



FRONT LINE



U.S. resident Roberto Márquez hangs a flag along the border of El Paso, Texas, and Ciudad Juárez, Mexico, to protest the administration's immigration policies.

PRIORITIES

The Fight for Asylum

The government's efforts to block refugees upend years of long-standing protections.

Fueled by racism, fear, and cruelty, the Trump administration's relentless assault on immigrants has imperiled thousands of migrants and asylum seekers. The most recent asylum ban, which denies asylum claims from anyone who has come through a third country without first being denied asylum there, dishonors the long-standing American commitment to protect the most vulnerable.

"Asylum Ban 2.0, the so-called transit rule, would effectively end asylum at our southern border if allowed to take effect permanently," says Lee Gelernt, deputy director of the ACLU's Immigrants' Rights Project and lead attorney on the asylum ban and family separation cases. "Those fleeing danger cannot safely remain in Guatemala, Mexico, or El Salvador

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to apply for asylum—not only because their persecutors can track them there but also because those countries do not have functioning asylum systems. The administration knows full well that this is essentially closing the door on asylum seekers.”

The newest ban joins other inhumane administration immigration policies and refugee restrictions—the ACLU is still arguing against the administration’s first asylum ban, known as Migrant Protection Protocols, which forces asylum seekers to remain in Mexico while their applications are reviewed. For the second ban, the ACLU, with the Southern Poverty Law Center and the Center for Constitutional Rights, is challenging the new restrictions as violating the 1980 Refugee Act. In August, the Ninth Circuit blocked the rule. At the administration’s request, the U.S. Supreme Court allowed the ban to stay in effect while the courts decide its legality, a decision that leaves tens of thousands of asylum seekers in the United States and Mexico in limbo indefinitely.

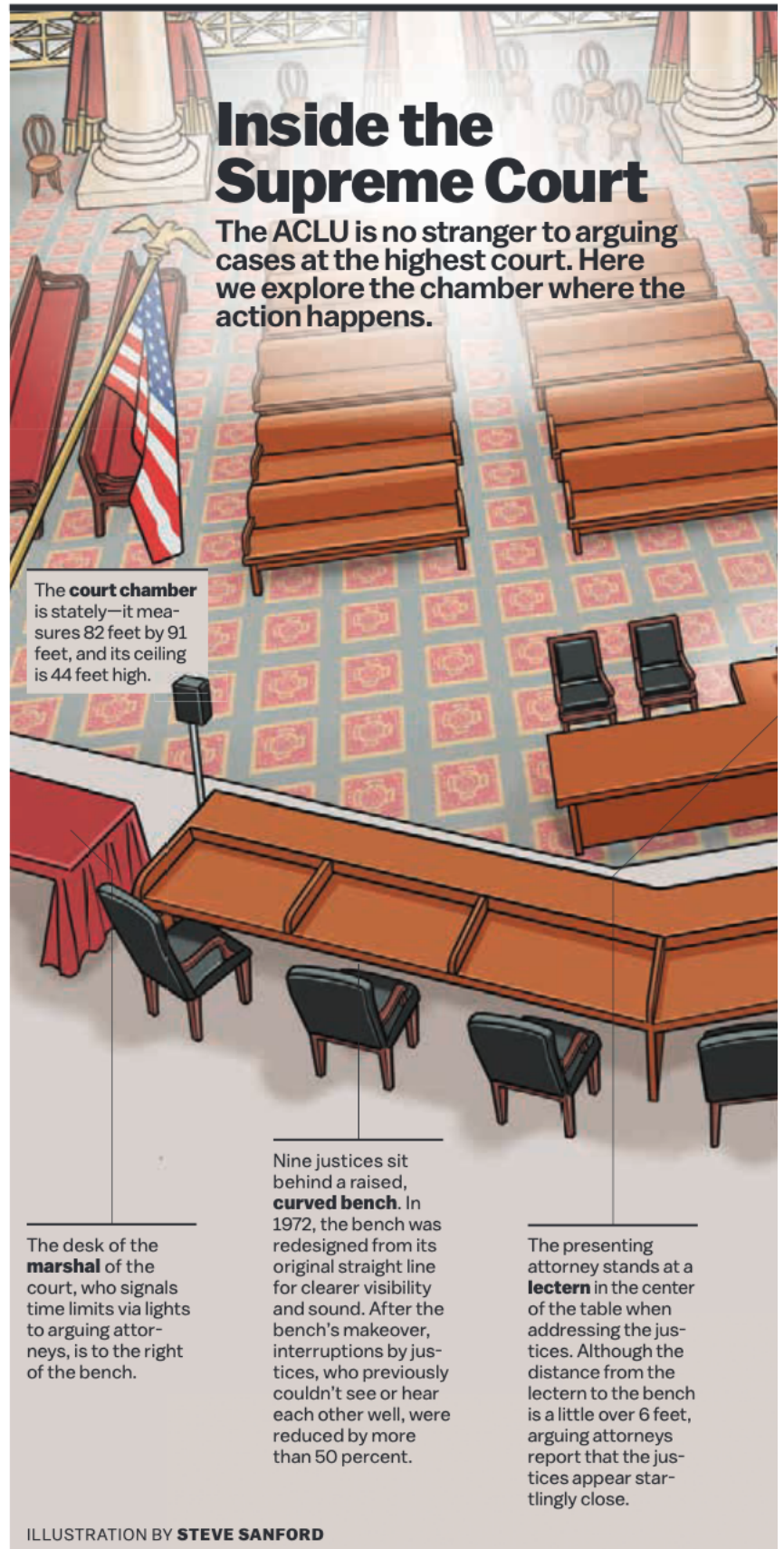
“It’s a huge blow to the work that we do,” says Kaveena Singh, managing attorney for East Bay Sanctuary Covenant. A plaintiff in both asylum ban suits, the Berkeley, California-based nonprofit provides protection and advocacy for those fleeing persecution and violence. “We have seen so many clients with meritorious claims. There’s a human being behind each case, and many of these individuals will go back to suffering, persecution, and, likely, death.”

Gelernt is arguing a parallel case in a D.C. federal court that could lead to a reinstated injunction; if granted, the government would likely petition the Supreme Court for another stay. “The big challenge is to make sure the public understands how extreme these asylum policies are [and] how inconsistent they are with both our historical commitment to providing a safe haven and the facts on the ground,” says Gelernt. “The administration is vastly overstating the number of claims that are not meritorious. These people are fleeing serious, if not deadly, persecution and need our protection.” —JAY A. FERNANDEZ

Call Congress

End anti-immigrant abuses by contacting your legislators and demanding they cut the Department of Homeland Security’s inflated budget.

To connect to your reps, visit aclu.org/dhs.



Inside the Supreme Court

The ACLU is no stranger to arguing cases at the highest court. Here we explore the chamber where the action happens.

The **court chamber** is stately—it measures 82 feet by 91 feet, and its ceiling is 44 feet high.

The desk of the **marshal** of the court, who signals time limits via lights to arguing attorneys, is to the right of the bench.

Nine justices sit behind a raised, **curved bench**. In 1972, the bench was redesigned from its original straight line for clearer visibility and sound. After the bench’s makeover, interruptions by justices, who previously couldn’t see or hear each other well, were reduced by more than 50 percent.

The presenting attorney stands at a **lectern** in the center of the table when addressing the justices. Although the distance from the lectern to the justices is a little over 6 feet, arguing attorneys report that the justices appear startlingly close.

ILLUSTRATION BY STEVE SANFORD