

Illinois congressman to aid S.C. immigrant facing deportation

By Tim Funk

U.S. Rep. Luis Gutierrez, an Illinois Democrat who's become a leading advocate for undocumented immigrants, will be in Charlotte today to shine a spotlight on the case of a S.C. father of two – both of them U.S. citizens – who faces deportation.

The reason Gabino Sanchez could be kicked out the country: Nine misdemeanor convictions, in South Carolina and Georgia, for driving without a license or driving an unregistered vehicle. Illegal immigrants sometime don't try to get a license for fear of exposing their status.

Gutierrez plans to appear at the first deportation hearing for Sanchez, 27, of rural Ridgeland, S.C., who was brought, illegally, to the U.S. by his Mexican parents 13 years ago, when he was a teenager. Since then, he has worked as a construction and landscape worker, got married, bought a home and fathered two children, ages 6 and 2.

Sanchez has no felonies on his record. But it's those repeated traffic violations that appear to be the reason the U.S. Immigration and Customs Enforcement (ICE) refused Gutierrez' request last year that it drop Sanchez' case. It did choose not to detain him prior to his 1 p.m. hearing today in a Justice Department-administered Immigration Court in Charlotte.

ICE, a federal agency, wouldn't comment Monday on Sanchez' case, but its Atlanta office did release a statement that suggested repeated violations of the law – not the severity of those violations – can make an undocumented immigrant an enforcement priority.

But the congressman told the Observer that his reading of the intent of a new Obama administration policy on deportation is to target those illegal immigrants who pose threats to public safety or commit serious crimes.

Under those criteria, Gutierrez said, “prosecutorial discretion” should be invoked in Sanchez's case, and he should be released for good.

“We believe it would be wrong and unfair to put him in the same category with drug dealers and gang members,” Gutierrez said. “He's a great dad, a great husband ... and he doesn't get speeding tickets, he doesn't go through red lights, no driving under the influence, no tickets for reckless driving.”

The decision by police to never charge him with anything more serious than not having a license raises the question, Gutierrez said, of “what did he get stopped for?”

Sanchez' lawyer had one possible answer. “It raises concerns as to whether Gabino was being racially profiled,” said Marty Rosenbluth, executive director of the Durham-based N.C.

Immigration Rights Project. “The fear (in the Latino community) is the only thing he was guilty of was ‘driving while Latino.’ ”

Reached by the Observer, ICE released a statement:

“...ICE has adopted clear priorities that call for the agency’s enforcement resources to be focused on the identification and removal of those that have broken criminal laws, recently crossed our border, repeatedly violated immigration law or are fugitives from immigration court.”

Gutierrez said he chose to stand with Sanchez because his case is typical of hundreds of thousands across the country.

Also typical is what usually happens when such cases results in deportations, the congressman said.

“The mom stays behind with the children, and (the dad) tries to find a way back in,” Gutierrez said. “And if he’s caught a second time, he’s barred (from the U.S.) for life.”

Read more here: <http://www.charlotteobserver.com/2012/03/12/3093138/illinois-congressman-to-aid-sc.html>