

Illegal Aliens: Taking America on a Deadly and Expensive Ride

BY PETER B. GEMMA

On June 10, 2012, Aileen Smith and her husband Zach were on the way from Colorado Springs to San Diego for their baby shower — even though it was three months before her due date of September 5, they had already named their unborn son Demetri.

But when Ramon Hernandez sped onto Interstate 25 and crashed into their car, he shattered the Smith family forever. Aileen was taken to Christus St. Vincent Regional Medical Center in Santa Fe, where doctors performed a C-section in an attempt to save the baby. The injuries to the unborn child were too severe, however; he died from massive head injuries just minutes after being delivered. The Smiths never saw him alive. Aileen recalled, “There was nothing they could do. I woke up from surgery and was reaching out asking for my son, and the nurse leaned over and told me that he had passed.” Aileen held him briefly, as did her husband Zach, saying a prayer for Demetri before handing his little body over to the Office of the Medical Investigator. “We buried Demetri two days before my 26th birthday,” she said. “It’s just an incredibly lonely feeling,” Aileen explained, “You know, you can feel so supported by all your friends and family, and yet just feel so alone inside because that thing you were hoping for is gone.”

A state police dashcam video recorded the tragic scene of the accident. It was a car crash that officials said could have been prevented. Court records show Ramon Hernandez had four prior DWI convictions. Hernandez admitted he had had “a few beers” when he plowed into pregnant Aileen Smith’s car. Investigators said Hernandez had not had a driver’s license for more than a decade.

Ramon Hernandez is also an illegal alien.¹

Peter B. Gemma has been published widely, including USA Today, DailyCaller.com, and Military History magazine. He is a contributing editor to the Social Contract.

At wiki.answers.com: there is a straightforward inquiry: “What percent of car accidents are caused by illegal immigrants?” Their simple answer is, “Current interpretation of anti-discrimination laws hinder compilation of such statistics.”² To find the politically incorrect but truthful answer to the question, one needs to dig deeper, but not much deeper, to see the ramifications of illegal aliens driving in the U.S.



Aileen Smith briefly holds her dead son Demetri, who died from injuries in a car crash caused by a drunk illegal alien.

In 2011, the Department of Homeland Security reported the deportation of 35,927 illegal immigrants convicted of driving under the influence.³ Congressman Steve King (R-IA) asserts that illegal alien drunk drivers kill over 4,700 Americans a year — 13 U.S. citizens die every 24 hours.⁴ Another study, published by the National Highway Transportation Safety Administration, cited motor vehicle crashes as the single leading cause of death for Hispanics between the ages of one and 44.⁵ And according to an analysis by the *New York Times*, about 4.5 million illegal aliens in the U.S. drive on a regular basis, many without licenses or insurance, or even the ability to read road signs written in English.⁶

However, many poignant stories give these chilling statistics a human face.

On July 19, 2012, in Phoenix, 19-year-old Eduardo Soto-Ramirez ran a red light and smashed into a car. The

force of the collision caused the other vehicle to spin around and eject the driver, Viridiana Espinoza, onto the street. She was taken to St. Joseph's Hospital and pronounced dead on arrival. According to police, a 15-year-old girl who was in the passenger seat of Soto-Ramirez's car was seriously injured, having suffered a fractured pelvis, collapsed right lung, fractured vertebrae, and lacerations to the liver. Soto-Ramirez was treated for fractured vertebrae as well as minor facial lacerations. Police officials reported smelling alcohol on the man's breath as they arrived on the scene. Blood tests were ordered at the hospital and the results showed that he had a blood alcohol level of 0.21 percent, which is nearly three times the legal limit in Arizona. Investigators also discovered that Soto-Ramirez's driving privileges had been suspended.

Eduardo Soto-Ramirez is an illegal alien as well.⁷

On May 29, 2011, 27-year-old Johoan Rodriguez rammed into Houston Police Department Officer Kevin Will as he was investigating a separate collision. Rodriguez had a blood-alcohol level nearly three times the legal limit when he crashed through a police roadblock at an estimated 90 miles an hour. A police dashcam video showed Rodriguez' Volkswagen hitting officer Will, severing both legs, and killing him instantly. Rodriguez was found to have .33 grams of cocaine in his pocket, and prosecutors stated that he was also a member of MS-13, a murderous Salvadoran drug gang.

