

Judge rules against Texas Attorney General Paxton in campaign against migrant shelters

by [Aleja Hertzler-McCain](#)

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Texas Attorney General Ken Paxton makes a statement at his office, May 26, 2023, in Austin, Texas. (AP Photo/Eric Gay, File)

An El Paso, Texas, district court judge ruled July 2 that Texas Attorney General Ken Paxton had violated the US Constitution's Fourth Amendment, which protects against unreasonable government searches and seizures, in his targeting of Annunciation House, a network of nonprofit Catholic migrant shelters.

"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,” the judge, Francisco Dominguez, wrote.

Annunciation House, which is based in El Paso, filed suit and sought a restraining order against the attorney general’s office shortly after the office visited Annunciation House on February 7 and demanded documents from the nonprofit, including identifying information about its clients. In response, Paxton filed his own lawsuit attempting to shut the shelters down.

The Associated Press [reported](#) that Paxton has also targeted other nonprofits that support migrants, filing suit against Catholic Charities of the Rio Grande Valley to seek its testimony. Catholic Charities of the Rio Grande Valley is led by Norma Pimentel, the 2018 winner of the University of Notre Dame’s Laetare Medal and one of *Time* magazine’s [100 Most Influential People of 2020](#).

In a February 20 press release announcing the lawsuit against Annunciation House, Paxton’s office said it had “reviewed significant public record information strongly suggesting Annunciation House is engaged in legal violations such as facilitating illegal entry to the United States, alien harboring, human smuggling, and operating a stash house.”

Paxton’s legal strategy follows years of Republican accusations against Catholic Charities. In 2022, Texas Republican US Rep. Lance Gooden sent a [letter](#) to the national headquarters of Catholic Charities requesting significant background about the nonprofit’s work with migrants.

“It is irresponsible for Catholic Charities to fuel illegal immigration by encouraging, transporting, and harboring aliens to come to, enter, or reside in the United States,” the congressman wrote.

Paxton’s office did not respond to an email inquiring whether the ruling in the Annunciation House case would impact the attorney general’s legal strategy regarding Catholic Charities of the Rio Grande Valley. Dominguez’s first ruling allows Annunciation House to ask the court to review any further subpoenas from Paxton.

In a second ruling, Dominguez denied Paxton’s attempt to shut down Annunciation House and wrote that the attorney general’s legal strategy “violates the Texas Religious Freedom Restoration Act by substantially burdening Annunciation House’s free exercise of religion and failing to use the ‘least restrictive means’ of securing

compliance with the law.”

Mark Seitz, bishop of the Catholic Diocese of El Paso, had repeatedly drawn attention to the case as a violation of religious liberty. In the wake of the ruling, Seitz called the decision “an important moment for religious freedom and a recognition of the important role that faith communities play in helping our nation lead with compassion and humanity in meeting the challenges of migration at the border.”

“We look forward to continuing to work with our federal and state partners in identifying solutions to our broken system of immigration, working for reform and addressing the growing humanitarian crisis of deaths at the border,” Seitz wrote.

Dominguez, an elected Democrat, wrote that Paxton, a Republican, is “the top law enforcement officer in the State of Texas,” and, as such, “has a duty to uphold all laws, not just selectively interpret or misuse those that can be manipulated to advance his own personal beliefs or political agenda.”

Dylan Corbett, executive director of the Hope Border Institute, a Catholic organization supporting migrants in the border area around El Paso and Ciudad Juárez, wrote on X (formerly Twitter): “When Paxton attacked Annunciation House, he attacked a resilient and strong El Paso border community, religious freedom and humanitarian aid.”

Paxton “may appeal, but he’s ultimately on the losing side of faith, love and compassion,” Corbett wrote. — Religion News Service