

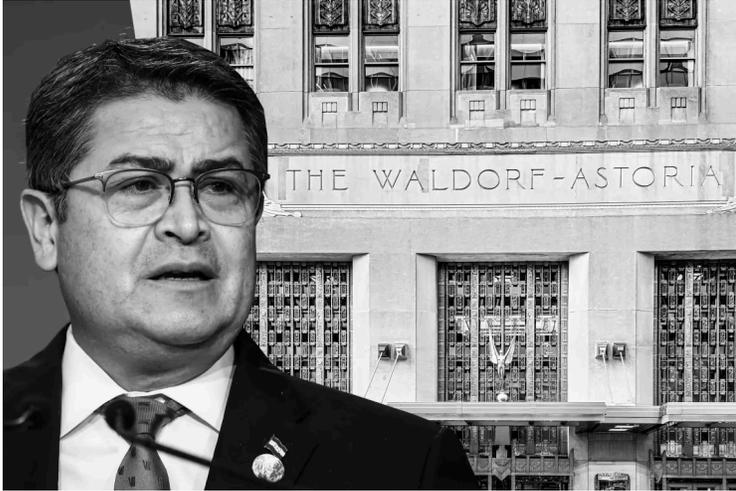
IF YOU'RE CONVICTED ON BIG DRUG CHARGES, FYI

1. Honduran president was pardoned,
2. ICE dropped its detainer on him, and
3. He was whisked away to a luxury hotel in New York City.

Criminal Justice - PROPUBLICA

Amid Mass ICE Arrests, Trump Pardon Recipient Juan Orlando Hernández Given Special Treatment

After the former Honduran president was pardoned, ICE dropped its detainer on him, and he was whisked away to a luxury hotel in New York City.



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Honduran President Juan Orlando Hernández in 2021 and the Waldorf Astoria facade in New York Photo illustration by ProPublica. Photos by Andy Buchanan - Pool/Getty Images, Plexi Images/GHI/UCG/Universal Images Group via Getty Images.

by **Keri Blakinger**

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For months, President Donald Trump has railed against Latin American narcoterrorists flooding the United States with “lethal poison.” He has used the scourge of drug trafficking as a rationale for dozens of military strikes on alleged drug boats in the Caribbean and eastern Pacific Ocean, which have left more than [140 people dead](#).

Last month, Trump cheered a military assault by U.S. forces that captured Venezuelan President Nicolás Maduro and his wife, Cilia Flores, and brought them to the U.S. to face charges related to cocaine trafficking. Maduro, [Trump said](#), led a “vicious cartel” that “flooded our nation with lethal poison responsible for the deaths of countless Americans.”

But when it comes to former Honduran President Juan Orlando Hernández, who was tried and convicted in the U.S. in 2024 and sentenced to 45 years in prison for taking bribes and allowing traffickers to export more than 400 tons of cocaine to the U.S., Trump has taken a decidedly softer tone. Hernández, he said, has been “treated very harshly and unfairly” — so unfairly that on Dec. 1, Trump pardoned the former president after he served less than four of those 45 years.

But the federal government’s magnanimity did not end there. On the day he was to be released, records show, Hernández had an immigration detainer — a request for law enforcement agencies to hold noncitizens for pickup by Immigration and Customs Enforcement — in place.

Here, too, the Trump’s administration’s treatment of Hernández differed from its public objectives. Other noncitizens caught up in recent immigration sweeps — the vast majority of whom do not have criminal records — have faced swift efforts to deport them, even to countries where they may face threats. But in Hernández’s case, the Federal Bureau of Prisons scrambled to get his detainer removed so he could walk free.

And Hernández did not just walk out of the prison. Despite persistent [budget and staffing shortages](#), prison officials paid a specialized tactical team overtime to drive Hernández from a high-security facility in West Virginia to the famed five-star Waldorf Astoria hotel in New York City, according to records and three people familiar with the situation. Before he left, Hernández was allowed to use the captain's government phone to talk to the federal prison system's deputy director, Joshua Smith, who was convicted in a drug trafficking conspiracy before [Trump pardoned him](#) in 2021.

"The [prisons bureau] administration rolled out the red carpet for him," said Joe Rojas, a retired prison worker and former union leader who has been speaking to the media on behalf of staff who fear reprisals for doing so since bureau leaders stopped recognizing the union last year. "The staff are disgusted."

Renato Stabile, the court-appointed lawyer representing Hernández — who has [long maintained his innocence](#) — said his client's treatment was appropriate.

"It would be particularly cruel to grant somebody a pardon and have them released from prison — only to have them immediately shipped back to a place like Honduras where they would've immediately arrested him or he would've been killed on sight by criminal elements that wanted to do him harm," Stabile told ProPublica. Through his attorney, Hernández declined to comment.

