

ICE arrests immigrant at asylum interview in San Francisco

By Our reporter
13 February 2018

On February 8, Immigration and Customs Enforcement (ICE) agents took the unprecedented step of arresting an asylum applicant, Omer Abdelmaed, after he appeared for an interview at a United States Citizenship and Immigration Services (USCIS) building in San Francisco.

Abdelmaed, a resident of San Jose, California showed up at the asylum office in San Francisco to explain his fear of returning to Sudan, having fled after being arrested and tortured.

After the customary interview, which lasted two hours, Abdelmaed and his attorney, Caleb Arring, began to leave the office. However, as Arring explained in a Facebook post, as they began to leave, “someone who I assume is a supervisor at the asylum office came in with 3-4 ICE Officers. The ICE Officers put handcuffs on my client and said they were taking him into custody. I asked why. At first they wouldn’t even answer me.”

The highly provocative arrest is part of a pattern of blatant illegality on the part of ICE, which functions as a law unto itself.

While the Obama administration deported more people per year than Trump did in 2017, the latter’s administration has carried out a deliberate policy to instill terror among immigrants, making random, warrantless arrests outside churches, at courthouses, government buildings, schools, workplaces, on buses, and in other public places. The Trump administration made 37,734 arrests of immigrants with no criminal records in the 2017 fiscal year, more than double the total from 2016.

Arring explained in his post: “My client has NEVER been arrested in the United States. He has a completely clean record. He has a social security number. He works and contributes to our society. He has a United

States Citizen Child. His wife and other child both have green cards.”

Abdelmaed’s arrest is a violation of the 1951 UN Convention on the Status of Refugees, which states, “Refugees should not be penalized for their illegal entry or stay” and prohibits immigrants from “being arbitrarily detained purely on the basis of seeking asylum.”

Arring said “the government will give me NO information about why he was taken into custody during what is meant to be a safe and non-adversarial process.” When ICE made the arrest, Arring challenged the officers and told them the Asylum Office retained custody over his case while his asylum application was pending. “The officer said, not anymore, we just arrested him so the asylum office doesn’t have jurisdiction anymore.”

The Trump administration has launched an assault against asylum applicants, proposing to slash in half the total number of asylum applications it will grant per year from roughly 37,000 to 18,000. In October 2017, Attorney General Jeff Sessions called on Congress to toughen rules for asylum seekers who he claims use “rampant abuse and fraud” to escape their home countries.

“The system is being gamed. Over the years, smart attorneys have exploited loopholes in the law, court rulings, and lack of resources to substantially undermine the intent of Congress,” Sessions said, failing to clarify how it could be fraudulent to cite court rulings in legal proceedings. The immigration system is “overloaded with fake claims” for asylum, he added. This is the opinion of a large number of senators heading into this week’s debate over immigration reform.

In reality, nearly six in ten asylum applications are

denied in immigration court, including 90 percent of those applications filed by immigrants too poor to afford legal representation since there is no equivalent to the public defender system in immigration court. Between 75 percent and 90 percent of all asylum applications from Guatemala, Honduras, El Salvador, and Mexico were denied between 2011 and 2016.

The arrest of Abdelmaed is another sign of the danger posed not only to immigrants, but all workers whose democratic rights are under attack when the government conducts illegal arrests and locks up people seeking refuge from persecution.

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