Human and Civil Rights Violations Uncovered
A Report from the Arizona/Sonora Border

Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” -- Universal Declaration of Human Rights. December 10, 1948

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¡DENUNCIA! 2008

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Border Action Network would like to give a special thank you to the team of lawyers that analyzed each of the reported 81 incidents of possible abuse. Thank you for your time and energy throughout the campaign.
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INTRODUCTION

Border Action Network, formed in 1999, works with immigrant and border communities in southern Arizona to ensure that our rights are respected, our human dignity is upheld and that our communities are healthy places to live. We are a membership-based organization that combines grassroots community organizing, leadership development, litigation and policy advocacy to build the voice and power of those who are most impacted by border and immigration policies, and to build a national movement that calls for full adherence to the human rights that are essential to a democratic society. As outlined in the Universal Declaration of Human Rights and as part of the political ethics of Border Action, our work is grounded in the principle that all people are born free and equal in dignity and rights.

This report reflects one step in a larger community process rooted in the knowledge that in order to prevent violations of human rights and create a culture of dignity and equality, we must first clearly define the problems and abuses that are occurring. Only when this is done can we as a community to shift from individual pain and suffering to collective action to challenge and prevent rights violations. The following report delineates the results of our 2008 ¡Denuncia! Abuse Documentation Campaign, highlights the work of our allies engaged in similar documentation campaigns, explains the human rights crisis on the border and, most importantly, offers constructive solutions that can transform failed border enforcement strategies and dangerous, antagonistic immigration policies by creating a new vision of community security grounded in a commitment to human and constitutional rights and access to safe and dignified lives for everyone.

The cases reflected in this report are only a small sample of the incidents heard by the Human Rights Promoters and Abuse Documenters. Fear of reprisals from the abusing agency kept the majority of people from reporting incidents. This situation, itself, reveals the urgent need for accountability and oversight within the agencies involved in border enforcement operations.

We have the deepest respect and appreciation for the people who were courageous enough to share their experiences and we urge policy makers to honor the risks that individuals are taking to participate in the democratic political process, and to defend the rights and safety of everyone living in the United States. The following report demonstrates that the human costs of the current wide-net approach to border and immigration enforcement are brutal, unequally borne, and antidemocratic; that the practices that constitute border enforcement have been used in ways that routinely violate domestic as well as international law; and that current policies and practices are unacceptable from both a legal and a moral standpoint. As this report demonstrates, we are not alone in our efforts to document violations of domestic and international law, and that the rate and consistency at which these violations occur demand the need for a multitude of organizations and agencies to document and bring to light these violations.

Together with American Friends Service Committee (AFSC), Agua Prieta Migrant Resource Center, No More Deaths, and Southwest Fair Housing Council, our research documents the daily abuses, from unlawful entry into homes, housing and workplace discrimination, to psychological abuse, that border community residents and immigrants suffer in Arizona, offering practical reforms and alternative policy solutions grounded in the experience and expertise of our communities who suffer the harshest side effects of border enforcement and immigration policy.
CAMPAIGN AND RESEARCH METHODOLOGY

In September 2008, Border Action Network launched a three-month intensive campaign to document human and civil rights violations in Arizona and educate communities about their Constitutional and Human Rights. During this period, Border Action trained more than 98 local residents to document human and civil rights abuses in Douglas, Naco, Agua Prieta, Sierra Vista, Willcox, Nogales, Summit, Tucson, and Prescott, bringing our total to nearly 200 abuse documenters throughout Arizona. In addition to the volunteer Abuse Documenters, 70 youth and adults in Douglas, Nogales, Phoenix, Tucson, Summit and Sahuarita have been trained as Human Rights Promoters.

The Documenters and Promoters set up tables at their churches, schools, parks, grocery stores and other community centers. They spoke with people about the need to report and denounce rights violations as the first step in preventing them. Stickers and other materials that pronounced, “This house is protected by the U.S. Constitution” and “Abuse is Always Illegal. Denounce It!” were distributed in addition to “Know Your Rights” pamphlets.

In addition to setting up tables in public places, Human Rights Abuse Documenters invited individuals and families to confidentially report abuses they had suffered at the hands of federal, state, and local law enforcement agencies, as well as employers, landlords, social service agencies (including hospitals), and individuals.

