



October 2011

Edited by Jim Marx and Sue
Lefebvre

Dear No More Deaths Supporter,

Our summer volunteer program is just about over. Many of young people from across the nation came to Tucson again to help with the work of No More Deaths in the desert and in Nogales, Sonora, Mexico. After intense training, volunteers spent 8 days or more at our camp outside Arivaca or in Nogales. At camp, they participated in daily water runs, provided food and medical care to migrants in need and explored the region for new trails. All of this took place in temperatures of 100 degrees with relief only occasionally from powerful monsoon rains that flooded the already difficult desert terrain. The migrant trails today run through some of the most difficult parts of the desert due to the failed and fatal deterrent strategy.

Recent media headlines highlight significantly lower numbers of crossers and lower number of deaths so far this year (163 to date). But, what is not highlighted is that the rate of death per 100,000 crossers has been on the rise this past decade. This year, that rate is higher than it's ever been. The Arizona Daily Star headline of September 4, 2011, reads, "Immigration arrests near 40-year low." In the subsequent article, journalist Brady McCombs stated, "NO DECLINE IN BORDER DEATHS." The number of illegal border crossers found dead each year in Arizona's desert has not decreased along with the apprehensions. This disparity suggests that illegal immigrants trying to cross Arizona's desert face a deadlier trek than ever. This is an important and essential distinction to understanding the seriousness of the number of increasing migrant deaths in the desert and why we continue to be there.

The Nogales volunteers joined in the NMD efforts to provide deported individuals free phone calls to family members, medical care and referrals to shelters and other resources. This has been an especially difficult year for meeting the needs in Nogales, as the number of people deported who lived in the USA for many years has increased dramatically. Volunteers listened to heartrending stories of families torn apart, children left behind and people now left to survive in a place many no longer call home.

Volunteers also continued the work of documenting the abuse of migrants in Border Patrol Custody. Several years of documenting has now led to our 2nd major report released September 21. The "Culture of Cruelty" is eye-opening and breath stopping in its conclusions about the neglectful and abusive treatment of too many individuals in Border Patrol custody (see article).

The campaign calling for enforceable standards for individuals in short-term Customs and Border Protection custody is now under way. All human rights violations must cease. (To order a copy of the full report go to www.peacesupplies.org.)

Thank you to all of the volunteers who participated in the spring break and summer programs and to all of you for your on-going support. Money donations are most helpful as they allow us to cover essential and necessary expenses connected to the work. Material aid in the form of socks, jeans, shoes, clothes, food packs and vehicles is also very helpful. To stay informed about ongoing No More Deaths work, check our website, www.nomoredeaths.org or contact us at action@nomoredeaths.org.

Once again, there are 2 ways to make your contributions:

1. Make your check payable to Unitarian Universalist Church of Tucson (UUCT). Put No More Deaths on the memo line and send to:

No More Deaths
UUCT
PO Box40782
Tucson, AZ 85717

2. Go on-line to our website, www.nomoredeaths.org and select the “donate” button. Clear directions are available for giving to No More Deaths.

Thank you for your continuing support.
In solidarity,

The No More Deaths Community

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FREEDOM FROM FEAR AWARD

Nurse Sarah Roberts and the Rev. Gene Lefebvre received the Freedom from Fear award at a Press Conference and reception in Phoenix on September 28, 2011. This new award carries a \$5,000 prize which Sarah and Gene plan to donate to No More Deaths to be used in part toward a new First Aid tent at our desert camp. Freedom from Fear awards are produced by Public Interest Projects (PIP). PIP is a non profit- non-partisan organization that recognizes acts of courage on behalf of immigrants and refugees--individuals who have taken a risk, set an example, and inspired others to awareness to awareness and action.

