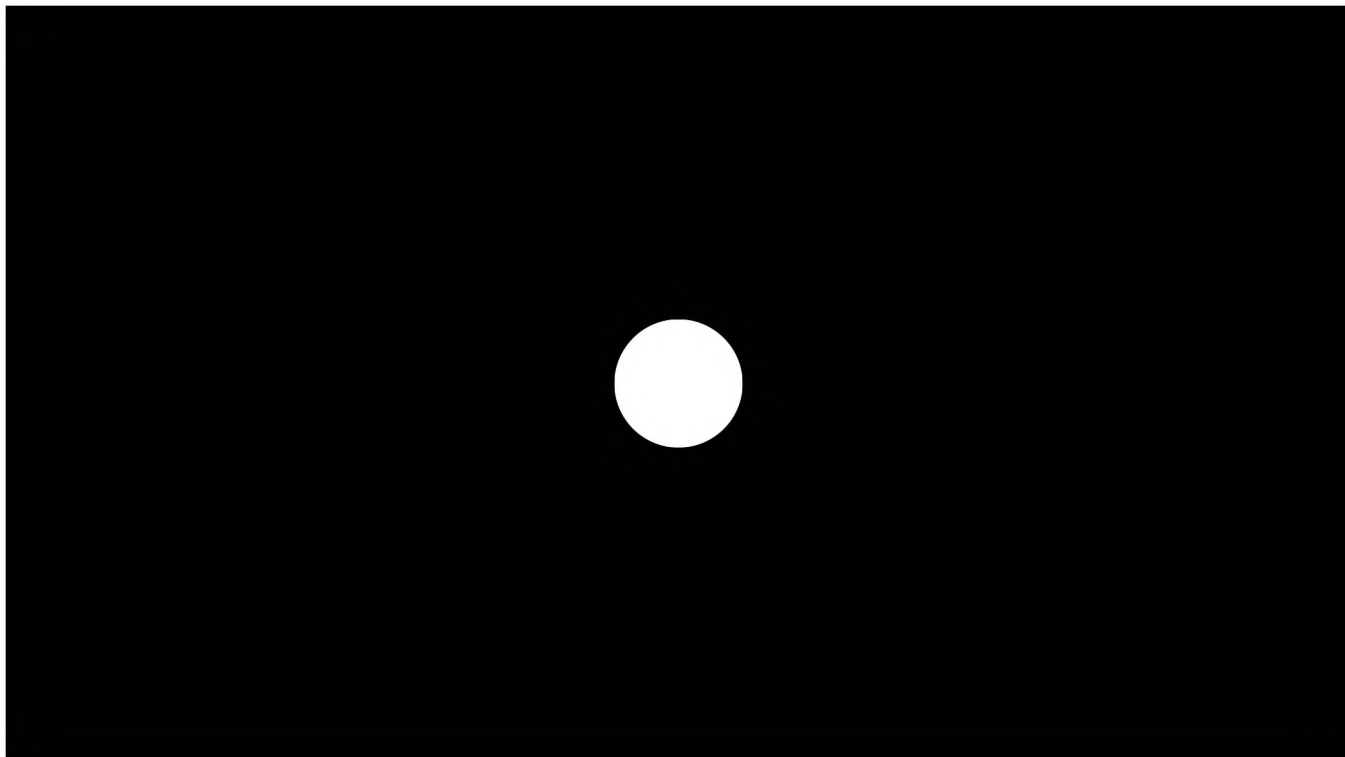


Trump Fires Judges Who Blocked Deportations of Student Activists Rümeyisa Öztürk and Mohsen Mahdawi



The Trump administration has fired six more immigration judges in its effort to reshape immigration policy and the immigration courts. Two of the fired judges, Roopal Patel and Nina Froes, had each dismissed high-profile cases brought by the government against international students who had advocated for Palestinian rights, Rümeyisa Öztürk and Mohsen Mahdawi. Around 100 immigration judges have been fired by the Trump administration. Firings in previous administrations were rare.

