

Union City father could be deported by Christmas

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By **Terrence T. McDonald/The Jersey Journal**



Enlarge

Michael Dempsey/The Jersey Journal

Carmen Pereira, her son Jose Pereira Jr., 20, and her daughter Christina Pereira, 18, of Union City, console her son Nelson Pereira, 10, at their apartment in Union City on December 5, 2011. Their father Jose Pereira Sr. was taken away by immigration officials and could be deported to El Salvador. Michael Dempsey/The Jersey Journal

Union City father could be deported by Christmas gallery (5 photos)

UNION CITY -- The Pereira family is not anticipating a merry Christmas this year.

A Christmas tree decorated with red ribbons and ornaments stands in the corner of the family's first-floor apartment on Bergenline Avenue, but the light-purple walls are free of any festive lights, and the paper snowflakes that usually hang from the ceiling are absent.

The festivities have been on hold since Dec. 1, when Jose Pereira, 51, who entered the country illegally more than 20 years ago, was picked up by immigration officials at the Secaucus warehouse where he has worked for about a month, and officials say his deportation is imminent.

The family is devastated.

"This is something that I never thought would actually happen," said his wife, Carmen Pereira. "You have immigrants who do stuff they shouldn't, like commit crimes and stuff, and he doesn't do that."

Carmen Pereira, 41, said the couple's three children – Jose Jr., 20; Christina, 18; Nelson, 10 – are in shock. The family tries to forget their problems, but when Nelson asks where his father is and when he's coming back, everyone starts to cry, she said.

"I don't think my son's going to have a Christmas," she said.

A SEPARATE CLASS

The Pereira family's plight is not uncommon.

Last year, 392,862 illegal immigrants were removed from the country, a record number that has kept pace for the three years since President Obama's inauguration, according to Immigration and Customs Enforcement figures.

Anastasia Mann, the director of the Eagleton Institute Program on Immigration and Democracy at Rutgers University, believes the federal government is clamping down on higher numbers of illegal immigrants because Obama, and liberals in general, are "defensive" about being "soft on anything."

Pereira's case highlights the challenges facing many immigrant families that are of mixed-status, Mann said.

While Jose Pereira entered the country illegally from El Salvador in 1982, his wife was born in Staten Island, and all of their children are citizens, according to Carmen Pereira.

"People think that this is a separate class of people [but] they're our classmates and our colleagues and the parents of our friends," Mann said. "They're a big part of the fabric of this country."

Being in the United States without legal status is a civil violation, not a crime, she added.

Jose and Carmen Pereira met over 20 years ago, when she still lived on Staten Island and used to come to Union City with a friend. Her future husband had moved there from El Salvador to be near his brother.

It was a fast romance.

"I know it sounds kind of crazy, but three months later, I married him," she said. It was 1990.

Jose Pereira returned home to El Salvador in 1999 to visit his sick mother, and when he crossed back over the border into Texas, he was detained, according to Carmen Pereira. She said she had to travel to Texas with the couple's marriage license so that he could be released.

"They said we were going to receive a letter to go to court but that was a letter we never received," she said, adding that they tried and failed to get her husband legal status based on her own citizenship.

'DE FACTO AMNESTY'

This shouldn't be happening to Jose Pereira.

This summer, the Obama administration announced it would suspend deportation proceedings against many illegal immigrants who pose no threat to public safety or national security.

The directive hasn't endeared Obama to those who oppose any effort that permits illegal immigrants to stay in the country. Gayle Kesselman, co-chair of the Carlstadt-based New Jersey Citizens for Immigration Control, said Obama's order amounts to "de facto amnesty."

"Do we want to have borders, or do we not?" Kesselman said.

The change in immigration policy signaled by Obama would seem to apply to Pereira, who records show has committed no federal or state crimes. But he remains behind bars at Essex County Jail, and ICE spokesman Harold Ort said last week that an immigration judge has issued a final order of deportation.

Carmen Pereira said Monday that she was told to bring her husband's belongings to Essex County Jail tomorrow. Not a good sign, an immigration lawyer told The Jersey Journal.

Kesselman said she feels for the Pereiras. She might support some type of legalization program for folks like Jose Pereira if the government would address some of the major flaws in its immigration policy, she said.

"I am not angry at these people that are coming over here because they're looking for a better life," she said. "I am angry at the greedy employers looking for cheap labor who have joined forces with greedy politicians looking for cheap votes."

Deporting illegal immigrants – there are around 11 million nationwide, according to DHS – is not just a game of political football, it's an issue of great economic significance. According to ICE, it costs \$12,500 to deport each illegal immigrant, and the total cost in 2010 for all deportations was \$5 billion.

Mann added that immigrants, both documented and those here illegally, contribute "in dramatic ways to the nation's coffers."

"This man who has been in this country for 20 years, he's been paying taxes, even if he wasn't paying income taxes," she said. "He was still paying property taxes via rent, he's paying sales tax on every purchase that he makes. He's a consumer of goods and services, as is his family."

'UNABLE TO MEET THE NEED'

Carmen Pereira is struggling not just with the prospect of losing her husband of 21 years, and taking care of their three children on her own, but with finding anyone who can help her navigate the legal complexities of her husband's case.

With the economy in the doldrums and illegal immigration a four-letter word to a large swath of the population, nonprofits set up to help immigrants fight deportation are poorly funded, according to Amy Gottlieb, director of the Immigrant Rights Program for Quaker group American Friends Service Committee.

The group, which performs policy and advocacy work on behalf of immigrants in addition to providing them legal aid, is David to the federal government's Goliath, Gottlieb said.

"We are absolutely unable to meet the need," she said. "We can't keep up with the money the government has."

Gottlieb, an attorney, said Pereira's case seems "particularly egregious," considering the length of time he's been living in the U.S., his American-born children and wife and Obama's recent directive.

"Why are we going around tearing fathers away from children?" she said. "It's heart-wrenching."

For now, the Pereiras wait, hoping for a miracle. They've received calls from Jose Pereira from Essex County Jail, and at least one letter. Writing mostly in Spanish, he wishes the family well, and asks for their forgiveness, Carmen Pereira said.

In the middle of the letter, handwritten on a yellow sheet from a legal pad, there is one line in misspelled English:

"Pleace help me."