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Talking Points in Response to White House Statements on Loopholes in our Immigration Laws after the *Dimaya v. Sessions* Decision

Trump is mischaracterizing the nature of Supreme Court cases that had Justice Scalia and now Trump's appointee, Gorsuch, in the majority.

- The Administration, since the issuance of the *Dimaya v. Sessions* decision, [has attacked](#) Supreme Court cases that address how certain immigrants are treated. In practice, the Administration took already harsh immigration laws that mandate deportation and stretched them past their breaking point.
- Decisions like *Dimaya v. Sessions* simply make clear that the President cannot act outside the bounds of the Constitution or settled law.
- Let's not fall for Trump's PR machine. Since Day One, he has painted all immigrants with a broad brush. Given that even some of the most conservative Justices say the Administration has gone too far, we should listen.

But make no mistake. Trump still has the tools to carry out his mass deportation plan.

- Immigration laws are already incredibly harsh both towards people who are trying to get or keep their immigration status.
- There are dozens, if not hundreds, of ways to deport people under our current immigration laws that include mere undocumented status and ALL the crimes [listed by the White House](#).¹ There are over 52 separate grounds of removal, many of which contain dozens of subcategories. Aggravated felony grounds, which include misdemeanors, are one of 52 grounds of removal. The aggravated felony grounds have 80 subparts, with the Court invalidating one half of one subpart in the *Dimaya* case. Although aggravated felonies have no waivers under current law, many grounds of deportability and inadmissibility are not waivable either.
- Deportation levels remain very high – nearly 400,000 per year and statistics show that 9 out of 10 people don't get relief through our immigration courts and deportation. This imbalance in our laws have led us to a crisis in our immigration system.
- Trump has already shown that he is willing to take away Dreamers' and TPS recipients' legal status, exclude people from what he calls "shithole countries," and carry out mass expulsion without regard to the Constitution or human rights. Congress must not fall for his PR spin and make it any easier for him to carry out this plan.

We all want safe and thriving communities.

- The question is whose vision of public safety do you trust? Local officials and law enforcement from across the country have repeatedly reported that Trump's deportation policies undermine public safety.
- Trump has made clear time and again that he is willing to stoke fear to get votes, distracting us from real solutions that would actually make us safer while fixing our broken immigration system.

¹ For a chart listing out these offenses and the corresponding removal grounds, [please contact Sameera Hafiz at shafiz@ilrc.org](#), [Alisa Wellek at alisa@immdefense.org](#), or [Paromita Shah at paromita@nlpnl.org](#).