The Trump administration is eroding “the concept of procedural due process, the idea that you get to have a hearing in the United States” by

“firing judges that it perceived as being opposed to the administration’s stated goal to deport as many people as possible with the least amount of due process possible,” says Carmen Maria Rey Caldas, a former immigration judge in New York who was fired in August.

The firing of so many immigration judges is also “egregious” because noncitizens are “going to be subject to the ruling of judges that are under pressure,” says Cyrus Mehta, an attorney who represents Palestinian activist Mohsen Mahdawi.

AMY GOODMAN: This is *Democracy Now!*, [democracynow.org](https://www.democracynow.org). I’m Amy Goodman.

In immigration news, the Trump administration fired six more immigration judges on Friday in their efforts to reshape immigration policy and the immigration courts. Two of the fired judges, Roopal Patel and Nina Froes, had each dismissed high-profile cases brought by the government against international students who advocated for Palestinian rights: Tufts student Rümeysa Öztürk and Columbia student Mohsen Mahdawi.

Öztürk is a Turkish-born student who was studying at Tufts University. After she wrote an [op-ed](#) in her student paper critical of the university’s response to the student government’s stance on Israel’s war on Gaza, she was arrested off the street by masked ICE agents. Her student visa had been revoked by Secretary of State Marco Rubio. Boston immigration Judge Roopal Patel blocked Öztürk’s deportation in January, saying the Homeland Security Department did not have enough evidence to deport her. Öztürk has since completed her doctorate in child development.

Mohsen Mahdawi is a Palestinian green card holder, arrested following his participation in campus protests at Columbia University in which he advocated for Palestinian rights. Massachusetts Judge Nina Froes blocked his deportation after ruling in February DHS had not proven its case.

Unlike judges in the judicial branch, immigration judges are employees of the Justice Department and are hired and fired by the attorney general. Around a hundred immigration judges have been fired by the second Trump administration. Firings in previous administrations were rare. Under Trump, a record number of asylum claims have been denied, leading to a record number of deportation orders.

For more, we're joined by two guests. Carmen Maria Rey Caldas is a former judge in New York immigration court, appointed in 2022 and fired last year without explanation. She's joining us in our *Democracy Now!* studio. And joining us from Washington, longtime immigration attorney Cyrus Mehta. He represents Columbia student Mohsen Mahdawi.

We welcome you both to *Democracy Now!* Judge, let's begin with you. You were a judge in the immigration court here in New York for three-and-a-half years, before you were fired. Can you respond to what has just taken place, for people to understand how rare what is happening is?

CARMEN MARIA REY CALDAS: The concept of procedural due process, the idea that you get to have a hearing in the United States, whether in immigration court or a criminal court or in federal court, and you have access to a neutral decision-maker, is a bedrock principle of law. And I don't — I'm not the person to say that. I mean, this is Justice Scalia, who, I believe, last said that very, very forcefully while he was still alive. And the Supreme Court has recently kind of reiterated that principle in some of the Trump administration rulings regarding Venezuelan nationals. Despite that, the Trump administration has done its utmost to erode that principle by firing judges that it perceived as being opposed to the administration's stated goal to deport as many people as possible with the least amount of due process possible.

AMY GOODMAN: Let's bring in Cyrus Mehta. Can you respond to the firing of Judge Nina Froes, the immigration judge who ruled to dismiss the government's deportation case against your client, Mohsen Mahdawi?

She's just been fired. Explain what happened in his case, arrested exactly a year ago tomorrow in Vermont. He was going in for the final stages of becoming a U.S. citizen, into a Vermont hearing. He had that hearing, and then the immigration agents moved in. Explain how this firing of the judge will affect his case.

CYRUS MEHTA: Yes, sure. My client's deportation was based on a document that was issued by Secretary Rubio indicating that his presence in the U.S. was contrary to our foreign policy. This document was not authenticated. It's an important document. It was being used to deport my client, who is a green card holder, and there was no basis to demonstrate that it was a genuine document. It was issued by Secretary Rubio. These are standard procedures in any court proceeding, including immigration court. The immigration judge correctly terminated the proceeding.

