

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

YIHUA CHEN,

Petitioner,

Case No.: 2:26-cv-00501-CFK

MICHAEL ROSE, in his official capacity as ICE Deputy Field Office Director; KRISTI NOEM, in her official capacity as Secretary of Homeland Security, and TODD M. LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement, JAMAL LAWRENCE JAMISON, Warden of the Philadelphia Federal Detention Center,, and PAMELA BONDI, in her official capacity as Attorney General of the United States,

Respondents.

STATUS REPORT ON COURT ORDERED IMMIGRATION BOND HEARING

On February 4th, 2026, the Petitioner, Yihua Chen, had a Custody Redetermination Hearing at the Immigration Court in Elizabeth, New Jersey. The Immigration Judge denied a bond, stating Mr. Chen failed to meet his burden of proving that he is not a flight risk. See Bond Order at Exhibit A.

In Ghanem v. Warden Essex Cnty. Corr. Facility, No. 21-1908, 2022 WL 574624 at *2 (3d. Cir. Feb 25, 2022), the Third Circuit held that this Court could review whether a bond hearing was fundamentally unfair but lacks jurisdiction to review any discretionary determinations underlying the immigration judge’s bond decision. In a fundamentally fair bond hearing, due process has three essential elements. “An alien (1) is entitled to factfinding based on a record produced for the decisionmaker and disclosed to him or her; (2) must be allowed to make arguments on his or her own behalf and (3) has the right to an individualized determination of his [or her] interests.” See Id.

In this case, Mr. Chen’s bond hearing was fundamentally unfair because the Court in her decision mischaracterized evidence in the record and there was no individualized determination of his interests.

First, the Immigration Judge Tamar Wilson did not conduct a meaningful review of the evidence presented. The Immigration Court accepted the Respondent’s evidence submission into

the record during the bond hearing . After hearing arguments from both Respondent’s counsel and DHS, Judge Wilson spent only three and a half minutes reviewing the *51 page bond packet* submitted by counsel and made the decision to deny bond. This brief review of the record is not sufficient to satisfy the due process requirement of “factfinding based on a record produced for the decision maker.”

Second, in this case Mr. Chen’s bond hearing was also fundamentally unfair because there was no individualized determination of his interests. The Immigration Judge stated that he was a recent entrant to the United States. This is untrue, as he entered the United States in 2023, over two years prior to his detention. She also stated that he does not have a strong basis for relief. Mr. Chen timely filed an application for Asylum, Withholding of Removal, and Protection Under the Convention Against Torture based on the forced sterilization and religious persecute he suffered in China. The Immigration Judge stated that individuals who “know they are not eligible for relief have very little incentive to appear before the immigration court...and appear for ICE check-ins.” Not only did Judge Wilson pre-judge the merits of Mr. Chen’s asylum case before a full evidentiary hearing, but she also ignored the extremely relevant fact that Mr. Chen was detained while attending his ICE check-in.

If the Immigration Judge was truly worried that he was a flight risk, she could have found reasonable alternatives to mitigate that risk, such as setting a higher bond or an ankle monitor. In Hernandez v. Sessions, No. 16-56829 (9th Cir. 2017), the 9th Circuit stated that when making a bond determination, ICE and the Immigration Judge must (1) consider the person’s financial ability to pay a bond; (2) not set a higher bond than that needed to ensure the respondent’s appearance; and (3) consider whether the respondent may be released on alternative conditions of supervision that are sufficient to mitigate flight risk (either in lieu of a bond or in conjunction with a low bond). While this is not binding outside of the 9th circuit, it can serve as persuasive authority in other circuits. The Immigration Judge did not even consider this high bond amount or these alternatives to detention.

The Immigration Judge in this matter must surely be aware that the Executive Office of Immigration Review is experiencing an ongoing mass-scale purge of immigration judges who go against this administration’s policy objectives. See attached.

Accordingly, for the reasons stated above, the Petitioner asks this Court to assume jurisdiction over Mr. Chen’s custody and order him released.

Dated: February 6th, 2026

/s/Adam Solow_____

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Attorney for the Petitioner

In the Matter of: **YIHUA CHEN**
A-Number: **A**
Habeas Case No.: **2:26-cv-00501-CFK**

EVIDENCE APPENDIX

EXHIBIT LIST

Exhibit A – Custody Packet

Exhibit B – Bond Denial Order

Exhibit C – 7 Hilda Gutierrez, Michael Bott & Son Vo, 'An all-out attack on immigration court: SF immigration judges speak out after firings, NBC Bay Area (Nov. 25, 2025), <https://www.nbcbayarea.com/investigations/san-francisco-immigration-judges-speak-out-firings/3986850/>.

Exhibit D – Eric Katz, 'Climate of Fear': Immigration Judges Say Functioning of Their Court System Is in Jeopardy Due to Trump's Firings, Gov't Executive (Nov. 14, 2025), <https://www.govexec.com/management/2025/11/climate-fear-immigration-judges-say-functioning-their-court-system-jeopardy-due-trumps-firings/409544/>.

Exhibit E – Isabela Dias, “Fired for No Reason”: Former Immigration Judges Speak Out Against Trump’s Assault on the Courts, Mother Jones (Oct. 9, 2025), <https://www.motherjones.com/politics/2025/10/immigration-court-judge-trump-assault-purge-dhs-ice/>.

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EVIDENCE PACKAGE
RESPONDENT: CHEN, Yihua (A245-313-911)
HEARING DATE: February 12, 2026 at 9:00 AM
IMMIGRATION JUDGE: Wilson

| <u>Tab</u> | <u>Pages</u> |
|--|--------------|
| TAB 1: Copy of Respondent's United States of America Employment Authorization Card and Form W-2 of 2025. | 1-3 |
| TAB 2: Affidavit of Respondent's Cousin's Husband, [REDACTED] | 4-5 |
| TAB 3: Copy of Lawful Permanent Resident Cards for Respondent's Cousin, [REDACTED] and Her husband, [REDACTED]. | 6 |
| TBA 4: Copy of Pennsylvania Driver's License for Respondent's Cousin's Husband, [REDACTED] | 7-8 |
| TAB 5: Copy of Pennsylvania Identification Card for Respondent's Cousin, [REDACTED] | 9-10 |
| TAB 6: Copy of Property Search for Respondent's Cousin's Husband [REDACTED] Showing he is the owner. | 11 |
| TAB 7: Copy of Personal Checking Summary for Respondent's Cousin, [REDACTED] | 12-13 |
| TAB 8: Copy of Personal Saving Summary for Respondent's Cousin, [REDACTED] and Her Husband, [REDACTED]. | 14-15 |

