

# Federal judge blocks Trump administration attempt to deport mother and child during court hearing

By Eric London  
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In a brazen act of lawlessness, the Trump administration attempted to deport a mother and her daughter to El Salvador yesterday before the immigrants' hearing had concluded in federal court in Washington, DC.

The Justice Department's efforts to remove the two immigrants came in defiance of a court order staying the deportation. The government sought to remove the immigrants from the US while their lawyers were preoccupied with arguing the case in court.

A remarkable scene unfolded in court yesterday morning when American Civil Liberties Union (ACLU) attorney Jennifer Chang Newell received an email informing her that two of her clients—a mother named Carmen and her daughter—were forced onto an airplane and were bound for El Salvador. Chang Newell asked US District Judge Emmet G. Sullivan for a recess, which the judge granted. According to the *Washington Post*, the Justice Department attorney claimed to have no idea where the mother and daughter were located.

When Judge Sullivan learned the airplane carrying the mother and daughter was already bound for El Salvador, he ordered the Trump administration to “turn the plane around.” Sullivan then said, “This is pretty outrageous, that someone seeking justice in US court is spirited away while her attorneys are arguing justice for her? I’m not happy about this at all. This is not acceptable.”

The judge then granted the ACLU's request to postpone the hearing and stay the deportations. He threatened to hold Trump Attorney General Jefferson Sessions in contempt of court if the government violated the order.

Eunice Lee, an attorney representing the two immigrants and 10 other immigrants challenging administration policies denying the right to asylum, told the *Post* :

“It must have been absolutely terrifying for them to think they would be returning to a country where they raised very credible claims of persecution and death. It's outrageous to me that while we were working around-the-clock filing briefings for this case's early morning hearing that people in the government were actively arranging for Carmen's deportation.”

The government hoped that if the immigrants had passed out of US territory by the time the court learned of the deportation, they would have technically lost any due process rights attached to being present within the United States.

The federal case is a civil suit filed by 12 plaintiffs challenging the Trump administration's new asylum rules, which effectively block victims of domestic violence and gang violence from winning asylum in the US.

In its complaint, the ACLU requested the court halt the pending deportations of the plaintiffs, all of whom had been denied asylum: “Without an injunction, Plaintiffs and thousands of other immigrants like them desperately seeking safety will be unlawfully deported to places where they fear they will be raped, kidnapped, beaten, and killed,” the ACLU said in the complaint.

In his decision from June titled *Matter of A-B-*, Attorney General Sessions ruled: “Generally, claims by aliens pertaining to domestic violence or gang violence perpetrated by non-governmental actors will not qualify for asylum. The mere fact that a country may have problems effectively policing certain crimes—such

as domestic violence or gang violence—or that certain populations are more likely to be victims of crime, cannot itself establish an asylum claim.”

The chief reason why Central America is overrun by gangs, government-run death squads, and corrupt national police is the disastrous role of American imperialism in the region over the last 125 years. More recently, in the 1970s through the 1990s, US imperialism either directly installed or backed dictatorships that killed hundreds of thousands of poor peasants and workers.

The region has never recovered from America’s touch of death. Corruption, an absence of social services, and the world’s most extreme levels of inequality have led to high levels of child enslavement, sex trafficking, murder, rape and gang violence.

Of the roughly 3,000 children who were separated from their parents, a majority originally hail from the “Northern Triangle” of Guatemala, Honduras and El Salvador. To date, 572 children remain separated from their parents. The corporate media in the US has effectively dropped coverage of family separation despite growing reports of sexual and physical abuse at detention centers and foster care centers across the country.

In the wake of a recent ruling from the US District Court Judge Dana Sabraw, the government has abdicated most responsibility for locating the already-deported parents of children who have been alone in the US for weeks. The Trump administration claims 163 parents voluntarily waived their right to unite with their children—a bogus lie that hides the fact that desperate and isolated parents were coerced into signing paperwork they did not understand.

Ben Ferencz, the last surviving member of the prosecuting team at the Nuremberg trials, said in an interview with outgoing UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein that the US government’s family separation policy is “a crime against humanity.”

Ferencz, now 99-years-old, was chief prosecutor during the Einsatzgruppen trial, in which he and Chief Counsel for the Prosecution Telford Taylor successfully prosecuted 22 leaders of SS death squads for the murder of over one million people. The Hungarian-born US Army attorney said:

“It was outrageous. I was furious that anybody would

think that it’s permissible to take young children—5, 4, 3 years of age—and take them away from their parents and say the parents go to another country and the children go to another country, and we’ll get you together, maybe, at some later date.

“We list crimes against humanity in the Statute of the International Criminal Court. We have ‘other inhumane acts designed to cause great suffering’. What could cause more great suffering than what they did in the name of immigration law? It’s ridiculous.”

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