

NEWS ARTICLES ON KEY ISSUES - DECEMBER 10, 2020

LATEST STATISTICS

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

By U.S. Immigration And Customs Enforcement – December 8, 2020

As of **December 4, 2020**, the total detained population is: **16,377**¹. There have been **444** confirmed cases of COVID-19 among those in ICE custody as of **December 6, 2020**². To date, there have been **83,903** 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	10	0	80
Irwin County Detention Center	0	0	44
Robert A. Deyton Detention Center	1	0	4
Sheriff Al Cannon Detention Center	0	0	1
Stewart Detention Center	8	3	386
Baltimore Field Office			
Howard County Detention Center	1	0	1
Worcester County Jail	0	0	1
Boston Field Office			
Bristol County Detention Center	0	0	1
Cumberland County Jail	1	0	1
Franklin County House of Corrections	1	0	8
Strafford County Corrections	0	0	2
Wyatt Detention Center	1	0	4
Buffalo Field Office			
Buffalo (Batavia) Service Processing Center	0	0	50
Chicago Field Office			
Chase County Detention Facility	2	0	82
Clay County Justice Center	0	0	17
Dodge County Jail	2	0	2
Lincoln County Detention Center	0	0	1
McHenry County Adult Correctional Facility	0	0	5
Montgomery County Jail	0	0	1
Morgan County Detention Center	0	0	1
Pulaski County Detention Center	1	0	100
Dallas Field Office			
Bluebonnet Detention Facility	16	0	352
Eden Detention Center	1	0	58
Johnson County Law Enforcement Center	0	0	1

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			
Kay County Detention Center	0	0	1
Moore Detention Center	0	0	30
PrairieLand Detention Facility	13	0	120
Rolling Plains Detention Center	0	0	56
Denver Field Office			
Aurora Contract Detention Facility	14	0	132
Detroit Field Office			
Calhoun County Correctional Center	11	0	47
Geauga County Jail	0	0	1
Monroe County Jail	1	0	1
Morrow County Correctional Facility	3	0	51
Saint Clair County Jail	1	0	12
El Paso Field Office			
Cibola County Correctional Center	0	0	1
El Paso Service Processing Center	45	0	303
Otero County Processing Center	0	0	185
Torrance County Detention Center	0	0	55
Houston Field Office			
Coastal Bend Detention Center	0	0	12
Houston Contract Detention Facility	4	0	156
IAH Polk Adult Detention Facility	0	0	31
Joe Corley Detention Center	1	1	51
Montgomery Processing Center (Houston)	1	0	220
Los Angeles Field Office			
Adelanto ICE Processing Center	15	0	257
Miami Field Office			
Baker County Detention Center	5	0	10
Broward Transitional Center	3	0	160
Glades County Detention Center	1	1	179
Krome North Service Processing Center	2	0	210
Larkin Behavioral Health Center	0	0	2
San Juan Staging Facility	0	0	1
Wakulla County Jail	0	0	41
Newark Field Office			
Elizabeth Detention Center	15	0	35
Essex County Jail	0	0	8

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			
Adams County Correctional Center	6	0	105
Alexandria Staging Facility	16	0	196
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	1	0	110
LaSalle ICE Processing Center - Jena	0	0	79
LaSalle ICE Processing Center - Olla	0	0	25
Pine Prairie ICE Processing Center	0	0	65
Richwood Correctional Center	4	0	127
River Correctional Center	0	0	56
South Louisiana Correctional Center	16	0	23
Winn Correctional Center	3	1	246
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
Clinton County Correctional Facility	21	0	24
Pike County Correctional Facility	8	0	32
York County Prison	8	0	116
Phoenix Field Office			
CCA Florence Correctional Center	14	0	68
Eloy Federal Contract Facility	4	0	263
Florence Detention Center	6	0	81
La Palma Correctional Facility	15	0	481
Salt Lake City Field Office			
Cache County Jail	0	0	15
Henderson Detention Center	2	0	24
Nevada Southern Detention Center	0	0	12
Nye County Jail	9	0	59
Salt Lake City Field Office Cont'd			
Washington County Jail	1	0	6
San Antonio Field Office			
El Valle Detention Facility	14	0	100

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			
Karnes County Family Residential Center	1	0	90
Laredo Processing Center	0	0	7
LaSalle County Regional Detention Center	1	0	2
Limestone County Detention Center	18	0	74
Port Isabel Detention Center	10	0	195
Rio Grande Detention Center	4	0	165
South Texas Family Residential Center (Dilley)	13	0	19
South Texas ICE Processing Center (Pearsall)	34	0	265
T. Don Hutto Residential Center	1	0	1
Webb County Detention Center (CCA)	4	0	93
San Diego Field Office			
Imperial Regional Detention Facility	0	0	5
Otay Mesa Detention Center (San Diego CDF)	7	1	198
San Luis Regional Detention Center	0	0	20
San Francisco Field Office			
Golden State Annex Facility	1	0	3
Mesa Verde ICE Processing Center	0	0	59
Seattle Field Office			
Northwest ICE Processing Center (NWIPC)	0	0	21
St. Paul Field Office			
Douglas County Corrections	0	0	1
Freeborn County Adult Detention Center	0	0	5
Hardin County Jail	0	0	7
Kandiyoh County Jail	16	0	17
Linn County Jail	0	0	2
Nobles County Jail	0	0	2
Phelps County Jail	0	0	2
Polk County Jail	0	0	15
Sherburne County Jail	0	0	2
Washington D.C. Field Office			
Caroline Detention Facility	2	0	43
Immigration Centers of America - Farmville	0	1	339
TOTAL	444	8	7,724

