Twitter Thread by Dr. Philip Wolgin



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NEW from me for @amprog @CAPimmigration I lay out why the 100-day moratorium on deportation is critical and why the courts must let it go

So why is the moratorium so important? Over the 4 years of the Trump administration, ICE and CBP took actions that were both cruel and illegal, from family separation, to much much more.

The 100 day pause gives the administration time to get to the bottom of what happened.

Need more evidence? Last fall ICE deported someone even without a deportations order and even before he could go before a judge. They admitted their wrongdoing in court.

https://t.co/40iPJjMPtd

The same 1/20 Memo that set out the moratorium orders a top-to-bottom review of immigration policy at DHS. But to make that successful DHS has to ensure that no one is deported who otherwise shouldn't be. Hence the pause.

And yet Texas--who was all about executive authority on immigration under Trump, not so much now--sued to try and stop it, and a federal judge agreed, putting the moratorium on hold.

Here's why that is wrong.

Judge Tipton argued that the law says plainly that anyone with a final order of deportation has to be removed w/in 90 days.

But SCOTUS has again and again affirmed that DHS has broad discretion at every phase of enforcement.

And the 1/20 Memo anticipates this exact challenge and directs ICE to set up an individualized review of anyone with a final removal order 90+ days.

Judge Tipton also argued that DHS didn't explain well enough WHY they needed the moratorium. But the exact lawlessness of ICE and CBP under Trump is EXACTLY why the moratorium is needed.

So in sum, the moratorium is critical and should go into effect immediately.

And of course what happens after the first 100 days is equally important, as @TomJawetz lays out: https://t.co/EVWQxzkvCK

Anyways, learn more about the moratorium and why it needs to move forward here: https://t.co/WpNt6Tglhd