ICE referred all questions to the White House, which responded with a link to a November [social media post](#) announcing the President's intent to pardon Hernández. Smith didn't respond to an emailed request for comment. A BOP spokesperson said in an emailed statement that the bureau does not discuss conditions of confinement or security procedures and that employee standards of conduct prohibit staff from giving any prisoners preferential treatment. "Violators may be subject to disciplinary actions, including removal from federal service and criminal prosecution," the statement said.

The investigation that ultimately ensnared Hernández stretched across several U.S. presidencies. Despite looming legal trouble stateside and widespread [allegations of corruption](#) in his country, Hernández — often known by his initials, JOH — was seen as key U.S. ally under the Obama and first Trump administrations, ostensibly because of his apparent willingness to help tackle drug trafficking and migration issues.

In 2012, as president of Honduras' National Congress, he famously pushed through a legal change allowing for the extradition of accused criminals to the U.S. — a reform that his attorney pointed out was ironically later used to extradite him.

But in 2018, less than halfway through Hernández's second term as president, the Drug Enforcement Administration arrested his younger brother, former Honduran congressman Tony Hernández, in Miami for a series of weapons and drug trafficking charges. A jury found him guilty the following year at a Manhattan federal trial in which Emil Bove — the federal prosecutor who would later become Trump's personal defense lawyer — gave a closing argument replete with allegations implicating the Honduran president in criminal schemes. (Bove could not be reached for comment.)

Although the sprawling criminal case focused on narco-trafficking concerns, Juan Orlando Hernández's political career was fraught in other ways. Dana Frank, a University of California, Santa Cruz history professor who studies Honduras, described him as a "repressive criminal on multiple fronts."

While in congress in 2012, he led a "technical coup" in overthrowing the supreme court, she said. Then, he ran for reelection to the presidency in 2017 "in complete violation of the constitution," she said. Amid the resulting protests, security forces shot and killed at least 16 people, including two children, among other human rights abuses, a United Nations report found. Hernández has said little publicly, but his government told the U.N. it would look into those cases. His party has tweeted that it has an "unwavering commitment to democracy and freedom."

Weeks after Hernández left office in 2022, he was arrested at his home in Honduras and extradited to the U.S. to face drug trafficking and weapons charges. Prosecutors said he funded his political career with millions of dollars he received from "violent drug-trafficking organizations" in exchange for allowing them to "move mountains of cocaine" out of the country.

Stabile told ProPublica the case against his client was always a weak one, relying heavily on the word of unreliable drug traffickers with outlandish stories and little in the way of hard evidence.

Still, the government's case was enough to convince a jury to convict Hernández after [just over eight hours of deliberations](#), and in June 2024 [he was sentenced](#) to 45 years in federal prison. Afterward, Stabile and his client began working on [an appeal](#), which at that point appeared to be Hernández's only shot at freedom.

Early last year, prison officials transferred Hernández out of the federal detention center in Brooklyn, which largely holds [pretrial detainees](#), and sent him to the high-security Hazelton penitentiary in West Virginia. Dubbed "Misery Mountain," the notoriously violent prison is the same facility where mob boss James "Whitey" Bulger was beaten to death in his cell hours after his arrival in 2018.

Yet prison sources said Hernández seemed to do his time quietly, eventually landing in the coveted housing unit set aside for a [therapeutic program](#) used to treat drug addiction, mental illness and "criminal thinking errors."

But after Trump returned to office last year, a much quicker route to freedom suddenly seemed possible: a pardon. Like Trump, Hernández was a member of his country's right-wing party. And, like Trump, he believed he'd been targeted by leftist forces. He also had other reasons to be hopeful.

During his time in office, Hernández had championed the creation of special economic zones that could set their own taxes and regulations, a move that benefitted the Trump-aligned Silicon Valley titans who invested in them, including [Peter Thiel and Marc Andreessen](#). But the law was repealed by his successor, [center-left party](#) Libre member Xiomara Castro, putting plans for the zones in jeopardy. (Andreessen responded to a request for comment with a link to a [social media post](#) disavowing any involvement in the pardon. Thiel could not be reached for comment, though he has previously said [he was not involved either](#).)

Longtime political operative Roger Stone also suggested [in a blog post](#) co-authored with conservative activist Shane Trejo in January 2025 that pardoning Hernández could have political benefits for Trump. In the post, Trejo and Stone — who was pardoned by Trump five years ago after he was convicted of obstructing a congressional investigation into Russian election interference — urged the president to "crush socialism and save a freedom city in Honduras" with a "well-timed pardon" that "could be the final death blow to [Xiomara] Castro" in the 2025 elections.

Eventually, Stone took on a more direct role in advocating for clemency when he gave Trump a four-page letter Hernández had written to the U.S. president, asking for a pardon and making the case that his conviction was a "political persecution" by the Biden administration. In a text message with ProPublica, Stone said he had received the letter from a journalist who'd gotten it from the family. He emphasized repeatedly that he was not compensated for his involvement.

"I read the letter and then did my own research and elected to send the letter to President Trump," Stone wrote. "I actually had no contact with JOH or anyone in his family until after the pardon."