Kevin Will was a 38-year-old father of two whose wife was pregnant. Johoan Rodriguez is an illegal alien — he had been deported twice before this incident.⁸

It may be relevant to point out here that National Public Radio has reported:

Nationwide, Latinos rank second only to Native Americans in their alcohol death rate on the highway. The extent of the problem varies from state to state, but community leaders say it seems worse in places where Latinos have newly immigrated.⁹

A study by the Highway Safety Research Center at the University of North Carolina-Chapel Hill, based on information from law enforcement agencies, revealed Hispanic drivers involved in motor vehicle crashes are more likely to be intoxicated than members of other ethnic and racial groups. The report states that 7.04 percent of Hispanic drivers involved in crashes in North Carolina were intoxicated, compared with 4.87 percent of Native Americans, 2.82 percent of whites, and 2.28 percent of blacks. Hispanics, who account for 18 percent of drunken-driving arrests, make up less than seven per-

cent of the Tarheel State's population. Drunken driving is the number one killer of young Hispanic men in North Carolina.¹⁰

The Austin Statesman has noted that, "of 3,007 drunken driving arrests in 2002, 43 percent involved Hispanic men, even though they make up only about 11 percent of Austin's driving population. Including women, Hispanics made up 47 percent of the DWI arrests but only 21 percent of Austin drivers."¹¹



Illegal alien Felix Ortega killed two teenagers while driving under the influence (his blood alcohol level was three times the legal limit). Ortega slammed his truck into a Toyota, which burst into flames killing the driver Tad Mattle, 19, and his girlfriend, 16-year-old Leign Anna Jimmerson. The two Huntsville, Alabama teens died on impact. Prior to the collision, Ortega had fled a police officer, after striking a car in his apartment building parking lot. He received a 15-year prison sentenced after pleading guilty to two counts of murder.

Obviously there are far more everyday accidents that are not alcohol related — some inflicting injuries, others causing property damage. And not all victims of illegals who drive are Americans — illegal aliens can be their own worst enemy. On April 11, 2012, Palmview, Texas police reported nine suspected illegal immigrants

from Mexico died in an accident that involved a van stuffed with 19 people. The vehicle rolled over on U.S. Highway 83, the roadway that runs parallel to the Rio Grande River that forms the U.S.-Mexican Border. Of the survivors, six were injured and four fled the scene. Two of the four runaways were later caught. All of the dead had crossed the border into the United States illegally.¹² On July 23, 2012, a pickup truck veered off a rural highway about 90 miles southeast of San Antonio, killing 15 illegal immigrants. The truck was packed with 23 people at the time of the crash. The surviving victims said they were from Mexico, Honduras, and Guatemala.¹³

Other reports of criminal behavior linking illegal aliens and automobiles include this by J.C. Grant, a Yahoo.com Contributor Network writer: “There is a statistically significant correlation between state per capita illegal immigration rates and car thefts. This correlation is particularly strong: the odds are less than two in one million that the correlation is a chance occurrence.”¹⁴ In Arizona (its illegal alien population is sixth in the nation¹⁵), Phoenix has an annual car theft rate of 57,000 vehicles and is known as the “Car Theft Capital of the World.”¹⁶ More than 71 percent of all recovered stolen cars in 2005 in Texas, New Mexico, Arizona, Nevada, and California were stolen by illegal aliens or by “transport coyotes,” those who bring in illegals across the Mexican border.¹⁷

Illegal aliens, driving illegally — some in stolen cars — are involved in even more auto-related crimes. *The Tampa Bay Times* reported this story:

