

## **‘She’s not a terrorist’**

### **Hernandez**

#### **Woman charged with making threat said to have low cognitive capability**

**Justin Murphy** Rochester Democrat and Chronicle | USA TODAY NETWORK

Abigail Hernandez, the Rochester woman charged last week with making a terroristic threat in Rochester, has very low cognitive capability and is incapable of carrying out the sort of threat she’s charged with making, her parents said Sunday.

The 21-year-old woman is a student at Edison Tech High School. She came to the United States from Mexico at age 3 with her parents, they said, and qualifies for “dreamer” status under Deferred Action for Childhood Arrivals rules.

“She’s not right mentally — she doesn’t pick up what people say,” her mother, who asked not to be identified by name, said in Spanish. “She’s very dependent on me.”

At a press conference Friday afternoon, the Rochester Police Department announced Hernandez had been charged with making a terroristic threat, a felony. She allegedly posted on the East High School Facebook page, on the afternoon of Feb. 15: “I’m coming tomorrow morning and I’m going to shoot all of ya bitches.”

According to her mother and father, Eufrazio Torres, about 10 RPD officers first came to their house in the early hours of Feb. 16 and took her away for several hours of questioning, then brought her home and left her there.

They came again the evening of Feb. 20 and took her into custody. Torres said he bailed her out then, only for immigration authorities to detain her and take her to the Buffalo Federal Detention Center in Batavia.

Hernandez will be in federal court Monday morning. She will be represented by a public defender, her father said.

Torres said he and his wife have green cards, and their two younger children are American citizens. Torres said he works 80 hours a week as a bus driver for two different companies and owns seven houses in northeast Rochester, including the family’s home off Portland Avenue.

#### **Switched to Edison for special education needs**

Hernandez was a student at East High School until about three years ago, when she switched to Edison because it had a special education program better tailored to her needs. The change happened before the University of Rochester assumed control of East in 2015.

RPD said it found a shotgun in Hernandez’ home, but Torres, her father, said it belonged to

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**Eufrazio Torres holds a photo of his daughter, Abigail Hernandez, who is accused of making a terroristic threat on the East High School Facebook page. Torres doesn't believe his daughter is capable of making the threat because she is a special needs student. OLIVIA LOPEZ/@OLOPEZ4/STAFF PHOTOGRAPHER**

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him and was stored at a rental property he owns across the street. His daughter had never touched it, he said.

"She never fight in school; she gets a nice education," he said. "She always stay in my house. She's never out in the neighborhood."

Torres and his wife believe RPD is wrong in alleging that his daughter wrote the threatening Facebook post. Even if she did, though, they said she is unable even to make her own way to East High School, much less attack it.

Torres said she won't even go by herself to the corner store that's visible from their front porch.

"You put my daughter (in front of our house) and say to go to East (High), she doesn't know how," he said.

Torres attempted to visit his daughter in Batavia on Saturday but wasn't able to see her. The guards there told him he could see her only if she put in writing that she wanted him as a visitor; he said she lacks the cognitive ability to do so.

"My family can't sleep," he said. "You see her face on the news? She's scared. ... She (must be saying to herself), 'Oh, man, what happened to me, what I did?' But she no do nothing wrong."

Deputy Mayor Cedric Alexander and Rochester Police Deputy Chief La'Ron Singletary on Friday declined to answer questions about the timeline of Hernandez's arrest; why five days passed between the alleged threat and her arrest, and why RPD waited until 4:40 p.m. Friday to announce an arrest it had made three days earlier.

At the press conference, Alexander said immigration officials had retrieved information about Hernandez through an automated online database. The city of Rochester recently affirmed its status as a “sanctuary city,” meaning it typically will not share immigration information with federal authorities.

RPD Investigator Jacqueline Shuman said on Sunday afternoon she would forward questions about the timeline and the immigration matter to Singletary, who did not immediately respond.

Hernandez’s mother said Sunday that she has always taught her children to act properly, including treating the police with respect.

“I’ve always told her that if you do everything right, you won’t have any trouble with the law,” she said in Spanish. “She’s not a terrorist. ... Now I’m very worried for her.”

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**Abigail Hernandez was given the perfect attendance award by her teacher in 2006.** OLIVIA LOPEZ/@OLOPEZ4/STAFF PHOTOGRAPHER