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**National Coalition for Latinxs with Disabilities (CNLD)  
CNLD's Statement on the Immigration Detention of  
Rosamaria Hernandez  
Wednesday, November 1, 2017**

Dear Friends, Family, and Allies,

On Tuesday, October 24th, Immigration and Customs Enforcement (ICE) agents arrested a 10-year-old girl with cerebral palsy, Rosamaria Hernandez, after she received gallbladder surgery. Rosamaria is currently imprisoned in an immigration detention center. ICE agents stood guard outside her hospital room and refused to allow medical staff to close the door while they treated her. Against medical advice, the agents then proceeded to pull her from the hospital and separate her from her family. It is still unclear whether ICE will allow Rosamaria to return to her follow-up medical appointment. What is clear is that ICE intends to deport Rosamaria to Mexico. She has lived in the United States since she was three months old.

**Rosamaria Hernandez has become the face of the Disabled Latinx movement.** Rosamaria's family, like so many families, initially crossed the border to get medical treatment for their daughter. Like many families in our community, these parents made the life-saving decision to come to the U.S. for healthcare.

Healthcare is a human right. Yet, as the Disability activist community knows, we continually have to fight to protect our rights to access even the most basic services. This year, Disability activists, in particular members of ADAPT, saved three attempts to pass horrendous health care bills in Congress. These bills would have meant death for many in our community.

Unfortunately, these wins still do not protect all disabled individuals living in the U.S. Those of us in the Disabled and undocumented community remain disproportionately uninsured. Undocumented immigrants do not have access to welfare programs such as Medicaid, and there is a five-year waiting period for even documented immigrants to access Medicaid. The Affordable Care Act (ACA), also known as Obamacare, did not extend its reach to undocumented immigrants. Thus, our undocumented community has only the emergency room to access care. Stories like Rosamaria's will only serve to deter undocumented immigrants from seeking necessary care for fear of deportation.

**The immigrant community has been continually assaulted this year.** In September, the administration announced its rescinding of the Deferred Action for Childhood Arrivals (DACA). This program, enacted by executive order under the Obama Administration, granted some relief to undocumented immigrants who were brought to the U.S. as children, just like Rosamaria. However, for many disabled and DACA-eligible immigrants, this program proved insufficient because even with work permits there are barriers for people with disabilities to enter the workforce. CNLD conducted a number of interviews with DACAmented and disabled individuals and found a pattern of how DACA proved insufficient for the undocumented and disabled.

What both the healthcare and immigrant policy debates have in common is that the disability and immigrant communities are struggling to retain the most basic services and protections. Killing the healthcare bills was a big victory, since many disabled folks depend on Medicaid to survive. Fighting to #FreeRosa is gaining steam and attention (particularly as the ACLU has filed a lawsuit for her immediate

release). Unfortunately, these are examples of the difficult political climate we find ourselves-- continually on the defense. This all takes energy and effort away from focusing on how to build stronger policies and programs for our disabled and immigrant communities.

**As we fight for these causes, including better healthcare and immigration policies, the various activist communities need to come together in solidarity (and not only when the times are tough). We have a lot of work to do if a 10-year-old who has been here her entire life is a priority for this administration's deportation agenda. This is a defining moment for disability and immigrant rights communities to work in solidarity for what is right. The disability community includes immigrants and the immigrant community includes disabled folks. Individuals like Rosamaria and her family depend on our political alliances.**

When leaders from across the nation formed the National Coalition for Latinxs with Disabilities (CNLD), we knew we had to bring light to the experiences of people with multiple marginalized identities on a national level. The members of CNLD identify as and work with folks who are often forgotten because we live on the margins of the margins. We are intimately acquainted with the reality that we do not have adequate representation, that our entire selves are not adequately reflected in any Disabled or Latinx leadership.

**CNLD stands firmly against ICE agents waiting outside patients' rooms in hospitals to initiate deportation procedures.** These actions continue to deter our community from seeking access to lifesaving medical treatment because of fear of deportation. CNLD will continue to be a champion at this intersection, but we need political alliances. We call on everyone for whom Rosamaria's story invokes a sense of injustice to dialogue with us about where we go from here. If not us, then who? If not now, then when?

In solidarity,

The National Coalition for Latinxs with Disabilities

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**For more information on Rosamaria:**

<https://www.aclu.org/issues/release-rosa-maria-hernandez>

<http://www.newsweek.com/aclu-argues-rosa-maria-unconstitutionally-detained-696687>

<https://petitions.moveon.org/sign/president-trump-let-10>

**For more information on immigrant access to welfare programs:**

<https://www.congress.gov/104/plaws/publ193/PLAW-104publ193.pdf>

<https://www.nilc.org/wp-content/uploads/2015/11/imm-eligibility-quickguide-2015-09-21.pdf>

**For more information on immigration and disability:**

<https://disabilityvisibilityproject.com/2017/09/24/ep-2-immigration-and-disability/>

<http://www.nccsonline.org/immigration-news.html>

<https://www.circa.com/story/2017/09/01/nation/for-dreamers-with-disabilities-its-more-than-a-daca-work-permit-on-the-line>

**For more information on the National Coalition for Latinxs with Disabilities:**

Our website: <http://www.latinxdisabilitycoalition.com>

Our mailing list: <http://www.latinxdisabilitycoalition.com/join-mailing-list.html>

Facebook: <https://www.facebook.com/DisabledLatinx>

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**The National Coalition for Latinxs with Disabilities (CNLD)** imagines a society in which the human rights of Latinxs with disabilities are upheld and all their intersecting identities are embraced. We work in solidarity to affirm, celebrate, and collectively uplift Latinxs with disabilities through community building, advocacy, protection of rights, resources, and education.