

WHEN THE BORDER CROSSES A FAMILY



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PREFACE

Borders are not just arbitrary lines that delineate one nation from another. Under the best circumstances, they can provide points of connection. But when border policies are bad, they are more like cracks in a shell that is shattering.

In the US, we have seen the immigration of millions of undocumented workers displaced by austerity measures and neoliberal economics imposed by our country on the people of Mexico and those of Central America. These immigrants are workers upon whose labor our own economy is dependent. Border militarization and criminalization is a wholly inappropriate response, running like fissures through our jobs, schools and communities. But when the border crosses a family, that is perhaps the most tragic rupture of all.

We talk a lot in the US about “family values”. The bonds of parent and child, sister and brother, of spouses—these are considered the strongest kinds of bonds, to be nurtured, not broken. But when it comes to immigration policies and enforcement, these bonds are rarely respected. In fact, the separation of families has become epidemic.

This separation occurs in several ways: when mothers and fathers are forced to leave behind families to seek employment in a strange land just to feed those families; when children leave their homes to try and reunite with family in the US; when new families are formed in the US and children who are born as citizens are torn from their undocumented parents by deportations.

The worst separation of all happens when the undocumented die crossing the border. Uprooted by the destruction of rural economies brought on by the North American and Central American Free Trade Agreements (NAFTA and CAFTA), border militarization forces them to cross through the harshest terrains. Since the advent of NAFTA, more than 6,000 remains have been found—each that of a family member. Also rising are the numbers of apprehensions of unaccompanied children, most of these on journeys to reunite with family in the US.

Many of those who die are never found, all traces erased by conditions that can quickly convert the bodies of the dead into little more than dust and sand. There is no sadness like that of never knowing, never being able to confirm the fate of a missing family member.

What of the majority who survive this dangerous trek? A recent study shows that between July 1, 2010 and September 31, 2012, almost 23% of all deportations were of parents with children who are US citizens—204,810 deportations in all. More than 16.6 million people in the US live in mixed status families, including one third of all US children.

On June 17, 2011, ICE Director John Morton issued two memos (the “Morton Memos”) giving prosecutorial discretion regarding undocumented residents with close family ties. According to Kat Rodriguez, Director of the Derechos Humanos Coalition in Tucson, Arizona, these memos were not “...law or anything that had any real teeth....At the end of the day, the CBP (Customs and Border Patrol) and ICE agents have ‘discretion’ and can do what they want. Immigration attorneys I know told me that they would mention the memo and ICE agents would sort of snort and say, ‘yeah, well, we have ultimate discretion.’ I have heard that some folks had some success with this, but for the most part, it was just a big lie that let the Obama Administration look good on the issue of immigration but not making any real changes to the system. As far as I understand, nothing has changed for families—families are still getting separated and deported.”

In 2012, Pres. Obama signed a memo creating the Deferred Action for Childhood Arrivals (DACA) program, effecting undocumented immigrants under the age of 30 who had come to the US while under the age of 16. Some young immigrants gained an important measure of stability under DACA, but their relatives were still subject to deportation. In 2017, the Trump administration ended the DACA program. A huge amount of uncertainty lies ahead for previous DACA recipients and the people who care about them. Increased militarization and a lack of legal protection has combined to create a more worrisome climate for families than ever.

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In this section of the Border Militarization Guide, we will start with an excerpt from Margaret Regan’s “The Death of Josseline”, the story of a 14-year-old girl who died trying to cross the desert with her younger brother so they could reunite with their mother in Los Angeles. (Josseline’s body was found by Dan Millis, of the Sierra Club’s Bordelands Team. Dan provided most of the material for the study guide’s lesson “Splitting the Land in Two: the Ecological Effects of Border Militarization.”) Next will be a short video recording of a

family's reaction as they are left on the side of the street while their car is impounded and the children's mother is hauled away by the Border Patrol, apprehended after what otherwise would have been just a routine traffic stop. This is the kind of thing that happens when local police are drafted into enforcement of immigration law: a minor traffic stop turns into a nightmare provoked by racial profiling, and police are diverted from looking for real criminals into arresting working mothers and dividing families.

Following these there are a series of articles and videos that further provide educational material along with pieces that put real faces on these difficult issues. We are sure that one message above all will be driven home: we must stop the militarization of ICE and the border wall, simultaneously creating legal protections for all immigrant families.



MARGARET REGAN

THE DEATH OF JOSSELINE

An excerpt from *The Death of Josseline: Immigration Stories From the Arizona-Mexico Borderlands*

Josseline shivered as she stepped over the stones and ducked under the mesquites. She was in Arizona, land of heat and sun, but on this late-January day in 2008, it was cold and damp. The temperature was in the 50s, and the night before it had dropped to near freezing. A winter rain had fallen, and now the desert path was slippery and wet, even more treacherous than it had been before.

Josseline was 7 miles north of the Mexican border, near the old ranching town of Arivaca, in prime Sonoran Desert. It was a wonderland of cactus and mesquite, beautiful but dangerous, with trails threading through isolated canyons and up and down hills studded with rocks. She had to get through this perilous place to get to her mother.

A little girl with a big name—Josseline Jamileth Hernández Quinteros—she was 5 feet tall and 100 pounds. At 14, young as she was, she had an important responsibility: It was her job to bring her little brother, age 10, safely to their mother in Los Angeles. The Hernández kids had never been away from home before, and already, they'd been traveling for weeks. Now they were almost there, just days away from their mother's embrace...

Read more at <https://www.tucsonweekly.com/tucson/the-death-of-josseline/Content?oid=1816192>.

