



# They thought they were in court for a routine immigration hearing, but walked into a deportation trap

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The government lawyer knew what was coming as she stood inside a courtroom and texted an Immigration and Customs Enforcement agent waiting in a corridor a few feet away.

"I can't do this," the lawyer said in a text message as she looked at her docket of cases. "This is a new emotional load."

## **WATCH: Ousted immigration judge describes deepening court backlog**

"I understand," the agent responded. "Hopefully we meet again in a better situation."

Nearby, a Cuban man who had lived in the United States for years stepped from an elevator and into the courtroom where the government lawyer was waiting for what the man thought was a routine hearing.

The man was doing what the law required, and brought along his wife, a legal resident, and their 7-month-old infant.

Then the lawyer quickly moved to have the man's asylum claim dismissed and a judge agreed, making the man eligible for "expedited removal." As he left the courtroom, the man was swarmed by plainclothes immigration agents who had been surveilling him. A struggle ensued and the wife's shouts could be heard from the hallway as the lawyer moved on to the next case.

The agent replied four minutes later: "Got him."

Similar scenes of courthouse arrests, part of a makeover of the immigration courts under President Donald Trump, are playing out across the United States as his call for mass deportations of migrants is executed with unusually aggressive tactics.

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Trump's pledge during his 2024 campaign, to impose hardline immigration policies was a major reason he won a second term. Now that Americans have seen how the his plan is being implemented, there are signs that many think he has gone too far. About 57% of adults disapprove of Trump's handling of immigration, according to a survey this month by The Associated Press-NORC Center for Public Affairs Research.

Over several months, reporters for The Associated Press observed immigration court proceedings in 21 cities. Hearings repeatedly ended with cases dismissed by the government, allowing plainclothes federal agents to carry out arrests in courthouse hallways in close coordination with attorneys from the Department of Homeland Security.

Screenshots of the text messages were obtained by The Associated Press from a government official who feared reprisal and provided them on condition of anonymity. The messages offer a rare look at how the nation's 75 immigration courts are churning out rulings in an assembly-line like fashion and how, for many people, the courtrooms have become deportation traps.

# Courthouse arrests coordinated days in advance



Federal immigration officers board an elevator with respondents at U.S. immigration court in Manhattan on Nov. 17, 2025. Photo by David 'Dee' Delgado/ Reuters

In a court system with a backlog of about 3.8 million asylum cases, families have been torn apart and lives upended. Due process seemingly is an afterthought.

"When Americans picture a courtroom, there are a few core expectations" of fairness, dignity and impartiality, said Ashley Tabaddor, a former immigration judge in Los Angeles and past president of the National Association of Immigration Judges.

### WATCH: How Charlotte is responding to Trump administration's immigration crackdown in city

"That's what makes a court — not a room with a bench or person with a robe," she said. "But what we have here is a vision completely turned on its head."

Over the past nine months, the Trump administration has fired almost 90 immigration judges seen by Trump's allies as too lenient, directed masked officers to handcuff migrants at closed asylum hearings and sent memos instructing judges to fall into line.

Unlike federal courts, where there are strict rules of procedure and judges have lifetime tenure, the Justice Department runs immigration courts and the attorney general can fire the judges with fewer restraints.

Nine current officials spoke on the condition of anonymity for fear of retaliation. Most expressed deep misgivings about punishing people who had followed the rules and showed up for court hearings.

"As a government attorney, my duty is to uphold the law and protect the public interest — not to secure removal or detention outcomes by default," a government lawyer wrote to the American Bar Association seeking professional guidance.

But that is not how cases are often unfolding.

### READ MORE: With Trump's crackdown on immigration, public school enrollment across the U.S. is dwindling

Courthouse arrests are coordinated days in advance to meet quotas with little regard for the particulars of a case, according to several of the U.S. officials.

According to one court seeker to be immediately entered the U.S. and most don't have a

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## Lack of independence limits immigration court's authority

Almost from the outset, immigration courts were plagued by a lack of resources, authority and judicial independence.

The courts were established in 1952, but it was not until 1973 that "special inquiry officers" were given the "judge" title and allowed to wear judicial robes. The Executive Office for Immigration Review, or EOIR, was created in 1983. But that agency remained a part of the Justice Department, giving the attorney general authority to override decisions.

"We were a legal Cinderella," said Dana Leigh Marks, who retired as an immigration judge in 2021 after a 34-year career. "No other court in the nation functions like this."

The first Trump administration undertook a series of changes to reduce the case backlog, including instructing judges to deny entire categories of asylum claims such as for victims of gang or domestic violence.