COSPONSOR

| | |
|---|-------|
| TAB 9: Form I-864, Affidavit of Support executed by [REDACTED]. | 16-27 |
| TAB 10: Biographic Page of U.S. Passport for [REDACTED] | 28 |
| TAB 11: Form 1040, U.S. Individual Income Tax Return of 2024 with Forms W-2. | 29-50 |
| TAB 12: Copy of Paystub. | 51 |

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INVESTIGATIVE UNIT**'An all-out attack on immigration court:' SF immigration judges speak out after firings**

As the Trump administration fires judges across the country, its new ad campaign to hire new ones is stirring controversy.

By **Hilda Gutierrez, Michael Bott** and Son Vo • Published November 25, 2025 • Updated on November 25, 2025 at 11:04 am

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NBC Bay Area spoke exclusively to San Francisco cause given. Investigative Reporter Hilda Gutierrez has more.

when they showed up to work last Friday. But they weren't exactly surprised when it happened, either, given the fate of many of their colleagues this year.

Even so, the termination emails hit like a punch to the gut, they said.

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"When I saw the email, I had a very emotional reaction," said Chen, who was appointed under the Biden administration in 2022. "I started to cry in my courtroom in front of the parties, which I tried always not to do, despite the traumatic nature of our jobs."

Johnson, who's served as an immigration judge since 2017, said the emails provided no explanation for the firings.

"We are all public servants," Johnson said. "We spent years of our lives serving the United States government in this role. And no explanation? No 'thank you?'"

Chen and Johnson are among the latest casualties of the Trump administration's ongoing purge of immigration judges across the country. San Francisco immigration judges Patrick Savage, Amber George, and Louis Gordon were also let go, according to multiple sources with direct knowledge of the firings.

The shockwaves of the firings were already

"I'm saddened because the system lost gre



NOV 21, 2025

Trump admin fires 5 more judges'



OCT 20, 2025

Former judges give inside look at immigration court upheaval

 2 Concord immigration judges fired as Trump administration continues purge

Noorzad had expected to attend the final hearing in her client's asylum case before learning Judge Patrick Savage had been fired. The hearing was cancelled and pushed back another three years, she said.

"They wait five years to get a court hearing and then get thrown another three years," Noorzad said. "These people are desperate to get their asylum."

Chen said the remaining nine judges in San Francisco – already overwhelmed with thousands of cases each year – will now be hit with an avalanche of new cases they're picking up from judges who have been terminated.

"I am deeply sorry that I cannot be there to hear their cases," Chen said. "I think about a lot of the cases that I had to leave behind, which now, of course, creates more work for my colleagues."

Across the country, the Department of Justice has terminated more than 90 immigration judges this year without cause, according to the National Association of Immigration Judges. San Francisco's immigration court has been hit particularly hard, losing 12 of its 21 judges this year to firings,

Judges and attorneys have been searching for a common thread that might explain who's being fired, such as judges with high rates of granting asylum, or judges with previous experience representing immigrants.

But more and more, judges and attorneys to
attempting to dismantle and completely res

"This is an all-out attack on the immigration
now we have nine, I think, in San Francisco.

cases a certain way, deciding cases a certain way. Move faster. Less due process, essentially.

The Department of Justice has said the new policies are aimed at enforcing the country's existing immigration laws, which it accused the Biden administration of abandoning.

The agency declined to comment on the firings but has said it evaluates judges on factors such as conduct, impartiality, adherence to the law, productivity, and professionalism.

As the Trump administration fires judges by the dozens, it's also recruiting new ones to serve at the same time, launching a recent hiring campaign that's already stirring up controversy by referring to immigration judges as "deportation judges."

"Help write the next chapter of America," the DOJ job posting states. "Apply today to become a deportation judge."

The Department of Homeland Security is also promoting the hiring effort on social media.

"Bring the hammer down on criminal illegal aliens," the agency wrote. "Defend your communities, your culture, your very way of life."

The language has caused an outcry among attorneys, judges, and immigrant rights advocates.

"It's meddling and interfering with real judges," Chen said.

Chen said she never viewed herself as a "deportation judge."

"I remain optimistic that people who are being referred to as deportation judges, but as immigration judges, they understand the law, who are grappling with it and thinking about it, and trying to do the right thing."

statement saying.

“After four years of the Biden Administration forcing Immigration Courts to implement a de facto amnesty for hundreds of thousands of aliens, this Department of Justice is restoring integrity to our immigration system and encourages talented legal professionals to join in our mission to protect national security and public safety.”

The administration has also authorized military attorneys to begin serving as temporary immigration judges, some of whom have already begun, according to an October EOIR press release.

