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Federal judge expands access to bond hearings for detained immigrants nationwide



The Department of Homeland Security logo is seen during a news conference in Washington, Feb. 25, 2015. (AP Photo/Pablo Martinez Monsivais, File)

BY **VALERIE GONZALEZ**

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McALLEN, Texas (AP) — A federal judge in California has expanded a decision granting more detained immigrants the ability to request a bond hearing after the Trump administration ended the practice in July. Lawyers say thousands could benefit from the order, but it's expected to be appealed.

U.S. District Judge Sunshine S. Sykes on Tuesday expanded an order from last week granting detained immigrants with no criminal history the opportunity to request a bond hearing. Now, instead of only

impacting a few named in the California lawsuit, the decision will apply to immigrants held in detention nationwide.

It's part of an ongoing lawsuit [challenging changes](#) the Trump administration made over the summer when U.S. Immigration and Customs Enforcement said it was revisiting its authority to detain people and would make noncitizens ineligible for [bond hearings before an immigration judge](#).

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Prior to the policy change, most noncitizens with no criminal record who were arrested away from the border had an opportunity to request such a hearing and if bond was granted remain free while their cases wound through immigration court.

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Sykes issued an order on Thursday that found the new policy unlawful.

A spokesperson for the Department of Homeland Security, Tricia McLaughlin, released a statement Wednesday that pointed to a September decision from the Justice Department's Board of Immigration Appeals allowing the new policy.

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She said the previous policy “dangerously unleashed millions of unvetted illegal aliens into American communities—and they used many loopholes to do so.”

Her statement did not say whether Sykes' decision would be appealed and the department did not respond to questions on the matter.

Tuesday's decision could impact thousands of immigrants but not all. Those with criminal convictions or

who have an expedited removal order would still not be allowed a bond hearing.

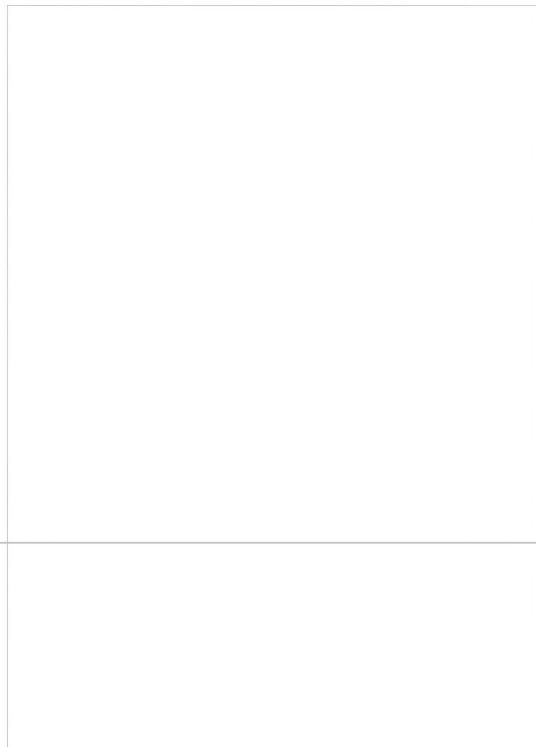
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Matt Adams, lead attorney for the plaintiffs, said he has heard of immigration judges already advising some immigrants of their right to a bond hearing since Sykes' orders were filed.

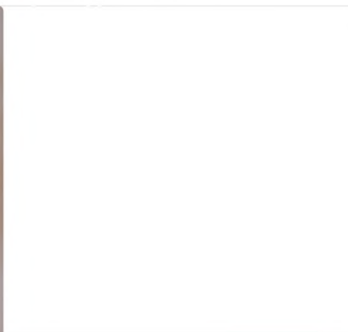
"These are people who've been living here in the United States, many for years, many for decades, who have U.S. citizen family members, who have no criminal history, who do not present any danger or threat of a flight risk, and yet they were being locked up without any possibility of being released during these lengthy proceedings," Adams said.



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