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# Immigration debate takes center stage in Erie

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As an interpreter quietly relayed to Alfredo Ramos Gallegos an explanation of his legal rights in the hush of an Erie federal courtroom, chants, cheers and blowing whistles of a crowd on the street below broke through.

The U.S. Attorney's Office charged that Gallegos, a 40-year-old Ohio factory worker, violated federal law by illegally re-entering the United States without permission soon after being deported by an immigration judge in 2000.

His supporters, two busloads of whom rallied in his support Thursday amid whipping wind and driving snow in Perry Square, argue that federal policy that results in the deportation and the destruction of families of those like Gallegos -- described as a father, worker and taxpayer -- must change.

The ratcheting national debate over immigration reform took center stage in Erie as Gallegos made his initial appearance before U.S. District Magistrate Judge Susan Paradise Baxter on an indictment filed March 11.

In a brief hearing that drew national media attention, Baxter informed Gallegos of his rights and Gallegos entered a plea of not guilty to the felony charge of re-entry of removed aliens. Baxter then released Gallegos to return to his home in Ohio to await further court proceedings. She said he must wear an electronic monitor and report periodically to U.S. Pretrial Services while the case is pending.

In a separate development welcomed by his supporters, Gallegos was also granted a one-year "stay of removal" by U.S. Immigration and Customs Enforcement.

Gallegos was referred to the Erie U.S. Border Patrol station after police in Mentor, Ohio, stopped a car in which Gallegos was a passenger on Feb. 8. The Erie Border Patrol station investigated the case and brought the criminal charges in Erie because the station covers portions of Pennsylvania, Ohio and New York.

If convicted, Gallegos could face up to two years in prison, a fine and, ultimately, deportation by ICE.

Gallegos' lawyers and his supporters, including HOLA, a Latino outreach and advocacy group based in Ohio and America's Voice, a Washington D.C.-based immigration advocacy group, hope to halt the prosecution before that happens.

Gallegos has lived in the U.S. for 24 years, his supporters said. He was deported in 2000 to Mexico, but returned to America to tend to his then-wife who was nine months pregnant with their first child, advocates said. Since then, they said he has lived peacefully in the U.S., taking care of his family, with no arrests or other problems.

Gallegos' advocates said the Obama administration claims to prioritize the deportation of "criminal aliens," but too often throws "the book at ordinary undocumented immigrants" like Gallegos.

They are hoping that a recent shift in the administration's stance might help undocumented individuals like Gallegos remain in the U.S. and be eligible for citizenship should immigration reform take place.

Facing pressure from immigration rights activists, President Barack Obama last week ordered Homeland Security to review immigration enforcement laws and come up with a more "humane" deportation policy. Obama cited a concern over what he called the nation's "broken immigration system that separates families."

Obama had said he could not make sweeping changes without Congress, where immigration reform efforts have stalled.

The Obama administration has deported nearly 2 million unauthorized immigrants during the past six years, which caused one activist to dub him "deporter in chief."

Thomas Patton, the assistant federal public defender who is representing Gallegos in the criminal case, said in light of Obama's statements, he would seek the dismissal of the case against Gallegos.

"I will ask U.S. Attorney David Hickton to reconsider his office's decision to prosecute this man whose only crime was answering the pleas of his then-wife -- a U.S. citizen -- for him to return to Paynesville to help her raise their children," Patton said.

If Gallegos can avoid a felony conviction, he is the type of immigrant who "would be on his way" to citizenship should the immigration reform passed by the U.S. Senate ever become law, said Gallegos' immigration lawyer, David Leopold, of Cleveland.

"Why should he be punished because the House of Representatives, John Boehner and his lieutenants, are" delaying reform? Leopold asked.

Leopold said the law under which Gallegos is being prosecuted was meant to target people with no ties to the U.S. who "come in to cause trouble, get thrown out and come back again."

Margaret Philbin, spokeswoman for Pittsburgh-based U.S. Attorney David Hickton, declined to comment on the Gallegos case. The Border Patrol said Thursday that Gallegos twice violated a deportation order and that the Feb. 8 event marked his fifth arrest for immigration violations.

"The primary mission of the Border Patrol is to secure the borders of the United States by upholding and enforcing the law, and works closely with the U.S. Attorney's Office in our efforts to criminally prosecute repeat offenders," the agency said in a news release.

Gallegos' children, who are U.S. citizens, were at the rally, as were advocates who traveled from Lorain, Akron, Ashtabula, Painesville and Cleveland.

Many in the crowd shivered while chanting "Sí Se Puede!," which means "Yes We Can!"

"I don't want to see him go back," his son, Cristian Ramos, 13, said through tears. He and his sister, Diona Ramos, 12, were wearing shirts that had a photograph of them and their father celebrating on Christmas Eve.

"I want him to be home, and not be sent back to Mexico," said Diona Ramos, who held a sign that read "What did Alfredo do bad?"

"I know he's illegal, but when I see him, I don't think of that. He raised me like I was his own son," said Felipe Pacheco, 18, the son of Gallegos' ex-wife. "Its been very hard on our family. We're so thankful for everyone coming out and supporting us."

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