

From: [Mattingly, Kathryn \(EOIR\)](#)
To: [EOIR Daily](#); michaela.dietz@techmis.com
Cc: [EOIR, PAO \(EOIR\)](#); burt.squires@techmis.com
Bcc: [Cesolini, Bryan \(EOIR\) \(CTR\)](#)
Subject: RE: EOIR Morning Briefing, August 6, 2019
Date: Tuesday, August 6, 2019 8:38:00 AM
Attachments: [image001.png](#)

Good morning Michaela,

This story below, while has mention of immigration court, is not really an EOIR-related article. It's about a legal clinic assisting individuals with their paperwork for citizenship before USCIS. I think it is easier to just cut it all together, but you can make a Legal Services section if you want.

Thanks in advance – Kathryn

(b)(5) DP



From: EOIR Daily <eoir@techmis.com>
Sent: Tuesday, August 6, 2019 7:17 AM
To: michaela.dietz@techmis.com
Subject: EOIR Morning Briefing, August 6, 2019

EOIR MORNING BRIEFING

U.S. Department of Justice

Executive Office for Immigration Review
By TechMIS

[Mobile User Copy and Searchable Archives](#)

Tuesday, August 6, 2019

[Executive Office for Immigration Review](#)

[\[MA\] Massachusetts federal judge, asked to weigh on immigrant detention, concerned that immigration court judges are ignoring her rulings](#)

(b)(5) DP

[Policy and Legislative News](#)

[Trump suggests tying background checks to immigration reform legislation after deadly shootings](#)

[Poll: Majority wants Trump, Congress to clinch immigration deal](#)

[Dems seek answers from CBP on detention of US citizens](#)

[ICE's New Policy Will Give the Agency More Discretion to Deport Victims of Crimes](#)

[ICE Chief makes his case](#)

[Children at Center of Booming Smuggling Industry](#)

[\[VT\] Tensions Flare In Hartford Over Proposed Immigration Ordinance](#)

[\[MA\] Lawyers for Newton judge, ex-court officer seek evidence to decide on separating cases](#)

[\[MA\] ACLU seeks class action status for immigrant detention suit](#)

[\[NY\] Ulster against ICE: Local groups, governments defy feds to protect immigrants](#)

[\[NY\] Where local law enforcement draws the line on ICE, — and where those lines are blurred](#)

[\[MD\] County to launch audit into sheriff's office participation in 287\(g\) program](#)

[\[FL\] Immigrant Activist Group Wants Transparency After Homestead Facility Moves Out All Unaccompanied Minors](#)

[\[OH\] Twitter Account Allegedly Linked to Ohio Shooter Retweeted Doxxing of ICE Employees](#)

[\[TX\] The El Paso shooting suspect wrote a 'manifesto,' police say. It was filled with anti-immigrant and racist language](#)

[\[TX\] UT researchers aiding Salvadoran teen were threatened with arrest by Mexican](#)

[authorities](#)

[\[CO\] GEO-run Aurora ICE Detention Center is isolating immigrants — some mentally ill — in prolonged solitary confinement](#)

[\[NM\] Border Patrol checkpoints reopen in New Mexico](#)

[\[CO\] Group protests at Denver-area immigration detention center](#)

[\[OR\] 14 people released following peaceful Portland ICE protest](#)

[\[CA\] Jewish activists led protest outside L.A. company claiming it's profiting off detentions made by ICE](#)

[\[CA\] Delano City Council votes to declare itself a 'sanctuary city'](#)

[\[Mexico\] Mexico Detaining Fewer Migrants As Crisis Shows Signs Of Waning](#)

[\[Mexico\] Migrant troubles in Mexico](#)

[Legal News](#)

[\[TX\] Justices Asked To Clarify Damages In Cross-Border Shooting](#)

[\[AZ\] Motel 6 settlement over immigration calls clears hurdle](#)

[Enforcement News](#)

[\[CT\] Norwalk man faces deportation after domestic dispute](#)

[\[WI\] Local man Ricardo Fierro deported 1 year after being detained by ICE](#)

[\[TX\] Illegal Alien Who Allegedly Killed 19 Senior Citizens Facing Death Penalty](#)

[\[NV\] Mother detained by ICE granted bond; now children scramble to raise \\$5,000](#)

Executive Office for Immigration Review

[MA] Massachusetts federal judge, asked to weigh on immigrant detention, concerned that immigration court judges are ignoring her rulings

[MassLive](#) [8/5/2019 1:52 PM, Steph Solis, 240K, MA] reports federal Judge Patti B. Saris, who is reviewing a class-action lawsuit challenging how immigration judges conduct bond hearings, raised concerns that the government would not heed her ruling — as it has ignored her previous decisions. "I have to say I have some concern that, as far as I can tell, the immigration judges are simply ignoring the case law, not just in this court, but in the rest of the country," Saris said, noting that she has made previous rulings that pertained to immigration judges. Saris planned to rule on whether to certify a class for the lawsuit — in this case, people who attorneys say didn't or might not receive due process in immigration bond hearings — but first asked the parties to file motions that could help move this case up to the First Circuit Court of Appeals. She said that strategy would ensure that this case would join other, similar cases that are currently moving through the First Circuit. "I'm

worried that the court is just being ignored, not just me but other judges," she said.

The Monday hearing focused on a class-action lawsuit filed by the American Civil Liberties Union of Massachusetts on behalf of three immigrants in New England who attorneys say were denied due process by immigration judges despite having little to no criminal record, family ties and several years living in the United States. One of the plaintiffs is a Brockton father of three whose wife is a U.S. citizen. Daniel McFadden, an attorney for the American Civil Liberties Union of Massachusetts, said multiple district courts across the country and the Ninth Circuit Court of Appeals have ruled that the government, not the defendant, has the burden of proof in determining whether someone should or shouldn't be detained. Saris asked attorneys representing the three plaintiffs to file for a preliminary injunction. If granted, a preliminary injunction could temporarily block immigration agents from detaining people for months at a time or include other orders while the lawsuit is reviewed in court. Saris said she hoped the motion for a preliminary injunction would be one of several steps the parties could take to move the case up to the First Circuit Court of Appeals. The American Civil Liberties of Massachusetts filed a lawsuit in June on behalf of a three immigrants who were detained for months after being arrested by Immigration and Customs agents. They include Gilberto Pereira Brito, a Brockton father of three; Florentin Avila Lucas, a New Hampshire farmer; and Jacky Celicourt, a New Hampshire resident who fled political violence in Haiti. People who are detained by ICE can fight deportation by proving they are U.S. citizens or that they should have permission to stay in the country because of family ties or other qualifying factors. Detainees typically have a bond hearing where an immigration judge can decide whether that detainee should remain jailed throughout the immigration case. The ACLU attorneys argued that the three plaintiffs — and countless more who face deportation — have had "flawed detention hearings" where the immigrants, not the government, had to prove they are not a flight risk or public safety hazard. In criminal courts, for example, the government has the burden of proving that a suspect should not be released because the person is a flight risk or poses a danger to the community. Since the class-action lawsuit was filed in June, all three plaintiffs have been released from immigrant detention.

[Law360](#) [8/5/2019 3:55 PM, Aaron Leibowitz] reports Judge Saris said she was "very likely" to grant class certification in the coming weeks, but raised procedural questions about the best way to do so. Rather than certifying a single class, she said, she could create one class of detainees who have already had bond hearings and another — or a "subclass" — of detainees who have not yet had the hearings. Requiring the government to carry the burden of proof in future cases would be "pretty easy," the judge said, but revisiting the approximately 150 cases in which detainees were already denied their release and remain in ICE custody presents a "more complicated situation" and could tax government resources. The judge also had more technical concerns, asking the petitioners to file either a motion for preliminary injunction or a motion for judgment on the pleadings, rather than the motion they filed for final judgment, which she said was premature. First, the government will have 30 days to respond to the original lawsuit after missing an initial 60-day deadline. The bond hearings at issue are conducted in immigration courts for detainees whom the government says should be deported, but who have not yet received a final order of removal. According to the suit, ICE often holds undocumented immigrants in jail without any hearing, but this lawsuit focuses on the hearings that some detainees are granted before an immigration judge. Last month in a different case, *Reid v. Donelan*, Judge Saris ruled that immigration authorities detaining people without a bond hearing violates due process when that detention is "unreasonably prolonged," though she declined to impose a

bright-line definition at six months.

Additional reporting: [Boston Globe](#) [8/5/2019 8:10 PM, Aidan Ryan, 854K, MA]

(b)(5) DP



Policy and Legislative News

Trump suggests tying background checks to immigration reform legislation after deadly shootings

[The Hill](#) [8/5/2019 7:15 AM, Chris Mills Rodrigo] reports President Trump on Monday suggested tying stronger background checks on gun buyers to immigration reform legislation after a pair of mass shootings over the weekend. "Republicans and Democrats must come together and get strong background checks, perhaps marrying this legislation with desperately needed immigration reform," the president tweeted in the morning. "We must have something good, if not GREAT, come out of these two tragic events!" A gunman killed 20 people and wounded dozens more in an attack at a Walmart in El Paso, Texas, on Saturday. Patrick Wood Crusius, the alleged gunman in the El Paso shooting, reportedly drove eight hours from the Dallas-Fort Worth area to the city, which is directly across the border from Mexico's Ciudad Juárez and has a high concentration of Hispanic people. He allegedly wrote a racist, anti-immigrant manifesto before the attack, which described fears of a Latino "invasion." Democratic leaders have drawn comparisons between Crusius's alleged motives and Trump's immigration rhetoric and suggested the president helped fuel the environment that led to the attack. It is unclear what "immigration reform" Trump is suggesting be tied into gun control legislation. Earlier this year, the president declared a national emergency to divert resources toward building a wall on the southern border after Democrats blocked funding for one, sparking a 35-day partial government shutdown. His administration has also issued a series of rules to limit asylum-seekers and to make deportations easier.

The [Washington Times](#) [8/5/2019 4:06 PM, David Sherfinski, 452K, DC] reports Sen. Kirsten Gillebrand on Monday said it was "absurd" to tie new gun controls to immigration reform, which President Trump had suggested in the wake of the weekend shootings in Texas and Ohio. "It's absurd," the New York Democrat and 2020 presidential candidate said on CNN's "New Day." "Again, this is part of the problem. He's linking [the] issue of

basic, common-sense gun reform that we should be going back into the Senate today to vote on with this issue of immigration. Because again, he continues to try to demonize people seeking asylum, people needing our help,” she said.

Reported similarly:

[CNN](#) [8/5/2019 11:05 AM, Devan Cole]

[Bloomberg](#) [8/5/2019 6:28 AM, Terrence Dopp]

[FOX News](#) [8/5/2019 7:52 AM, Ronn Blitzer, 10258K]

[NBC News](#) [8/5/2019 2:40 PM, Johnathan Allen, 4138K]

[The Daily Caller](#) [8/5/2019 5:05 PM, Shelby Talcott, 785K, DC]

Poll: Majority wants Trump, Congress to clinch immigration deal

[The Hill](#) [8/5/2019 2:11 PM, Julia Manchester] reports a majority of Americans say they want President Trump and Congress to reach an agreement for stronger borders and a pathway to citizenship for those under the Deferred Action for Childhood Arrivals (DACA) program, according to a Harvard CAPS/Harris Poll survey released exclusively to The Hill. The poll, which was conducted in July, found 62 percent of Americans want such a deal, while 58 percent said they believed there was a growing humanitarian and security crisis at the southern border. Immigration has been a major point of tension in Washington. Trump declared a state of emergency earlier this year in an effort to divert resources toward constructing a wall on the southern border after Democrats blocked funding for one, resulting in a 35-day partial government shutdown. The administration has also issued a number of rules to limit asylum-seekers and to make deportations easier.

Dems seek answers from CBP on detention of US citizens

[The Hill](#) [8/5/2019 11:18 AM, Rafael Bernal, 2806K] reports a group of Democratic representatives wrote to Customs and Border Protection Acting Commissioner Mark Morgan Monday, asking to clarify the circumstances under which U.S. citizens were placed in immigration detention. In the letter, led by Texas Democratic Reps. Vicente Gonzalez and Colin Allred, the lawmakers ask for clarification on the case of Francisco Erwin Galicia, an 18-year-old U.S. citizen who spent nearly a month in custody after being detained at a Border Patrol checkpoint in Texas in June. According to multiple media reports, Galicia was on his way to a college soccer tryout when he was detained by Border Patrol agents, who said his identification documents were fake. Galicia, whose birth certificate shows he was born in Dallas, was detained in a Border Patrol facility and then transferred to an Immigration and Customs Enforcement facility before being released in late July.

ICE's New Policy Will Give the Agency More Discretion to Deport Victims of Crimes

[Pacific Standard](#) [8/5/2019 6:07 PM, Isabela Dias, 118K, CA] reports in 2000, when Congress created a special protection known as the U-visa for immigrant victims of crimes in the United States, the move was intended to encourage undocumented survivors who suffered "substantial physical or mental abuse" to come forward. The understanding was that, in being allowed to remain in the country, they would be able to cooperate with law enforcement in criminal investigations, therefore helping improve public safety. But a number of official and unofficial policies put in place by the Trump administration, and an increasing backlog of pending cases, have been making this important protection [U-visas] increasingly less effective and even dangerous for eligible applicants. Last year, then-Attorney General Jeff Sessions limited immigration judges' authority to close cases administratively, a docket management tool that was sometimes used to ensure that applicants could ask or wait for a decision on pending immigration reliefs. Now, Immigration

and Customs Enforcement is reversing one of its internal guidances regarding U-visas that still offered some protection against deportation for those in detention and with final orders of removal. Under its revised policy, ICE will no longer follow that extra step of requesting a prima facie determination before deciding on a stay of removal request. Instead, ICE officers and attorneys will have sole discretion to "review the totality of the circumstances." "As the number of U visa petitions submitted increased, this process became burdensome on both agencies and often did not impact ICE's decisions," the agency statement says. Although ICE has just now made this policy change official, lawyers and experts argue that the agency no longer followed its own guidance while maintaining that it remained in effect. In 2018, the organization ASISTA surveyed more than 140 immigration attorneys representing U-visa applicants in removal proceedings across 30 states, who described how ICE attorneys were not requesting prima facie determinations at all or, in some jurisdictions, would only consider it for applicants in detention. "This lack of clarity and consistency in practice is extremely harmful to survivors and their families, as their ability to stay in the country while their applications are pending depends upon how their local ICE office views this guidance," the report says.

ICE Chief makes his case

[Ponte al Dia](#) [8/4/2019 1:15 PM, Michael Volpe, 7K] reports the head of Immigration and Customs Enforcement said without interior enforcement there will be magnets for migrants to continue coming at record rates. The Acting Director of ICE is Matthew Albence and at a hearing on July 25, 2019, he stated, "The reality is, if our immigration laws are only enforced at the border and you fail to provide adequate resources to ensure that those who have entered illegally proceed through the immigration process, and if order removed are actually removed, the entire system will break down. This failure will serve as a magnet for additional aliens to illegally enter the country and you will never have a secure border." Albence was testifying in front of the House Committee on Appropriations which held a hearing entitled, "U.S. Immigration and Customs Enforcement Oversight Hearing." Albence was in front of the committee in support of a budget request for ICE of \$9.3 billion, according to his written testimony, for Fiscal Year 2020, which starts October 1. Albence was often mirroring what members of the Customs and Border Protection Families and Children Care Panel told the United States Senate Committee on Homeland Security and Governmental Affairs in a hearing from July 17, 2019, which was also covered by AL DÍA. "While ICE's immigration enforcement is focused on the interior, the current situation at our border directly impacts this agency and its resource requirements. CBP's 780,633 encounters include more than 390,000 members of family and 63,000 unaccompanied alien children," Albence said. "This represents 63 percent of all Southwest border encounters in FY2019 year to date. Notably, in the last few months, ICE alone has been forced to release 215,000 members of family units into the interior of the United States due to the Flores Agreement." Albence stated that only 15 percent of asylum claims are ultimately approved, meaning this credible fear standard is being exploited. "Address the credible fear standard — a threshold standard for those subjected to expedited removal to be able to pursue asylum before the immigration courts," Albence said. Albence spoke repeatedly about how ICE has been mischaracterized and demonized but when asked by Dutch Ruppersberger, a Democrat from Maryland, to respond to those, like Alexandria Ocasio-Cortez, who want ICE's abolition, Albence said, "What that means is that they don't want 140,000 criminals removed from the country every year, that means they don't want HSI removing 10,000 gang members — arresting 10,000 gang members — every year, that means they don't want HSI removing 10,000 pounds of opioids from the street, including 3,000 pounds of fentanyl." Albence said his agency was being blamed for policy decisions

made by others. On this point, Albence had an ally in Henry Cuellar, a Democrat from Texas. Cuellar said his district, which includes San Antonio and Laredo, includes many Customs and Border Protection officers and ICE employees.

Children at Center of Booming Smuggling Industry

[Epoch Times](#) [8/5/2019 4:14 PM, Charlotte Cuthbertson, 539K] reports that a 33-year-old Honduran male illegally crossed the U.S. border with his 15-year-old "son" recently. It was discovered that the man had borrowed the boy from the boy's mother in Honduras to use in an attempt to be released into the United States quickly as a family unit. Border Patrol and Homeland Security Investigations agents are uncovering thousands of such stories as smugglers and illegal aliens learn that a child is an adult's ticket into the United States, due to legal loopholes. In this case, the child didn't have any family in the United States, and the man told agents he had planned to drop the boy off with an unknown male in Nebraska. "He also stated that smuggling fees are considerably less expensive when adults are traveling with a child," according to case notes obtained by The Epoch Times. The man confessed when he was faced with a DNA test. "By requiring the release of family units before the conclusion of immigration proceedings, seemingly well-intentioned court rulings and legislation are being exploited by transnational criminal organizations and human smugglers," Matthew Albence, acting director for Immigration and Customs Enforcement, said in a congressional hearing on July 25. "These despicable smugglers have created an entire illicit industry with untold millions of dollars being made through the sale, rental, and recycling of children-utilized by unscrupulous adults to pose as family units." HSI, a division of ICE, has sent 4,000 agents to help Border Patrol investigate fake families entering along the southern border. Since mid-April when the HSI agents were deployed, more than 5,800 fake families have been discovered, according to Kevin McAleenan, acting secretary of the Department of Homeland Security. Almost 15 percent of all family units that Border Patrol agents refer to HSI have been found to be fraudulent. Only 14 percent of family units asserted a credible fear claim after crossing the border illegally in fiscal year 2018, according to Customs and Border Protection data. Border Patrol is so overwhelmed that they often release families into the United States within hours of apprehension, even if they don't make a credible fear claim.

[VT] Tensions Flare In Hartford Over Proposed Immigration Ordinance

[Vermont Public Radio](#) [8/5/2019 9:38 PM, Peter Hirschfeld, VT] reports last Tuesday, about 200 people packed into the Hartford High School auditorium for the latest meeting on a proposed ordinance that would limit communication between town police and federal immigration authorities. The so-called "Welcoming City Ordinance" represents Hartford's attempt to protect undocumented immigrants from getting arrested by U.S. Immigration and Customs Enforcement or Border Patrol agents. It tries to accomplish that task by restricting certain communication between local police officers and federal immigration authorities. Vermont's Republican governor has already signed legislation that prohibits state and local police from actively aiding in federal immigration sweeps, and a statewide fair and impartial policing policy restricts local police from sharing certain kinds of information with ICE and border patrol agents. Under federal code 1373, it's illegal for state and local agencies to withhold information about a person's immigration or citizenship status from the federal government. The proposed ordinance would keep Hartford in compliance with 1373, by allowing police to share information about a person's immigration status — but the ordinance would simultaneously prohibit those same police officers from asking a person about their immigration status. Thanks to a new law passed by state lawmakers and approved by Gov. Phil Scott earlier this year, town officials are free to approve local law

enforcement policies that run afoul of federal law. "If a municipality wants to go further in the restrictions that it places on its police force sharing information with ICE ... then they can do that," said Burlington Rep. Selene Colburn, who helped draft the legislation. Migrant Justice, an organization that advocates for farmworkers in Vermont, hopes the new law will become a springboard for more protective policing policies across the state.

[MA] Lawyers for Newton judge, ex-court officer seek evidence to decide on separating cases

[Boston Globe](#) [8/5/2019 8:35 PM, Gal Tziperman Lotan, 854K, MA] reports that Judge Shelley M. Richmond Joseph could face up to 20 years in prison if convicted of charges of conspiracy to obstruct justice and obstruction of a federal proceeding. She and her co-defendant, former court officer Wesley MacGregor, have both pleaded not guilty. "We do not view this as a severable case," said Assistant US Attorney Christine J. Wichers. US District Court Magistrate Judge Donald L. Cabell did not rule on the motions Monday, but said he likely will make a decision by the end of the week. When the indictment was handed down, US Attorney for Massachusetts Andrew Lelling said his decision to prosecute the case was about the "rule of law." "This case is not intended as a policy statement, at least not beyond making the point that the laws have to apply equally even if you're a state court judge," Lelling said in April. At the time, Massachusetts Attorney General Maura Healey called the indictment "a radical and politically motivated attack on our state and the independence of our courts." Prosecutors allege that Joseph and MacGregor conspired to help Jose Medina-Perez, a Dominican national, escape an Immigration and Customs Enforcement agent in a Newton courtroom. He is identified in court records as A.S., for "alien subject." A courtroom clerk asked the ICE agent to step outside the courtroom and wait for Medina-Perez in the lobby, records show. Richmond Joseph then allegedly turned off the courtroom recorder for 52 seconds.

[MA] ACLU seeks class action status for immigrant detention suit

[My FOX Boston](#) [8/5/2019 4:15 PM, Staff, 75K, MA] reports that a federal judge is weighing whether to grant class-action status to a lawsuit alleging the federal government is illegally detaining immigrants and not honoring their due process rights. American Civil Liberties Union affiliates in Massachusetts and New Hampshire argued in Boston federal court Monday that multiple federal courts have ruled the government has the burden of proof in deciding whether someone should be detained until their immigration case is resolved. The organizations filed the lawsuit on behalf of three immigrants detained for months after having to prove they were not a flight risk. The U.S. Department of Justice argued in part that the three plaintiffs have since been released, making their claim moot.

[NY] Ulster against ICE: Local groups, governments defy feds to protect immigrants

[Hudson Valley One](#) [8/5/2019 3:38 PM, Jesse J. Smith, NY] reports it's an increasingly common sight on social media. Warnings appear about a law enforcement sweep, photos are posted of the enforcers' unmarked vehicles. More photos show men in bulletproof vests peering into windows. For most Kingstonians, the posts don't really mean much as the agents aren't looking for them. But for many in the city's growing immigrant community, warnings of raids by Immigration and Customs Enforcement are a deadly serious matter. While it's unclear whether ICE is actually increasing its efforts to detain and deport undocumented residents, harsh rhetoric and promises of even harsher treatment by President Donald J. Trump have prompted new efforts by grassroots groups and local governments to thwart federal immigration enforcement. "ICE has always been in and out of Kingston but in the past it was mostly outside of probation offices, courts, government

offices," said Diana Lopez, a community organizer for immigration advocacy group Nobody Leaves Mid-Hudson. "But now it's to the point where they're knocking on doors. It's terrifying." Earlier this month, ICE agents visited several locations in Midtown Kingston, apparently seeking out individuals wanted for deportation. (A spokeswoman for New York's ICE office did not return an email and several calls seeking comment). It's unclear if the enforcement action was part of a nationwide crackdown targeting some 2000 undocumented immigrants subject to removal orders, mostly based on criminal convictions. Trump's recent tweets about the threatened large-scale enforcement action sent a wave of fear through local immigrant communities, in part because of ICE's policy of "collateral apprehension." This allows agents to detain any undocumented immigrants they come across in the course of their duties, whether or not they are on the target list. Lopez said that fear was palpable in Midtown Kingston. "You look at Broadway and normally there's a lot of people there," said Lopez of the day of the ICE action. "But it was a ghost town." Nobody Leaves Mid-Hudson offers a range of services for undocumented immigrants facing stepped-up enforcement by ICE. Lopez said the group fields phone calls from area residents seeking information about ICE activity, arranges rides for people who are worried about walking to work and helps set up guardianship arrangements for the American-born children of people threatened with deportation. The group also helps educate immigrants about their rights when dealing with ICE officials. (Courts have long held that undocumented immigrants have the same due process rights as other Americans). Despite the declarations of non-cooperation and the rise of advocacy groups like Nobody Leaves Mid-Hudson, it's unclear whether ICE is actually increasing its activity. Nationwide, the number of undocumented immigrants deported ticked up to 256,000 last year compared to 235,000 in 2015. But those numbers remain far below the record of 409,000 deportations in 2012 as then-President Obama initiated a crackdown in an ultimately unsuccessful effort to win Republican support for an immigration reform bill. In a recent article in The New York Times, current and former officials in the Department of Homeland Security, which includes ICE, described Trump's growing frustration with the agency's inability to carry out the mass roundups and deportation on undocumented immigrants that he promised in his 2016 campaign. That inability is largely a function of resources — ICE and immigration courts simply lack the capacity to detain and process more than a tiny fraction of the estimated 11 million undocumented immigrants in the country.

[NY] Where local law enforcement draws the line on ICE, — and where those lines are blurred

[WXXI](#) [8/5/2019 7:27 AM, Noelle E. C. Evans, 9K, NY] reports on July 16, an Orleans County family found themselves the target of a U.S. Immigration and Customs Enforcement operation. "I would have never thought this would happen to one of my close family it's just unbelievable," Cody Gomez said. "My uncle was going to work and he got pulled over by the ICE patrols and he got detained. Gone to Batavia," Gomez added. ICE Officers arrested Antonino Hernandez-Bautista and brought him to a federal detention center in Batavia. Officers then went to the family's Albion house for his wife, Lucila, who was with the family's oldest daughter. "I didn't open the door, and later they said, 'if you don't open the door we'll go out and come back with a judge's order and we're going to take you with us and we're going to take your kids,'" Lucila said in Spanish. It all took place within Orleans County Sheriff Randy Bower's jurisdiction. Orleans is one of nine counties in the Rochester regional area — all surrounding or encompassing the city of Rochester, which, as Deputy Mayor James Smith says, is a designated sanctuary city. "If ICE is going to be targeting immigrants and refugees that's not something we support and it's not something we're going to assist them with," Smith said. That said, those nine counties surrounding the

city are not sanctuary counties. Monroe County Sheriff Todd Baxter says that their law enforcement cooperates with ICE as it would with any other federal agency. They do not go beyond their limits as local law enforcement.

[MD] County to launch audit into sheriff's office participation in 287(g) program

[Frederick News-Post](#) [8/5/2019 9:13 AM, Steve Bohnel, 28K, MD] reports Frederick County is launching an audit into the sheriff's office's cooperation with Immigration and Customs Enforcement, the county executive announced Monday. County Executive Jan Gardner (D) announced an independent, third-party audit to determine how much county money is used in the program. The audit is not of the federal 287(g) program, Gardner said. The audit will take a few months to finish, Gardner said, but no timeline is available yet.

[FL] Immigrant Activist Group Wants Transparency After Homestead Facility Moves Out All Unaccompanied Minors

[CBS Miami](#) [8/5/2019 12:28 PM, Staff, 96K, FL] reports an activist group is demanding transparency after the Homestead facility for unaccompanied minors reported that all of the children they had sheltered have been moved out of the site. The U.S. Department of Health and Human Services announced Saturday that the children, "have either been reunified with an appropriate sponsor or transferred to a state-licensed facility within the ORR network of care providers as of August 3, 2019." On Monday, the Florida Immigrant Coalition held a news conference in front of the facility, wanting to know how many of the children went to their facilities and how many were released to family members or sponsors. The shelter was emptied reportedly because of a looming tropical storm threat and according to the federal government, they will not be back. Since the facility's activation in March 2018, about 14,300 unaccompanied minors were brought to the site, according to HHS. The department said no new children had been placed in the facility since July 3, 2019. Caliburn International, the company which runs the facility, is expected to keep the facility open with a skeleton staff of around 300 employees, in case the Trump administration plans to send more children or permanent shelters become too crowded. "We will continue working with Health and Human Services Office of Refugee Resettlement to support their requirements in providing bed capacity as needed at Homestead for future unaccompanied alien children care and services. Our top priority will always remain providing a safe and caring environment for UAC while striving to expeditiously unite them with appropriate sponsors."

[OH] Twitter Account Allegedly Linked to Ohio Shooter Retweeted Doxxing of ICE Employees

[Breitbart](#) [8/5/2019 3:18 PM, Joel B. Pollak, 2034K] reports that Twitter suspended the alleged account, @iamthespookster, on Sunday evening after several outlets had reported it belonged to the Ohio shooter, who murdered nine people and wounded dozens more before being fatally shot by police. Screen-grabs of the @iamthespookster account showed tweets that supported socialism, opposed the election of Donald Trump, and backed Sen. Elizabeth Warren (D-MA) for president in the 2020 election. The @iamthespooksteraccount also re-tweeted a post by a Twitter user going by the name "@poohcowboy_drew," who produced "a list of people who work for ICE" and encouraged readers to harass them into quitting their jobs. The name on the @poohcowboy_drew account appears to have been changed, and its tweets have been protected from view by the owner of the account. In addition, other tweets showed hostility toward ICE. One tweet from @iamthespookster urged, "slice ICE tires."

[TX] The El Paso shooting suspect wrote a 'manifesto,' police say. It was filled with anti-immigrant and racist language

[CNN](#) [8/5/2019 7:55 AM, Christina Maxouris] reports the 21-year-old shooter who killed at least 20 people and injured 26 others in an El Paso, Texas, Walmart on Saturday is believed to have authored a racist, anti-immigrant document that laid out a dark vision of America overrun by Hispanic immigrants. With the hate-filled writing, which authorities called a 'manifesto,' were the words: "I'm probably going to die today." Sources identified the suspect as Patrick Crusius, of Allen, Texas. He has been charged with capital murder and is being held without bond, El Paso Police Sgt. Robert Gomez said Sunday evening. The four-page document, titled "The Inconvenient Truth," was published on the online message board 8chan about 20 minutes before the shooting. The writing is filled with white supremacist language and racist hatred aimed at immigrants and Latinos, and the author says he opposes "race mixing" and encourages immigrants to return to their home countries. Some of the language of the manifesto reflects ideas from President Trump, Fox News and the modern Republican party. For example, the document warns of a "Hispanic invasion" and says Democrats are using "open borders" and "free healthcare for illegals" to attract new voters.

[Newsweek](#) [8/5/2019 12:41 PM, Chantal Da Silva, 2245K, NY] reports U.S. immigration authorities have been pushing to shut down "false rumors" they say are being spread to suggest that federal agents have been "targeting victims" of Saturday's mass shooting in El Paso, which is being investigated as an act of domestic terrorism. On Sunday, both the U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection agencies sought to dispel apparent rumors suggesting federal agents might be carrying out enforcement operations against the Hispanic and immigrant communities targeted in Saturday's shooting, which left 20 people dead and more than two dozen others injured. "Rumors continue to circulate on social media that CBP/Border Patrol is targeting victims of the tragic shooting," the CBP West Texas division tweeted. "These statements are untrue. CBP personnel have returned to regular duties which include hospital watch duties for those in our custody requiring medical attention," the division said. In the hours after Saturday's shooting, CBP West Texas had sought to notify the public that its personnel, "including Border Patrol agents [and] Field Operations officers" had returned to their "regular duties" after responding to assist state, local and federal law enforcement partners as part of an all-law-enforcement-agency response. It said, "We are not conducting enforcement operations at area hospitals, the family reunification center or shelters. We stand in support of our community."

In a similar statement, ICE also sought to dispel apparent rumors that its agents were conducting immigration enforcement operations against El Paso residents. "Despite false rumors to the contrary, ICE does not conduct immigration enforcement operations during tragedies like the one that recently impacted El Paso, Texas," ICE said in a Twitter thread. "The men and women of ICE unite with the rest of our El Paso community in this sad and difficult time," the agency said. It added that its officers and special agents had been part of the "all-law-enforcement-agency response" to an "unprecedented [and] horrific event," asserting that "we always render aid to communities in distress [and] to our law enforcement partners." ICE said: "Instead we must stand as one community to focus on aiding the victims and their families." In the wake of Saturday's mass shooting, immigration advocates expressed concerns that members of the immigrant community might be afraid to seek medical help or other assistance after the attack over fears of being targeted by immigration authorities. That is likely why both CBP and ICE sought to clarify that they

would not be carrying out immigration enforcement operations in the immediate aftermath of the attack. Asked to expand on how long both agencies would be refraining from conducting immigration enforcement operations following Saturday's attack, both ICE and CBP referred Newsweek to their tweets.

The [Washington Post](#) [8/5/2019 4:52 PM, Kevin Sieff, 9425K] reports that for Central American migrants and asylum seekers on their way north, recent weeks have brought policies narrowing their legal avenues to life in the United States. On Saturday, came another threat to their dreams of refuge north of the U.S.-Mexico border: The killing of 22 people at a shopping center in El Paso, minutes after the online appearance of a manifesto complaining about a "Hispanic invasion of Texas." Eight Mexicans were killed in the attack. For those who heard about the event, it was another moment to rework the calculus that underpinned their decision to migrate. Was now the right time to move their families to the United States? "It seems anyone with mental problems can buy a gun and kill people," said Katerine Morales, 28, a Nicaraguan asylum seeker waiting in southern Mexico with plans to travel to the U.S. border. Morales had heard vague details about the El Paso attack through other migrants in the Mexican state of Chiapas. It was part of the paradox of the United States, as she saw it, a country reckoning with its own problems of violence, but where law and order and economic opportunity seemed to prevail. Where she said was attacked by soldiers after attending protests against President Daniel Ortega last year, the United States remains a dream. "If I return home, I'll be killed or jailed," she said. "The U.S. still offers me stability." Rodrigo Carrillo, a coffee farmer in the Guatemalan state of Huehuetenango, has lived as an undocumented immigrant in the United States and is considering a return. "If my destiny is to be shot in the United States, that's it." Most migrants who have traveled to the United States in the past two years began their journeys with at least a vague sense of President Trump's views on migration.

