

Many Bay Area deportation cases will be dropped in June

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Body

The federal government **will** begin closing hundreds of **Bay Area deportation cases** in **June**, allowing some illegal immigrants a partial reprieve if they have strong community ties and no criminal record.

The Executive Office for Immigration Review this summer **will** suspend the daily schedule of the San Francisco immigration court, one of the busiest in the nation, to allow a team of federal attorneys to scour the entire caseload for low-priority **deportation cases** to **drop**, according to a statement from the Department of Homeland Security obtained by this newspaper.

Among those who could benefit from the court review are students brought to the United States illegally at a young age who are otherwise upstanding residents. Although their **deportation cases will** be halted, the reprieve does not grant them legal residency or citizenship and authorities have the ability to seek their **deportation** later.

Following up on a six-week pilot program in Baltimore and Denver, immigration authorities **will** begin suspending **cases** at immigration courts across the country.

Of more than 11,000 **cases** reviewed in the pilot program, judges **dropped** about 16 percent in Denver and about 10 percent in Baltimore.

The San Francisco court alone has about 17,000 pending **cases**.

"San Francisco has one of the biggest caseloads in the country," said private immigration lawyer Randall Caudle.

"It forces them to pull all the pending **cases** and review them. That could be a little chaotic."

But some private lawyers say **many** of those most likely to have their **cases** closed would be better off trying to get a full immigration hearing.

"It's not a solution just to take somebody and tell them we're going to put your **case** on hold," said Laura Lichter, incoming president of the American Immigration Lawyers Association, which met with federal authorities about the court reviews Thursday.

"I've got a real concern about people trying to really rocket through this procedure." Lichter defends immigrant clients in Denver and said only the clearest **cases** were closed.

"It's the people who have the middling **cases**, who aren't likely to win, otherwise good people, they should be taken off the top and they're not," she said. "They're just normal people trying to work and support their families."

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Some judges will be reassigned to hear the cases of detained immigrants. Attorneys from Immigration and Customs Enforcement, or ICE, will devote time to reviewing backlogged cases, administratively closing low-level cases and pursuing those they consider more serious.

The program will begin late April in Detroit, New Orleans, Orlando and Seattle. It will move to New York City in May, San Francisco in June and Los Angeles in July, according to the statement and lawyers briefed on the process.

Smaller courts will shut down their regular schedules for two weeks for the review, and larger courts will devote some judges to the review and others to their regular caseload.

The Republican chairman of the House Judiciary Committee criticized the court-by-court review Thursday, saying it rewards lawbreakers by allowing them to remain here.

"The Obama administration's decision to expand its backdoor amnesty plan to cities across the United States endangers Americans and insults law enforcement officials," said Rep. Lamar Smith, R-Texas, in a prepared statement.

The Obama administration has deported a record 397,000 people last year -- but deportation filings dropped by a third in the last quarter of 2011 from the same time in 2010, according to records obtained by New York-based Transactions Records Access Clearinghouse.

The "substantial drop" partly resulted, public records researchers believe, from ICE Director John Morton's June 2011 memo ordering his agents to use more discretion in whom they choose to deport.

The Obama administration also announced in August that it would review all 300,000 pending deportation cases to target criminals, public safety dangers and egregious violators of immigration law.

Caudle said some government immigration lawyers in the Bay Area have begun closing or terminating sympathetic cases on their own, something that would rarely have happened a year ago.

"It looks like the ICE attorneys here are at least trying to exercise discretion," he said.

San Francisco immigration attorney Mark Silverman said one rationale for showing more discretion and closing low-priority cases is to save money and resources. Another motivation is political.

"Clearly the administration is trying to show they're doing something for immigrants because there's a lot of disenchantment with the Obama administration," Silverman said.

Graphic

Immigration and Customs Enforcement officers arrest suspected illegal immigrants in Santa Ana, Calif., 2007. (AP Photo/Mark Avery)

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