court ruled in June that President Trump had acted illegally in 2017 by repealing Deferred Action for Childhood Arrivals (DACA) without stating a rational basis for his action or considering its impact on more than 700,000 immigrants who relied on the program or their 200,000 U.S.-citizen children. In July, a federal judge in Maryland ordered the administration to restore DACA to its previous status and accept new applications. But two weeks later, Chad Wolf, Trump's acting secretary of Homeland Security, said no new applications would be accepted, and current DACA participants could renew for only one year instead of two. He also said immigrants in the program would no longer be allowed to leave the United States and return legally, apart from "exceptional circumstances." Supporters of the program have asked U.S. District Judge Paul Grimm of Baltimore to hold Wolf's agency in contempt of court and order immediate compliance. In a separate suit Monday [November 2], California, joined by Maine, Maryland and Minnesota, said the administration's actions were irrational and inhumane as well as legally unauthorized, because Wolf was never lawfully appointed to his position. The last Senate-confirmed Homeland Security secretary, Kirstjen Nielsen, resigned in April 2019. Her acting successor, Kevin McAleenan, named Wolf to succeed him in November 2019, and Trump sent Wolf's name to the Senate for confirmation this September. But federal law limits "acting" appointments to 210 days, the suit said, and McAleenan's authority to issue orders therefore expired a year ago. Another federal judge in Maryland reached a similar conclusion in September and limited Wolf's authority in an asylum dispute. At the time of Wolf's order restricting access to DACA, "he was unlawfully exercising the functions and duties of the secretary of Homeland Security," the states said in their lawsuit, filed in federal court in San Francisco. The suit also said the administration, which failed to present a rational explanation for eliminating DACA, has not offered any reasonable grounds for denying new applications, limiting renewals or restricting travel.
- ❖ News Article Source: <https://www.sfchronicle.com/news/article/California-other-states-sue-to-allow-new-15695410.php>



DACA recipients protest at the University of San Francisco last November amid the administration's attempts to dismantle the DACA program.
Photo Credit: Yalonda M. James/The Chronicle 2019

COURT RULINGS

Immigration Rule Takes Effect Again During Appeal

By Sophia Tareen – Associated Press – November 4, 2020

- ❖ A federal appeals court has allowed an administration rule that would deny green cards to immigrants who use public benefits like food stamps to go back into effect while it considers the case. On Monday [November 2], U.S. District Judge Gary Feinerman in Chicago struck down the rule and U.S. Citizenship and Immigration Services (USCIS) stopped applying it to pending applications. Government attorneys appealed, and the 7th U.S. Circuit Court of Appeals put a hold on the ruling the next day, allowing the restrictions to take effect again. USCIS spokesman Matthew Bourke said that the agency would immediately restart applying the rule to pending cases, but not "re-adjudicate any applications or petitions that were approved" in light of Monday's [Nov. 2] decision. Under the administration rule, officials can deny permanent residency to legal immigrants over their use of food stamps, Medicaid or other public benefits. Green card applicants must show they wouldn't be burdens to the country, or "public charges." In January, the U.S. Supreme Court reversed a hold on the policy after lawsuits. However, enforcement was halted by a federal judge in New York because of the coronavirus pandemic. By September, the 2nd U.S. Circuit Court of Appeals had reversed that hold and the rule took effect nationwide.
- ❖ News Article Source: <https://apnews.com/article/election-2020-virus-outbreak-chicago-immigration-elections-e014e6c64bfaa027739c0d0b7ade50fd>

