

Her daughter is sick. She's caring for her grandchild. Now this NJ woman faces deportation, too.

Monsy Alvarado

November 16, 2020

As Luz Vanegas awaited the birth of her grandchild, she dreamed of helping her daughter navigate the trials and joys of being a first-time mother.

But since this summer, the North Bergen woman's dreams have gone horribly awry.

In July, her 28-year-old daughter, Estefania Mesa, gave birth to a baby girl but suffered a cardiac arrest during her emergency C-section, leaving her with brain damage, unable to talk or walk. Vanegas is now helping raise her 4-month-old granddaughter, while her daughter is in a rehab center in Saddle Brook.

In September came another shock. During a routine check-in with federal immigration officials, Vanegas was given an ankle monitor and told to come back in a few months with her passport and a one-way ticket to her native Colombia. She now faces possible deportation, 22 years after arriving in the U.S. illegally.

“When I look at my granddaughter, it breaks my heart,” Vanegas, 46, said through tears in an interview last week. “It breaks my heart because she should be with her mother. She shouldn’t be raised by her grandmothers. She should have her mother by her side, but she doesn’t have her.”

Vanegas, a homemaker, applied for a green card two years ago and sought a stay of her deportation last week. Still, she worries about being forced to leave during the final days of President Donald Trump's administration, which has pushed for the removal of thousands of undocumented immigrants since 2017.

“I’m going to keep holding my breath until we hear back, but we are hoping for the best,” said her immigration attorney, Samantha Chasworth of the Nachman Phulwani Zimovcak Law Group of Ridgewood.

'Code Blue'

Estefania Mesa started feeling contractions the night of July 19, so she headed to Hoboken University Medical Center with her longtime boyfriend, the baby's father, Eduardo Argueta. The North Bergen couple had been preparing for months and were excited to meet their firstborn, whom they had decided to name Emma.

They spent hours waiting as Mesa's contractions strengthened, and by the evening of July 20 doctors determined they would perform a C-section, Argueta said. He was taken to another room to prepare for the delivery when things suddenly and inexplicably changed.

First, Argueta said, more than a dozen nurses and doctors ran into the room where Mesa was due to deliver. He heard someone yell “Code Blue,” the term used in hospitals to indicate a medical emergency.

The father-to-be wasn't allowed in. Later, when the hospital staff let him see his newborn, Emma was hooked up to monitors. Mesa was on a ventilator.

“That picture of her being like that is still in my memory, every night, and it’s something not easy to handle,” Argueta said.

For days, he said, he asked doctors and nurses what had happened but never received an answer.

Get the Coronavirus Watch newsletter in your inbox.

Updates on how the coronavirus is affecting your community and the nation

Delivery: Varies

Your Email

“What happened in the room? Why is she like this? How did she come to the hospital walking here and healthy, with no previous health conditions, and now she is laying in bed fighting for her life?” Argueta asked in an interview. “Their answer is 'we are looking into it, we are investigating, we don’t have any answers.' ”

Eric Bloom, managing director for Mercury, a public relations firm that represents CarePoint, the owners of the hospital, declined to comment in an email.

A path to citizenship:Buoyed by Joe Biden win, immigration activists rally for path to citizenship in NJ

Trending:Why these 10 New Jersey towns are the state's hottest housing markets right now

Argueta and Vanegas have since hired a Teaneck attorney, Samuel Davis, hoping to get an explanation from the hospital. Late last month, Davis filed a petition in court asking a judge to order the medical center to turn over complete charts.

“We are hoping that Hoboken does a reset on how they are approaching this,” Davis said. “Being candid now will save the family a lot of suffering, and ultimately will save Hoboken a lot of expense.”

Last week, Mesa was transferred to Kessler Institute for Rehabilitation in Saddle Brook, where her mother now visits most days. She still cannot speak or walk, her mother said. She needs a feeding tube for nourishment. When Mesa is shown pictures of Emma, she gets emotional and cries at times, Vanegas said.

"The nurses tell me that she may never be 100 percent," Vanegas said, her voice cracking. "That hurts my soul, and they tell me the process and recovery is going to be very long."

