

# Despite community pleas, INS moves to deport 6 Mexican kids

SF EXAMINER, JAN 90

## Parents allowed to stay in U.S.

By Eric Brazil  
OF THE EXAMINER STAFF

Six Mexican children, ages 3 to 13, face deportation because Northern California's chief immigration officer believes their parents flouted U.S. law by smuggling them in.

"What these people are doing is saying 'to hell with the immigration laws,'" David Iohert, San Francisco district director of the Immigration and Naturalization Service, said Friday.

Eduardo and Esther Morales and Salvador and Blanca Morales, the children's parents, are legal residents, having qualified for amnesty as farm workers under the Immigration Reform and Control Act of 1986.

The Morales families — the two men are brothers — had the Stanislaus County town of Patterson behind them when they pleaded their case to Iohert this week. The families have been living in Patterson for the past year.

But Iohert, who has the discretion to stay some deportation proceedings, was unmoved by petitions and a stack of testimonial letters asking that the children be permitted to remain in the United States.

"It was never intended that the family fairness program should be an open invitation to people who

have legalized their status to now smuggle in all their relatives," he said.

Under the INS family fairness program, children and spouses can remain with their families if one member has been granted entry under the 1986 act. The catch is that the families had to have been living together in the United States since Nov. 6, 1986.

The Morales children were living with their maternal grandmothers in Guanajuato, Mexico, on that date.

When their parents attempted to bring them across the border, they were stopped by the U.S. Border Patrol in Calaxico. Eduardo and Esther Morales' two sons were

apprehended on March 17. Their cousins were taken into custody on April 14.

Eduardo and Esther Morales' sons are due to be deported on May 20. Their cousins have until June 21.

"I am shocked," said their lawyer Rhoda Wilkinson Domingo. "I thought we had it in the bag."

"The bad guy in this thing is not Iohert," said Marc Silverman of the Immigration Legal Resource Center, adding that this is the kind of case that has to be "dealt with legislatively."

Legislation that would move the eligibility date for reuniting families to Jan. 1, 1990, is pending in the House of Representatives.