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FAQ: More details emerge about the 76 Guatemalan children whose deportations were stopped by a federal judge

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 By Tovia Smith

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 A child looks at the badge of an immigration and Customs Enforcement (ICE) agent.

Michael M. Santiago/Getty Images/Getty Images North America

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Attorneys for Guatemalan migrant children in the U.S. have asked a federal court to extend a temporary ban blocking their deportation, saying that sending them to Guatemala puts them at risk of "grave and irreparable harm." They say that last weekend's attempt to hastily remove them in the middle of the night was a violation of their due process rights in the U.S. as well as federal law.

The 76 Guatemalan minors who came to the US unaccompanied and without legal documents were roused from their beds around 1:00 a.m. Sunday, Aug. 31, and brought by immigration authorities onto three planes. One took off, according to the children's lawyers, but turned around after a federal district court judge temporarily blocked their deportation. Attorneys with the National Immigration Law Center who sought that temporary restraining order over the holiday weekend, made a new request Wednesday for a longer-term injunction.

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What do we know about these children?

Newspaper reports offer details about the minors, their circumstances of abuse and neglect in their native Guatemala, and their harrowing experience during the week.

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According to court filings, a 17-year-old Guatemalan boy says he was awakened at 2 am, was very scared, lost his breath and started to pray. Another says simply she was "totally traumatized." One young girl was so scared that she vomited, according to an unidentified witness cited in the papers.

Many of the minors explain why they are "terrified" by the prospect of returning to Guatemala after having been threatened by gang members, for example, or having been a victim of human trafficking.

Several share details of "abuse and neglect" from family members and one describes how she "suffered from physical and emotional abuse" from both her

parents.

"They hit me with a belt, with their hands and with sticks, and sometimes I would bleed," she stated. "I fear that if I were to return to Guatemala my life would end."

Another, who identifies as LGBTQ expressed fear of being raped and forced into a marriage, and stated "If I had to return to Guatemala, I would kill myself."

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In the dead of night on a holiday weekend, the Trump administration ripped vulnerable frightened children from their beds and attempted to return them to danger in Guatemala," said Eiren Olivares, a lead attorney at the National Immigration Law Center.

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The judge said her order applied to all Guatemalan minors being held by the Office of Refugee Resettlement, which could be as many as 700 children.

Why are they being deported?

The U.S. government says the Guatemalan families of the unaccompanied young migrants sought their return. The Guatemalan government has said it proposed a repatriation plan to Homeland Security Secretary Kristi Noem in June. Guatemalan President Bernardo Arevalo said to reporters on Monday that he wanted to prevent vulnerable children from being sent to ICE detention centers. Arevalo said that his officials have "toured detention centers for Guatemalans" and were very concerned for the young migrants.

Trump administration officials have denounced the judge's order stopping the deportations.

Tricia McLaughlin, assistant secretary for the Department of Homeland Security, wrote on X that the move blocks "flights to *reunify* Guatemalan children with their families. Now these children have to go to shelters. This is disgusting and immoral."

Lawyers for the minors dismiss that as a "false narrative."

"If these are benign repatriations," says Olivares, waking kids up in the middle of the night with no notice, is not how it would have happened."

What is the legal case against the deportations?
Immigration defense lawyers say the move was a blatant violation of the minors' due process rights, as well as immigration and federal laws which entitle the minors to a full opportunity to challenge their removals. They accuse the Trump administration of flouting their legal obligations to unaccompanied children that were passed by Congress, due to minors' unique and vulnerable situation."

"This is not the government doing international family reunification. It's not repatriation," said Gladis Molina, executive director of the Young Center for Immigrant Children's Rights, one of several advocates who briefed congressional staffers about the case on Tuesday.

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"This is the government trying to put on a veil of legal authority to something that is completely violating international and domestic law," said Molina "It's the turning back of people that are seeking protection under international and domestic asylum law."

Similar legal challenges to efforts to deport Guatemalan children are also ongoing in Arizona and Illinois.

What does the judge's initial ruling mean?

U.S. District Judge Sparkle Sooknanan's early morning emergency order imposed a 14-day freeze on the deportations

Sooknanan ordered the government to "cease any ongoing efforts to transfer, remove or otherwise facilitate the transport of the minors, noting, "I do not want there to be any ambiguity about what I am ordering." In a similar incident in March, a judge attempted to stop the deportation of hundreds of Venezuelan migrants to a prison in El Salvador. Despite the judge's order, government officials did not turn the planes around midflight.

