Lilian Cardona, a pregnant woman who has called North Carolina home for twenty years, could be among the first victims of Trump’s hard-line immigration policies

BY SARAH WILLETTS

On March 11, a Saturday afternoon, in William Chapel A.M.E. Zion, a bare-bones church in Angier, Lilian Cardona is watching her children play. They weave among the rows of seats that had been filled moments before and run circles around the keyboard and the legs of standing adults. Cardona, nearly thirty-five, turns her head behind her husband’s shoulder and quietly cries.

A minute later, she wipes her eyes, adorned with a stripe of bright blue eye shadow, and resumes talking about how, within a few weeks, maybe even a few days, she may be ripped from her husband, her four young children, and her home of twenty years.

For the last month, since she got the word from Immigration and Customs Enforcement that she could soon be deported, Cardona’s life has been filled with uncertainty—and its excruciating partner, waiting.

The family will wait five more days until they can leave for Charlotte, where Cardona must answer to a six-year-old order for her removal from the country. On March 16, they’ll drive three hours to the ICE field office, not knowing if she’ll make the trip back to Angier. They’ll huddle in the cold for more than an hour outside of the ICE building before Cardona’s appointment, unsure if she’ll be detained once she opens its heavy glass doors. And they’ll wait another hour to learn that she’s been granted something of a reprieve from deportation, at least during the couple of weeks it takes ICE to accept or deny her application to stay in the country.

With no criminal record, a valid work permit, and a baby due in May, Cardona is one of many immigrants who have been caught in a wide net cast by the Trump administration in the name of making America a safer country. If Cardona is eventually deported, it will show that the government is willing to break apart a family to further that goal, sending a mother—and a baby who would be an American citizen given a slight shift in timing—to a country that has not been hers for decades.

“How would [Trump] feel being separated from his children?” Cardona asks.
S

off-spoken but confident, Cardona is open about the unease facing her fam-
ily: the unbending faith in God that has helped her through it, and her life in Harnett
County. But the violence she endured as a young girl in Guatemala—and at the hands
of a smuggler during her month-and-a-half-long journey to North Carolina—is a subject
she prefers to leave in the past.

When Cardona left Malacatán, Guatema-
la—a city of about seventy thousand people
three miles from the Pacific Ocean—in 1997,
the country had just reached a peace deal
with guerilla fighters, bringing to a close more
than three decades of bloody civil war. She
was fifteen. Her memories of her family are
among the few bright spots of her time in
Guatemala. In a part of the country central to
the flow of migrants and drugs between Cen-
tral and North America, killings were indis-
criminate. Food was sometimes scarce.

“It was a very sad life,” Cardona says.
Seeking higher wages and a better life for
her family, Cardona’s mother left for North
Carolina when Cardona was thirteen. The
family knew the journey would be dangerous,
but so was staying in Guatemala.

Violence, particularly against women, has
permeated Guatemala’s history, perhaps as a
symptom of the war and the drug trade. The
country still has the world’s third-highest rate
of femicides—the gender-motivated murder
of women and girls. According to UN Women,
98 percent of those who commit femicide
aren’t punished.

“The smugglers treat them like animals.
The sanctuary is usually filled with laughter. And while that
food for fifteen days.

“They smugglers treat them like animals. They don’t feed them, they lock them up and
they abuse the women,” says Triangle-based
attorney Yesenia Polanco-Galdamez, who
has represented Cardona since 2013.

A year after that, Cardona’s father and
brother followed. The family would be part
of a postwar boom of emigration from Guate-
ma to the United States, aided in part by the
loosening of a Reagan-era policy that denied
the entry of nearly all asylum-seekers from
war-torn Guatemala and El Salvador. Today,
an estimated 723,000 undocumented Guate-
malans are living in the United States—
about 7 percent of the U.S.’s unauthorized
immigrant population and second in number
only to immigrants from Mexico.

