

Ecuadorean facing deportation OK'd to stay in NYC

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NEW YORK — An Ecuadorian woman facing deportation won a victory Sunday under guidelines from President Barack Obama's administration that give immigrants some leeway: She can stay, along with her 6-year-old daughter, who was born in the United States.

Sara Martinez, a 47-year-old domestic worker, was in tears as she told reporters that she's been living in fear since she was taken off a bus near Buffalo and arrested last year.

Her daughter, then 5, "was watching, terrified and crying," said Martinez, adding that the child lost weight and is still in therapy from the trauma, "and she is always asking me if the police are going to take me far away from her."

Martinez came to the United States in 2005, legally on a six-month visa. She then overstayed because she says the father of her child was here.

The case was taken up by U.S. Rep. Nydia Velazquez, D-N.Y., and the nonprofit New York Immigration Coalition as part of a nationwide effort to clear deportation lists of immigrants who don't present a public safety risk.

The government has been reviewing pending immigration court cases to shift its focus to those involving convicted criminals.

On Monday, the New York offices of the U.S. Immigration and Customs Enforcement agency will partially close through May 18 so officials can speed up the processing of a backlog of more than 16,000 deportation cases pending nationwide.

The closure is part of a pilot program that started in Baltimore and Denver last year.

Immigration courts in Detroit, New Orleans, Orlando, Fla., and Seattle will suspend all cases involving immigrants who are not in detention from April 23 to May 4.

The San Francisco offices will partially close from June 4 to 15.

Jackie Esposito, the coalition's director of immigration advocacy, said thousands of law-abiding immigrants who deserve a reprieve are simply not getting one unless officials are pressured.

Last week, ICE announced that they had screened almost 220,000 cases at Obama's request. The agency is looking to close cases using so-called prosecutorial discretion, which means offering leniency to illegal immigrants based on a variety of factors including whether they arrived as children, served in the military, have relatives who are citizens or are college students.

About 2,700 such cases have been administratively closed so far — about 200 of those in New York City, according to a Syracuse University analysis.

Martinez's case was resolved only after three requests to ICE officials in Buffalo and with the help of Velazquez, the immigration coalition and a pro bono attorney.

Meanwhile, Martinez's mother died in Ecuador some months ago, and she couldn't leave the U.S. to attend the funeral because she feared not being let back in the country.

She still can't leave because her case is in legal limbo until federal immigration reform laws are passed and she can apply to become a legal resident.

At least for now, she can't be deported from her home in Brooklyn's Sunset Park neighborhood.

"My daughter is my hero, my inspiration," Martinez said. "I'm doing all of this because of her."

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