RAQUEL MOGOLLON

SB1070 IN EFFECT, SEPARATING FAMILIES ON THE STREETS OF TUCSON



| Watch this video online at: <http://afgj.org/sb1070-in-effect>

This video was taken on August 20, 2010 by Raquel Mogollón, President of Tucson's Pan Left Video Collective. It was taken just four months after the Arizona legislature had passed its harsh anti-immigrant law SB1070. Raquel was participating in "Migra Patrol", a project to witness and document the effects of SB1070, which calls on all levels of law enforcement, including local and state police, to act as enforcers of immigration law. The heart of SB1070 is its promotion of racial profiling of anyone who might be suspected of being in the US without documents—in other words, anyone who is brown skinned and speaking Spanish. In this video, the mother of three children has just been taken away by the Border Patrol, and her car impounded. She had been pulled over because one of her tail lights was not working. Suddenly, her three children, a sister and an unidentified friend were left stranded on the side of the road, with mother and children thrust into a cycle of indefinite and prolonged separation and uncertainty.

The video is grainy and the sound quality not good, since it was taken on-the-spot, with a cell phone. Nevertheless, it gives a small glimpse into the very moment where "the border crosses a family."

RACE FORWARD THE SHATTERED FAMILIES REPORT

MARCH 30, 2017

Right now, immigrant families are facing a period of heightened persecution and crisis as President Trump has already begun to deliver on his campaign promises on mass deportation. What we are witnessing is a nationwide immigration crackdown that is tearing families apart. ICE (U.S. Immigration and Customs Enforcement) officials and local law enforcement are becoming increasingly emboldened to target and track down non-citizens at their homes, schools, places of worship, and courthouses. Deportations shatter families and endanger the children left behind, many of whom will never see their parents again.

In 2011, Race Forward found that over 5,000 children were in foster care because their parents were deported or detained. They believe that today, this number is even greater.

Read the 2011 Shattered Families report online at <https://www.raceforward.org/research/reports/shattered-families>. View continuing journalism on the subject at <http://www.colorlines.com/tags/shattered-families>.

LEILA SCHOCHECT

TRUMPS IMMIGRATION POLICIES ARE HARMING CHILDREN

FOR THE CENTER FOR AMERICAN PROGRESS

"Daniel, a 6-year-old U.S. citizen, has been asking his parents more and more questions about Mexico since the 2016 election. "Mama says that we might move to Mexico," Daniel said to his father. "Am I gonna go also?"

Daniel's parents are unauthorized immigrants who came to the United States as young children. For the past several years, Daniel has been living in Texas with his mother, Carmen, while his father, Miguel, has been working in California. Both Miguel and Carmen are part of the Deferred Action for Childhood Arrivals (DACA) program instituted by the Obama administration in 2012, which allowed them each to get a work permit and a temporary reprieve from deportation. Since the election, President Donald Trump has indicated that the future of DACA is unclear, fueling heightened concern and fear among DACA recipients. That uncertainty has reached new heights in recent weeks, as attorneys general from several states have threatened to sue the administration to end DACA if the program is not terminated by September 5, 2017. While Miguel had initially planned to join his family in Texas this past January, after the election, he put his plan on hold as he faces greater uncertainty about whether he will remain protected under his DACA status..."

Read more at <https://www.americanprogress.org/issues/early-childhood/reports/2017/07/31/436377/trumps-immigration-policies-harming-american-children/>.

FIVETHIRTYEIGHT

THE END OF DACA WILL RIPPLE THROUGH FAMILIES AND COMMUNITIES (BY ANNA MARIA BARRY JESTER) SEPTEMBER 6TH, 2017

An Excerpt:

Nearly 800,000 people have been granted protection from deportation under the Deferred Action for Childhood Arrivals program, which former President Barack Obama created and the Trump administration rescinded on Tuesday. But unless Congress turns DACA into law, the end of the program will affect far more people than just those who participated in it. Tens of thousands of their children and relatives, as well as their local economies, could be directly affected as well.

Because of the parameters of who is allowed into the program, DACA participants often are in the early stages of their careers and are frequently breadwinners for families that can include young children as well as older parents and grandparents.

Participants overwhelmingly come from what are known as mixed-status families, meaning that members have different immigration statuses, ranging from being undocumented to being a U.S. citizen. For these families, having a member with a work permit and a shield from deportation, as a DACA participant does, can provide not only the assurance that their lives won't be upended, but also financial stability. Those protections are set to phase out over time according to the administration's announcement....

....Many DACA recipients also have other relatives who may rely on them. In the 2015 survey, 60 percent said they had a sibling who was a U.S. citizen, and more than three-quarters said they had a parent who was undocumented. Research has found that by having legal status, DACA participants can be "cultural brokers" to relatives who are undocumented, performing family functions that undocumented parents might be afraid to, like accompanying siblings to doctors' appointments or going to parent-teacher conferences.

Read More: <https://fivethirtyeight.com/features/the-end-of-daca-will-ripple-through-families-and-communities/>

LINKS RESOURCES

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The Council on Foreign Relations, The Presidents Inbox (Podcast), *Ending DACA* (September 7th, 2017):

<https://www.cfr.org/podcasts/ending-daca>

The Brookings Institution, Andre M. Perry, "On Trump's decision to end DACA" (Podcast) (September 5th, 2017)

<https://www.brookings.edu/podcast-episode/on-trumps-decision-to-end-daca/>

Sarah Stillman, "The Mothers Being Deported by Trump". The New Yorker. (July 22, 2017).

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