**WATCH: Dramatic Chicago ICE raid touted as anti-terror win results in no criminal charges**

It also set up a dashboard that would become the bane of many judges: Red, yellow and green gauges measure each judge's performance on goals ranging from completed cases — a minimum of 700 annually, regardless of complexity — to how many custody cases were decided on their first hearings.

To meet the metrics, judges must race through dockets, sometimes devoting mere minutes to evaluate asylum-seekers' claims.

"It's like deciding death penalty cases in a traffic court setting," Marks said.

## Administration refers to immigration judges as 'inferior officers'

When Trump returned to the White House in January, his allies took direct aim at the court.

Since then, the Justice Department has issued 52 policy memos — more than the previous six years combined — making it easier to hire and fire judges and warning against pro-migrant bias.

The memos highlight the courts' weakened status by referring to judges as "inferior officers" — a rarely used term taken from the Constitution.

**WATCH: Federal judge sharply criticizes immigration crackdown tactics in Chicago**

In early September, the current number of potential judges to lack the necessary

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Baldassarre likened a record surge of asylum seekers during the Biden administration to an "improper conspiracy between DHS and the Immigration Courts to effectuate an unlawful amnesty for hundreds of thousands of illegal aliens." The Justice Department, she said, had

"restored the integrity, impartiality, and independence of the Courts."

DHS did not respond to repeated email and phone requests for comment.

## Government attorneys fear harassment, haunted by arrests

For some inside the courts, work has become a stressful, lonesome grind. Fear prevails. Resumes are being updated.

One DHS lawyer described being haunted at night by the sound of jangling shackles of migrants the lawyer helped arrest. The lawyer joined the government after the attacks of Sept. 11, 2001, believing that protecting America's borders was a patriotic duty.

The lawyer still cherishes a signed copy of Nobel Prize winner Elie Wiesel's memoir "Night," which was handed out at a work seminar. "Think higher, feel deeper," reads the author's inscription of the book, which is marked DHS "Training Material."

Today, its message torments.

### WATCH: Afghan man detained by immigration agents despite following legal asylum procedures

"This isn't what any of us signed up for," the lawyer said.

After a turbulent summer, the courthouses are starting to look lonely, too. With word spreading that a trap had been laid, many migrants, fearing arrest, are asking to appear online or are skipping hearings altogether.

Meanwhile, ambitious managers are publicly upbraiding those who raise doubts about the legality of locking up migrants with no criminal record in packed facilities. In a recent town hall with DHS principal legal adviser Charles Wall, several lawyers complained about the pressure, confusing orders and lack of resources, according to notes from the meeting shared with AP.

Wall said the pace is likely to continue for years, the notes say. When one federal employee asked about bringing firearms to work for fear of harassment by activists inside courthouses, Wall said that judges should not hesitate to kick out the public. Wall could not be reached for comment.

## 'I want to go back to my country'

The harsh tactics of seeking court permission for a San Francisco-based nonprofit number is almost double that of

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14,000 people highways, a San Francisco-based nonprofit combined. The number is almost double that of

At immigration court

"I want to go back to

"I want to leave the

Immigrants know what they face: detention centers with ominous names — "Alligator Alcatraz," "Louisiana Lockup" and "Speedway Slammer" — as well as workplace raids and neighborhood dragnets.

# Fired judges targeted as too liberal



Protesters gather outside the Milwaukee Federal Building & U.S. Courthouse in support of Milwaukee County Judge Hannah Dugan as she appears at court, charged with obstructing an immigration arrest, in Milwaukee on May 15, 2025. Photo. by Jim Vondruska/ Reuters

Tania Nemer believes she was cut out to be a judge. From the bench at immigration court in Cleveland, she prided herself on listening carefully to each person's asylum claim.

"There's a simplicity about it that I just loved," she told the AP. "If you can provide justice in an efficient manner, you can really help a lot of people."

The decision to apply to become an immigration judge in 2023 was deeply personal. Her father fled turmoil in Lebanon and arrived in Ohio at 16 with \$6 in his pocket. He washed cars, learned English and eventually opened a namesake bar — Manny's Pub — that allowed him to provide for his family. When Nemer married, her wedding gift was the unspent dollar bills, so she would never forget her roots.

But Nemer's fondness for the law came crashing down Feb. 5. In the middle of a hearing, her supervisor opened the door of her packed courtroom and told her she needed to come with him.

"As soon as he said 'Grab your ID,' I knew I was being terminated," she said.