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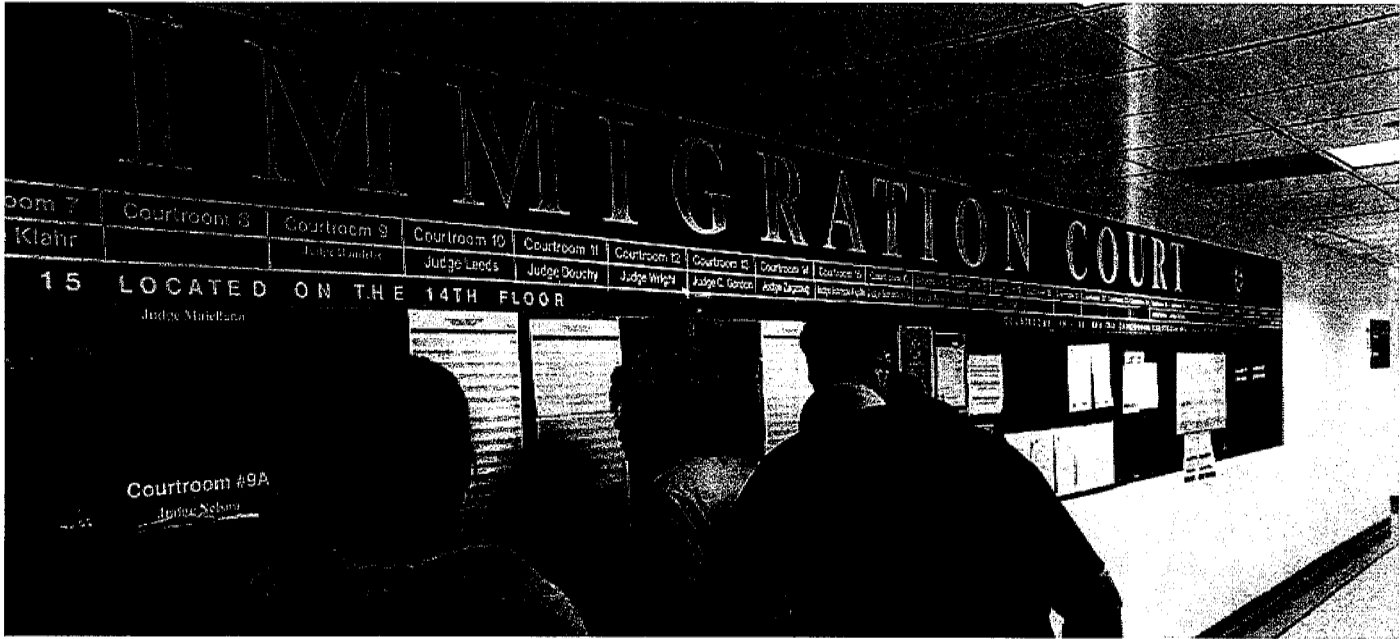
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Plainclothes Immigration and Customs Enforcement (ICE) officers detain an immigrant leaving his scheduled court appearance at federal immigration court in New York City. ANDREW LICHTENSTEIN/CORBIS VIA GETTY IMAGES

Management

‘Climate of fear’: Immigration judges say functioning of their court system is in jeopardy due to Trump’s firings

The Trump administration is pushing out dozens of judges, who say the changes are slowing down and politicizing the system.

ERIC KATZ | NOVEMBER 14, 2025

IMMIGRATION FIRINGS



The mass firings of the executive branch judges who run the nation’s immigration courts is leading to longer wait times for asylum seekers and other non-citizens, some of those who have been terminated said on Thursday, who described their dismissals as politically motivated.

The Justice Department, which runs the court system that adjudicates cases for millions of immigrants each year, has taken an aggressive approach to shed more than 100 judges since President Trump took office. That marks a significant reversal from the significant growth in judges in recent years to a high of around 700, before the Trump administration began making cuts through firings and incentivized separations.

Justice has fired the judges without cause, three impacted employees said, and despite their receiving the highest possible performance ratings. The firings have impacted the work of the remaining judges, those fired said, even as they remain committed to impartiality.

“There’s a climate of fear,” said Anam Petit, an immigration judge in Virginia who was fired in September. “Judges feel like, if they step a toe out of line right now...or they’re one [asylum] grant away from being fired because of the arbitrary nature of the firings.”

The court system maintains a backlog of 3.4 million cases and immigrants are, in some instances, receiving appearance dates in 2027. To address that crushing total, the fired employees said, Justice requires far more judges, not fewer. They noted the One Big Beautiful Bill Act that Trump signed into law this year authorized the hiring of 10,000 Immigration and Customs Enforcement officers to ramp up arrests of undocumented individuals, but only increased the cap of immigration judges to 800. An increase in arrests would lead to a corresponding surge in cases before the Executive Office of Immigration Review, the Justice agency that houses the courts, and the relatively small increase in judges would likely not be sufficient to keep pace.

“That balance is off to me,” said Ted Doolittle, who was fired from the immigration court in Hartford in September when he was one of just two judges there. “If you really wanted to get the backlog down in a reasonable time, say two or three years, you should be talking about between two and 3,000 judges.”

They noted after their firings, their cases had to transfer to other judges. That created a significant amount of work for court staff and reset hearing dates for immigrants to accommodate their new judge's schedule. Important motions on cases sat dormant for extended periods of time as newly assigned judges tended to their existing caseloads.

“This is not a fair way to run a court system,” said Emmett Soper, a Virginia-based immigration judge who was fired in July. “It's not fair to the people who are at the court. It's not fair to the judges who inherit these cases, and most importantly, it's not fair to the people who have cases pending in front of the immigration courts, who depend on the immigration courts being a functioning system.”

Kathryn Mattingly, an EOIR spokesperson, said reducing the case backlog is “one of the highest priorities for the agency.” While she declined to comment on personnel matters, Mattingly said EOIR has taken several steps to allow judges to decide cases more quickly including rescinding 20 policies that were “unfounded in law” or bogged down the system.

“EOIR is committed to making further advancements to its operational efficiency, thereby helping to ensure timely justice for both parties involved and the public it serves,” she said.

Unlike Petit and Doolittle, who were fired just before the conclusion of their probationary periods, Soper had worked as a judge in EOIR for nine years. Probationary workers are generally easier to dismiss without the usual hurdles. Soper said he received no explanation, however, other than the president was exercising his duties under Article II of the Constitution.

Petit said she was not shocked by her firing, as those with a background in private immigration practice, like her, had a “target on your back.”


“I called my husband afterwards and I cried,” Petit said of the day she was dismissed. “I was devastated to lose a job that I really believed in and made a lot of professional and personal sacrifices to do.”

Immigration judges have long sounded the alarm over their placement in the executive branch with political oversight, suggesting they should instead operate as an independent court under either Article I or Article III of the Constitution. Their concerns have been exacerbated by the dozens of firings—stoking fears the administration is replacing anyone standing in the way of its goals for mass deportations—as well as the new authority EOIR granted itself to appoint (ap any attorney as a temporary immigration judge. Those roles were previously reserved for those with experience in the field of immigration, but the administration has leaned on its new authority to bring in hundreds of military lawyers to serve as judges in six-month stints.

roles. They also pointed out that most cases before EOIR—about three-in-four—do not offer immigrants any relief from removal, meaning an empowered court system serves the interests of the administration's stated goals.

Their jobs were also made more difficult, they said, after ICE ramped up arrests of individuals inside of immigration court buildings. Individuals giving testimony were forced to listen to cries of others being detained in hallways and immigrants before a judge often interrupted proceedings to ask if they would be similarly arrested.

