

## Trump's move to bus immigrants to sanctuary cities could actually HELP migrants

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Donald Trump's proposal to bus immigrants to sanctuaries could have an unintended effect by relocating migrants to immigration court districts where judges are statistically more likely to grant asylum, according to multiple immigration experts and attorneys.

One major reason Trump's idea could backfire is that the likelihood of whether an immigrant's asylum application will be successful varies dramatically depending on the state in which their case is heard – and many of the courts that tend to favor granting asylum are located in sanctuary cities, said former immigration Judge Jeffrey S. Chase.

For example, New York – a sanctuary city – was the most likely to welcome asylum seekers, with only 34 percent denied in 2018, while immigration judges in North Carolina and Georgia had a 96 percent denial rate.

'It not only gets them to the districts that have better courts and judges, but it gets them to where the pro bono lawyers and (immigration assistance) clinics are,' Chase told DailyMail.com.

'A lot of times when people do bond out they head straight to New York and San Francisco anyway, so they're saving them the bus ticket,' he added.

A Department of Homeland Security official declined to comment to DailyMail.com.

Sanctuary cities, counties and states are regions where officials have decided to pass laws that tend to protect immigrants who are in the country illegally.

For example, some sanctuary cities refuse to allow local law enforcement to hand people over to ICE after the immigrants were arrested on minor violations.

They were largely established and gained traction under the Obama administration as local officials sought to assert their own authority on immigration issues.

Trump has proposed busing immigrants to sanctuary cities because he says the mostly Democratic safe havens for migrants should be 'very happy' to take in people who have entered the country illegally.

It remains unclear if the White House will go through with the proposal, which the president said the administration was still strongly considering in a series of tweets on April 12.

‘Due to the fact that Democrats are unwilling to change our very dangerous immigration laws, we are indeed, as reported, giving strong considerations to placing illegal immigrants in sanctuary cities only,’ Trump tweeted.

He added: ‘The Radical Left always seems to have an Open Borders, Open Arms policy – so this should make them very happy!’

Sanctuary cities, counties and states are scattered across the Midwest, but mostly concentrated in the Northeast, Northwest and California – regions where courts tend to grant asylum at higher rates. There can be variation at the local level, for instance: Seattle is a sanctuary city, but the court there has a higher asylum denial rate than the court in Tacoma, Washington, just 40 miles south, which is not a sanctuary city.

The existence of these sanctuary cities has frustrated the president in his efforts to tackle illegal immigration in the interior of the U.S.

Now growing numbers at the border have forced the administration to release many immigrants into the country immediately. Border crossings were up to 103,492 in March – a 77.5 percent increase compared to January, according to federal data.

As a result, Trump suggested it makes sense to send those migrants to the cities that purport to welcome them.

White House officials tried to walk back the president’s statements on the busing idea, however Trump responded by doubling down on the concept in his April 12 tweets.

But his proposed tactic could hit a number of snags.

‘There absolutely could be a positive outcome (for immigrants bused to) court districts that tend to be more lenient with asylum claims,’ immigration policy analyst Alex Nowrasteh, of the Cato Institute, told DailyMail.com. ‘That’s in addition to the fact that these sanctuary cities are where a lot of the jobs and growth are for immigrants. They get a free ride and a higher chance of more favorable outcomes.’

Daniel Brown, a Washington D.C.-based immigration attorney with Fragomen, Del Rey, Bernsen & Loewy, LLP, said that the Trump administration would likely be creating an even longer court backlog in those areas.

The result: more immigrants in sanctuary cities would be allowed to remain in the U.S. for longer as they await their day in court.

‘Not only might it help people in terms of whether they get granted asylum, but it could also essentially be helping them with having cases that go on much longer,’ Brown told DailyMail.com.

However, immigration courts that have been historically more likely to grant asylum may not be as favorable to immigrants from Central America – who currently make up the majority of people crossing the border right now, said Leon Rodriguez, an immigration attorney and former director of U.S. Citizenship and Immigration Services under Obama.

The reason is down to a legal opinion issued by former Jeff Sessions that says immigrants fleeing gang violence and domestic violence can't be granted asylum – which is the basis for many cases brought by immigrants from Guatemala, Honduras and El Salvador.

'The Department of Justice has really, really narrowed the options for relief that the folks from South America will be presenting,' Rodriguez told DailyMail.com.

However, Chase, a former immigration judge, notes that despite Session's decision, some migrants are still winning asylum on cases seeking relief from gang violence and domestic violence – and it's mostly happening in sanctuary cities.

Aside from the court implications, there is no guarantee that asylum seekers who were bused to these sanctuary regions would stay in the cities, said Jorge Loweree, director of policy at the American Immigration Council.

'There is some data available to support the idea that immigration courts located in or near cities with sanctuary policies are friendlier to asylum seekers (but) the (Trump) administration will not be able to force asylum seekers relocated under this proposed policy to remain in these jurisdictions,' he told DailyMail.com.

'Many of them would likely relocate to other parts of the country to be near family or friends,' he added.

Loweree and others said the busing proposal was a 'ploy' to antagonize liberals and immigration advocates.

'It's one of those emotionally satisfying things that causes left wingers to expose themselves as hypocrites,' said Mark Krikorian, executive director of the anti-immigration Center for Immigration Studies.

'As a messaging tactic it's really useful but it's not a realistic policy proposal, because why would we spend taxpayer money to deliver illegal immigrants to the interior?' he told DailyMail.com.

'Politically it's a smart point to bring up, so I don't think the president committed a gaffe or anything,' he added. 'I just don't think when they look at the full policy implications they will actually go through it.'

In addition, the government likely can't afford to implement the busing policy, said Sarah Pierce, an attorney and policy analyst for the Migration Policy Institute.

'One piece of evidence that shows how unlikely this is, is that ICE doesn't have the resources to process people along the border,' Pierce told DailyMail.com.

'People are being released and never handed over to ICE so the idea that they could then expend resources busing immigrants across the country is far-fetched,' she added.

However if the administration did go through with the proposal, it could make it easier for immigrants to avoid being caught by Immigration and Customs Enforcement in a sanctuary city, Pierce noted.

'If these individuals do decide not to show up to court and try to evade enforcement, their chances of being caught and put into deportation proceedings are higher in a jurisdiction like Georgia than one like California, for example,' she said.