DEPORTATIONS

U.S. To Send Asylum Seekers Home To Cameroon Despite 'Death Plane' Warnings

By Julian Borger – *The Guardian* – November 9, 2020

❖ The U.S. is expected to fly Cameroonian asylum seekers back to their home country on Tuesday [November 9] despite fears that their lives will be at risk and reports that deportees repatriated last month are now missing. Some of the deportees are activists from the country's anglophone minority, who face arrest warrants for their political activities from government forces with a well documented record of extrajudicial killings. They and their lawyers refer to Tuesday's [Nov. 9] flight as the "death plane". Lawyers, human rights groups and Democratic senator Chris Van Hollen have appealed to the Department of Homeland Security (DHS) to halt deportation flights to Cameroon while political violence is still widespread there and while at least some of the detainees have cases pending or motions to reopen cases before the Board of Immigration Appeals. They expressed concern that the deportations were being rushed to clear African asylum-seekers out of the country by the end of the Trump presidency, as part of a scorched earth policy in the administration's final weeks. There are also allegations of systematic abuse by agents of the DHS's Immigration and Customs Enforcement (ICE), often to force the asylum seekers to sign their own deportation orders, and waive their right to pending immigration hearings. The deportations are taking place despite a finding last year by the U.S. government that the Cameroon government "engages in gross violations of internationally recognized human rights". The state department deferred questions about the upcoming deportations to ICE. About 38 men and 10 women are scheduled to be on Tuesday's [Nov. 9] flight, 37 of them Cameroonian, but also six Angolan and three Congolese asylum seekers. In recent days they have been moved from prisons across the south to Prairieland Detention Centre in Alvarado, Texas, in preparation for a charter flight out of Fort Worth.



Immigrant children are led by staff in single file between tents at a detention facility next to the Mexican border in Tornillo, Texas on June 18, 2018.

Photo Credit: Mike Blake/Reuters file

❖ News Article Source: https://www.theguardian.com/us-news/2020/nov/09/us-to-send-asylum-seekers-home-to-cameroon-despite-death-plane-warnings?CMP=oth_b-aplnews_d-1

Cuban Detainees: ICE Forced Us To Sign Forms Saying We Wanted To Go Back, 'Visit' Family

By Monique O. Madan – *Miami Herald* – October 29, 2020

ICE detainees beg to be released after falling victim to ICE's muddled Cuba policy

❖ When a guard approached his bunk bed asking if he'd like to see his family after 18 months in detention, the 24-year-old Cuban detainee thought he was finally going to South Florida where he'd be reunited with his aunt. Instead, U.S. Immigration and Customs Enforcement had other notions. They were planning to reunite him with his family — in Cuba. Now he's one of at least two dozen Cubans inside detention centers in Louisiana and Georgia who have told the *Miami Herald* that ICE agents coerced them — sometimes through physical violence — to sign a form saying they desired to return to Cuba to visit family. The form has long been used by people traveling legally to the island under U.S. embargo restrictions that began in the 1960s. For Cuban detainees, though, those "family visit" forms are a fig leaf used to justify hasty, permanent deportations, immigration policy experts say. The detainees, 26 in all, told the *Herald* that if they declined to sign the travel documents, agents handcuffed them, pushed them against a table and forcibly scanned their fingerprints to get a digital signature. The Cuban nationals spoke with the *Herald* while in ICE detention in Louisiana and Georgia and provided some copies of the forms to the *Miami Herald*. No one is being deported to Cuba at the moment by ICE because the island's communist government has barred admittance during the COVID-19 pandemic. The last deportation flight to Cuba was in late February, when ICE sent 119 deportees home. In fiscal year 2020, 16,451 immigrants were granted voluntary departure status by an immigration judge, according to Syracuse University's Transactional Records Access Clearinghouse, which tracks immigration court data. That's a 41 percent decrease from the previous year, which saw 27,813 voluntary departure applications.