In one case, Petit said, she was prepared to issue a final order on an individual just moments before ICE arrested them. That meant that person had to restart the process in the detained docket, bogging down the system further. Soper said the arrests of individuals in his court building was “one of the most disturbing things I've ever witnessed.”

“All they were doing was showing up to court like they had been told they had to do,” Soper said. 

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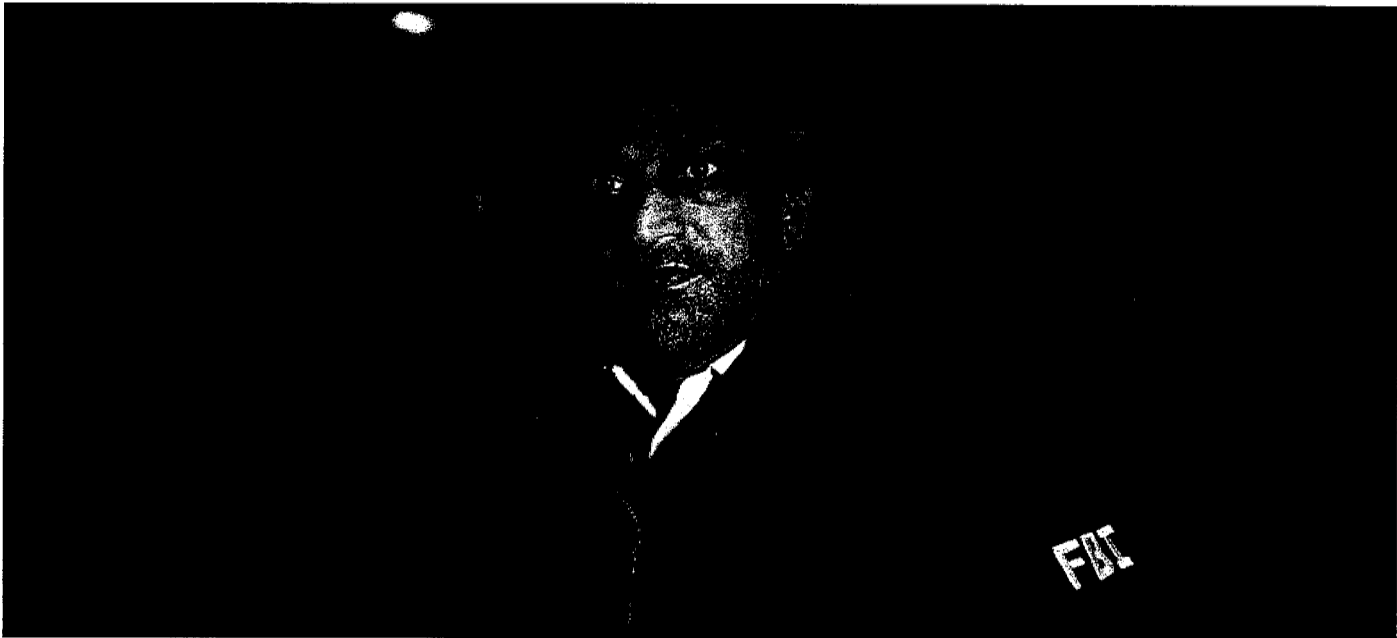
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FBI Director Kash Patel was confirmed by the Senate in February 2025. MICHAEL M. SANTIAGO/GETTY IMAGES

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FBI Director Kash Patel waived polygraph security screening for Dan Bongino, two other senior staff

WILLIAM TURTON and CHRISTOPHER BING,
PROPUBLICA | NOVEMBER 14, 2025

LAW ENFORCEMENT CLEARANCES



FBI Director Kash Patel granted waivers to Deputy Director Dan Bongino and two other newly hired senior FBI staff members, exempting them from passing polygraph exams normally required to gain access to America's most sensitive classified information, according to a former senior FBI official and several other government officials.

Bongino's role as the FBI's second-highest-ranking official means he is responsible for day-to-day operations of the agency, including green-lighting surveillance missions, coordinating with intelligence agency partners and managing the bureau's 56 field offices across the country. The deputy director receives some of the country's most closely held secrets, including the President's Daily Brief, which also contains intelligence from the CIA and the National Security Agency.

People familiar with the matter say his ascent to that position without passing a standard FBI background check was unprecedented. ProPublica spoke with four people familiar with the polygraph issues, who spoke on the condition of anonymity for fear of retaliation and because they were not authorized to publicly discuss the details of FBI background checks.

Bongino was selected for the role at the FBI although he, like Patel, had no prior experience at the bureau. Bongino had previously served in the Secret Service and worked as a New York City police officer. But he later gained millions of fans and followers in conservative circles for television and podcast appearances, having taken over Rush Limbaugh's spot on numerous radio stations. Over the years, Bongino used those platforms to push conspiracy theories about the 2020 election and professed his allegiance to President Donald Trump while railing against the agency he now helps lead.

He's had a rocky tenure so far, marked by public fights with senior Cabinet officials and accusations that he leaked information to the press, which Bongino denied. In August, Trump appointed Missouri Attorney General Andrew Bailey as co-deputy director at the FBI, setting off speculation that the White House had lost faith in Bongino. But he remains in the job.

ProPublica could not determine whether Bongino sat for a polygraph exam or what its results were. Though the existence of a polygraph waiver is an indication he may not have passed the test, it is possible Bongino received a preemptive exemption, a former senior FBI official with knowledge of the vetting program told ProPublica.

When ProPublica sought comment from the FBI, the agency denied that Bongino or the other senior staff members failed polygraph tests. "It is **false** that the individuals you referenced failed polygraphs," wrote spokesperson Ben Williamson.

He added: "The FBI follows all laws and procedures on personnel security measures, and any implication otherwise is false. Furthermore, while the FBI does not comment on confidential security information, particularly in matters of personnel, this article is riddled with falsehoods — it misrepresents polygraph protocol, inaccurately portrays FBI security measures, and makes multiple false claims about FBI employees who have done nothing wrong."

ProPublica asked the FBI to specify what it considered to be false. The agency did not reply.