Additional reporting:

[CNN](#) [8/5/2019 4:44 PM, Irene Sanchez, 6094K]

[Breitbart](#) [8/5/2019 3:17 PM, Bob Price, 2034K]

[Las Vegas Review Journal](#) [8/5/2019 5:42 PM, Gary Martin, NV]

[TX] UT researchers aiding Salvadoran teen were threatened with arrest by Mexican authorities

[KVUE News](#) [8/5/2019 6:02 PM, Jay Root, 88K, TX] reports that Stephanie Leutert, a prominent migration expert at the University of Texas at Austin, has been to a lot of hot spots along the U.S. Mexico border — and even deeper south on Mexico's dicey frontier with Guatemala. Nothing prepared her for the scene that played out on an international bridge connecting Mexico and Texas on Friday afternoon, when she says a high-ranking U.S. border official sent her back into Piedras Negras — straight into the arms of Mexican authorities who were openly and aggressively threatening to arrest her and two associates from the university. Their alleged crime: escorting a 15-year-old Salvadoran boy named Leonel — left alone after his single mom died — to the midway point of the bridge so he could seek asylum in Eagle Pass, Texas. Over the next hour, Leutert and two UT researchers said Mexican officials repeatedly told them that they had "committed a crime" and would be arrested, and that the boy had no right to be in Mexico and would be taken into their custody. What the Mexican authorities apparently didn't know is that the office of U.S. Rep. Will Hurd, R-Helotes, had gotten involved and had already reached out to U.S. authorities. Also furiously trying to help Leutert and her crew behind the scenes were the American Civil Liberties Union and a pro-immigrant group assisting Leonel. Neither Hurd

nor his spokeswoman immediately responded to calls and messages seeking comment for this article. In an emailed statement, CBP spokeswoman Margie Garza said the U.S. Privacy Act precludes the agency from "discussing the processing of specific individuals or details regarding to their interaction with CBP." "If a traveler has a complaint regarding their treatment, they can ask to speak to a supervisor or to a passenger service manager," Garza added.

[CO] GEO-run Aurora ICE Detention Center is isolating immigrants — some mentally ill — in prolonged solitary confinement

[Colorado Independent](#) [8/5/2019 3:38 PM, Susan Greene, CO] reports the former ICE detainee agreed to talk under one condition: That he be called "Elvis." The Salvadoran with a pompadour and an "I'd rather be in Memphis" T-shirt was pacing and singing to nobody in particular at the Commerce City park where we arranged to meet. He was still singing when the interview began. He sang in low, mournful tones about his mother's death when he was 9, and about the stepfather who abandoned him at 13. He sang about hitching rides to Mexico at 15 and at 16 spending all the money his mother left him so he could hide in an auto parts truck to cross the border into Texas. He sang about singing her favorite songs in his church choir and at his job as a gutter installer, and about moonlighting as an Elvis Presley impersonator when he can get the work. His song stopped when our interview turned to the day Immigration and Customs Enforcement (ICE) agents came to question him about an unresolved DUI, and how those questions landed him in the Aurora ICE Processing Center because he is undocumented. It wasn't, he admits, entirely unexpected. But what he didn't expect, he says, was that while in detention, he would be placed into isolation 23 hours a day for reasons that, years later, still make the baritone weep. According to ICE's standards manual, the agency strives to segregate detainees for no more than 30 days, unless a case involves "extraordinary circumstances." A Colorado Independent analysis of ICE's data finds that GEO isolated detainees in solitary confinement for an average of 45 days. Of the 123 placements listed, the shortest stint was two days and the longest nine months. Though the records came from ICE, its Colorado spokeswoman, Alethea Smock, wrote in response to questions from The Independent that the agency "has no information on these cases at this time in our restrictive housing units and we cannot verify statistics gathered from outside our organization." Neither ICE nor GEO will say how many detainees are currently in segregation in Aurora, nor how many have been isolated there in the past two years. "We don't have this information available at this time," Smock wrote. ICE tells The Independent that it "ensures detention facilities comply with ICE detention standards through an aggressive inspections program." Detention centers that aren't in compliance with its standards, it noted, are shut down under the U.S. Department of Homeland Security Appropriations law. An email from the agency pointed out the creation in 2009 of the Office of Detention Oversight (ODO), an independent body that conducts inspections intended to put extra scrutiny on detention center compliance with standards. "ICE does not tolerate any mistreatment or abuse of people in our custody," John Fabbriatore, acting field office director for ICE's enforcement and removal operations in Denver, wrote in a statement for this story.

[NM] Border Patrol checkpoints reopen in New Mexico

[Las Cruces Sun-News](#) [8/5/2019 2:00 PM, Lucas Peerman, 12K, NM] reports the U.S. Border Patrol checkpoints in the El Paso Sector have reopened. The inland checkpoints were closed in late March to allow agents to help process the large number of migrants crossing ports of entry and illegally crossing in desert areas, officials said at the time. The influx of migrants has slowed in recent months. Also, the Trump administration's "Remain in

Mexico” program has been utilized to keep asylum-seekers in border cities while awaiting hearings in U.S. immigration courts. "While the El Paso Sector is still experiencing significantly higher traffic in our area, the funding for additional infrastructure, along with personnel support from government agencies throughout the country has allowed a significant number of agents to return to their primary assignments, to include immigration checkpoints," the Border Patrol stated in a news release.

[CO] Group protests at Denver-area immigration detention center

[Associated Press](#) [8/5/2019 8:07 PM, Staff, CO] reports Activists protested at an immigration detention center in suburban Denver where a group of people last month replaced the American flag out front with a Mexican flag. Organizers of Monday evening's protest outside the privately-run GEO Group center asked on Facebook that participants bring signs and noisemakers and reminded them to conduct themselves in a "peaceful manner." A July 12 protest against the Trump administration's immigration raids drew about 2,000 people to the center, which contracts with Immigration and Customs Enforcement. Police say hundreds of them crossed a makeshift barrier to trespass onto the center's property, and some pulled down the American flag and two others.

[OR] 14 people released following peaceful Portland ICE protest

[Oregonian](#) [8/5/2019 1:02 PM, Christina Morales, 513K, OR] reports Zia Laboff said she's lucky she went home Friday after she and more than a dozen protestors were arrested for blocking the driveway of Immigration and Customs Enforcement's Southwest Portland office. Laboff and 13 others were released over the weekend. Most of the protestors were released Friday in front of the Portland Gus J. Solomon courthouse Friday with a citation for failure to comply with direction after they blocked the entrance to the ICE office at 4310 SW Macadam Ave., said Robert Sperling, a spokesman for the Federal Protective Service. At least two people arrested were a part of Jewish Voice for Peace Portland, based at PSU. The protest, which brought together a crowd of about 60 protestors, was led by Jewish leaders and immigration rights activists. They demanded that elected officials close border detention centers, defund ICE and Customs and Border Protection and provide permanent protection for undocumented immigrants, refugees and asylum seekers. This rally was part of the Never Again movement, a nationwide political action in which Jewish people protest against ICE raids and the treatment of migrants at detention facilities.

Reported similarly: [Edwardsville Intelligencer](#) [8/5/2019 2:47 PM, Staff, 7K, IL]

[CA] Jewish activists led protest outside L.A. company claiming it's profiting off detentions made by ICE

[ABC7](#) [8/5/2019 7:05 PM, Staff, 5K, CA] reports that several people were arrested at a Los Angeles company that operates private prisons. More than 100 Jewish activists led the protest outside the GEO Group in an effort to shut down their offices and close down detention facilities. Protesters claim the company is profiting off detentions made by Immigration and Customs Enforcement. "The conditions inside their facilities are inhumane. Asylum seekers are not receiving medical treatment that they need. They're not able to be in contact with their lawyers, with their loved ones, so we're here to stand up against their contracts with ICE," said Sam a Never Again Action member. Police arrested some protesters who went inside the building. The GEO group is accusing the protesters of spreading what it is calling gross misinformation and false rhetoric. The GEO group said it is concerned with the humanitarian crisis at the border. [Editorial note: consult source link for video]

[CA] Delano City Council votes to declare itself a 'sanctuary city'

[KGET](#) [8/5/2019 10:00 PM, Jose Franco and Karen Hua, 14K, CA] reports that the Delano City Council voted Monday night to declare itself a "sanctuary city" in accordance with California's SB-54 legislation. Delano City Councilmember Bryan Osorio said the council voted 4-1 in favor of an amended resolution declaring the city a "sanctuary city" becoming the only city in Kern County to do so. Aguirre told 17 News he did not want to mislead migrants into thinking they would be free from ICE actions in the city. "The reality of it is ICE can come to Delano anytime they want and enforce the law. They're the federal government," he said. Aguirre added the city is at risk of losing federal funding because of its "sanctuary city" status. The resolution is viewed as more symbolic, as the resolution would not prevent federal immigration agents from being in public spaces, including courthouses. Delano's police chief Robert Nevarez has said police officers do not participate in ICE operations. California's SB-54, also known as the California Values Act, prohibits local law enforcement from working with or assisting federal immigration agencies, but does allow for sharing information on potentially violent offenders.

[Mexico] Mexico Detaining Fewer Migrants As Crisis Shows Signs Of Waning

[The Daily Caller](#) [8/5/2019 1:40 PM, Jason Hopkins, 785K, DC] reports that monthly migrant apprehensions in Mexico have begun to slow down, indicating that the government's recent border crackdown is yielding results. Authorities in the country apprehended 18,758 migrants in July, according to preliminary data from Mexico's immigration agency, reported by the Wall Street Journal. While this number is more than double the amount detained in the same month last year, it is a decline from the record-setting 31,573 apprehensions in Mexico that took place in June. The Mexican government says the slowdown in apprehensions is a result of the 40% drop of U.S.-bound illegal immigrants flowing through its country from May to July. Marcelo Ebrard, Mexico's foreign relations secretary, revealed in late July that the amount of mostly Central American migrants traveling through its country fell from 144,278 in May to 87,648 in June. Ebrard specifically credited his government's dramatic suppression of illegal immigration, spurred on by pressure from the Trump administration. President Donald Trump threatened to slap a 5% tax on all Mexican products, and would increase this tax rate, unless their government agreed to step up border enforcement. The majority of the Mexican public supports removing illegal immigrants, and Lopez Obrador has enjoyed high poll numbers since embarking on migrant raids.

[Mexico] Migrant troubles in Mexico

[Washington Times](#) [8/5/2019 12:36 PM, Mark Heckler, 452K, DC] reports that a new survey conducted by The Washington Post and Mexico's Reforma newspaper shows that Mexicans are sick and tired of migrants traveling through their nation in an attempt to get to the United States. As people from Central America flood their nation, more than 6-in-10 Mexicans complain these migrants are stealing jobs and benefits from Mexicans. A majority wants to deport them. As new U.S. policies have forced more asylum seekers to stay on the south side of our border as they wait for incredibly backlogged hearings, northern Mexico is indefinitely full of caravans of people sleeping in public spaces, and hoping for handouts of food and clothing. President Andres Manuel Lopez Obrador will give these migrants work permits, but did not specify who was going to actually take care of their other needs. This angered the governors of Coahuila, Nuevo Leon and Tamaulipas, who blamed the administration for not providing enough resources. They even signed a public statement saying they no longer could offer resources to the overwhelmed regions. "The number [of migrants] that the federal government is talking about is impossible for us to deal with," said

the governor of Coahuila, Miguel Angel Riquelme Solís. Seems like the ruling elite of both countries are not willing to do as the people desire: to “secure our borders.” In response, Mr. Lopez Obrador — a longtime advocate of migrant rights — has decided to increase Mexico’s immigration enforcement. Instead of suffering a public backlash, 51 percent of Mexicans support using their national guard to stem the tide of undocumented immigrants. “Many expected Lopez Obrador — who once compared Trump’s hostility toward Mexicans to the way Adolf Hitler spoke of Jews — to condemn the U.S. president,” according to Kevin Sieff and Scott Clement of The Washington Post. “Instead, he has largely submitted to Trump’s demands on migration.” Turns out, Mexicans feel like the average red-hat wearing Trump supporter in the United States.

Legal News

[TX] Justices Asked To Clarify Damages In Cross-Border Shooting

[Law360](#) [8/5/2019 8:53 PM, Sarah Martinson] reports the parents of a Mexican teen fatally shot by a U.S. border agent asked the U.S. Supreme Court on Friday to set the record straight about when victims can collect damages for the unlawful actions of federal agents. After justices in May agreed to review the case of the teenager who died while playing around the U.S.-Mexico border, Jesus C. Hernandez and Maria G. Güereca Bentacour argued in their opening brief that circuit courts have repeatedly misinterpreted a 1971 Supreme Court ruling on when victims may collect money damages for violations of constitutional rights by a federal officer, when there is no alternative legal remedy. The parents contended that these misinterpretations — of *Bivens v. Six Unknown Named Agents* — are harmful because if damages are not awarded when they ought to be, victims are left without legal means to challenge the wrongdoings of law enforcement officers, according to their brief. The Supreme Court is taking up the case for a second time after the Fifth Circuit decided the parents lack grounds to sue the border agent who shot their son and recover damages. The circuit court had concluded that the parents were not entitled to damages for the 2010 shooting of their 15-year-old son because the circumstances of their son’s death did not bear enough similarities to other cases in which *Bivens* damages were awarded. But the parents said their case followed the exact formula for *Bivens* damages that the Fifth Circuit had outlined in the 1987 case, *Sutton v. United States*.

[AZ] Motel 6 settlement over immigration calls clears hurdle

[Associated Press](#) [8/6/2019 1:08 AM, Staff, AZ] reports that a federal judge in Arizona has granted preliminary approval of a settlement in the case involving thousands of Motel 6 guests said to have had their privacy violated when the national chain gave their information to immigration authorities. The Mexican American Legal Defense and Educational Fund rights group sued Motel 6 in January 2018, saying that giving guests’ information to immigration agents without a warrant violated privacy and civil rights laws. The settlement proposes to make up to \$10 million available for claims by members of the class action lawsuit. U.S. District Judge David Campbell had told attorneys for Motel 6 and MALDEF last month that he would approve the preliminary settlement if minor changes were made in the document. Campbell granted preliminary approval last Friday.

Reported similarly: [Law360](#) [8/5/2019 5:30 PM, Joyce Hanson]

Enforcement News

[CT] Norwalk man faces deportation after domestic dispute

[Norwalk Hour](#) [8/5/2019 2:19 PM, Pat Tomlinson, 14K, CT] reports a city man could be deported after a domestic incident on Sunday, according to police. Bryan Bueso-Chaver, 24, landed on the U.S. Immigration and Customs Enforcement's radar after police responded to his Belle Avenue home around 10:30 p.m. on reports of an assault. Police said Bueso-Chaver's girlfriend and her 4-year-old child were watching television when he woke up in a rage and began to assault the mother. He then said he was going to kick the woman and her child out of the house, police said. When officers arrived, police said they found the child "crying hysterically." Police said the assault stemmed from an incident the day before when the woman's ex-boyfriend, the father of her child, dropped off toys and clothes for his kid. Bueso-Chaver was arrested at the scene and charged with third-degree assault and risk of injury to a child. He was held on \$10,000 bond and was scheduled to appear Monday in court. ICE later put a detainer on him, citing the fact that the Honduras native had previously been deported for illegal immigration.

[WI] Local man Ricardo Fierro deported 1 year after being detained by ICE

[Journal Times](#) [8/5/2019 6:07 PM, Jonathan Sadowski, WI] reports Ricardo Fierro, the well-known community activist and volunteer whose arrest last year by Immigration and Customs Enforcement sparked protests, was deported to Mexico on Friday after a yearlong legal battle, ICE spokeswoman Nicole Alberico confirmed Monday. Fierro, 40, a Case High School graduate, was apprehended by ICE agents at his home on July 24, 2018. He was transferred to several different detention centers in Wisconsin before ending up in Jerome Combs Detention Center in Kankakee, Ill. ICE agents "removed" Fierro to Mexico on Friday, Alberico said; the jail confirmed he was transferred out but was not able to confirm to where or why he left the jail. Linda Boyle, director of the Racine Interfaith Coalition, which first made the news public in a Facebook post on Saturday, said Fierro contacted his family from Mexico, where he is getting settled. He plans to issue a formal letter regarding his current status this week, Boyle said.

[TX] Illegal Alien Who Allegedly Killed 19 Senior Citizens Facing Death Penalty

[NTD](#) [8/5/2019 10:05 AM, Zachary Stieber, 66K] reports an illegal alien from Kenya who has been linked to at least 19 murders is facing the death penalty. Billy Chemirmir, 46, is accused of going on a killing spree across Texas, taking the lives of senior citizens before stealing from their homes. Plano Police Chief Gregory Rushintold reporters last year that the Kenyan national used his "health care experience to his advantage, targeting and exploiting seniors," calling it "terribly disturbing." Now Dallas County prosecutors are seeking the death penalty against Chemirmir. District Attorney John Creuzot's office filed paperwork in late July seeking capital punishment in the case of the alleged serial killer, according to county court records obtained by the Dallas Morning News. A trial date has not been set in the case as of yet and Chemirmir remains in jail on \$11.6 million bail. Immigration and Customs Enforcement has placed an immigration hold on him since he is in the United States illegally.

[NV] Mother detained by ICE granted bond; now children scramble to raise \$5,000

[Nevada Current](#) [8/5/2019 6:07 PM, Michael Lyle, NV] reports that after spending a month in the U.S. Immigration and Customs Enforcement detention center housed in the Henderson jail, Adriana Arellano Cruz was offered release on \$5,000 bond from an immigration court judge. That left her three children, Omar, 21, Kimberly, 16, and AJ, 12, scrambling to secure the money, which they hope to have by Tuesday morning in order for their mother to be released and finally come home. In an emotional day in court in front of

immigration judge Ann McDermott, the Cruz family sat for hours and waited to hear whether their mother would come home. The children, along with their immigration attorney Hardeep Sull, have been fighting to get Cruz released ever since she was detained in July. In a statement issued last week, ICE said Cruz would wait in custody pending the official outcome of her immigration case, but didn't elaborate on why. Cruz was originally picked up on a traffic violation in 2011, where she was handed over to ICE. She was then released on bond. In court Monday, the U.S. Department of Homeland Security argued that Cruz violated the conditions of her bond after failing to show up for a court appearance, resulting in a deportation order in 2017. Sull questioned whether her client was properly notified of the court appearance or the 2017 deportation order. Typically bail provisions do not apply in immigration cases, meaning the family can't go through a bail bondsman. They are relying on a GoFundMe account they had set up to collect donations after they were evicted, and also plan to reach out to family members. Sull stressed the importance of getting the money as quickly as possible in case the government appeals the decision, which could delay the bond and Cruz's release.

{End of Report}

From: [Mattingly, Kathryn \(EOIR\)](#)
To: burt.squires@techmis.com; [Elizee, Vern V. \(EOIR\)](#)
Cc: [Ruffino, Lou \(EOIR\)](#)
Subject: RE: Invoice: 2019-DOJ-EOIR-CLAD-11 (EOIR News Briefing Services)
Date: Tuesday, August 6, 2019 10:30:00 AM

Good morning Burt – Thank for sending the invoice. Best – Kathryn

From: Burt Squires - TechMIS <burt.squires@techmis.com>
Sent: Monday, August 05, 2019 7:09 AM
To: Elizee, Vern V. (EOIR) <Vern.Elizee@EOIR.USDOJ.GOV>; Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@EOIR.USDOJ.GOV>
Cc: Ruffino, Lou (EOIR) <Lou.Ruffino@EOIR.USDOJ.GOV>
Subject: Invoice: 2019-DOJ-EOIR-CLAD-11 (EOIR News Briefing Services)

Hi Vern & Kathryn,

Please find the attached invoice for EOIR News Briefing Services for the period 7/1/19 to 7/31/19.

Thank you,

Burt

From: [Mattingly, Kathryn \(EOIR\)](#)
To: [Michaela Dietz](#)
Subject: RE: EOIR Morning Briefing, August 9, 2019
Date: Friday, August 9, 2019 8:45:00 AM

Thanks so much. Have a nice weekend!

From: Michaela Dietz <michaela.dietz@techmis.com>
Sent: Friday, August 9, 2019 8:19 AM
To: Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@EOIR.USDOJ.GOV>
Subject: Re: EOIR Morning Briefing, August 9, 2019

On it now, thanks!

On Aug 9, 2019, at 08:18, Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@usdoj.gov> wrote:

Good morning Michaela – Can you please cut the story below and republish? While there is a mention of the ERO building, the story is not immigration related. Thanks in advance. – Kathryn

(b)(5) DP



From: EOIR Daily <eoir@techmis.com>
Sent: Friday, August 9, 2019 7:25 AM
To: michaela.dietz@techmis.com
Subject: EOIR Morning Briefing, August 9, 2019

<image001.png>

EOIR MORNING BRIEFING

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

[Mobile User Copy and Searchable Archives](#)

Friday, August 9, 2019

[Executive Office for Immigration Review](#)

[\[FL\] South Florida Attorneys Bring Help For Migrant Kids That Have To Face U.S. Courts On Their Own](#)

[Policy and Legislative News](#)

[680 undocumented workers arrested in record-setting immigration sweep on the first day of school](#)

[Homan Calls out Castro for Balking the Deportation of Hundreds: 'If You Don't Like It, Change It'](#)

[Illegal crossings at U.S. southern border drop for second consecutive month](#)

[Department of Homeland Security Launches Investigation Into Secret Database at the Border](#)

[In Guatemala, Pelosi says migrant treatment 'shameful', worries about Trump deal](#)

[Homeland Security power struggle: McAleenan fights for control against immigration hardliners](#)

[Deported to Death: What It Means to 'Go Back' to Somalia](#)

[\[NY\] ICE reportedly targets city shelter for first time since Trump's election](#)

[\[VA\] Norfolk sheriff appears to be quietly ending controversial immigration detainee program](#)

[\[TN\] Nashville mayor releases Spanish-language video on how to avoid ICE](#)

[\[MI\] ACLU of Michigan urges police, sheriffs: don't detain people for ICE](#)

[\[IL\] Muslim initiative raises \\$13,000 to release detained migrant parents](#)

[\[WI\] An entire Lutheran denomination has declared itself a 'sanctuary church body,' signaling support for immigrants](#)

[\[TX\] Dozens of Border Patrol agents and officers rushed to the scene of El Paso shooting](#)

[\[NM\] New Mexico Denies ICE Request for Access to Workforce Data](#)

[\[NV\] Las Vegas vigil mourns El Paso, condemns white supremacy](#)

[\[WA\] 'A never-again moment': Jewish protesters join fight against ICE, Tacoma detention center](#)

[\[WA\] Minimum wage ruling goes in part against firm that runs Tacoma's immigrant detention center](#)

[\[OR\] Judge: Feds Wrongfully Interfered With \\$6M In Grants Over Oregon Sanctuary Law](#)

[\[Mexico\] Number of migrants waiting at US border rises to 40,000](#)

[\[Guatemala\] Guatemala's next president likely to face pressure from Trump over 'safe third country' agreement](#)

Legal News

[\[MA\] ICE Must Report Detentions In Suit Over Spouse Deportations](#)

[\[WA\] Judge again refuses to dismiss lawsuit over \\$1-a-day wages for immigrant detainee workers](#)

Enforcement News

[\[NY\] Woman Who Threatened East High Will Remain In Custody, Fights Deportation](#)

[\[PA\] U.S. Attorney Slams Philadelphia For Playing Games With Illegal Alien Known As 'Rittenhouse Rapist'](#)

[\[MI\] A death in Iraq belies Trump's religious freedom agenda](#)

[\[IL\] Sanctuary State Likely to Free Illegal Alien Accused of Killing Father of Two](#)

[\[IA\] Ahead of hearing, attorneys for man accused of killing Mollie Tibbetts further argue that undocumented immigrant's rights were violated](#)

[\[TX\] Undocumented immigrant on trial, accused in killing Northwest Vista student, burning body](#)

[\[CO\] People detained by ICE during enforcement operation in Granby Thursday](#)

[\[AZ\] Food, showers and 24/7 medical care: Inside the new immigrant holding center in Yuma](#)

Executive Office for Immigration Review

[FL] South Florida Attorneys Bring Help For Migrant Kids That Have To Face U.S. Courts On Their Own

[WLRN](#) [8/8/2019 12:27 PM, Madeline Fox, 15K, FL] reports South Florida facilities for unaccompanied minors who crossed the U.S. border have loomed large in the debate over the treatment of the youngest immigrants. The removal of Homestead's last remaining children from the facility over the weekend marked the end of its controversial place in the immigration discussion. Homestead was only one of four facilities holding immigrant children in South Florida. The newest opened earlier this summer in Lake Worth. All of them have gotten regular visits from Americans for Immigrant Justice, a law and advocacy firm based in Miami. "Family separation was really hard on our staff, and it was even harder on the kids we serve," said Anzardo Valdes, head of the AIJ's Children's Legal Program. "I think it was the first time where we were seeing extremely small children, and where we felt helpless in many ways because all they would ask us about was where was their mom and where was their dad and we just really had no idea, because of the record keeping that the government had at the time." AIJ provides legal services to the children in facilities such as the Lake Worth immigration facility, providing Know Your Rights information, legal screenings, and referrals to pro bono attorney across the country. "In immigration there is no right to government-funded attorneys," Valdes explained, "so if the child does not present themselves in court with an attorney, then they are expected to present their case on their own and face the judge on their own. We also provide direct representation for children whose immigration court case gets started while they're at the facility or if they have no sponsor." Valdes said that many of the children the AIJ works with "come from really horrific backgrounds." "It's not uncommon for us to hear children talk about family members who have been murdered, children talk about how they have been raped or assaulted by gang members, even sometimes by their own family." [Editorial note: consult source link for audio]

Policy and Legislative News

680 undocumented workers arrested in record-setting immigration sweep on the first day of school

[CNN](#) [8/8/2019 9:10 PM, Diane Gallagher and Madeline Holcombe, 6094K] reports after immigration authorities rounded up hundreds of workers in a massive sweep at seven Mississippi food processing plants, friends and family members are desperately searching for answers. A crowd waited outside a plant in Morton, Mississippi, on Thursday morning, hoping authorities would release their loved ones. Many had been by later in the afternoon. Video footage from CNN affiliates and Facebook live showed children sobbing as they waited for word on what had happened to their parents. Authorities hailed the sweep at food processing plants in six cities as a record-setting operation. At least 680 undocumented immigrants were detained. More than 300 migrants have been released, Bryan D. Cox, an ICE spokesman, said in a statement. The arrests came as a result of administrative and criminal search warrants executed by special agents from Homeland Security Investigations, federal officials said. ICE Acting Director Matt Albence told reporters Wednesday that some parents would be released with GPS ankle monitors but allowed to go to back to their homes as their immigration proceedings continued. In the past, he

said, the agency has worked with school liaisons to help "find placement" for children when their parents are detained. "Each case, depends on the individual circumstance. A parent being apprehended ... happens throughout law enforcement," he said. "You go out to any jurisdiction, state, local or otherwise, and they make an arrest of somebody, and that individual is a parent, that individual is going to go to jail, and that child's going to be left alone or with a family member."

[FOX News](#) [8/8/2019 4:16 PM, Adam Shaw, 10258K] reports that almost half of those arrested in a mass Immigration and Customs Enforcement [ICE] roundup of illegal immigrants in Mississippi on Wednesday have already been released, officials announced Thursday. Immigration and Customs Enforcement (ICE) arrested 680 "removable aliens" at several food processing plants in Mississippi, in what had been deemed the largest single-state immigration enforcement operation in U.S. history. However, by Thursday almost half of those detained had been processed and released back where they were initially picked up by authorities. "Preliminarily, it appears that approximately 30 detained aliens were released yesterday on humanitarian grounds at the individual sites where they were initially encountered, and another 270 detained aliens were released after being processed by [ICE's Homeland Security Investigations] at the National Guard base in Pearl and returned to the place where they were originally encountered," the U.S. Attorney's Office for the Southern District of Mississippi said in a statement. ICE had said in a statement late Wednesday that those unlawfully present were being interviewed to note any "potential mitigating humanitarian situations" and the agency was determining on a case-by-case basis who would be detained and who would be released. In an email to The Associated Press, ICE spokesman Bryan Cox said that those released "were placed into proceedings before the federal immigration courts and will have their day in court at a later date."

The [Washington Post](#) [8/8/2019 9:08 PM, Tim Craig, Scott Wilson, and Nick Miroff, 9425K] reports that U.S. authorities strongly defended Wednesday's mass immigration raids at Mississippi workplaces, saying the secretive operation to arrest undocumented immigrants was successful even as it led to images of weeping children arriving home to find their parents missing. The operation was so closely guarded that ICE officials did not even inform the White House before it began, according to Matthew Albence, the agency's acting director, and other administration officials. Because previous plans for high-profile ICE raids had been disrupted by public disclosure — including tweets from President Trump telegraphing them — the agency this time stealthily streamed 600 agents to Mississippi, many flown from other parts of the country. "This was a textbook operation, carried out in a safe manner, and done securely," Albence said while traveling in Guatemala on Thursday. "Officers were able to execute these warrants in a safe fashion." "The Department of Child Protection Services was not notified beforehand of the ICE activity, nor have we been contacted by them after the fact," said Lea Anne Brandon, a spokeswoman for the agency. "It is frustrating because we have resources on the ground, trained, ready and licensed to respond to emergency situations, and we could have provided services that instead appeared to be put together in a makeshift fashion." Jere Miles, the special agent in charge of

the New Orleans office of the Homeland Security Investigation (HSI) unit — which ran the ICE raids — said authorities took tremendous care to make sure no children were left in vulnerable situations. Miles said local schools were notified shortly after the raids began. Normally, when an immigrant is detained by ICE, other family members and neighbors rally to support the family. Albence said Homeland Security officials never considered calling off Wednesday's operation because of the shootings. "This has been planned for a long time," Albence said. "We had 600 people that were brought in. We had warrants that expire signed by a judge." Greg Nevano, assistant director of investigative programs for HSI, said the raids demonstrate the administration's determination to ensure the nation's employers comply with immigration and labor law. [Editorial note: consult source link for video]

[Newsweek](#) [8/8/2019 4:12 PM, Jason Lemon, 2245K, NY] reports that former Immigration and Customs Enforcement director Thomas Homan argued on Thursday that a crying child's father should be blamed, not ICE agents, after the immigrant parent was detained in a sweeping raid this week in Mississippi. During a segment of Fox News' America's Newsroom, co-host Sandra Smith asked Homan to respond to a widely circulated video of 11-year-old Magdalena Gomez Gregorio weeping and asking for her father to be released. "How do you respond to the little girl we just heard from?" Smith asked Homan. "It pulls at your heartstrings when you hear that." Although Homan briskly admitted that "it does" tug on people's emotions, he quickly shifted the blame to Gomez Gregorio's parent. "Immigration enforcement is always controversial and emotional, but you know what? The blame needs to be placed on the father," he said. "Her father came to this country illegally, he brought his child here illegally. Whether or not she was born here, he put his family in the position of being here illegally in violation of our laws," the former ICE official continued. "He should have took better action to protect his family," Homan said. Although Homan and the Trump administration have argued that ICE is focusing on arresting undocumented migrants with criminal records, locals in Mississippi told WJTV that many of those detained had never done anything wrong.

Additional reporting:

[Washington Post](#) [8/8/2019 3:28 PM, Phillip Bump, 9425K]

[New York Times](#) [8/8/2019 7:00 PM, Adeel Hassan, 22840K]

[New York Times](#) [8/8/2019 3:45 PM, Miriam Jordan, 22840K]

[The Hill](#) [8/8/2019 3:02 PM, Zack Budryk, 2806K]

[The Hill](#) [8/8/2019 2:02 PM, Marina Pitofsky, 2806K]

[Huffington Post](#) [8/8/2019 11:08 PM, Mary Papenfuss]

[Bloomberg](#) [8/8/2019 9:58 AM, Jennifer Kay]

[Reuters](#) [8/8/2019 10:16 AM, Staff, 5436K]

[Associated Press](#) [8/8/2019 4:35 PM, Jeff Amy and Rogelio V. Solis]

[NBC News](#) [8/8/2019 7:27 PM, Daniella Silva, 4138K]

[Breitbart](#) [8/8/2019 2:49 PM, John Binder, 2034K]

[Breitbart](#) [8/8/2019 2:05 PM, Pam Key, 2034K]

[Breitbart](#) [8/8/2019 8:17 AM, Staff, 2034K]

[NPR](#) [8/8/2019 5:09 PM, Staff, 5041K]

[NPR](#) [8/8/2019 5:09 PM, Staff, 5041K]

[UPI](#) [8/8/2019 2:45 PM, Sommer Brokaw, 303K]

[Newsweek](#) [8/8/2019 4:03 PM, Jessica Kwong, 2245K, NY]
[Newsweek](#) [8/8/2019 12:57 PM, Chantal Da Silva, 2245K, NY]
[Newsweek](#) [8/8/2019 7:05 AM, Chantal Da Silva, 2245K, NY]
[New York Magazine](#) [8/8/2019 3:02 PM, Hannah Gold, 1697K, NY]
[Washington Examiner](#) [8/8/2019 2:33 PM, Brad Polumbo, 855K, DC]
[Washington Examiner](#) [8/8/2019 2:05 PM, Mike Brest, 855K, DC]
[VOX](#) [8/8/2019 4:10 PM, Alexia Fernández Campbell, 3121K, DC]
[ThinkProgress](#) [8/8/2019 3:39 PM, Zack Ford, 469K, DC]
[Clarion-Ledger](#) [8/8/2019 3:46 PM, Alissa Zhu, 53K, MS]
[Clarion-Ledger](#) [8/8/2019 3:16 PM, Sarah Fowler, 53K, MS]
[Los Angeles Times](#) [8/8/2019 1:43 PM, Staff, 3575K, CA]
[Modesto Bee](#) [8/8/2019 6:00 AM, Nick Wooten, 34K, CA]

Homan Calls out Castro for Balking the Deportation of Hundreds: 'If You Don't Like It, Change It'

[Independent Journal](#) [8/8/2019 3:46 PM, Madison Dibble, 53K, VA] reports that former immigration official Tom Homan called out Rep. Joaquin Castro after he claimed recent deportations were designed to "strike fear" rather than enforce the law. Castro -who has been in hot water for publishing the names and businesses of his constituents who donated to President Donald Trump — reiterated his disdain for the president's policies by condemning the recent mass deportations that took place in Mississippi. Nearly 700 illegal immigrants were arrested following raids of several food processing plants in Mississippi, making it one of the largest single-state immigration raids in U.S. history. "Let's be clear: ICE raids of this scale are not conducted for the purposed of immigration enforcement. They're to strike fear in our communities in a time when Latinos are already living in terror." During an interview on Fox News' "America's Newsroom," Homan, who was the former acting director of ICE, called out Castro for condemning the enforcement of laws when he is a member of Congress. I think Congress is in the habit of creating laws, enacting laws that they didn't want to enforce. As a lawmaker, he needs to do one thing: He needs to go back and read the very statutes that Congress wrote about illegal immigration and harboring illegal immigrants. If you don't like it, change it, but don't vilify the men and women who strap a gun to their hip every day to do the job that Congress expects them to do. Homan told Castro that he "can't have it both ways" with law enforcement. "Either we enforce the laws or we don't," said Homan. "To not enforce the law means open borders and this country does not want open borders."

