

Illegal immigrant's involvement in nun's death sparks anger in Virginia

St. Paul Pioneer Press (Minnesota)

August 8, 2010 Sunday

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Section: NEWS; Breaking; National

Length: 1124 words

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Body

In Arizona, the shooting death of a rancher blew the lid off simmering anger over border security and helped solidify support for a tough new immigration law. A similar eruption threatens in Virginia following the death of a Catholic nun in a car accident involving a man in the country illegally and accused of drunken driving.

The Benedictine Sisters of Virginia tried to discourage using the death of Sister Denise Mosier as a "forum of the illegal immigration agenda" and pleaded for a focus on "Christ's command to forgive."

"The sisters' mission is peace and love," said Corey Stewart, chairman of Prince William County's Board of Supervisors. "My mission is law enforcement and the protection of public safety."

Prince William County, about 25 miles southwest of Washington, D.C., stepped up its immigration enforcement in 2007 amid explosive growth of its Hispanic and immigrant populations. Under Stewart's leadership, the county implemented a local policy requiring police to determine the immigration status of all people arrested on suspicion of violating state or local laws.

Stewart rushed back into the immigration debate after the Aug. 1 accident, firing off a statement that President Barack Obama, Homeland Security Secretary Janet Napolitano and members of Congress "all have blood on their hands."

"What I'm hoping is that this situation, which because it involves a nun has drawn the nation's attention, can serve as a catalyst for change and force the administration to come clean about its catch-and-release policies," Stewart said. He also says that the tragedy illustrates the need for Virginia to toughen its drunken driving laws.

Even though Stewart says he's not running for higher office now, he is seen as a possible lieutenant governor candidate in three years. "Regardless of what he says, there is no question people would be interested in seeing him move up within the Republican Party," said Stephen Farnsworth, an assistant communications professor at George Mason University.

The day after the crash, Virginia Attorney General Ken Cuccinelli II issued an advisory opinion concluding that police have authority to inquire into the immigration status of any person stopped or arrested, similar to the Arizona immigration law that is under federal court review.

Arizona passed the law after rancher Robert Krentz was fatally shot while checking water lines on his property near the Arizona-Mexico border. Authorities believe a scout for drug smugglers is to blame, although an investigation continues.

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The sisters at the Bristow, Va., monastery have buried Mosier, who would have turned 67 on Aug. 26. Two other nuns injured in the crash, Charlotte Lange and Connie Ruth Lupton, have undergone surgery and remain in critical condition.

The man charged in the case, Carlos A. Martinelly Montano, 23, of Bolivia, had two prior drunken driving convictions, but was not required to serve any of his 30-day sentence for the first one. A Prince William County judge required Montano to serve only 20 days of his approximately one-year sentence on his second conviction.

Local officials turned him over to federal immigration enforcement officers after the second incident and after sentencing, but federal officers released him both times while he awaited hearings.

Montano is being held at the Prince William County Adult Detention Center, and the county's prosecutor is promising to ask a grand jury to consider charges that could put him in prison for 40 years.

Montano entered the U.S. illegally with his parents and siblings, his uncle Luis Ronald Montano told The Associated Press. He attended American schools in New Jersey and Virginia from third grade through high school. He is engaged and is the father of two boys, ages 1 and 2, who were born in Manassas, Va.

For a few years, the family had asked Montano, a T-shirt screenprinter, to seek professional help for his alcoholism. His family took away his cars, but he had taken his mother's Subaru at the time of the crash.

Luis Ronald Montano said the family understands Carlos has broken the law several times. They worry about the future of his two young sons. They expect he will be deported, but they have hired lawyers in hopes of keeping him here with minimum jail time.

"He's getting used to crucify all the illegal aliens in the United States," his uncle said.

The nuns have forgiven Montano. Mercy and forgiveness, the nuns say on their website, are not optional for Christians.

Nearly half of the 292,663 people deported or removed by ICE this year through July 22 were considered criminals. That compares to 34 percent, or 136,343, in all of last year, a reflection of ICE's focus on deporting people with criminal records.

