



ASISTA Immigration Assistance

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Statement: Expansion of Expedited Removal Erodes Due Process and Creates Increased Barriers for Vulnerable Survivors

ASISTA denounces the [Department of Homeland Security's \(DHS\) plan](#) to expand its ability to fast-track deportation procedures that would leave thousands, including immigrant survivors of crime, vulnerable to deportation without critical due process protections. Under this new policy, ICE can [now implement an expedited removal process](#) for undocumented individuals who cannot prove they have been present in the U.S. for at least two years.

The impact of this new policy cannot be overstated, as it vastly limits an individual's ability to present their case and increases the risk of wrongful deportation. Under this new policy, individuals will be forced to prove to individual ICE officers, not trained immigration judges, that they should not be deported. It increases the [already rampant fear of contacting law enforcement](#) in immigrant communities, based partly on [recent ICE deportations of survivors with pending applications](#), and places an untenable burden on survivors to produce documentation challenging DHS accusations they should be subject to fast track deportation.

Survivors may be fleeing abuse and may not have access to evidence to demonstrate their continuous presence. A bipartisan majority Congress recognized survivors often face this barrier when they created routes to status for immigrant survivors of domestic violence, sexual assault, human trafficking and other crimes through the Violence Against Women Act (VAWA) and the Trafficking Victims Protection Act (TVPA). DHS' expansion of expedited removal procedures creates additional and unnecessary barriers for survivors that compound the myriad of challenges that they already face accessing protections.

The following statement is from Gail Pendleton, Executive Director of ASISTA,

“This new policy of expanding expedited removal is an egregious attack on due process. It serves as another example of how this administration is attempting to erode, through policy changes, the protections Congress created and expanded for immigrant crime survivors over the past 25 years. By using expedited removal, DHS avoids immigration judge review of their actions. ASISTA condemns this latest attack on due process, on immigrants generally, and on immigrant crime survivors specifically. We call on Congress and all who believe in stopping gender-based violence to reaffirm our nation's commitment to protecting all survivors regardless of immigration status.”

Contact: Ahlam Moussa, Ahlam@asistahelp.org