Illegal crossings at U.S. southern border drop for second consecutive month

[Washington Post](#) [8/8/2019 6:31 PM, Abigail Hauslohner, 9425K] reports that illegal crossings along the U.S.-Mexico border have fallen for a second consecutive month, fueled in part by Mexico's crackdown on Central American migration aimed at interdicting people before they reach the United States, Department of Homeland Security officials said Thursday. U.S. Customs and Border Protection saw its number of apprehensions drop 21 percent in July, to 82,000, the first time in five months that apprehensions have dipped below 100,000. Acting U.S. Customs and Border Protection Commissioner Mark Morgan said the drop from May to July was 43 percent, down from a recent

high of more than 144,000 in May. Morgan said the situation at the border — with a large influx of migrants, many from impoverished Central American countries — is still “in full-blown crisis.” Morgan said the drop is “unequivocally not the result of seasonal trends,” noting that the decline from May to July this year far exceeds the seasonal drop seen during the past five years, which he said averaged 9 percent. Instead, U.S. officials have credited several immigration approaches for the drop, notably Mexico’s cooperation — under threat of tariffs — in stopping migrants before they reach the U.S. border and other policies aimed at deterring migrants from attempting the journey. “Mexico has deployed almost 26,000 troops,” more than half of whom are working to interdict migrants along the U.S. border, Morgan said. “Mexico has apprehended almost 130,000 migrants this year to date. That’s almost double what they had a year before. And those efforts have been in the immediate wake of the June 7 tariff negotiations.” The United States has also focused on tamping down asylum claims, pushing some asylum seekers back into Mexican cities to await immigration court hearings and entering into an agreement with Guatemala that will allow U.S. authorities to send some asylum seekers there. Trump, who has made immigration policy a top priority for his administration, monitors the monthly numbers as an indication of whether his efforts to deter Central American migration are working, and he has erupted at Homeland Security officials in frustration when seeing the record highs. Both Morgan and Acting Homeland Security Secretary Kevin McAleenan, who on Thursday toured a new tent facility to hold migrants in Yuma, Ariz., emphasized the president’s accomplishments in describing the migration decline. Central American families and unaccompanied children, for whom U.S. law provides special protections, have constituted the majority of border apprehensions in recent months, presenting an additional strain on Homeland Security resources, officials say.

Reported similarly:

[Politico](#) [8/8/2019 6:55 PM, Ted Hesson, 2512K]

[US News & World Report](#) [8/8/2019 5:30 PM, Claire Hansen, 3196K]

[FOX News](#) [8/8/2019 4:46 PM, Gregg Re, 10258K]

[Washington Examiner](#) [8/8/2019 3:20 PM, Anna Giaritelli, 855K, DC]

Department of Homeland Security Launches Investigation Into Secret Database at the Border

[NBC San Diego](#) [8/8/2019 3:20 PM, Dorian Hargrove, Mari Payton, and Tom Jones, 133K] reports that The Department of Homeland Security has launched a widespread investigation into the secret government surveillance of journalists and activists at the U.S. and Mexico border. A letter from the Department of Homeland Security’s acting Inspector General, Jennifer Costello, released by a group of Democratic senators who inquired about the program, said “criminal investigators, program analysts, and attorneys” are now conducting an investigation into the secret database and will release those findings publicly. The documents obtained by NBC 7, showed the Trump Administration compiled a database of attorneys, immigration advocates, journalists who were affiliated with or covering the 2018 surge of thousands of migrants traveling from Central America to the U.S to seek asylum. The intelligence gathering efforts were done under the directives of “Operation

Secure Line,” a Department of Defense initiative to address increased border crossings as a result of the migrant caravan. Acting Inspector General Costello responded on July 15, stating the department had launched an investigation. “We plan to review the leaked...document in order to determine why it was created, what it is used for, and what happened to the people named in it,” reads Costello’s letter. “We also anticipate reviewing other specific allegations of targeting and/or harassment of lawyers, journalists, and advocates and evaluate whether [Customs and Border Protection’s] actions complied with law and policy.” [Editorial note: consult source link for video]

In Guatemala, Pelosi says migrant treatment ‘shameful’, worries about Trump deal

[Reuters](#) [8/8/2019 11:24 PM, Sofia Menchu, 5436K] reports that House of Representatives Speaker Nancy Pelosi criticized U.S. treatment of migrants during a visit to Guatemala, and raised doubts about whether the Central American country could cope with a migration deal agreed with the Trump administration. The accord will require migrants to seek asylum in Guatemala rather than in the United States. Critics question whether Guatemala, which suffers from high levels of poverty and violence, has the resources to handle a potential surge in asylum applications. Pelosi and the congressional delegation will also travel to El Salvador and Honduras, after which they are scheduled to visit U.S. detention centers in McAllen, Texas. “It’s really shameful what has happened on the border,” said Pelosi, who was meeting with representatives from the judiciary, civil society and rights groups in Guatemala. U.S. Acting Homeland Security Secretary Kevin McAleenan said this month that the United States wants similar agreements with Honduras and El Salvador. “The situation is improving by every available metric, but, I want to be very clear, that we remain at and beyond crisis levels in illegal crossings,” McAleenan said in a statement. According to Customs and Border Protection data, law enforcement actions against Guatemalan migrants fell by 41%, against Salvadorans by 21% and against Hondurans by 16% in July. Still, Guatemalan-born U.S. Democratic Representative Norma Torres said the deal was not realistic. “My personal position is that Guatemala is in no way capable of being a (safe) third country,” she said alongside Pelosi. Immigration, one of Trump’s signature issues in the 2016 presidential campaign, is already shaping up as a central issue in the November 2020 election. Democrats have sharply criticized Trump’s policies aimed at banning nearly all asylum-seekers from entry, warehousing detainees in crowded quarters and holding children separately from the adults they traveled with.

Reported similarly: [The Hill](#) [8/8/2019 10:09 AM, Tal Axelrod, 2806K]

Homeland Security power struggle: McAleenan fights for control against immigration hardliners

[CNN](#) [8/8/2019 4:32 PM, Geneva Sands, Priscilla Alvarez, Pamela Brown, 6094K] reports that on Friday, June 21, acting Homeland Security Secretary Kevin McAleenan went to the White House prepared to resign. Days earlier, President Donald Trump had issued a vague threat to deport “millions” of undocumented immigrants, providing few details of the effort and surprising officials within his own administration. McAleenan was concerned that the

operation was half-baked and too far-reaching in scope. And he felt undermined by subordinate immigration hardliners who had a direct line to the President over the issue that Trump cares most about, two sources familiar with the matter said. Then-acting Director of Immigration and Customs Enforcement Mark Morgan had begun hyping an upcoming operation targeting undocumented migrant families for deportation and was speaking directly with the President about it, according to a source familiar with the situation. Arriving at the White House, McAleenan met with the acting White House chief of staff Mick Mulvaney and his deputy Emma Doyle, to make his case. The raids, he said, would anger Democrats and jeopardize the administration's request for emergency funding for the border; they should be conducted in phases rather than all at once; and he argued the department needed more time to build out the proper messaging, said a former senior administration official. On June 22, Trump suspended the operation, citing objections from Democratic lawmakers. But it's not clear Democratic objections drove his decision and sources said Trump's decision to postpone the operation allayed McAleenan's concerns that his advice as the DHS chief was not being heeded. And, days later, Congress passed the \$4.5 billion emergency border funding bill that McAleenan thought the ICE raids could undermine. Immigration hardliners accused McAleenan, without direct evidence, of leaking details of the ICE operation, charges he has denied. The operation targeting 2,000 families ordered removed by an immigration judge eventually took place a month later, but fell short of its goal — resulting in the arrest of 35 migrants. The episode put into view the tensions within the Department of Homeland Security and the rocky relationship between McAleenan and the White House. McAleenan took over in April after Secretary Kirstjen Nielsen was pushed out of her role at the urging of White House senior adviser and immigration hardliner Stephen Miller. McAleenan, who was commissioner of Customs and Border Protection, had the backing of the President's son-in-law and adviser Jared Kushner. But while Trump elevated McAleenan, he still sees the acting secretary as having an allegiance to the previous administration. In a meeting with congressional Democrats about the government shutdown earlier this year, the President referred to McAleenan, then at CBP, as an "Obama guy," Axios reported in April. McAleenan served under the former president, eventually rising through the ranks to the highest-ranking career position at Customs and Border Protection.

Deported to Death: What It Means to 'Go Back' to Somalia

[Daily Beast](#) [8/9/2019 4:42 AM, Amanda Sperber, NY] reports that Ahmed Salah Hassan walked across Africa and Latin America to get to the United States. He traversed nearly 20 national borders, hiked the Darién Gap — a 60-mile patch of untamable jungle and swamp — and braved the checks at the U.S. southern border. But Hassan, looking for freedom and safety, never found it in the United States. When he finally, legally, crossed into Brownsville, Texas, in the spring of 2015, he was detained immediately. That set off a two-year odyssey through immigration detention centers — first at the LaSalle ICE Processing Center in Louisiana, then at Etowah County Detention Center in Gadsden, Alabama, before he was deported back to Somalia, the country he'd fled nearly a decade earlier. His time in America ended in late January 2017, less than a week after Trump's inauguration, when he was put on a chartered flight full of deportees to Somalia. And in March of this year, Hassan died in a

restaurant bombing in the Somali capital Mogadishu, killed in the sort of violence from which he'd fled in the first place. Five days after Trump was inaugurated, he issued mandates related to immigration. One called "Border Security and Immigration Enforcement Improvements" would have the most impact on people like Hassan because it almost entirely ended the opportunity for migrants to leave detention after they arrived in the U.S. Experts and activists say this change sentenced most asylum seekers to deportation before they even went before a judge. "Asylum seekers who are denied parole and remain in detention have a much harder time finding attorneys, which asylum seekers are not guaranteed or given for free, but are crucial to winning an asylum case," Yael Schacher, a senior advocate at Refugees International, told The Daily Beast. The new order said, "The Secretary shall immediately take all appropriate action to ensure that the parole and asylum provisions of Federal immigration law are not illegally exploited to prevent the removal of otherwise removable aliens." What that meant in practice was revealed in a memo from then-Chief of Staff John Kelly issued to the Department of Homeland Security less than a month later. "The President has determined," he said, that "the lawful detention of aliens" deemed unfit for parole was the most sensible way to "enforce immigration laws at our borders."

To win an asylum case an applicant has to put together extensive documentation, which is often difficult to marshal when fleeing a war zone and usually requires the assistance of an immigration lawyer, who may be expensive and hard to access when one is detained. Hassan did not have an immigration lawyer. His case for asylum was denied in Oakdale Immigration Court in Louisiana in August 2016. The presiding judge, Agnelis Reese, has rejected every single asylum claim that has crossed her desk — over 200 hearings in five years. Hassan did not appeal the decision but Hassan's wife, Kaafiya Ibrahim Mohamed, said he was surprised by the outcome: who would send someone back to Somalia? Key members of the Trump administration including Stephen Miller and former Attorney General Jeff Sessions have reignited a long-standing argument that says many people fleeing their homes are not legitimate victims of persecution, they are economic migrants looking to optimize their situation. Sessions has long said asylum seekers are "gaming" the system. "The credible fear process was intended to be a lifeline for persons facing serious persecution. But it has become an easy ticket to illegal entry into the United States," Sessions said in his comments to the Executive Office for Immigration Review in October, 2017, a few months after Hassan was deported. As with detentions, asylum denials hit a record high under Trump, with 65 percent denied last year according to Syracuse University's Transactional Records Access Clearinghouse (TRAC). This increase could be due to a backlog of cases of people that have been sitting in detention that are now getting more quickly processed because quotas have been raised for immigration judges. More than 42,000 asylum cases were decided in the fiscal year ending September 30, 2018, the most since TRAC began compiling this data in 2001. Denials climbed after former Attorney General Sessions announced women fleeing gang and domestic violence would not be granted asylum.

[NY] ICE reportedly targets city shelter for first time since Trump's

election

[Brooklyn Daily Eagle](#) [8/8/2019 6:22 PM, Kelly Mena, 18K, NY] reports that immigration enforcement agents appear to be changing their tactics in Brooklyn, reportedly targeting a city shelter — something city officials say has not been done since President Donald Trump took office. Late Tuesday night, ICE agents attempted to raid Win women's shelter in East New York, according to a Win employee. The agents attempted to enter the Win shelter using a photo of a person they were seeking to detain, but were denied access to the facility after they failed to provide a warrant, the New York Daily News reported. "We will always fight for their rights and protect them, no matter the challenge — whether it's past abusers, local threats, and even bullies like the President of the United States and his deportation force," said Win President and CEO Christine C. Quinn in a statement to the Brooklyn Eagle. ICE denied that their agents were behind an attempted raid. Agency spokesperson Rachael Yong Yow told the Eagle on Thursday that no enforcement action by the agency was attempted at the Win shelter, but did note that agents conduct daily operations throughout New York City, Long Island and the Hudson Valley. The reported raid was the first in East New York, coming on the heels of targeted ICE raids in Sunset Park and Midwood that began on July 13, and the first at a city shelter since Trump took office in 2016, according to city officials. The city's Department of Homeless Services policy does not allow for enforcement officials to enter a facility without a warrant signed by a judge, according to department spokesperson Issac McGinn.

Reported similarly: [News 12 Bronx](#) [8/8/2019 5:29 PM, Staff, 12K, NY]

[VA] Norfolk sheriff appears to be quietly ending controversial immigration detainee program

[Virginian-Pilot](#) [8/8/2019 4:17 PM, Jonathan Edwards, 174K, VA] reports that after quietly jailing hundreds of suspected illegal immigrants for federal authorities over a year and a half, the Norfolk sheriff hasn't held any for nearly six months. He's privately said he will let the city jail's agreement with the federal immigration agency lapse, according to one activist. The last Immigration and Customs Enforcement detainee came to the Norfolk jail on Feb. 22, a week after The Virginian-Pilot published a story exposing that, between September 2017 and February, the Sheriff's Office held some 830 people arrested by ICE. After the story ran, the heat intensified on Norfolk Sheriff Joe Baron. As the second year of working with ICE comes to a close, Baron said through a spokeswoman that he's reviewing the contract to see if it "serve(s) in the public interest" as he decides whether to renew it for a third. One activist who's talked with the sheriff told The Pilot that Baron said he plans to stop holding detainees for ICE when their contract expires in September. Ofelia Wattley said the sheriff, on at least two separate occasions, told her that he won't renew the contract, but wants to do so quietly. In emails to multiple people who'd asked him to stop working with ICE, Baron replied by saying ICE was no longer sending detainees to the jail. The Sheriff's Office spokeswoman, Deanna LeBlanc, said the sheriff also wouldn't discuss any private conversations he'd had with Wattley. ICE wouldn't explain either; spokeswoman Carissa Cutrell wouldn't answer questions about whether Baron or anyone else at NSO had asked them to stop bringing detainees to the

Norfolk jail, or told them NSO would no longer accept them. In an email to someone opposed to his work for ICE and asking about the contract's future, the sheriff said his office "will not make any public statement which may harm our relationship with any other law enforcement agency." But in that same email, along with others, Baron also told anti-ICE activists that the jail hadn't accepted any detainees since February and ICE was no longer sending them.

In September 2017, the sheriff agreed to house ICE detainees for up to 72 hours each for \$44.50 per person per day, until ICE officers could transfer them to one of their long term facilities. ICE has paid more than \$380,000 to house some 830 detainees at the Norfolk jail, although state officials siphon off most of that. The jail has gotten no detainees and no ICE money in nearly six months, right when ICE needed every bed it could get. That agency and Customs and Border Patrol were scrambling to find places to put immigrants flooding across the southern border in record numbers, many of them asylum-seekers from Central America trying to escape gang violence, sexual abuse, death threats, and unrelenting poverty. Border Patrol agents arrested nearly 150,000 people in May — the highest monthly total in 13 years, according to a July 9 New York Times article. That number dropped to about 104,000 in June, but the Department of Homeland Security told The Times that, still, the surge of migrants had overwhelmed facilities along the border. Even before the spring surge, ICE officers were feeling overwhelmed at the border, and looking at the Norfolk jail as a way to alleviate a small part of it. Michael O'Toole, Baron's No. 2, asking if the Norfolk jail could house detainees the following week. Byrne, an assistant field office director based in the Richmond area, told O'Toole he was helping sister ICE offices at the border. ICE needed a place to book and hold detainees for a couple days before transferring them to its long term facility in Farmville. On Feb. 8, Byrne reached out to O'Toole again, asking if high-level ICE officials could come to the Norfolk jail in late May for a tour, something Byrne said would streamline the approval process when ICE asked the sheriff's office to take a large number of detainees. O'Toole never replied by email but, according to LeBlanc, he called back to tell Byrne the jail was in the middle of a large-scale remodel. On May 29, as a record-number of immigrants were crossing the border, an ICE assistant field office director emailed O'Toole, asking if he had time to talk about bed space. O'Toole didn't reply to that email, either, but LeBlanc said he called the assistant director back and told her the jail couldn't increase the number of detainees it could hold.

[TN] Nashville mayor releases Spanish-language video on how to avoid ICE

[FOX News](#) [8/8/2019 5:07 PM, Sam Dorman, 10258K] reports that Nashville Mayor David Briley blasted President Trump's previous immigration raids on Wednesday and released a video on how migrants should deal with Immigration and Customs Enforcement agents. According to The Tennessee Star, the mayor's video alerted immigrants to resources offered by the "Coalition for the Rights of Immigrants and Refugees of Tennessee." It also told them they had the right to remain silent, not sign papers before speaking with a lawyer, and not open their doors unless agents had an order signed by a judge. The mayor's message came amid controversy surrounding raids in Mississippi that resulted in nearly 700 arrests of illegal immigrants on Wednesday. "I am

Mayor David Briley. I know that many immigrant families in Nashville are worried about the recent news announcing possible activities of immigration agents," he said. His message echoed those of other Democrats on the national stage. Prior to Trump's nationwide raids in July, Democratic presidential candidates and others tweeted messages about immigrant rights and how to handle an encounter with ICE. House Speaker Nancy Pelosi, D-Calif., specifically directed her caucus to spread a "know your rights" campaign, according to Politico.

[MI] ACLU of Michigan urges police, sheriffs: don't detain people for ICE
[Michigan Public Radio](#) [8/8/2019 8:27 PM, Kate Wells, 31K, MI] reports that the ACLU of Michigan is sending letters to 11 county sheriffs and police departments across the state, urging them to stop detaining people for Immigration and Customs Enforcement – at least, not without a court order. "ICE holds," or detainer requests, allow ICE to ask local law enforcement to keep someone in their custody for up to 48 hours longer than they would otherwise hold that person. ICE says it makes those requests when it believes a non-citizen is subject to deportation, and wants to take them into federal custody. But local agencies don't have to comply with those requests, says ACLU of Michigan immigration attorney Abril Valdes. "Although law enforcement feels that they need to cooperate with federal officials, it's not mandatory," she says. "And sometimes, these officials are wrong." Valdes points to a recent case in Kent County, where ICE detained and tried to deport Jilmar Ramos-Gomez – a Marine combat veteran and a U.S. citizen born in this country. At best, Valdes says, ICE should have to prove to a judge there's probable cause for an individual to be detained, before asking local law enforcement to hold them. "Don't do ICE's job, right? If you feel like you need to hold someone, then tell ICE that they need a judicial warrant," she says. Kent County changed its policies in the wake of the Ramos-Gomez case, which gained national attention. Now, the sheriff's department says it will only comply with ICE detainer requests when a court signs off on the warrant. But Khaalid Walls, an ICE spokesperson based in Detroit, says all detainer requests are "legally authorized" and should be taken seriously: "...ICE lodges detainers on aliens who have been arrested on local criminal charges when the agency possesses probable cause to believe an alien is removable from the United States. Congress has established no process, requirement, or expectation directing ICE to seek a judicial warrant from already overburdened federal courts before taking custody of an alien on civil immigration violations. This idea is simply a figment created by those who wish to undermine immigration enforcement and excuse the ill-conceived practices of sanctuary jurisdictions that put politics before public safety."

[IL] Muslim initiative raises \$13,000 to release detained migrant parents
[UPI](#) [8/8/2019 3:21 PM, Aysha Khan, 303K] reports that led by two of the country's most prominent imams, hundreds of U.S. Muslims have raised more than \$13,000 to bail out detained migrant parents. Launched on Monday by the Islamic nonprofit CelebrateMercy, the Muslims for Migrants campaign has already exceeded its original goal of raising \$10,000 in two weeks. Funds will go to the National Bail Fund Network, which works with more than two dozen local community bond funds. "Looking at a project like this, I can't think of

something that is more useful to do with your money to help detained families," said Ryan Smith, a case manager with Chicago's Interfaith Community for Detained Immigrants. "It's something that's so underfunded, and for the families I work with it's often eight months to a year before they're released." More than 50,000 people are detained in Immigration and Customs Enforcement facilities, while some 20,000 are in Customs and Border Protection centers. Another 11,000 children are in the custody of the Department of Health and Human Services. Undocumented immigrants or legal asylum-seekers detained by ICE or CBP are held in detention facilities until they go to trial, where the court will decide whether they can stay in the country, or until they are able to pay their bond. There is no legal maximum on these immigration cash bonds, which are typically higher than bails in criminal cases. The nonprofit Freedom for Immigrants has reported bonds as high as \$250,000, with an average of \$14,500. Smith said most of his cases range from \$10,000 to \$15,500. Smith, who is Muslim, said he has seen few Muslim-led efforts to raise funds or volunteer to help immigration detainees.

[WI] An entire Lutheran denomination has declared itself a 'sanctuary church body,' signaling support for immigrants

[Washington Post](#) [8/8/2019 2:29 PM, Emily McFarlan Miller, 9425K] reports that more than 500 years ago, a monk named Martin Luther nailed 95 theses outlining his grievances with the Roman Catholic Church to the door of a church in Wittenberg, Germany. On Wednesday afternoon, members of the mainline Protestant denomination bearing Luther's name taped 9.5 theses - expressing their concern for immigrants and refugees - to the door of the Immigration and Customs Enforcement building in Milwaukee. The action was part of a prayer vigil for migrant children and their families during the ELCA Churchwide Assembly this week at Milwaukee's Wisconsin Center. It took place on the same day the Evangelical Lutheran Church in America declared itself a "sanctuary church body," signaling its support for immigrants. Both came in response to President Trump's policies at the U.S. border with Mexico and his pledge to deport millions. "It just keeps getting worse and worse in terms of unaccompanied children, separated families, detention centers that are just horrific, and so what we wanted to say as a church body, as the Lutheran church, we wanted to now act with our feet and take action," said Evelyn Soto Straw, director of unit operations and programs for the ELCA's Domestic Mission. More than 570 voting members of the churchwide assembly signed up to participate in the prayer vigil at the ICE building. They were joined by staff from the ELCA and its AMMPARO ministry, as well as members of the Greater Milwaukee Synod, the New Sanctuary Movement and Voces de la Frontera, a local grass-roots organization. The group marched nearly a mile from the Wisconsin Center to the ICE building, carrying signs with messages like "We put the protest back in Protestant" and chanting "This is what the love of God looks like." There, Bishop Paul Erickson of the Greater Milwaukee Synod opened the vigil in prayer to "Jesus Christ, immigrant and savior."

[TX] Dozens of Border Patrol agents and officers rushed to the scene of El Paso shooting

[Washington Examiner](#) [8/8/2019 7:22 PM, Anna Giaritelli, DC] reports more than 130 federal agents and officers assigned to the U.S.-Mexico border near

El Paso, Texas, responded to the shooting scene at WalMart last Saturday, according to U.S. Customs and Border Protection. "Our response was instantaneous ... More than 135 CBP employees were there within minutes, providing tactical, medical, and peer support," according to a statement released Thursday, which included a comment CBP Commissioner Mark Morgan made in a message video-taped for employees. Border Patrol agents, officers who work at the ports of entry, elite agents from Border Patrol's Search, Trauma, and Rescue and Tactical Units, as well as Air and Marine Operations all descended on the scene to assist El Paso police Saturday morning. Border Patrol, which is located a matter of miles from the scene of the attack, was on site within "minutes" of the first gunshots. An existing active shooter response team carried out building sweeps and set up a perimeter around the area. Employees from other agencies took to the skies in helicopters to survey the scene. "This horrific, hate-fueled attack was profoundly personal for us," said Morgan. Approximately 3,600 CBP employees work in the El Paso region.

[NM] New Mexico Denies ICE Request for Access to Workforce Data

[US News & World Report](#) [8/8/2019 7:25 PM, Morgan Lee, 3196K] reports that New Mexico has denied repeated requests by federal immigration authorities for direct access to an employment-records database, the state's top labor official said Thursday. State Workforce Solutions Department Secretary Bill McCamley said he twice notified officials at Immigration and Customs Enforcement this month that the state won't provide direct access to an unemployment database with extensive records about employees and employers throughout the state. McCamley, an appointee of first-year Democratic Gov. Michelle Lujan Grisham, says the state will consider requests by federal immigration authorities for specific information about employers that include an explanation and justification. "What ICE wanted was unlimited direct access to all employer data in the state and we're not going to do that," he said. On Wednesday, ICE officials in Mississippi conducted the largest immigration raid in a decade as agents fanned out to poultry plants and arrested nearly 700 people. Emails obtained by The Associated Press shows that an ICE investigative assistant based in El Paso, Texas, told several state workforce officials that access to a state employment database was needed to quickly fulfill requests by case agents. The ICE investigator sent emails to several state officials, observing that she already has access to a Texas Workforce Commission database. An ICE spokeswoman had no immediate comment, and the investigative assistant did not return calls.

Reported similarly:

[Albuquerque Journal](#) [8/9/2019 1:15 AM, Dan Boyd, 44K, NM]

[Santa Fe New Mexican](#) [8/8/2019 9:55 PM, Daniel J. Chacon, 16K, NM]

[NV] Las Vegas vigil mourns El Paso, condemns white supremacy

[Nevada Current](#) [8/8/2019 7:22 PM, Jeniffer Solis, NV] reports in the wake of the worst anti-Latino attack in U.S. history, which killed 22 people and injured more than two dozen, Southern Nevadans gathered Wednesday to mourn the victims of the mass shooting in El Paso, Texas, and condemn the white supremacist ideology that authorities said motivated the alleged shooter. The vigils, more than 45 of which were scheduled in cities across the country, are

meant to “remember and celebrate the lives lost, and recommit to confronting the contemptible worldview behind the violence committed,” according to a statement from the organizers, which include the Border Network for Human Rights and the Refugee And Immigrant Center for Education and Legal Services. During the vigil organizers blamed President Donald Trump for anti-immigrant rhetoric they say helped motivate a gunman to target the border town of El Paso. The vigil was held in front of the ICE Enforcement and Removal Operations building on Las Vegas Boulevard. Castellanos said the building was symbolic and that they wanted to hold the event in front of a federal building to get their message noticed.

[WA] ‘A never-again moment’: Jewish protesters join fight against ICE, Tacoma detention center

[Crosscut Seattle](#) [8/8/2019 9:40 AM, Lily Fowler, 30K, WA] reports for the second time in recent weeks, dozens, possibly hundreds, of protesters will gather in front of the U.S. Immigration and Customs Enforcement office in downtown Seattle on Thursday. This time members of the Jewish community, a new arm of the movement against ICE, will be present. “Everybody knows ‘never again.’ We always say that,” said Diana Falchuk, a local organizer of Never Again Action, a burgeoning, Jewish-led campaign aimed at shutting down ICE across the country. “This is a never again moment.” “We are going to be in solidarity with, and really get behind, these immigrants,” Falchuk said. The planned protest in front of the ICE office is the latest push to slow down and, some advocates hope, eventually dismantle the federal agency dedicated to immigration law enforcement. Last month, for example, approximately 1,000 Jews, immigrants and activists protested outside ICE headquarters in Washington, D.C., effectively shutting down that office for several hours. In a statement, Tanya Roman, a spokesperson for ICE in the Pacific Northwest said the agency “fully respects the constitutional rights of all people to peacefully express their opinions. That being said, ICE remains committed to performing its immigration enforcement mission consistent with federal law and agency policy. In response to recent protests, ICE has taken additional security measures to ensure employee safety and the security of all offices. ICE operations across the country have and will continue to proceed as normal despite these events,” Roman said.

[WA] Minimum wage ruling goes in part against firm that runs Tacoma’s immigrant detention center

[Tacoma News Tribune](#) [8/8/2019 9:20 AM, Alexis Krell, 43K, WA] reports the company that runs the federal immigration detention center in Tacoma lost an argument this week in a lawsuit about the wages it pays detainees, the state attorney general said. Washington State Attorney General Bob Ferguson sued The GEO Group in 2017, alleging that the for-profit company was violating the state’s minimum wage law by paying detainees \$1 or less a day for jobs such as cleaning and preparing food. Minimum wage in Washington state is \$12. U.S. District Judge Robert J. Bryan issued an order in the case Tuesday. “The court rejected GEO’s argument that federal law preempts Washington state’s minimum wage law,” Ferguson said in a statement. “GEO cannot avoid accountability by hiding behind its contract with ICE. Today’s ruling means GEO can no longer argue that federal law prevents it from complying with

Washington law."

[OR] Judge: Feds Wrongfully Interfered With \$6M In Grants Over Oregon Sanctuary Law

[Oregon Public Broadcasting](#) [8/8/2019 5:41 PM, Amelia Templeton, 63K, OR] reports that a federal judge has ruled that President Trump and the attorney general wrongfully interfered with about \$6 million in federal grants for law enforcement in Oregon. The Trump administration had threatened to claw back funding from so-called sanctuary cities and states. Last November, Oregon and the city of Portland sued over one grant in particular: the Edward Byrne Memorial Justice Assistance Grant Program. It awards states and cities funding based on their population and rates of violent crime. Over the years, Oregon and Portland received more than \$26 million in JAG grants. The funds paid for a wide range of local priorities: hiring victim's advocates to work sex crimes cases, purchasing bulletproof vests, and starting drug courts. Under the Trump administration, the U.S. Department of Justice has imposed new conditions on the grants, including requiring states to certify that they will cooperate with federal immigration enforcement. They have to provide 48 hours' notice before the scheduled release of any undocumented immigrant, allow the Department of Homeland Security access to any detention facility, and affirm that they will comply with a federal law that requires state and local governments to share information regarding a person's immigration status. The Justice Department withheld Oregon's 2017 and 2018 JAG grant funding — about \$4 million — until last month, due to concerns that Oregon's sanctuary law prevents the state from meeting the new, immigration-related conditions imposed on the grants. Oregon has said that given the DOJ's position, it cannot spend the money without risking penalties for violating the DOJ's conditions.

[Mexico] Number of migrants waiting at US border rises to 40,000

[TIME](#) [8/8/2019 3:42 PM, Elliot Spagat] reports the Cameroonian men who share 10 mattresses on the floor of a third-floor apartment above a barber shop walk every morning to the busiest U.S. border crossing with Mexico, hoping against all odds that it will be their lucky day to claim asylum in the United States. Their unlikely bet is that a sympathetic Mexican official will somehow find a spot for them. "I go because if they open up, I'm in," said Rashidou Hdzekasaah, 35, who has been idled in Tijuana for two months and still has more than 6,000 names ahead of him on a waiting list to claim asylum at the San Diego crossing. English-speaking Cameroonians fleeing atrocities of their French-speaking government helped push Tijuana's asylum wait list to 10,000 on Sunday, up from 4,800 just three months earlier. At the same time, the U.S. is returning more Central Americans to Mexico to wait for dates in U.S. immigration court, putting asylum seekers in an unexpected, prolonged period of uncertainty. Based on Mexican government figures and reporting by The Associated Press, at least 40,000 migrants who have reached the U.S. border with Mexico are on a waiting list for an initial attempt to seek asylum or waiting for a court hearing in the U.S. after being sent back. The figure represents a dramatic increase from earlier in the year. It is unknown how many have entered the U.S. illegally, decided to settle in Mexico or gone back to Central America.

Reported similarly: [The Texas Tribune](#) [8/9/2019 1:01 AM, Jay Root, 136K]

[Guatemala] Guatemala's next president likely to face pressure from Trump over 'safe third country' agreement

[Washington Post](#) [8/9/2019 6:00 AM, Jose Garcia Escobar and Kevin Sieff, 9425K] reports Guatemala's next president, to be chosen in a runoff election set for Sunday, will enter office facing an immediate choice: to carry through with an unpopular restructuring of the country's asylum system or to provoke the ire of President Trump. Pressured by Trump, Guatemalan President Jimmy Morales has agreed to a "safe third country" accord that could dramatically reconfigure the asylum policies of both countries, potentially forcing tens of thousands of U.S.-bound Central American migrants to seek refuge here rather than in the United States. The agreement has led to a political debacle in Guatemala. Though Morales accepted it, Guatemala's constitutional court has ruled that he lacked the authority to sign it without approval from the country's congress. No matter - Morales's interior minister signed it anyway. Trump's focus on reducing the flow of migrants to the U.S. border and the continuing uncertainty over whether and how Guatemala will cooperate have made migration a major issue in the runoff election Sunday between Alejandro Giammattei and Sandra Torres. This Central American nation is the largest source of migrants apprehended at the U.S. border. Both candidates have spoken critically about Morales's safe third country agreement, but neither has rejected it outright.

Legal News

[MA] ICE Must Report Detentions In Suit Over Spouse Deportations

[Law360](#) [8/8/2019 11:17 AM, Suzanne Monyak] reports U.S. Immigration and Customs Enforcement must regularly notify attorneys for a class of Americans and their foreign spouses without legal status if any of those spouses are detained or deported, a Massachusetts federal judge held Wednesday. U.S. District Judge Mark L. Wolf ordered the government to provide monthly reports to the WilmerHale and American Civil Liberties Union attorneys representing the married couples. The reports are to track class members who have checked into ICE's Boston office and those who get detained. The government must also notify the WilmerHale and ACLU attorneys within five days if a member of the class has been detained and give the attorneys five days notice before deporting any class members. "The reporting measures agreed to by the government, and those ordered by the court, are essential to our ability to monitor the treatment of class members, and protect their rights, as we move forward in this litigation," Adriana Lafaille of the ACLU of Massachusetts said in a statement to Law360 on Thursday.