On Nov. 28, two days before the Honduran presidential election, Trump announced his intent to pardon Hernández. Stabile said he didn't learn the news until Ana García Carías, the former president's wife, called him in tears: "He's letting him out! Trump's pardoning Juan Orlando!" She sent Stabile a screenshot from Truth Social, where Trump had written that he would grant him a "Full and Complete Pardon."

The decision met with bipartisan backlash from lawmakers. Sen. Tim Kaine, a Democrat from Virginia, called the unexpected reprieve "disgusting and incomprehensible," while Sen. Thom Tillis, a North Carolina Republican, described it as "horrible optics."

In his post, Trump also urged Hondurans to vote for the National Party candidate, Nasry "Tito" Asfura, who was trailing in multiple polls, adding what to observers of Latin American politics was a thinly veiled threat: If Asfura did not win, Trump said, the U.S. would "not be throwing good money after bad" in support of Honduras.

The message was obvious, experts said. "That pardon was a clear green light for the National Party to manipulate the vote," one former high-ranking U.S. diplomat told ProPublica.

In the end, Asfura narrowly edged out center-right candidate Salvador Nasralla and handily defeated the incumbent Libre party. But the count was plagued by delays, reports of voter intimidation and allegations of fraud, and Nasralla later formally challenged the outcome.

On Dec. 1 — while the votes were still being counted in Honduras — [Trump posted](#) again on Truth Social in support of Asfura. “Looks like Honduras is trying to change the results of their Presidential Election. If they do, there will be hell to pay!” The former president’s pardon officially went through that same day.

That evening at Hazelton, after the prisoners had already been fed dinner, corrections officers showed up at the housing unit to get Hernández. Smith, the bureau’s deputy director, wanted to speak with him. The newly pardoned inmate was escorted to the captain’s office, where he used the captain’s phone to talk to Smith, his fellow pardon recipient, according to a source familiar with the situation. The move shocked current and former prison staff.

Hernández was also allowed to talk with his family, who then phoned Stabile and told him the good news. Within the hour, Stabile said, he got a call from Smith, inquiring about a release plan.

“I’m in Manhattan and he’s in West Virginia,” Stabile told Smith. “It would take me six hours to come pick him up. Can you transport him?”

Because most inmate releases are done during the daytime, prison staff had to be called back in to handle the paperwork and logistics of freeing an inmate. But there was a problem: Hernández had an immigration hold.

When noncitizens are convicted of crimes in the U.S., immigration officials routinely sign detainers asking prisons and jails to turn them over to ICE for possible deportation proceedings following their release date. In Hernández’s case, records show immigration agents sent the prison notice of a detainer in February 2025, two months after he was sentenced in court.

For several hours on the night of his release, prison officials scrambled to get the detainer removed so he could walk free, according to several sources familiar with the situation.

“It’s definitely special treatment. That’s not normally the way it goes,” said Lena Graber, a senior staff attorney at the Immigrant Legal Resource Center. “Most people with drug convictions would never get their ICE detainer removed just because the conviction was pardoned.”

Records show immigration officials lifted the detainer on Hernández just after 11 p.m.

Typically, according to a source familiar with the situation, prisoners who are released from Hazelton when there’s inclement weather or when it’s too late in the day to catch a plane or bus home are put up at the Microtel Inn and Suites at the bottom of the hill. It’s a two-star hotel where a room costs \$69 per night. In the morning, they’re given a ticket and sent on their way.

But for Hernández, prison officials activated a four-man tactical team, paying at least three of them overtime to drive him to the luxury hotel in Manhattan, according to government records and law enforcement sources. A standard room there costs more than \$1,000 per night. Stabile declined to comment on where Hernández stayed but said the government did not pay for it.

It was another move that stunned prisons bureau staff. One official called it “absolutely fucking nuts,” adding, “I don’t even think that’s ever been done, not just for a pardoned inmate but for anyone who’s been released.” Another agreed that it was unprecedented: “Usually, they get a shitty bus ride or a cheap plane ticket. They don’t get the carpet rolled out for them.”

As of now, the former president’s whereabouts are unknown. A few days after his release, Hernández said in Spanish in a social media post that he had “no intention of returning to Honduras” immediately because he and his family would be in “grave danger given the evident persecution and the weaponization of justice against me.”

If Hernández is in the U.S., it’s unclear what his immigration status is.

Meanwhile, Honduran officials have issued a warrant for Hernández’s arrest over years-old fraud allegations and, in a social media post, asked Interpol and other international allies to honor it. But a law enforcement official familiar with the situation told ProPublica there is currently no pending Interpol red notice asking for law enforcement to detain him. The only request the network received to issue such a notice, the official said, was declined while Hernández was still in prison.

Keri Blakinger

I cover criminal justice, with a focus on prisons and the death penalty.

MORE STORIES NEED TO GET IN TOUCH?

I welcome any tips leading to tough accountability stories about the legal system. Right now, I’m particularly interested in hearing from federal prison employees and federal prisoners with information about untold and revelatory stories.