

Sanctuary defendant calls trial a 'far cry from the truth'

By Teresa A. Parsons

When Sister Darlene Nicgorski, S.S.S.F., traveled to Tucson, Arizona, to visit her family in September, 1982, she thought she knew where she was headed.

Tired and ill after two tense and harrowing years in Guatemala and Mexico, she was seeking a rest. She never suspected that she was embarking on another journey — one that would lead her to face a possible 30-year prison sentence for charges of conspiracy to violate immigration law, transporting refugees and eluding an investigation.

Sister Darlene, one of 16 sanctuary workers arrested and indicted for assisting Central American refugees in January, 1985, visited Rochester last Saturday evening at the invitation of the Rochester Sanctuary Committee. She and her co-defendants have been on trial in Tucson since October, 1985. Their case is expected to establish important precedents in the U.S. government's handling of the sanctuary movement and of undocumented Central American refugees.

But speaking at Corpus Christi Church in Rochester, Sister Darlene likened what is happening in the trial to what is happening in Central America, calling it "a far cry from the truth."

"The government is trying to silence the truth," she said. In the courtroom, presiding Judge Earl Carroll has refused to allow the jury to hear testimony from refugees about why they fled to the U.S.

"The case is being fought on technicalities because the truth is not being allowed into the courtroom," Sister Darlene said.

Likewise, she charged that the United States is trying to hide the effects of its foreign policy in Central America. "I think the government has learned from Vietnam that they've got to keep it silent ... to keep

the war isolated from our reality," she said. "Why is it that very few people are aware that more than 32 priests have been killed in Guatemala and El Salvador? Everybody knows when a priest is killed in Poland."

Government prosecutors rested their case last Friday, March 7, after calling 19 witnesses to testify. Although the bulk of the testimony from 17 Central American refugees was not heard by the jury, Sister Darlene believes they were effective witnesses. "Their strength of character came through on the stand even if they were constantly cut off," she explained. "I think they (the prosecutors) failed to understand the strength of people of faith."

U.S. Prosecutor Donald M. Reno also faulted his failure to understand the sanctuary movement in his opening arguments, when he described it as a highly organized "alien-smuggling ring," Sister Darlene said. "The truth is that this is the most disorganized grass roots movement you'd ever want to see."

Nor, she added, has the prosecution presented any evidence of criminal intent, such as drugs or weapons. "In fact, the prosecution's case has been almost totally aimed at precluding evidence, including their own tapes," she said.

Government informants, known as "coyotes," infiltrated church groups with which sanctuary workers were affiliated and secretly recorded their conversations. Attorneys on both sides argued last month over whether the results — 91 tapes — could be introduced as evidence before the jury. Prosecutors wanted the jury to hear only excerpts, while the defendants argued that the remarks should be heard in context. "We said, 'go ahead and play the tapes. We're not afraid of what's on them,'" Sister Darlene



Jeff Goulding/Courier-Journal
Sister Darlene Nicgorski, S.S.S.F.

said. But being the object of surveillance has frightened her, or at least has made her less open. "My sense of trust in coming together as a community of faith is somehow broken forever," she said, describing her reaction to learning that her Bible study group was infiltrated by federal agents.

On a more positive note, her congregation, the School Sisters of St. Francis, has rallied

behind her. "I didn't sense a lot of support before my arrest, but interestingly enough, after my indictment there was a groundswell of support that moved the administration," she said.

On the other hand, the Catholic Church, especially its hierarchical figures, have been "very evasive and reluctant" in their support of sanctuary, Sister Darlene said. As an example, she cited a statement by Bishop Rene H. Gracida of the Diocese of Corpus Christi, Texas, in which she said he urged people to open their doors and welcome refugees, but not to transport them or become involved with the political aspects of the sanctuary.

Her own awareness of conditions in Central America stems from 1980, when she traveled to Guatemala to set up a pre-school program.

Less than a year after Sister Darlene arrived, the pastor of her parish was murdered along with a young parishioner. She was the first to receive the news and afterward, she and the other sisters in her community were warned to leave the country or they would be killed as well.

When they fled to Honduras, Sister Darlene and the other sisters became refugees themselves for a time. Finally, they were accepted in sanctuary by Don Samuel Ruis, Bishop of the Diocese of Chiapas, Mexico. During the nine months she spent there, Sister Darlene visited groups of refugees gathered at the Mexican border and found

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