The order is part of a class action challenging the U.S. Department of Homeland Security's alleged tactic of targeting unauthorized immigrants facing final deportation orders at their marriage interviews with U.S. Citizenship and Immigration Services. Married couples are required to attend these interviews for American citizens to sponsor their spouses for permanent residency. The class, which includes married couples in six New England states, is arguing that this practice is out of step with a set of Obama-era regulations that

provided a pathway and waiver process for Americans to sponsor their spouses, even if they have been ordered deported by an immigration court. The ACLU's Massachusetts branch filed the initial petition in February 2018 on behalf of Lilian Pahola Calderon Jimenez, who moved to the U.S. when she was three years old and was ordered deported when she was 15. She later married an American citizen and tried to apply for a green card through her husband, but ICE arrested and detained her after their marriage interview with USCIS, according to the petition. The advocates updated the lawsuit several months later to cover all couples in Calderon's position within the Boston ICE field office's authority, and Judge Wolf certified the class in May.

[WA] Judge again refuses to dismiss lawsuit over \$1-a-day wages for immigrant detainee workers

[Seattle Times](#) [8/8/2019 8:18 PM, Mike Carter, 601K, WA] reports that a federal judge again has refused to dismiss a lawsuit filed by Attorney General Bob Ferguson against the private company that owns and operates a Tacoma immigration-detention center in an effort to force the company to give up its profits and pay immigration detainees the state's minimum wage for jobs they perform. It is the third ruling U.S. District Judge Robert Bryan has issued since the lawsuit was filed in 2017 that has gone against the GEO Group Inc. The company contracts with the Department of Homeland Security to operate the 1,575-bed Northwest Detention Center where immigration detainees are held pending hearings or deportation. At issue is a Voluntary Work Program operated by GEO in which detainees perform tasks such as cutting hair and janitorial work and are paid \$1 a day for their efforts. However, the judge denied both the attorney general's (AG) and GEO's motions for a ruling on the issue of whether the Washington Minimum Wage Act (WMWA) actually applies to detainees. "There are so many issues of fact in this case, it is not yet clear whether the detainees will be considered employees under the WMWA," Bryan wrote. "Further, the state points out that the validity of the Voluntary Work Program agreement is at issue." Bryan stated that there are "genuine issues of material facts as to whether GEO and the detainee workers have an employee-employer relationship" and, at this point, the case is set to proceed to trial on Sept. 23. In a statement issued earlier this week, Ferguson stated that "GEO cannot avoid accountability by hiding behind its contract with [Immigration and Customs Enforcement]." Bryan's ruling "means GEO can no longer argue that federal law prevents it from complying with Washington law," Ferguson said. "I look forward to ensuring this multibillion dollar corporation complies with Washington law and either pays detainees minimum wage or hires workers from the community to perform the nonsecurity functions at the Northwest Detention Center." Earlier this year, Bryan rejected a series of "affirmative defenses" the company claimed protected it from the AG's claims, and last year he ordered the company to turn over financial information to the AG's office, although it is not yet clear whether it can be used at trial. An email seeking comment from GEO's local counsel did not receive a response Thursday. However, earlier this year the company attacked Ferguson's lawsuit as being "politically motivated." In court documents, the company says the state has known about the \$1 a day payment program since as early as 2009, but that Ferguson did not file a lawsuit until after the 2016 election of President Donald Trump and the implementation of controversial immigration policies. GEO pays

detainees \$1 per day to volunteer for tasks such as janitorial or kitchen work. Washington's minimum wage is now \$12 per hour. The state wants GEO to give up the profits it has made relying on detainee labor over the years, which the attorney general's office says amount to millions of dollars.

Enforcement News

[NY] Woman Who Threatened East High Will Remain In Custody, Fights Deportation

[WHAM 1180](#) [8/9/2019 5:00 AM, Staff, NY] reports the young Rochester woman who made an online threat against East High School will remain in custody while she fights deportation to Mexico. An immigration judge yesterday denied bond for former student Abigail Hernandez, and she remains held at a federal detention center in Batavia. The judge upheld an earlier ruling that she poses a danger to the community. Hernandez was brought to the U.S. as a child. She posted the threat last year, the day after the Parkland, Florida, school shooting. She was ordered deported after she pleaded guilty to a misdemeanor. Her advocates say she has an intellectual disability. [Editorial note: consult source link for audio]

[PA] U.S. Attorney Slams Philadelphia For Playing Games With Illegal Alien Known As 'Rittenhouse Rapist'

[Town Hall](#) [8/8/2019 8:10 AM, Timothy Meads, 356K] reports United States Attorney William M. McSwain is warning Philadelphia city officials to "to stop treating the criminal justice system like a game in which they play political favorites" in relation to immigration law after an illegal alien who previously found guilty of burglary, kidnapping, and rape, pleaded guilty this week to re-entering the country. The city of Philadelphia is one of the most obstinately federally defiant jurisdictions in the country, as its Sanctuary City policy routinely ignores immigration law, provides shelter to those illegally in the country, and even gives medical and other benefits to illegal immigrants in the city at the expense of tax dollars. The city also refuses to notify ICE after illegal aliens are released from local prisons, even for violent crimes, even if ICE has an immigration detainer on the individual. The man known as the "Rittenhouse Rapist" drew attention to these dangerous policies in 2014, after Milton Mateo Garcia-Vasquez, 32, was accused and later found guilty of burglary, kidnapping, and rape in Philadelphia. Garcia-Vasquez was previously deported in 2013, but somehow found his way to the city of brotherly love. If he had been acquitted of his alleged crimes and if ICE did not have a written approval detainer request signed by a federal judge, Philadelphia officials would like have released him back into the streets without notifying the agency. He is serving 22-44 years in prison for his crimes. In a press release issued Wednesday U.S. attorney McSwain said this case is "a law-abiding citizen's nightmare: an illegal alien who has been previously deported comes back into the country illegally and commits appalling crimes." He added that "it is a reminder of why we are a nation of laws and why those laws — including immigration laws — should be respected and enforced." The Trump administration has attempted to force cities like Philadelphia into complying with federal law by cutting off funds, but in February 2019 an appeals court ruled "cannot cut off grants to Philadelphia for its refusal to cooperate with

immigration authorities seeking to deport immigrants who are in the country illegally."

[MI] A death in Iraq belies Trump's religious freedom agenda

[Washington Post](#) [8/9/2019 12:59 AM, Ishaan Tharoor, 9425K] reports that Iraq was a land so foreign to him that he even said its name with the typical American mispronunciation — "Eye-rak." Trump administration and its emboldened Immigration and Customs Enforcement agency. Though he was not a U.S. citizen, he had spent almost all his life in the United States. As Politico first reported, his deportation came on the back of a series of criminal convictions, which render noncitizens susceptible to removal from the country. His family attributed his criminal record in part to his mental health. Rights groups argued that he should have never been sent to a country where he would be unsafe. "Jimmy's death has devastated his family and us," Miriam Aukerman, an attorney with the American Civil Liberties Union of Michigan, said in a statement. "We knew he would not survive if deported. What we don't know is how many more people ICE will send to their deaths." "This is a total failure of the whole immigration system," Edward Bajoka, a Detroit immigration attorney and friend of Aldaoud's family, told The Washington Post. "This guy should have been protected somewhere along the way." Trump adviser Stephen Miller, an anti-immigration zealot, has reportedly remarked he would be "happy if not a single refugee foot ever again touched American soil." In summer 2017, Miller and other White House officials used the threat of a travel ban on all Iraqi citizens to compel the government in Baghdad to take back Iraqi nationals listed for deportation. ICE rounded up hundreds of Iraqi nationals with criminal records, including Aldaoud, who was sent to a detention center in Youngstown, Ohio. Though a federal judge stayed proceedings on the grounds that many of these Iraqis would face "persecution, death or torture," the ruling was overturned by an appeals court in December, paving the way for Aldaoud's summary deportation. "For decades, Iraq had refused to accept deportations from the United States — but that all changed in June 2017," explained my colleague Tim Elfrink.

[The Intercept](#) [8/8/2019 10:34 PM, Chris Gelardi] reports that in 2005, he tried to head off deportation by applying for asylum. But in November of that year, a judge ordered him removed from the country. In July 2017, as Aldaoud approached his eighth week in ICE detention, a federal judge in Detroit issued a decision on the ACLU's lawsuit. The ruling barred the government from deporting most eligible Iraqis until they had a chance to argue their individual cases for fear-based relief in immigration court — a huge win for Iraqi communities. But the battle was far from over. Government lawyers promptly filed challenges, so it was unclear how much time Iraqis had to get in front of a judge before ICE would be allowed to resume its crackdown. And with a nationwide backlog of more than 1 million cases, it can take years to get a date in immigration court. Furthermore, ICE refused to release those Iraqis it had detained while the courts were processing their claims. It wasn't until November 2018— nearly a year and a half after the initial raids — that a judge ordered ICE to release the final 110 Iraqis it was holding in detention, including Aldaoud. Again, however, victory was short-lived. On the same day the federal judge had set as a deadline for ICE to release detained Iraqis, the

government's legal challenges came to fruition, and the Sixth Circuit Court of Appeals overturned the district court's orders. ACLU lawyers petitioned the appellate court to rehear the case, but they were denied. On April 9, 2019, ICE became free to continue its operations on Iraqis with deportation orders, regardless of whether or not they'd had a chance to argue for protections in immigration court. Christopher Schaedig, a Michigan-based civil litigation attorney, volunteered to represent Aldaoud pro bono, and he managed to secure a May 2018 hearing in immigration court. Like many of the other Iraqis, he was applying for protection based on the U.S.'s status as a signatory to the Convention Against Torture, and Schaedig had expert testimony lined up that would attest to the persecution of Christians in Iraq.

In a lengthy statement, ICE officials in Detroit emphasized that Aldaoud's case "underwent an exhaustive judicial review before the courts ultimately affirmed he had no legal basis to remain in the U.S." They emphasized his "extensive criminal history involving no less than twenty convictions," and that he "absconded from ICE's non-custodial supervision program." They asserted that, when he was deported, "he was supplied with a full complement of medicine to ensure continuity of care." At no point in the statement did they express regrets at his death or condolences for his family. ICE has deported at least 16 people to Iraq since the injunctions were lifted back in April, according to Schlanger of the University of Michigan. And officials are reportedly planning to deport more — they continue to refer to the presence of deportable Iraqis in the United States as a "public safety threat." In an effort to head off further deportations, a bipartisan group of representatives — led by Democrat Andy Levin and Republican John Moolenaar, both of Michigan — have introduced legislation that would grant Iraqis two years of "deferred removal" status, which the lawmakers reason would be enough time for them to have their cases heard in immigration court. But the bill, introduced in May, hasn't yet made any progress, leaving more than 1,000 vulnerable Iraqis in a state of uncertainty.

[Detroit News](#) [8/9/2019 6:26 AM, Sarah Rahal, 297K, MI] reports the death of a deported mentally ill and diabetic Iraqi refugee has set off a furor among immigration advocates and lawmakers, who are calling for an immediate halt to deportations in light of his death. Democratic U.S. Rep. Andy Levin of Bloomfield Township and Republican Rep. John Moolenaar of Midland say they want Congress to act on a bill to pause Iraqi deportations after Jimmy Al-Daoud, 41, was deported from Detroit on June 2 and found dead in Baghdad on Tuesday. The bipartisan bill, the Deferred Removal for Iraqi Nationals Including Minorities Act of 2019, was introduced in May. The bill would delay deportations for Iraqi nationals for two years until their cases have been heard in immigration court. Moolenaar has appealed to House Republican Leader Kevin McCarthy to raise the issue with President Donald Trump and request that he stop further deportations of Iraqi nationals by supporting the bill or issuing a Deferred Enforced Departure, a form of relief from removals, Levin said.

Additional reporting:

[New York Times](#) [8/8/2019 6:27 PM, Alissa J. Rubin, 22840K]

[The Hill](#) [8/8/2019 9:48 AM, Chris Mills Rodrigo, 2806K]

[Huffington Post](#) [8/8/2019 2:23 PM, Hayley Miller, 187K]
[ABC News](#) [8/8/2019 2:21 PM, Connor Finnegan, 2702K]
[NBC News](#) [8/8/2019 7:56 PM, David K. Li and Jareen Imam, 4138K]
[Newsweek](#) [8/8/2019 9:26 AM, Chantal Da Silva, 2245K, NY]
[The Daily Caller](#) [8/8/2019 3:45 PM, Evie Fordham and Shelby Talcott, 785K, DC]
[Detroit Free Press](#) [8/9/2019 12:12 AM, Niraj Warikoo, 478K, MI]

[IL] Sanctuary State Likely to Free Illegal Alien Accused of Killing Father of Two

[Breitbart](#) [8/8/2019 9:11 PM, John Binder, 2034K] reports that as Breitbart News has chronicled, Jose Rodriguez, a 27-year-old illegal alien from Honduras, is accused of running a red light on June 22 in the sanctuary state of Illinois, causing him to hit and kill 39-year-old Corey Cottrell, who was riding his motorcycle at the time and was on his way to see his mother, Kathy. Rodriguez was ordered deported six years ago but never left the U.S. Rodriguez has already met the \$100,000 bail requirement and thus is likely to be released from local custody within the next 48 hours and should he be immediately arrested by the Immigration and Customs Enforcement (ICE), he is expected to be deported — evading charges in Corey's death. Should ICE agents not immediately arrest Rodriguez, he will be free to flee the state and the country, the Cottrell family told Breitbart News. The Cottrell family suspects Rodriguez was a beneficiary of the catch and release program, wherein the Department of Homeland Security (DHS) detains and then releases hundreds of thousands of illegal aliens and border-crossers into the interior of the U.S. every year. In a similar case this year, Breitbart News chronicled the killing of 22-year-old Pierce Corcoran in Knoxville, Tennessee at the hands of 44-year-old illegal alien Francisco Eduardo Franco-Cambrany. While Tennessee officials' cooperation with ICE allowed Franco-Cambrany to be held in prison for months, the lack of a toxicology report slowed the case, and eventually the illegal alien was deported to his native Mexico in April — evading all charges against him for Pierce's death.

[IA] Ahead of hearing, attorneys for man accused of killing Mollie Tibbetts further argue that undocumented immigrant's rights were violated

[Des Moines Register](#) [8/8/2019 5:48 PM, Anna Sporerre, 145K, IA] reports that attorneys representing the man accused of killing University of Iowa student Mollie Tibbetts are adding to their argument that their client's rights were violated under questioning by law enforcement. The new filing emphasizes the undocumented immigrant's status as a "Mexican national," arguing that he should have been put in contact with the Mexican consulate early on during the interview process, and that, when his Miranda rights were read several hours into the interview, they were not read in their entirety. Bahena Rivera is described in the Thursday court filing as having "a very limited Mexican education" and being "wholly unfamiliar with U.S. criminal justice system." The Attorney General's office declined to comment Thursday on the new filing. They also wrote that officers used the Reid Technique, an accusatory interrogation tactic in which investigators tell their suspect that it's clear the person committed the crime. The defense attorneys also wrote about Bahena Rivera's role as a "foreigner," citing an international treaty that says officials are under

the “obligation to inform a foreign national without delay of the right to consular notification and communication attaches whenever a foreigner is arrested or committed to prison or to custody pending trial or is detained in any other manner,” court records show. The court filings went on to describe how about 15 agents and officers descended on Yarrabee Farms on Aug. 18 at which time they gathered all Hispanic employees and took DNA samples after announcing that they were not from “immigration,” the court document says. A hearing to address the lawyers’ motion to suppress evidence is scheduled for Aug. 23. If at that time a judge determines Bahena Rivera’s argument is valid, some evidence, including incriminating statements, could be thrown out. [Editorial note: consult source link for video]

[TX] Undocumented immigrant on trial, accused in killing Northwest Vista student, burning body

[San Antonio Express](#) [8/8/2019 9:05 PM, Elizabeth Zavala, 48K, TX] reports that an undocumented Mexican immigrant is on trial, accused of killing a 20-year-old San Antonio college student and setting fire to the body in a North Side apartment. The murder trial of Ernesto Esquivel-Garcia began Tuesday. He was 20 when he was arrested and charged with killing Jared Vargas. Vargas, a Northwest Vista student with aspirations to study cybersecurity at the University of Texas at San Antonio, was reported missing after he left work at Bowl & Barrel at The Rim. Vargas and Esquivel-Garcia worked together at the establishment for a brief time. Three days later, firefighters found his body on June 18, 2018, while extinguishing a blaze at an apartment complex in the 7900 block of Jones Maltsberger. The Bexar County Medical Examiner ruled Vargas’ cause of death as homicidal violence, but did not reveal how he was killed. Wearing headphones to hear a Spanish translation of court proceedings, Esquivel-Garcia sat between his attorney, George E. Shaffer, and an interpreter in the 227th state District Court on Thursday. Witnesses told authorities they saw Esquivel-Garcia moving his possessions over that Father’s Day weekend to the vacant unit and that management told him to, but they denied that. Reports indicate about three weeks before the killing, officials with Immigration and Customs Enforcement ordered Esquivel-Garcia to leave the United States by July 20, 2018, at removal proceedings brought on by the man’s arrest in 2017 on charges of drunken driving. Court records indicate removal proceedings had been initiated in March 2017, but a month later, Esquivel-Garcia posted bond granted by an immigration judge, and later was convicted of a lesser charge of obstruction of a highway and began a probation term in January 2018. About four months later, on May 10, his probation was revoked for an unknown reason and a warrant issued for his arrest. But an immigration judge issued a voluntary departure order for Esquivel-Garcia to be gone by July 20. The trial, being heard by Judge Kevin O’Connell, is in recess until Monday morning.

[CO] People detained by ICE during enforcement operation in Granby Thursday

[Denver Channel](#) [8/8/2019 6:09 PM, Óscar Contreras, 123K, CO] reports that a U.S. Immigration and Customs Enforcement official has confirmed agents were conducting enforcement operations in the Town of Granby Thursday morning. Ski Hi News reported ICE agents were in the area of US 40 between 7 and 8

a.m. Thursday. It's unclear how many people were detained. A spokeswoman with the Granby Police Department told Denver7 they were also at the scene, saying they were providing traffic control "for another agency's operation," but would not confirm any arrests as she could not comment on the details of any other agency's operation. The ICE official provided the following statement to Denver7 Thursday afternoon: "ICE deportation officers carry out targeted enforcement operations daily nationwide as part of the agency's ongoing efforts to protect the nation, uphold public safety, and protect the integrity of our immigration laws and border controls. These operations involve existing and established Fugitive Operations Teams. "During targeted enforcement operations, ICE officers frequently encounter other aliens illegally present in the United States. These aliens are evaluated on a case-by-case basis, and, when appropriate, they are arrested by ICE officers." A group of immigration advocates that monitors ICE activity throughout the state says two people were detained; one of them was a person ICE was looking for, the other a bystander. A spokesperson with the Colorado Attorney General's Office said they're still learning more about the enforcement operation and would not comment at this point.

[AZ] Food, showers and 24/7 medical care: Inside the new immigrant holding center in Yuma

[ABC News](#) [8/8/2019 7:09 PM, Staff, 2702K] reports that for the first time, the Department of Homeland Security allowed ABC News cameras inside an immigrant holding center in Yuma, Arizona, that was completed in June to the tune of \$15 million after a massive spike in families crossing the border. "One of our biggest concerns as we've talked about is the families, vulnerable families and children, coming over, young children crossing this year. We had a huge peak in April, May and early June of crossings, 144,000 crossed in May. ... That resulted in overcrowding of border patrol facilities. These are police stations. They're only made for very temporary processing, primarily for single adults, often with a criminal background. So, to have families and kids in that environment was very difficult for us," Acting DHS Secretary Kevin McAleenan told ABC News Thursday in an interview after a tour of the facility. He said that these new facilities had significantly reduced the pressure on other holding facilities. Inside the center... the images were a contrast to a damning July DHS inspector general report that showed jam-packed conditions inside five centers in Texas. The report called one site "a ticking time bomb" and documented sordid conditions inside detention centers that included migrants packed into holding cells, forced to stand for days in unsanitary conditions. With money from Congress, however, DHS built soft-sided detention centers in Yuma, El Paso and the Rio Grande Valley, the three places experiencing the highest number of crossings. McAleenan said that DHS had also opened single-adult temporary facilities for the first time on the U.S.-Mexico border as well. "We've added 5,000 spaces in these temporary facilities since we got the supplemental funding on June 27 from Congress," McAleenan said Thursday. [Editorial note: consult source link for video]

{End of Report}

From: [Mattingly, Kathryn \(EOIR\)](#)
To: burt.squires@techmis.com
Cc: michaela.dietz@techmis.com; [Ruffino, Lou \(EOIR\)](#)
Subject: RE: EOIR Morning Briefing, August 14, 2019
Date: Wednesday, August 14, 2019 5:56:00 PM
Attachments: [image001.png](#)

Hi Burt – Thanks so much for your work on this. It happened to me too and I am in my office on my desktop. It must be on our end. My apologies. – Kathryn

From: Burt Squires - TechMIS <burt.squires@techmis.com>
Sent: Wednesday, August 14, 2019 5:53 PM
To: Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@EOIR.USDOJ.GOV>
Cc: michaela.dietz@techmis.com; Ruffino, Lou (EOIR) <Lou.Ruffino@EOIR.USDOJ.GOV>
Subject: RE: EOIR Morning Briefing, August 14, 2019

Hi Kathryn,

I just checked all of the links in today's copy and all looks fine. Perhaps they were trying to click the table of contents links on an iPhone. Those are turned off by the iPhone devices themselves (by the iPhone software itself). That said, the only practical way to view the brief on a handheld device is via the Mobile User link.

Burt

From: Mattingly, Kathryn (EOIR) [<mailto:Kathryn.Mattingly@usdoj.gov>]
Sent: Wednesday, August 14, 2019 5:36 PM
To: burt.squires@techmis.com
Cc: michaela.dietz@techmis.com; Ruffino, Lou (EOIR)
Subject: FW: EOIR Morning Briefing, August 14, 2019

Hi Burt – One of my colleagues in our office just alerted me that the links are not working. I think that it may be the bookmark issue like we had last month. I just wanted to let you know tonight, especially since I will be out tomorrow, to see if you can look into it for us. Thanks so much!

From: EOIR Daily <eoir@techmis.com>
Sent: Wednesday, August 14, 2019 7:16 AM
To: michaela.dietz@techmis.com
Subject: EOIR Morning Briefing, August 14, 2019

EOIR MORNING BRIEFING

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

[Mobile User Copy and Searchable Archives](#)

Wednesday, August 14, 2019

Executive Office for Immigration Review

[Justice Department Moves To Decertify Union That Represents U.S. Immigration Judges](#)

[Sweeping reforms with 'nonpartisan, core values' recommended for immigration system by the ABA House](#)

[\[NY\] 'It's Like an Automatic Deportation if You Don't Have a Lawyer'](#)

Policy and Legislative News

[Trump allows fast-track deportations nationwide](#)

[Cuccinelli rewrites Statue of Liberty poem to make case for limiting immigration](#)

[A Trump policy has subjected asylum seekers to appalling conditions](#)

[A girl begged for her dad's release after the Mississippi ICE raids. Days later, he's still detained](#)

["It Felt Like We Were Responding to a Natural Disaster": Inside the Chaos Following a Huge ICE Raid](#)

[Majority of Americans Say the Trump Administration Is Doing a 'Bad Job' at the Border: Survey](#)

[Deported veterans can't get into the country for citizenship interviews. This senator wants answers.](#)

[Asylum claims spike among Mexicans fleeing drug war](#)

[AOC Doubles Down On The Concentration Camp Rhetoric](#)

[I'm a Republican Immigration Lawyer — And Trump is Killing my Party](#)

[\[VT\] Arrested activists air criticism of ICE detentions](#)

[\[NH\] Immigration judge grants asylum designation to Guatemalan women](#)

[\[MA\] Judge in ICE obstruction case can keep salary](#)

[\[NY\] City Cautions Immigrants: Don't Rush To Drop Benefits For Fear Of Trump's 'Public Charge' Rule](#)

[\[DC\] D.C. mayor says she will not accept federal shelter for unaccompanied migrant children](#)

[\[AL\] More than 30 members of clergy, religious activists sign letter declaring their churches immigrant 'sanctuaries': report](#)

[\[MI\] House Democrats urge Trump to end deportations of Iraqis after diabetic man's death](#)

[\[TX\] FBI investigating shooting at ICE office in San Antonio](#)

[\[TX\] Six Protesters Arrested at Texas Migrant Children's Detention Center](#)

[\[NM\] ACLU seeks video of ICE arrest at courthouse](#)

[\[OR\] Complaint filed against ICE over man detained at courthouse](#)

[\[CA\] California Counties Sue to Block Trump's New Green Card Test](#)

[\[CA\] Documents Allege Serious Medical Neglect Inside Otay Mesa Detention Center](#)

[\[Guatemala\] Guatemalan President-Elect Says Country Can't Uphold Migration Deal with U.S.](#)

Legal News

[\[DC\] DC Circ. Won't Toss Diversity Visa Applicants' Suit](#)

Enforcement News

[\[NH\] Court in New Hampshire halts deportation of Haitian man](#)

[\[VA\] Proposal for ICE Juvenile Center in Northern Virginia Meets Opposition](#)

[\[MI\] Protesters push Prudential to divest from private immigrant detention center](#)

[\[MI\] Lawmakers, protesters call for end to Dearborn police housing ICE detainees](#)

[\[TX\] Closing arguments begin for undocumented immigrant accused of killing co-worker in 2018](#)

[\[AZ\] Border Patrol Agent Admits To Intentionally Hitting Migrant With Truck](#)

[\[CA\] Redskins' Josh Norman helps pay bail for immigration activist detained since May](#)

Executive Office for Immigration Review

Justice Department Moves To Decertify Union That Represents U.S. Immigration Judges

[NPR](#) [8/13/2019 4:17 PM, Ailsa Chang, 5041K] reports that the Justice Department is challenging the union representing hundreds of U.S. immigration judges. The DOJ petition, which was filed last week, asks the Federal Labor Relations Authority to decertify the National Association of Immigration Judges. This union has been critical of the way the Trump administration's immigration policies have overloaded courts. But the White House says it's moving to decertify this union because it sees immigration judges as, quote, "management officials." The president of the National Association of Immigration Judges, Ashley Tabaddor, explains that the NAIJ is "a court system that is put in a law enforcement agency, and we are under the authority of the Department of Justice and accountable to the attorney general, who is our chief prosecutor. So he hires us, he reviews our work, and he can fire us." While other judges are part of the judiciary branch, immigration judges are technically under the executive branch of government.

Tabaddor points out that the attempted decertification of the immigration judges' union also happened under Bill Clinton, claiming that the administration fought back against the NAIJ "demanding that the agency take us seriously" and "engag[ing] in the collective bargaining agreement." Trump's argument for decertification is that immigration judges are, in essence, managers. Specifically, they say that immigration judges make policy. Tabaddor called that argument "absurd." "If you were here on a daily basis and the level of micromanagement that we are now subjected to as judges, you would, frankly, laugh at the idea that, somehow, we are in a position to formulate or influence policy. We are, essentially, exclusively focused on adjudicating cases and making decisions just based on the facts of the case and the law of the case." The NAIJ has been especially critical of the administration trying to impose a quota system, which requires immigration judges to get through at least 700 cases a year. "This has everything to do with wanting to have the executive branch impose its current policies on the judges rather than recognizing that the judges are the experts on how to dispense with due process, including bringing efficiency into the consideration." [Editorial note: consult source link for audio]

Sweeping reforms with 'nonpartisan, core values' recommended for immigration system by the ABA House

[ABA Journal](#) [8/13/2019 2:10 PM, Lorelei Laird] reports a slate of six immigration-related resolutions was passed by the ABA House of Delegates during their annual meeting session, all of which received broad support. All of them were aimed at codifying as ABA policy the commission's recent updates to its report, Reforming the Immigration System. The resolutions were sponsored by the ABA Commission on Immigration. Commission Chair Wendy Wayne, an attorney for the immigration impact unit at the Massachusetts Committee for Public Counsel Services, told the ABA Journal in early August that the resolutions are intended to line up ABA policy with that report.

Resolution 121A calls on the Department of Justice to create standards and procedures for the way U.S. attorneys general may refer immigration court cases to themselves. Those standards should include requirements to notify the public that the attorney general is taking up a case and what legal questions he or she will review; provide an opportunity for public comment; and release underlying decisions in the case. The House also urged the attorney general to use this power as part of the review process rather than to preempt that process. Resolution 121B calls for the relaxing of strict deadlines for immigrants who are representing themselves to file appeals. Immigration law is civil, not criminal, so the vast majority of immigrants in the system are not given court-appointed lawyers. Resolution 121C contains a variety of proposals that the commission recommended in its recent

updates to Reforming the Immigration System. One of these is implementing electronic filing throughout the immigration court system. Other parts of the resolution call on the government to reverse decisions that the commission believes have hurt the fair and smooth adjudication of cases. And the resolution calls on the Justice Department to hire immigration judges from diverse professional backgrounds, a concern among those who believe judges are too often drawn from the prosecution side of immigration law. Resolution 121D calls on DHS, which runs the law enforcement arm of the immigration enforcement system, to restore a 10-year-old policy memo that permitted asylum-seekers to be released in the “public interest.” Middlesex County, Massachusetts, prosecutor Kevin Curtin, a delegate from the Massachusetts Bar Association, moved it in the House. He said the resolution focuses on “legitimate asylum-seekers” affected by the U.S. attorney general’s power to unilaterally change immigration law precedents. In *Matter of M-S-*, Attorney General William Barr took away immigration judges’ authority to release asylum-seekers on bond. That leaves the parole power at issue in Resolution 121D as the only way for asylum-seekers to be released from immigration detention. Resolution 121E, calling for more pro bono programs to provide counsel to unrepresented immigrants, was passed on Monday as part of the consent calendar. Resolution 121F recommended that the Executive Office for Immigration Review change its regulations to allow for stays of removal proceedings and more time for voluntary departures under certain circumstances.

[NY] ‘It’s Like an Automatic Deportation if You Don’t Have a Lawyer’

[New York Times](#) [8/13/2019 3:01 PM, Mazin Sidahmed, 22840K] reports in February 2017, Carlos was arrested by Immigration and Customs Enforcement shortly after he dropped one of his daughters at her school bus stop; the agents had been waiting there for him. He was locked in immigration detention in the Bergen County Jail in New Jersey for six weeks before he had his first hearing in immigration court. Carlos, who wishes to be identified only by his first name, worked as a mechanic and held a green card, making him a legal permanent resident. In jail, he was confused, he missed his three daughters, and he had no idea what was going to happen to him next. He had been arrested so that he could be deported to his native Dominican Republic, having been convicted several years before for two offenses. Then one day, jail guards shackled his legs and hands and transported him and other detainees in the back of a van to the Varick Street Immigration Court in Lower Manhattan. His family had been struggling to find a lawyer, and he wasn’t sure what awaited him. To his surprise, he was taken to a fourth-floor room where he met Molly Lauterback, an attorney from Brooklyn Defender Services, a city-supported pro bono agency; she told him she could represent him free of charge. Ms. Lauterback and her colleagues are part of the New York Immigrant Family Unity Project, which aims to make itself the nation’s first of many public defender systems for detained immigrants in deportation proceedings. Immigrants in the Varick Street Immigration Court are now 11 times more likely to win their cases than before the program began. It is now being replicated across the country, in states such as Texas and Illinois.

But the Trump administration has sought to undermine the New York program, which at first had support from federal officials, by making it more difficult for detained immigrants to get access to the program’s lawyers. Immigrants like Carlos are not necessarily entitled to a lawyer in immigration court. The Sixth Amendment guarantees an individual’s right to counsel in criminal proceedings, but the government argues that the right does not extend to immigration courts, which are deemed civil despite the severity of the consequences being considered. In a 2014 CNN opinion article, a nationally prominent immigration judge, Dana Leigh Marks of San Francisco, said the drama of immigration cases “often involves

life and death consequences,” making them “amount to death penalty cases heard in traffic court settings.” There are some exceptions. For example, the federal government must provide a lawyer to immigrants with mental disabilities. But a large majority of people, including children, are not entitled by law to have such representation. According to Syracuse University’s Transactional Records Access Clearinghouse, there are now more than 300,000 pending cases in which immigrants are unrepresented, which leaves them facing highly trained government attorneys alone as they navigate complex immigration law. In 2008, that issue began to worry Judge Robert Katzmann in the Second Circuit Court of Appeals. Federal courts have the power to review decisions of the appellate Board of Immigration Appeals if the individual is able to file a request. Judge Katzmann was seeing the number of such requests go up and noticed that all of the immigrants were getting a shockingly poor quality of representation. Between 1999 and 2006, he saw immigration cases rise from a minuscule portion of the court’s docket to almost 40 percent.

Cases like Carlos’s are a striking example of the need for a lawyer. According to his attorneys, Carlos had been placed in deportation proceedings because of the two previous arrests. In the first, in 2011, he was found in the driveway of a home that had been burglarized, but he had never entered the house. In the second, in 2013, he was charged with assault when he fought to defend his girlfriend against a drunk customer at the restaurant where she worked. Green-card holders can be ordered deported if they commit a crime, which can be as minor as hopping a subway turnstile. But Ms. Lauterback told Carlos he could be eligible for a “cancellation of removal,” considering the larger arc of his life in the United States after serving his jail time. For more than a year, Ms. Lauterback fought his case while he was in detention. During that time his father’s house burned down, destroying a lot of the necessary documentation, so the lawyers had to request copies from the respective federal agencies. The Executive Office for Immigration Review, an agency in the Justice Department that houses the courts, and ICE, which has attorneys acting as prosecutors in immigration cases, initially appreciated the public defender model in New York and helped facilitate the program. But since the beginning of the Trump administration, the program has come under threat. For example, ICE and the Executive Office for Immigration Review have made it harder for attorneys to perform intake on incoming detainees. Previously, when detainees who had not been represented at their initial hearing were brought into the court from the detention centers, attorneys would meet with them in a separate room with booths. The lawyers would question the detainees to get a sense of what forms of relief their prospective clients were eligible for and whether they met the financial requirements of the program, among other things.