What happens now?

The case now shifts from Judge Sooknanan, who was covering emergency hearings over the holiday weekend, to U.S. District Judge Timothy Kelly. Kelly will hear more arguments from lawyers for both sides.

Lawyers for the Trump administration must file an opposition to the request for an injunction by Sept. 6, and the next court hearing is set for Sept. 10.

Oliveres says he and other attorneys will use "every legal tool ... to force the administration to respect the law and not send a child into danger."

"The Constitution and federal laws provide robust protection to unaccompanied minors specifically because of the unique risks they face," he said.

Department of Homeland Security officials did not respond to multiple requests for comment.

president trump immigration crackdown deportations

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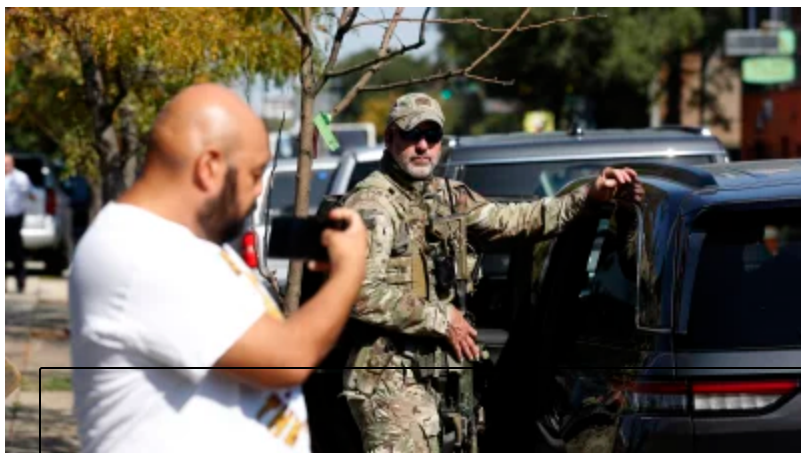
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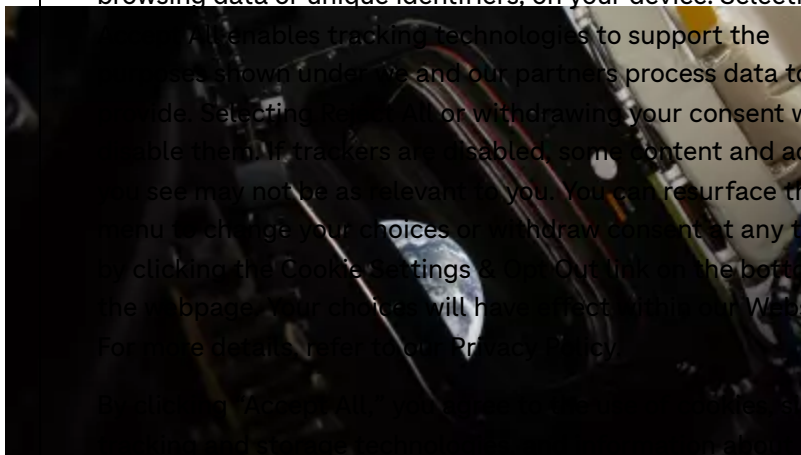
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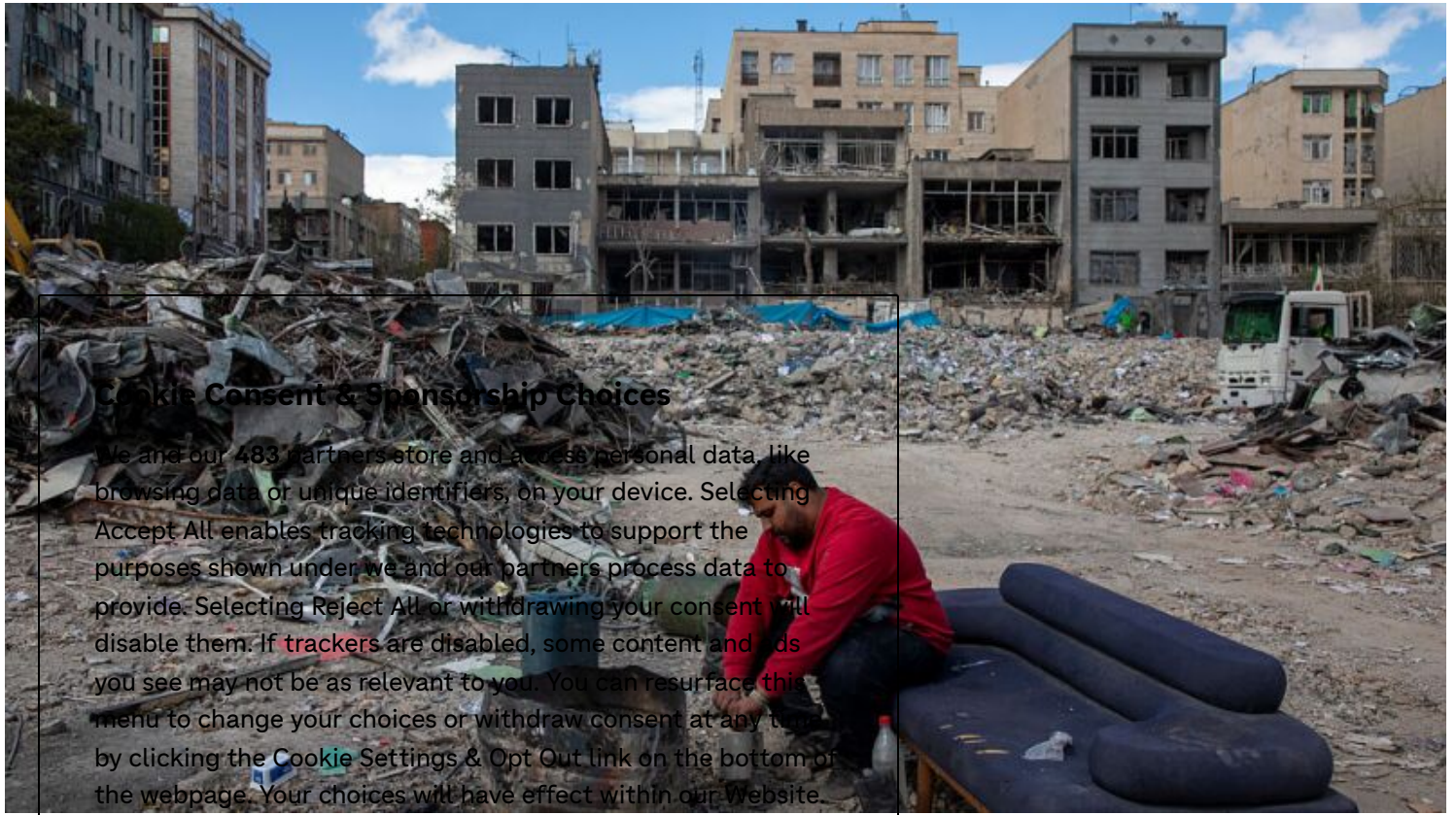
NASA's Artemis II crew are quite the photographers. See what they've snapped so far