Friends have started a GoFundMe page to help pay for Mesa's care that is not covered by insurance. So far, the campaign has raised more than \$62,000.

Deportation looming

Vanegas emigrated from Colombia in 1998, and was living and working in the U.S. for about a year when her two daughters, Estefania and Daniela, came to join her. But when they arrived, immigration officials at John F. Kennedy Airport noticed problems with the girls' documents, the mother said.

The officers discovered that Vanegas, who was living in New York at the time, was in the country illegally, and they began removal proceedings against her. By the year 2000, a deportation order was issued, she said.

Vanegas didn't return to Colombia but instead moved to New Jersey, where she raised three children and worked at a restaurant for years.

In 2014, when she was five months pregnant with her youngest son, U.S. Immigration and Customs Enforcement officers arrested her while she was working as a waitress in a restaurant. She said that since then she has been regularly checking in with ICE officers, who have given her one-year and six-month reprieves from deportation.

Two months after Emma's birth, Vanegas became increasingly concerned about her pending immigration case. On Sept. 30, while meeting with ICE officials at their Newark office, she was issued the ankle monitor and told that her time living in this country was coming to an end.

"I was very nervous," she said. "Even more so with everything that was going on."

Two years ago, Vanegas married the father of her two youngest children, an 8-year-old girl and 6-year-old boy. As a U.S. citizen, her husband was able to file an I-130 form, a petition that can lead to a green card or legal permanent residency for a spouse or relative.

Typically, the approval process takes anywhere from five to 12 months, but Vanegas' petition has been pending for two years.

"At this point we are asking ICE to give us more time to process her case," said Chasworth, the immigration attorney. "There is a lot that is going to be involved in processing her case, and the first step is really this I-130 petition that is stuck."

Getting the petition approved would be key to halting the deportation, and it is the first step toward obtaining legal status, Chasworth said. She said late last month that she submitted a notice to the court that Vanegas now has legal representation, which she hoped would help the petition move along.

Vanegas, meanwhile, is taking care of her granddaughter most days for several hours at a time, along with the baby's paternal grandmother, while Argueta is on the job. Argueta, who works in a restaurant, usually drops off Emma around 11 a.m. at Vanegas' North Bergen home, the grandmother said.

It is there that Vanegas feeds Emma. She looks exactly like her mother, Vanegas said. She puts Emma to sleep and cuddles with her for hours. She calls it a labor of love.

"I told my daughter when she was pregnant that I couldn't wait to meet her," she said. "Now, I carry her, I hug her, I kiss her, and if it was up to me, I would carry her all day."

Renewed hopes

Soon after taking office in 2017, Trump signed an executive order that expanded the government's priority list for who should be deported, adding anyone with final orders of removal, even long-term residents like Vanegas.

ICE's Enforcement and Removal Operations division deported more than 267,000 people in the fiscal year ending Sept. 30, 2019, up from 256,085 the prior year.

The numbers are actually lower than those deported under previous administrations. But Trump has gone after undocumented immigrants who have put down deep roots in the U.S. with a zeal unseen in his predecessors.

Under President Barack Obama, ICE prioritized removal of those convicted of serious crimes, as well as recent arrivals who had no criminal history. But his administration curbed deportations of people living in the country for years who had no criminal record. According to the Cato Institute, a libertarian think tank, the Obama administration's so-called "interior removal" statistics began to decline in 2011 and continued to do so until the end of the 2016 fiscal year.

Vanegas said she has taken new hope from Joe Biden's defeat of Trump in the presidential election.

Biden, who was Obama's vice president, has said he would temporarily halt deportations for the first 100 days of his presidency, with the exception of people convicted of felonies. He promised to restore "sensible enforcement priorities" and said it was counterproductive to target those who have never been convicted of a serious offense and who have lived and worked here contributing to the economy.

Vanegas' daughter's future was also uncertain under Trump, even before her fateful childbirth. Mesa is among the hundreds of thousands of "Dreamers" — undocumented immigrants brought to the U.S. as children but protected from deportation under Obama's Deferred Action for Childhood Arrivals program. Trump has sought to terminate the program. Biden has said he would protect it.

With Biden, "there are more possibilities," Vanegas said, "and there will be more support for us immigrants."