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)

15 at Alexandria Staging Facility (Alexandria, LA)

2 at Aurora Contract Detention Facility (Aurora, CO)

1 in Bergen County Jail (Hackensack, NJ)

1 at Butler County Jail (Hamilton, OH)

1 at El Paso Processing Center (El Paso, TX)

2 at Elizabeth Contract Detention Facility (Elizabeth, NJ)

1 at Eloy Detention Center (Eloy, AZ)

1 at Essex County Correctional Facility (Newark, NJ)

1 at Florence Correctional Center (Florence, AZ)

2 at Houston Contract Detention Facility (Houston, TX)

1 at Hudson County Jail (Kearny, NJ)

2 at La Salle ICE Processing Center (Jena, AL)

11 at Otay Mesa Detention Center (San Diego, CA)

2 at Stewart Detention Center (Lumpkin, GA)

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

Judge Requires The Government To Explain Why Undisclosed Data On Missing Separated Parents Was Not Provided Sooner

By Jasmine Aguilera – Time – December 7, 2020

❖ A federal judge is now requiring the government to provide an explanation as to why data on missing separated parents was not disclosed at an earlier date. The data includes phone numbers and addresses that could help locate some of the more than 600 parents who have still not been found after they were separated from their children at the southern U.S. Border between 2017 and 2018. The data could help with efforts to reunite the parents with their children. At a Friday [December 6] status hearing, Judge Dana Sabraw of the Southern District of California asked lawyers representing the government to provide an official declaration to explain what kept officials from providing the information earlier. "The fact that they've been sitting on these phone numbers has really been outrageous," said Lee Gelernt, deputy director of the ACLU Immigrants' Rights Project and lead attorney representing the separated children, at the Friday [Dec. 6] hearing. "We strongly urge the government to continue searching for more information...they know their data better. The government shared the previously undisclosed data with a steering committee charged with locating the parents on Nov. 25, according to court documents. The new data comes from the Department of Justice's Executive Office for Immigration Review (EOIR), containing phone numbers and other information that was not previously shared with lawyers and nonprofit organizations who make up the steering committee appointed by the judge to locate the families who were separated as part of the Administration's Zero Tolerance policy.



Volunteers from pro-immigration group Families Belong Together build and fill a chainlink cage with about 600 teddy bears 'representing the children still separated as a result of U.S. immigration policies' on the National Mall in Washington, DC.

Photo Credit: Chip Somodevilla/Getty Images

The parents of 628 children have not yet been located by the steering committee, the status report says. (A previous court filing from October reported 545 children's parents had yet to be located, but on Nov. 9, NBC News obtained an email containing information that the number increased to 666). Of those 628, parents of 333 are believed to have been deported, and the parents of approximately 295 children are believed to be in the U.S. The steering committee adds that though the parents have not yet been located, another family member has been reached for 168 of the 628 children. An initial court document filed on Wednesday stated 295 parents were believed to have been deported, and approximately 333 were believed to be in the U.S., but lawyers representing the children clarified during the Friday court hearing that the numbers were an error, and should actually be reversed. This article has been updated to reflect the correction.

❖ News Article Source: <https://time.com/5917728/separated-families-border-data-government/>

More Than 1,000 Migrant Children In U.S. Government Custody Have Tested Positive For Covid-19

By Priscilla Alvarez – CNN – December 4, 2020

- ❖ More than 1,000 migrant children in U.S. government custody have tested positive for coronavirus since March, according to the federal agency charged with their care. In total, there have been 1,061 lab-confirmed Covid-19 cases among unaccompanied migrant children in the care of the Office of Refugee Resettlement (ORR), a federal agency run by the Department of Health and Human Services (HHS). Of the 1,061 cases, 943 children have recovered and been moved from medical isolation, according to the agency. Currently, 118 children have tested positive and remain in medical isolation, though none of the children have required hospitalization. In a November court declaration, the acting ORR director, Nicole Cubbage, suggested that children are becoming infected prior to entering custody. Initial medical examinations, given within 48 hours of a minor entering care, have shown positive tests have "increased significantly in recent weeks," Cubbage said in her declaration. Last month, a federal judge blocked the administration from turning back unaccompanied migrant children at the U.S.-Mexico border under a public health order implemented in March. The administration has since appealed the ruling. HHS funds a network of more than 100 shelters where migrant children who arrived in the United States without parents or guardians are provided care until they're released to sponsors. Children who have had coronavirus while in care were in shelters in New York, Oregon, Texas, Illinois, Pennsylvania, Michigan, Arizona, Virginia, California and Florida. There are approximately 3,150 children currently in ORR care.
- ❖ News Article Source: <https://www.cnn.com/2020/12/04/politics/migrant-children-coronavirus/index.html>

