

ICE Court Dismissals Target Illegal Immigrants

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WASHINGTON, D.C. U.S. Immigration and Customs Enforcement (ICE) has implemented a targeted legal strategy to speed up the detention and removal of illegal immigrants by obtaining case dismissals in immigration courts. The method, now central to a federal class-action lawsuit, seeks to eliminate procedural barriers that previously delayed deportation.

ICE has been urging judges to dismiss certain cases, particularly those involving migrants released at the border with a notice to appear in court. Once a case is dismissed, ICE can immediately arrest individuals following their hearings, clearing the way for expedited deportations under federal law.

Those impacted by the policy include individuals from Cuba, Venezuela, Ecuador, Guinea, and the Chechen Republic. Many had crossed the border illegally and were awaiting hearings under asylum laws, which require applications to be filed within one year of arrival. Missing that deadline often removes legal protections.

One case cited in the lawsuit involves a Cuban national who was arrested outside a Miami courthouse after the abrupt dismissal of his case. He was then transferred to a detention center in Washington state, hundreds of miles from his U.S. citizen wife. Another case involved a Venezuelan man living with HIV who was detained in New York City, even though his immigration case was still active.

Vanessa Dojaquez-Torres of the American Immigration Lawyers Association, while not involved in the lawsuit, noted that “a large number of people are going to court and getting arrested,” including those with no prior criminal history or immigration violations.

While the Department of Homeland Security (DHS) has not directly responded to the lawsuit, DHS Assistant Secretary Tricia McLaughlin defended the policy in an interview with CBS News. She described the approach as a correction to what she called the Biden administration’s “catch-and-release” policy, which, she argued, allowed “millions of unvetted illegal aliens” to remain in the country.

The lawsuit, filed by immigration advocates, includes examples of individuals who entered through scheduled appointments via the CBP One app but were still arrested during or shortly after their initial court appearances.

One such case involved an Ecuadorian man known for prior community advocacy. He was deported within a month of appearing in court after requesting additional time to complete his asylum paperwork.

Despite the focused enforcement approach, analysts believe the overall effect on deportation figures will be limited. Muzaffar Chishti of the Migration Policy Institute pointed

out that ICE's target of one million annual deportations remains unlikely to be achieved in the near term.

"Even in these horrendous cases, if you have a lawyer, he'll know how to handle it and say, 'He can't be removed, he'll be subject to torture,'" Chishti told reporters.

Data from Syracuse University's Transactional Records Access Clearinghouse (TRAC) shows that while arrests saw a slight decline in July, deportations rose. As of early August, 56,945 individuals were being held in federal immigration detention.

Legal observers caution that this enforcement approach could influence attendance at immigration court hearings, which may lead to more *in absentia* removal orders if individuals fail to appear.

The ongoing legal battle highlights broader debates over immigration enforcement, border policy, and the balance between national security and legal due process in the United States.