A polygraph exam is not technically pass or fail, but a person is not cleared for approval if the examiner finds deception or is unable to reach a conclusion about the veracity of the answers given. Officials said that a person may not have technically failed the exams; the results could be deemed inconclusive, which would not meet the FBI's standards for hiring or security clearances.

The FBI spokesperson initially said the three officials are so-called Schedule C — a category reserved for political appointees. He said the status would mean they were "not required" to undergo polygraphs. But Daniel Meyer, a former executive director for the Inspector General of the Intelligence Community External Review Panel, told ProPublica that an FBI employee wouldn't be excluded from taking a polygraph exam simply because they're a Schedule C employee. Three other lawyers, who specialize in national security matters, said the same.

In fact, the FBI's employment eligibility guidelines say all employees must obtain a "Top Secret" clearance in order to work at the agency following a background check. "The preliminary employment requirements include a polygraph examination," the guidelines say.

Former FBI officials said they could not recall a single instance in which a senior official like Bongino received a waiver and was then given a top secret clearance. One said they were only aware of one waiver being issued in a seven-year period under Director Christopher Wray, for an outside subject matter expert whose polygraph results were inconclusive.

their polygraph exam and were granted waivers by Patel that allowed them to get a high-level security clearance, said officials with knowledge of the issue. Neither of their roles is as high-profile as Bongino's, nor does either one have prior FBI experience.

Polygraph examiners ask a standard list of questions about drug use, criminal history, foreign contacts and mishandling of classified information. After the exam, an analyst scrutinizes the results and decides whether or not they indicate deception or are inconclusive. Those whose answers are determined to be inconclusive are given another chance to take the test the following day.

"I don't know of anybody in my time that were in those senior roles that failed polygraphs, and most of us had taken multiple polygraphs," said Bob Anderson, a former FBI executive who ran the counterintelligence division and retired in 2016. "If somebody would fail those polygraphs in my time, most likely they would be removed out of the classified environment until that could get cleared."

This year, an employee within the FBI's Security Division filed a formal complaint alleging the waivers violated agency policy. The Security Division conducts employee polygraph exams and evaluates their results. Its mission is to protect the FBI from leaks of classified information and infiltration by foreign spies. The employee filed the complaint with the division director, Robert Turner, a 22-year veteran of the bureau who previously held roles in counterterrorism and counterespionage.

A complaint about the waivers was also shared with the Department of Justice's Office of the Inspector General, sources said.

According to her resume, Rucker, 40, has served as an assistant to Stephen Miller, the powerful architect of the administration's immigration crackdown, since January 2020.

Rucker would have detailed insight into day-to-day FBI operations and those meeting within the director's office. She also assists in planning Patel's travel, a former FBI official familiar with her job responsibilities said.

The White House said Rucker is not sharing information on the FBI's operations with Miller and referred further questions to the bureau and the Department of Justice.

Meanwhile Yates, 37, was previously the executive director of the Election Integrity Network, a group that worked to overturn the results of the 2020 election. Yates, as the top liaison between the bureau and Congress, has wide visibility into the workforce, including some access to internal files about past investigations.

Historically, the job was staffed by a nonpartisan career FBI or Department of Justice official with deep knowledge of the bureau. Among other tasks, the official organizes closed-door briefings with lawmakers to discuss active, undisclosed threats to the country.

While an FBI spokesperson discussed the polygraph issues with ProPublica, Patel, Bongino, Yates, Rucker and Turner did not respond to direct requests for comment.

Sen. Dick Durbin, the Democratic ranking member of the Senate Judiciary Committee, raised the issue of senior FBI leadership not passing polygraphs — without identifying any individuals — when Patel testified before the committee in September.

"As I understand it from highly credible sources, key members of Director Patel's senior executive team and others on the seventh floor had disqualifying alerts on their initial polygraph exams," Durbin said. "How did they survive? They survived because of a personal waiver by either the director or the attorney general to remain employed by the bureau."

When Durbin asked Patel if anyone on his senior executive team received "disqualifying alerts on their polygraphs," Patel refused to answer. And when the senator followed up by asking if he or Attorney General Pam Bondi granted a waiver, Patel replied, "I have to get back to you."

The FBI did not respond to the committee on questions concerning polygraphs, according to a person familiar with the matter.

Durbin, in a statement to ProPublica, said, "Reports of disqualifying alerts on polygraphs by senior FBI officials — which require personal waivers from the highest levels of leadership to remain employed — are deeply alarming."

The polygraph exam uses a device strapped to a subject's body to measure physiological responses like heart rate, blood pressure and perspiration as the person answers yes-or-no questions. Though the device's efficacy is debated, it is routinely used in America's law enforcement and intelligence agencies to screen potential employees and conduct leak investigations. The FBI first began requiring the polygraph exam for all applicants in 1994, according to a 2006 report by the Department of Justice's Office of the Inspector General.

They are used as part of a broader background check conducted on all potential FBI employees to determine if the applicant triggers any national security or suitability concerns. Suitability refers to a candidate's criminal history, drug use or other issues that would prevent them from becoming employees of a federal law enforcement agency.

FBI security measures are designed to protect sensitive intelligence sources and information, and the screening is intended to ensure that officials given access to this information have cleared a thorough vetting process.

Staff who work in the director's office on the seventh floor of the J. Edgar Hoover Building in Washington must also obtain an additional clearance called SCI, or sensitive compartmented information.

SCI contains some of America's most sensitive intelligence secrets, and employees with that clearance are "read-in" to various compartments or programs. Bongino, Yates and Rucker all obtained SCI clearances after being granted the waivers, people familiar with their clearance level said.

In addition to bringing on loyalists, the administration has launched a purge of career FBI staff since January. More than 50 bureau officials have been fired or pushed out, a ProPublica analysis found. They include executives with decades of counterterrorism and intelligence experience, as well as line agents assigned to work on politically sensitive criminal probes, including investigations into Jan. 6 rioters and Trump.

Patel has justified these firings under Article II of the Constitution, which outlines the president's powers over government — a novel use of the statute that is being challenged in the courts. Publicly, the administration has suggested some fired agents were involved in misconduct while investigating Trump or his allies.

Former acting FBI Director Brian Driscoll sued Patel, Bondi and the bureau in September, saying he was subjected to political loyalty tests and illegally fired. The FBI declined to comment when the suit was filed and federal agencies have yet to respond in court.