Removals of non-citizens who are not criminals are below what they were at the same time last year, which has become fodder for criticism of the Obama administration.

The law requires mandatory detention for immigrants who have committed certain crimes. In other cases, immigration officials have to make judgment calls on whether to release someone.

In those cases, ICE considers the likelihood that the person will be a danger to the community and the likelihood the person will appear at deportation hearings, said David Leopold, president of the American Immigration Lawyers Association.

Factors they consider are ties to the community, such as whether they have family members or citizen children in the U.S.; length of time in the country; how the person entered the country; other immigration violations; and a criminal record. A judge's decision to relax a sentence also could be considered, Leopold said.

Stewart criticized ICE for releasing Montano, saying the county hands immigrants over "on a silver platter" after they've been convicted of crimes "and still they release them back into communities." He's asking Congress to subpoena statistics from ICE on how many people who have committed crimes are released to the community.

But Leopold dismissed the criticism, saying that no credible studies show that drunken driving is a problem particular to immigrants. "Frankly, drunk driving is a national problem which we deal with in every community," he said.

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The Benedictine Sisters operate several ministries, including providing transitional housing for homeless women and their children and an adult literacy project. None solely targets undocumented **immigrants**, Smith said in an e-mail, and the services are available to everyone.

The Rule of Benedict and the Gospel of Jesus Christ "compels us to reach out to the neighbor and the stranger, to the rich and the poor, to all who may come to our door," Smith said. "I might add that Sister Denise was a model for us in this reaching out and acceptance of diverse persons and cultures."

Graphic

Sister Denise Mosier, who was killed in an alleged drunk driving incident involving an man in the country illegally.

Classification

Language: ENGLISH

Publication-Type: Newspaper

Subject: IMMIGRATION (93%); IMMIGRATION LAW (91%); **ILLEGAL IMMIGRANTS** (90%); NATIONAL SECURITY (90%); LEGISLATIVE BODIES (90%); TERRITORIAL & NATIONAL BORDERS (89%); BORDER CONTROL (89%); SHOOTINGS (89%); ARRESTS (89%); CLERGY & RELIGIOUS VOCATIONS (89%); DRIVING WHILE INTOXICATED (89%); INVESTIGATIONS (89%); US REPUBLICAN PARTY (78%); US STATE IMMIGRATION LAW (78%); DRIVING & TRAFFIC LAWS (78%); LAW ENFORCEMENT (78%); ARIZONA IMMIGRATION LAW (78%); US STATE GOVERNMENT (78%); CHRISTIANS & CHRISTIANITY (78%); COUNTY GOVERNMENT (78%); SMUGGLING (77%); ACCIDENTAL INJURIES (77%); VEHICULAR OFFENSES (77%); COUNTIES (74%); TRAFFIC ACCIDENTS (72%); CRIMINAL CONVICTIONS (72%); CATHOLICS & CATHOLICISM (72%); RELIGION (72%); CONTROLLED SUBSTANCES CRIME (72%); BOARDS OF DIRECTORS (69%); GOVERNORS (67%); US PRESIDENTIAL CANDIDATES 2012 (66%); US PRESIDENTIAL CANDIDATES 2008 (66%); POLITICAL PARTIES (65%); ATTORNEYS GENERAL (60%); COLLEGE & UNIVERSITY PROFESSORS (50%); DRUG TRAFFICKING (50%); SURGERY & TRANSPLANTATION (50%)

Organization: US DEPARTMENT OF HOMELAND SECURITY (55%)

Industry: DRIVING & TRAFFIC LAWS (78%); TRAFFIC ACCIDENTS (72%); COLLEGE & UNIVERSITY PROFESSORS (50%)

Person: JANET NAPOLITANO (79%); BARACK OBAMA (70%)

Geographic: ARIZONA, USA (94%); **VIRGINIA**, USA (94%); DISTRICT OF COLUMBIA, USA (79%); MEXICO (79%); UNITED STATES (79%)

Load-Date: August 12, 2010

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