ASYLUM SEEKERS

Judge: Detained Immigrants Must See A Judge Within 10 Days

By Larry Neumeister – Associated Press – November 30, 2020

- ❖ Newly detained immigrants must appear before a judge within 10 days, rather than the weeks or months they've sometimes had to endure in recent years, a judge said Monday [November 30]. Civil rights groups praised the ruling by U.S. District Judge Alison J. Nathan as the first of its kind in the nation to set such a rule for the U.S. Immigration and Customs Enforcement agency. The judge said a law authorizing the detention of immigrants while removal proceedings are pending "does not negate class members' interests — of the utmost importance — in freedom from imprisonment." "Class members may not have a 'fundamental right to be released during removal proceedings,' but nor does the Government have an unfettered right to detain them," she added. In 2014, the average wait to see a judge was 11 days, but it had stretched to over a month in 2017 and nearly three months in 2018, according to the judge's ruling.
- ❖ News Article Source: <https://apnews.com/article/new-york-alison-j-nathan-immigration-8a796dae02c36ab51bd26657317c35e9>

U.S. Agents Apprehend 1,000 Migrant Children In 6 Days As Crossings Along Mexican Border Rise

By Camilo Montoya-Galvez – CBS News – November 26, 2020

- ❖ U.S. authorities along the border with Mexico apprehended nearly 1,000 unaccompanied migrant children in the span of six days, as unauthorized crossings by minors continue to rise, according to government statistics provided to a federal court. From November 18 to November 23, Customs and Border Protection (CBP) processed 997 migrant minors who traveled without parents or legal guardians, the agency's top official, Mark Morgan, said in a court declaration. More than 9,900 unaccompanied children have been taken into custody since September 8, Morgan added. Within the next 120 days, CBP projects border crossings by unaccompanied minors to increase by 50%, according to the court declaration. Apprehensions of unaccompanied migrant children along the U.S.-Mexico border, which plummeted to 741 in April, had been increasing steadily before Sullivan issued his order. In September and October, CBP agents apprehended 3,883 and 4,764 unaccompanied minors, respectively. The U.S. Office of Refugee Resettlement, where most unaccompanied migrant children were sent before the pandemic, is now housing more than 2,300 minors in its network of shelters, an increase from a decade-low early in the summer, when the in-custody population dropped below 800. Migrant minors transferred to the refugee agency stay in shelters or other housing facilities until they are placed with a sponsor, who is typically a family member residing in the country. U.S. law allows them to request asylum or other forms of humanitarian refuge to stop their deportation proceedings. After receiving 162 children between April and June, the Office of Refugee Resettlement received 1,218 and 1,530 migrant minors from border officials in September and October, respectively. While the refugee office has space to house approximately 13,000 minors, less than 8,000 beds are available because of Covid-19 mitigation policies, Nicole Cubbage, the agency's acting director, said.
- ❖ News Article Source: <https://www.cbsnews.com/news/migrant-children-detained-ice-agents-mexican-border-crossing/>

FAMILY SEPARATIONS

Search Persists For Parents Of 628 Kids Separated At Border

By Elliot Spagat – Associated Press – December 2, 2020

- ❖ A court-appointed committee has yet to find the parents of 628 children separated at the border, according to a court filing Wednesday [December 2] that also said the government last week provided additional phone numbers to aid the long-running search. Parents of 333 children are believed to be in the United States, while parents of the other 295 are believed to be outside the U.S. That doesn't necessarily mean the parents and children are still separated, only that the committee has been unable to locate the parents. The committee has found other family members for 168 of the 628 children whose parents have yet to be located. The joint filing by attorneys for the Justice Department and families offers the latest snapshot of efforts to reunite families under a "zero tolerance" policy on illegal border crossings that resulted in thousands of separations when parents were criminally prosecuted. On Nov. 25, the administration provided the search committee with phone numbers and other information from a database of the Justice Department's Executive Office for Immigration Review, which manages immigration courts, the filing said. More than 2,700 children were separated from their parents in June 2018 when U.S. District Judge Dana Sabraw in San Diego ordered an end to the practice under the "zero-tolerance" policy. He ordered them reunited within 30 days. The 628 children whose parents are still not accounted for were separated before the judge's order, going back to July 1, 2017, and were all released from federal custody before the June 2018 order. Children from that period are difficult to find because the government had inadequate tracking systems. They include hundreds separated during a trial run of the policy in El Paso, Texas, from July to November 2017 that was not publicly disclosed at the time.
- ❖ News Article Source: <https://apnews.com/article/us-news-immigration-san-diego-united-states-3da038e106c3f37ab0f95f411268e4f5>

COURT RULINGS

U.S. Court Rules Against Administration's Public Charge Rule, Which Critics Call 'Wealth Test' For Immigrants

By Daniel Gonzalez – Arizona Republic – December 2, 2020

- ❖ The 9th U.S. Circuit Court of Appeals on Wednesday [December 2] ruled against the administration's "Public Charge" rule, which critics say imposes a wealth test on immigrants seeking green cards. Under the Public Charge rule, immigrants who use public benefits such as Medicaid, food stamps and housing vouchers for 12 months over a period of three years could be deemed ineligible for legal permanent residency visas, known as green cards. In a 2-1 decision, the appeals court concluded that preliminary injunctions issued against the Public Charge rule by two federal courts, the Northern District of California and the Eastern District of Washington, were warranted. The 9th Circuit's ruling agreed with several states and cities that filed lawsuits that the Public Charge rule would harm them by causing immigrants to withdraw from federal programs and seek public benefits from cities and states. The appeals court also rejected the administration's claim that the Public Charge rule is aimed at ensuring immigrants are self-sufficient because that is the goal of the programs themselves.
- ❖ News Article Source: <https://www.azcentral.com/story/news/politics/immigration/2020/12/02/us-appeals-court-rules-against-trump-public-charge-rule/3802257001/>