The FBI has recently used the polygraph to ask senior employees if they have said anything negative about Patel or had spoken to the media, multiple former FBI employees said. The New York Times earlier reported the use of polygraphs to investigate negative comments about Patel.

DESTINED FOR SOMETHING GREATER

A lawyer by training, Yates has been the point person in responding to inquiries from Senate Judiciary Chairman Chuck Grassley, a Republican who for months has been publishing internal FBI documents, which he contends show improper past investigations into Trump. According to a former senior FBI official, Yates called regional bureau field offices early this year to get lists of employees involved in cases against Trump; several of those agents were later fired by Patel.

Originally from Alabama, Yates previously worked as chief of staff for former Rep. Mo Brooks, R-Ala., and was counsel to Rep. Thomas Massie, R-Ky. A Democratic representative accused Brooks of inciting rioters on Jan. 6, which Brooks denied; the civil case was later dismissed. Brooks has described the FBI as "partisan hacks." Massie wrote on social media this month, "Capitol Police turned CIA orchestrated the pipe bombs on January 6th, and the FBI has covered it up."

Little is known about Nicole Rucker, who spells her name online as Nikole. Multiple sources have described Rucker as Patel's personal assistant. She joined Patel on a recent foreign trip to London, where she sat in on a sensitive meeting with a Western intelligence ally, according to a knowledgeable source.

Rucker arrived at the FBI on Jan. 20 and began working in the director's suite without a security clearance, according to a former FBI employee familiar with her work.

Due to her initial lack of clearance, Rucker was escorted from the FBI lobby to the secure director's suite by Turner, who was then the deputy of the FBI's Security Division. Rucker eventually obtained a security clearance and was no longer escorted, the person said.

Williamson, the FBI spokesperson, said "people are escorted in similar circumstances all the time."

In May, Rucker's husband posted a photo on LinkedIn with himself and Rucker alongside Patel, standing in front of the FBI logo.

On her resume, she also lists a job working as the executive assistant to the chief of public affairs at the National Museum of African American History and Culture from 2018 to 2019. After that, she was a congressional relations liaison at Ultra Electronics, a British defense contractor.

Rucker founded Cobblestone Concierge, which offers personal assistant services such as "home management, organization, errand service and so much more!" according to her LinkedIn profile. The company's website says its services include "household management (including meeting the cable guy)."

ProPublica interviewed her ex-husband, Joseph Churchville, who said Rucker worked at a title insurance company while they were married but had always thought she was destined for something greater. "She's tenacious. When she acquires something that she wants, she has the ability to make things happen," Churchville said.

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I spent 50 years in government and here's how to fix it

COMMENTARY | After serving under presidents from Johnson to Obama, David Mader has seen what works and what doesn't in government and why improving it is about making it serve the public better, not running it like a business.

DAVID MADER | NOVEMBER 14, 2025

CUSTOMER SERVICE

MANAGEMENT MATTERS

GOVERNMENT REORGANIZATION



My career in public service began during college as a part-time Postal Service employee under the Johnson administration and concluded decades later as a political appointee at the end of the Obama administration. Over that span, I had the privilege of serving in every administration, Republican and Democratic alike, and witnessing firsthand how our government evolves to meet the changing needs of the American people.

As our nation approaches its 250th anniversary, it's worth reflecting on how our democracy and its three branches of government have shaped the policies, laws and institutions that keep the country running day to day. I've seen numerous executive branch efforts, from Reinventing Government to the Program Assessment Rating Tool (PART) to multiple iterations of the president's management agenda, each seeking to improve how government operates. And Congress, too, on a bipartisan basis, has enacted legislation aimed at enhancing government performance and accountability.

For as long as I can remember, there have been persistent calls to "run government like a business." While the sentiment has merit — we absolutely should strive for greater efficiency and effectiveness — it's essential to recognize a key distinction: government's bottom line isn't profit or shareholder value. It's the fair, equitable and transparent delivery of public programs and policies agreed upon by both the executive branch and Congress.

As a career executive, I saw my job as designing business processes and organizational structures that implemented programs efficiently, measured outcomes effectively, and gave the public confidence that their tax dollars, voluntarily contributed by citizens and businesses alike, were producing results. In that sense, taxpayers are the government's closest analog to shareholders.

Technology has long provided opportunities to improve the "how" of government. Artificial intelligence and automation now promise even greater gains, but only if we use them wisely. With future budgets constrained and a \$37 trillion national debt, we must look critically at how we allocate resources and demand more transparency in the outcomes achieved.

Unlike private-sector firms, government can't simply discontinue programs that underperform; doing so requires both legislative and executive agreement. That makes disciplined management practices all the more critical. As the old saying goes, insanity is doing the same thing over and over again and expecting different results. To avoid that fate, here are some practical steps we can take:

- **What should be eliminated?** Identify programs, activities and processes that no longer serve a clear purpose or duplicate efforts elsewhere. Eliminating what's outdated or redundant frees resources for higher-value priorities.
- **What should be optimized or automated?** For the functions that remain essential, streamline and modernize them. Optimize workflows for efficiency and accountability and automate routine, necessary tasks wherever possible so staff can focus on mission-critical work.
- **How can we build the budget from the bottom up?** As part of this review, each agency should apply zero-based budgeting on a rolling five-year cycle. Rather than assuming last year's budget as a starting point, agencies should justify each program and expense based on measurable outcomes and current needs. This data-driven approach will help decision-makers direct funding toward what works and rethink what doesn't.

Taken together, these steps would instill a culture of continuous improvement and ensure that every taxpayer dollar is producing demonstrable results.

There are, of course, many other ideas worth considering. My hope is that these suggestions spark a broader conversation, one that honors our history while challenging us to make government more responsive, transparent and accountable to the people it serves.

David Mader is an executive advisor to Management Science and Innovation and former controller, Office of Federal Financial Management in the U.S. Office of Management and Budget.

