

TOP UPDATES

How Trump Radicalized ICE

The Atlantic: The early trump era has witnessed wave after wave of seismic policy making related to immigration—the Muslim ban initially undertaken in his very first week in office, the rescission of DACA, the separation of families at the border. Amid the frantic attention these shifts have generated, it's easy to lose track of the smaller changes that have been taking place. But with them, the administration has devised a scheme intended to unnerve undocumented immigrants by creating an overall tone of inhospitality and menace.

Stepped Up Illegal-Entry Prosecutions Reduce Those for Other Crimes

TRAC: The push to prioritize prosecuting illegal border crossers has begun to impact the capacity of federal prosecutors to enforce other federal laws. In March 2018, immigration prosecutions dominated so that in the five federal districts along the southwest border only one in seven prosecutions (14%) were for any non-immigration crimes.

Immigration Judges Union Slams Trump Administration For Undermining Courts

HuffPo: The National Association of Immigration Judges alleges that Trump administration officials transferred the case of an undocumented immigrant away from a Philadelphia-based immigration judge because the judge didn't give them the outcome they wanted: a swift order of deportation when the immigrant didn't show up in court for a hastily scheduled hearing.

“There Won't Even Be A Paper Trail”: Has Stephen Miller Become A Shadow Master At The State Department?

Vanity Fair: For the past year, Miller has been quietly gutting the U.S. refugee program, slashing the number of people allowed into the country to the lowest level in decades. “His name hasn't been on anything,” says a former U.S. official who worked on refugee issues. “He is working behind the scenes, he has planted all of his people in all of these positions, he is on the phone with them all of the time, and he is creating a side operation that will circumvent the normal, transparent policy process.” And he is succeeding.

Team Trump's Plot to Block Legal Immigrants from Citizenship

Daily Show: Despite the Trump administration's campaign promise to focus on illegal immigration, White House senior adviser Stephen Miller is crafting a plan to limit legal immigrants' access to citizenship and green cards, especially for those who have used public assistance.

The Port of Entry

NPR: The wait time for migrants seeking asylum at legal ports of entry along the U.S.-Mexico border has recently increased from hours to weeks, causing some families to camp out for days. We go to the border to meet some of the people waiting there and explain the asylum process in the United States.

Colorado couple fighting to stop adopted 4-year-old daughter from being deported

The Hill: The Becerras legally adopted Angela through Peruvian court, and sought to bring her back to the U.S. after the adoption was finalized in 2017... The tourist visa that Angela was eventually granted is set to expire at the end of this month, but her immigration case was denied without explanation, according to the couple.

ICE Crashed a Van Full of Separated Mothers, Then Denied It Ever Happened

TX Observer: On July 18, a cargo van transporting eight Central American mothers separated from their children under Trump's "zero tolerance" policy crashed into a pickup truck in San Marcos. An ICE contractor was taking the women from a detention center near Austin to the South Texas Detention Complex in Pearsall to be reunited with their kids. Even though police said the van was too damaged to continue driving and the women reported injuries, ICE repeatedly denied the crash ever took place.

Under Trump arrests of undocumented immigrants with no criminal record have tripled

NBC: The surge has been caused by a new ICE tactic of arresting — without warrants — people who are driving or walking down the street and using large-scale "sweeps" of likely immigrants, according to a class-action lawsuit filed in June by immigration rights advocates in Chicago.

The Thousands of Bodies Along the US-Mexico Border

NPR: In the last 18 years, more than 2,800 migrant bodies have been found along the Arizona border with Mexico. About 1,000 of the bodies are unidentified. We speak with a woman trying to identify them.

[U.S. Mayors Send Letter to USCIS Regarding Backlog of Citizenship Applications](#)

On 7/30/18, a group of U.S. mayors sent a letter to USCIS regarding the consistent backlog of citizenship applications before USCIS. The mayors urge USCIS to take aggressive steps to reduce the waiting time for processing citizenship applications down to six months. AILA Doc. No. 18080901. See also [CHRCL Partners With NPNA And Others To FOIA U.S. Citizenship And Immigration Service For Reasons Behind Skyrocketing Naturalization Backlog](#).

