

Trump administration moves to end limits on child detention

By COLLEEN LONG
and AMY TAXIN
Associated Press

WASHINGTON — The Trump administration is moving to end a long-standing federal agreement that limits how long immigrant children can be kept in detention. A court fight will almost certainly follow over the government’s desire to hold migrant families until their cases are decided.

The current court agreement now requires the government to keep children in the least restrictive setting and to release them as quickly as possible, generally after 20 days in detention.

Homeland Security officials say they are adopting their own regulations that reflect the court’s “Flores agreement,” which has been in effect since 1997, and there is no longer a need for court involvement, which was only meant to be temporary. But the new rules would allow the government to hold families in detention much longer than 20 days.

It is the latest effort by the administration to tighten immigration, President Donald Trump’s signature issue, and is aimed at restricting the movement of asylum seekers in the country and deterring more migrants from crossing the border. The news immediately generated fresh outrage, following reports of dire conditions in detention facilities, and it is questionable whether courts will let the administration move forward with the policy.

Immigrant advocates decried the move and said prolonged detention would traumatize immigrant children.

“The government should not be jailing kids, and certainly shouldn’t be seeking to put more kids in jail for lon-



Immigrants play soccer at the U.S. government’s newest holding center for migrant children in Carrizo Springs, Texas.

AP Photo/Eric Gay

ger,” said Madhuri Grewal, policy counsel for the American Civil Liberties Union.

Peter Schey, a lawyer for the immigrant children in the Flores case and president of the Center for Human Rights and Constitutional Law, said if the regulations don’t match the settlement in that case, “they would be in immediate material breach, if not contempt of court.”

“I think all these things are now part of the 2020 campaign,” Schey said.

Acting Homeland Security Secretary Kevin McAleenan said Wednesday the regulations create higher standards to govern family detention facilities. The facilities will be regularly audited, and the audits made public.

The regulations are expected to be formally published Friday and go into effect in 60 days absent legal challenges.

They follow moves last week to broaden the definition of a “public charge” to include immigrants on public assistance, potentially denying green cards to more immigrants. There was also

a recent effort to effectively end asylum altogether at the southern border.

The Flores agreement is a constant talking point by the president and his administration, which claims it is a loophole that encourages migrants to make a dangerous and potentially deadly journey to the U.S. The district judge overseeing the agreement has already refused government requests to increase the amount of time children can be detained, and advocates moved to block the regulations when the proposed rule was first announced last September.

There has been a drastic increase in the number of families crossing the border — about 475,000 so far this budget year, nearly three times the previous full-year record for families. Most are released into the U.S. while their asylum requests wind through the courts — a practice Trump has derided as “catch-and-release.”

The Flores agreement has been into effect since 1997 but mostly applied to children who came to the coun-

try alone. In 2015, U.S. District Court Judge Dolly Ghee ruled the requirements were applicable to children who crossed the border with families, after the Obama administration built family detention centers and started detaining families until their cases were completed.

Part of the issue was that children could not be kept in facilities that weren’t licensed, and no states license family detention centers. Homeland Security officials say by adopting the standards for education, healthy food and cleanliness used by U.S. Immigration and Customs Enforcement, which detains adult immigrants, they are satisfying requirements in lieu of state licensing requirements.

Homeland Security did not say how long it expects families to be kept, but McAleenan said under the previous administration it was about 50 days.

McAleenan said there was “no intent to hold families for a long period of time. The intent is for a fair and expeditious proceeding.”

Trump: US has ‘very strong’ gun background checks

By JILL COLVIN
Associated Press

WASHINGTON — President Donald Trump is insisting that the U.S. already has “very, very strong background checks” for gun purchases. It’s the latest sign that he is backing away from throwing his political support behind changes to the system that are opposed by the powerful gun lobby.

Speaking to reporters in the Oval Office, Trump also noted “a lot of the people that put me where I am are strong believers in the Second Amendment,” and he suggested he worries about blurring the contrast between Republicans and Democrats on the issue.

“We have to be very careful about that,” he said.

A gradual rhetorical softening by Trump has taken place in the more than two weeks since gunmen opened fire in El Paso, Texas, then in Dayton, Ohio, leaving more than 30 people dead. Trump said in the tragedies’ wake that he was eager to implement “very meaningful background checks” and told reporters there was “tremendous support” for action.

“We don’t want people that are mentally ill, people that are sick — we don’t want them having guns,” he said.

But in the days since, Trump has changed his tone. He said that, while the current system has “sort of missing areas and areas that don’t complete the whole circle,” it is overall “very, very strong” — even though federal law only requires background checks for guns sold through licensed firearm dealers.

And he said he worried about the potential risk of a “slippery slope,” where “all

of a sudden everything gets taken away.” Just 11 days earlier Trump dismissed that very same “slippery slope” thinking, which he attributed to the National Rifle Association. “I don’t agree with that,” he said then.

The waffling drew anger from Democrats, including Senate Minority Leader Chuck Schumer, who said if Trump is serious about action he should call on Senate Majority Leader Mitch McConnell to put a House-passed background checks bill up for vote.

“These retreats are heartbreaking, particularly for the families of the victims of gun violence,” Schumer tweeted.

Republicans have refused to take up several Democratic-backed gun control bills that passed the House, and historically they have opposed many efforts to strengthen the nation’s gun laws.

Sen. Chris Murphy, D-Conn., who spoke with Trump last week, said the president expressed support then for working across the aisle “to come up with a background checks bill that can pass the Senate and save lives.” While he said he would wait to hear from Trump again directly, he compared the episode to Trump’s flip-flop on background checks following the Parkland, Florida, shooting after intervention from the NRA.

“It’s time for Republicans and President Trump to decide whose side they’re on,” Murphy said in a statement. “Are they going to stand with the 90% of Americans who want universal background checks, or are they going to once again kowtow to the desires of the gun lobby?”

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