Policy and Legislative News

Trump allows fast-track deportations nationwide

[USA Today](#) [8/13/2019 4:15 PM, Alan Gomez, 6620K] reports that Aaron Hall, an immigration attorney in Aurora, Colorado, is still trying to figure out what exactly to tell his clients about a new Trump administration policy that allows federal immigration agents to quickly deport undocumented immigrants they encounter anywhere in the U.S. For the past 15 years, the fast-track deportation process, known as expedited removal, has been used mostly by Border Patrol agents near the border. For the first time, Immigration and Customs Enforcement agents can unilaterally question, arrest, detain and deport undocumented immigrants who have been here for less than two years that they encounter anywhere in the country. The only certainty is that “people who have legal immigration status, or have pending applications, or even U.S. citizens, will be put into expedited removal proceedings,

and some will be deported before they're able to make their case." The nationwide expansion of expedited removal, which went into effect July 23, may be one of the most consequential changes to immigration enforcement under Donald Trump's presidency. To combat illegal immigration, the White House has focused mostly on the southern border, deploying National Guard and active-duty military troops to stem what they describe as a national security crisis. ICE, which is primarily responsible for arresting undocumented immigrants in the interior of the country, said its agents do not, and will not, conduct "random or indiscriminate" raids as it expands its use of expedited removal. Instead, the agency said, it will continue using "targeted enforcement operations" to identify and arrest specific undocumented immigrants. "ICE's routine targeted enforcement model remains the same," spokesman Richard Rocha said. The only change is "How ICE is able to remove aliens." It allows federal immigration agents to bypass the regular deportation system, which includes court hearings, appeals and a final deportation order signed by a judge. The immigration agent needs only approval from a supervisor in the field, and the decision cannot be appealed in any court. The main exception provided in the law is for undocumented immigrants who request asylum.

[Law360](#) [8/13/2019 7:07 PM, Nicole Narea] reports the Trump administration's practice of speeding up immigration court proceedings for newly arrived families creates significant barriers to access to counsel and raises due process concerns. The U.S. Department of Homeland Security announced in November 2018 that it would expedite "family unit cases" in Atlanta, Baltimore, Chicago, Denver, Houston, Los Angeles, Miami, New Orleans, New York City and San Francisco with the aim of completing them in under a year. Almost 17,000 family unit cases were completed as of June, according to the U.S. Department of Justice. The policy has made it tougher for immigrants to secure counsel, which is essential to a successful outcome in removal proceedings, and it has raised questions about whether immigrants are being given enough time to build their cases for a fair day in court, according to Jojo Annobil, executive director of the legal aid group Immigrant Justice Corps. The Obama administration created "rocket dockets" in 2014 at the height of the influx of unaccompanied children from Central America. The initiative, however, was largely unsuccessful in achieving its stated goal of quickly adjudicating cases, partly because so many of the children were unrepresented, Lenni Benson, a professor at New York Law School, said. The Trump administration even acknowledged that the strategy did not work in its November 2018 announcement, saying the rocket dockets had "coincided with some of the lowest case completion productivity in [the immigration courts'] history." The policy came after the administration adopted a "zero tolerance" stance on those crossing the border without authorization. Apprehension of families at the border soon hit a historic high in May, according to U.S. Customs and Border Protection.

Immigration courts have become overwhelmed, too. When the expedited dockets went into effect, the courts had a backlog of about 768,000 that has since swelled to 945,000 cases as of June, according to the Transactional Records Access Clearinghouse at Syracuse University. In 80% of the family unit cases that have been completed so far, immigration judges ordered immigrants deported when they failed to show up in court, according to the DOJ. That suggests immigrants are not being given sufficient notice of their immigration court hearings, according to Aaron Hall, an attorney at the Joseph Law Firm PC, who noted that the government's "notices to appear" frequently lack the required time and date information for a hearing and are sent to the wrong address. Immigration judges are also under much more pressure to justify any extra time they spend on a case and are not so quick to grant continuances or administrative closures. Benson said that recent decisions

by former Attorney General Jeff Sessions have gutted immigration judges' ability to administratively close cases and established narrow circumstances under which they may grant continuances. Immigrants, therefore, are held to a higher standard of proof as to why they need a continuance, which they may have trouble articulating without the assistance of counsel.

Reported similarly: [Washington Post](#) [8/13/2019 4:40 PM, David Bier, 9425K]

Cuccinelli rewrites Statue of Liberty poem to make case for limiting immigration

[CNN](#) [8/13/2019 1:47 PM, Devan Cole, 6094K] reports the acting director of US Citizenship and Immigration Services in a new interview revised the iconic poem on the Statue of Liberty's pedestal to suggest that only immigrants who can "stand on their own two feet" are welcome in the United States. Ken Cuccinelli tweaked the famous poem from Emma Lazarus — whose words, "Give me your tired, your poor, your huddled masses yearning to breathe free" are long associated with immigration to the US and the nation's history as a haven — as part of a case for strict new measures pushed Monday by the Trump administration that could dramatically change the legal immigration system. "Would you also agree that Emma Lazarus's words etched on the Statue of Liberty, 'Give me your tired, give me your poor,' are also a part of the American ethos?" NPR's Rachel Martin asked Cuccinelli on "Morning Edition" in an interview published Tuesday. "They certainly are: 'Give me your tired and your poor who can stand on their own two feet and who will not become a public charge,'" he replied. "That plaque was put on the Statue of Liberty at almost the same time as the first public charge was passed — very interesting timing." On Monday, the Trump administration announced a regulation that makes it easier to reject green card and visa applications. The new rule means many green card and visa applicants could be turned down if they have low incomes or little education, and have used benefits such as most forms of Medicaid, food stamps, and housing vouchers, because they'd be deemed more likely to need government assistance in the future. The Trump administration has taken the toughest stance against legal and illegal immigration of any presidency in modern times. Under Donald Trump's presidency, the US has fought to curtail the basis on which migrants can claim asylum, publicized large-scale raids by Immigration and Customs Enforcement in an effort to deter would-be undocumented immigrants and backed a Republican Senate effort to create a skills-based immigration system.

Additional reporting:

[ABC News](#) [8/13/2019 3:47 PM, Quinn Owen, 2702K]

[NBC News](#) [8/13/2019 3:24 PM, Sabrina Hersi Issa, 4138K]

A Trump policy has subjected asylum seekers to appalling conditions

[Washington Post](#) [8/13/2019 7:33 PM, Staff, 9425K] reports that when the Trump administration this year began forcing Central American asylum seekers to remain in Mexico while awaiting their day in U.S. immigration courts, the new policy was given a bloodless bureaucratic name: Migrant Protection Protocols. Thousands of migrants have been preyed on by criminal gangs, crammed into festering detention centers that are breeding grounds for disease and hamstrung by daunting impediments to finding lawyers to represent them. In June, Mr. Trump strong-armed Mexican officials into agreeing to deploy thousands of national guard forces to detain and deport Central American and other migrants heading toward the United States. Many wound up in Mexican detention centers, where they are subjected to atrocious conditions. As the New York Times reported, many of the approximately 60 detention centers where migrants are held are ill-equipped for the

numbers of detainees who have arrived. President Andrés Manuel López Obrador, whose administration has been criticized for its handling of the crisis by his government's own human rights ombudsman, is pledging improvements. The Trump administration is within its rights to seek means to deter migrants whose chances of receiving asylum are poor. By shunting migrants to Mexico, where they face menace. Inhumane living conditions and obstacles to seeking a fair adjudication of their asylum claims, the administration is complicit in a massive injustice.

A girl begged for her dad's release after the Mississippi ICE raids. Days later, he's still detained

[CNN](#) [8/13/2019 6:32 PM, Dianne Gallagher, Catherine E. Shoichet, and Hollie Silverman] reports it's been almost a week since 11-year-old Magdalena tearfully begged for her father's release in a video that went viral. The video — recorded at a gym offering food and shelter to children whose parents were among the hundreds of undocumented workers detained in a record-setting immigration sweep — drew global attention to this corner of central Mississippi and prompted responses from top US immigration officials. Days later, at least 300 of the nearly 700 people detained during last week's operation have been released. But Magdalena's father isn't one of them. Andres Gomez-Jorge is being held at the Adams County Correctional Facility in Natchez, Mississippi. His family spoke on the phone with him briefly Tuesday for the first time since his arrest. The call came hours after CNN published a story saying that the family didn't know his whereabouts and feared for his well-being. ICE spokesman Bryan Cox told CNN on Tuesday that information on Gomez-Jorge's detention was provided over the phone last week to someone who identified themselves as a family member, and he added that the agency would follow up to make sure the family got in touch. "I understand that the girl is upset, and I get that. But her father committed a crime," Acting Commissioner Mark Morgan told CNN's Jake Tapper on Sunday on CNN's "State of the Union." Gomez-Jorge does not have any criminal convictions, Cox told CNN on Monday. The father of four was arrested while "working without legal authorization," the ICE spokesman said. Cox said that although Gomez-Jorge has not been convicted of a crime, the US attorney for the Southern District of Mississippi will decide whether he or any of the people detained last week will face federal criminal charges.

[NBC News](#) [8/13/2019 12:36 PM, Dartunorro Clark, 4138K] reports acting Immigration and Customs Enforcement Director Matthew Albence defended his agency's raids across Mississippi last week, which left many children separated from their parents, saying those breaking the law were ultimately the ones to blame for the situation. "We conduct our operations with professionalism, with compassion and with humanity, and we tried our best to minimize the impact on the innocent people of this situation," Albence said. "However, we have to enforce the law. Every law enforces the law against individuals who have broken it." "The parents or the individuals that are breaking the law are ultimately the ones that are responsible for placing their children in this situation," he said. Immigration enforcement authorities raided food processing plants across Mississippi last week, picking up almost 700 workers — most of them Latino — in what could be the biggest single-day, one-state sweep in U.S. history. When Albence was shown a video of a young girl crying because her parents were swept up in the raid, he emphasized that the separation of children from parents was a difficult part of enforcement. "Look, I'm a parent, most of our officers and agents are parents — some of the most difficult things that we have to do in our jobs to enforce the laws involve the separation of parents from children," he said. "Every law enforcement officer has to deal with that at some point in their career. Many

officers, on a daily basis — when an officer goes in to arrest somebody for a crime of domestic violence, one of the children in there is going to be crying." As of Thursday, almost 300 detainees had been released from custody after being processed and given dates to appear in federal immigration court, according to Jere Miles, special agent in charge at the Department of Homeland Security in New Orleans, which covers Mississippi. Those who remained in detention were being held in Louisiana and Mississippi, officials said.

[The Daily Caller](#) [8/13/2019 12:08 PM, Jason Hopkins, 785K, DC] reports that members of the Congressional Hispanic Caucus asked two top immigration officials for details about the illegal immigration raids that led to the arrest of 680 people. "This raid, which is the largest raid in our nation's history, is a continuation of the Trump Administration's politically driven immigration agenda and efforts to target Latino families," read a portion of a letter they sent Monday to Acting Homeland Security Secretary Kevin McAleenan and Acting Customs and Border Protection Commissioner Mark Morgan. The letter pertained to a massive operation ICE conducted on Aug. 7. ICE agents targeted seven food-processing plants across Mississippi believed to be employing hundreds of illegal aliens. Ultimately, authorities arrested 680 people on suspicion of being undocumented. The operation marked ICE's largest single-state raid in U.S. history and attracted protests from opponents of the agency. The lawmakers are asking McAleenan and Morgan to provide information about the costs and funding of the Mississippi operation, the personal information about the people taken into custody, list of children whose parents were detained, and various other questions about the raid. "We still have to apply consequences, meaning enforce the rule of law, for those individuals that are here illegally against immigration law," Morgan told CNN's Jake Tapper Sunday. McAleenan said the timing of the raid was "unfortunate" and also revealed that, of the 680 people, over 200 carried criminal records. Authorities released nearly half of the people apprehended on humanitarian grounds.

Additional reporting:

[The Hill](#) [8/13/2019 3:30 PM, Carmen Rojas, 2806K]

[The Hill](#) [8/13/2019 6:15 PM, Rafael Bernal, 2806K]

[Newsweek](#) [8/13/2019 2:52 PM, Jason Lemon, 2245K, NY]

[Washington Examiner](#) [8/13/2019 1:34 PM, Anna Giaritelli, 855K, DC]

"It Felt Like We Were Responding to a Natural Disaster": Inside the Chaos Following a Huge ICE Raid

[Mother Jones](#) [8/13/2019 5:11 PM, Fernanda Echavarri] reports Stephanie Teatro was in her office in Nashville, Tennessee, on Wednesday when the news hit: 680 workers in several Mississippi poultry plants had been detained by Immigration and Customs Enforcement in the largest workplace raid in more than a decade. For Teatro and her colleagues at the Tennessee Immigrant and Refugee Rights Coalition, the images of crying children stuck at school without their parents brought them back to April 2018 — when a smaller but similar raid in northeastern Tennessee tore immigrant families apart and threw an entire community into chaos. "I remember so well the human suffering that something like this causes — it's incomprehensible," said Teatro, the TIRRC's co-executive director. "Immediately people were ready to get in the car and start driving there to go help because we know what it's like and we know how much support is needed." Last year, Teatro's group was at the center of a similar scene in Morristown, a small city about 40 miles from Knoxville, when ICE arrested 97 men and women from Mexico and Guatemala at the Southeastern Provision meat-processing plant. More than 150 children whose parents were

picked up by ICE that day were left in shock. Some teachers rode the bus home with their students out of fear they'd come home to find out that a parent had been detained; that night, families gathered at an elementary school turned resource center to find out where their relatives were held. "Honestly, it felt like we were responding to a natural disaster," Teatro said. "Kids were crying, and people were desperate for information." The day after the raid, she added, almost 600 children missed school — and it stayed that way through the week. "Honestly, it felt like we were responding to a natural disaster." The Morristown raid, and similar ICE operations in Ohio two months later, marked a return to the type of workplace targeting that peaked during George W. Bush's administration. These raids have long been criticized by immigrant rights groups as cruel and unnecessary, and in the wake of the Mississippi arrests, presidential candidate Kamala Harris called them "part of what I believe is this administration's campaign of terror." Teatro, whose organization has put out a toolkit to help communities respond in the case of a large-scale workplace raid, told me that some of the children whose parents were detained in the Tennessee raids ended up staying with relatives who cared for them short-term to prevent child welfare services from taking custody. Most workers spent "weeks and weeks" in immigration detention facilities, she said; 15 of them eventually signed voluntary deportations, and nine were ordered deported by a judge. As of Friday, 71 of the workers picked up that morning in Tennessee were still facing deportation and waiting for their day in immigration court.

In February, seven workers filed a class-action lawsuit against the ICE agents who conducted the raid, accusing them of racial profiling and excessive use of force. They say agents "berated them with racial slurs," and pointed guns at them, according to court documents. When reached for comment, ICE spokesperson Bryan D. Cox said that the agency "does not comment on pending litigation; that said, absence of comment should in no way be interpreted to think a suit has any merit." Some of the workers arrested in Tennessee also have traveled to Washington, DC, to talk to lawmakers about worksite raids and filed complaints with the Department of Labor. Two weeks ago, the owner of Southeastern Provision was sentenced to 18 months in federal prison after pleading guilty to "to tax fraud, wire fraud, and employment of unauthorized illegal aliens," according to filings by the US Department of Justice. "This reality flatly contradicts statements made by certain persons last year who falsely stated the operation was focused only on workers and not the business itself," Cox said. (Still, this sort of prosecution is rare: Data from the Transactional Records Access Clearinghouse (TRAC) at Syracuse University shows that in the period from April 2018 to March 2019, more than 120,000 workers were prosecuted for illegal entry or reentry, while only 11 individuals, not companies, in seven cases faced charges for employing them.)

Majority of Americans Say the Trump Administration Is Doing a 'Bad Job' at the Border: Survey

[Newsweek](#) [8/13/2019 12:03 PM, Chantal Da Silva, 2245K, NY] reports that the majority of Americans believe the federal government is doing a "bad job" at handling the influx of asylum seekers arriving at the border, new survey data has found. People in the U.S. are also divided along partisan lines on how the government could improve on its approach to the country's current immigration policies. This is according to a survey conducted by the Pew Research Center of 4,175 people between July 22 to August 4. The data revealed that 65 percent of Americans surveyed said they feel the federal government is doing either a "very bad" or "somewhat bad" job at dealing with the rise in the number of people arriving at the U.S. southern border in recent months. Just 27 percent said they feel the government is doing a "somewhat good" job, with 6 percent saying "very good." When it came to

addressing how the government could improve on its response to the influx of arrivals at the border, Americans were divided on where the federal government's priorities should lie.

Reported similarly:

[The Inquirer](#) [8/13/2019 11:41 AM, Jeff Gammage, 213K, PA]

[KTLA](#) [8/13/2019 4:52 PM, Staff, 355K, CA]

Deported veterans can't get into the country for citizenship interviews. This senator wants answers.

[KNSS Radio](#) [8/13/2019 11:03 AM, Elizabeth Howe, KS] reports that deported Marine Corps veteran Roman Sabal was supposed to return to the United States for a citizenship interview in mid-July. Now, Sen. Tammy Duckworth, D-Ill., wants the Department of Homeland Security and the Department of State to explain why. Sabal first came to the United States on a visitor visa with one plan — joining the Marine Corps. He succeeded in 1987 and served for six years before being honorably discharged and going on to serve in the Army Reserves. He met his partner, Arnissa Boatwright in Jacksonville, Fla., and they started a family. In his later years, Sabal had to return to his hometown of Belize for diabetes treatment. The second time he did so in the early 2000s, he was not allowed to return to the United States. Sabal has been working to return to the United States and his family ever since. July's citizenship interview was meant to be a step forward in that process — which has now been delayed for months. "I write to request further information on the administration's policy to permit deported veterans entry into the United States to attend their citizenship interview with U.S. Citizenship and Immigration Services," Duckworth's letter to Acting Secretary Kevin McAleenan and Secretary Michael Pompeo starts. According to the letter, neither the DHS nor the Department of State could agree on which agency was responsible for granting Sabal's entry.

Asylum claims spike among Mexicans fleeing drug war

[KTSM](#) [8/13/2019 11:35 AM, Julian Resendiz, 10K, TX] reports that hours after criminals left six bodies dangling from a bridge and 13 others scattered on the streets of Uruapan, Michoacan, Miguel Martinez Maya, his wife and four children headed for the U.S. border. The trucker from Ciudad Hidalgo, Michoacan, had already been targeted for extortion and didn't want to become the next victim of out-of-control Mexican criminal gangs. "I transport sawdust from the mills but the people who control the highways wanted \$500 a month to 'protect' me from robbers and the police. I don't make that much and I know of other drivers who've been picked up and beaten for not paying," he said. He is part of a new trend: As the number of Central American and Cuban migrants seeking asylum in the U.S. decreases, more Mexicans fleeing drug violence are exploring that avenue of migration. According to the latest numbers from the Migrant Assistance Center, since the start of August the majority of asylum seekers registering in Juarez for appointments in El Paso are Mexican citizens. On Friday 44 of the 47 petitioners were Mexican, two were from Honduras and only one from Cuba. Previously, Cubans made up 80 percent of the asylum seekers in Juarez, followed by Hondurans, Guatemalans and Salvadorans. The trend comes two months after Mexico agreed to more aggressively enforce its immigration laws and began keeping Central Americans from entering the country without authorization. U.S. officials are also asking Central American leaders to discourage criminal organizations — who are handing out makeshift travel brochures — from promoting "trips" to the U.S. border.

AOC Doubles Down On The Concentration Camp Rhetoric

[The Daily Caller](#) [8/13/2019 5:18 PM, Jason Hopkins, 785K, DC] reports that New York Democratic Rep. Alexandria Ocasio-Cortez refused again to apologize for her comparison of immigration detention centers to concentration camps. "I don't," Ocasio-Cortez said to ABC7 during an interview that aired Friday. "I don't regret it at all we in the United States have a history of concentration camps with Japanese internment, in South Africa. They were part of a larger process in the Holocaust, but they were not unique nor were they the actual death camps in the Holocaust either." The comments were the latest response from Ocasio-Cortez since she attracted widespread controversy over the comparisons. During an Instagram livestream in June, the New York Democrat accused the U.S. government of running concentration camps along its southern border. "That is exactly what they are. They are concentration camps," she said during the livestream. "I want to talk to the people that are concerned enough with humanity to say that we should not — that 'never again' means something. The fact that concentrations camps are now an institutionalized practice in the Home of the Free is extraordinarily disturbing and we need to do something about it." The comparison drew condemnation from numerous people across the country, including a Holocaust survivor.

I'm a Republican Immigration Lawyer — And Trump is Killing my Party

[Newsweek](#) [8/13/2019 12:44 PM, Dario Aguirre, 2245K, NY] reports that as an immigration lawyer, there is a presumption I am a progressive liberal. The fact I am former military and a life-long Republican is often greeted with incredulity, as if witnessing matter and anti-matter occupying the same space. The subsequent reaction generally is one of loathing, premised on the belief I am a Trump supporter. The juxtaposition of the values of the Republican Party that first led me to lean to the right and the present state of Abraham Lincoln's party merits comment. I must indulge myself in a retrospective journey into the evolution of my political alignment with the right. Like many Americans, I saw Vietnam as an endless and deadly quagmire. Nixon's pledge of "peace with honor" was a welcome political cowbell. Later, Watergate culminated with Nixon's abdication of his presidency. The saving grace of Watergate was the Congressional Republicans placing country before party. In 1979, the fall of the Shah of Iran and the Soviet invasion of Afghanistan shook me out of my post-Vietnam hangover. These shifts in the geopolitical landscape ushered in my abandonment of isolationism. The recent shooting in El Paso, Texas, exemplifies the dangers of Trump's demagoguery. A white supremacist drove 10-hours from Allen, Texas, to El Paso, Texas, to kill Mexicans. Trump's response to this horrific mass shooting is very telling. He is photographed grinning and hyping the crowd size that greeted him in El Paso while holding a 2-month-old infant who was orphaned by the slaughter that left both his parents and 20 other people dead. Trump also attempted to leverage the mass shooting to advance his immigration reform agenda. His pairing gun control with his xenophobic and racist immigration plan was contemptuous of the El Paso dead. Amazingly, on the same day ICE conducted raids in Mississippi that yielded 680 arrests of undocumented workers. Trump viewed the raids as a "good deterrent" to illegal immigration while manifesting complete indifference to the fear this action fueled in the Hispanic community. Regardless of their immigration status, the Hispanic community throughout the United States lives in fear.

[VT] Arrested activists air criticism of ICE detentions

[VTDigger](#) [8/13/2019 4:15 PM, Alexandre Silberman, 18K, VT] reports that around two dozen activists renewed their calls for action against immigration detentions and conditions, two weeks after a protest drew hundreds of Vermonters and resulted in 19 arrests. The arrested activists were issued citations for disorderly conduct after blocking a road outside

a building where Immigration and Customs Enforcement operates a tipline. They were scheduled to appear in Chittenden Superior Court on Tuesday, but announced during a news conference on the courthouse steps that the date had been canceled. The event concluded with a rally and road blockade at 188 Harvest Lane, which serves as an around-the-clock nationwide hub that shares information with police about suspects' immigration status and criminal background. Protesters at the July event chanted and waved signs calling for the ICE building to shut down, the reunification of migrant families, an end to immigration raids and deportations and the closure of detention facilities. Community Voices for Immigration, an activist coalition, organized the civil disobedience following the event and gathered outside the Edward J. Costello Courthouse in Burlington on Tuesday, where they announced those cited would not be appearing in court as expected. Emma Schoenberg, the group's action coordinator, said the group received an email yesterday afternoon that the court date had been canceled. ICE spokesperson John Mohan said by email Tuesday he was unable to confirm or deny ICE arrests in Vermont. "ICE enforcement actions can and do occur on a regular basis in various locations," he said. "ICE does not publicly comment on routine enforcement actions that occur on a regular basis as part of our enforcement of US immigration law." The Upper Valley town failed in efforts to adopt a policy that would have helped shield undocumented immigrants from federal detention.

[NH] Immigration judge grants asylum designation to Guatemalan women

[Union Leader](#) [8/13/2019 4:41 PM, Mark Hayward, 57K, NH] reports that a Boston immigration judge has cast women from Guatemala as a specific social group, a legal term that will make it easier for them to seek asylum, according to immigration lawyers. The decision by U.S. Immigration Judge Paul Gagnon — a Manchester, N.H., resident and former U.S. Attorney for New Hampshire — was issued June 18, and federal immigration authorities have not challenged it within the legal time frame to do so, immigration lawyers said. "It's an extraordinary, bold move," said George Bruno, an immigration lawyer in Manchester. "It's significant and it holds out hope for many Guatemalan women." Immigrants showing up at the southern border are increasingly from the central American countries of Guatemala, El Salvador and Honduras, and many are making asylum claims. Federal law allows judges to grant asylum to a person who can demonstrate persecution or a well-founded fear of persecution on account of race, religion, nationality, political opinion or membership in a particular social group. Gagnon's decisions designated Guatemalan women as a social group under the asylum law. Some legal scholars have long urged that immigration courts move from absurdly narrow definitions of social groups — such as members of a particular clan who resist male domination — to larger groups, according to Jennifer M. Chacón, a professor at UCLA law school who answered questions emailed from the Union Leader. But some immigration appeals boards and the Justice Department have refused to allow such broadly defined social groups for fear of opening floodgates, she said. The ruling only governs the four states whose immigration cases are heard in Boston — Massachusetts, New Hampshire, Maine and Rhode Island. But Chacon said it could prove instructive to other courts.

[MA] Judge in ICE obstruction case can keep salary

[USA Today](#) [8/13/2019 1:44 PM, Joey Garrison, 6620K] reports that in a reversal, a Massachusetts judge indicted for allowing an undocumented immigrant to evade ICE by slipping out the backdoor of a courthouse will be able to keep her \$181,328 annual salary and get back pay during her ongoing suspension. The Massachusetts Supreme Judicial Court, in a 5-1 decision Tuesday, ruled to reinstate the salary and benefits of District Judge Shelley Joseph and to pay her compensation that was withheld since April 25, when federal

obstruction charges were filed against her. In the new order, a majority of justices agreed that "suspension with pay is more appropriate under these circumstances. Joseph, a state judge in Newton, outside Boston, was indicted April 25 by the Justice Department for allegedly preventing federal immigration agents last year from arresting an undocumented immigrant. A court officer, Wesley MacGregor, was also charged. Prosecutors say that Joseph and MacGregor allowed Jose Medina-Perez, a Dominican national detained on drug and outstanding warrant charges, to leave the courthouse from a downstairs back door after the judge instructed an immigration agent to wait in the hallway outside her courtroom. They noted that in previous instances when Massachusetts judges had been suspended without pay it came after investigations from the Commission on Judicial Conduct. Such an investigation has not concluded with Joseph's matter. They also acknowledged the court is "left with two poor alternatives" — either use public funds to pay a judge who is not working or create a financial burden for the judge that hurts her ability to return to the bench. The justices also questioned taking away Joseph's pay for an indictment, which is based only on probable cause, as opposed to a guilty verdict that has a higher bar.

Reported similarly:

[FOX News](#) [8/13/2019 8:34 PM, Louis Casiano, 10258K]

[CBS Boston](#) [8/13/2019 12:12 PM, Staff, 142K, MA]

[Washington Times](#) [8/13/2019 3:57 PM, Staff, 452K, DC]

[NY] City Cautions Immigrants: Don't Rush To Drop Benefits For Fear Of Trump's 'Public Charge' Rule

[Gothamist](#) [8/13/2019 2:10 PM, Caroline Lewis, 299K, NY] reports that city officials are slamming a new immigration policy finalized by the Trump administration this week that would expand the federal government's options for denying applications for legal status. The U.S. Department of Homeland Security can already label someone a "public charge" and deny them green cards if they receive Supplemental Security Income or Temporary Assistance for Needy Families; the new rule would also penalize applicants for the use of such public programs as Medicaid, SNAP, and Section 8 Housing Assistance. As Ken Cuccinelli, acting director of U.S. Citizenship and Immigration Services, put it Tuesday, "Give me your tired and your poor who can stand on their own two feet and who will not become a public charge." Before anyone puts their access to health care, food, or housing in jeopardy by opting out of public programs, the city is urging people to pump the brakes and consult a lawyer, noting that not everyone who uses public services is risking their legal status. "The 'public charge' rule is yet another attempt by the Trump administration to instill fear and concern among working immigrant families, but rest assured New Yorkers are fighters and the city will do everything in our power to ensure people have the resources they need to at this critical time," Bitta Mostofi, commissioner of the Mayor's Office of Immigrant Affairs, said in a statement. "The city is here to help you make the right decision for you and your family." The updated public charge rule doesn't go into effect until October 15th and is likely to face an onslaught of legal challenges before then, including from the city.

[DC] D.C. mayor says she will not accept federal shelter for unaccompanied migrant children

[Washington Post](#) [8/13/2019 5:11 PM, Fenit Nirappil, 9425K] reports that D.C. officials and immigration advocates on Tuesday criticized plans by the federal government to house unaccompanied migrant children in Washington. Mayor Muriel E. Bowser said the city has

"no intention" of accepting such a facility, echoing opposition from elected officials in Northern Virginia, who are protesting a proposal by the Trump administration to build a permanent shelter there for unaccompanied minors. Bowser was reacting to an application from Dynamic Service Solutions, a federal contractor, to open a temporary shelter for children in the District. A woman who answered the phone at the contractor's office referred questions to the U.S. Department of Health and Human Services, which oversees the placement of migrant children. Democrats and some Republicans have objected to the Trump administration's handling of immigration at the southern border, including separating children from their families and holding immigrants in crowded facilities and squalid conditions. "Washington, D.C. will not be complicit in the inhumane practice of detaining migrant children in warehouses," Bowser said in a statement. "We have no intention of accepting a new federal facility, least of all one that detains and dehumanizes migrant children." Despite her efforts to stand up to the president, the mayor has faced heat from immigration activists for what they consider an insufficient response to the Trump administration's deportation of local residents. The Bowser administration has made millions available for local nonprofits providing legal services to immigrants, but that funding is not available for adult immigrants once they are detained.

[AL] More than 30 members of clergy, religious activists sign letter declaring their churches immigrant 'sanctuaries': report

[FOX News](#) [8/13/2019 6:02 PM, Bradford Betz, 10258K] reports that a group of more than 30 clergy members and religious activists in Birmingham, Ala., have signed a letter promising sanctuary to immigrants facing mass deportations in their state, according to a Tuesday report. The Rev. Paul Ecknes-Tucker of Birmingham's Pilgrim United Church of Christ told al.com that the move came in response to last week's raid in Mississippi, in which Immigration and Customs Enforcement agents detained 680 "removable aliens" at seven food processing plants. A federal prosecutor described the raid as "the largest single-state immigration enforcement operation in our nation's history." "The raid over in Mississippi last week was a pivotal moment for us to begin talking about what we would do here if faced with similar things," Ecknes-Tucker said. "We talked about helping with kids, giving them a safe place to be." Declaring churches a sanctuary, Ecknes-Tucker said, will protect immigrants from deportation and allow them time to recuperate. "Our houses of worship will be sanctuary for those seeking refuge," read the letter. "We will not allow immigration authorities to enter into our houses of worship without a warrant signed by a judge." The letter, which was issued Tuesday, affirmed that "ethical and theological commitments require us to take a stand against policies and language that dehumanize our immigrant siblings." It then admonished "racist, xenophobic, and violent rhetoric from our national leaders" used to "vilify both documented and undocumented immigrants." Though the signatories "love and support" police and law enforcement who want to better their community, they decried the supposed weaponization of law enforcement policies "as part of an agenda to promote ethnic nationalism." [Editorial note: consult source link for video]

[MI] House Democrats urge Trump to end deportations of Iraqis after diabetic man's death

[The Hill](#) [8/13/2019 4:56 PM, Zack Budryk, 2806K] reports that dozens of House Democrats are calling on to halt deportations of Iraqi nationals following reports that an Iraqi-born diabetic man who spent most of his life in the U.S. died after being deported and then was unable to obtain insulin. The man, Jimmy Aldaoud, who was brought to the U.S. as a toddler, had reportedly also been diagnosed with paranoid schizophrenia, which advocates have said led to the criminal conviction that led to his deportation. "He already faced

tremendous danger in a country that was completely foreign to him, as he was entirely Americanized and a Chaldean Christian, a religious minority that is highly persecuted in Iraq," the 41 House Democrats wrote. "However, to force a man living with chronic illnesses into an unknown country without adequate access to life-sustaining medicine is nothing short of a death sentence. Jimmy's death was a direct and predictable result of his deportation, and we are horrified that this cruelty was perpetrated on our watch," they added. Aldaoud's deportation followed a decision by the 6th Circuit Court of Appeals earlier this year that allowed Immigration and Customs Enforcement to detain and deport Iraqi nationals, despite calls from lawmakers in both parties to halt the process, the letter stated. In April, more than 20 members of Congress wrote to ICE and the Department of Homeland Security asking for the deportations and detentions to be deferred.

Reported similarly:

[Newsweek](#) [8/13/2019 8:04 PM, Christina Zhao, 2245K, NY]

[Detroit News](#) [8/13/2019 8:37 PM, Sarah Rahal, 297K, MI]

[TX] FBI investigating shooting at ICE office in San Antonio

[The Hill](#) [8/13/2019 4:26 PM, Rachel Frazin, 2806K] reports that the FBI is investigating after shots were fired into an Immigration and Customs Enforcement office in San Antonio, Texas, early Tuesday. Shots were also fired at nearby buildings that house businesses unrelated to ICE operations, according to an FBI statement. Previous reports including from local affiliate NBC 4 San Antonio had indicated a suspect had been taken into custody, but the FBI denied that was the case. The news report has been updated with the new information. The FBI is processing the scenes and reviewing surveillance video. "These shootings were cowardly, brazen, violent acts, absolutely without justification and a threat to our entire community," said FBI Special Agent in Charge Christopher Combs in the statement. "An attempt to attack federal employees is a federal crime with serious consequences," he added. "The FBI will relentlessly pursue every lead in this case to find the individuals who are responsible." The Hill has reached out to the San Antonio Police Department and ICE for comment. [Editorial note: consult source link for video]

[CNN](#) [8/13/2019 7:20 PM, Geneva Sands] reports, "We had federal employees who were present, who although they were not hit by the rounds fired, by the grace of God. Had the bullets gone 2 inches in another direction, we could be here today talking about the murder of a federal official," said Christopher Combs, FBI special agent in charge for San Antonio, during a news conference. The FBI has opened an investigation as an "assault on a federal official case," said Combs. The crime scene is being processed and the FBI is reviewing the surveillance footage. An unknown number of individuals and vehicles pulled up and "fired numerous rounds into the ICE facility," said Combs, adding that he doesn't "think there is a question that they knew which floors the ICE offices were on." All of the shots discovered at this point were on the floors where ICE had offices, said Combs. "To fire indiscriminately into any building, let alone a federal facility, is not an act of protest, it's an act of violence," he said. "We are concerned that there could be additional attacks." Both FBI and ICE officials raised concerns that political discourse could lead to more violence. "Political rhetoric and misinformation that various politicians, media outlets and activist groups recklessly disseminate to the American people regarding the ICE mission only serve to further encourage these violent acts," said ICE San Antonio Field Office Director Daniel Bible in a statement.