[Coney Island Man Indicted for Posing as Immigrant Assistance Service Provider and Filing Dozens of Allegedly Fraudulent Asylum Applications](#)

Brooklyn DA: The District Attorney identified the defendant as Vadim Alekseev, 42, of Coney Island, Brooklyn. He was arraigned today before Brooklyn Supreme Court Justice Danny Chun on a 21-count indictment in which he is charged with first-degree scheme to defraud, first-degree immigrant assistance services fraud, fourth-degree grand larceny, tampering with physical evidence and practicing or appearing as attorney-at-law without being admitted and registered. He was ordered held on \$15,000 bail and to return to court on October 3, 2018. The defendant faces up to four years in prison if convicted on the top count.

LITIGATION/CASELAW/RULES/MEMOS

[ACLU Files Lawsuit Regarding Expedited Removal and *Matter of A-B*-Asylum Policies](#)

A federal judge ordered a woman and her daughter to be returned to the U.S. and threatened to hold AG Jeff Sessions in contempt after learning that they were in the process of being removed while a court hearing appealing their deportations was underway. (*Grace, et al., v. Sessions*, 8/9/18) AILA Doc. No. 18081004

[Court rules Mexican mother can sue over cross-border Border Patrol shooting](#)

Politico: A woman whose son was killed on Mexican soil by a U.S. Border Patrol agent in Arizona can sue for damages, a federal court ruled Tuesday. The U.S. Ninth Circuit Court of Appeals ruled that Border Patrol agent Lonnie Swartz is not entitled to qualified immunity, saying that the Fourth Amendment — which prohibits unreasonable searches and seizures — applies in this case.

DOJ Issues Statement on Court Order Ordering the Restoration of DACA Program

Attorney General Jeff Sessions issued a statement in response to the court order in the D.C. District Court, ordering the restoration of the DACA program, stating, “The Department of Justice will take every lawful measure to vindicate the Department of Homeland Security’s lawful rescission of DACA.” AILA Doc. No. 18080635

Federal Judge Certifies Class Action Against The Geo Group, Inc.

A District Court judge certified a class of current and former civil immigration detainees who performed work for The Geo Group, Inc. at its Northwest Detention Center in Tacoma, WA and were paid a \$1 daily rate. (*Nwauzor et al. v. The GEO Group Inc.*, 8/6/18) AILA Doc. No. 18080770

District Court Orders USCIS to Timely Adjudicate Initial EAD Asylum Applications

Following summary judgment briefing by both parties, the court ruled in Plaintiffs' favor on July 26, 2018. The court ordered USCIS to follow the law and timely adjudicate initial EAD asylum applications. (*Gonzalez Rosario v. USCIS*, 7/26/18) AILA Doc. No. 15052630

Lawsuit Filed on Behalf of Parents Who Waived Right of Their Children to Pursue Asylum Claims

In a lawsuit filed on behalf of minor migrant children who were forcible separated from their parents and have been, or will be, reunified with them pursuant to *Ms. L. v. ICE*, the judge transferred three claims to be considered by the judge in the *Ms. L. v. ICE* lawsuit. AILA Doc. No. 18080730

Judge Orders Full Restoration of DACA, with 20-Day Delay

A federal judge ruled that the Trump administration must fully restore the DACA program but delayed the order until 8/23/18 to allow the government to respond and appeal. (*NAACP v. Trump*, 8/3/18) AILA Doc. No. 17091933

BIA Dismisses Appeal, Finding Involvement in Animal Fighting Venture is CIMT

BIA reaffirmed its prior decision denying the respondent's application for cancellation of removal and dismissed his appeal, finding that exhibiting or sponsoring an animal in an animal fighting venture is a crime involving moral turpitude. *Matter of Ortega-Lopez*, 27 I&N Dec. 382 (BIA 2018) AILA Doc. No. 18080637

BIA Reverses EWI Finding in Light of Respondent's Credible Testimony

Unpublished BIA decision reverses finding that respondent was present without being admitted or paroled in light of his credible testimony that he last entered the country with a border crossing card. Special thanks to IRAC. (*Matter of I-M-G-*, 7/28/17) AILA Doc. No. 18080731