We have no basis to know whether that decision caused her firing, because she was on probation. We have no idea, but there's a strong inference that this decision may have resulted in her termination, because she does not have a very liberal record with regards to granting asylum cases, for example.

At this point of time, my client's case was terminated. The government has appealed to the Board of Immigration Appeals. It's independent of this judge's termination. The Board of Immigration Appeals will hear our appeal and could either dismiss the government's appeal or remand back to the immigration court. If the case gets remanded back to immigration court, we won't have the same judge.

The firing of an immigration judge is very disturbing. A hundred judges or more have been fired. It is egregious, because noncitizens are not going to get due process, and they're going to be subject to the ruling of judges that are under pressure. And judges, even though they're employees of the Department of Justice, should be able to neutrally adjudicate cases without any fear of retaliation, regardless of how they rule. For instance, if

you win the case before a judge, we don't want the judge to get fired. It makes a mockery of the justice system in the immigration courts.

AMY GOODMAN: In the case of Judge Patel —

CYRUS MEHTA: Immigration judges have a lot of problem — yes, go ahead.

AMY GOODMAN: In the case of Judge Patel and the case of Judge Froes, they were both presiding over these cases of the Tufts University graduate student, now Mohsen Mahdawi, a Columbia graduate student. What do you think — first of all, who's being promoted in their place? And what can you do now, because aren't, like Mohsen's case, in a federal court and in immigration court?

CYRUS MEHTA: Yeah, that's right. So, we don't know who's replacing these judges. Probably the government is hiring new judges that will be more aligned to the Trump administration's policies that are geared towards deporting noncitizens.

We're going to do our job. We are going to continue to brief the issue. And if we win at the Board of Immigration Appeals, it's great. If the case gets remanded, we will continue to effectively brief the issue and even bring it into federal court if we have to. And just like every other respondent whose judge may have been terminated, noncitizens need to bring these issues up in their appeals.

AMY GOODMAN: I want to ask Judge Carmen: Describe the environment these firings create among immigration judges, political pressure on judges. And what's the message being sent out?

CARMEN MARIA REY CALDAS: No, it's really interesting, because the latest firings have received a lot of attention, in part because both of these judges were presiding over relatively high-profile cases. But judges make

decisions over the lives of noncitizens, thousands of noncitizens across the country, every day. And we make decisions, supposedly, based on the record before us, and only that, without undue influence from external sources.

But we are still people, which means that when we wake up to a presidential announcement about how liberal judges need — federal judges need to be taken away from their jobs by Congress, how the Supreme Court is acting improperly when it disagrees with the president, when the executive branch of government fails to respect the independence of the Department of Justice and the courts, that trickles down. And we can't blind ourselves, because we're just people, to the fact that individuals who oppose the interpretation of law that is being advanced by the Trump administration are fired, when those who support the interpretation of law advanced by the Trump administration are promoted, whether or not that interpretation is actually correct and in accordance with the laws of the United States. And so, people who are judges, who are just people who are trying to feed their children and keep going in the United States of America, have to weigh how much they want to keep their jobs when they decide cases, and that, in itself, is an unfair putting of weight on the balance of justice in courts.

AMY GOODMAN: Were you shocked when you were fired in August?

CARMEN MARIA REY CALDAS: No.

AMY GOODMAN: You were in one of the most conservative immigration courts, right?

CARMEN MARIA REY CALDAS: I was. I spent two-and-a-half, nearly three years in Georgia at the Stewart Detention Facility, where I don't think that my grant rates or denial rates were any markedly different from those of my colleagues, in part because we were dealing with a detained population. And in a detained setting, as the Trump administration well

knows, which is why it's putting so many immigrants in detention, people abandon their cases. The detention conditions are so horrific that people would rather just be deported. And so we had very high rates of removal. And then I was transferred to the New York immigration court shortly before the Trump administration.

AMY GOODMAN: Well, I want to thank you both for being with us. We will continue to follow these cases as the judges are fired, and who is being deported and who isn't. Former immigration Judge Carmen Maria Rey Caldas was fired in August. Cyrus Mehta, attorney for Mohsen Mahdawi, a Columbia graduate student whose judge was just fired.