Reported similarly:

[FOX News](#) [8/13/2019 10:36 PM, Louis Casiano, 10258K]
[National Review](#) [8/13/2019 10:59 AM, Jack Crowe, 491K]
[The Daily Caller](#) [8/13/2019 3:10 PM, Jason Hopkins, 785K, DC]
[Washington Times](#) [8/13/2019 10:14 PM, Stephen Dinan, 452K, DC]
[Washington Examiner](#) [8/13/2019 3:20 PM, Anna Giaritelli, 855K, DC]
[Miami Herald](#) [8/13/2019 5:37 PM, Chacour Coop, 368K, FL]
[My San Antonio](#) [8/13/2019 8:21 AM, Priscilla Aguirre, 118K, TX]
[Texas Public Radio](#) [8/13/2019 4:23 PM, Joey Palacios, 11K, TX]
[KQXT](#) [8/13/2019 8:26 AM, Staff, 791K, TX]

[TX] Six Protesters Arrested at Texas Migrant Children's Detention Center

[Breitbart](#) [8/13/2019 2:52 PM, Bob Price, 2034K] reports that police arrested six protesters at a migrant children's detention center Tuesday. This is the second protest at the center in less than a month. Dozens of protesters gathered outside the Southwest Key Juvenile Detention Center near downtown Houston on Monday evening. Houston police arrested six demonstrators for allegedly blocking traffic by sitting on a public street, Fox26 Houston's Randy Wallace reported. A similar protest on July 21 drew about 150 protesters. Seven protesters took to the street in front of the facility and blocked the driveway, Wallace reported. The protesters eventually moved to the street and allegedly blocked traffic, prompting action from police. One of the arrested protesters is reportedly failed state representative candidate Lisa Seger. Seger, a Waller, Texas, resident, ran for State Representative District 3 in the 2018 election and lost to incumbent Cecil Bell. She drew less than 25 percent of the vote in the November general election. A spokesman for the group told Fox26 their people intentionally placed themselves in the street to force police to arrest them. Police charged the protesters with impeding traffic.

[NM] ACLU seeks video of ICE arrest at courthouse

[Albuquerque Journal](#) [8/14/2019 12:05 AM, Katy Barnitz, 44K, NM] reports that the American Civil Liberties Union has filed a lawsuit against Bernalillo County's Metropolitan Court alleging officials there refused to release surveillance video that the organization believes may show immigration agents wrongfully arresting a graduate student. The suit, filed Tuesday in state District Court, alleges the foreign-born student was detained by U.S. Immigration and Customs Enforcement outside a sixth-floor courtroom in February despite explaining that he is in the United States lawfully. ICE enforcement in local courthouses has been debated for more than two years. Critics of ICE worry the threat of detention will cause immigrants to stay away from the courthouse, potentially undermining public safety. In fall 2018, Metro Court implemented a policy that bars local, state and federal law enforcement from making arrests except with a judicial warrant, by lawful court order or to secure immediate public safety. An ACLU attorney has said in the past that ICE generally uses administrative warrants. Daniel Yohalem, who is representing ACLU-New Mexico in the lawsuit, said the footage the organization has requested will show whether Metro Court is enforcing that policy. He said the organization requested access to footage of a specific publicly accessible portion of the courthouse over a period of a couple of hours. In denying the ACLU request, the court said the video was exempt from release under the state's Inspection of Public Records Act because it is "part of the court's tactical response to security threats," the suit says. "There is no legitimate exemption that applies, and the courthouse needs to turn over the very limited video that's being sought here so the ACLU can determine exactly what happened in that seizure and what, if any, role Bernalillo County officials played in it," Yohalem said. A Metro Court spokeswoman said in a statement Tuesday that the court cannot comment on the pending lawsuit. Asked whether

ICE is continuing immigration enforcement in Metro Court, she said the court is not aware of any arrests in the courthouse in the past few months. A spokesman for ICE did not respond to a request for comment other than to say he could not issue a statement about a specific person without an alien registration number or name, date of birth and country of origin.

[OR] Complaint filed against ICE over man detained at courthouse

[Associated Press](#) [8/13/2019 10:33 PM, Staff, 61K, OR] reports that attorneys working with the American Civil Liberties Union have filed a complaint against U.S. Immigration and Customs Enforcement, demanding the agency pay \$100,000 for briefly detaining a U.S. citizen outside the Washington County Courthouse. Oregon Public Broadcasting reports Isidro Tafolla and his wife were leaving the courthouse Sept. 18, 2017, when six plainclothes ICE officers boxed in the couple's truck and questioned him. In the complaint filed Monday, ACLU attorneys say the officers used an "aggressive, demanding demeanor," refusing to identify as ICE and showing the couple a mugshot that didn't resemble Tafolla.

The [Lake Oswego Review](#) [8/13/2019 3:00 AM, Geoff Pursinger, 35K, OR] reports that ICE has said it acted professionally during the incident, and pushes back against claims that its agents did not identify themselves or that Andrade-Tafolla was ever formally detained. "At no point did ICE officers attempt to detain Mr. Andrade-Tafolla," ICE's acting field office director, Elizabeth Godfrey wrote to federal lawmakers in 2017. "Throughout the encounter, ICE officers handled themselves with professionalism and treated Mr. Andrade-Tafolla with respect." Rade-Tafolla disagreed, saying ICE's actions across the country have hurt far more people than they have helped. "These federal agents must be held accountable," Andrade-Tafolla said. "Immigrants and people of color make this country great. Latinos make this country great. We are hard workers and folks that come here to provide for their families and to hope for a better future. Our communities are stronger and more vibrant when all people are welcome." Activists and religious leaders have met outside the courthouse each week since 2017 to protest ICE's actions at the courthouse.

[CA] California Counties Sue to Block Trump's New Green Card Test

[New York Times](#) [8/13/2019 4:46 PM, Mihir Zaveri and Mariel Padilla] reports San Francisco and Santa Clara County in California filed a lawsuit Tuesday to block the Trump administration from implementing a new rule that would deny permanent residency to legal immigrants if they are judged likely to use government benefit programs. President Trump issued the regulation, called the public charge rule, on Monday. Starting in October, the federal government plans to base decisions about permanent legal status on a wealth test: Poor immigrants would be denied if they are deemed likely to use programs like food stamps or subsidized housing, while wealthier immigrants designated as less likely to require public assistance would be approved. In the lawsuit, filed in United States District Court in San Francisco, the counties say the rule would have a "chilling effect." It would push many away from needed federal health care programs that also guard communities against disease, like the Zika virus. Local governments would have to provide similar services and pick up the costs, the lawsuit says. The rule's announcement Monday prompted a swift backlash, and Tuesday's lawsuit was not unexpected. Several advocacy groups called the policy cruel and several vowed to sue the federal government. The Department of Justice declined to comment on the lawsuit Tuesday night.

Reported similarly: [San Francisco Chronicle](#) [8/13/2019 3:12 PM, Tatiana Sanchez, 337K]

[CA] Documents Allege Serious Medical Neglect Inside Otay Mesa Detention Center
[Voice of San Diego](#) [8/13/2019 8:34 PM, Maya Srikrishnan, 17K, CA] reports that C.O., an asylum-seeker, suffers from severe headaches and other lingering effects of a gunshot wound — remnants of an incident that forced him to flee Guatemala. When C.O. has sought medical treatment for the bleeding at the Otay Mesa Detention Facility where he's being held, he's been given ibuprofen, said Anne Rios, a staff attorney at Al Otro Lado, an organization that provides legal aid to immigrants. Rios tried to persuade Immigration and Customs Enforcement to release C.O. from detention, which she argues is aggravating his health problems. She laid out how he had no criminal history or immigration violations in the United States, and noted he sought asylum through a designated port of entry, rather than crossing illegally, to show that he wouldn't be a flight risk if he was released. An ICE officer denied C.O.'s parole request. The Otay Mesa Detention Center has long faced criticism over its medical care. Back in 2007, the ACLU filed a lawsuit alleging that detainees were "routinely subjected to long delays before treatment, denied necessary medication for chronic illnesses and refused essential referrals prescribed by medical staff." The case settled in 2010 and ICE said it would change some of its medical policies. The California attorney general in a February report cited problems with medical and mental health care in ICE detention centers in the state. ICE said in a statement that its health services comply with national detention standards. Detainees are all screened by medical providers within their first 12 hours in ICE custody to determine their medical, dental and mental health status. ICE said its standards also require that detainees receive three daily meals using menus developed by a registered dietician, who ensures individuals' unique health, dietary and religious needs are met. L.E., an asylum-seeker from Honduras who is HIV-positive, was detained at Otay Mesa for 25 days before receiving his medication. L.E. was eventually released from custody by an immigration judge.

[Guatemala] Guatemalan President-Elect Says Country Can't Uphold Migration Deal with U.S.

[US News & World Report](#) [8/13/2019 3:03 PM, Claire Hansen, 3196K] reports that Guatemala's President-elect Alejandro Giammattei said Tuesday his country is not able to honor its side of an immigration deal with the U.S. as it is currently written. Outgoing Guatemalan President Jimmy Morales inked a so-called safe third country agreement with the Trump administration in July, despite Guatemala's highest court blocking Morales from signing the pact without the consent of lawmakers. The agreement would require some asylum-seekers to seek asylum in Guatemala before applying for protections in the U.S. It's part of an attempt by the Trump administration to curb the number of asylum-seekers appearing at the southern U.S. border. But Giammattei told a Mexican television network Tuesday he needs to analyze the agreement, according to the Associated Press. He has previously said that he hopes to modify the deal. Critics of the deal say Guatemala — which struggles with poverty and violence — is woefully unequipped to handle the tens of thousands of migrants the policy would redirect to the country. Large numbers of Guatemalan migrants have appeared at the U.S. border to seek asylum. Giammattei has said his country is not in a position to take in migrants. The situation, however, may be drastically different by the time Giammattei takes power in January. President Donald Trump has threatened Guatemala with tariffs and other consequences if it does not do more to stop the flow of migrants transiting from and through it to the U.S. border.

Reported similarly: [Federal News Radio](#) [8/13/2019 12:04 PM, Staff, 39K, DC]

Legal News

[DC] DC Circ. Won't Toss Diversity Visa Applicants' Suit

[Law360](#) [8/13/2019 1:54 PM, Nicole Narea] reports the D.C. Circuit found Tuesday that Yemeni and Iranian immigrants may still be entitled to diversity lottery visas that they had failed to obtain after President Donald Trump's travel ban went into effect. The immigrants, who were barred entry into the U.S. under Trump's ban on nationals from countries deemed to be security threats, still have a live case after a three-judge panel rejected the government's request to declare their claims moot. A lower court could order the U.S. Department of State to grant the visas despite the fact that Congress had required they be issued by the end of fiscal year 2017. The diversity visa lottery, which Trump has repeatedly sought to end, provides 50,000 visas annually for countries that do not send many people to the U.S. The appeals court said Tuesday that there still remains an unresolved dispute as to whether a lower court has the power to order the State Department to grant the applicants' diversity visas well after fiscal year 2017. The applicants' arguments in support of granting the visas are not "so implausible as to deprive" the district court of the opportunity for further review, as the government has requested, the panel said. The panel noted that, oftentimes, cases involving diversity visas become moot after the fiscal year in which they were approved has passed. But in this case, the court might have the ability to grant further relief because it had already ordered the government to reserve unused fiscal year 2017 visas for the purpose of issuing them to the applicants pending the outcome of the case. Cody Wofsy, a staff attorney with the American Civil Liberties Union and counsel to the applicants, said that they were gratified the court recognized "this fight is not over."

Enforcement News

[NH] Court in New Hampshire halts deportation of Haitian man

[Associated Press](#) [8/13/2019 5:19 PM, Staff, 25K] reports that a federal court judge in New Hampshire has ruled that a Haitian immigrant who claims he fled politically-motivated attacks in his home country can remain in the United States for now. The American Civil Liberties Union filed a lawsuit late Monday requesting that judge halt the transfer of Jeff Beaubrun from New Hampshire to Louisiana, where he was set to be deported to Haiti. The ACLU argued that Beaubrun still had a pending court hearing to reopen his immigration case. A judge agreed. Beaubrun claims that he and his wife fled an attack by an opposition party in Haiti. After arriving in the United States in 2016, he fled to Canada where he was denied asylum. He returned to the United States this year and was arrested for missing a 2017 asylum hearing.

[VA] Proposal for ICE Juvenile Center in Northern Virginia Meets Opposition

[WVTF](#) [8/13/2019 4:29 PM, Michael Pope, 4K, VA] reports that the Trump administration wants to build a new detention center for children in Northern Virginia. The idea isn't all that popular in the region. Northern Virginia is home to one of the largest communities of immigrants from South America in Virginia. Now places like Fairfax and Prince William and Loudoun are all potential locations for a new shelter for unaccompanied minors — a 440 bed facility with two acres of outdoor space, classrooms and sleeping areas. The U.S. Department of Health and Human Services declined a request to be interviewed for this story, although a spokesman sent a written statement saying the search for a permanent facility is being pursued "to reduce the potential need for unlicensed temporary influx shelters in the future."

[MI] Protesters push Prudential to divest from private immigrant detention center

[Detroit News](#) [8/13/2019 7:35 PM, Sarah Rahal, 297K, MI] reports that protesters gathered along Big Beaver Road on Tuesday near Prudential Financial's offices, calling on the company to divest from GEO Group Inc., a worldwide private prison contractor producing an immigrant detention center in Michigan. "Prudential owns GEO stock and is the sixth-largest holder," said Elizabeth Topp, an organizer from Lansing. "This is an important issue in Michigan and the southern border. We're against GEO Group and its harmful practices." Founded as the Wackenhut Corp. in Coral Gables, Florida, GEO Group has grown into the single largest contractor for Immigration and Customs Enforcement, operating more than 130 detention centers and prisons worldwide, according to its website. A coalition of groups from Michigan under the umbrella of No Detention Centers in Michigan protested Prudential's affiliation and the GEO Group 10-year federal contract to house non-citizens sentenced in immigration offenses or other federal crimes at a former prison in Baldwin. Prudential Financial officials said in a statement that they "respect the rights of individuals to peacefully and lawfully exercise their freedom of speech." GEO Group officials say the divestment efforts are based on a "false narrative and deliberate lies about our company." "We have never managed any shelters or facilities housing unaccompanied minors, including those who may have been separated from their parents," a GEO Group statement said.

[MI] Lawmakers, protesters call for end to Dearborn police housing ICE detainees

[Detroit News](#) [8/14/2019 12:09 AM, Sarah Rahal, 297K, MI] reports that Nabintou Doumbia stood before a crowd protesting U.S. immigration and detention policies and talked about her family's struggle to deal with her father's deportation to Ivory Coast in November. More than 150 demonstrators peacefully gathered outside the Dearborn Police Department on Michigan Avenue, calling for an end to the department's agreement to hold detainees, including Doumbia's father, for Immigration and Customs Enforcement. Members of Congress joined the gathering hosted by the Detroit Jews for Justice, Council on American-Islamic Relations of Michigan and Bend The Arc: Ann Arbor. Dearborn Mayor Jack O'Reilly Jr. declined to more comment on the work with ICE, saying Haddad's statement represents the city. The ACLU of Michigan and the Michigan Immigrant Rights Center sent letters Friday to nine county sheriffs, prosecutors and two police chiefs, including Haddad, urging that they stop detaining people in jails at the request of ICE. "They have denied having a contract and holding people in their jail, and from our partnership with MIRC, they've documented intakes with people being held in Dearborn or transported through," said Abril Valdes, immigrant rights attorney for the ACLU of Michigan. "They are being used as a hub for homeland security ... this corrodes community trust, especially if leadership in the city are denying these claims." In January, Kent County Sheriff's Office changed their policy on holding detainees for ICE following the arrest and three-day detention of Jilmar Ramos-Gomez, a decorated Marine who was born in Grand Rapids. U.S. Reps. Debbie Dingell, Rashida Talib and Andy Levin closed the event, saying their constituents "have a responsibility to stand up to hate." At least one Republican questioned the reason for the use of local departments to house ICE detainees. "If an influx of detainees occurs for whatever reason and an overflow results, then perhaps utilizing local departments may become necessary. But if this is a matter of convenience due to a lack of funding and resources and the result is draining resources of local departments, ... that is a problem," said David Dudenhoefer, GOP spokesman for Michigan's 13th district.

[TX] Closing arguments begin for undocumented immigrant accused of killing co-worker in 2018

[FOX San Antonio](#) [8/13/2019 12:03 PM, Joe Galli, 11K, TX] reports that closing arguments finished Tuesday for an undocumented immigrant accused of killing a co-worker and burning his body. Ernesto Esquivel-Garcia was arrested back in June of 2018 for allegedly murdering Jared Vargas. Now, the jury is deliberating. They're deciding on whether or not to convict Esquivel-Garcia on murder, manslaughter or find this was an act of self defense. About a dozen friends and family of Vargas were in the courtroom. It's been over a year since Vargas died, but you could tell this was still a very emotional time for the family. Ernesto Esquivel-Garcia was seen wearing headphones for Spanish translation of court proceedings. Up to this point, the jury has heard three days of testimony and seen more than 120 pieces of evidence. Vargas was missing for a number of days before his burning body was found by firefighters in an apartment on the North Side in June of 2018. He was last seen leaving his job a few days earlier at the Bowl and Barrel at the Rim. The Bowl and Barrel is where both Esquivel-Garcia and Vargas worked at least for a short time. Esquivel-Garcia has admitted what happened, but is claiming self defense. But prosecutors say the lies said to police during the interview tell a different story. "He never one talked about Jared's throat being cut on both sides. He never talked about stabbing Jared multiple times." said Prosecuting Attorney Brandon Ramsey. According to the defense, Vargas initially met up with Esquivel-Garcia to go buy cocaine. The defense claims Vargas was attempting to rape Esquivel-Garcia and Vargas defended himself.

[AZ] Border Patrol Agent Admits To Intentionally Hitting Migrant With Truck

[Huffington Post](#) [8/13/2019 6:53 AM, Dominique Mosbergen, 187K] reports an Arizona Border Patrol agent who intentionally struck a Guatemalan migrant with his truck in 2017 — allegedly almost running him over — has pleaded guilty to a misdemeanor charge for violating the man's rights. The agent, 39-year-old Matthew Bowen who was stationed in the border town of Nogales, faces up to \$100,000 in fines and could spend a year behind bars. Bowen, who came under scrutiny for sending racist text messages about migrants, also resigned from U.S. Border Patrol as part of a plea deal with prosecutors, The New York Times reported. Bowen was charged last year for hitting 23-year-old Antolin Lopez Aguilar, an undocumented immigrant from Guatemala, with his Border Patrol truck and then allegedly falsifying his report about the incident. Prosecutors say Bowen, a 10-year Border Patrol veteran who was indefinitely suspended from the agency following his indictment, came "within inches of running Lopez-Aguilar over." The migrant reportedly suffered abrasions on his right hand and both his knees after being struck by the vehicle. In making their case against Bowen, prosecutors cited a trove of racist and derogatory text messages exchanged between the agent and his Border Patrol colleagues in which Bowen referred to migrants as "disgusting subhuman shit" and "mindless murdering savages." Bowen's attorney claimed at the time that the inflammatory language was "commonplace throughout the Border Patrol's Tucson Sector, that it is part of the agency's culture."

[CA] Redskins' Josh Norman helps pay bail for immigration activist detained since May

[Washington Post](#) [8/13/2019 6:31 PM, Scott Allen, 9425K] reports that Washington Redskins cornerback Josh Norman and New Orleans Saints linebacker Demario Davis helped pay the \$50,000 bail for 22-year-old college student and farmworker Jose Bello, who was imprisoned at the Mesa Verde Detention Center in Bakersfield, Calif., for 89 days after reading a poem criticizing Immigration and Customs Enforcement at a public meeting in May. The New York Immigrant Freedom Fund and the National Bail Fund Network also contributed to paying Bello's ICE-imposed bail, according to the American Civil Liberties Union of Southern California, which had filed a federal lawsuit on Bello's behalf. "Jose Bello

was exercising a fundamental right that we pride ourselves on as Americans,” Norman said in a statement shared by the ACLU. “If he was detained for reciting a peaceful poem then we should really ask ourselves, are our words truly free?” Bakersfield.com reported that ICE first arrested Bello in May 2018, claiming he was a member of a local street gang, but a federal immigration judge ordered his release last August on \$10,000 bond. Bello was arrested again in January for driving under the influence but was not detained. The judge who denied the ACLU’s most recent petition on Bello’s behalf argued that ICE had an “objectively reasonable legal justification” to rearrest him based on his misdemeanor DUI, but she said ICE’s decision to detain him four months later and set his bond at \$50,000 was “highly suggestive of retaliatory intent.”

Reported similarly:

[ABC Tampa Bay](#) [8/13/2019 1:42 PM, Staff, 96K, FL]

[KGET](#) [8/13/2019 1:22 PM, Jason Kotowski, CA]

{End of Report}

From: [Mattingly, Kathryn \(EOIR\)](#)
To: burt.squires@techmis.com
Subject: RE: My Backups for Thursday and Friday This Week
Date: Wednesday, August 14, 2019 5:29:00 PM

Thanks! I have (b)(6) . If I could just get out of here.

From: Burt Squires - TechMIS <burt.squires@techmis.com>
Sent: Wednesday, August 14, 2019 4:00 PM
To: Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@EOIR.USDOJ.GOV>; michaela.dietz@techmis.com
Cc: 'EOIR Daily' <eoir@techmis.com>; Martin, John (EOIR) <John.Martin@EOIR.USDOJ.GOV>; Nance, Kelly (EOIR) <Kelly.Nance@EOIR.USDOJ.GOV>
Subject: RE: My Backups for Thursday and Friday This Week

Hi Kathryn,

Message received and noted.

Have a good weekend,

Burt

From: Mattingly, Kathryn (EOIR) [<mailto:Kathryn.Mattingly@usdoj.gov>]
Sent: Wednesday, August 14, 2019 3:50 PM
To: michaela.dietz@techmis.com
Cc: burt.squires@techmis.com; EOIR Daily; Martin, John (EOIR); Nance, Kelly (EOIR)
Subject: My Backups for Thursday and Friday This Week

Hi Michaela and Burt,

I am taking a couple of days off. In the rare instance we have revisions for the briefing, John Martin will be reaching out tomorrow and Kelly Nance on Friday. I have copied them both on this note.

Thanks!
Kathryn

Kathryn Mattingly

Assistant Press Secretary
Communications and Legislative Affairs Division
Executive Office for Immigration Review
U.S. Department of Justice
(b)(6) Direct
703-305-0289, Main
www.justice.gov/eoir

From: [Mattingly, Kathryn \(EOIR\)](#)
To: [Michaela Dietz](#)
Cc: burt.squires@techmis.com; [EOIR Daily](#); [EOIR, PAO \(EOIR\)](#)
Subject: RE: Story for tomorrow's briefing
Date: Monday, August 19, 2019 11:40:00 AM

Great. Thanks again!

From: Michaela Dietz <michaela.dietz@techmis.com>
Sent: Monday, August 19, 2019 11:34 AM
To: Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@EOIR.USDOJ.GOV>
Cc: burt.squires@techmis.com; EOIR Daily <eoir@techmis.com>; EOIR, PAO (EOIR) <PAO.EOIR@EOIR.USDOJ.GOV>
Subject: Re: Story for tomorrow's briefing

I'll include it. Thank you!

On Aug 19, 2019, at 10:55, Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@usdoj.gov> wrote:

Hello Michaela,

Can you please include this story, [O'Neill struggles with labor shortage, questions about immigration policy a year after raid](#), in tomorrow's briefing? This story may be of interest to our staff at the Omaha Immigration Court.

-

Thanks!

Kathryn

Kathryn Mattingly

Assistant Press Secretary
Communications and Legislative Affairs Division
Executive Office for Immigration Review
U.S. Department of Justice
(b)(6) Direct
703-305-0289, Main
www.justice.gov/eoir

From: [Mattingly, Kathryn \(EOIR\)](#)
To: [Michaela Dietz](#)
Subject: RE: EOIR Morning Briefing, August 20, 2019
Date: Tuesday, August 20, 2019 9:58:00 AM

Thanks!

From: Michaela Dietz <michaela.dietz@techmis.com>
Sent: Tuesday, August 20, 2019 9:42 AM
To: Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@EOIR.USDOJ.GOV>
Subject: Re: EOIR Morning Briefing, August 20, 2019

Got it, working on it now. For the archived, it takes about ten minutes once someone starts working on it.

On Aug 20, 2019, at 09:09, Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@usdoj.gov> wrote:

Good morning Michaela – Can you please cut the highlighted text from the Reveal article and republish? Also, how long does it take to sync with the archived? Thanks.

From: EOIR Daily <eoir@techmis.com>
Sent: Tuesday, August 20, 2019 7:12 AM
To: michaela.dietz@techmis.com
Subject: EOIR Morning Briefing, August 20, 2019

<image001.png>

EOIR MORNING BRIEFING

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

[Mobile User Copy and Searchable Archives](#)

Tuesday, August 20, 2019

[Executive Office for Immigration Review](#)

[Immigrant advocates ask judge for nationwide policy for asylum-seekers](#)

[Immigration 'judges': Who judges them?](#)

[\[NY\] Leaked immigration court official's directive could violate rules that protect families from deportation](#)

[Policy and Legislative News](#)

[Detained immigrants sue over conditions, medical care](#)

[Trump administration says "Remain in Mexico" program is one "we're building to last"](#)

[Trump Has Right to End DACA, Justice Dept. Tells Supreme Court](#)

[As Trump expands DNA testing at border to root out child trafficking, privacy questions grow](#)

[Don't blame border enforcement agents for the border mess](#)

[When illegal aliens break the law](#)

[Immigrant justice walk heading to ICE facility in Dover](#)

[\[NY\] Sanctuary In The Big Apple: Every ICE Detainer Request Ignored By NYPD](#)

[\[NY\] Ex-Detainee Suing Over Care Urges Keeping ICE Suit Alive](#)

[\[NJ\] These NJ communities say no to Murphy's 'sanctuary state' rules](#)

[\[NJ\] Activist group renews demand for investigation of Sheriff Hodgson](#)

[\[TN\] Nashville Jews And Immigrants Unite To Protest Immigration And Customs Enforcement](#)

[\[MS\] Mississippi ICE Raids: No Employers Charged Yet for Hiring Illegal Aliens](#)

[\[MS\] ICE defends detaining breastfeeding mom](#)

[\[MI\] Deportations to Iraq stoke fear among immigrant families in Michigan](#)

[\[TX\] Binational Community Struggles to Help Migrants Under 'Remain in Mexico'](#)

[\[TX\] Jones County Commissioners Consider ICE Contract To Use Empty Prison](#)

[\[NE\] O'Neill struggles with labor shortage, questions about immigration policy a year after raid](#)

[\[CO\] El Paso County Attorney's Office to appeal ACLU lawsuit prohibiting immigration holds](#)

[\[AZ\] Pima County shelter opens doors to 250 legal asylum-seekers](#)

[\[AZ\] Large groups of migrants stop crossing at the Arizona-Mexico border](#)

[\[WA\] Critical database for police to fight crime has been shut down](#)

[\[OR\] Immigrant Oregonians fear signing up for Oregon Health Plan after new "public charge" rule](#)

[\[Cuba\] Thousands of Cubans try to enter the U.S. at a border now practically closed off to them](#)

[\[Guatemala\] People are leaving Guatemala because life is getting better. We can't respond unless we understand that.](#)

Legal News

[\[VA\] Judge Throws Out Suit Against Sheriff Over Immigration Detentions](#)

Enforcement News

[\[NY\] Lawyer says ICE detained undocumented worker during deposition against former employer](#)

[\[MD\] Custody of Rape Suspect Sparks Dispute Between Montgomery County, ICE Officials](#)

[\[VA\] ICE: Montgomery Co. violates own policy, releases undocumented immigrant accused of rape](#)

[\[WV\] West Virginia Regional Jails Saw 15 ICE-Related Bookings Last Week](#)

[\[NC\] Video clarifies Orange County arrest that raised questions about sheriff's ICE policy](#)

[\[NC\] 'Safe haven': 20 illegals arrested in North Carolina sanctuary county released despite ICE detainers](#)

[\[NC\] ICE arrests concern community](#)

[\[MO\] Prosecutors will seek death penalty for man accused of 3 murders in Springfield](#)

[\[TX\] Border Patrol Rescues Illegals from Strong Rio Grande Current](#)

[\[TX\] ICE places hold on Texas man accused of letting daughter, 12, drive in crash that killed man, dog](#)

[\[TX\] 3-Year-Old Honduran Girl Living With Aunt in Frisco After Border Separation](#)

Executive Office for Immigration Review

Immigrant advocates ask judge for nationwide policy for asylum-seekers
[San Francisco Chronicle](#) [8/19/2019 8:33 PM, Bob Egelko, 337K, CA] reports that immigrant advocates implored a federal judge in San Francisco on Monday to restore his nationwide order allowing migrants fleeing Central America to

seek asylum in the United States, days after an appeals court let the Trump administration enforce a ban on virtually all such applicants in much of the United States. Exempting only victims of human trafficking, the new rules effectively excluded applicants from El Salvador, Honduras and Guatemala, nations with some of the world's highest homicide rates. On Friday, the Ninth U.S. Circuit Court of Appeals in San Francisco refused to immediately reinstate the policy while the case proceeds, saying the administration had not shown it was likely to win its case. But in a 2-1 ruling, the court said U.S. District Judge Jon Tigar had not shown the need for a nationwide injunction, and narrowed the scope of his ruling to the states within the Ninth Circuit. But the ruling's impact may be even broader because, as lawyers for immigrant support groups noted Monday, asylum cases are often transferred from one state to another, at the request of either the immigrant or the government. In 2017, the lawyers said, immigration judges transferred more than 115,000 cases between courts before hearings on whether an immigrant should be deported. And because only 19 of the government's 132 detention centers for migrants are within the Ninth Circuit, it's quite possible that someone who applied for asylum in California will have the case heard in another part of the country. That raises the question of which law to apply — the law of the Ninth Circuit, which allows the cases to be considered, or the law where the migrant was transferred, which in most cases would require deportation. "It is not possible to predict asylum-seekers' movements in advance," said attorneys from the American Civil Liberties Union and the Southern Poverty Law Center. The plaintiffs' lawyers called for a lightning-fast schedule, with written arguments this week and a hearing on Friday. After Justice Department lawyers responded that such issues can take months to consider properly, Tigar ordered filings over the next two weeks and scheduled a hearing Sept. 5.

The [Catholic Spirit](#) [8/19/2019 5:04 PM, Staff, 5K, MN] reports that calling it "a backdoor asylum ban," more than 250 faith leaders and organizations called for an end to the Trump administration's policy to turn away asylum-seekers if they don't first seek protection in countries along their way to the U.S. "The rule fails to understand or acknowledge the realities of asylum-seekers' journeys and the lack of options they have been left with," said the leaders in joint public comment filed Aug. 15 with the Executive Office for Immigration Review. "No one flees their home or country by choice. For those passing through Northern Triangle countries and Mexico, applying for asylum and waiting for a decision from a country that has little or no ability to process such claims may put the asylum-seeker at further risk of harm," it continued.

Immigration 'judges': Who judges them?

[American Thinker](#) [8/19/2019 8:00 AM, Tiberiu Dianu, 254K] reports the U.S. functionaries known as "immigration judges" are, in fact, employees of the Executive Office for Immigration Review (EOIR), which is part of the Department of Justice (DOJ). The problem today is that they insist on being something well beyond that: judges with zero accountability. This has put them squarely in conflict with the Trump administration. Immigration judges are not independent, like real judges, but neutral in that they do not represent the Department of Homeland Security (DHS), which brings cases to the EOIR. Aliens may not bring cases independently to the EOIR, but only in response to

an action taken against them by DHS. Immigration judges are Executive Branch employees and are therefore subject to the supervision of the president of the United States or his appointees. Executive Branch employees are supervised, reviewed, evaluated, and managed by numerous levels of management. No one in the Executive Branch exercises independent judgment that is not reviewed by another executive branch employee, including the president himself. Immigration courts, unlike federal district and appeals courts, are part of the DOJ. The attorney general (A.G.) has, therefore, the authority to act as an arbiter on legal questions affecting immigration proceedings. Immigration judges are first supervised by the chief immigration judge, deputy chief immigration judges, and assistant chief immigration judges, as well as the A.G., in both the exercise of their authority and administratively.

Most attorneys in the DOJ are not unionized (that is, represented by a bargaining unit in negotiating working conditions and disciplinary actions) because the nature of their work, including prosecuting and disciplining labor organizations, makes representation a conflict. In addition, immigration judges are employees involved in national security work (mostly related to aliens being removed who are terrorists). Most employees involved in investigating any crime are prohibited from being represented by unions. Examples include the FBI, the DEA, the Secret Service, Homeland Security Investigations, and the Offices of Inspector General. Since immigration judges represent the DOJ in legal proceedings, they should not be unionized. Unfortunately, they are. The National Association of Immigration Judges (NAIJ) represents judges employed by the EOIR. The Trump administration has moved to decertify the immigration judges union, something tried earlier by the Clinton administration. On August 9, 2019, the DOJ filed a petition asking the Federal Labor Relations Authority to determine whether the union, the NAIJ, should have its certification revoked because its members are considered "management officials" ineligible to collectively organize. This is good news because of the overt and illegal political activities of individual judges, already forbidden under the Hatch Act, which prohibits federal employees from acting politically in their positions.

[NY] Leaked immigration court official's directive could violate rules that protect families from deportation

[Reveal](#) [8/19/2019 4:36 PM, Aura Bodago] reports a high-ranking immigration court official has issued a requirement to judges in New York City that deportation cases involving families "MUST BE COMPLETED WITHIN 365 DAYS," according to documents obtained by Reveal. The order may violate due process, as well as long-standing rules that protect families from deportation before their cases have been adjudicated fully. The discovery of Assistant Chief Immigration Judge Daniel Daugherty's email to judges illustrates the inner workings of one of the nation's busiest immigration courts, days after the Department of Justice filed a petition to disband the immigration judges union. Binding case law effectively gives immigration judges the discretion to add time to a case by granting continuances, if the circumstances demonstrate "good cause." Yet as the backlog of cases continues to grow, immigration judges have faced tightening restrictions on how much time cases can be given. In mid-November, James R. McHenry III, director of the Executive Office for Immigration Review, the Justice

Department agency that runs its immigration courts, issued a memo stating family cases in 10 cities, including New York, would be tracked, “with the expectation that they will be completed within one year or less.” McHenry’s memo, like most of his office’s policy memoranda, was made available online to the general public — including immigration attorneys whose job it is to be aware of rule changes that may affect their clients. Two weeks after McHenry’s memo, Daugherty sent the previously undisclosed email to judges under his jurisdiction, using a combination of all-capital letters, boldface and underlined text. Several New York-area immigration attorneys contacted by Reveal from The Center for Investigative Reporting were not aware of the email or the strict directives it contains. “REQUIRED time frames,” Daugherty wrote, outlining several deadlines that were not included in McHenry’s memo.