BIA Dismisses Appeal, Finding Respondent Ineligible for Cancellation of Removal

BIA found that the IJ properly determined that the respondent is ineligible for cancellation of removal following his violation of a protection order, because he has been convicted of an offense under INA §237(a)(2)(E)(ii). *Matter of Medina-Jimenez*, 27 I&N Dec. 399 (BIA 2018) AILA Doc. No. 18080736

BIA Holds Oklahoma Statute Not an Aggravated Felony Theft Offense

Unpublished BIA decision holds that larceny from a person under Okla. Stat. tit. 21 § 1701 is not an aggravated felony theft offense because it encompasses takings that were fraudulently obtained with the consent of the owner. Special thanks to IRAC. (*Matter of Lopez-Hernandez*, 7/14/17) AILA Doc. No. 18080937

BIA Rescinds In Absentia Order for Respondent Who Arrived Late to Hearing

Unpublished BIA decision rescinds in absentia order against respondent who arrived at 10:45 am for a 9:00 am hearing after his vehicle experienced a mechanical failure, finding that he did not fail to appear for his hearing. Special thanks to IRAC. (*Matter of Rivas-Diaz*, 7/18/17) AILA Doc. No. 18081044

BIA Holds Virginia Larceny Statute Not a Particularly Serious Crime

Unpublished BIA decision holds that grand larceny from the person under Va. Code Ann. 18.2-95 is not a particularly serious crime on its face, making it unnecessary to examine the underlying circumstances of the offense. Special thanks to IRAC. (*Matter of J-J-V-*, 7/18/17) AILA Doc. No. 18081300

[BIA Finds Reentry As LPR Not an “Admission” Under INA 212\(h\)](#)

Unpublished BIA decision holds that respondent was not subject to the aggravated felony bar in INA 212(h) because his reentry following a trip abroad did not qualify as an “admission” as an LPR. Special thanks to IRAC. (*Matter of Reza*, 7/18/16) AILA Doc. No. 18081303

[ICE Information on the Document and Benefit Fraud Task Forces](#)

ICE provides background information into the document and benefit fraud task forces, including the 28 locations around the United States. HSI has partnered with federal, state, and local counterparts to create these task forces. AILA Doc. No. 18080802

[DOS Responds Regarding Impact of Travel Ban 3.0 on Visa Processing](#)

A 6/22/18 letter from DOS to Senator Van Hollen on the impact of Presidential Proclamation 9645 (Travel Ban 3.0) on the processing of U.S. visas. Letter includes information about the number of applicants from impacted countries who have applied for visas and those who have been cleared for waivers. AILA Doc. No. 18080900

[GAO Finds CBP Is Proceeding Without Key Information Regarding Border Barriers](#)

The GAO reviewed DHS’s efforts to deploy barriers along the southwest border, and issued a report finding that CBP is evaluating designs and locations for border barriers but is proceeding without key information, such as an analysis of the costs based on location or segment, which can vary widely. AILA Doc. No. 18080903

[RESOURCES](#)

- **[ILRC: An Overview of Public Charge](#)**
- **[Expert Advice & Resources for Undocumented College Students: A Guide](#)**
- **[CLINIC Fact Sheet: Family Separation for Asylum Seekers](#)**

- [Updated FAQs on Mendez Rojas v. Johnson](#)
- [Resources on Lawsuit Challenging DHS's One-Year Filing Deadline for Asylum Applications](#)
- [Filing DACA Applications in the Wake of Federal Court Rulings](#)
- [FOIA Response Highlights Importance of Independent Judges, Court Reform](#)
- [Resources Related to DOD's Tightening of Rules and Discharges of Immigrants from the Military](#)
- [Resources on Lawsuit by Texas and Six Other States Seeking to End the DACA Program](#)
- [Your Guide to Taking Immigration Cases to Federal Court](#)
- [Avoiding Disciplinary Action for Requesting Multiple Continuances in Immigration Court](#)
- [Flow Chart Illustrating the UAC Reunification Process](#)
- [New CMS Report Shows Refugees Successfully Integrate and Strongly Contribute to United States](#)

