News



A migrant family is dropped off Dec. 13, 2022, at a local migrant shelter run by the Annunciation House in downtown El Paso, Texas. Texas Attorney General Ken Paxton filed an appeal July 15 of a state judge's July 2 ruling to deny his effort to shut down Annunciation House. (OSV News/Reuters/Ivan Pierre Aguirre)

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Texas Attorney General Ken Paxton filed a direct appeal July 15 to the Texas Supreme Court seeking to revive his effort to shut down Annunciation House in El Paso, Texas, a Catholic nonprofit serving migrants, after a state judge earlier this month dismissed his lawsuit.

Paxton was widely expected to appeal the ruling, but it remains to be seen whether the Texas Supreme Court will accept the case on appeal, or what if any action the court would take.

In court filings and press statements, Paxton's office alleged Annunciation House runs "stash houses," facilitates illegal border crossings, conceals "illegally present aliens from law enforcement" and did not turn over documents in its investigation. But Annunciation House and its attorneys denied wrongdoing or illegal conduct and said Paxton's office did not adhere to appropriate legal processes for requesting documents from them.

In a July 15 statement, Paxton said, "For too long, Annunciation House has flouted the law and contributed to the worsening illegal immigration crisis at Texas's border with Mexico."

"I am appealing this case and will continue to vigorously enforce the law against any NGO engaging in criminal conduct," he added.

A spokesperson for Texas RioGrande Legal Aid, which represents Annunciation House, declined to comment. A spokesperson for the Diocese of El Paso did not immediately respond to a request for comment.

The July 2 ruling by Judge Francisco Dominguez of the District Court of El Paso County found that Paxton's office "failed to establish probable grounds for the proceedings" and dismissed the suit on multiple grounds, including finding that the effort violated the Texas Religious Freedom Restoration Act.

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"The record before this Court makes clear that the Texas Attorney General's use of the request to examine documents from Annunciation House was a pretext to justify its harassment of Annunciation House employees and the persons seeking refuge,"

Dominguez ruled in granting Annunciation House's application for relief.

"This Court previously expressed its concern that the Attorney General did not identify what laws he believed were being violated from the outset," the ruling said.

"There is no legal basis for closing a nonprofit that provides social services to refugees, period," said Jerome Wesevich, a lawyer for Texas RioGrande Legal Aid, which represents Annunciation House, during a post-ruling press conference July 2. He said the ministry "has always believed that the attorney general's harassment of Annunciation House is morally and legally improper."

"It's not surprising that the court agreed with us on all of the grounds," Wesevich said.

Paxton's effort to shut down Annunciation House comes as some Republican lawmakers have grown increasingly hostile toward nongovernmental organizations, including Catholic ones, that provide resources such as food and shelter to migrants at the U.S.-Mexico border.

A previous suit filed by Paxton in February sought to shut down Annunciation House, accusing it of "human smuggling," in a move that was denounced by local elected officials and Catholic immigration advocates, including Bishop Mark Seitz of the Diocese of El Paso. In March, Dominguez issued an order blocking Paxton's subpoena of Annunciation House, finding both that Paxton's effort seemed politically motivated and that it must go through appropriate due process in the state court system.

In its July 15 statement, Paxton's office said, "The judge falsely accused the Office of the Attorney General of investigating Annunciation House because of the organization's 'support for the Catholic Church.' "

In its filings, Paxton's office sought to downplay the "religious component" of Annunciation House's mission, arguing, "Instead, Annunciation House's members appear to subscribe to a more Bohemian set of 'seven commandments,' including commandments to 'visit' people when 'incarcerated' and "care (for them) when they're sick."

However, those quotes come from a witness who appeared to be referring to what the Catholic Church calls the "seven corporal works of mercy," according to a review of the document by OSV News.

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The case even caught the attention of Pope Francis, who criticized Paxton's attempt to shut down Annunciation House, calling it "madness" during a recent interview with CBS News.

In the pontiff's first one-on-one interview with a U.S. broadcaster, CBS journalist and interviewer Norah O'Donnell asked, "The State of Texas is attempting to shut down a Catholic charity on the border with Mexico that offers undocumented migrants humanitarian assistance. What do you think of that?"

"That is madness. Sheer madness," Pope Francis replied.

Annunciation House operates several shelters in the El Paso area, helping migrants and refugees with food, housing and other assistance, as well as providing information about how to fill out the required legal documents to seek asylum in the U.S.

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