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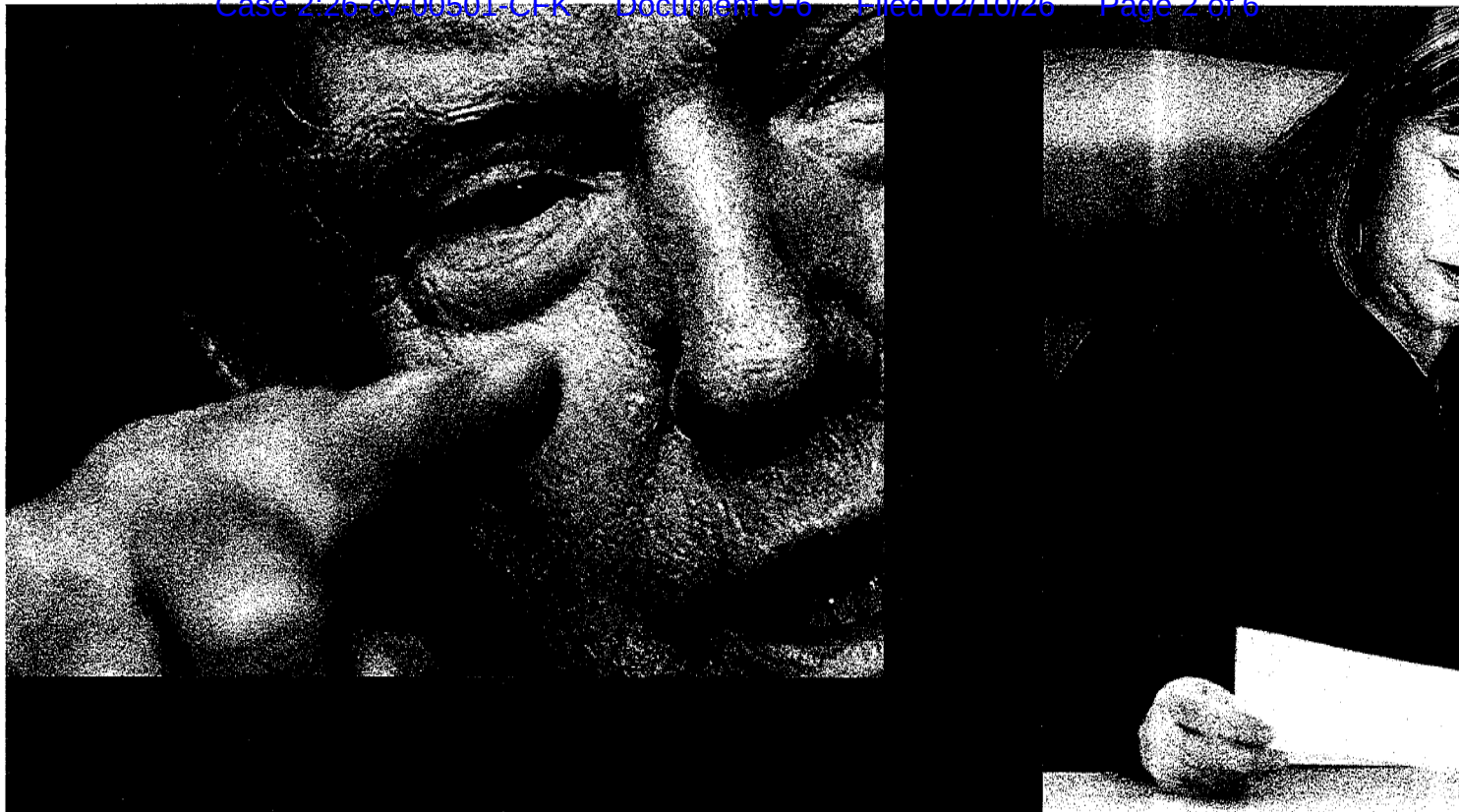
“Fired for No Reason”: Former Immigration Judges Speak Out Against Trump’s Assault on the Courts

The Trump administration’s push for more deportations is upending immigration courts. Recently terminated judges fear the changes imperil due process.

ISABELA DIAS OCTOBER 9, 2025



Mother Jones; Joyce Boghosian/White House/Planet Pix/Zuma; Getty



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On a Friday afternoon in early September, Anam Rahman Petit sat in the Annandale immigration court in Virginia, ready to announce an oral decision on a complex family asylum case. Then, she got an email. It was a notice from the director of the Executive Office for Immigration Review (EOIR)—the Department of Justice's agency that oversees the immigration courts—terminating her appointment as an immigration judge and instructing Petit to hand in all of her government property by the end of the day.

Nowhere in the email did it mention the reason she was being fired just short of completing two years on the bench and finishing her probationary period. Petit briefly stepped outside the courtroom and texted the bad news to her husband. Without waiting for a response, she put her phone in her robe's pocket and walked back in to deliver the ruling. As she did, Petit remembers her voice cracking and hands shaking.

The Trump administration is "shrinking the courts because they don't think they're going to need them."

"It was one of the hardest things I've ever had to do," she said. "My mind was trying to run to different directions, and I just had to bring myself back to that case so I could get it done." Later, Petit folded her robe and packed up her office as other immigration judges tried to console her. "It was a very emotional departure from the courthouse," she recalled.

As the Trump administration works to fundamentally reshape the immigration system, US immigration courts have come to play an outsized role in the crackdown. Across the country, courthouses—previously considered off limits for immigration enforcement—have turned into sites of arrests by masked US Immigration and Customs Enforcement

agents, and the very judges charged with resolving asylum and removal cases and, often, issuing deportation orders, are under assault.

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The attack has been so sweeping that it has immigrant rights advocates, legal observers, and some former immigration judges wondering if the administration's objective is to render the already overwhelmed courts so impaired that they can no longer serve their purpose.

Andrea R. Flores, who served as an immigration policy adviser during the Obama and Biden presidencies, described the firings of immigration judges as “confusing” for a White House that is trying to remove as many people as possible. Instead of empowering the courts to process more cases, the administration appears to be eviscerating the system to potentially undermine legal proceedings altogether.

“I think what alarms me about that is their hope that they're going to massively expand the usage of expedited removal and deny people their right to see a judge,” she said of the administration's push to fast-track deportations. “[They're] shrinking the courts because they don't think they're going to need them.”

Petit had seen the writing on the wall months earlier. Back in February, her former supervisor, assistant chief immigration judge Rebecca Walters, who had been appointed during the Biden administration, was among several judges dismissed as part of an early purge of the courts. Then July came, and another 17 or so judges were reportedly terminated without cause, even as the nationwide backlog continued to grow to almost 3.8 million pending immigration cases.