EVENTS

- 8/14/18 [Pro Bono: Motivations, Challenges, and Solutions](#)
- 8/14/18 [Pack the Court! Support Ravi and Immigrant Rights Activists](#)
- 8/15/18 [Representing Children in Immigration Proceedings](#)
- 8/20/18 [All About Survivor Derivatives](#)
- 8/29/18 [Understanding and Preparing Waivers](#)
- 9/10/18 [NYIC 40 Hour Training: Albany](#)
- 9/12/18 [Improving Productivity and Time Management](#)
- 9/20-21/18 [2018 Federal Court Litigation Conferences: Join Us in Washington, D.C. or Remotely via Webcast](#)
- 9/26/18 [Representing Children in Immigration Matters 2018: Effective Advocacy and Best Practices](#)
- 11/26-28/18 [CLINIC & NITA "Advocacy in Immigration Matters"](#)

ImmProf

Monday, August 13, 2018

- [Stephen Miller's Uncle Talks Family Migration](#)

- [Immigration a Key Issue in Season 6 of Orange is the New Black](#)
Sunday, August 12, 2018

- [Immigration Article of the Day: Citizenship for Sale? in The Oxford Handbook of Citizenship \(Oxford: Oxford University Press, 2017\) by Ayelet Shachar](#)

Saturday, August 11, 2018

- [India's Citizenship List](#)

- [Family Separation, Harsh Enforcement Tactics Do Not Deter Migration](#)

- [This American Life: ICE Capades](#)

- [Immigration Article of the Day: Exporting Murder: US Deportations & the Spread of Violence by Christian Ambrosius and David A. Leblang](#)

Friday, August 10, 2018

- [ICE Crashed a Van Full of Separated Mothers, Then Denied It Ever Happened](#)

- [Laura Ingraham's Inflammatory Immigration Comments](#)

- [First Lady's Parents Become U.S. Citizens](#)

- [Journalist: Fear Is A 'Very Powerful Tool' In Trump's Approach To Immigration](#)

- [Immigration Article of the Day: The Law and Policy of Refugee Cities: Special Economic Zones for Migrants by Michael Castle-Miller](#)

Thursday, August 9, 2018

- [Expert Advice & Resources for Undocumented College Students: A Guide](#)

- [IJs Slam Sessions for Undermining Judicial Independence](#)

- [Fact Checking President Trump's Most Frequent Immigration Claims, Increased Enforcement Results in Uncertain Benefits](#)

- [Latino USA Looks at the US/Mexico Port of Entry](#)

- [Team Trump's Plot to Block Legal Immigrants from Citizenship I The Daily Show](#)

- [Immigration Article of the Day: The Immigration-Welfare Nexus in a New Era? by Andrew Hammond](#)

Wednesday, August 8, 2018

- [Susan Akram: What's Driving The Migration Crisis At Our Southern Border?](#)

- [Trump Administration Threatens Immigrants with Penalties for Lawful Public Benefit Receipt](#)

- [Ninth Circuit rules Mexican mother can sue over cross-border Border Patrol shooting](#)
- [Immigration Article of the Day: A Constitution That Starves, Beats, and Lashes \(or the Plenary Power Doctrine\): Jennings v. Rodriguez and a Peek Into Immigration Dissent History by Allison Crennen-Dunlap](#)

Tuesday, August 7, 2018

- [One Week Til Deadline for AALS Calls for Papers](#)
- [FROM THE BOOKSHELVES: Protecting Migrant Children: In Search of Best Practice. Edited by Mary Crock and Lenni Benson](#)
- [Stepped Up Illegal-Entry Prosecutions Reduce Those for Other Crimes](#)
- [Neil Sedaka's 1975 song revived for anti-immigrant era](#)
- [Simon Rosenberg Trump's brand is his xenophobic immigration policy. That's why he'll go to any lengths to enact it.](#)
- [Immigration Article of the Day: Opportunities & Anxieties: A Study of International Students in the Trump Era by Kit Johnson](#)

Monday, August 6, 2018

- [Stu Karnes Project Blog, by Students at St. Thomas University School of Law](#)
- [Nolan Rappaport: Even with no new arrests, it would take four years to eliminate immigration court backlog](#)
- [At the Movies: 10 Most Interesting Immigration Movies of All-Time](#)
- [Death on the Border: The Thousands of Bodies Along the US-Mexico Border](#)
- [Trump Administration Stumbles Again in Court in DACA Rescission](#)

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<http://www.aila.org/advo-media/news/clips>