Justice Department Places New Pressure On Immigrants Facing Deportation

By Priscilla Alvarez – CNN – November 24, 2020

- ❖ The Justice Department is requiring some immigrants facing deportation to file to stay in the United States in a matter of weeks, a highly unusual move that puts them at a disadvantage and at an increased risk of removal. Immigrants fighting deportation generally have a chance to make their case in court, where they can ask a judge to allow them to stay in the U.S. by arguing they qualify for asylum or another legal option. This year, as the coronavirus pandemic gripped the U.S., the nation's immigration court system -- which is operated by the Justice Department -- partially shut down, leading to the postponement of hearings and fueling the growing backlog already facing the system. As of August 2020, the current active court case backlog grew to around 1.2 million, up 11% from the start of March, according to Syracuse University's Transactional Records Access Clearinghouse, which tracks immigration court data. But as of late, despite the challenges posed by the pandemic, immigration attorneys have begun to see a slate of orders requesting that their clients file applications requesting relief from deportation within around five to six weeks. If the deadline is not met, a judge could issue a removal order, meaning they'd be subject to deportation at any time. The latest move by the Justice Department's Executive Office for Immigration Review has left attorneys scrambling, particularly those representing migrant children.
- ❖ News Article Source: <https://www.cnn.com/2020/11/24/politics/immigration-justice-department/index.html>

Federal Judge Blocks New Criminal Disqualifiers To Asylum

By Christopher Weber – Associated Press – November 19, 2020

- ❖ A federal judge on Thursday [November 19] blocked an administration rule about to take effect that would have put up new roadblocks for asylum-seekers convicted of a variety of crimes. U.S. District Judge Susan Illston in San Francisco said the rule “sweeps too broadly” and was unnecessary because current federal law already includes a host of disqualifying crimes such as drug trafficking, money laundering and counterfeiting. The judge issued a temporary restraining order without an expiration date. She scheduled a Dec. 9 hearing on the plaintiffs’ motion for a preliminary injunction. While asylum has long been denied to people convicted of “particularly serious crimes,” the new rule would have added a litany of crimes that would have been disqualifying. They included convictions for domestic violence — whether a felony or misdemeanor — assault or battery, re-entering the country illegally, identify theft, public benefits fraud, immigrant smuggling and driving under the influence. The rule would have also denied asylum to people convicted of crimes that an adjudicator “knows or has reason to believe” was committed to supporting a criminal street gang.
- ❖ News Article Source: <https://apnews.com/article/us-news-san-francisco-immigration-susan-illston-12721cdf884ae8c98e46b5b70ddeebee>



In this Aug. 23, 2019 file photo, immigrants seeking asylum walk at the ICE South Texas Family Residential Center, in Dilley, Texas.
Photo Credit: AP Photo/Eric Gay

DEPORTATIONS

U.S. Will Appeal Order Barring Expulsions Of Migrant Children

By Nomaan Merchant – Associated Press – November 26, 2020

- ❖ The U.S. government on Wednesday [November 25] appealed a judge's order barring the expulsions of immigrant children who crossed the border alone, a policy enacted during the coronavirus pandemic to deny the children asylum protections. Judge Emmet Sullivan issued a preliminary injunction on Nov. 18 sought by advocates for immigrants that barred expulsions of unaccompanied children under public health laws. The Justice Department filed a notice of appeal Wednesday [Nov. 25] night to the U.S. Court of Appeals for the District of Columbia Circuit. It also asked Sullivan to issue a stay of the injunction pending appeal, a request he previously denied. Since March, border agents have expelled 200,000 immigrant adults and children citing the pandemic and a need to prevent the spread of the virus, even though COVID-19 is spreading broadly through border communities and the country at large. Sullivan's order only covered children who cross the border without a parent and not adults or parents and children. At least 8,800 unaccompanied children have been expelled without having a chance to seek asylum protections or speak to a lawyer. Most people have been expelled within hours or days, though the administration detained hundreds of children for weeks in hotels near the U.S.-Mexico border for days or weeks at a time.
- ❖ News Article Source: <https://abcnews.go.com/Health/wireStory/us-appeal-order-barring-expulsions-migrant-children-74411758>