After a truck struck her car in October, Floribel Figueroa Quiles submitted almost \$50,000 in medical invoices to her insurance company for injuries she and her three children suffered. The invoices purportedly came from TLC Medical Rehab, where the driver of the truck in the Pinellas Park accident, Lazaro Hernandez Cabrales, had been working. Authorities now say the personal injury protection insurance claim was a scam, another in a long line of staged crashes. Over the past week, authorities arrested Cabrales at his Tampa home and Quiles in Osceola County and charged them with insurance fraud by staging an accident. The arrests are the latest among about 201 for personal injury protection fraud so far this year by the insurance division of the state Department of Financial Services. That’s up 55 percent from 130 arrests during the same period last year.¹⁸

Among Florida cities, the bureau’s figures show Tampa alone reached 1,578 questionable claims by the

end of 2010. According to the National Insurance Crime Bureau, Florida (whose illegal alien population ranks fifth in the nation) is second in questionable insurance claims. California (which has the largest illegal immigrant population in the U.S.) is first.

The statistics keep adding up to paint a complete and consistent picture. The Federal Bureau of Investigation and Department of Homeland Security report:

- 47 percent of cited and/or stopped drivers in California have no license, no insurance, and no registration for the vehicle. Of that number, 92 percent are illegal aliens.
- 63 percent of cited and/or stopped drivers in Arizona have no license, no insurance, and no registration for the vehicle. Of that number, 97 percent are illegal aliens.
- 66 percent of cited and/or stopped drivers in New Mexico have no license, no insurance, and no registration for the vehicle. Of that number, 98 percent are illegal aliens.¹⁹

In 2007, the Hillsboro County Florida Sheriff’s Office investigated businesses that were supplying illegal aliens with vehicle titles and registrations, especially “buy-here pay-here” car lots. Authorities were looking for potential fraud and illegal activity among those with alien status to claim legal residency and valid driver’s license and use of a legitimate affidavit to prove insurance. Two businesses were targeted specifically: 98 percent of the customers for one car lot who had processed vehicle title and registration paperwork were identified as illegally in the United States, and 90 percent of the customers at the second dealership were illegal aliens. Further investigation revealed use of fraudulent out-of-state driver licenses, as well as fraudulent Mexican and Guatemalan driver’s licenses. Another form of identification used was Mexican passports, or “Matricula Consular” cards, issued through the Mexican Consulate in Orlando.²⁰

Obtaining fraudulent driver’s licenses using fake paperwork is a growth industry in America. In January 2012, for example, a federal grand jury in Kansas City indicted 14 defendants, including six members of one family, on a 40-count indictment for participation in a conspiracy that allowed more than 3,500 illegal immigrants to obtain Missouri driver’s licenses and other state identification documents. “Prosecutors allege that defendants made more than \$5.2 million in fees charged to illegal immigrants since November 2009,” according to a news story in the *Kansas City Star*. The *Star* reports, “Each customer paid \$1,500 to \$1,600 and re-

ceived a birth certificate and Social Security number in the names of other people. Those documents typically came from conspirators in Texas who bought them from people willing to sell their documents, according to the allegations.”²¹

Illegal aliens have been driving under the radar so to speak for so long that they have developed a network of support.²² For example, Dan LaFontaine, a chiropractor at the Utah-based Carcrashpain.com, which offers auto repair, legal, and medical advice, issued a news release dated March 28, 2012, asserting, “When it comes to a traffic accident, the immigration status of an individual is completely separate.” Carcrashpain.com recommends that illegal aliens first contact an attorney: “because of attorney-client privilege, the lawyer should not report their client’s citizenship status to immigration officials.”²³

At the website LawQA,²⁴ this question is posed: “If an illegal immigrant has been in an accident and was at fault can he or she be deported if they have to report to a judge? How will insurance treat a situation like this?” Here are some answers that reflect the entire thread:

- Virginia attorney Michael E. Hendrickson: “No, traffic accidents are not normally considered to be ‘crimes involving moral turpitude’ which immigration authorities may consider as a basis for placing a person in removal proceedings.”
- Utah lawyer Bryce Froerer: “Because the person is here illegally and has caused an accident, ICE [the U.S. Immigration and Customs Enforcement agency] can probably get involved and initiate proceedings to deport them. This probably would not happen as ICE has more critical things to keep them busy.”
- Attorney Paul Vames of Oregon: “Typically, no. That does not mean I.C.E. could not be tipped off somehow regarding the potential issue of residency...”

