

# **‘Cruel’, ‘Ruthless’, ‘Morally Bankrupt’: Collective Outrage After Federal Agents Stop 10-Year-Old Girl With Cerebral Palsy From Getting Emergency Surgery**



Rosamaria Hernandez, an undocumented 10-year-old with cerebral palsy, is in federal custody after federal agents stopped an ambulance that taking her to a hospital for emergency surgery. (Photo: The Independent/courtesy of family)

By Jessica Corbett | [Common Dreams](#)

“Morally bankrupt & unspeakably cruel.” “Ruthless & relentless.” “Disgusting.” “Trump’s deportation force in action.”

This was just a sampling of the outraged reactions after reports revealed a 10-year-old with cerebral palsy, who came to the United States when she was just three months old, is at risk for deportation after her immigration status was discovered at a border patrol checkpoint while an ambulance was transporting her to a Texas children's hospital for emergency surgery.

[#RosamariaHernandez](#) was placed in removal proceedings immediately after being discharged from [@dchstx](#). She was taken to a shelter in [#SA](#) against her primary care physician's orders. Story: <https://t.co/38DuGCE100pic.twitter.com/g9YBhp8jv2>

– Beatriz Alvarado (@CallerBetty) [October 26, 2017](#)

Rosamaria Hernandez was [reportedly](#) sent to a San Antonio government facility for detaining undocumented children on Wednesday, after she was discharged from Driscoll Children's Hospital in Corpus Christi, where federal agents stood guard at her door as the child recovered from gallbladder surgery.

“Detaining a undocumented child is disgusting and cruel. It's not about national security, it's racism from Trump and his deportation agents.”

–Cristina Jimenez, United We DreamThe immigrant advocacy group Dream Activist has [circulated](#) a petition in support of Hernandez, noting that agents at the hospital told the girl's family members “she has two options; sign voluntary departure or spend up to 3 weeks in detention.”

Hernandez was transported to the hospital from Laredo, a town near the U.S.-Mexico border nearly 150 miles away, early Tuesday morning. The girl's mother, who is also undocumented, [told](#) the *Corpus Christi Caller-Times* she was accompanied in the ambulance by her cousin, who is a U.S. citizen.

The family's attorneys have requested that federal agents release Hernandez to her family members who are U.S. citizens, but California-based immigration attorney Alex Galvez, who is coordinating with an associate in San Antonio, told the *Caller-Times* that the Department of Homeland Security will conduct a home study before determining whether to release her.

Galvez said her case is strong because she is not a flight risk or a threat, she could be released to U.S. citizens, and she has a disability, but also noted that the detention will be difficult for Hernandez because "the child has never been apart from her mom."

However, agents expressed flight risk concerns while Hernandez was being treated. *The Independent* [reports](#):

Citing flight-risk concerns for a young girl with a degenerative muscle disease, agents involved themselves in every step of the medical process, according to the family's lawyer. During surgery, agents were nearby. In follow up medical procedures, agents were in the room. They eventually allowed for the hospital room door to be closed only after the lawyer showed up and argued attorney-client confidentiality—a discussion between attorney and Border Patrol agent that took over half an hour to resolve.

Leticia Gonzalez, the San Antonio attorney, noted that it remains unclear when Hernandez will be allowed to see her mother, but following the surgery, "That was the child's only request... she wants to see her mom."

The government has stood by its decision to put the young girl into deportation proceedings, and released a statement before Hernandez was [reportedly](#) transferred to the San Antonio facility:

The Laredo Sector Border Patrol is committed to enforcing the immigration laws of this nation. Travelers that present

themselves for immigration inspections at our checkpoints are inspected thoroughly and expeditiously...

Due to the juvenile's medical condition, Border Patrol agents escorted her and her cousin to a Corpus Christi hospital where she could receive appropriate medical care. Per the immigration laws of the United States, once medically cleared she will be processed accordingly.

However, the case has been scrutinized by immigrant rights advocates, politicians, and members of the public.

Mohammad Abdollahi, an undocumented immigrant and activist for the group Dream Activist, told *The Independent* the incident could discourage other undocumented individuals from seeking medical care in fear of being targeted by border patrol agents.

"Practically speaking, on the ground, I think that the message is being heard from the community," Abdollahi said. "I've heard of a couple cases where people have already made those decisions. In this instance, it was an emergency procedure that needed to happen so the family wasn't really left with a choice."

State Sen. Juan "Chuy" Hinojosa (D-McAllen) said in a statement to the *Caller-Times*, "Border Patrol's time would be better spent if they focused their resources on drug traffickers and human smuggling."

"The situation with Rosamaria Hernandez is not uncommon in South Texas or along the Texas-Mexico border," the senator added. "What is uncommon, is the Border Patrol or Immigration Customs Enforcement taking such an interest in a case involving a 10-year-old girl requiring immediate medical attention."

Congressman Joaquin Castro (D-Texas) and other have weighed in on Twitter as Hernandez's case has made national headlines,

spurring a broader discussion about the Trump administration's immigration policies:

*A sick 10-year-old girl should not be a [@DHSgov](#) priority. My statement: [pic.twitter.com/GV05vfvLyj](https://pic.twitter.com/GV05vfvLyj)*

– Joaquin Castro (@JoaquinCastrotx) [October 25, 2017](#)

*This is Trump's deportation force in action.*

*Rosa Maria needs to recover from surgery with her family. Instead, [@CustomsBorder](#) has taken her miles away from her home, where her family cannot see her. <https://t.co/8DCp9u587k>*

– ACLU (@ACLU) [October 26, 2017](#)

*This is a morally bankrupt & unspeakably cruel action by the Trump admin. They should rls this girl to her family. <https://t.co/fXwA9SBbYX>*

– Matthew Miller (@matthewamiller) [October 26, 2017](#)

*Detaining a undocumented child is disgusting and cruel. It's not about national security, it's racism from Trump and his deportation agents. <https://t.co/0v6ArgAA1K>*

– Cristina Jimenez (@CrisAlexJimenez) [October 26, 2017](#)

*Ruthless & relentless. This is not keeping America safe. This is not a fair and just enforcement of the laws. This is disgusting. [#rosamaria](#) <https://t.co/7up77IGYG6>*

– Jo Kaur (@SikhFeminist) [October 26, 2017](#)

*Anyone who would stop an ambulance to detain a 10-year-old girl with cerebral palsy on her way to get surgery has lost their moral compass. <https://t.co/1aCVmvt2ve>*

*– Rep. Don Beyer (@RepDonBeyer) [October 26, 2017](#)*

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