Still in shock, she was handed a two-paragraph letter, digitally signed by Sirce Owen, the acting director of the Executive Office for Immigration Review. It said she was being removed because the agency "has determined that retaining you is not appropriate, and we thank you for your service."

No justification was given. But she thinks she knows some of the reasons: her Arab-sounding name, a history of previously representing migrants and diversity, equity and inclusion, or DEI, course work from Cornell University. She filed a discrimination claim with the Justice Department to find out why she was fired; the complaint was dismissed.

Nemer was the first judge fired after Trump returned to the White House. But 86 have been sacked since. Dozens more took the Department of Government Efficiency's "Fork in the Road" resignation offer.

The majority were hired under Democratic President Joe Biden and are still serving two-year probationary periods, according to a list of the fired judges obtained by the AP.

It is unclear who or

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he said.

Tom Jones, the conservative creator of the website, declined to be interviewed.

Baldassarre, the Justice Department spokeswoman, said the department is not targeting specific individuals for firing but does continually evaluate all judges.

"All judges have a legal, ethical, and professional obligation to be impartial and neutral in adjudicating cases," Baldassarre said. "If a judge violates that obligation by demonstrating a systematic bias in favor of or against either party, EOIR is obligated to take action to preserve the integrity of its system."

The wave of firings and new directives from the Justice Department has had a chilling effect. Denial of motions to appear for hearings online tripled after a March memo repealing Biden-era guidelines instructing judges to generally grant such requests, according to Mobile Pathways data. Denial of continuances, which allow migrants extra time to seek legal counsel, have also spiked as have the number of cases classified as abandoned.

Nemer returned to immigration court in October for the first time since being fired to represent a Mexican client she has known for 20 years and who was picked up by unidentified agents. While the man was jailed, his girlfriend, who was five months pregnant, miscarried.

Word of the former judge's return quickly spread and a stream of former colleagues came to the courtroom to hug her and express their dismay over her firing.

"By the third hug I couldn't hold it in and just started crying," she said.

## Legal assistance for migrants dries up after Trump budget cuts

Bug spray, sunscreen, fans and umbrellas compete with legal binders in the bed of a Toyota pickup across the street from immigration court in San Antonio.

This is the new office of American Gateways.

In April, the administration eliminated programs worth \$30 million to provide free legal assistance to migrants, the vast majority of whom represent themselves in court.

But lawyers for American Gateways keep coming, four times a week, setting up in a parking lot. The conference room they once occupied inside the courthouse is now used as a break room for ICE agents.

Assistance ranges from helping immigrants file motions to rehearsing what they will say to judges. When they can, they sign people up for virtual appearances to minimize the risk of arrest.

### Migrants rush



A respondent carries a child into a courtroom for the immigration court in March 2025. Photo by David De

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"The administration is attempting to press the gas at such an unreasonable speed without considering due process," said Annelise Araujo, a Boston-based immigration attorney.

One petition, filed in Miami, was from a Cuban man detained the same day he and his American wife and 10-month-old daughter were moving into their first home. Several petitioners said they had survived torture at the hands of gangs in Mexico, Ecuador and Venezuela.

Another legal challenge was introduced by an HIV-positive man from Brazil taken into custody four days after his husband died of a heart attack. With the body of Frederico Abreu's husband still at the funeral home, ICE officials knocked on his door stating they had documents belonging to the deceased man.

## A father pulled away from his sobbing family

Those unable to afford a lawyer so they can sue in federal court have little recourse.

One was a man from Honduras who showed up at the northern Virginia immigration court with his wife and their infant baby. Another child, a son, unable to walk, pushed himself in a wheelchair studded with flashing, colorful lights. The family, fearful of further immigration problems, did not want to be identified.

The judge denied a government request to deport the man. But seconds later, as the family stepped from the courtroom, they were stopped by four ICE agents.

The wife sobbed, hanging on her husband's arm as she pleaded: "Por favor, Por favor."

The husband clutched the sleeping infant's carrier. Their son sat playing with a cell phone.

"I need you to go ahead and say goodbye," an agent told the man. Crying, the man knelt to hug his son, who clung to his father, yelling repeatedly: "Papa! Papa!"

Finally, the father managed to pull himself away and started to leave with the ICE officers.

The boy tried to chase them. But the ICE agent was holding the back of the wheelchair as the boy futilely pumped his arms.

The Department of Homeland Security confirmed his July arrest. The family said he was later deported. Homeland Security said he voluntarily agreed to leave the country and returned to Honduras on Oct. 8 after three months in detention.

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