The support network for illegal aliens who drive has delivered other tangible results. An April 27, 2012 *New York Times* headline sums up one of the most recent developments succinctly: “Fewer Illegal Immigrants Stopped for Traffic Violations Will Face Deportation.” The story is straightforward:

The policy change on how federal agents will handle illegal immigrants arrested by state and local police for offenses like driving without a license came in the [Homeland Se-

curity] department’s response to a report by a task force on the federal program ... [The report] argued that such deportations were inconsistent with the department’s stated priorities of removing foreigners with serious criminal records. The increase in deportations of minor offenders ... the task force concluded was undermining vital ties of trust between local police and immigrant neighborhoods.”²⁵

The U.S. Immigration and Customs Enforcement agency has a program called Secure Communities that runs the fingerprints of anyone booked into any county or local jail in the country through a Department of Homeland Security (DHS) and FBI database to determine if they are in the country illegally or not. If it is discovered that the suspect is an illegal alien, ICE will put a hold on him or her and generally pursue a deportation order. In response to the new Homeland Security guidelines that do not require deportation, Illinois, New York, and Massachusetts quickly withdrew from the program overseeing their policies on curtailing illegal aliens from driving.

In Los Angeles, the illegal aliens network has delivered even more. The Police Department has been instructed to ignore California state law, which requires authorities to impound the vehicles of unlicensed drivers for 30 days. The majority of unlicensed motorists in Los Angeles are immigrants who are in the country illegally. A 2011 AAA study titled *Unlicensed to Kill* finds unlicensed drivers are five times more likely to be involved in fatal crashes and more likely to flee the scene of a crime. No matter, as FoxNews reports, “As long as drivers can produce some form of I.D., proof of insurance and vehicle registration, they’ll be allowed to keep their car,” Police Chief Charlie Beck insists. He asserts that, “it’s simply leveling the playing field.” FoxNews quotes Bates as saying, “It’s about fairness. It’s about equal application of the law.” The Police Chief admits the majority of unlicensed motorists in Los Angeles are immigrants who are in the country illegally, but says the state’s impound law is unfair because it limits the ability of illegal aliens to get to their jobs and imposes a steep fine to get their car back.

The FoxNews story goes on to say:

The decision has angered Don Rosenberg, a resident of Los Angeles County, who lost his 25-year-old son, Drew, in a 2010 accident caused by an unlicensed driver in San Francisco, a city with lax impound policies. The driver, who tried fleeing the scene, had

previously been pulled over but was allowed to retrieve his car after a short time, months before the accident. “It doesn’t matter to me who killed my son—what their nationality was. It was the fact that if the law were followed, he’d be alive today,” Rosenberg told Fox News. “It’s more important that people who are in the country illegally get to drive than it is that people who are here get to live,” he said.²⁶

Auto insurance is legitimately available to illegal aliens. Bob Hartwig, president of the Insurance Information Institute, observes, “It’s a dicey issue on the national stage, and it’s not one that the insurance industry is going to be able to resolve or play a fundamental role in.” Hartwig says, “Unless the law of the state forbids an insurer from selling the coverage to someone who is undocumented, then it’s likely there will be insurers and agents who are willing to service that market.”²⁷

In California, there is no state law that would prevent an insurer from selling an auto policy to a non-U.S. resident (with a legal or fake driver’s license) or even an unlicensed driver, according to the state of California Department of Insurance. Carriers there can also write coverage for someone with a valid driver’s license from another country.

