

U.S. NEWS

Newborn U.S. citizen and Guatemalan mom detained as she faces deportation

The woman and child are in Immigration and Customs Enforcement custody awaiting court proceedings, federal officials said.



— The U.S.-Mexico border fence near Sasabe, Ariz., on Jan. 20. John Moore / Getty Images

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By Doha Madani and Dennis Romero

A Guatemalan woman who gave birth to an American baby less than a week ago is being held along with her newborn as she faces deportation, U.S. officials said.

A Department of Homeland Security spokesperson said Sunday that the woman was apprehended by Customs and Border Patrol agents and hospitalized after she crossed the U.S.-Mexico border illegally while she was eight months pregnant.

She gave birth in the hospital "under supervision," the spokesperson said. She was discharged by the medical staff and transferred to the custody of Immigration and Customs Enforcement as she awaits a court date, the spokesperson added.

A CBP spokesperson said in a separate statement Saturday that the woman "illegally crossed into the United States from Mexico between ports of entry near Tres Bellotas Ranch" in Arizona last week.

The location is on federal land just north of the U.S.-Mexico border along a desolate stretch of the Sonoran Desert about 72 miles south-southwest of Tucson.

Following hospitalization, the CBP spokesperson said, "processing" was completed and the unnamed mother was given a notice to appear before an immigration judge. Upon completion of the processing, the spokesperson said, she was given the opportunity to contact a lawyer.

"This morning, custody of the woman was transferred to ICE Enforcement and Removal Operations with a court date to appear before an immigration judge," the CBP spokesperson said Saturday. "The child remains with the mother."

A lawyer for the woman, Luis Campos, told NBC affiliate [KVOA of Tucson](#) on Friday that his client gave birth Wednesday and that he had been denied access to her during her time under hospital care at Tucson Medical Center.

A spokesperson for the medical center did not immediately respond to a request for comment Sunday.

[Reuters reported](#) Saturday that the mother "avoided fast-track deportation after intervention by" Arizona Gov. Katie Hobbs, a Democrat, who the publication said had intervened.

"While Gov. Hobbs supports securing the border, she has been clear in her opposition to inhumane immigration enforcement practices," Hobbs' spokesperson, Liliana Soto, [said Friday on X](#). "The governor will continue fighting to protect the constitutional rights of every Arizonan and keep our communities safe."

Hobbs' press office did not immediately respond to a request for more information Sunday.

The CBP spokesperson said Saturday that the mother had no right to legal representation until processing was completed and she had a court date.

The spokesperson's statement mentioned the woman has a child, but it did not mention she had just given birth in custody. It described her as "eight months pregnant" when she was apprehended north of the border.

"She was immediately given the opportunity to contact an attorney" following processing and the establishment of a notice to appear, the spokesperson said. "At all times, agents followed the law and adhered to CBP procedures. No entitlements were denied."

The DHS spokesperson's statement Sunday confirmed that the woman had crossed into the United States with an "unborn child." It characterized her as having been "rescued" by CBP agents.

Both DHS and CBP said the child has remained with her.

Campos said he believes the woman will be deported and her child will be removed with her, despite the newborn's status as a natural-born U.S. citizen. "The child will probably go with her," he told KVOA.

He said he hopes to apply for asylum for the woman because she feared for her life in Guatemala.

Experts have said growing violence in Mexico along its border with Guatemala – where Guatemalans are known to work seasonal jobs in agriculture – along with a lack of job opportunities in their homeland have inspired tens of thousands of Guatemalans to [trek north to the United States](#).

President Donald Trump's early second term in the White House has brought a promised crackdown on those in the United States illegally.

Three other U.S. citizen children [from two families were removed from the country with their mothers](#) in late April under what representatives and critics have characterized as [rapid deportation](#) that aims to [circumvent their right to due process](#), an allegation federal border agencies have denied.

One of the recently removed children is [a 4-year-old with Stage 4 cancer](#) and a treatment regimen in the United States, representatives of his family have said.

Trump's border "czar," Tom Homan, said April 28 that the mothers requested that their citizen children depart with them. "This was a parental decision," he said.

The mothers, however, said they were given no choice but to keep their young ones with them while they were being deported, according to a lawyer representing one of the families.

Under an executive order, the Trump administration has also sought to end the kind of [birthright citizenship](#) – automatic U.S. nationality granted to almost anyone born in the country and its territories – to which the Guatemalan mother's newborn is otherwise entitled.

Federal courts paused the order, and the administration has [requested emergency intervention](#) from the U.S. Supreme Court, which is scheduled to hear the matter May 15.

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