

# Federal judge denies Trump administration request for extension to reunite migrant families

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A federal judge has denied the Trump administration's request for more time to reunite migrant families torn apart under the administration's "zero tolerance" policy to criminally prosecute all who cross the border without documentation.

In a court filing on Friday, the Department of Justice (DoJ) asked for an extension, claiming that its officials needed the extra time to "vet" parents before their children could be released into their custody. The filing also asked the court for clarity on the number of children it needs to return to their parents. As it stands, the deadline to reunite children under the age of five with their parents is set for July 10, and the deadline for children ages five and older is July 26.

In her ruling, US District Court Judge Dana Sabraw ordered the administration to stick to the deadline unless there was "an articulable reason" for postponing. Judge Sabraw further instructed the government to share with the ACLU a list of the 101 children under the age of five so that they could decide in concert whether there were any specific cases that merited the request for more time. Sarah Fabian, a DoJ attorney, claimed that the administration had already matched 86 parents to 83 children and that only 16 were not yet matched.

As the court battle plays out, an article in yesterday's *Time* magazine described the absurd scene in a Phoenix immigration courtroom, where immigration Judge John W. Richardson was unable to ask the respondent whether he understood the nature of the proceedings because the respondent was a one-year-old boy.

The infant, Johan, was one of the nearly 3,000 children who have been ripped away from their parents at the US border under the zero-tolerance policy.

Johan's lawyer told the judge that Johan's father had brought him to the US, and that the father was now back in Honduras after having been deported under the false pretense that he could return with his son. Johan's case was not the only one of that sort being heard that day.

Under the strange immigration court system that exists in the US, migrant children—including those in diapers – have to face deportation hearings while still separated from their parents.

Such children do not have access to court-appointed lawyers—no immigrants do—and nearly 90 percent of those who do not find representation through other means end up getting deported. In each of the cases detailed in the *Time* article, the children of varying ages—some as yet unable to even talk—are dressed up and hauled before a judge for court appearances. These proceedings are nothing but a travesty of the right of due process. In Johan's case, the Immigration and Customs Enforcement (ICE) lawyer prosecuting him seemed to be unaware of the existence of any reunification deadline.

In a statement, ICE spokeswoman Jennifer Elzea later stated that the lawyer had indeed known about the injunction about family reunification, but didn't know the specifics of the timeline requirements off the top of his head "and did not want to misspeak about any timeline commitments without that knowledge."

The Democratic Party, having helped the Obama administration set up a network of immigration detention centers used to deport some of the 2.7 million immigrants removed during Obama's two terms, is responding to popular horror over the attack on immigrants with demagoguery.

In recent weeks, several prominent Democrats, including rising stars like New York congressional candidate Alexandra Ocasio-Cortez and established figures like Senators Elizabeth Warren and Bernie Sanders, have called for abolishing ICE.

Those interested in defending the rights of immigrants must not be fooled: It is important to remember certain important facts. Many of the Trump administration's immigration policies, including the family detention center system, were put in place by Obama. The calls to abolish ICE by a section of the Democratic Party is in no way a call to end deportations or the militarization of the border. It is a phony appeal for a "more humane" system of mass deportation that is coupled with pleas for added "border security."

In an op-ed published Friday in the *Washington Post*, Jeh Johnson, the head of the Department of Homeland Security under Obama, argued that the calls to abolish ICE were wrong-headed in that the problem was not the agency itself, but rather some of its policies. Drawing parallels with another era when public anger erupted on the streets, Johnson wrote, "During the Vietnam War, millions of Americans demanded an end to the war; no one seriously demanded that we abolish the entire Defense Department. Obviously, that would have completely compromised national security." Abolishing ICE, Johnson insisted, would "compromise public safety."

Johnson's op-ed underscores the active complicity of the Democratic Party in paving the way for Trump's fascistic attack on immigrants.



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