Democratic, Republican governors deploy National Guard to US-Mexico border

Alec Anderson
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Over the past week, hundreds of National Guard soldiers have assembled along the US-Mexico border to assist the Trump administration in prosecuting its campaign to round up undocumented immigrants attempting to cross into the United States. At the same time, the Department of Justice has made substantial changes to the immigration court system in order to curtail immigrant rights and expedite the deportation process.

Just a week after President Donald Trump announced the deployment of up to 4,000 members of the National Guard to the southern border, hundreds of soldiers have already been deployed in all four states situated along the US border with Mexico.

By Tuesday, Arizona Governor Doug Ducey had already amassed 338 Arizona National Guard soldiers along the Mexican border, while New Mexico has so far deployed 80 National Guardsmen and plans to send a total of 300.

At the end of last week, Texas had deployed 250 National Guard troops to the border with Mexico. Governor Greg Abbott announced Monday that he planned to deploy another 300 soldiers every week until there are at least 1,000 members of the National Guard patrolling the southern border in his state.

For its part, California is also backing the National Guard deployment following an announcement by Democratic Governor Jerry Brown on Tuesday that the state would deploy 400 soldiers under the fraudulent pretext of “combatting transnational criminal organizations” while claiming that the forces would have no role in deportations. However, in reality the deployment is designed to free up Customs and Border Protection resources to better prosecute its campaign of terror against California’s immigrant communities.

In conjunction with the amassing of National Guard forces along the Mexican border, the Department of Justice has quietly proceeded over the past week to implement drastic changes to the immigration court system designed to further restrict the legal rights of immigrants and speed up the pace of deportations.

Last week, the Justice Department’s Executive Office for Immigration Review announced that it will impose a quota of 700 cases for immigration judges to review on an annual basis and that job performance would be evaluated based on how quickly cases are closed, in a transparent effort to streamline the deportation process for undocumented immigrants. The immigration court system currently has a backlog of 685,000 cases, which Attorney General Jeff Sessions is hoping to reduce by making it more difficult for immigrants to introduce evidence in their defense.

The unstated aim of the new policy is to encourage judges to rubber-stamp deportation orders to meet their quota, rather than carefully considering familial or other circumstances that would otherwise lead to a favorable ruling for the defendant. Immigrants facing immigration court already have virtually none of the rights afforded under normal judicial procedure.

Indeed, immigration courts in the United States are separate from the judicial branch of the federal government, which is constitutionally independent of both the executive and legislative branches. Instead, immigration courts fall directly under the purview of the Department of Justice, giving the Attorney General and by extension the Trump administration virtually free rein to change rules and procedures to better align the immigration court bureaucracy with the fascistic and anti-immigrant program of the administration.

In yet a further attack on the democratic rights of immigrants, the Department of Justice announced Thursday that it is ending the Legal Orientation

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Program for defendants in immigration court. Undocumented immigrants are not entitled to free legal representation during immigration court proceedings but are instead given an overview of the immigration court process and their rights prior to hearing under the program.

The Justice Department claimed that the termination of the Legal Orientation Program is a temporary measure to allow for a review of the program's effectiveness. However, this excuse is far from credible given the anti-immigrant chauvinism of Trump, Sessions, and the administration as a whole.

Nor will this move make the immigration court process any more efficient. A 2012 report by the Executive Office for Immigration Review found that immigrants who received services from the program prior to their hearing spent 11 fewer days in ICE detention and completed their proceedings 16 days sooner than those who had not, saving an annual $18 million in addition to reducing the trauma immigrants experience in ICE detention.

Immigration judges will now be tasked with informing immigrants of their rights and an overview of the proceedings. Given the new pressures being placed on them to meet their quota and speed up the closing of cases, the end result will be that immigrants will often not be aware of their legal rights and will therefore be unable to mount a defense against deportation.

The true motive behind the changes lies in the fact that the program represents a threat to the escalating campaign of state terror being waged against immigrant communities in the United States. Immigrants who are not informed of their rights are far less likely to be able to defend themselves in court or report the abusive conditions rife within ICE detention centers.

The Trump administration's further restrictions on immigrant rights represent an effort to cast aside the veneer of due process and legal legitimacy that have long provided cover for the undemocratic immigration court system, while the administration and state officials simultaneously escalate immigration roundups and terrorize immigrant communities.

Meanwhile, Democratic Party officials have maintained silence on the escalation of attacks on immigrants, underscoring yet again the duplicitous character of their posturing as defenders of immigrant rights.

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