The Worst Possible Punishment: S-Comm and the Ongoing Criminalization of Immigrants

“Ricardo routinely abused me, mentally and physically,” Isaura Garcia, mother of a one-year old, says about her boyfriend. “My 911 call for help resulted in the worst possible punishment I

could have suffered. It took a very bad situation for me to have the courage to call 911 that day. I never would have called had I known I could face deportation.”¹

Isaura’s words poignantly capture the daily injustice Secure Communities (popularly known as S-Comm) does to countless people across the country. Launched in 2008 by the Immigration and Customs Enforcement Agency (ICE), S-Comm, like the older 287(g) program, amplifies interior enforcement by facilitating the regular collaboration between ICE and local law enforcement. Under S-Comm, individuals booked into jail have their fingerprints checked against federal immigration databases. If the fingerprints match those in the federal databases—and even if the charges are ultimately dropped—ICE may request that the police detain him/her until they are transferred into ICE custody. In essence, this has increased the numbers of people funneled through the detention-deportation pipeline, leading to what one report has called the “Arizonification of the country.”² Since 2008, over 115,000 people have been deported through S-Comm.

Initially ICE declared that the program was optional and that even once enrolled, localities could always opt out of it. However, it soon became clear that localities were being unwittingly enrolled in the program through Memorandums of Agreement at the state level. And while the MoAs contained provisions allowing participating agencies to opt out, there was no clear way to do so. In early August, the Department of Homeland Security terminated all MoAs and in effect, made participation mandatory.³ As a result of the public outrage towards the program’s misrepresentation, S-Comm is currently under a Department of Homeland Security Office of Inspector General investigation. What exactly will come of an investigation conducted by the very entity that is executing the program, remains unclear.

On August 18th, the Obama Administration announced that it would begin implementing “prosecutorial discretion” guidelines in order to review more than 300,000 removal cases pending before immigration and federal courts. Many activists and immigrant advocates hailed this as an important step forward. After all, “low-priority” individuals—including veterans, long-time and lawful residents, DREAMers, pregnant women, victims of serious crimes, spouses and others—would be eligible for a prosecutorial discretion on a case-by-case basis. But any mention of S-Comm or 287(g) is conspicuously absent in the announcement.

For there to be a step towards substantive change, S-Comm and other programs that encourage ICE-police collaboration must be stopped immediately. Only then can we make sure that Isaura’s experience is never again repeated.

¹ To learn more about the impact of ICE-police collaboration on communities, see the recently released *Restoring Community: A National Community Advisory Report on ICE’s Failed ‘Secure Communities’ Program*, August 2011, available at <http://altopolimigra.com/s-comm-shadow-report/>. No More Deaths was among the many organizations that endorsed the report.

² *Restoring Community: A National Community Advisory Report on ICE’s Failed ‘Secure Communities’ Program*, August 2011, <http://altopolimigra.com/s-comm-shadow-report/>.

³ Foley, Elise. August 5, 2011. “Secure Communities Agreements Canceled, Participation Still Required.” Huffington Post. http://www.huffingtonpost.com/2011/08/05/secure-communities-update-department-of-homeland-security_n_919651.html

New Report by No More Deaths detail the "Culture of Cruelty" in Short-Term U.S. Border Patrol Custody

June 14, 2010: Gabriel, 47, recounts how "migracorrídos" (songs about death in the desert) were played over the loudspeakers 24 hours a day at high volume. Every two hours, guards would come in shouting at the detainees and require them to line up for inspection preventing detainees from sleeping."

On September 21st, 2011, No More Deaths is releasing a new report, "Culture of Cruelty: Abuse & Impunity in Short-Term Border Patrol Custody," and launching a campaign to demand an end to the rampant violation of human rights taking place in Border Patrol detention facilities. We have entitled our report "A Culture of Cruelty" because our findings demonstrate that the abuse, neglect, and dehumanization of migrants is part of the institutional culture of Border Patrol, reinforced by an absence of meaningful accountability mechanisms. Since the Department of Homeland Security cannot effectively police themselves, we are calling for independent community oversight of Border Patrol facilities.