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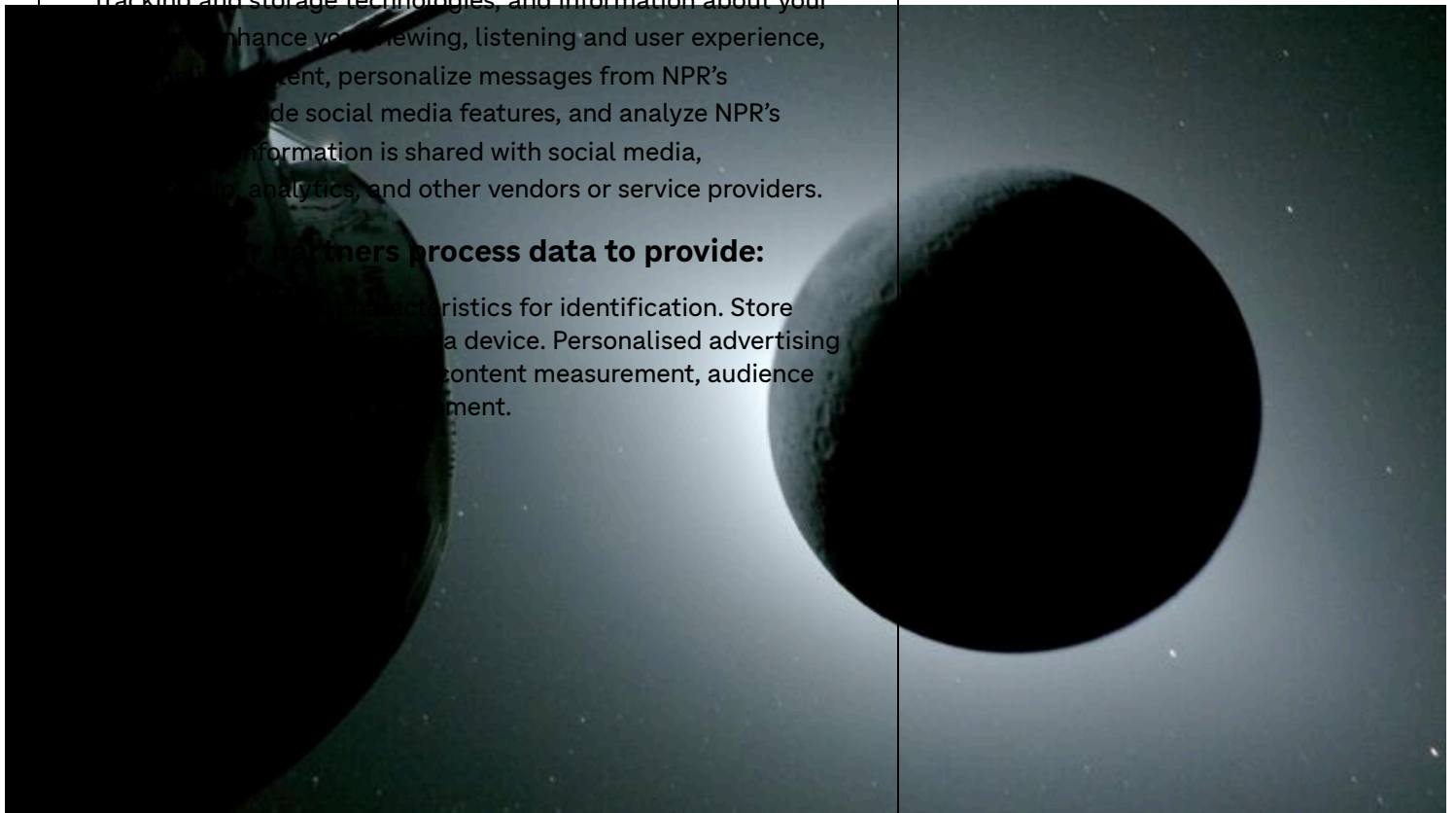
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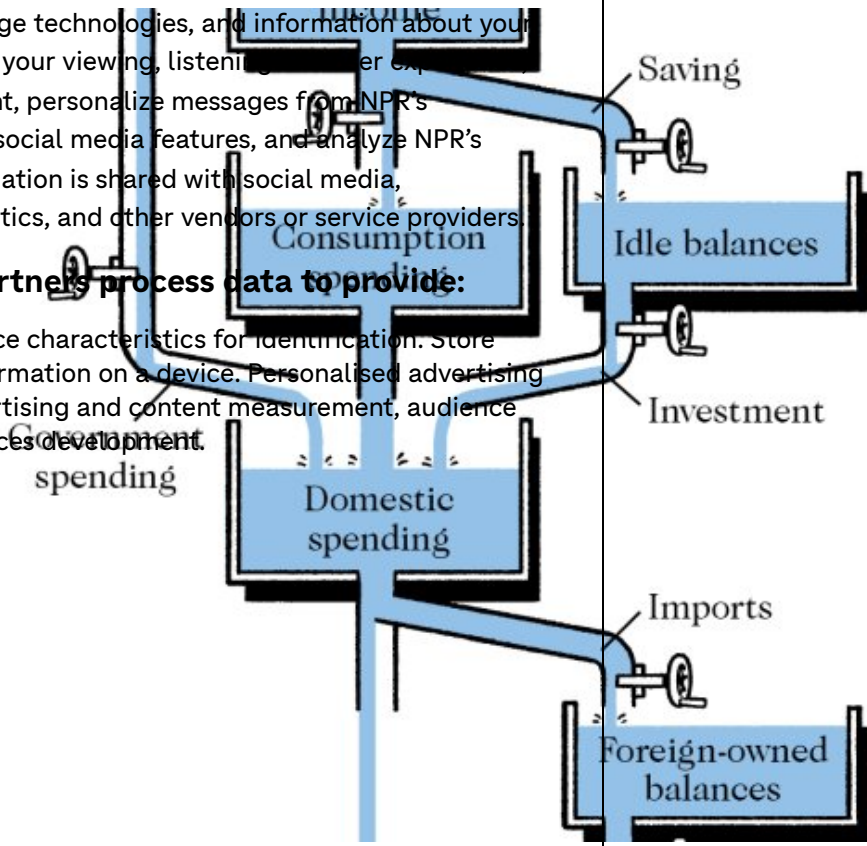
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Photos: NASA releases first images from moon flyby

