

Immigrant mother seeks sanctuary from deportation in New York City church

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Aura Hernandez, an undocumented immigrant and mother of two, has taken sanctuary in a New York City church to prevent her deportation to Guatemala. She is threatened with deportation despite having reported to Immigration and Customs Enforcement (ICE) regularly for the past five years.

Hernandez fled Guatemala to United States in 2005 to escape an abusive relationship. US Customs and Border Protection picked her up shortly after she entered the US and detained her for three days. She charges that she was sexually abused by a Border Patrol officer while in detention before she was released.

Hernandez was issued a final order of removal in 2006, but had no knowledge of the order and did not encounter police or immigration officials until 2013. Then, according to the *New York Times*, “she was caught in Mamaroneck, N.Y., driving the wrong way down a street that is one-way on Sundays. The police officer, seeing she had no documents, reported her to immigration officials.”

Until February, she reported to ICE regularly without incident. When she was ordered to report to ICE on March 1 with a plane ticket to leave the US, she instead took refuge in a church. ICE now considers her a “fugitive,” according to a spokesperson.

Hernandez cites her desire to keep her family together as the reason she has turned to the New Sanctuary Coalition, which organizes sanctuary for undocumented immigrants in New York City. She has a 10-year-old son, Daniel, and a 15-month-old daughter, Camila, both of whom are US citizens by birth.

If ICE deports Hernandez, she will be forcibly separated from her children. While in the US, Hernandez cleaned houses to provide for her family.

Hernandez took sanctuary in the Fourth Universalist Society in the City of New York, a church on the Upper

West Side of Manhattan, almost three weeks ago. She had taken refuge for two weeks at another church before moving to the Fourth Universalist Society.

“I came here looking for help because I was in a very difficult situation, for me and my children,” Hernandez told the *New York Daily News*. “I am not the only one in this situation. There’s many of us. I won’t stay quiet. We can’t allow more separation of families. We need to unite.”

Churches and schools are generally sanctuaries from ICE enforcement, as they are considered “sensitive locations,” although ICE personnel may intervene “in limited circumstances.” Fourth Universalist Society President Will Ashley explained to the Associated Press, “While ICE reserves the right to enter such areas under extreme circumstances, historically they have not.”

Rev. Schuyler Vogel told *Democracy Now!* that the church would not allow ICE or police into the church to take Hernandez and said that he was willing to be arrested.

On Thursday, protesters, including clergy members, gathered outside the Trump International Hotel to protest the Trump administration’s attacks on immigrants. Daniel Hernandez, Aura’s 10-year-old son, carried a sign reading, “Please don’t deport my mommy.”

He told protesters that they were protesting “in front of the hotel that represents the president of this country” because President Donald Trump is “using his power to mistreat and abuse us.”

The New Sanctuary Coalition is attempting to reopen Aura Hernandez’s case in light of the sexual assault allegations. The Associated Press reports that a Customs and Border Protection “spokesperson responded that a full investigation by ICE’s Office of

Professional Responsibility, the U.S. Attorney's Office and local law enforcement was conducted and the allegations 'were found to be unsubstantiated.' "

The claims of ICE's internal investigation arm to have conducted a "full investigation" into alleged wrongdoing by immigration authorities can hardly be taken as good coin. A 2015 report from the National Immigrant Justice Center concludes that the subdivision of the ICE's Office of Professional Responsibility tasked with facility inspections "inform[s] facilities of inspections in advance."

Hernandez has also been denied a visa available to crime victims who cooperate with law enforcement, as she did after reporting the alleged assault, "with immigration officials saying too many years had passed," according to the *Times*.

Juan Carlos Ruiz of the New Sanctuary Coalition told the *Times* that approximately a dozen immigrants are taking sanctuary in churches across the city, most in secret. Amanda Morales Guerra was the first to publicly seek sanctuary and has been in a Manhattan church with her three children since August. Despite the outpouring of support from community members, months spent in sanctuary take their toll.

Nationally, about 40 immigrants are publicly taking sanctuary in US churches to avoid deportation.

ICE has already deported New Sanctuary Coalition leader Jean Montrevil and detained another leader, Ravi Ragbir, this year. While Ragbir was granted a delay, his own fate remains uncertain, even as he opposes the potential deportation of Hernandez and Guerra.

According to the Associated Press, 70 people have publicly sought "sanctuary in churches for immigration-related reasons" since 2014, 51 of whom doing so after Trump's January 2017 inauguration. While the Trump administration has escalated the attacks on immigrants, especially non-criminal immigrants, the Obama administration deported more immigrants than any prior administration, earning President Barack Obama the title "deporter-in-chief" from immigrant rights organizations.

There is a historical parallel to the current attacks on immigrants: the Fugitive Slave Act of 1850, passed in the lead-up to the American Civil War. As the *World Socialist Web Site* noted last year, "Like their antebellum precursor, Trump's orders dragoon local authorities into the apprehension of immigrants,

threaten punishment to anyone who would assist immigrants, and deny the apprehended due process."

An 1852 article in the *New-York Tribune*, edited by noted abolitionist and congregation member at the Fourth Universalist Society Horace Greeley, reported: "The directors of the Underground Railroad report to us the passage, through our city, last Monday, of *forty-one* human chattels, from the land of the slave-whip and coffle, on a pilgrimage to the North Star. They are now all safely landed in Canada, where they have ceased to be stray cattle, and become men, women and children, no more to be subject of the auction block and brand."

The escalating attacks on immigrants are revealing the vast gulf between the democratic and humane sentiments of the US population on the one hand and the anti-immigrant policies of the government on the other. According to a January 2018 poll by Pew Research, 74 percent of Americans favor "granting permanent legal status to immigrants who came illegally to the U.S. when they were children."

On April 1, Trump tweeted "NO MORE DACA DEAL," referring to the program that granted limited reprieve to immigrants brought to the US as children.



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