U.S. Agrees For Now To Stop Deporting Women Who Alleged Abuse

By Nomaan Merchant – Associated Press – November 24, 2020

- ❖ The U.S. government has agreed temporarily not to deport detained immigrant women who have alleged being abused by a rural Georgia gynecologist, according to court papers. In a motion that must still be approved by a federal judge, the Justice Department and lawyers for several of the women agreed that immigration authorities would not carry out any deportations until mid-January. Dozens of women have alleged that they were mistreated by Dr. Mahendra Amin, a gynecologist who was seeing patients from the Irwin County Detention Center in Ocilla, Georgia. The Justice Department is conducting a criminal investigation, and the Department of Homeland Security's inspector general is investigating as well. Amin has denied any wrongdoing through his lawyer. Several women say they have faced retaliation by immigration authorities for coming forward. One woman has said that hours after she spoke to investigators, U.S. Immigration and Customs Enforcement notified her that it had lifted a hold on her deportation. Another woman was taken to an airport to be placed on a deportation flight before her lawyers could intervene. The agreement filed in court proposes that no deportations would take place until at least mid-January for women who have “substantially similar factual allegations.” The allegations were originally revealed by a whistleblower complaint. Further investigations have found several examples of Amin performing surgeries on women who later said they didn't consent to the procedures or didn't fully understand them.
- ❖ News Article Source: <https://abcnews.go.com/Health/wireStory/us-agrees-now-stop-deporting-women-alleged-abuse-74378184>

ICE Expelled 33 Immigrant Children Back To Guatemala After A Judge Said They Couldn't

By Hamed Aleaziz – BuzzFeed News – November 24, 2020

- ❖ The administration expelled 33 children who came to the U.S. without a parent back to Guatemala after a federal judge issued a preliminary injunction blocking the controversial practice that same day. The injunction was issued by U.S. Judge Emmet Sullivan minutes before an Immigration and Customs Enforcement (ICE) flight left for Guatemala City with the 33 children. An ICE official confirmed that the flight left “shortly before ICE was informed of the court’s injunction” against Title 42, the public health provision used by the administration to expel people from the U.S. citing the coronavirus pandemic. The official said that ICE officers on the ground did not become aware of the judge’s order until the flight had landed and Guatemalan authorities were greeting the children, who remained in Guatemala. The expulsion of the 33 children happening on the same day of Sullivan’s order could force the agency to bring back the children because it violated the judge’s decision, legal experts said.
- ❖ News Article Source: <https://www.buzzfeednews.com/article/hamedaleaziz/immigrant-children-guatemala-ice-flight>

Immigrant Children Who Were Denied The Chance To Request Asylum Under An Illegal Rule Are Facing Deportation

By Adolfo Flores BuzzFeed News – November 23, 2020

- ❖ Twenty-eight children who have been detained in an Immigration and Customs Enforcement facility for more than a year could be deported after being denied the opportunity to seek asylum by administration policies that federal courts have since blocked. All of the children and their families were subjected to the administration’s asylum transit ban, which required immigrants to first seek protection in another country they traveled through before asking for refuge in the U.S. In June, U.S. District Judge Timothy Kelly struck down the transit ban and said the administration had “unlawfully” put the rule into effect. The rule was vacated nationwide and is no longer in effect. Then in July, the 9th Circuit Court of Appeals also blocked the rule. The rule, however, had already been applied to thousands of asylum-seekers, including the group of 28 children. So while federal courts have struck down the transit ban, judges have said they don’t have the legal authority to intervene in their deportations, said Bridget Cambria, executive director of Aldea — the People’s Justice Center, which offers free legal services to immigrant families detained by ICE in Pennsylvania. Under the transit ban policy, those who crossed through a third country, such as Mexico or Guatemala, before arriving at the southern border were denied asylum during their credible fear interviews, an initial step in the asylum process. After being denied the chance to be screened for asylum, these children and their families were subjected to expedited removal, which allows the government to deport undocumented immigrants without a hearing in front of an immigration judge. Federal courts have said they don’t have the authority to weigh in on expedited removals. As a result, judges can’t stop the deportation of the 28 children, even though they’ve found that the policies leading to their deportations are illegal. “All 28 of these children were banned from asylum immediately upon entering the United States because they crossed through a third country. That rule has been deemed illegal,” Cambria said on a call with reporters. “And despite it being deemed illegal, the children have no recourse.” The 28 children are part of 26 families detained at two of ICE’s family detention centers, the South Texas Family Residential Center in Dilley, Texas, and Berks County Residential Center in Leesport, Pennsylvania.
- ❖ News Article Source: <https://www.buzzfeednews.com/article/adolfoflores/immigrant-children-asylum-deportation-risk>

Report: Mobile Fingerprinting A Core Tool In U.S. Deportations

By Frank Bajak – Associated Press – November 23, 2020

- ❖ A mobile fingerprinting app U.S. immigration agents use to run remote ID checks in the field has become a core tool in President Donald Trump’s deportation crackdown, a pair of immigration rights groups say in a new report based on a Freedom of Information Act lawsuit. The 2,500 pages of documents obtained through the 2017 lawsuit show that the app, known as EDDIE, has helped Immigration and Customs Enforcement agents ramp up deportations of migrants not intentionally targeted for removal, the report states. Such people are often detained as “collaterals” picked up in operations aimed at others, the activists say. They say that field use of the app exacerbates racial profiling in immigrant communities. For instance, an internal agency newsletter released with the documents described immigration agents using the app during traffic stops in collaboration with local police in Escondido, California, in 2017. That report credited the operation with “333 illegal alien arrests” in a 12-month period, although it provided scant additional context. Used routinely by U.S. immigration and border agents, mobile fingerprinting figures in a biometric data collection scheme the administration is seeking to broadly expand in its final weeks. A regulation proposed by the Department of Homeland Security on Sept. 11 would formalize the collection of face, iris and palm prints of non-citizens, as well as their DNA, in addition to the fingerprint data now collected. “EDDIE is a way to bypass oversight and accountability,” said Paromita Shah of the nonprofit Just Futures Law, which produced the report with the immigrant rights group Mijente. “It allows agents to do the booking, to do the interrogations out of sight, out of the public’s view,” she said. “And in those places, abuse is most likely to occur.” The app allows field agents to remotely check fingerprints they collect against those registered in DHS and FBI databases.
- ❖ News Article Source: <https://abcnews.go.com/Politics/wireStory/report-mobile-fingerprinting-core-tool-us-deportations-74367608>

DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)

Judge: Trump Administration Must Take New DACA Applications

By *The Associated Press* – December 4, 2020

❖ The administration must accept new applications for the Deferred Action for Childhood Arrivals (DACA) program that protects some young immigrants from deportation, a federal judge ruled Friday [December 4], in vacating a memo from the acting Homeland Security secretary that had suspended it. U.S. District Judge Nicholas Garaufis said the government had to post a public notice within three days — including on its website and the websites of all other relevant government agencies — that new DACA applications were being accepted. The ruling follows one from November where Garaufis said Acting Department of Homeland Security Secretary Chad Wolf was unlawfully in his position. On Friday [Dec. 4], the judge said that invalidated the memo Wolf had issued in July suspending DACA for new applications and reducing how long renewals were valid from two years down to one year. Wolf had issued his memo after the U.S. Supreme Court had ruled in June that President Donald Trump failed to follow rule-making procedures when he tried to end the program. Garaufis also ordered the government to put together a status report on the DACA program by Jan. 4. DACA, which was started in 2012 during the Obama administration, allows certain young immigrants who were brought to the country as children to legally work and shields them from deportation. Those who are approved for it must first go through background checks and regularly renew. The administration had announced the end of the program in 2017, leading to the legal challenges that wound up in front of the Supreme Court. About 650,000 people are currently enrolled in the program.



People rally outside the Supreme Court as oral arguments are heard in the case of President Trump's decision to end the Obama-era Deferred Action for Childhood Arrivals program on Nov. 12, 2019.
Photo Credit: Alex Brandon / AP

❖ News Article Source: <https://abcnews.go.com/Politics/wireStory/judge-trump-administration-daca-applications-74549321>

DACA Is Restored After Court Rules DHS Head Served Illegally

By *Michelle Hackman* – *The Wall Street Journal* – November 15, 2020

❖ A federal judge in New York invalidated administration rules narrowing the program that protects immigrants living in the U.S. since childhood without legal permission, ruling the restrictions were improperly issued. The ruling Saturday [November 14] restores the program, called Deferred Action for Childhood Arrivals, or DACA, to near-full operation, after multiple attempts by the administration to end or curtail it. That means, for the first time since September 2017, new applicants who weren't previously eligible, typically because they were too young, may now apply. The DACA program was created by the Obama administration in 2012 to protect the young immigrants, known as Dreamers, who have been living in the country without legal permission since childhood, and has been the subject of legal battles for the past three years. In June, the Supreme Court ruled the administration's first attempt to end the program didn't follow the proper procedure required for federal policy-making. The following month, acting Homeland Security Secretary Chad Wolf issued a memorandum narrowing the program to existing applicants, who would be offered renewals of only one year, rather than two, and closing the program to any new candidates. The move was intended as an intermediate step while the administration considered whether to make another attempt to end the program entirely, as the Supreme Court had allowed it could do. That memo was the subject of the latest round of litigation. The judge, Nicholas G. Garaufis of the Eastern District of New York, ruled it was improperly issued because Mr. Wolf hadn't been properly appointed to his acting position. The ruling is the fifth to find that Mr. Wolf is serving illegally in his acting role, following a Government Accountability Office report that found Mr. Wolf and his predecessor, Kevin McAleenan, both had been improperly appointed under federal law on job vacancies. Judge Garaufis said the ruling applies to anyone who might qualify for DACA under the 2012 memo establishing the program, issued by then-Homeland Security Secretary Janet Napolitano.

❖ News Article Source: <https://www.wsj.com/articles/federal-judge-invalidates-trump-administration-s-daca-rollback-11605400169>