But illegal aliens don’t have to secure a driver’s license from another country — they’re available in the United States. As an August 13, 2010 Associated Press story explains:

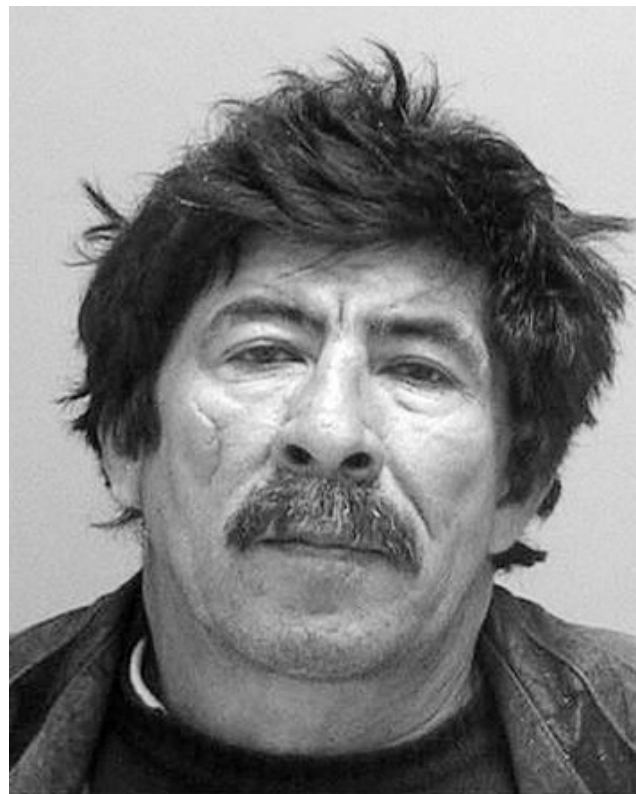
Carlos Hernandez packed up his family and left Arizona after the state passed its sweeping immigration crackdown. The illegal immigrant’s new home outside Seattle offered something Arizona could not: a driver’s license. Three states — Washington, New Mexico, and Utah²⁸ — allow illegal immigrants to get licenses because their laws do not require proof of citizenship or legal residency.²⁹

The AP report notes that New Mexico “does not require clerks to document where immigrants moved from. And clerks cannot ask if someone is in the country illegally.” Also, “there’s no way to distinguish between a license issued to a Swiss chemist employed with a visa at Los Alamos National Laboratory and a license assigned to a Mexican laborer in the U.S. illegally.” The AP analysis of data in the three states revealed some striking numbers: the rate of licenses issued to immigrants during the 10 weeks that followed approval of

the strict new Arizona illegal alien restrictions on April 23, 2010, reflected a 60 percent increase over the annual average for the previous year. “Washington state and New Mexico have been magnet states for the fraudulent document brokers, human traffickers, and alien smugglers for years,” observes Brian Zimmer, president of the Coalition for a Secure Driver’s License, a nonprofit research group in Washington, D.C.³⁰

The Associated Press reveals that,

New Mexico changed its law in 2003 to grant driver’s licenses to anyone without a Social Security number, which are unavailable to people living illegally in the country. More than 90,000 licenses have been issued to immigrants, and state officials speculate that most of those have gone to illegal immigrants. However, it’s impossible to know for certain because license applicants aren’t asked about their immigration status.³¹



Illegal alien David Herrera-Gomez, 56, was arrested in March 2011 for “investigation of a variety of charges, including possession of drug paraphernalia, giving false information to police, concealed weapons violations, and forgery.”

The reports of illegalities in New Mexico abound. According to another AP story, “Thirty-one people listed a mobile home address in Albuquerque to obtain licens-

es over 29 months and sometimes the licenses came in quick succession. One a week was issued on average at that address during a two-month stretch at the end of 2008.” The exposé also revealed, “In one instance, 48 foreign nationals claimed to live at a smoke shop in Albuquerque to get a license. In another case, more than a dozen claimed to live at an automotive repair shop over a one-year period.”³²

Since the federal government has little jurisdiction in licensing drivers or even auto insurance issues, individual states have stepped into the breach. The Virginia Department of Motor Vehicles no longer accepts federal employment documents as evidence that a person is in the country legally. Sadly, this initiative was in response to another tragic incident. Carlos Martinelly Montano, a 23-year-old Bolivian national, used a federal employment authorization document to get a driver’s license even though he had drunken driving convictions in 2007 and 2008 and was facing deportation proceedings. On August 1, 2008, he slammed his car head-on into a vehicle carrying three Benedictine nuns on their way to a retreat. Sister Denise Mosier was killed in the crash. Sisters Connie Ruth Lupton and Charlotte Lange were critically injured.³³

In April 2012, the governor of Alabama signed into law regulations that make it a felony for an illegal immigrant to get a driver’s license. Florida, South Carolina, Oklahoma, Nebraska, and other states have enacted legislation or are in the process of making the process of driver’s license applications and renewals much more controllable and accountable. In the first half of 2012, of all immigration legislation enacted in the 50 states, 20 percent, the largest segment, related to identification and driver’s licenses.