In 2008, we published *Crossing the Line* based on hundreds of accounts of Border Patrol abuse; we recommended the implementation of clear custody standards with community oversight. But three years later, we found that conditions have only worsened. The 4130 interviews we conducted between Fall 2008 and Spring 2011 with 12,895 individuals deported through Naco, Nogales, and Agua Prieta, Sonora, leave no doubt about the prevalence of abuse and neglect in each of our 12 areas of concern: denial of or insufficient water;

denial of or insufficient food; failure to provide medical treatment or access to medical professionals; inhumane processing center conditions; verbal abuse; physical abuse; psychological abuse; dangerous transportation practices; separation of family members; dangerous repatriation practices; failure to return personal belongings; and due process concerns.

September 21, 2009: An anonymous Mexican female reported that in the processing center, guards laughed at her for being Mexican. They had her strip naked, took her clothes and touched her breasts in the presence of both male and female guards.

February 18, 2010: Anonymous male from Sonora, Mexico said that agents beat him in the head with the butt of a pistol. He collapsed to the ground, bleeding heavily from a gash on the left side of his head.

More specifically, our findings show that:

- Border Patrol agents denied food to 2981 people and gave insufficient food to 11,384 people.
- Agents denied water to 863 people and gave insufficient access to water to 1402 additional people. Children were more likely than adults to be denied water or given insufficient water.
- Physical abuse was reported by 10% of interviewees, including teens and children.
- 86% were deported without needed medical treatment.
- The most commonly reported forms of inhumane processing center conditions were overcrowding ($n = 5763$), followed by unsanitary or dirty conditions ($n = 3107$), extreme cold ($n = 2922$), and extreme heat ($n = 2349$).

- The psychological abuse that was reported including death threats, sleep deprivation, being forced to endure extremely hot or cold temperatures in vehicles and cells, being forced to listen to traumatizing songs about people dying in the desert (*migracorridos*) loudly and continuously, and being forced to hold painful positions for no apparent reason than to be humiliated.

The numbers suggest that mistreatment and abuse in Border Patrol custody are not aberrational. Rather, they reflect an agency-wide culture that condones abuse and perpetuates the violation of human rights.

The full report is available in English and Spanish at <http://www.nomoredeaths.org>.

See also a companion video at:

<http://www.youtube.com/playlist?list=PL9E649434255F82B1&feature=viewall>

Migrant Death Data

Pima County Forensic Science Center

May contain data from Pinal, Gila, and Graham from time to time.
Forwarded to NMD by Ed McCullough

Below you will find the latest information on Recovered Human Remains from the Pima County Forensic Science Center. The data is complete through August 2011. The numbers are down over the last two years, but this year is headed toward being one of the top five years in the last ten. This toll is coming during a year when all indications are that the number of migrants has declined dramatically. This indicates to us that the number of deaths per crossing (found at Arizona Daily Star) has greatly increased. This not the time to decrease our efforts to stop deaths in the desert!

| Month | 2008/ 2009 RHR | 2008/ 2009 Total RHR | 2009/ 2010 RHR | 2009/ 2010 Total RHR | % Change 2009-10 Over 2008-9 | 2010/ 2011 RHR | 2010/ 2011 Total RHR | % Change 2010-11 Over 2009-10 | % Change 2010-11 Over 2008-09 |
|-------|----------------------|-------------------------------|----------------------|-------------------------------|--|----------------------|-------------------------------|---|---|
| Oct | 9 | 9 | 8 | 8 | -11% | 16 | 16 | 100% | 78% |
| Nov | 6 | 15 | 14 | 22 | 47% | 14 | 30 | 36% | 100% |
| Dec | 18 | 33 | 15 | 37 | 12% | 10 | 40 | 8% | 21% |
| Jan | 7 | 40 | 15 | 52 | 30% | 5 | 45 | <u>-13%</u> | 13% |
| Feb | 8 | 48 | 16 | 68 | 42% | 15 | 60 | <u>-13%</u> | 20% |
| Mar | 14 | 62 | 10 | 78 | 26% | 15 | 75 | <u>-4%</u> | 17% |
| Apr | 9 | 71 | 13 | 91 | 28% | 12 | 87 | <u>-4%</u> | 23% |
| May | 21 | 92 | 16 | 107 | 16% | 5 | 92 | <u>-14%</u> | 0% |
| June | 24 | 116 | 22 | 129 | 11% | 25 | 117 | <u>-12%</u> | 0% |
| July | 33 | 149 | 59 | 188 | 26% | 20 | 137 | <u>-27%</u> | <u>-8%</u> |
| Aug | 25 | 174 | 22 | 210 | 21% | 26 | 163 | <u>-29%</u> | <u>-7%</u> |
| Sept | 15 | 189 | 14 | 224 | 19% | | | | |