“Typically we see people from the north-
ern Triangle literally running for their lives,”
Weissman says, referring to the region con-
taining El Salvador, Guatemala, and Honds-
ras. “We know that when they’re returned,
their persecutors know they were unsuccess-
ful. They’re even more vulnerable, so we hear
about people who were targeted by the very
same groups that drove them to leave in the
first place.”

The Cardona family’s first American
home was in Fuquay-Varina. They
came here to work, Cardona says. “It
was a very focused life,” she says.
Instead of enrolling in school, Cardona
began working with her mother in a tobacco
field. As a result, her ability to read and write
is limited. Both her parents today live in Har-
nett County. Her father and husband work in
construction; her mother, who doesn’t read,
installs underground cables. Cardona’s old-
est daughter, age sixteen, has lived in Mexico
since the girl’s father, who had been abusive
to Cardona, absconded there with her. Car-
dona says. Cardona’s youngest is five. She
and her husband, Juan De Dios Alvarez, have
been married since 2006

Cardona moved to Angier three years ago.
She is now a busy mom who works Monday
through Friday cleaning houses and working
at a Mexican restaurant in Holly Springs Sat-
urday is reserved for spending time with her
children before the family heads to church,
where services last until eleven p.m. Sun-

day morning, it’s back to church until late
afternoon.

“She is my family,” says Cardona’s pastor,
William Arreaga. “She is a human being. The
kids need her, the church needs her, and this
nation needs her.”

Her daughter Kayli, twelve, says her home
is usually filled with laughter. And while that
hasn’t entirely changed in the last month,
since they found out that deportation was
looming, there has been a lot more anxiety. “I
feel what she feels,” Kayli says. “Sometimes
she’s sad, and I feel sad.”

The thought of Cardona returning to Guat-
emala, where she has no home, family, or
doctors to monitor her pregnancy, makes her
parents nervous. But even if she was deport-
ed, Teresa Cardona told her daughter last
week, it would be worth it for the time she’s
spent in America.

According to her attorney, Polanco-Gal-
damez, Cardona had no issues with ICE until
2010, when her landlord claimed she had
stolen, rather than purchased, the Fuquay-
Varina trailer in which she lived. The case was dismissed by the Wake County District Attorney’s Office, but not before it landed Cardona on ICE’s radar. The Wake County Sheriff’s Office is one of five North Carolina law enforcement agencies that participates in the 287(g) program, which allows local police forces to enforce immigration law and lends local jail space for detentions.

“Because of 287(g), she is immediately screened by ICE and placed in removal proceedings,” Polanco-Galdamez says.

Polanco-Galdamez says a notice telling Cardona to appear in immigration court in early 2011 was sent to an old address, so she missed the hearing. In her absence, the court issued an order for her removal. Still, because Cardona was never convicted of anything but traffic violations, her deportation wasn’t considered a priority under the Obama administration. In 2011, she was granted an order of supervision, which allowed her to stay in North Carolina. As part of the supervision order, she was issued a work permit that she can renew each year.

However, a January 25 executive order by President Trump made undocumented immigrants a priority for deportation, including anyone an immigration officer determines is a risk to public safety, anyone facing criminal charges that have not been resolved, and, like Cardona, anyone with an outstanding removal order.

She was now a target. And so, during a routine ICE check-in last month required by her supervision order, she was told her baby would not be born in America. Cardona was given an order to appear before ICE one month later, travel arrangements in hand, or face deportation.

But her attorneys are focusing now on securing a U visa, reserved for victims of a crime that occurred in the United States, which they see as the most likely form of potential relief. To qualify, the applicant needs a form from the law enforcement agency investigating the crime certifying that he or she is helping in the investigation.

Cardona’s attorneys are seeking to have her removal delayed for one year while they work on different remedies to keep her in the country. Because she came to America as a minor, Cardona could qualify for protection under the Deferred Action for Childhood Arrivals program, also known as DACA, if she can enroll.

In Cardona’s case, that was a note from her family’s pediatrician, translating Cardona’s application approved. (Getting this form was not a given. Fourteen agencies in North Carolina have a blanket policy to never certify the form, according to a recent study by Weissman and her colleagues.)

