

Amid expanding repression

ICE agents smash car window to apprehend Guatemalan immigrant worker in Massachusetts

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On Monday, federal immigration agents smashed the car window of Guatemalan immigrant Juan Francisco Méndez and arrested him on a street in New Bedford, Massachusetts, as his wife looked on.

Méndez, 29, has been taken to a detention facility in New Hampshire. He has been in the US lawfully for two years, and he and his wife have no criminal record. His wife, Marilú Domingo Ortiz, was granted asylum after fleeing persecution in Guatemala and, because the two are legally married, Méndez has received the same protection. They have a nine-year-old son who is in school.

A smartphone video taken from inside their car shows a group of police officers—apparently Immigration and Customs Enforcement (ICE) agents, at least one of whom was in plain clothes—demanding that Méndez and his wife, Marilú, open their door or roll down their window so they can “talk, just talk.”

Speaking in Spanish through the car window, Méndez says, “My lawyer is on her way,” and “I will only speak when my lawyer arrives.” The officer then says, “Tell the lawyer to hurry up.” Juan replies, “She says she’ll be here in half an hour,” and then carefully places both hands on the steering wheel.

Marilú, who is on the phone with an attorney, asks the officers through the window, “Excuse me, do you have a warrant?” and “Do you have an arrest warrant?” When the officers do not respond, Marilú asks, “Can I leave?” to which one officer responds quickly, “No.”

Also speaking in Spanish, the individual in plain clothes approaches the car door and says, “I can open the door. Do you understand me?” and Marilú says, “Yes.” The officer then threatens, “Do you want it hard or easy?” to which Marilú replies, “Yes, but when my lawyer is present.”

One of the officers then approaches the rear passenger side door with a large pick-axe and smashes the rear door window while the other officers open the front passenger door where Marilú is sitting. At this point, there is a break in the video.

When it resumes, Marilú appears saying in tears, “They pulled us out violently. They treated us very harshly.”

In a report by WPRI 12 News, which covers Rhode Island and Southeastern Massachusetts, their attorney Ondine Galvez Sniffin gave a statement. She said her clients were told the agents were looking for someone named “Antonio.”

Attorney Ondine Galvez Sniffin explained:

I said, “Well, that’s great, because your name is not Antonio, so you should be fine. Show them the paperwork that you have and you should be fine.” And the agents didn’t pay attention to that.

[Marilú] came to the US with the belief that she would be safe here, that she would not have to endure the impunity of state actors the way she endured in her own country. And this is what she’s facing, and her husband, because they are legally married, has the same benefits that she does.

According to authorities, Méndez is being held at a facility in Dover, New Hampshire. The attorney said:

They’re trying to live the American dream. They’re doing everything right. What they were doing, sitting in their car, in a parked car, respectfully speaking with these agents. That’s what every American should do: respect law enforcement. In response, what they got was violence, brutality, impunity.

As she was here in my office, as we’re strategizing to request bond, her son calls her on the cellphone, “Mommy, when are you going to be home? Please don’t forget to bring daddy when you come home.”

In response to questions from local media, New Bedford Mayor Jon Mitchell was compelled to issue a statement on X, which said:

The incident raises questions that require clearer answers. Recently ICE appears to have broken from its longstanding practice of alerting our police department ahead of planned operations, a decision that poses safety risks to officers, ICE agents, and the public alike. It may also preclude opportunities for local police to help deescalate tense situations like this last one. Nor has there been an indication from ICE whether agents are focusing on apprehension of convicted criminals—as the Trump administration has insisted—or is instead in an indiscriminate round-up of individuals with uncertain

immigrant status. The public deserves an explanation from the administration.

In a statement provided to Boston 25, ICE officials defended their Gestapo tactics and violation of the basic rights of the young couple. In characteristic fashion, the statement falsified the status of Méndez as living legally in the US and claimed he was “an illegally present Guatemalan alien who was detained by ICE Boston.”

The ICE statement went on with more lies that are clearly contradicted by the smartphone video. The ICE statement reads:

During the course of his arrest, he refused to comply with officers’ instructions and resisted apprehension. ICE concurs with the actions deemed appropriate by the officers on the scene who are trained to use the minimum amount of force necessary to resolve the situation in a manner that ensures the success of the operation and prioritizes the safety of our officers.

In related development, a New Hampshire real estate attorney and American citizen who was returning home from Canada reported he was detained at the border without explanation. Bachir Atallah and his wife, Jessica Fakhri, were traveling back from a trip on Sunday when US Customs and Border Protection (CBP) stopped them as they reentered the country in Vermont.

“I literally drove my car to Canada for the weekend, and on the way back, I was treated like a criminal,” Atallah, who has been a US citizen for 10 years, told NBC10 Boston. He said border police told him to exit his vehicle “right now” and then the officer reached for his gun.

Atallah continued:

They handcuffed me, they twisted my arm, my wrist. They walked me inside, and I was looking at my wife in the car.

Fakhri said, “It was like a shock for me.”

Atallah reported CBP agents requested to look into his email on his phone, which he refused because of attorney-client privilege. He said:

So I had to, under duress, give him permission to look through my email, through my privileged information, and he made me write a statement, signed by me, saying that I gave him permission to look through the email.

When asked on Tuesday about the incident, a CBP official claimed Atallah’s account was “blatantly false and sensationalized,” and the border police “acted in accordance with established protocols.” In other words, the abuse and brutalization of American citizens attempting to reenter the US is now standard procedure.

On Wednesday, in the growing constitutional crisis over the Trump administration’s illegal deportation of immigrants to El Salvador under the Alien Enemies Act, US District Judge James Boasberg said

probable cause exists to find the White House in contempt of court.

The judge said the Trump administration violated his order over the deportation flights last month and explained that he did not reach this conclusion lightly, but officials failed to provide satisfactory answers to explain their actions.

In a 46-page opinion, Boasberg wrote:

The Constitution does not tolerate willful disobedience of judicial orders—especially by officials of a coordinate branch who have sworn an oath to uphold it.

Quoting from the 1809 case *Johnson v Peters*, Boasberg wrote:

To permit such officials to freely “annul the judgments of the courts of the United States” would not just “destroy the rights acquired under those judgments”; it would make “a solemn mockery” of “the Constitution itself.”

The judge said he would give the Trump administration a chance to remedy its contempt, but if it fails to do so, he will proceed to identify the people in contempt and refer the matter for prosecution.

Boasberg’s opinion comes as another federal judge has warned of possible contempt proceedings against the White House in the case of Kilmar Abrego Garcia. Abrego Garcia, who is from El Salvador and was granted permission to stay in the US by an immigration judge in 2019, was picked up and is among those sent to the CECOT concentration camp prison in El Salvador without due process.

The Trump administration is defying an order by a district court and an order by the US Supreme Court stating that it must facilitate the return of Abrego Garcia. Numerous White House figures, including Secretary of State Marco Rubio and Attorney General Pam Bondi, have deliberately falsified the facts about Abrego Garcia, claiming he is a member of a criminal gang and a terrorist.

On Wednesday, Democratic Maryland Senator Chris Van Hollen traveled to El Salvador and met with the country’s vice president in a bid to visit and win the release of Abrego Garcia. Van Hollen, who is a member of the Senate Foreign Relations Committee, said at a news conference in San Salvador that Vice President Félix Ulloa said his government could not return Abrego Garcia to the United States and declined to allow the senator to visit him in the notorious prison where he is being held.



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