

# **Federal Court Affirms Nationwide Class Has Right to Bond Hearings**

FOR IMMEDIATE RELEASE

December 22, 2025

CONTACT:

ACLU Media, [media@aclu.org](mailto:media@aclu.org)

Matt Adams, Northwest Immigrant Rights Project, [nwirp.org](http://nwirp.org)

RIVERSIDE, Calif. — A federal court in California has ruled that a Trump administration policy that seeks to end bond eligibility for thousands of immigrants is unlawful and again declared that all members of the nationwide class are eligible for bond hearings.

The ruling, issued late last week, clarifies the government's obligation after weeks of immigration judges and government attorneys continuing to deny bond hearings to class members.

In explaining why she was issuing the clarifying order, U.S. District Judge Sunshine Sykes of Central California pointed to evidence submitted demonstrating the government's disregard of her summary judgment orders issued late November. She noted confusion about the effect and nature of the court's orders and how troubling it was that the government specifically directed immigration judges to ignore those orders.

Because of this, the judge issued a final judgment on behalf of the nationwide class, declaring the rights of class members and setting aside the Department of Homeland Security's unlawful policy.

The order stems from a class-action lawsuit filed by the American Civil Liberties Union, ACLU of Southern California, Northwest Immigrant Rights Project, and USC Gould School of Law Immigration Clinic.

In July 2025, DHS and the Department of Justice announced a new policy, declaring that any noncitizen who entered without inspection is categorically subject to mandatory detention and thus not eligible to seek release on bond during their removal proceedings. This policy upends decades of prior practice that had been consistent with due process.

As a result, since July, thousands of people have been jailed indefinitely with no opportunity for a bond hearing while their immigration cases proceed for months or years. While over 220 judges in hundreds of cases across the country have declared the government's new detention policy to be contrary to immigration law and the Constitution, the vast majority of people have not been able to get bond hearings.

The district court in this case certified a nationwide class last month and declared that all class members had been unlawfully subject to mandatory detention and should instead have access to a bond hearing. However, despite that court's order, the government took the position that it was not bound by the declaratory judgment — forcing people to continue filing habeas petitions in district courts to vindicate their rights.

Plaintiffs in this case quickly went back to the district court, which rejected the government's arguments and issued a final judgment affirming that all class members are eligible for bond and vacating the DHS memo.

*The following is reaction to the ruling:*

“For months, the government's new no-bond policy has upended the lives of countless people as this administration uses mandatory detention to punish and coerce people into self-deportation,” said **My Khanh Ngo, senior staff attorney with the ACLU's Immigrants' Rights Project**. “The court's order reaffirms our class members' rights and sends a message that this administration must abide by legal pronouncements.”

“This order is critical to respond to the misinformation that immigration judges across the country have been relying on to justify denying bond

hearings,” said **Matt Adams, legal director for NWIRP**. “This makes clear that the law requires they provide bond hearings to our class members, so they may have the opportunity to return to their families, homes and jobs.”

The order granting the motion to reconsider is [here](#) and the amended order granting class certification and summary judgment is [here](#). The final judgment is [here](#).

This press release is online [here](#).