

Immigration Weekly Round-Up: NJ State Assembly Votes to Ban ICE Detention; Immigration Benefits No Longer Denied for Minor Application Errors; Children Face Harsh Conditions in Immigration Detention

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Banning New Prison Contracts with ICE

After being stalled for months, a bill that prohibits entering new Immigration and Customs Enforcement (ICE) contracts at private detention centers or renewing existing ICE prison contracts is now advancing through the [New Jersey State Legislature](#). On Monday, the bill passed the Assembly by a margin of 46 to 24. It has now also been passed by the [New Jersey State Senate Budget Committee](#) and will be heading to the Senate for a full vote. Democrats and immigration advocates widely support the bill, and with a Democratic majority of 25 to 15 in the State Senate, the bill is likely to pass.

A primary sponsor of the bill, Senate Majority Leader Loretta Weinberg (D-Bergen County), said that “county jails and other entities should be used to house people accused of real crimes, not to hold undocumented immigrants, and thereby needlessly separating them from their families.” Amy Torres, Executive Director for the New Jersey Alliance for Immigrant Justice, issued a statement that “the committee vote sends a clear message: whether at the local level or in the halls of Trenton, the state’s doors are closing to ICE.” And Banan Abdelrahman of the [American Friends Service Committee Immigrant Rights Program](#) emphasized the human toll of continued detention, noting that “people detained inside currently call me regularly in fear that they’ll never see their loved ones and wonder why they have to face this ‘just because we were born in the wrong country.’”

It is expected that if passed, the bill will be signed by Governor Phil Murphy. New Jersey would become the fifth U.S. state to ban ICE contracts.

Form Errors No Longer a Barrier to Immigration Benefits

The Biden administration has rescinded a Trump-era policy of U.S. Citizenship and Immigration Services (USCIS) that empowered USCIS officials to routinely deny applications for legal permanent residence (green cards), citizenship, and certain temporary employment visas over simple mistakes in form completions or missing documents, without allowing applicants to correct the issues or

provide additional evidence to satisfy applicable criteria.

Prior to the Trump-era guidance instituted in 2018, USCIS adjudicators routinely issued courtesy notices – either “Requests for Evidence” or “Notices of Intent to Deny” – that identified any deficiencies in the forms or filings. These notices gave applicants and their attorneys the opportunity to rectify any mistakes or submit additional evidence. This helped to ensure that applicants who were eligible for specific immigration benefits were not denied due solely to technical or procedural violations. The Trump administration eliminated these opportunities, permitting USCIS to immediately deny applications without further notice. The Biden administration will return to the pre-2018 policy.

Children Struggling in U.S. Immigration Detention

American detention facilities are failing to provide adequate care for immigrant children despite the Biden administration’s promise of a more humane approach than that of the previous administration, according to more than a dozen testimonials filed in a California federal court case this week.

Several detained children detailed that between March and June of this year, they faced severe conditions at detention centers and crowded U.S. Border Patrol stations. One teenage girl detained in Fort Bliss, Texas, said she had been placed on suicide watch after being separated from her father, and that she and others had been offered spoiled food. Another teenage girl reported that she could not sleep because bright lights were on all night and that she was served chicken that still had feathers on it. Yet another teenager described the extreme heat that had caused several children to go to the hospital after fainting; she also noted clean water was lacking and milk was rancid. One described sleeping in a large overcrowded tent with cots stacked on top of one another.

The U.S. Department of Health and Human Services, which houses about 14,500 noncitizen children, has not commented on the case.

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National Law Review, Volume XI, Number 176

Source URL: <https://natlawreview.com/article/immigration-weekly-round-nj-state-assembly-votes-to-ban-ice-detention-immigration>