(b)(5) DP



Policy and Legislative News

Detained immigrants sue over conditions, medical care

[Associated Press](#) [8/19/2019 6:56 PM, Amy Taxin] reports that immigrants held in U.S. detention facilities filed a lawsuit Monday decrying what they called shoddy medical care and a failure by authorities to provide accommodations for disabilities. In the suit filed by disability and civil rights advocates in U.S. District Court, immigrants said they're placed in isolation as punishment and denied recommended medical treatment and surgery. Some said they've been denied wheelchairs and a deaf detainee who communicates in American Sign Language said he has not been provided an interpreter. The problems harm disabled immigrants and threaten anyone in one of Immigration and Customs Enforcement's more than 50,000 detention beds who winds up getting sick or isolated from other detainees, said Monica Porter, staff attorney at Disability Rights Advocates, one of the organizations that filed the suit. "ICE cannot simply contract with third parties to operate its detention centers and then wash its hands of the deplorable, unlawful conditions in those detention centers," said Tim Fox, co-executive director of the Civil Rights Education and Enforcement Center. ICE, which largely contracts with private companies and law enforcement agencies for detention space, declined to comment specifically about the lawsuit. An agency official said comprehensive medical care is provided to all detainees including dental and 24-hour emergency care and studies have shown about 1 percent of detainees are held in segregated housing at a given time. The lawsuit filed on behalf of 15 immigrants from countries including Sudan and Mexico and nonprofits seeks to represent immigrant detainees across the country. The suit cites problems at eight facilities including a privately-run center in Adelanto California, and Teller County Jail in Colorado. Advocates said they want to see changes in medical treatment and policies for the immigrants, who are fighting deportation, and the release of immigrants under alternative programs. The number of immigrants in detention has grown in recent years.

[Politico](#) [8/19/2019 12:05 PM, Renuka Rayasam, 2512K] reports ICE would not comment on pending litigation and said it couldn't provide a timely response to a list of questions about detainee health care sent Friday morning. "However, lack of comment should not be construed as agreement with or stipulation to any of the allegations," said Shawn Neudauer, public affairs officer at ICE. "Our trained law enforcement professionals adhere to the Department's mission and values, and uphold our laws while continuing to provide the nation with safety and security." County jails and privately contracted facilities have far worse medical care than ICE run facilities and are subject to less oversight, Kevin Landy, director of the ICE Office of Detention Policy and Planning until it was closed in January 2017 after Trump took office, wrote in an email. The

agency's "ability to provide some level of oversight at those facilities is certainly strained beyond its capacity," he said. ICE failed to maintain records and persistently ignored internal oversight and Government Accountability Office reports calling out deficiencies in medical and mental health care that led to deaths, according to the lawsuit. The agency continues to work with private medical providers that have faced numerous lawsuits and accusations of serious medical neglect, according to the complaint.

[CNN](#) [8/19/2019 2:39 PM, Geneva Sands, 6094K] reports ICE spokesman Bryan Cox said ICE does not comment on pending litigation, but he said that comprehensive medical care is provided to all individuals in ICE custody. Staffing includes registered nurses, licensed mental health providers, physician assistants and a physician. Cox added that detainees also have access to dental care and 24-hour emergency care. Additionally, ICE detainees receive a comprehensive physical exam "within 14 days of arrival to identify medical, mental health and dental conditions that require monitoring or treatment," Cox said.

Reported similarly:

[The Hill](#) [8/19/2019 1:30 PM, Chris Mills Rodrigo, 2806K]

[UPI](#) [8/19/2019 2:25 PM, Danielle Haynes, 303K]

[Law360](#) [8/19/2019 4:36 PM, Nicole Narea]

[Washington Examiner](#) [8/19/2019 1:51 PM, Cassidy Morrison, 855K, DC]

[Los Angeles Times](#) [8/19/2019 10:46 PM, Andrea Castillo, 3575K, CA]

Trump administration says "Remain in Mexico" program is one "we're building to last"

[CBS News](#) [8/19/2019 1:35 PM, Camilo Montoya-Galvez] reports that in recent weeks, the Trump administration has directly pointed to the controversial "Remain in Mexico" policy as one the chief reasons the number of apprehensions along the southwestern border have decreased over the past two months. Ken Cuccinelli, President Trump's top official at U.S. Citizenship and Immigration Services (USCIS), recently lauded the program as a "spectacular success." The administration is now signaling that the program will continue indefinitely, even if there are significant declines in border apprehensions. "MPP is a tool that Congress provided DHS to maintain operational control of our border and to facilitate an expedited removal proceeding process," a Department of Homeland Security official told CBS News, referring to the policy by its official name, the Migrant Protection Protocols (MPP). "While we hope that with lower numbers there will be lower returns under MPP, this is a program that we're building to last." Under the policy, which is being challenged in court, the Trump administration has returned tens of thousands of asylum seekers to Mexico to wait for their hearings in U.S. immigration court. The DHS official said on Monday that more than 31,800 migrants have been placed in the program and returned to Mexico, but cautioned that the figure "is not indicative of the number of people [in Mexico] currently awaiting" a U.S. court hearing. The "Remain in Mexico" policy has been implemented at border sectors near San Diego, Calexico, El Paso, Laredo and Brownsville, located in the busy Rio Grande Valley. Since it reached an agreement in June with the Mexican government to avert the

president's threats to impose tariffs on Mexican goods, the Trump administration has pledged to expand the program along the entire border. The U.S., the DHS official added, is working with the Mexican government and considering "infrastructure and capacity capabilities on both sides of the border" to determine where the program will be implemented next.

Trump Has Right to End DACA, Justice Dept. Tells Supreme Court

[New York Times](#) [8/20/2019 2:43 AM, Michael D. Shear, 22840K] reports that Justice Department lawyers told the Supreme Court on Monday that President Trump acted lawfully in September 2017 when he decided to end an Obama-era program that protects young undocumented immigrants from deportation. The Department of Homeland Security "correctly, and at a minimum reasonably, concluded that DACA is unlawful," the lawyers argued, disputing the conclusions by the lower court judges about the three reasons the administration gave for ending the program. The Supreme Court is scheduled to hear arguments about the fate of the program in November. The justices could decide the case next spring or summer, just as the presidential election campaign is in full swing. The court's ruling, when it comes, could also energize partisans on both sides of the fierce debate over immigration. A decision to allow Mr. Trump to deport more than one million young people could galvanize immigrants to work against the president's re-election. But immigration is a central issue for Mr. Trump's supporters, as well. A decision against the president could become a rallying cry on the right to argue that the Trump administration needs another four years to carry out its policies. A federal judge blocked the administration from ending the DACA program and an appeals court upheld that action, ruling that the rationale officially given by the Department of Homeland Security for abandoning the program did not withstand scrutiny. In the legal brief filed by the government on Monday, the Trump administration took issue with that assessment. They noted that Kirstjen Nielsen, who was secretary of homeland security until April, provided the courts three separate reasons for why the department was no longer going to provide protection to the Dreamers. The government's lawyers also rejected an argument made by the other side that Ms. Nielsen and Elaine Duke, the acting homeland security secretary who preceded Ms. Nielsen and officially terminated the program, were motivated by prejudice. They said the "allegations are wholly insufficient to show that Secretaries Duke and Nielsen were motivated by racial animus in deciding to rescind a policy sanctioning the ongoing violation of federal immigration law by 700,000 aliens, especially given the serious questions about its legality." Lawyers for the groups seeking to keep DACA alive will file their briefs in the coming weeks.

Reported similarly: [FOX News](#) [8/20/2019 3:01 AM, Danielle Wallace, 10258K]

As Trump expands DNA testing at border to root out child trafficking, privacy questions grow

[Dallas Morning News](#) [8/19/2019 7:00 AM, Madeleine Ngo, 424K, TX] reports the Trump administration has expanded DNA testing in recent weeks to expose migrants who pose as families, raising an outcry from advocacy groups who call the measure a waste of resources and a violation of privacy. As the number of migrants arriving at the border continues to surge, the Trump administration

has repeatedly claimed that human traffickers and smugglers are using children to enter the country, knowing that they have a better chance of seeking asylum. But critics say human trafficking is not a prominent issue at the border and does not justify invasive DNA testing. They also argue that not all parental relationships are rooted in biology, opening the door to complications that could harm children. Last month, Immigration and Customs Enforcement announced that it started using DNA testing at seven locations on the southern border. Republican Rep. Lance Gooden of Terrell also introduced a bill that would expand and fund the program. Under the bill, migrants who do not consent to the test would be deported, Gooden said. Last month, 85 out of 102 DNA tests administered proved a biological relationship, CNN reported. Conservatives argue that the government has a responsibility to protect children at the border and often cite anecdotal instances of trafficking. Kevin McAleenan, acting secretary of the Department of Homeland Security, testified in Congress last month that a 51-year-old man bought a child in Guatemala for \$80. He said the man admitted to purchasing the child after an agent confronted him with a DNA test. DNA samples taken at the border can be used as evidence and given to federal agencies, such as the Department of Justice, said ICE spokeswoman Britney Walker.

Don't blame border enforcement agents for the border mess

[FOX News](#) [8/19/2019 2:37 PM, Ira Mehlman, 10258K] reports U.S. Customs and Border Protection, one of the agencies charged with dealing with the migration crisis along our southern border, should not be expected to do the impossible. CBP is on pace to apprehend more than a million illegal border-crossers this fiscal year. In the past, the vast majority of those apprehended at the border were turned back. Now, the majority enter claims of political asylum, or are unaccompanied minors, who cannot be quickly repatriated to their homelands. The problem is that the system and the infrastructure was never designed to deal with the current volume. As a result, people are often held for extended periods in facilities that were supposed to hold people for no more than a day or two. Perhaps we should have seen it coming and been better prepared than we are now. That doesn't change the fact that we are where we are: Not enough CBP manpower, not enough judges, and woefully inadequate detention facilities, health care professionals, and educators for the growing number of minors arriving at our borders. Even with the additional \$4.6 billion recently appropriated by Congress, it is not feasible to create the necessary infrastructure to accommodate an influx equivalent to the population of San Jose, California. The people who are excoriating CBP and other agencies for failing to do the impossible are failing to rectify the situation. In addition to proscribing the use of the supplemental appropriation to enhance border security and enforcement, or creating additional detention space, Congress refuses to close gaping loopholes in our laws that created the current situation. Tasked with doing the impossible, they are being set up for failure by a political class that cannot even carry out the most basic responsibilities of sovereignty. Until Congress does act, CBP will necessarily fall short in its obligations to the American people, or the people in its custody.

When illegal aliens break the law

[Washington Times](#) [8/19/2019 2:15 PM, Hans A. von Spakovsky, 452K, DC]

reports that local officials who try to obstruct federal immigration enforcement should be condemned for endangering the public, while those who assist the federal government in ridding their communities of dangerous, criminal aliens should be commended. Contrast the latest horrific news from Montgomery County, Maryland, a sanctuary jurisdiction, with what's happening in Culpeper County, Virginia, whose sheriff, Scott Jenkins, makes public safety his No. 1 priority. Most Americans agree on what should be done about illegal aliens who break local criminal laws. Once they've served their time, they should be removed from the country, rather than sent back into the community where they can commit more crimes. But that's not what they do in Montgomery County. Just days after the county executive, Marc Elrich, issued an executive order prohibiting county employees from asking anyone about their immigration status and banning Immigration and Customs Enforcement (ICE) agents from all county jails, two illegal aliens from El Salvador were arrested for repeatedly raping an 11-year-old girl. This is the same Marc Elrich who says President Trump's enforcement of our immigration laws meets "the definition of terrorism." According to WJLA, the local ABC affiliate in Washington, D.C., Mr. Elrich was actually grinning at his press conference when he gleefully said that he couldn't do anything about ICE waiting outside the jail house door for criminal aliens being released. But he promised that if ICE asked Montgomery County to hold criminal aliens with "anything other than a judicial order, then we're not holding them." Contrast Mr. Elrich's reckless and dangerous policy with that of Culpeper County Sheriff Scott Jenkins. He cooperates with the federal government and honors federal immigration detainer warrants issued by the Department of Homeland Security on illegal aliens who are being held in his jail because they've been arrested for local crimes. Liberals like Mr. Elrich hate this, which is why Mr. Jenkins was recently sued by the Legal Aid Justice Center of Falls Church for holding a criminal illegal alien until he could be picked up and deported by ICE. Thankfully, a federal judge has now thrown out that suit.

Immigrant justice walk heading to ICE facility in Dover

[Foster's Daily Democrat](#) [8/19/2019 1:20 PM, Hadley Barndollar, 20K, NH] reports that walkers, marchers and bikers are scheduled to converge on the Strafford County Jail Saturday, as members of the New Hampshire Immigrant Solidarity Network and allied groups will travel across four states to spotlight the Granite State's only Immigration and Customs Enforcement-contracted facility. The jail, located at the county complex in Dover, houses roughly 100 immigrant detainees going through federal court processes. The 2019 Solidarity Walk for Immigrant Justice will see people trek from Concord, New Hampshire, Boston, Massachusetts, Montpelier, Vermont and Kittery, Maine; a combined 280 miles. In New Hampshire, the walk will commence on Wednesday, beginning at the U.S. District Court and spanning 36 miles. As of last week, the majority of the 95 ICE detainees being held in Dover, 87 men and 8 women, are involved in cases out of New Hampshire, Maine, Vermont and Massachusetts, county officials said. Common countries of origin include Honduras, Guatemala, Mexico, El Salvador, Ecuador, Ghana and other African countries. According to county records, Strafford County received \$3,358,844 in 2018 for housing ICE detainees.

Reported similarly:

[Gloucester Daily Times](#) [8/19/2019 3:05 PM, Katie Lannan, 5K, MA]

[The Olympian](#) [8/19/2019 5:38 PM, Jim Mustian, Michael R. Sisak and Tom Hays, 25K, WA]

[NY] Sanctuary In The Big Apple: Every ICE Detainer Request Ignored By NYPD

[The Daily Caller](#) [8/19/2019 12:45 PM, Jason Hopkins, 785K, DC] reports that newly-released information shows that the New York Police Department denied thousands of Immigration and Customs Enforcement detainer requests over a one-year timespan. The New York Police Department received a total of 2,916 detainer requests from Immigration and Customs Enforcement between to July 1, 2018 to June 30 of this year, according to data first obtained by the New York Daily News. Despite the high volume of requests during that time period, every single one was ignored by the NYPD. Even when it came to providing basic information about suspected illegal aliens, the NYPD proved reluctant to cooperate with federal immigration authorities. There were only seven instances in which New York City authorities provide ICE with answers when asked about an individual's release date, incarceration status, or court appearances. ICE lambasted the practice of ignoring detainer requests in a statement to the DCNF. "U.S. Immigration and Customs Enforcement places detainees on individuals who have been arrested on local criminal charges and who are suspected of being deportable, so that ICE can take custody of that person when he or she is released from local custody," an ICE official said Monday. "When law enforcement agencies fail to honor immigration detainees and release serious criminal offenders onto the streets, it undermines ICE's ability to protect public safety and carry out its mission." Many proponents of sanctuary city laws argue that ICE detainer requests are not legitimate unless they are accompanied by a warrant. "Congress has established no process, requirement, or expectation directing ICE to seek a judicial warrant from already overburdened federal courts before taking custody of an alien on civil immigration violations. This idea is simply a figment created by those who wish to undermine immigration enforcement and excuse the ill-conceived practices of sanctuary jurisdictions that put politics before public safety," the ICE spokesperson continued.

[NY] Ex-Detainee Suing Over Care Urges Keeping ICE Suit Alive

[Law360](#) [8/19/2019 7:13 PM, Christopher Cole] reports an HIV-positive immigrant suing over how he was treated in Immigration and Customs Enforcement custody, including allegedly not getting proper medication, has urged a New York federal judge to reject the government's bid to dismiss his suit on technical grounds. Jesus Prado, who says he was forcibly removed from his apartment by ICE agents brandishing only an administrative warrant, then denied proper care for months in detention before finally being released, said in legal papers Friday that the government cannot show that he lacks a case against the U.S. and several agents. Prado's legal team said that in attempting to get the suit thrown out, the government has raised a "series of procedural and technical arguments," erroneously trying to shift blame from ICE for Prado's conditions. Principally, the government has contended that according to a federal law the New York district court lacks jurisdiction over any

claim by an alien “arising from” the commencement of removal proceedings. The government says this requires tossing four of the claims. But Prado said that argument ignores both the Supreme Court’s 2018 decision in *Jennings v. Rodriguez*, “which made clear the limited scope” of the statute in question as well as “recent decisions by judges in this district, who have declined to give the statute the inappropriately sweeping reading the government urges.” An ICE spokesperson told Law360 in an email Monday that while ICE does not comment on pending litigation, “absence of comment should in no way be construed to suggest that ICE thinks any particular suit has merit.”

[NJ] These NJ communities say no to Murphy’s ‘sanctuary state’ rules
[New Jersey 101.5](#) [8/19/2019 11:30 AM, Erin Vogt, 57K, NJ] reports that pushback continues against the state’s new rules for dealing with federal immigration authorities, as some communities view the directive as a possible obstacle to deterring crime. The rules, first outlined by state Attorney General Grewal in fall 2018, before going into effect in March, are designed to help immigrant communities not fear cooperating with law enforcement. Though Grewal didn’t use the term, they make good on one of Murphy’s key campaign promises: to make New Jersey a so-called “sanctuary state.” Grewal has said that nothing in the directive limits New Jersey law enforcement agencies from enforcing state law — and nothing in the directive should be read to imply that New Jersey provides “sanctuary” to those who commit crimes in this state. But the guidelines do restrict cooperation between local authorities and federal immigration enforcement in several respects. The “Immigrant Trust Directive” says all levels of NJ law enforcement: cannot participate in civil immigration enforcement operations conducted by ICE; cannot provide ICE with access to state or local law enforcement resources, including equipment, office space, databases, or property, unless those resources are readily available to the public; and cannot allow ICE to interview an individual arrested on a criminal charge unless that person is advised of his or her right to a lawyer. Among the directive’s exceptions and exclusions: Nothing stops officers from assisting federal immigration authorities in response to emergency circumstances. Officers may participate with federal authorities in joint law enforcement task forces, provided the primary purpose is unrelated to federal civil immigration enforcement. The Atlantic County Board of Freeholders withdrew a resolution from the July 30 meeting that would have shown support for continuing to collaborate with U.S. Immigration and Customs Enforcement (ICE) agents. An Atlantic County spokeswoman said Monday she was “not aware of any plans to resubmit that resolution.” According to the ICE office in Newark, the state’s regulations did not affect the agency’s ability to take anyone into custody and none were being held by any local agencies.

[NJ] Activist group renews demand for investigation of Sheriff Hodgson
[Herald News](#) [8/19/2019 11:03 AM, Jennette Barnes, 8K, NJ] reports a local activist group is making another public call for a state investigation of Bristol County Sheriff Thomas Hodgson and the county jails he operates. Bristol County for Correctional Justice issued a written statement Friday, citing two recent suicides at the jails as reasons for a state investigation. A state audit released in February said the suicide rate in Bristol County jails was higher than similarly sized county facilities in 2015, but lower in 2017 and 2018. The

statement from the activist group, which has long campaigned against Hodgson, also referred to the group's Aug. 4 protest at the Feast of Blessed Sacrament parade. The group opposes Hodgson's participation in the U.S. Immigration and Customs Enforcement 287(g) program, which deputizes local law enforcement as ICE agents so they can contact immigration officials about people they have in custody. As for the budget, Hodgson said he makes a profit — which the state takes — of \$8 per ICE detainee per day. The federal agency provides more money than it costs him to house immigration detainees, he said. Six Bristol County officers have been trained and deputized by ICE.

[TN] Nashville Jews And Immigrants Unite To Protest Immigration And Customs Enforcement

[Nashville Public Radio](#) [8/19/2019 5:56 PM, Samantha Max, 9K, TN] reports that several dozen protesters criticized local cooperation with Immigration and Customs Enforcement in North Nashville Monday morning. Immigrants, Jews and allies gathered down the street from an ICE field office with picket signs and prayer books for a music-filled rally. The protest was organized by the Nashville chapter of Never Again Action, a Jewish social justice group. Dozens of cities across the country have staged similar demonstrations in recent weeks to oppose conditions at the border and threats of mass immigration raids. The protest in Nashville comes amid questions about local police's presence during a failed attempt by ICE to arrest a Hermitage man last month. Latinx college student Nico Gardner also called on the Davidson County Sheriff's Office to sever all ties with ICE, including the practice of holding detainees for the agency. "As long as the county honors this agreement with ICE, you are participating in a system that disregards the humanity of black, brown, queer and trans migrants," Gardner said to the crowd, first in Spanish and then in English. Davidson County's involvement with federal immigration enforcement has wavered over the years. In the past, the sheriff's office rented out beds to ICE detainees passing through Nashville overnight for a reimbursement fee of about \$60 per night.

[MS] Mississippi ICE Raids: No Employers Charged Yet for Hiring Illegal Aliens

[Breitbart](#) [8/19/2019 10:36 PM, John Binder, 2034K] reports that this month, ICE agents conducted the largest workplace raid in more than a decade across five food processing plants in Mississippi, netting the arrests of 680 illegal aliens. Federal affidavits, as Breitbart News noted, allege that the food processing plant employers were fully aware that hundreds of their employees were illegally in the U.S. and in some cases, illegal workers said they were not asked for work authorization documents. Many of the illegal workers would arrive at the food processing plants wearing ankle monitors, indicating that they had been released by the Department of Homeland Security (DHS) into the U.S. interior after crossing the southern border. The affidavits allege that a woman in charge of the payroll for both P H Food Inc. and A & B Inc., as well as a worker who dealt with the payroll of two plants, were fully aware of the hundreds of illegal workers that were employed. At P H Food Inc., an informant told federal officials that almost the entire staff of 240 workers was illegally in the country. Today, there are at least eight million illegal aliens holding American jobs in the U.S. economy that would have otherwise gone to

American workers and legal immigrants. The mass employment of illegal aliens by hundreds of businesses, though, continues to go largely ignored by the law, as only 11 employers and no businesses have been federally prosecuted for hiring illegal aliens in the last year. The number of federal prosecutions of employers who knowingly hire illegal aliens over Americans rarely exceeds 15 per year.

[MS] ICE defends detaining breastfeeding mom

[The Hill](#) [8/19/2019 9:07 AM, Rebecca Klar, 2806K] reports U.S. Immigrations and Customs Enforcement is defending its detention of a mother apart from her three children, including her breastfeeding 4-month-old daughter. Maria Domingo-Garcia is among 680 immigrants detained earlier this month in ICE raids at Mississippi food processing plants, and has been separated from her children for 12 days at a facility nearly 200 miles from her home, CNN reports. Lawyers and justice advocates are reportedly working to get her released. ICE spokesman Bryan Cox told CNN that Domingo-Garcia answered "no" when she was asked if she is breastfeeding, adding in a statement he could not discuss specifics of a person's medical information without a signed privacy waiver. An ICE spokesperson was not immediately available for comment to The Hill. Ray Ybarra Maldonado, one of Domingo-Garcia's attorneys, told CNN that his client had not been asked whether she was breastfeeding. Acting Secretary of Homeland Security Kevin McAleenan has said the raids were done "with sensitivity." He said about 30 people were released on site and more were released later for humanitarian reasons.

[WTAQ](#) [8/19/2019 9:17 AM, Staff, WI] reports authorities said that since the year 2002, they have recorded about 350 encounters or arrests of undocumented immigrants around the country who acknowledged working at either Koch Foods or Peco Foods plants in Mississippi. The initial wave of about forty charges filed against workers this week includes an arrest warrant in a sworn affidavit by Homeland Security Investigations Special Agent Brent Drury. It accuses each person of either illegally reentering or failing to depart the US. [Editorial note: consult source link for audio]

[MI] Deportations to Iraq stoke fear among immigrant families in Michigan

[Detroit Free Press](#) [8/19/2019 9:11 AM, Niraj Warikoo, 478K, MI] reports sixteen Iraqi nationals — half from metro Detroit — have been deported to Iraq since an April court decision allowed their removal from the U.S. The move has sparked anxiety for some immigrant families, heightened by the recent death in Baghdad of a diabetic deportee from Oakland County. This summer, several detained Iraqi nationals with criminal records have struggled to avoid deportation. Some have sliced off their GPS monitor tethers, others have tried to ground airplanes by causing verbal disruptions. In one case, a 31-year-old Iraqi national, Oliver Awshana of Muskegon, screamed on a flight last month as he was being deported to Iraq, causing the pilots to refuse to fly him to Turkey, said his Detroit attorney, Shanta Driver. In another case, Ali Al-Sadoon, 34, an Iraqi refugee and father of six living in Redford, cut off his tether after he was told he would be deported in just a few days. Al-Sadoon moved to the U.S. as a child along with his parents; he was arrested at his home in Redford on the last Friday in July by Immigration and Customs Enforcement Agents. In the summer

of 2017, ICE conducted roundups of Iraqi nationals with criminal convictions who had orders of removals by immigration judges; about 1,400 were detained, many of them in Michigan, and the American Civil Liberties Union filed a lawsuit to block their removals. ICE Director Matthew Albence told the Free Press on Friday in a statement that its agents are enforcing orders of removal already approved by judges and that they will prosecute any attempts to abscond from the law. Albence noted that the vast majority of those being targeted for removal have criminal convictions and have already received due process in the courts. Albence said: "After an exhaustive nearly two-year judicial review of the class members' claims, the U.S. Court of Appeals for the Sixth Circuit affirmed ICE's ability to remove the aliens represented in the case, the vast majority of whom have criminal convictions, to Iraq."

The decision again affirmed that each individual received full due process. Consistent with the Sixth Circuit's order, the agency will continue making removal arrangements for those Iraqi nationals with final orders of removal, as appropriate." In November, U.S. District Judge Mark Goldsmith ruled in favor of the Iraqis, but in December, a three-judge panel with the sixth circuit ruled against him. In April, the full court upheld that decision, allowing the deportations to Iraq to go forward. Albence said ICE is carrying out its duties in removing the Iraqis and warned that those who cut their GPS monitor tethers will be prosecuted. "The U.S. government provides all those in removal proceedings with an opportunity to apply and be considered for relief from removal," Albence said. "If at the conclusion of that review those individuals are found ineligible for relief by an immigration judge, ICE must carry out its sworn duty to enforce the law if or when an individual fails to comply with that removal order on his own. Those individuals who actively impede their removal, such as by cutting off their GPS monitor or absconding, are subject to further criminal prosecution." ICE officials said that Iraq agreed in 2017 to accept the repatriation of Iraqi nationals living in the U.S. with criminal records who already had orders of removal. The ACLU lawsuit filed in 2017 said the Iraqis were generally unaware they could be sent back to Iraq in their criminal cases. The litigation allowed some of the Iraqis to get their cases reheard by judges in criminal or immigration courts and some are free for now. ICE said foreign nationals who are ordered to be deported get extensive due process that costs American taxpayers. ICE said those who face such orders have several chances to appeal, with the Board of Immigration Appeals, a U.S. Circuit Court of Appeals and the Supreme Court.

[TX] Binational Community Struggles to Help Migrants Under 'Remain in Mexico'

[Texas Observer](#) [8/19/2019 3:33 PM, Gus Bova, 18K, TX] reports that on a mid-August evening in Matamoros, Pastor Abraham Barberi can't wipe the sweat from his forehead fast enough. As the Tamaulipan sun beats down, Barberi arranges styrofoam cups of red Kool-Aid on a fold-out table, then begins handing out ham and cheese tortas from a plastic trash bag to hundreds of hungry travelers from all over Latin America. Since November, Barberi and volunteers from his nondenominational church in Matamoros have been helping migrants stranded by one of two Trump policies currently in place: "metering," the year-old policy of making asylum-seekers wait months in border

towns to request protection properly at the bridges, or the Migrant Protection Protocols, which forces asylum-seekers to return to Mexico to await U.S. court dates months in the future. MPP first launched in January in California and expanded to Matamoros just last month. The number of migrants camped out just yards from the Gateway International Bridge has skyrocketed. Since last summer, Team Brownsville has been bringing meals to asylum-seekers in Matamoros. At first, the nonprofit only had to muster enough food for a couple dozen folks. But lately, "It's an overwhelming task right now to get everybody fed," said Sergio Cordova, one of the group's co-founders. The team prepares and transports dinner five nights a week, Cordova said, and pays a Matamoros restaurant to provide breakfasts. The group also brings toiletries and clothing, including shoelaces and belts to replace those taken by Customs and Border Protection (CBP) during processing. Recently, Team Brownsville launched a Sunday morning school for migrant kids who are going months without formal education. The team, he said, runs on individual donations: "As long as the donations keep coming in, we'll keep it up."

[TX] Jones County Commissioners Consider ICE Contract To Use Empty Prison

[KACU](#) [8/19/2019 5:09 PM, Heather Claborn, TX] reports that Jones County Commissioners are considering an offer from ICE to put immigrant detainees in cells. Right now the Texas/Midwest Jones County "Bluebonnet" Detention Facility has a thick layer of dust on the brand new desks, chairs and structures added to cells a decade ago. Locals express strong feelings of frustration that the state never followed through with a contract to use the low-security facility as intended, to house drug offenders. Herb Bristow, an attorney representing Jones County, says the investors who bought revenue bonds used to pay for the prison have waited years to see the return on their investment. Under the terms of the agreement, ICE would pay a per diem for each detainee a minimum of 750 men to a maximum of one-thousand. Proponents of moving ahead with the agreement say it will also offer good jobs. The average wage in Jones County hovers under \$750 per week. This agreement would pay prison staff more than \$1,000 per week-including benefits.

Reported similarly: [KTXE](#) [8/19/2019 6:01 PM, Staff, 1K, TX]

[NE] O'Neill struggles with labor shortage, questions about immigration policy a year after raid

[Omaha World-Herald](#) [8/20/2019 2:13 AM, Paul Hammel, NE] reports that twice a day, a white school bus lumbers through this town carrying about 25 workers to and from a massive, glass greenhouse where they pick tomatoes. The temporary workers arrived a year ago, shortly after federal immigration officials raided the greenhouse and other local businesses in O'Neill. About 130 workers were detained in the raid, along with a local man accused of arranging jobs for them and pocketing part of their paychecks. A year after the raid, the white bus is one of the few visible signs of change in O'Neill, which struggles with a shortage of labor as well as lingering questions about national immigration policies. A long-running potato processing facility, another target of the 2018 raid, has shut down, with sorting and packing operations moved elsewhere. About 50 of the workers caught up in the raid remain in a legal

limbo — unable to work and earn a living, but staying because of children or family in the area — as they await the completion of court proceedings. While opinion is still split here and across the state on whether the raid was necessary, there are still some lingering questions about what the raid really accomplished. Yes, many said, the ringleader and some others who were exploiting immigrants have been rightfully convicted. But many wonder about the others, who were contributing to the town and are now gone. That some immigrants are still awaiting court proceedings a year later is not unusual, according to Shawn Neudauer, a regional spokesman for Immigration and Customs Enforcement. The backlog in immigration court is two to three years, he said.

The raid in O'Neill was an unusual one. The targets were not illegal immigrants working at a meatpacking plant or food-processing factory as in a recent bust of chicken plants in Mississippi, but a local man, Juan Pablo Sanchez Delgado, who was arranging workers for the tomato greenhouse, the Elkhorn River Farms potato-processing operation, area feedlots and hog-confinement operations. Officials with ICE labeled Delgado a human trafficker who exploited illegal workers by skimming off a portion of their wages and requiring them to cash checks, for a high fee, at his grocery store. In exchange, Delgado obtained IDs, housing and employment for the immigrants. Delgado earned nearly \$6 million, according to federal officials, from his operations, which included a restaurant and rental homes in O'Neill, as well as four luxury homes in Las Vegas. But in busting Delgado — who faces up to 10 years in prison and a \$250,000 fine — the ICE operation also caught up workers who labored in the tomato hothouse, patrolled cattle yards at feedlots, and washed out pens in hog houses. Nebraska currently has about 35,000 vacant jobs, including 183 in Holt County, in what state leaders have labeled a workforce shortage "crisis." In Holt County, where O'Neill is situated, the problem may be even worse. While unemployment is 3% across the state, the rate is even lower, 2.7%, in the county, a rural area dotted with irrigated corn fields, vast hay meadows and pastures filled with grazing cattle. The raid reduced the pool of workers in the county.

[CO] El Paso County Attorney's Office to appeal ACLU lawsuit prohibiting immigration holds

[KRDO Colorado Springs](#) [8/19/2019 6:22 PM, Suzie Ziegler, 26K, CO] reports that the Board of El Paso County Commissioners has directed the County Attorney's Office to appeal an ACLU lawsuit ruling last year that prohibited the Sheriff's Office from holding undocumented inmates for federal immigration officers, according to a Commissioners release Monday. Judge Eric Bentley previously granted a permanent injunction prohibiting the Sheriff's Office from holding undocumented individuals for Immigration and Customs Enforcement officers. After this ruling, the Governor signed a bill prohibiting state and local law enforcement officials from arresting or detaining an individual on the basis of a civil immigration detainer requests, known as ICE holds. "As a Board, we're absolutely united and committed to pursuing appeals as far as the Courts will allow," stated Board Chair Mark Waller in the release. "This is about standing together for the safety of our community and doing the right thing. By the judge's own admission, higher courts need to weigh in on this in order to

provide certainty. That is why we need to follow this through." "I've been supportive of an appeal since the ruling last year," Sheriff Bill Elder said in the release. "I truly believe my office did the right thing by cooperating with ICE officials. I believe an appeal will show my officers acted lawfully. I sincerely hope our actions will be vindicated by a successful appeal." This appeal "underscores how strongly both El Paso County Commissioners and the Sheriff feel that appellate courts must provide clarity," says the release.

