

As ICE ramps up deportations, Texas prosecutors say they're losing key witnesses in criminal cases

Texas DAs say some cases, including murders, have been hobbled or lost because witnesses were detained or deported

By **COLLEEN DEGUZMAN**

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In West Texas, a man was indicted in September for assaulting Manuel Chairez-Montes, fracturing the left side of his face. But before District Attorney Sarah Stogner could take the case to trial, Chairez-Montes, who was undocumented, was deported to Mexico.

Now, the case is in limbo.

Adan Yanez Porras was charged in Ward County with aggravated assault, a second-degree felony, but Stogner said she can't prosecute the case without the victim's testimony. Stogner said he's applying for a **U-Visa**, which allows crime victims who are noncitizens to stay in the country for up to four years.

Meanwhile, Porras has been out on bond for months. Stogner said he was released almost immediately after his indictment.

Stogner, who also represents Loving and Reeves counties, said the case is one of the ripple effects of the Trump administration's crackdown on immigration.

"It makes it harder for me to convict dangerous felons when ... witnesses are getting deported, victims are getting deported, and the defendant or the perpetrator themselves are getting deported," she said.

As President Donald Trump accelerates mass deportation efforts to "**keep American communities safe**," other Texas district attorneys say in some cases, it's doing the opposite by making it harder for them to prosecute people accused of violent crimes.

In Texas, undocumented immigrants have reported **staying home as much as possible** to avoid being targeted by immigration officers or police, and only going out for essential trips like going to work or buying groceries. Some, according to the Houston Chronicle, have **stopped going to church**.

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El Paso District Attorney James Montoya said U.S. Immigration and Customs Enforcement raids have stirred so much fear in the immigrant community that some have been reluctant to participate in prosecutions. He pointed to a 2023 murder case he took to trial this year.

Montoya said a key witness in the case, someone he described as the “father figure” of the victim, moved to Ohio after the crime and had been cooperating with Montoya’s office.

But when the man learned that the case was set for trial in March — two months after Trump’s return to the White House — he decided not to testify because he didn’t want to come back to Texas, worried about being grabbed by immigration agents, Montoya said.

Prosecutors couldn’t guarantee that a subpoena to testify in court would protect him from being detained and deported, Montoya added. The defendant was found not guilty.

As much as he needed the man as a witness, Montoya said he understood his fear. ICE has increasingly targeted immigrants when they arrive for court hearings or immigration appointments; ICE agents have arrested people at [federal buildings in El Paso](#), [immigration courts in San Antonio](#), and [probation offices in Dallas](#).

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Montoya said ICE deportations and arrests may be impacting more criminal cases than prosecutors know about.

“We’ll just know, ‘Hey, the person didn’t show up for their court hearing, right?’” Montoya said. “And so, did they not show up because they forgot? Did they not show up because they’ve been deported? We don’t know.”

Ali Zakaria, an immigration lawyer in Houston, said the fear of deportation also means many undocumented immigrants may not call police when they're the victims of a crime.

“It gives criminals impunity to do whatever they want to the immigrant community because they know immigrants may not go and file a complaint,” Zakaria said. “Even if they file a complaint and if the criminal is arrested, then that immigrant may not come to court and testify.”

In addition to courthouse arrests, ICE has been leaning on local law enforcement agencies to call them when they encounter undocumented immigrants.

In one case earlier this year, an undocumented Central American couple with their 4-year-old son in the backseat was **pulled over by a police officer in Lubbock** over an issue with their vehicle's license plate. Soon after, ICE agents arrived and took Jose Alvaro to a detention center.

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During The Texas Tribune Festival in November, Harris County District Attorney Sean Teare told an audience that ICE raids have affected nearly a dozen criminal cases his office was pursuing, including sexual assaults of children, because victims and witnesses were either deported or refused to participate in trials because they were undocumented.

“What these raids have done, what the fear around them have done, has made it more difficult for me to prosecute violent offenders,” Teare said. “Our job is to see that justice is done for every member of our community, regardless of your documentation.”

Harris County is part of the ICE region that has seen **daily ICE arrests jump** by about 30 percentage points from the last 18 months of the Biden administration to the first six months of Trump’s second term, according to a Tribune analysis.

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Some of the people being arrested and deported are victims or witnesses of violent crimes, Teare said.

Teare is trying a novel solution: his office began handing out “witness/survivor identification cards” to undocumented crime victims and witnesses earlier this year, which they can show to ICE or other law enforcement if they’re detained or arrested.

Teare said the initiative was inspired by a homicide case in Pasadena. Two years ago, **Carmelo Gonzalez**, an undocumented Guatemalan man who lived in the Houston suburb, came home from work to a nightmare: He found his 11-year-old daughter’s body in a trash bag, stuffed in a laundry hamper underneath his bed.

Police said Maria Gonzalez had been sexually assaulted and **strangled to death**.

Juan Carlos Garcia-Rodriguez, Gonzalez’s neighbor, was charged with **capital murder** in connection with **Maria’s death** and prosecutors are seeking the death penalty. Teare said Gonzalez is a key witness because he discovered his daughter’s body.

Teare said the father was consumed by guilt because while he was at work that August day, he missed six calls and many texts from his daughter that said someone was in the house.

A year after his daughter’s death, Gonzalez was **arrested in January** and charged with drunk driving. Four days later, “he was on an airplane, on a tarmac, being sent back to El Salvador, a country he had never been to in his life,” Teare said.

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Just moments before the plane took off, Teare convinced ICE to release Gonzalez. Teare said he explained to them that Gonzales “is the only living person that can tell the jury who this little girl was and be the voice that this little girl doesn’t have.”

Gonzalez is still able to participate in the case but is now doing it from an ICE detention center.

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