It can take more than two years for ICE to reach a decision on a U visa application, says Raul Pinto, an attorney with the N.C. Justice Center. Once an application is approved, there’s an additional waiting period before the applicant gets a visa number. While she waits, the applicant may be given a work permit but not necessarily protection from deportation, Pinto says. Just ten thousand U visas are awarded each year. At the end of fiscal year 2016, nearly eighty-seven thousand U visa applications were pending.

For Polanco-Galdamez, Cardona’s deportation would be among the most egregious miscarriages of justice to come from the Trump administration’s policies.

“They’re spending their resources on deporting a woman who has been consistently, responsibly, and continuously reporting to them,” Polanco-Galdamez says.

The state and Harnett County chapters of the NAACP have been among Cardona’s biggest advocates. They organized a March 11 vigil opposing her deportation at William Chapel A.M.E. Zion in Angier, called for support to come to her ICE check-in in Charlotte last week, and have started an online petition calling for a halt to her deportation.

“Because of the NAACP’s involvement in the case, as well as her attorney’s efforts to bring awareness to what she sees as an unjust deportation, Cardona has been thrown into the media spotlight. In addition to North Carolina media, the Associated Press, CNN Español, and Univision have all reported on the case. Along with messages of support, Cardona has noticed online comments from those who say she broke the law in coming to America and must face the consequences.”

Jesse Jones, who has known Cardona for about five years, says that’s the initial impression of many people in Harnett County, where he has a law office. About 65 percent of the largely rural county’s residents are white. Trump won about 60 percent of votes there in November.

“Most people think she did something really wrong or that she shouldn’t be here and doesn’t pay taxes,” he says. “But when you get them alone and tell them the facts of her case, they say, ‘That’s not right.’”

G ing into her March 16 appointment with ICE officials in Charlotte, Cardona had no intention of complying with orders that she pack up her life into no more than forty pounds of luggage and arrive “completely ready for deportation.” Relying on her faith that God would see her through, she also had no plan for what to do if she were deported.

“They don’t have a plan because all of a sudden it just happened,” said Lourdes Pereda, the family’s pediatrician, translating for Cardona. “They are trying to stay here because the kids don’t know anything but the United States.”

On that frigid morning, Cardona’s family arrived wrapped up in blankets, waiting in their silver minivan for nine o’clock to come. No one would be allowed in the building with Cardona except her attorney, and although they were careful not to say it too loudly, no one was sure if she would come back out. Tightly circled by news cameras, the family, friends, and a handful of supporters prayed in English and Spanish.

When Cardona emerged from the ICE office about an hour later, the same group strained, detecting a smile from across the parking lot.

Inside the ICE office, there had been more waiting. During the appointment, attorneys filed an application for a stay of removal on Cardona’s behalf. They also presented a brief explaining the hardship her children would face if she were deported and the effect her deportation could have on her unborn child and her ability to recover from her delivery, says attorney Pooyan Ordoubadi. Ordoubadi says he spent about ten minutes summarizing Cardona’s application for an ICE officer and that she was not present for that conversation.

As part of a request for a stay of removal, an applicant can include medical evidence for why he or she should not be deported. In Cardona’s case, that was a note from her doctor saying she is being “followed closely” for pregnancy complications and cannot safely travel.

Asked about the agency’s policies on detaining pregnant women, ICE spokesman Bryan Cox says that “custody determinations are made on a case-by-case basis based on the totality of the circumstances,” including a pregnancy.

News of Cardona’s fate will arrive in two or three weeks, Ordoubadi says, via fax or email. By the time ICE decides whether to grant a stay of Cardona’s removal or deport her to Guatemala, she will be about four weeks from her due date.

Ordoubadi says Cardona is not necessarily protected from deportation while her application is considered.

“We did buy some extra time,” Ordoubadi says. “We don’t have the final response yet, so right now all we can do is wait.”