Trained Abuse Documenters collected information based on a standardized form that collects the following information:

- Authority(s) committing abuse
- Date and time of incident
- Place of incident
- Number of adults and children involved in incident
- Number of perpetrators
- Number of people abused
- Information on people abused including age, gender and immigration status
- Information on perpetrators, including age, gender, ethnicity, physical description, and badge number
- Information on and witnesses to the incident
- Any steps taken by people abused to report or resolve the incident
- An incident narrative

Information documented during the campaign was entered into a confidential database for review and analysis. A team of lawyers specializing in human rights, immigration law and constitutional law examined the information and categorized the abuses committed according to the following areas:

- Endangerment for political migration resulting in death
- Endangerment resulting from persecution or arrest
- Illegal use of firearm
- Psychological or verbal abuse
- Physical abuse
- Torture
- Illegal temporary detention (including the use of racial profiling)
- Illegal stop by police for the violation of immigration laws
- Illegal arrest
- Illegal deportation or forced exit
- Depriving the right to enter the United States
- Illegal search or damage to property
- Illegal search of a person
- Illegal search of a vehicle
- Illegal search of home or place of work
- Deprivation of basic necessities
- Violation of the rights of legal process
- Deprivation of the freedom of thought, expression, or association
OVERVIEW OF CONTRIBUTING ORGANIZATIONS, HUMANITARIAN GROUPS, & OTHER AGENCIES ON THE AZ/SONORA BORDER

Border residents and immigrant communities in Arizona face daily assaults on human rights, dignity, and safety, such as physical and psychological abuse and high speed chases, that have become routine amid the media grandstanding and intimidation tactics of anti-immigrant vigilante militias who are not only tolerated, but occasionally deputized by local law enforcement, who in turn, make unauthorized decisions to enforce immigration law without institutional oversight or public accountability. Our family members and neighbors suddenly disappear, swept up in raids and random checks on their way to school, to church, to work. Without legal status, we have no recourse when our paychecks are commonly withheld and we are encouraged to feel afraid to report any abuses or crimes committed against us, whether by law enforcement, employers, or vigilantes.

Thousands of migrants cross into southern Arizona every day, where community members can be arrested for offering water, food, rides, or a place to sleep in the back yard to poor, sometimes ailing, exhausted travelers. Yet despite all this, there remains several groups working in the region to not only shed light on this human rights crisis, but to also present solid recommendations on how to bring accountability and oversight to this region. Listed below are the groups who contributed some of their invaluable documentations to our report, and we sincerely thank you for your contribution of time, energy, and support.

The Migrant Resource Center of Agua Prieta, Sonora works to provide repatriated and deported migrants with the tools they need to stabilize their current situation, while working to improve the body of knowledge surrounding the treatment of those individuals in United States custody. At the Migrant Resource Center volunteers work to document several types of abuses encountered by migrants while in United States custody. Documented abuses included are both more common place abuses (lack of access to such necessities as food, water and medical attention), extended hours of detention, and more egregious abuses such as physical and verbal abuse and negligence leading to injury.

Volunteers with No More Deaths and other humanitarian aid organizations have been working at migrant aid centers in Nogales, Agua Prieta, and Naco, Sonora, Mexico to provide basic care to migrants and others repatriated across the U.S.-Mexico border since the summer of 2006. Initially concerned with the physical and emotional toll faced by migrants who had endured long border crossings, we quickly realized that these conditions were often compounded by Border Patrol practices. We regularly encounter migrants who have been denied food and water and who have been separated from their family members during the repatriation process. We hear accounts of physical and verbal abuse, of injuries sustained while in Border Patrol custody, denial of urgent medical care, and of possessions that are not returned. Following two years of systematic documentation (2006-2008) by medical professionals and trained volunteers working in migrant aid centers and the Southern Arizona desert with people recently repatriated and deported, we compiled our findings in our report, Crossing the Line: Human Rights Abuses of Migrants in Short-Term Custody on the Arizona/Sonora Border.
No More Deaths (cont’d)

Within the report we highlight the daily violations of human and civil rights that result from ICE and Border Patrol practices during short-term (up to 72 hours) apprehension, processing and repatriation, and urge immediate and fundamental changes to these routine practices. There are currently no uniform regulations of short-term custody nor independent oversight of the treatment of those detained. These practices regularly violate domestic and international law, as well as guidelines, Memoranda of Understanding, and recommendations issued by the Department of Homeland Security itself.