Even after the heart-rending news stories are read, the statistics are tallied, and the legislation debated, there are still those who do not feel the need for a restrictive and regulated system to obtain driving privileges.

Sara Escudero, a 64-year-old Massachusetts woman on her way to work as a nurse, died in a June 24, 2012 car crash. Escudero, born in Chile, was a naturalized U.S. citizen. Auricelli Braga, 32, was charged with motor-vehicle homicide, negligent operation of a motor vehicle, and driving without a license following the incident. Braga, from Brazil, has been living in this country illegally since 2002. Despite not having a license, Braga was still able to register her car in November of 2011 since state law only required an applicant to have a valid insurance policy. There was no legal requirement to have a license or proof of legal residency to register her automobile.

That loophole in the law was changed, but not without a knock-down, drag-out fight.

Massachusetts State Senator Robert Hedlund’s effort to stop illegal immigrants from registering or operating a car in the Bay State began in 2005 after hearing complaints from law enforcement officials. Although it wasn’t passed at that time, several motor vehicle accidents involving illegal aliens increasingly made the issue his focus. He noted that many “tragedies occurred because a loophole exists that enables people without driver’s licenses and without any sort of training to register and get behind the wheel of a car.” Hedlund cited these cases as examples:

- In October 2009, Richard Grossi was killed when Maria Leite, an unlicensed illegal immigrant, drove through a stop sign and a blinking red light, crashing into Grossi’s car and killing him.
- In February 2011, Manuel Zaruma, also an illegal alien, lost control of his vehicle and spun into the opposite lane. The accident killed Andrea Agosto, who was a passenger in a passing car.
- In August of that same year, an illegal alien driving a truck hit 23-year-old Matthew Denice. Police said the driver, Nicolas Guaman, was drunk and didn’t have a license.³⁴

Then came the tragic death of the 64-year-old grandmother Sara Escudero. Just two weeks after that incident, a bi-partisan majority of lawmakers passed Hedlund’s legislation, which required any person who registers a car in Massachusetts to hold a license, social security number, or other proof of legal residence. In addition, the bill toughened penalties for those caught driving without a valid license.

However, Governor Deval Patrick vetoed the bill, saying, “It is clear from the legislative and public debate that [the legislation is] motivated by efforts to regulate the activities of undocumented people in Massachusetts.” Patrick, who has been described as the “next Barak Obama,” said the measure targeted undocumented immigrants and inappropriately required a state agency, the Registry of Motor Vehicles, to enforce federal immigration law. Patrick warned the members of the Massachusetts House and Senate that, “I will not accept efforts to compel state authorities to enforce federal immigration rules. The recent ruling of the United States Supreme Court, striking down most of Arizona’s anti-immigrant law, underscores the importance of states

treading lightly in this federal space. In addition, a long line of authority makes legislation that is racially or ethnically conscious constitutionally suspect.”³⁵

The reaction was sure and swift. The Massachusetts legislature voted to override the Governor’s veto by lopsided margins: 134-19 in the House and 24-10 in the Senate. “This is a victory for motorists in Massachusetts, for police officers in Massachusetts, for immigrants who are here legally, and for the families who lost loved ones because of illegal immigrants being allowed to register cars and then driving,” Senator Hedlund said in a news release.³⁶

While such reforms guard against illegal aliens taking to U.S. roads, each is a battle in and of itself and results in slow but measured progress. In the meantime, thousands of Americans are killed, maimed, or suffer extraordinary property damage. This urgent situation gives defensive driving a new and important definition. ■

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