



Written by [R. Cort Kirkwood](#) on October 24, 2011

## ICE Permits Illegal Alien Witness to Disappear

Milford police and prosecutors are furious at ICE, the [Milford Daily News reported](#), for permitting Luis Acosta to escape and perhaps flee to Ecuador, and the district's Congressman has called for an investigation.

[The Daily News revealed](#) the ICE foul-up last week, which culminated with the indictment of Nicolas Guaman on three felonies in connection with the death of Matthew Denice. Guaman faces charges of second-degree murder, manslaughter while driving a motor vehicle, and motor vehicle homicide, the paper reported.



### What Happened

The grisly end of 23-year-old Matthew Denice struck Milford, [which is struggling](#) mightily against illegal aliens, fast and hard.

As [The New American reported](#) last month, the drunk, 34-year-old illegal struck Denice, who was riding his motorcycle back home from a friend's place, and dragged the young man a quarter of a mile.

According to police, Denice, the [Milford Daily News reported](#), "was alive when Guaman dragged him with his truck."

Denice's body was dislodged from under Guaman's truck when he ran off the road at the corner of West and Bancroft streets, police said.

A prosecutor said that when Denice became dislodged from the truck, Guaman backed up over Denice and drove off.

Guaman was yet another border jumper authorities collared for other vehicular and violent crimes but was repeatedly released. [Reported the newspaper](#): "Guaman had been arrested three times since 2007 for driving without a license in Milford, Uxbridge and Attleboro." The newspaper continued:

The Attleboro charge was dismissed. Guaman also served one year of probation from May 2008 to May 2009 for charges that included assault and battery on a police officer and assault on a firefighter after a 2008 incident in which he interfered with the treatment of a family member who had allegedly attempted to enter someone else's home, [Milford Police Chief Thomas] O'Loughlin said.

Those revelations were enraging enough for the citizens of Milford, which again, is fed up not only with the illegal-alien problem but also with leftist Gov. Deval Patrick, [who refuses](#) to do anything about the problem.

But now they learn ICE, which recently [gave prosecutorial discretion](#) to its lawyers and agents to permit illegals to stay in the country, permitted the key witness in the case to escape custody.

### Bungling Bureaucracy



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That witness is Luis Acosta. He fled the scene of the wreck that killed Denice, leading authorities on a 36-hour chase. Having found him, ICE released him with a monitoring bracelet, pending a deportation hearing, the [Daily News reported](#). He cut off the bracelet, escaping the federal gumshoes.

They actually expected Acosta to show up for deportation proceedings, but he was also scheduled to appear before a grand jury in the Guaman case on Oct. 6. When he failed to appear for the grand jury, police learned of his ICEcapades.

[The Daily News reported](#) that police traced his cell phone to John F. Kennedy Airport in New York, where they believe he hopped a flight back to Ecuador, which, the police chief noted, does not have an extradition treaty with the United States.

Ecuador is also one of the nations [that filed briefs](#) on the side of the Obama administration and its leftist allies in their lawsuit which sought to overturn Alabama's tough new immigration law.

The police chief said he is "beyond shocked," the [Daily News reported](#), "by ICE's explanation of the lapsed communication." He wants to know why ICE did not notify local authorities about Acosta's escape until after he missed the grand jury hearing. "Something's wrong here, for them to be so cavalier, in my view, about the key witness in the death of a young man," [O'Loughlin declared](#).

[ICE offered](#) a typical bureaucratic excuse for permitting Acosta to escape, not least that the agency couldn't care less whether he met his duty to appear before a grand jury as a witness to second-degree murder.

ICE Spokesman Charles Jackson released a statement: "While Acosta came to our attention after the tragic death [of] Matthew Denice, local jurisdictions have the responsibility for keeping track of possible witnesses in their criminal investigations. ICE only detains and places individuals on alternative to detention programs (i.e., monitoring devices) in order to monitor aliens going through removal proceedings."

ICE added that "contrary to public reports, ICE attaching a monitoring device had nothing to do with him being a possible material witness in a criminal investigation," the [newspaper reported](#). As well:

According to ICE, they became aware of Acosta in early September after he was released from Milford District Court. After determining he violated the immigration and nationality act, the agency conducted a background check and found no indication of prior criminal charges or history that made him a threat to national security or public safety.

Consequently, Acosta was not subject to mandatory detention and was placed on a monitoring device while he awaited removal proceedings, according to the agency.

The agency said it was notified once the monitoring device was cut, but did not say when that was. Procedures were properly followed, ICE said, and immigration officials continue to work with Milford Police to find Acosta.

[Chief O'Laughlin said](#) he understands that Acosta is not a criminal alien, but "They clearly missed it. They don't get it."

The city's Congressman, [Richard Neal](#), has called for an investigation. [Neal told](#) the newspaper that ICE "was scrambling" to find an explanation for the bureaucratic malfeasance when he inquired about it.

Matthew Denice's family issued the following statement, the [Daily News reported](#): "We will continue to speak out in support of policies that ensure stronger and swifter enforcement in the hope that no family



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will ever suffer the same kind of unimaginable pain and sorrow we've endured since we lost Matthew."

## **More ICE Fumbling**

Last week, as ICE fumbled the ball on Acosta, Homeland Security Secretary [Janet Napolitano appeared](#) before Congress to explain why her agency is giving permits for illegal aliens to stay in the country to work.

That move is a logical consequence of the Obama administration's amnesty, [which has halted](#) the deportation of 300,000 illegals and will permit illegals [who meet the criteria](#) in [the failed DREAM Act](#) to stay in the country.



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