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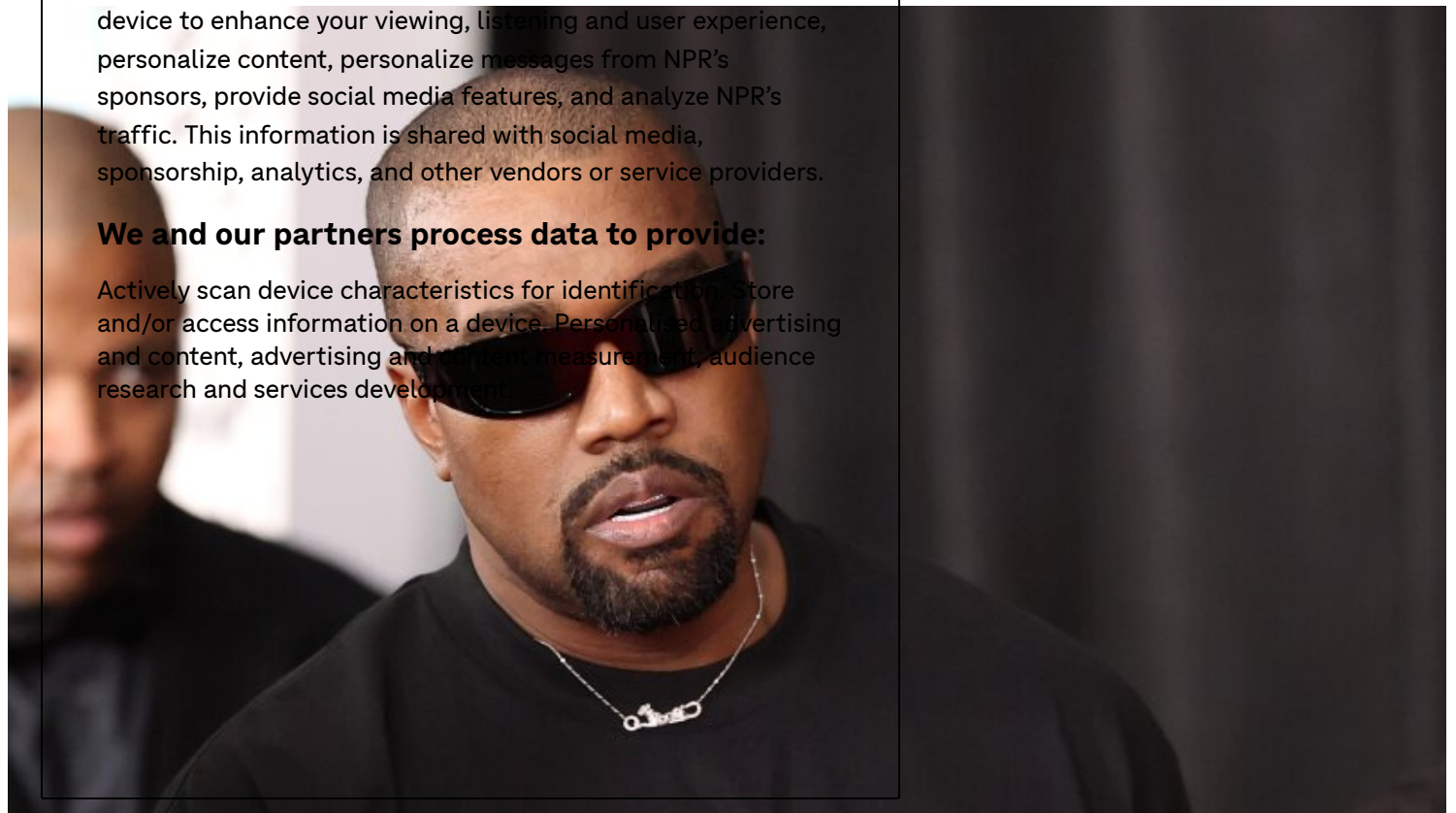
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