Border Patrol agents detected David Feb 2010 traveling from Altar to Tucson. When he tried to run, an agent tackled him and punched him in the head. After he was handcuffed, the agent forced him to walk and then hit him on the shoulder. He fell on the ground, causing his face to bleed...He was transported to a hospital near Three Points and then to the CCA facility in Florence, where he spent more than two months. He refused to sign the voluntary departure form because he couldn't read English and because his family lives in Cathedral, California. He also wished to make an official complaint against the BP agent who abused him. In court, the judge told him he would receive 25 to 30 years in prison if he refused to sign the voluntary departure. David asked his public defender to help him file a complaint and believes that did happen, but he has not received any response. He requested medical records to prove the injury but received no response. Although he refused to sign the voluntary departure, he was deported the day after submitting his complaint. His ID was not returned and he continues to have daily headaches and migraines from the incident.

Ineffective Oversight Responsible for Culture of Cruelty in Border Detention Facilities

No More Death's newly released report reveals the dehumanizing conditions migrants face in Border Patrol detention facilities. There are existing guidelines for Border Patrol custody and the repatriation of migrants; but we found that they were routinely violated. Indeed, it soon became clear that the existing oversight mechanisms do not invite accountability: migrants who wish to file a complaint must do so with the agency while still in custody, effectively discouraging victims from coming forward out of fear of retaliation.

Nevertheless, No More Deaths and partner border-based organizations made a good faith effort to engage the existing oversight system. We participated in public forums with Customs and Border Protection (CBP) leadership and offered our recommendations at off-the-record policy roundtables. Over a two and half year period, we have filed a total of seventy-five complaints with the Office of Civil Rights & Civil Liberties (CRCL). CRCL receives and investigates complaints against Department of Homeland Security (DHS) agents, including the Border Patrol. To our knowledge, **no identifiable outcome has emerged from a single case.**

Of particular concern is that the Department of Homeland Security is the parent agency of both CRCL and CBP. Cases reviewed by CRCL are often referred back to the same DHS component agency named in the complaint, further undermining the credibility of CRCL as an oversight body. CRCL is under no obligation to share the results of an investigation, even with the person who experienced abuse and filed the complaint. Our experience suggests that however well-intentioned its staff and proponents may be, CRCL may not be able to defend the human rights of detainees in any meaningful way.

The lack of transparency within the current oversight structure exacerbates a Border Patrol culture of impunity that perpetuates and encourages abusive treatment of migrants in custody. We believe this can only be remedied by a truly independent, community-driven oversight mechanism with a

strong mandate and enforcement powers to end systemic abuse in Border Patrol custody.

To read the full report, please visit <http://www.nomoredeaths.org>

NEW DONORS--SPECIAL CONTRIBUTIONS NEEDED TO MATCH UUA DONATIONS FOR ABUSE DOCUMENTATION PROJECT

If you are a new donor to No More Deaths, consider making a contribution on behalf of the Abuse Documentation Project (two articles enclosed which describe the results published in this year's report.). The Universal Unitarian Church of America has funded this program for three years, along with NMD general donors, and those making matching contributions to this project. Please join them if you are a new donor by writing "New Donor" in the Memo line of your check.

