

## **Trump Admin Humiliated as Federal Court Rules Several Deported Parents Can Return to U.S.**

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### **Body**

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Sep 05, 2019( Law and Crime: <https://lawandcrime.com/> Delivered by Newstex) In a substantial blow to the Trump Administration, a federal judge late Wednesday ruled that several immigrant **parents** who were **deported** without their children last year can return to the United States in order to seek asylum. During the summer of 2018, 471 **parents** were **deported** under the auspices of the government's universally-reviled family separation policy. Several families were reunited in their countries of origin while many other **parents** decided to pursue separate asylum claims.

'Many of the **parents** were located in remote villages in the recesses of Central America,' the court order notes, 'and nearly all of them have now made the difficult decision either to reunify with their children in their home countries or to waive reunification and allow their children to remain in the United States to pursue their own claims for asylum in accordance with established law.' Thirty of the 471 **parents** returned to the U.S.-Mexico border and filed claims for asylum-and were promptly taken into custody by immigration authorities. Immigration advocates briefed the court that those immigrant **parents** 'either passed a credible fear interview or were placed directly into immigration proceedings before an immigration judge, and were subsequently reunified with their children.' A separate group of immigrant **parents**, however, was the subject of Wednesday's court order. A lawsuit was filed by the American Civil Liberties Union (ACLU) in July of this year on behalf of 18 additional immigrant **parents**-who are currently residing outside the country. The ACLU argued that those 18 **parents** had 'bona fide' asylum claims and were denied their legal and statutory rights to seek asylum due to the Trump administration's hard line border approach last summer. These **parents** have yet to be reunited with their children either in their home countries or by way of the Trump administration's public-private enterprise immigrant detention regime. In other words, the 18 **parents** covered by Wednesday's order are seeking to return in order to press lawful cases of asylum without being subject to the whims of border patrol agents. The Trump Administration wants the **parents** who are currently out to stay out. In a 21-page ruling[1], U.S. District Judge Dana Sabraw agreed in part with the immigrants and their advocates; the U.S. District Court for the Southern District of California will now allow 11 of the 18 **parents** to return because they from the country by immigration authorities in direct violation of U.S. law. The court notes: Plaintiffs argue they are entitled to this relief under a Settlement Agreement entered into between the parties in this case, as well as under Ninth Circuit law that provides for the return of an alien who is wrongfully removed. Defendants oppose the motion. The matter has been fully briefed and argued. For the reasons discussed below, the Court finds eleven of the **parents** are entitled to the relief requested under Ninth Circuit law and seven are not, those **parents** having failed to meet their burden of proving they were wrongfully removed. 'The circumstances of the eighteen **parents**' immigration and removal proceedings vary widely,' Sabraw's decision said. 'Twelve of the eighteen **parents** were removed before this Court issued its class certification order and preliminary injunction. Two other **parents** were removed after those orders issued, but before this Court issued a stay of any further removals. Three **parents** were removed after the stay, and it is unclear when the remaining **parent** was removed.' During several hot months in 2018, over 2,800 children were forcibly separated from their **parents**. After nearly a year's worth of

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back-and-forth between human rights advocates and administration apparatchiks who argued (while also violating several court orders demanding the administration take responsibility for its actions) that reunification was simply impossible, the Ninth Circuit certified the total number of parties impacted by the family separation policy and successfully 'accounted for' each and every separated child-returning the majority of those children to their **parents**. Wednesday's order thus affects only a minority of a minority of the families affected by the Trump Administration's family separation policy. [image via John Moore/Getty Images] [ 1]: <https://assets.documentcloud.org/documents/6382328/Family-Separation-Deported-Parents-Order.pdf>

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