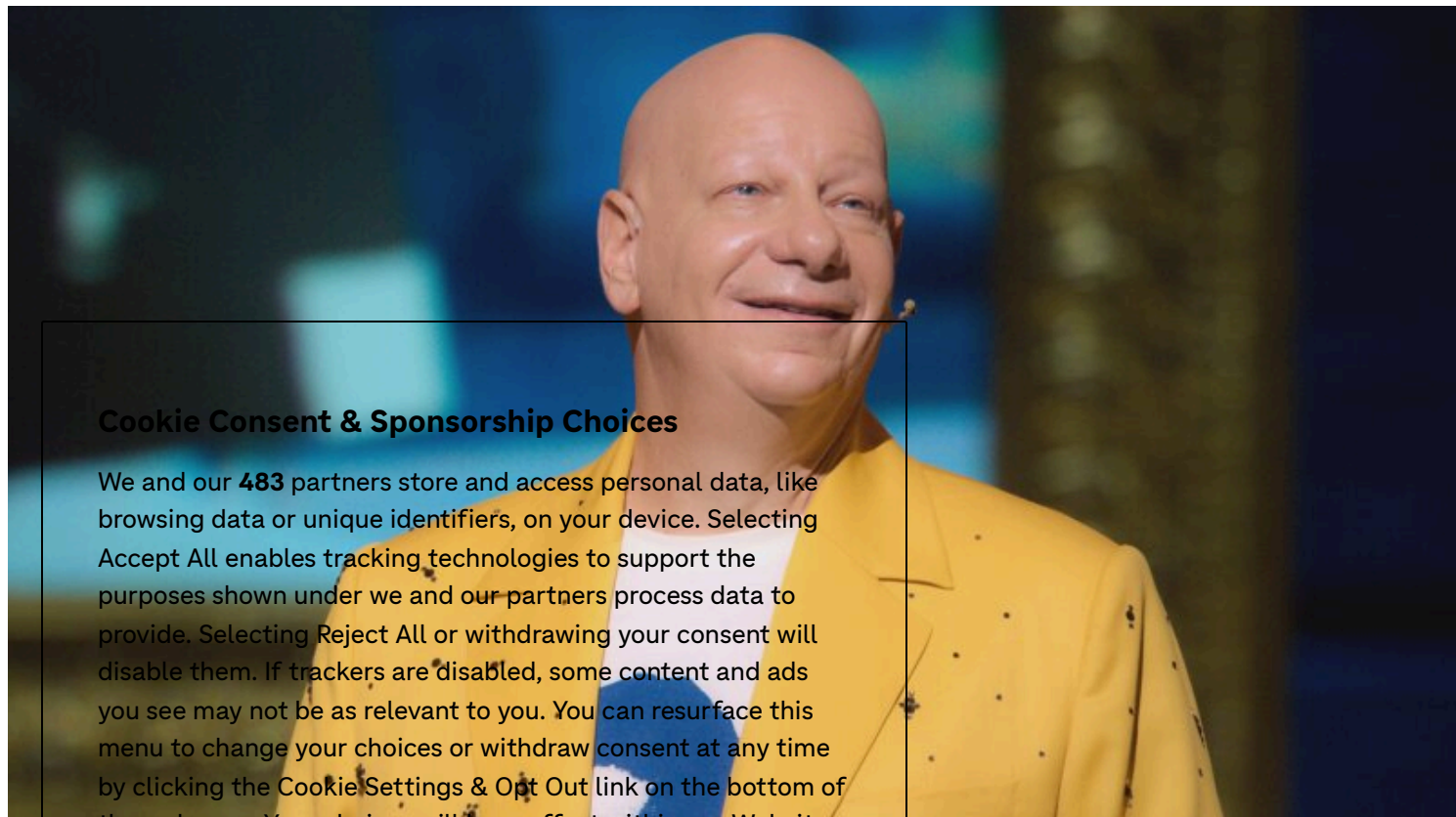
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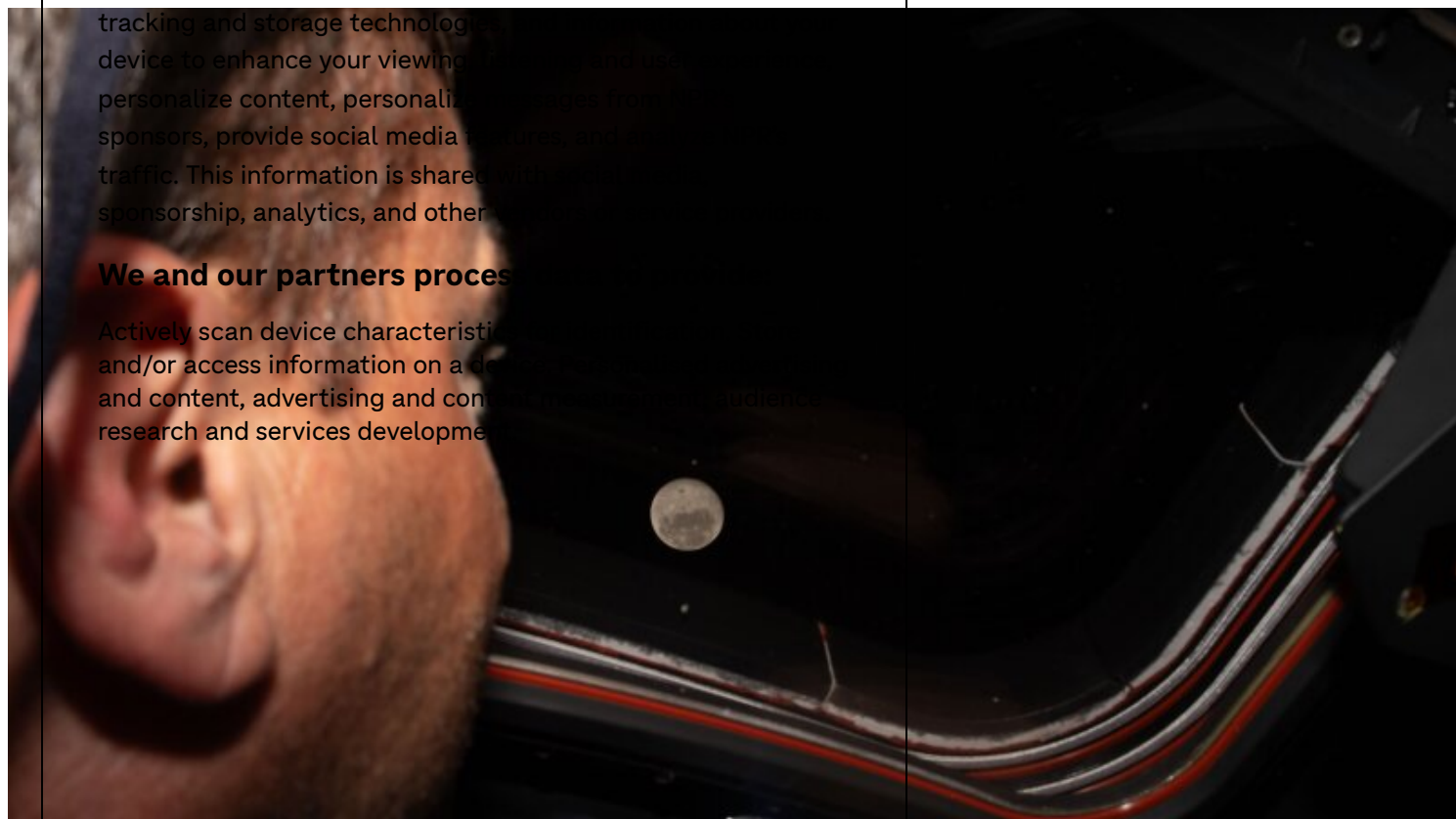