Below are photos taken at the Tucson event at the Border Patrol entrance on Sept. 21 following our Press Conference presentation of the "Culture of Cruelty".



Media confronts Border Patrol at their gate.



No More Deaths/Samaritans Dr. Norma Price and The Rev. John Fife speak to the Border Patrol at their fence.

Undoing Borders: A Queer Manifesto

In September, NMD friends embarked on a speaking tour with their newly released document: *Undoing Borders*. San Francisco Pride at Work/ HAVOQ is a collective of LGBT people organizing for social and economic justice in the SF Bay area. Members of their Migrant Justice work group have volunteered in Arizona with NMD for the past five years; hosting report-backs and community conversations about the situation on the border and related work in SF after each trip.

Often, the San Francisco group is asked: *what do sexuality and gender identity have to do with borders?* So, they spent two years hosting conversations with LGBT im/migrants and allies in the Bay Area about the intersections of queer and im/migrant experience and organizing. The result is *Undoing Borders: A Queer Manifesto*.

Now, three members of the collective will join groups around the country to explore how freedom of movement and criminalization are linked, focusing on how private prisons profit from racist laws and an increasingly militarized border and interior, and sharing LGBT-centered strategies for challenging the violence wreaked by borders. For more details, visit <http://undoingborders.wordpress.com/tour-schedule/>.

The "**Pertinencias**" (Belongings) Project

Begun in the summer of 2008, under the leadership of Tucson attorney, Margo Cowan, representatives of No More Deaths, the Tucson and Green Valley Samaritans, and the Tucson Federal Public Defenders Office, the "Pertinencias Project" restores personal properties to migrant women and men. These personal belongings were confiscated by Border Patrol agents when migrants were apprehended either in the desert or at their place of residence in the U.S. According to U.S. law, these belongings are to be returned to people upon their release from detention but often the law was not followed. Volunteers from our organizations met with numerous repatriated persons who have nothing but the clothes on their backs.

Why is this project important to migrants? It is particularly vital that their personal Mexican (and other) IDs are restored as well as their money. They are entitled also to family photos, mementos, religious and devotional items, jewelry and urgently needed clothing and shoes.

Where do we get these belongings? We collect them from the Tucson Federal Public Defenders, from other private lawyers, and from the Tucson and Nogales Mexican Consulates.

How do we restore them to the owners? In person: both at the border upon repatriation (130) and to family and friends in Tucson (8). **By Mail:** To Mexican, Central American or U. S. addresses, approximately 90 were successfully received. Our research shows we have successfully restored about 75% of the properties we've handled since the beginning of the project in 2008. After failed efforts at getting information on the whereabouts of released people, there unfortunately remain about 200 diminished properties (essential items such as money, IDs, photos, memento, etc.) in our Tucson shed. They cannot be returned due to the inaccessibility of their owners.

We are grateful for the generosity of NMD and Samaritan volunteers, both in Tucson and Green Valley, as well as short- and long-term volunteers from both within and outside the country who have contributed to the success of this project. **Our gratitude also extends to our civic partners,** the Tucson Federal Public Defenders, under the leadership of Attorney Heather Williams, the Tucson and Nogales Mexican Consulates, some private lawyers in Tucson who work closely and consistently with us in our efforts.

It is the belief of the workers in the "Pertinencias Project" that these women and men have been unjustly victimized by our government's failure to restore rightful, significant personal property to them. In our guiding principles of justice and human rights, we endeavor to take the time and energy to treat these folks and their belongings with respect and care.

From project leadership Margaret Lordon, Antonio Zapien and David Hill, Nogales coordinator.
September 8, 2011

Unitarian Universalist Church of Tucson
No More Deaths/No Mas Muertes
P.O. Box 40782
Tucson, AZ 85717

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