[AZ] Pima County shelter opens doors to 250 legal asylum-seekers

[Tucson Sentinel](#) [8/19/2019 3:51 PM, Paul Ingram, 6K, AZ] reports that after weeks of controversy, a shelter for asylum-seekers quietly opened its doors two weeks ago and has hosted about 250 people, said Pima County Administrator Chuck Huckleberry. Over the first half of the year, CCS [Catholic Community Services] aided more than 10,000 legal immigrants at the monastery in Midtown Tucson with support from an army of volunteers and help from city and county officials. The shelter acted as respite for migrant families who sought asylum in the United States after traveling through Mexico, and were processed and released by immigration officials at U.S. Border Patrol and U.S. Immigration and Customs Enforcement. Unlike those in the controversial centers — decried by some as "concentration camps" — operated by federal agencies like Border Patrol or ICE, the migrants at the Casa Alitas shelter are not being detained; they've already been reviewed and released by the feds. Most of the asylum-seekers stay for just a day or two, and then travel to stay with relatives or other sponsors as their asylum cases are processed. Backers of the proposal emphasized that the center is "a vacant dorm" and that "this is not a jail" to detain families seeking asylum. Once asylum seekers enter the U.S., they are processed by Border Patrol officials, who take "biometrics" including fingerprints, and in some cases, DNA samples, and then they are either turned over to U.S. Immigration and Customs Enforcement, or in the case of children traveling "unaccompanied," handed over to Health and Human Services. From December 21, 2018 to August 12, 2019, officials with ICE have released 222,000 people, including around 41,600 in the Phoenix Area of Responsibility, which includes Phoenix, Tucson and Yuma, said Yasmeen Pitts-O'Keefe, a spokeswoman with ICE.

[AZ] Large groups of migrants stop crossing at the Arizona-Mexico border

[Arizona Republic](#) [8/19/2019 9:00 AM, Rafael Carranza, 754K, AZ] reports large groups of 100 migrants or more have stopped crossing the Arizona-Mexico border as the overall number of apprehensions borderwide has plummeted in the past few months. Large groups, sometimes with as many as 1,000 migrants, continue to be documented along certain sections of the southwestern U.S. border. The most recent encounter was Aug. 9 in Texas's Rio Grande Valley. But border agents stationed at the two busiest corridors along Arizona's border, in the desert west of Lukeville and in San Luis, haven't processed a group of more than 100 migrants since early June, the U.S. Border Patrol says. The decrease in large groups coincides with a massive 63% drop in apprehensions along the Arizona border in a relatively short amount of time. May had the highest number of monthly apprehensions this year at 20,801. Additionally, July's apprehensions in Arizona of migrant families and minors,

who make up the majority of the large groups, were less than a third of what the numbers were at May's peak. The large groups have given way to smaller, continuous flows of groups of people seeking out agents to claim asylum in the U.S., according to the Border Patrol.

[WA] Critical database for police to fight crime has been shut down

[My Northwest](#) [8/19/2019 4:17 PM, Carolyn Ossorio, 110K, WA] reports that many within King County Sheriff's Office say the use of LInX is a critical tool in their toolbox. Which is why cops are up in arms over that tool being taken away last week. The Seattle Police Department also lost LInX. LInX is a database designed and managed by the U.S. military for participating law enforcement agencies across local, state and federal jurisdictions to share data. The Northwest LInX Regional Program Manager sent an email on Wednesday informing all within the King County Sheriff's Office that, "Your agency leadership has informed the LInX Program Management team that because of county ordinance, for the foreseeable future, KCSO can no longer share records in LInX, which is not in holding with the LInX MOU. Therefore, all KCSO user accounts will have to be disabled, denying access to law enforcement information sharing." One employee with the King County Sheriff's Office says they believe access to the database is being denied because King County doesn't want Immigration and Customs Enforcement to have access to the information. The day following the LInX closure, Undersheriff Scott Somers sent an email to employees explaining that the Sheriff's Office tried to work with LInX and Homeland Security to develop firewalls that would prevent ICE from accessing information. ICE agents having access to non-public information collected by law enforcement agencies, is in violation of a King County ordinance. "We could not reach a solution that insured that the civil immigration functions would not have access, especially when viewed from a national level," Somers said in the email. "We had no alternative other than to terminate our membership and information sharing with LInX. This included the removal of all of our information from their system. Agency access to LInX was cut off per the agreement."

[OR] Immigrant Oregonians fear signing up for Oregon Health Plan after new "public charge" rule

[Salem Reporter](#) [8/19/2019 2:00 PM, Claire Withycombe and Rachel Alexander, 3K, OR] reports that immigrant Oregonians fear signing up for Oregon Health Plan after new "public charge" rule. A move by the federal government to restrict most legal immigration to those who can afford health care, housing and food on their own is sowing worry among Oregon immigrants, even those who will not be impacted by the rule, advocates say. Last week, the Trump administration issued a rule saying that immigrants who use certain public benefits could have that counted against them if they are seeking legal status in the U.S. — a process that can take decades. Oregon and four other states have sued the Trump administration to block the rule, which is expected to take effect Oct. 15. "This cruel new rule punishes families for simply being immigrants," said Oregon Attorney General Ellen Rosenblum in a statement. "The rule will hit children and families across our state who need food and medical assistance the most." The rule doesn't apply to refugees or people seeking asylum. Currently, the U.S. Department of

Homeland Security considers whether an applicant for a green card will become "primarily" dependent on the government for income. Using programs like cash assistance or long-term institutional care is taken into account, according to the Immigrant Legal Resource Center. Under the new rule, an array of other benefits will be considered, like public health care, nutrition programs and vouchers to help pay for housing. A public charge is defined in the new rule as a person receiving public benefits for 12 months or more in a 3-year period.

[Cuba] Thousands of Cubans try to enter the U.S. at a border now practically closed off to them

[Miami Herald](#) [8/20/2019 6:30 AM, Mario J. Pentón, FL] The improvised campsite just steps from the U.S.-Mexico border holds about a dozen tents and 150 people, including a dozen children and two pregnant women. Central Americans, Haitians, Cubans and Venezuelans vie for a shady spot under two trees at a small park in the city of Matamoros on the Mexican side of the border. Long lists of papers taped to window panes hold the names of thousands of migrants waiting their turn to ask for U.S. asylum. The largest number of asylum seekers by far are Cubans, followed by Venezuelans and Nicaraguans. There are now some 40,000 migrants waiting their turn along the border, according to various news reports. Mexico's National Immigration Institute told el Nuevo Herald that 20,000 immigrants have been returned from the United States since June, when it signed the Migrant Protection Protocols accord with Mexico. The agreement came after President Donald Trump threatened to impose tariffs on all Mexican products. It requires migrants from Latin America seeking U.S. asylum to wait on the Mexican side of the border until their cases are decided by U.S. immigration officials. Since the implementation of the agreement, the arrests of undocumented immigrants on the border with Mexico have decreased by about 45 percent, authorities said.

Although President Donald Trump has toughened U.S. policies on Cuba and returned bilateral relations to a point before the thaw launched by his predecessor, President Barack Obama, Cubans fleeing the island do not have the benefits they once enjoyed. The White House has tightened restrictions on travel to Cuba, allowed lawsuits in U.S. courts against anyone that profits from Cuban properties seized by the Castro government and slapped sanctions on cargo ships that deliver Venezuelan oil to the island. Many Cubans now fear the return of the Special Period, the crisis that Cuba suffered in the early 1990s after the end of Soviet subsidies, and that has spurred many to flee. Obama's decision to end the "wet foot, dry foot" policy in early 2017 meant that Cubans no longer have automatic refuge in the United States, but they can still apply for asylum to enter legally. Since September of 2018, more than 16,000 have been detained as they tried to cross the Rio Grande illegally or applied for asylum at border crossings — more than twice the number from the previous one-year period.

[Guatemala] People are leaving Guatemala because life is getting better. We can't respond unless we understand that.

[Washington Post](#) [8/19/2019 5:43 PM, Charles Lane, 9425K] reports that here's the surprising truth behind the fact that 250,000 Guatemalan migrants have

been apprehended at the southern U.S. border since October 2018: The mass exodus reflects the tremendous social and economic progress that the Central American country has made in the past half-century. Life is still hard for most people there, much harder than it is in the United States, so it's understandable that Guatemala's poverty and violence figure prominently in the usual explanations for the northbound movement. The necessary condition for mass migration is sustained population growth, enough to produce a critical mass of youthful would-be emigrants. Guatemala's 2018 population of 17.2 million represents a quadrupling since 1960, according to the World Bank. The current median age is 22.5, vs. 38.2 in the United States. This resulted from vastly improved public-health conditions, which continued to get slowly better over the past five decades despite bloody military rule, civil war and official corruption. In Central America today, human beings are responding to circumstances and incentives as countless others, our own ancestors included, have done before. President Trump's demonization of them dishonors this common heritage and squanders U.S. moral capital; his attempted crackdown may stop some migration at the price of pushing the rest further into illicit channels. The Wall Street Journal reports that Trump's threats to close the border spurred many Guatemalans to move while they still could. Meanwhile, opening the border to demographically and economically driven migration — as well-intended suggestions by Democratic presidential candidates might do — would defy reality in a different, but also potentially destabilizing, way.

Legal News

[VA] Judge Throws Out Suit Against Sheriff Over Immigration Detentions

[Epoch Times](#) [8/19/2019 9:11 PM, Matthew Vadum, 539K] reports that an illegal alien's class-action lawsuit, in which he claimed a Virginia sheriff violated his constitutional rights by detaining him at the request of U.S. Immigration and Customs Enforcement (ICE), has been thrown out by a federal judge. The law enforcement officer who was sued, Culpeper County, Virginia, Sheriff Scott Jenkins, told The Epoch Times that he's satisfied with the legal outcome. "I am pleased that this lawsuit seeking preferential treatment for criminal illegal aliens within our justice system has been dismissed," Jenkins said.

Francisco Guardado Rios was arrested Aug. 13, 2017, for two misdemeanor offenses under Virginia law: driving without a license and contributing to the delinquency of a minor. The same day, ICE delivered documents requesting Rios be held beyond any scheduled time of release for 48 hours, because it had determined there was probable cause to believe Rios was an alien deportable from the United States under the Immigration and Nationality Act (INA). The state court ultimately convicted Rios and sentenced him to 30 days in jail, with 20 days of the sentence suspended. Because he had been jailed 10 days, the state court ordered his immediate release, with credit for time served. But because ICE had filed continued detention paperwork, Rios was held at the jail another two days and then transferred to the custody of ICE on Nov. 9, 2017, on civil immigration charges. The sheriff's office is one of only two law enforcement agencies in Virginia to sign a 287(g) agreement with ICE. U.S. District Judge Glen E. Conrad of the Western District of Virginia ruled in *Rios v. Jenkins* that the sheriff had followed the law. Although Rios was arrested for committing a local crime, as opposed to an immigration violation, ICE had

properly directed the sheriff to detain him, Conrad found, adding that no federal court of appeals has “held that it would violate the Fourth Amendment to comply with an ICE detainer and administrative warrant.” Attorneys for Rios had contended the county couldn’t detain him for ICE because it had no written agreement with ICE under 287(g). But the judge rejected that argument finding “local law enforcement officials may cooperate with ICE in the detention or removal of aliens not lawfully present in the United States ... when such cooperation is expressly ‘[requested]’ or authorized by ICE.”

Enforcement News

[NY] Lawyer says ICE detained undocumented worker during deposition against former employer

[The Hill](#) [8/19/2019 5:54 PM, Zack Budryk, 2806K] reports that a lawyer for an undocumented restaurant worker said Immigration and Customs Enforcement (ICE) wrongly detained his client while he was being deposed in a lawsuit against his employer, according to WNYC. Brooklyn resident Xue Hui Zhang, who previously worked as a cook for the now-defunct Albany restaurant Ichiban, is suing his former employers for violations of the Fair Labor Standards Act, saying he is owed \$200,000 in back pay. Last Monday, Zhang’s attorney Adam Dong said his client was detained when they broke for lunch while Zhang was giving his deposition at the defense counsel’s office. Dong said the agents told him Zhang had an outstanding warrant. “It is not difficult to infer ICE was there because someone tipped them off, they were waiting for Mr. Zhang to come out to arrest him,” Dong said, adding that Zhang believes his former employers tipped off the agency. Matthew Mann, who is representing Ichiban in the lawsuit, denied his clients made any such tipoff, according to WNYC. “I have no first hand knowledge of the facts of Mr. Zhang’s arrest,” Mann said. “My clients have assured me that they did not call ICE.” ICE has a memorandum of understanding (MOU) with the Department of Labor not to detain or arrest workers in the process of suing an employer for workplace violations, according to WNYC. “The goal of this MOU is to prevent what happened in this case, which is employer retaliation, and ICE being the assistant to the retaliation,” attorney John Troy, whose firm is also representing Zhang, told the outlet, adding that he plans to cite the MOU when he seeks to free Zhang. The Hill has reached out to ICE for comment. A spokesperson for the agency told WNYC that “ICE did nothing in violation of this memo.”

[MD] Custody of Rape Suspect Sparks Dispute Between Montgomery County, ICE Officials

[Bethesda Beat](#) [8/19/2019 10:59 PM, Caitlynn Peetz, MD] reports that United States Immigration and Customs Enforcement officials say Montgomery County violated its immigration policy after not complying with a detainer and releasing from jail a man accused of rape. Rodrigo Castro-Montejo, a Salvadoran national in the country without legal authorization, was arrested Aug. 11 and charged with second-degree rape and assault. He allegedly sexually assaulted an intoxicated woman with whom he was acquainted, according to court records. On Aug. 12, ICE filed a detainer with the Montgomery County Detention Center, asking the county to maintain custody of Castro-Montejo for up to 48 hours so immigration officers could take over custody and have him

removed from the country, the agency said. However, ICE said in a statement that the county did not honor the detainer and the entity was not notified when Castro-Montejo posted bond and was released from custody. Castro-Montejo, 25, was released from custody on Aug. 13, according to online court records. A preliminary court hearing is scheduled for Sept. 6. In a statement Monday afternoon, Montgomery County Executive Marc Elrich disputed ICE's claims and said the county's Department of Correction and Rehabilitation notified ICE at noon Aug. 13 that Castro-Montejo was being processed for release. Castro-Montejo was released at approximately 6 p.m. the same day. Because a detainer request is not legally binding, individual jurisdictions can determine whether to comply with ICE's request to hold defendants in custody. ICE spokeswoman Justine Whelan said Monday afternoon she was unsure if ICE had apprehended Castro-Montejo, but he had not been taken into ICE custody as of Friday. The most recent dispute highlights a history of tension between Montgomery County and ICE. In 2017, ICE issued a scathing news release, chiding Montgomery County officials for not honoring a detainer filed a day earlier for a 19-year-old Salvadoran national who was arrested for allegedly possessing an assault rifle at Albert Einstein High School. On Monday, Whelan, the ICE spokeswoman, said immigration officers seek courtesy from local agencies to enforce public safety. "We're not looking for anything that local law enforcement doesn't afford other agencies," Whelan said. "At the end of the day, we're a law enforcement agency and we're acting in the public interest."

[VA] ICE: Montgomery Co. violates own policy, releases undocumented immigrant accused of rape

[WJLA](#) [8/19/2019 8:08 AM, Kevin Lewis, 110K, VA] reports U.S. Immigration and Customs Enforcement says Montgomery County violated its own jail policy last week when it released an undocumented immigrant accused of rape despite an immigration detainer on file. The allegations mark the latest public spat between the federal law enforcement agency and the progressive, left-leaning county. Although relations have been strained for years, they have hit a fever pitch under the leadership of Montgomery County Executive Marc Elrich (D) who was sworn into office in December. Last month, Elrich signed an executive order into law, banning Montgomery County employees from asking residents about their immigration status. The legislation also barred ICE agents from entering any secure portions of county jails, a sudden divorce from the standard operating procedure used by the Ike Leggett and Doug Duncan administrations. ICE agents are now forced to take custody of undocumented immigrants in unsecure public areas like the jail parking lot. ICE is, however, still filing immigration detainers in Montgomery County. With this newfound, controversial political game at play, Montgomery County Police arrested Rodrigo A. Castro-Montejo, 25, of Orlando, on Saturday, August 10. They charged him with second-degree rape and second-degree assault. According to ICE, it lodged an immigration detainer against Castro-Montejo two days later, on Monday, August 12. However, ICE claims Montgomery County released the Salvadoran national from jail on August 13, and in doing so, violated its own municipal policy. Despite the severity of the allegations in the case, Montgomery County District Court Judge Rand Gelber granted the undocumented immigrant a \$10,000 (post 10 percent) bond.

[WV] West Virginia Regional Jails Saw 15 ICE-Related Bookings Last Week

[WV Public Broadcasting](#) [8/19/2019 2:38 PM, Dave Mistich, 6K, WV] reports that a few details are emerging about Immigration and Customs Enforcement operations reported in West Virginia last week. The state Department of Military Affairs and Public Safety provided West Virginia Public Broadcasting Monday with a list of inmates held in regional jails on ICE-related charges. Records show fifteen people were booked last week in West Virginia regional jails on ICE charges. Fourteen were booked in the South Central Regional Jail, in Charleston, and the other was booked in the Eastern Regional Jail, in Martinsburg. I'm still working to follow up on reported ICE operations in Morgantown and elsewhere in West Virginia last week. An ICE representative said the agency was conducting "routine targeted enforcement operations" in the Morgantown area last week. The total number of arrests from those operations is still unknown. Updated Friday, August 16, 2019 at 4:42 p.m. Authorities in Morgantown and Monongalia County have confirmed U.S. Immigration and Customs Enforcement informed them they would be operating in the area. While ICE officials have confirmed "routine targeted enforcement operations," information on possible arrests and detainments is still unknown.

[NC] Video clarifies Orange County arrest that raised questions about sheriff's ICE policy

[Raleigh News & Observer](#) [8/19/2019 2:15 PM, Tammy Grubb, 161K, NC] reports that nearly a month after immigration activists rallied outside the Orange County Sheriff's Office, a clearer picture has emerged about the events that got a Hillsborough man arrested on domestic-violence charges and may now lead to him being deported. The questions surrounding Jocsan Cornejo-Cornejo's arrest also have opened a dialogue between the Sheriff's Office and activists who had said his charges were "trumped up." About two dozen supporters joined Siembra NC and Apoyo on July 26 to call out Sheriff Charles Blackwood on his stated policy that the department does not honor federal detainer requests from Immigration and Customs Enforcement. Cornejo's fiancée, Maria Huerta, 39, denied at the rally that she had told a deputy that Cornejo had punched her in the stomach on June 23 at the couple's home. Body camera footage obtained by The News & Observer and The Herald-Sun shows Huerta told a different story to the deputy who answered the 911 call at the home. ICE agents learned about Cornejo's arrest when his fingerprints were submitted to a national database as a routine part of the booking process, the Sheriff's Office has reported. An ICE officer called the jail July 18 to make sure Cornejo was still there, and a jail deputy later called ICE to clarify that Cornejo had a bail hearing later that day, the report said. Cornejo is now in ICE custody at Stewart Detention Center in Lumpkin, Georgia, where supporters said he is waiting for an immigration bond hearing that might allow him to come home until his deportation hearing.

The groups have asked Blackwood to stop all voluntary cooperation with ICE and not turn over inmates here illegally without a signed judge's order, or "judicial warrant," similar to what newly elected Democratic sheriffs in Guilford, Durham, Mecklenburg and other counties have adopted. There is no "judicial criminal warrant" for civil immigration violations, ICE spokesman Bryan Cox has

said. ICE can obtain a judicial criminal warrant for someone charged with federal crimes or who has returned to the United States after being deported. What ICE usually sends is a detainer, or administrative warrant, that asks local agencies to hold people who have been arrested and are suspected of an immigration violation. Blackwood, who has been criticized for not honoring ICE detainers, contends that continuing to hold people who otherwise would be released violates their constitutional rights. The Sheriff's Office does share publicly available information with ICE; it can't stop ICE officers from enforcing federal law, Sykes said. In 2018, ICE reported arresting 15,189 people in the Atlanta region, which covers Georgia and the Carolinas. It also shows that ICE arrests are rising among those without any criminal convictions or charges. Cox has said ICE officers will have to make more arrests in the community when local sheriffs refuse to cooperate. Cornejo will be returned to Orange County for his hearing on the local charges, Cox said, and the jail will be asked to hold him for ICE pick up once the local case is decided. [Editorial note: consult source link for video]

Reported similarly: [Durham Herald-Sun](#) [8/19/2019 12:20 PM, Tammy Grubb, 11K, NC]

[NC] 'Safe haven': 20 illegals arrested in North Carolina sanctuary county released despite ICE detainers

[World Tribune](#) [8/19/2019 12:10 PM, Staff, 11K] reports that the case of Oscar Pacheco-Leonardo is indicative of the largest sanctuary county in North Carolina's frequent release of illegals charged with heinous crimes, Immigration and Customs Enforcement says. On June 14, Pacheco-Leonardo, a 33-year-old illegal immigrant from Honduras, was arrested by Mecklenburg County police and charged with one count of first-degree rape and two counts of indecent liberties with a child. Charlotte, North Carolina's largest city, is in Mecklenburg County. On June 15, ICE placed a detainer on the illegal immigrant. On June 16, Mecklenburg police released Pacheco-Leonardo, allowing him to run free for nearly two months before being arrested by ICE agents. In the past nine months, ICE said that 20 illegal immigrants who had been recently arrested by Mecklenburg County law enforcement were released back into the local community despite having an ICE detainer lodged against them. The majority of those 20 illegals released by sanctuary Mecklenburg remain at-large. "The Mecklenburg County sheriff's decision to restrict cooperation with ICE serves as an open invitation to aliens who commit criminal offenses, that Mecklenburg County is a safe haven for persons seeking to evade federal authorities, and residents of Mecklenburg County are less safe today than last year due to these policies," ICE official Sean Gallagher said in a statement. Research by North Carolinians For Immigration Reform and Enforcement notes that, in the last one and a half years, more than 330 illegal immigrants have been charged with nearly 1,200 child sex crimes in North Carolina, The Epoch Times reported last month.

[NC] ICE arrests concern community

[Morganton News Herald](#) [8/19/2019 11:30 AM, Chrissy Murphy, 3K, NC] reports citizens have shown concern after immigration authorities made five arrests at a Morganton plant Wednesday. Five people were arrested by

Immigration and Customs Enforcement officers Wednesday at Case Farms in Morganton, according to two statements from ICE officials. All of the individuals arrested were said to have criminal backgrounds, and the arrests were said to be part of an ongoing criminal investigation. But a man at a community meeting Wednesday night wasn't so sure. One of the individuals detained appeared to be Gaspar Lopez Lopez, said Ronald Bacilio Castro, community organizer for Western North Carolina Workers center. Lopez was a Case Farms employee since at least 1995, according to court documents. Despite claims from ICE officials that the individuals detained "have prior criminal histories ranging from aggravated identity theft to illegal re-entry of a previously deported felon," The News Herald could not locate any such court documents for Lopez in North Carolina records. Instead, the most serious charge under Lopez' name was a driving while impaired charge from 1995 that had a pending order for arrest. According to the citation, Lopez had a blood alcohol content of 0.17, but he had not been convicted. A search of the ICE website revealed that Lopez was being held at Stewart Detention Center in Lumpkin, Georgia, as of Friday afternoon just before 5 p.m. ICE Spokesperson Carissa Cutrell told The News Herald on Thursday that, to receive information on the individuals arrested by ICE, the newspaper would have to provide names and dates of birth for those individuals arrested. When The News Herald provided that information Friday, ICE Spokesperson Bryan Cox sent another version of the original statement on the arrests, but no specific information on the individuals arrested was released. "Deportation officers with ICE's Enforcement and Removal Operations conduct targeted immigration enforcement actions every day across the country," a Thursday statement from Cutrell said.

[MO] Prosecutors will seek death penalty for man accused of 3 murders in Springfield

[Springfield News-Leader](#) [8/19/2019 3:59 PM, Harrison Keegan, 39K, MO] reports that prosecutors announced Monday they plan to seek the death penalty for a Springfield man accused of killing three people last fall. Luis Perez, 24, is facing three counts of first-degree murder for killings that occurred within a two-day span in November. At a pre-trial court appearance on Monday, Greene County Assistant Prosecutor Emily Shook said Perez rejected a plea offer that would have sent him to prison for the rest of his life. Court documents say this case started last year when Perez was kicked out of a home in the 900 block of East Locust Street. Police say Perez returned to the home early on Nov. 1 and opened fire on his ex-roommates, killing Steven Marler and Aaron Hampton and injuring two others. The next day, police say Perez killed Sabrina Starr, a 21-year-old woman who had provided him with the gun he used in the other two killings. Aaron Anderson, 20, was charged as an accessory after police say he was involved in the first two homicides. In the days after Perez was charged with the killings, U.S. Immigration and Customs Enforcement issued a scathing news release criticizing Middlesex County New Jersey for not holding Perez in jail in December 2017. ICE said it had asked that Perez be held in jail while it started deportation proceedings against him since he is originally from Mexico and was in the country illegally. According to its website, Middlesex County has a policy of declining requests by ICE to detain some inmates, if those people have not been convicted of certain serious offenses. Perez came to Springfield from New Jersey not long before the killings. Perez

will now get a new lawyer as his case is transferred to the public defender's capital division. His next court appearance is scheduled for Oct. 15.

[TX] Border Patrol Rescues Illegals from Strong Rio Grande Current

[KQXT](#) [8/19/2019 7:36 AM, Staff, 791K, TX] reports the Border Patrol has used its rescue boats to save 28 Honduran nationals who were attempting to wade across the Rio Grande near Eagle Pass, News Radio 1200 WOAI reports. "These individuals found themselves in a life-threatening situation, which is unfortunate and far too common as smugglers continue to show no empathy for people they attempt to cross illegally into the United States," said Del Rio Sector Chief Patrol Agent Raul L. Ortiz. "Had our agents not been there to provide rescue efforts, the situation could have ended in tragedy." Officials say 14 children were among the group, which was literally pushed into the Rio Grande by an immigrant smuggler, who then drove away back into Mexico. The group found itself stranded in a strong current caused by a release of water from Amistad Dam, which has elevated the river to near flood stage. The children ranged in age from 8 months to 17 years old. Several people were swept away by the strong current, but Marine agents were able to rescue them and take them to the U.S. shore. They will be processed for potential asylum hearings and deportation, according to Border Patrol protocol.

[TX] ICE places hold on Texas man accused of letting daughter, 12, drive in crash that killed man, dog

[FOX News](#) [8/19/2019 8:35 PM, Louis Casiano, 10258K] reports that U.S. Immigration and Customs Enforcement placed a hold on a Houston man who police said let his 12-year-old daughter drive his SUV, which resulted in the death of a man and his dog last week. The hold was placed on Tomas Mejia Tol, 42, for an immigration violation, court documents cited by Fox 26 read. Holds are placed on people "arrested on criminal charges for whom ICE possesses probable cause to believe that they are removable from the United States," according to ICE. Such detainers typically ask jails to notify immigration officials before a person is released to allow agents to launch deportation proceedings. Tol was charged with negligent homicide and endangering a child in the death of 46-year-old Enrique Vazquez. Prosecutors said Tol let his daughter drive his Ford Explorer in an apartment complex parking lot on Aug. 17 at the same time Vazquez was walking his dogs in the area. There was also a 2-year-old in the back seat, investigators said. The girl hit the accelerator and struck Vazquez, one of his dogs and a tree. Vazquez was pronounced dead at the scene; the dog died later.

[TX] 3-Year-Old Honduran Girl Living With Aunt in Frisco After Border Separation

[NBC Dallas-Fort Worth](#) [8/19/2019 11:35 PM, Scott Gordon, 176K, TX] reports that a 3-year-old girl from Honduras was united with her aunt in Frisco on Monday after she became separated from her father crossing the border two months ago. The girl somehow ended up in Redding, Pennsylvania, and was escorted to DFW Airport Monday afternoon by a social worker. Waiting for the flight to arrive in Terminal E, her aunt, Glenda Aleman, could hardly contain her emotions. "I've waited for this moment for a long time," Aleman said in Spanish. Clutching balloons that say "Princess," she waited for her young niece she had

met before only on video chats and seen in photos. Aleman says the girl's father was targeted by criminal gangs in Honduras and wanted to escape the violence. The two crossed the border in June intending to apply for asylum. The father, Osman Dubon-Venegas, was arrested and remains in jail in New Mexico. According to court records, he faces a charge of re-entering the U.S. after he was deported in 2012. He also had been previously convicted of vandalism. The first two weeks after his arrest, the girl's family says they had no idea where she was. Somehow the girl ended up in Pennsylvania with a nonprofit group, which arranged for a flight to DFW so she can stay with her aunt. Asked about the case, a spokesman for Immigration and Customs Enforcement referred questions to another agency, Customs and Border Protection. A CBP spokeswoman in Houston said she would work on providing information on Tuesday. [Editorial note: consult source link for video]

{End of Report}

From: [Mattingly, Kathryn \(EOIR\)](#)
To: burt.squires@techmis.com
Subject: RE: EOIR Morning Briefing, August 20, 2019
Date: Tuesday, August 20, 2019 10:37:00 AM
Attachments: [image001.png](#)

Hi Burt – Michaela took care of this. Thanks so much!

From: Burt Squires - TechMIS <burt.squires@techmis.com>
Sent: Tuesday, August 20, 2019 9:36 AM
To: Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@EOIR.USDOJ.GOV>
Subject: RE: EOIR Morning Briefing, August 20, 2019

Hi Kathryn,

I am tracking your email. Did Michaela respond yet? If not, I will take care of this.

Thanks,

Burt

From: Mattingly, Kathryn (EOIR) [<mailto:Kathryn.Mattingly@usdoj.gov>]
Sent: Tuesday, August 20, 2019 9:09 AM
To: EOIR Daily; michaela.dietz@techmis.com
Cc: EOIR, PAO (EOIR); burt.squires@techmis.com
Subject: RE: EOIR Morning Briefing, August 20, 2019

DUPLICATE

A large black rectangular redaction box covering the body of the email.

From: EOIR Daily <eoir@techmis.com>
Sent: Tuesday, August 20, 2019 7:12 AM
To: michaela.dietz@techmis.com
Subject: EOIR Morning Briefing, August 20, 2019

DUPLICATE

A large black rectangular redaction box covering the body of the email.

From: [Mattingly, Kathryn \(EOIR\)](#)
To: [Michaela Dietz](#)
Cc: burt.squires@techmis.com; Heather Garibay; [EOIR, PAO \(EOIR\)](#)
Subject: RE: EOIR Request
Date: Thursday, August 22, 2019 7:37:00 PM

Hi Michaela – Yes. Please include the BuzzFeed article first and then the others can go as additional reporting. Thanks very much. – Kathryn

From: Michaela Dietz <michaela.dietz@techmis.com>
Sent: Thursday, August 22, 2019 6:59 PM
To: Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@EOIR.USDOJ.GOV>
Cc: burt.squires@techmis.com; Heather Garibay <heather.garibay@techmis.com>
Subject: RE: EOIR Request

Hi Kathryn — did you want us to include coverage from other sources about the VDare article sent out? I linked some of the articles in question below.

[ThisisInsider.com](#)
[MSN News US](#)
[BuzzFeed](#)

From: Mattingly, Kathryn (EOIR) [<mailto:Kathryn.Mattingly@usdoj.gov>]
Sent: Thursday, August 22, 2019 2:41 PM
To: burt.squires@techmis.com
Cc: EOIR, PAO (EOIR); Ruffino, Lou (EOIR); 'Michaela Dietz'; heather.garibay@techmis.com
Subject: RE: EOIR Request

Great. Thanks very much. – Kathryn

From: Burt Squires - TechMIS <burt.squires@techmis.com>
Sent: Thursday, August 22, 2019 2:37 PM
To: Mattingly, Kathryn (EOIR) <Kathryn.Mattingly@EOIR.USDOJ.GOV>
Cc: EOIR, PAO (EOIR) <PAO.EOIR@EOIR.USDOJ.GOV>; Ruffino, Lou (EOIR) <Lou.Ruffino@EOIR.USDOJ.GOV>; 'Michaela Dietz' <michaela.dietz@techmis.com>; heather.garibay@techmis.com
Subject: RE: EOIR Request

Hi Kathryn,

Noted. We will put this source on our exclude list.

Thanks,

Burt

From: Mattingly, Kathryn (EOIR) [<mailto:Kathryn.Mattingly@usdoj.gov>]
Sent: Thursday, August 22, 2019 2:32 PM
To: burt.squires@techmis.com; Michaela Dietz
Cc: EOIR Daily; EOIR, PAO (EOIR); Ruffino, Lou (EOIR)
Subject: EOIR Request

Good afternoon Burt and Michaela,

We no longer wish to include articles from VDare in EOIR's morning briefings. Please see below for an example.

Bill Barr Moving To Control The Immigration "Judges" By Decertifying Their Union

[V Dare](#) [8/19/2019 12:49 AM, Staff, 24K, CT] reports that the National Association of Immigration Judges represents judges employed by the Executive Office for Immigration Review (EOIR), a component of the Department of Justice (DOJ). Immigration Judges are executive branch employees, and are therefore subject to the supervision of the President of the United States or his designates. Immigration Judges are first supervised by the Chief Immigration Judge, Deputy Chief Immigration Judges, and Assistant Chief Immigration Judges, as well as the Attorney General, in both the exercises of their authority and administratively. Immigration Judges are not independent, like real judges, but neutral, in that they do not represent the Department of Homeland Security (DHS), which brings cases to the EOIR. Aliens may not bring cases independently to the EOIR, but only in response to an action taken against them by DHS. Also, Immigration Judges are employees involved in national security work, mostly related to aliens being removed who are terrorists. Similarly, most employees involved in investigating any crime are prohibited from being represented by unions. For example, no FBI, DEA, or ATFE Special Agents are unionized. Similarly Special Agents throughout the Federal government are not unionized, e.g. Secret Service, Homeland Security Investigations, Offices of Inspector General, etc. Generally, the nature of their work makes union representation impossible. Since Immigration Judges are similarly involved, they should not be unionized. Sadly, they are. Since they represent the DOJ in legal proceedings, they should not be. Now the Trump Administration is moving to decertify the Immigration Judge union, something tried earlier by the Clinton Administration. This is good because of the overt and illegal political involvement by individual judges, already forbidden under the Hatch Act which prohibits Federal employees from acting politically in their positions. The Justice Department has moved to decertify the union of immigration judges, a maneuver that could muffle an organization whose members have sometimes been openly critical of the Trump administration's immigration enforcement agenda. The department filed a petition on Friday asking the Federal Labor Relations Authority to determine whether the union, the National Association of Immigration Judges, should have its certification revoked because its members are considered "management officials" ineligible to collectively organize, according to a Justice Department spokesman. The move suggested escalating tensions between overwhelmed immigration judges desperate for greater resources and a Justice Department pushing them to quickly address a backlog of immigration cases.

End.

Thanks very much,

Kathryn

Kathryn Mattingly

Assistant Press Secretary
Communications and Legislative Affairs Division
Executive Office for Immigration Review
U.S. Department of Justice
(b)(6) Direct
703-305-0289, Main
www.justice.gov/eoir