

US Justice Department indicts Rep. LaMonica McIver over confrontation at immigrant prison

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US Representative LaMonica McIver was indicted on Tuesday on charges related to a confrontation last month outside an immigration detention center in Newark, New Jersey. The Democratic congresswoman was charged with two felony counts and one misdemeanor count of assaulting, resisting, impeding and interfering with a federal officer. No one was injured in the scuffle. The indictment carries a maximum total of 17 years in prison.

The decision to indict a sitting congresswoman on these grounds is extraordinary. It is a brazen escalation of President Donald Trump's drive to terrorize and crush all opposition to his fascistic campaign of mass deportations and establish a presidential dictatorship.

Interim US Attorney Alina Habba announced the indictment against McIver, claiming that the congresswoman was participating in an unauthorized protest at the facility. Habba is a staunch supporter of Trump and previously served as his personal defense attorney.

McIver represents New Jersey's 10th Congressional District. She is serving her first term in the US House of Representatives. Her urban, predominantly African American district includes Newark, which is New Jersey's largest city, as well as one of its poorest. McIver said that she and other congresspeople were conducting an oversight visit at the detention center when tensions escalated.

No arraignment date for McIver to enter her plea has been scheduled. She has called the charges baseless and political and plans to plead not guilty.

US District Judge Stacey D. Adams has imposed strict pretrial conditions on McIver, who must check in regularly with the court and is banned from possessing

firearms. Adams also limited the congresswoman's travel. McIver's request for international travel was denied, except if specifically approved by Pretrial Services.

The incident took place outside Delaney Hall, a privately operated prison under contract with US Immigration and Customs Enforcement (ICE). On May 9, McIver and fellow Democratic representatives Rob Menendez Jr. and Bonnie Watson Coleman, both of New Jersey, made an unannounced visit to the prison to examine the treatment of ICE detainees. Unannounced visits are permitted to members of Congress as part of their oversight responsibilities.

Newark Mayor Ras Baraka, a Democrat who is seeking his party's nomination for governor, was also there to inspect the prison. Baraka asserted that the facility's owner, the multibillion-dollar corporation Geo Group, had opened it without obtaining the proper city permits.

According to the indictment, the congresspeople entered a secure area of the facility while Baraka was denied entry. When a guard "became concerned for [his] safety amidst the crowd of protesters," he relented and let Baraka in, the indictment states. Prison officials soon changed their minds, however, and asked Baraka to leave.

The mayor moved to public property outside the jail, in an area where protesters had gathered. When masked law enforcement officials moved to detain Baraka and announced that he would be arrested, a scuffle broke out. McIver allegedly encouraged others to surround the mayor to "thwart the arrest," according to the indictment. The congresswoman is also alleged to have struck two officers with her forearms, pushed another

officer and tried to grab another officer. Surveillance cameras and body cameras captured footage of the event.

In a clear provocation, Baraka was arrested, handcuffed and charged with trespassing, even though he had been granted entry to the prison. Less than two weeks later, prosecutors dropped the charges with little explanation.

In a remarkable rebuke, US Magistrate Judge André M. Espinosa accused the Justice Department of an “embarrassing retraction of charges” after “a failure to adequately investigate.” Baraka recently filed a lawsuit charging federal officials, including Habba, with malicious prosecution and false arrest.

Prosecutors tried unsuccessfully to extract a concession from McIver in exchange for dropping the charges against her, according to the congresswoman. “The Justice Department and Alina Habba wanted me to admit to doing something that I did not do, and I was not going to do that,” McIver told CNN last month. “I came here to do my job and conduct an oversight visit, and they wanted me to say something differently, and I’m not doing that.”

Baraka and McIver are only two of the Democrats the Trump administration is targeting in its drive to quash even token opposition to its anti-immigrant campaign. Habba is investigating New Jersey Governor Phil Murphy and state Attorney General Matt Platkin for banning the state’s local law enforcement from assisting in civil immigration enforcement. Trump also has called California Governor Gavin Newsom “Newscum” and threatened to arrest any government officials who block ICE’s activities.

No Democrat has offered more than rhetorical opposition to the mass deportations. The Democrats have proposed no actions to defend the democratic rights of immigrants or citizens. As loyal representatives of finance capital, which faces a deep economic crisis, the Democrats recognize the need to divide the working class. Their concern is only that massive shows of force will incite opposition that could slip out of their control.

The indictment of McIver on Tuesday did not prevent the Democrats from joining the Republicans in a friendly annual Congressional Baseball Game on Wednesday.

In another escalation, David Huerta, president of

SEIU (Service Employees International Union) California, was arrested at a protest last weekend for allegedly trying to block an ICE vehicle. He was released on \$50,000 bail and faces felony charges. But neither SEIU nor the AFL–CIO has called for strikes to demand that the charges against Huerta be dropped. The trade unions have intimate and long-standing connections to the Democratic Party, while figures such as United Auto Workers President Shawn Fain and Teamsters President Sean O’Brien have openly embraced Trump’s campaign of economic nationalism and xenophobia.

Mass protests in Los Angeles, Chicago, New York and other cities show the broadening and deepening of opposition to Trump’s immigration Gestapo. Trump has responded by federalizing the California National Guard, deploying the US Marines to Los Angeles and preparing the military for mobilization against civilians anywhere in the country.

These unprecedented actions are part of Trump’s unfolding coup d’état to establish a presidential dictatorship. Neither the trade union bureaucracies nor the Democrats will offer any resistance to this conspiracy against the Constitution. The rights of workers, immigrant and non-immigrant, and democracy itself can be defended only through the mass mobilization of the working class in the fight for a socialist program.



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