



## Judge denies bond for 1 Vt. immigrant, approves other 2

Jess Aloe, Free Press Staff Writer

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(Photo: JESS ALOE/FREE PRESS)

BOSTON - One of the undocumented immigrants who was arrested in Burlington earlier this month by Immigration and Customs Enforcement has been denied bond.

Cesar Alex Carrillo faced a judge via videoconference early Monday afternoon for his bond hearing in a courtroom at Boston's JFK Federal Building. His bond was set for \$21,000, but the judge chose to revoke the bond because of his arrest on suspicion of drunken driving, a charge which has been dismissed. Carrillo's wife, Lymarie Deida, and 4-year-old daughter attended the hearing and cried when they learned the judge's ruling.

In immigration bond reviews, first a lawyer has to prove the immigrant isn't a risk to public safety in order for bond to be considered, said Matt Cameron, Carrillo's lawyer. The federal immigration judge takes into account flight risk and connection to the community when deciding how much bond to set.

Carrillo, 23, was the first of three arrested Vermont immigrants to have a hearing in immigration court. All three listened to their hearings via videoconference while they remained at a Dover, New Hampshire facility where they are being held.

Zully Palacios, 23, and Enrique Balcazar, 24, were arrested by ICE on March 17 on Shelburne Road in Burlington. Following Carrillo's hearing, the judge set bond for Palacios and Balcazar at \$2,500 each.

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Cameron, who is representing all three immigrants pro-bono, said he was shocked by Department of Homeland Security documents showing that Palacios had been the target of a Counterterrorism and Criminal Exploitation Unit investigation. The unit generally looks at people with gang or terrorism connections.

"You don't just get on that list," Cameron said. "If there was something to this, it would have come out in court. It is a complete pretext."

Neither Palacios or Balcazar have a criminal record in Vermont. In the hearing, Cameron pointed to both immigrants' long records of political activism in Vermont on behalf of Palacios and Balcazar, who he described as a couple.

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Marna Rusher, the attorney representing the Department of Homeland Security said the two had resisted arrest and cited Balcazar's refusal to pull the car over and put the car in park as evidence. Rusher said Palacios refused to get out of the car and was "broadcasting" on her phone, which could have caused "a response like the one we've seen here today," putting officers at risk.

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"She was terrified," Cameron said, when Judge Paul Gagnon asked him to defend his client's behavior. "She was in terror." Cameron offered to have Palacios testify via teleconference, but Gagnon declined.

The Vermont-based Migrant Justice, a group to which all three defendants belong, held a rally in front of the federal courthouse prior to the hearings. About 100 protesters picketed in the rain. As the hearings began, chants, songs and drumbeats could be heard in the third-story court room from the plaza below.

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"It's a little bit distracting," said Gagnon, during a quiet moment, though added that the demonstrators were freely exercising their First Amendment rights.

"I find it energizing," Cameron said.

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Protesters gather in front of the JFK Federal Building in Boston prior to a bond review hearing to call for the release of three Vermont immigrants on March 27 2017 (Photo: JESS ALOE/FREE PRESS)

Migrant Justice is helping facilitate the payment of Balcazar and Palacios' bonds, spokesman Will Lambek said. The two will be processed for release on Tuesday. The deportation hearings against them will continue, although Cameron declined to comment on next steps.

Vermont's congressional delegation has condemned the arrests. In a town hall meeting on Saturday, Sen. Bernie Sanders said they plan to meet with the federal immigration authorities to discuss the three Migrant Justice advocates' cases and how to protect Vermont dairy workers who rely on immigrant labor.

The National Education Association announced Monday morning that Migrant Justice was the recipient of the César Chávez Acción Y Compromiso Hui This is your **LAST** free article. re release Balcazar, Carrillo and Palacios. \$1 for 3 months. Save 97%.

The three arrests sparked protests throughout Vermont. Hundreds rallied in Burlington to call for the release of the three immigrants on March 18 [\(/story/news/2017/03/18/rally-calls-release-undocumented-migrants/99348728/\)](http://www.burlingtonfreepress.com/story/news/2017/03/18/rally-calls-release-undocumented-migrants/99348728/), with protests following in Montpelier and Brattleboro.

Contact Jess Aloe at 802-660-1874 or [jaloel@freepressmedia.com](mailto:jaloel@freepressmedia.com). Follow her on Twitter at [www.twitter.com/jess\\_aloe](https://www.twitter.com/jess_aloe) ([http://@jess\\_aloe](http://@jess_aloe)).

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