In letters to EOIR's director, Sirce E. Owen, Democratic Sen. Elizabeth Warren and others decried the firings as “indefensible” and voiced concern that decisions not to convert half of a class of judges—particularly those without an

immigration enforcement background—to permanent positions “may have been made for politically motivated reasons.”

An attorney with private practice experience in the area of removal defense, Petit said she had completed around 800 cases, a hundred or so more than the 700 a year expected of immigration judges, before her abrupt termination. Petit's supervisor later told her that her performance review noted she was a high-performing judge. But that didn't protect her. “You think you're going to be okay as long as you do a good job and just keep your head down, do your cases, and apply the law,” she said. “And then you start seeing more and more people get fired for no reason.”

The dismissal of judges like Petit is just one of the ways the Trump White House is upending the immigration courts to serve its mass deportation agenda. In late August, the administration issued a rule easing the qualification requirements for temporary immigration judges, allowing the Department of Justice to hire attorneys without adjudicatory or immigration law experience. It has also turned to recruiting hundreds of military lawyers to fill vacant seats for six-month assignments, a move that legal experts have warned could be unlawful and will likely undermine due process.

“I know some judges who had packed up their offices in anticipation of being fired.”

“I see more deportations of illegal immigrants in the near future,” Corey Lewandowski, an adviser to Homeland Security Secretary Kristi Noem, posted about the announcement that the Pentagon had authorized 600 military lawyers to act as temporary immigration judges. (Among the assistant chief immigration judges terminated in February were two former military attorneys, commonly referred to as JAGs after Judge Advocate General's Corps.)

“That's concerning because you're going to have people who have not been trained making decisions with no immigration background,” said Alison Peck, director of the immigration law clinic at West Virginia University College of Law and author of *The Accidental History of the US Immigration Courts: War, Fear, and the Roots of Dysfunction*. “That judge isn't going to know what hit them...It's the steepest learning curve I've ever encountered in the legal profession.”

Peck has long argued the problem with immigration courts run much deeper than President Donald Trump's moves. Because the immigration courts are nested within the Department of Justice and the executive branch, they are effectively an instrument of presidential policy and not true independent courts. “This is how the system is designed,” she said. The Trump administration is “pushing the edges” to disrupt the immigration courts. But “there are serious due process concerns with the system as a whole, and now we're seeing how it can be manipulated by an administration that has a different policy agenda.”

As of late September, Petit estimated that as many as 16 judges from her 2023 class of 39 sworn-in appointees have been fired. They are among the more than 130 adjudicators who have been either terminated, transferred, or departed the force voluntarily since Trump returned to office. According to data from the National Association of Immigration Judges reported by CNN, September saw the highest number of dismissals, with 24 judges being let go.

“I know some judges who had packed up their offices in anticipation of being fired,” she said.

David K. S. Kim was in the middle of a hearing on September 4 when he received the termination email. He had to stop midway through and inform the parties that the case would be reassigned to a different judge. Originally from South Korea, Kim had been in the job for almost three years and had the highest asylum grant rate among judges at New York's 26 Federal Plaza immigration court—96 percent, according to TRAC.

“I think I was preparing mentally, subconsciously...,” he said. “I wasn't really shocked, although it was very disappointing.”

As a judge in the New York City court that has been dubbed the nation's capital of immigration courthouse arrests," Kim saw firsthand the effects of the Trump administration's policies, starting with giving ICE the green light to conduct arrests in or near courthouses. "It created chaos," Kim said, explaining that judges had their hands tied if someone was arrested outside the courtroom.

"That was very difficult and definitely affected the morale of the court staff and some of the Homeland Security attorneys," Kim said. He noted that some DHS lawyers asked judges to sit with their backs facing the wall instead of the courtroom entrance door, in case some altercation took place. "It was a complete change in environment in the way the hearings were held."

Carmen Maria Rey Caldas, who also served as a judge in New York, said she noticed an increase in the number of immigrants missing their court hearings. "There were weeks when I would have 10 people show up for a master calendar of 60," she said. Rey Caldas recalled instances of immigrants appearing outside the courthouse but not going in, instead asking if they could have their hearings remotely because of fear of being arrested by ICE.

Prior to joining the bench, Rey Caldas, who was born in Spain, had a long career practicing immigration law that included stints at nonprofits helping survivors of gender-based violence and, more recently, a role as the director of a program that represents refugees, including Afghan allies who had to be evacuated after the US withdrawal from the country. In 2022, when Rey Caldas was appointed to the immigration courts, House Republicans led by Rep. Elise Stefanik publicly opposed it, citing concerns over her advocacy work and alleging she had "contempt" for immigration enforcement and "disregard" for ICE.

Rey Caldas said she had never received anything other than exceptional feedback while on the bench. Yet, on August 21, she was terminated without explanation. She has since challenged her firing with the Merit Systems Protection Board, an independent agency that hears appeals on federal personnel cases. "You're eliminating all potential defense within the agency," Rey Caldas said of the firings of experienced judges and those with diverse backgrounds.

She described an atmosphere where immigration judges are under "constant threat" of getting fired if they don't follow certain rules from leadership. As one example, she mentioned an email telling judges to eliminate the use of pronouns in their email signatures. For people dealing with "life and death cases," Rey Caldas said, it was demoralizing. "It's creating an environment where you're constantly watching what you do and questioning your decisions."

Mother Jones reached out to EOIR for comment, but received an automatic email reply from the agency's spokesperson stating she had been furloughed and was out of the office.

Both Petit and Kim said immigration judges started bracing for policy guidance issued by EOIR's director Owen on Fridays. One April policy memo, for instance, encouraged judges to "immediately resolve cases...that do not have viable legal paths for relief or protection from removal" and to drop asylum cases without holding a hearing if the application is "legally deficient." Some judges, Kim said, took the guidance to mean they were being told to prioritize efficiency over due process and default to removal orders.

In another memo from June 27, Owen chastised immigration judges for "demonstrating bias or hostility toward" DHS and advised "judges who prefer to be policy advocates" to consider a different career path. "It leads to this climate of fear and intimidation," Petit said.

"A lot of the actions being taken by this administration have materially changed the way that the courts function," she added. "One thing that remains are really exceptional immigration judges who are doing their very best to apply the law fairly and apply due process. They're really just holding it down right now."

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