❖ News Article Source: <https://www.miamiherald.com/news/local/immigration/article246671252.html>

DEVELOPING STORIES

Silicon Valley Braces For New H-1B Rules That Set \$208,000 Salary Floor

By Carolyn Said – San Francisco Chronicle – November 2, 2020

- ❖ The Administration's latest restrictions on workplace immigration will fall on people already working in Silicon Valley and elsewhere on H-1B visas, not just those seeking to enter the country via the prized work permits and pursue new jobs. H-1B visas, issued to help companies find workers with specific skills, must be reauthorized under a set of common circumstances. And those existing visas, not just newly issued ones, will be subject to new requirements that narrow eligibility for "specialty occupations" and, according to one analysis, substantially increase the minimum salary level to \$208,000. Times when workers could hit the new obstacles include: when they renew their H-1Bs, as required after three years, after six years, and then annually; if they apply for a green card; if they get a new job offer; if they receive a promotion; and if they change their work location — including returning to the office after working from home, something that will happen often as the pandemic continues. "Ultimately this will affect 100% of H-1B visa holders," said Liz Stern, a partner and head of the immigration practice at Mayer Brown in Washington, which this week filed an amicus brief on behalf of Twitter and other companies in a lawsuit brought by the U.S. Chamber of Commerce, the Bay Area Council and many business groups challenging the new rules. "It is disenfranchising H-1B workers from continuing to work." The new regulations are intended to prevent American workers from being displaced by cheaper overseas counterparts. The U.S. Department of Homeland Security and the U.S. Labor Department, which issued the new regulations, did not immediately respond to requests for comment. Immigration advocates point out that despite the massive waves of pandemic unemployment, the job market remains tight in the highly skilled tech occupations that rely on H-1Bs. Unemployment for computer occupations actually fell from 3% in January to about 2.5% in September, the Mayer Brown amicus brief said. The new rules seem intended "to price H-1B visa holders and potential green card recipients out of the U.S. labor market by inflating the salaries employers are required to pay," said an analysis by the National Foundation for American Policy. Stuart Anderson, executive director of the foundation, said it found that the new minimum mandate will be \$208,000, or \$100 an hour, for thousands of occupations and geographies, including software developers, the most common occupation among people applying for employment-based green cards. Even in well-paid Silicon Valley, that's a stretch. A San Jose area employer would need to pay a top-level electrical engineer 53% more than the market wage shown in private wage surveys, the analysis said — nearly \$85,000 extra in annual salary. And the same salary would be required in other areas — such as Battle Creek, Mich.; Lebanon, Penn.; Reno and Merced — where wages are much lower.
- ❖ News Article Source: <https://www.sfchronicle.com/business/article/Silicon-Valley-braces-for-new-Trump-H-1B-rules-15695576.php>

Citizenship And Visa Agency Focuses On Fraud

By Elliot Spagat and Sophia Tareen – The Associated Press – November 1, 2020

- ❖ U.S. Citizenship and Immigration Services (USCIS), established with the Department of Homeland Security in 2003, is emphasizing fraud detection, enforcement and vetting those seeking to work, live or become U.S. citizens. Applicants, attorneys and employees call it overkill, while immigration critics say it's overdue. Processing times are longer, and the agency's backlog of cases stands at 5 million. Making it tougher to get permission to live and work in America has had consequences for USCIS itself: its roughly \$5 billion annual budget is funded almost entirely by application fees, which have dwindled with the stricter rules. Financial pressures mounted this summer as USCIS narrowly averted furloughs for 70% of its roughly 20,000 employees. Processing times for employment-based green cards jumped to 14.5 months in an 11-month period ending Aug. 31, up from 6.8 months in the 2016 fiscal year. For citizenship, it rose to 9.1 months from 5.6 months. An analysis of all visa categories by the American Immigration Lawyers Association found long waits doubled to 10 months in the 2019 fiscal year from five years earlier. Nationwide, anti-fraud unit staffing has roughly doubled to about 2,000 under the current administration, from less than 1,000. The unit projects 249,335 requests to investigate fraud in fiscal 2021, up from 119,424 in 2016.
- ❖ News Article Source: <https://apnews.com/article/virus-outbreak-immigration-san-diego-0a7a62c68ecf79c884208a6dd5d719b4>