The violations and mistreatment identified occur in the field during apprehension, in the processing centers, and during the repatriation process. It is apparent from the efforts of these documenters that these violations are occurring daily.

12 primary areas of concern have emerged from this documentation and are contained within our report:

1) the failure to respect the basic dignity of migrants;
2) the routine failure to provide and the denial of water;
3) the routine failure to provide and the denial of food;
4) the failure to provide medical treatment and access to medical professionals;
5) inhumane processing center conditions;
6) pervasive verbal abuse;
7) pervasive physical abuse;
8) dangerous transportation practices;
9) the separation of family members;
10) the repatriation of children, women, and the vulnerable at night;
11) the failure to return belongings to migrants prior to repatriation; and,
12) the failure to inform migrants of their rights, coercing them to sign forms, and failing to provide copies of these forms to the migrant in a language they understand.
CAMPAIGN RESULTS

Between September–December, 2008, volunteer Human Rights Abuse Documenters and Human Rights Promoters, trained by Border Action Network, documented 81 incidences of possible abuse against Arizona residents by various law-enforcement agencies, employers, landlords, government agencies, and individuals. The results also reflect the contributions of No More Deaths and the Migrants Resource Center, collected in the later part of 2008, which combined include 23 possible abuses. These 81 incidences of possible abuse reported by Border Action Abuse documenters were committed against 126 people by 109 abusers.

Of the 126 survivors reporting abuse, 44% were male and 47% were female. The average age of people reporting abuse was 34 years old while the youngest was 18 and the oldest was 70 (not including minors.) People reporting abuse reported various immigration status: 21% United States citizens and 37% were undocumented.
While the campaign attempted to identify individual abusers involved in more than one incident, due to the frequent unwillingness of law-enforcement officers and pervasive practices within and across departments, not all individuals are provided with, aware of, or able to record, the name and badge number of law enforcement agents involved in committing possible abuses. This leaves the possibility that there are individuals involved in repeated, systematic abuses against immigrants. This consideration does not, however, affect the overall percentages of authorities involved in possible incidences of abuse against immigrants.

According to the campaign findings, the largest group of perpetrators of possible abuses against immigrants is border/immigration enforcement agencies. From these statistics, we see that southern Arizona is an environment in which those intended to safeguard the safety and well-being of the border region are those most involved in actions that damage the safety of border communities. Mirroring this dynamic are individuals, employers, landlords, businesses and government/social service agencies that were also documented to violate the rights of immigrant communities.

* The above graph includes only a fraction of the abuse documentations collected by No More Deaths and the Migrant Resource Center’s throughout 2008.
During the campaign, 172 specific possible violations of domestic and/or international law were documented. 42% of these possible abuses were psychological or verbal abuse, 16% were deprivation of basic necessities, and 14% were physical abuse. Possibly more disturbing than the high incidences of abuse is that 9 of the abuses met the legal definition for torture.

The combined documented incidences of possible abuse by Border Action, No More Deaths, and the Migrant Resource Center reflect that a majority were committed by law enforcement agencies. 70% of all reports involved local police, the Border Patrol, Sheriff’s Department, Customs, or the Motor Vehicle Division. In addition to the number of incidences reported, those involving law enforcement agencies had on average a higher number of possible abuses than those involving non-law enforcement agencies.

*The above graph includes only a fraction of the abuse documentations collected by No More Deaths and the Migrant Resource Center's throughout 2008.*
The Border Patrol was both involved in the largest number of reported incidences and committed the largest number of possible rights violations. The three primary types of possible abuse committed by the Border Patrol were verbal/psychological abuse, physical abuse, and deprivation of basic necessities.

* The above graphs include only a fraction of the abuse documentations collected by No More Deaths and the Migrant Resource Center’s throughout 2008.
The sheriff’s department comprised 22% of all reports involving law enforcement agencies and had a high average abuse per incident ratio. The most common types of abuses possibly committed by the sheriff’s department were illegal stopping by police, physical abuse and illegal arrest.

**Total specific violations possibly committed by the sheriff’s department**

(26 possible violations out of 120 total possible violations)

- **Border Patrol**: 58%
- **Sheriff**: 22%
- **Local Police**: 8%
- **MVD**: 2%
- **Customs**: 12%

*The above graphs include only a fraction of the abuse documentations collected by No More Deaths and the Migrant Resource Center’s throughout 2008.*
Incidences involving Customs had the highest rate of abuse per incident. Psychological/verbal abuse was the most common abuse possibly committed by Customs.