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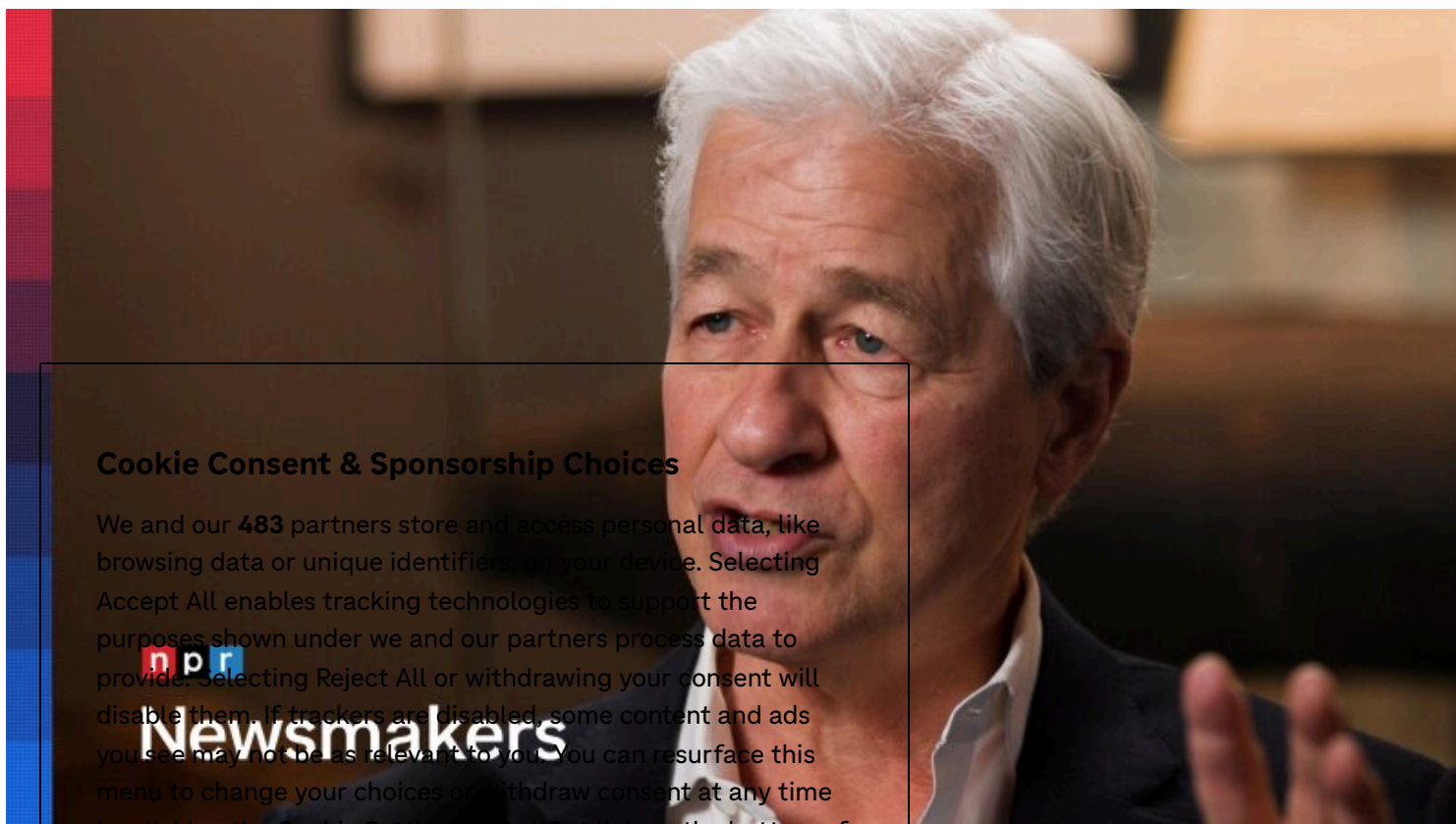
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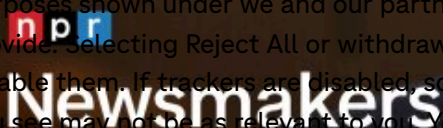
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