BORDER WALL

Armed Mexicans Were Smuggled In To Guard Border Wall, Whistle-Blowers Say

By Zolan Kanno-Youngs – *The New York Times* – December 7, 2020

❖ Two whistle-blowers have accused contractors building President Trump's border wall of smuggling armed Mexican security teams into the United States to guard construction sites, even building an illegal dirt road to speed the operation, according to court documents unsealed by a federal judge. The two employees, who were both contracted to provide security at the sites, accused the company, Sullivan Land Services Co., or S.L.S. — as well as a subcontractor, Ultimate Concrete of El Paso — of hiring workers who were not vetted by the United States government, overcharging for construction costs and making false statements about those actions. The whistle-blowers said Ultimate Concrete went so far as to build a dirt road to expedite illegal border crossings to sites in San Diego, using construction vehicles to block security cameras. An unnamed supervisor at the Army Corps of Engineers approved the operation, according to a complaint filed in February and released on Friday [December 4]. The allegations came to light as data obtained by *The New York Times* showed that a border wall that Mr. Trump once advertised as “impenetrable” has continued to prove very penetrable. In fact, it has been repeatedly breached by migrants, requiring repairs that the whistle-blowers say were completed by workers who were not authorized by the government to be on the job. Documents obtained by *The Times* through a Freedom of Information Act request show that Border Patrol agents have struggled to prevent migrants from breaching the wall, with one portion of the barriers in the Tucson, Ariz., sector breached as recently as September. Between October 2019 and March 2020, the concrete bollards of the wall were breached more than 320 times in the Border Patrol sectors of San Diego; Tucson; El Centro, Calif.; and Yuma, Ariz., according to the documents. S.L.S., a primary builder of Mr. Trump's wall, has been awarded contracts worth more than \$1.4 billion for work on multiple parts of the border. With those funds, the company is said to have allowed its subcontractor, Ultimate Concrete, to hire armed Mexicans and facilitate illegal border crossings that the president has worked to shut down.



Ultimate Concrete workers constructing part of President Trump's border wall this month in Puerto Palomas, Mexico.
Photo Credit: Luis Torres/EPA, via Shutterstock

- ❖ News Article Source: <https://www.nytimes.com/2020/12/07/us/politics/border-wall-mexico.html>
- ❖ To read the complaint, go to: <https://int.nyt.com/data/documenttools/border-wall-complaint/0a72f0eed0af9f48/full.pdf>

DEVELOPING STORIES

DHS Issues Nine-Month Extension Of TPS Benefits For Haitians And Central Americans

By Jacqueline Charles – *Miami Herald* – December 7, 2020

- ❖ Temporary Protected Status benefits, which were set to expire early next month for an estimated 400,000 immigrants from Haiti, Nepal and Central America, will be extended by the U.S. Department of Homeland Security for nine months. The extension means that the TPS beneficiaries, including nationals of Sudan as well as Honduras, Nicaragua and El Salvador, can continue to legally live and work in the United States for the next nine months and — for now — avoid being placed in deportation proceedings, which could have begun as early as March after their documents expired on Jan. 4, 2021. The reason for the nine-month extension has to do with the courts. On Monday [December 7], DHS said that although a U.S. appeals court in September overturned a Northern California lower district court's temporary injunction barring President Donald Trump from terminating TPS, the appellate court has not yet issued its directive to the district court to make that ruling effective. As a result of the court's delay, the injunction ordered in the lawsuit *Ramos vs. Nielsen* on behalf of TPS recipients from Haiti, Nicaragua, El Salvador, Honduras and Sudan remains in place. In the case of tens of thousands of Haitians who have benefited from the humanitarian reprieve ever since their country's devastating Jan. 10, 2010, earthquake, they were a part of two separate rulings that offered temporary injunctions against deportation. There was the *Ramos* injunction issued by U.S. District Judge Edward Chen in the case filed by the American Civil Liberties Union in California, and a New York lawsuit adjudicated by U.S. District Judge William F. Kuntz of the Eastern District of New York. Bastien's Family Action Network Movement is among the plaintiffs in that suit.
- ❖ News Article Source: <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article247676050.html>
- ❖ Here is a link to the Federal Registry Document: <https://www.federalregister.gov/documents/2020/12/09/2020-27154/continuation-of-documentation-for-beneficiaries-of-temporary-protected-status-designations-for-el>

New Citizenship Test Is Longer — And Could Deter Immigrants From Applying, Advocates Say

By Farida Jhabvala Romero – KQED – December 1, 2020

- ❖ New applicants to become U.S. citizens will be required to pass a revised civics test that is longer and potentially more difficult than the previous version that had been in place for more than a decade. The 2020 version of the civics test could impact an estimated 2.2 million green card holders in California who are eligible to naturalize, the most of any state. U.S. Citizenship and Immigration Services (USCIS), the agency that processes naturalization applications, doubled the length of the oral exam. USCIS officers will now ask citizenship candidates 20 out of 128 possible questions. Applicants must answer 12 questions correctly in order to pass. In the previous version of the test, candidates were asked up to 10 out of 100 questions. Immigrants who filed their applications before Dec. 1 will continue to take that version. The agency said it revised the test to better assess an applicant's required understanding of U.S. history and civics, and prepare them to participate in American democracy. The exam was last updated in 2008. In addition to understanding U.S. civics fundamentals, candidates for citizenship must be adults who can read and write basic English, and show good moral character, among other requirements. By law, USCIS will continue to provide special consideration for applicants who are 65 or older and who have been U.S. lawful permanent residents for at least 20 years. These applicants may study just 20 questions and take the test in the language of their choice. Nearly 9 million immigrants are eligible to apply for naturalization, according to estimates by the Center for the Study of Immigrant Integration at the University of Southern California. But many decline to take that step, citing a lack of English skills and the price tag of the U.S. citizenship application, which is currently \$725. Earlier this year, the administration tried to dramatically increase the fee to apply for citizenship to up to \$1,170, as well as hike the cost of work permits and other immigration benefits. But a federal court in San Francisco blocked the fee increases just days before they were set to go into effect on Oct. 2.
- ❖ News Article Source: <https://www.kqed.org/news/11849159/new-citizenship-test-is-longer-and-could-deter-immigrants-from-applying-advocates-say>

ACLU Sues DHS For Records On Purchased Cell Phone Data To Track Immigrants

By Rebecca Klar – The Hill – December 2, 2020

- ❖ The American Civil Liberties Union (ACLU) is ramping up efforts to obtain records of the administration's reported purchase of cellphone data to track locations of immigrants. The ACLU on Wednesday [December 2] filed a lawsuit against the Department of Homeland Security (DHS), Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) demanding the agencies release the records. The group says it has waited for more than nine months for DHS, CBP and ICE to produce the records through the Freedom of Information Act. The nonprofit alleges the government agencies bought access to databases containing "precise location information for millions of people," gathered by apps running on smartphones. The Wall Street Journal first reported in February that the administration was buying access to such data through a company named Venntel that was selling access to a database to DHS, ICE and CBP. "The agencies' purchase raise serious concerns that they are avoiding Fourth Amendment protection for cell phone location information by paying for access instead of obtaining a warrant," the ACLU wrote in the lawsuit. The ACLU said in the suit the records "would contribute significantly to the public's understanding" of how the agencies use "invasive surveillance technology both at the border and within American communities, and whether they are complying with constitutional and legal limitations on unreasonable searches." CBP officials confirmed to Senate staff in September that it was tracking phones using Venntel's product, according to a group of Democratic senators who urged a DHS watchdog investigation into the tracking.
- ❖ News Article Source: <https://thehill.com/policy/technology/528363-aclu-sues-dhs-for-records-on-purchased-cell-phone-data-to-track-immigrants>

Anti-Immigration Policy Will Require Some Africans To Pay \$15,000 Bonds For Visas

By Yomi Kazeem – Quartz – November 24, 2020

- ❖ For nationals of 15 African countries, applying for a U.S. visa is about to become up to 50 times more expensive. A new rule by the outgoing administration will require applicants for tourist and business visas from some countries to pay a bond of up to \$15,000 in addition to visa fees which currently range from \$160 to \$300. The U.S. Department of State says the requirement will be implemented on a temporary basis for a period of six months between December and June as a pilot scheme to test run the policy. The visa bond will apply to countries whose nationals had overstay rates of 10% or more as of 2019. In total, 23 countries will be affected. The seeming rationale for the visa bonds, which will range from \$5,000 to \$15,000, is that they will serve as a deterrent to visitors overstaying visas given the prospective penalty of forfeiting the money. But the U.S. is also wielding the policy as an instrument of diplomacy to force other governments to become more proactive with driving down overstay rates of their nationals. The following African countries will be affected by the new U.S. visa bond rule: Angola, Democratic Republic of the Congo, Liberia, Burkina Faso, Djibouti, Libya, Burundi, Eritrea, Mauritania, Cabo Verde, The Gambia, Sao Tome and Principe, Chad, Guinea-Bissau, Sudan, and Democratic Republic of the Congo.
- ❖ News Article Source: <https://qz.com/africa/1937240/us-visa-africans-to-pay-15000-visa-bond/>

U.S. Citizenship Test Adds More Questions, Draws Criticism

By the Associated Press – November 13, 2020

- ❖ An updated U.S. citizenship test will require applicants to answer more questions than before and could slow down the number of tests held each day, experts said. The U.S. Citizenship and Immigration Services (USCIS) agency on Friday [November 13] announced the updated test now has 128 civics items to study and will require applicants answer 20 questions instead of 10. To pass, applicants must answer 12 correctly, or 60%. That's the same pass rate as before. The new test also removes geography questions and alters prior ones, such as requiring applicants to name three branches of government instead of one. It also changes the answer to a question on whom U.S. senators represent from "all people of the state" to "citizens in their state," which has drawn criticism over its accuracy. Sarah Pierce, a policy analyst at the D.C.-based, nonpartisan Migration Policy Institute, said that the changes to the naturalization test would possibly triple the amount each Citizenship and Immigration Services officer spends testing applicants. Pierce said that under previous rules, applicants could potentially only answer six of 10 questions if they gave all the correct answers, but now applicants must respond to 20 questions even when they already got 60% of them correct. "These changes reduce the efficiency of this already struggling agency," Pierce said, referring to its citizenship application backlog. "The administration is adding hundreds of thousands of more minutes to these naturalization exams." Citizenship and Immigration Services spokesman Dan Hetlage said the new test "covers a variety of topics that provide the applicant with a more well-rounded testing experience." People who apply for naturalization on or after Dec. 1 will take the new version of the test. The test is one of the very final steps in obtaining American citizenship, a monthslong process that requires immigrants to have permanent legal residency for at least five years before applying. More than 840,000 immigrants became U.S. citizens during the 2019 fiscal year, up 11 percent from a year earlier, according to U.S. government statistics. In recent years, the average wait time for an applicant to naturalize has also grown. It was nearly 10 months in the 2019 fiscal year compared with fewer than six months three years prior.
- ❖ News Article Source: <https://apnews.com/article/immigration-10b67c54222b6b91483982edb5dba05c>

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

By Aura Bogado and Melissa Lewis – Los Angeles Times – October 30, 2020

- ❖ 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.latimes.com/world-nation/story/2020-10-30/migrant-children-have-languished-in-u-s-custody-for-as-long-as-7-years>