* The above graphs include only a fraction of the abuse documentations collected by No More Deaths and the Migrant Resource Center’s throughout 2008.
While there were more incidences involving local police than other agencies, incidences involving local police had the lowest rate of abuse per incident. The two primary types of possible abuse committed by local police agencies were psychological/verbal abuse and illegal search/damage to property.

*The above graphs include only a fraction of the abuse documentations collected by No More Deaths and the Migrant Resource Center’s throughout 2008.
CASE STUDY: EMPLOYMENT RIGHTS

During the summer and fall of 2008, AFSC’s immigration program, Voces de Inmigrantes en Arizona (VIA) conducted a community survey to document the multiple negative impacts of Arizona’s new employer sanctions law, the Legal Arizona Workers Act. Beginning even before the law was enacted in January of 2008, there were reports of workers being fired or having their wages or hours cut, of raids on workplaces by ICE or the Maricopa County Sheriff’s Office, and of increasing abuses of labor rights on the job. The Legal Arizona Workers Act simply states that businesses should be penalized for hiring undocumented workers. It says nothing about raiding workplaces, arresting workers, prosecuting, detaining, or deporting them. Yet, while not a single business has yet been penalized, the impact on immigrant workers has been chilling.

While the results of this survey are still being compiled, a preliminary analysis, along with the results from the 2008 ¡Denuncia! Campaign, show that there is widespread confusion over the specific components of the law among both workers and employers, leading to misapplication of the law, both intentional and unintentional. Some unscrupulous employers are deliberately taking advantage of workers’ confusion and fear to commit a variety of labor abuses. And the fear of the law, in combination with other anti-immigrant policies and practices such as workplace raids, has dramatically impacted the lives of immigrant workers, causing them to leave the house less often, seek out work in the so-called “underground economy,” and, in some cases, leave the state altogether.
The best defense for immigrant workers at this time is to know their rights and how to protect them. Information on the specific provisions of the employer sanctions law is available from VIA, and the group conducts trainings on labor rights for immigrant workers. If you think that your labor rights have been violated, VIA offers a free and confidential legal clinic every Wednesday. Please call 520 623-9141 for details. Or contact the Border Action office at 520-623-4944.
CASE STUDY: HOUSING RIGHTS

As the 40th anniversary since the passage of the Federal Fair Housing Act comes to a close, unlawful housing practices continue to undermine the values of families all across the nation, where those with the inappropriate combination of race, skin color, nation of origin, religion, gender, disability, and etc., are intentionally and consistently steered away from communities that offer what many families want: dignified housing, a family friendly atmosphere, healthy and safe neighborhoods, and an overall sense of community. According to a conservative estimate reported by the National Fair Housing Council, over 4 million acts of discrimination were reported from across the nation in 2008, the overwhelming majority were against people of color—African American, Latino, Asian, and American Indian. Unfortunately we are not surprised by this number, as we document on a daily basis these violations of the law, and by the graph below that depicts that 24% of the incidents reported in during the Border Action 2008 ¡Denuncia! Campaign were acts of housing discrimination reported throughout Southern Arizona and concentrated primarily in the Tucson city limits.
Essentially, fair housing law prohibits treating people not just differently but adversely in any aspect of housing – renting, buying, selling, financing, insuring, advertising, etc., - based wholly or in part on a person’s race, skin color, nation of origin, religion, gender, disability or the fact there is a child under 18 yrs. in the household.

Some of the more frequent signs that indicate unfair housing practices include:

- Only showing housing in areas where other minorities live;
- Offering different terms for identical dwellings;
- Being told a dwelling is not appropriate for your family;
- Changing terms of availability between a phone contact and your visit;
- Offering non-standard and unfavorable terms relative to financing or insuring a home;
Housing Rights (cont’d)

In order to stop the complete disregard to the Fair Housing Act, to ensure enforcement of the law, and to prevent further discrimination against families seeking a warm and friendly environment for their kids to live and thrive in, Southwest Fair Housing Council recommends the following:

1. Know your rights as a new homebuyer, a homeowner or a renter concerning unlawful housing discrimination. "Discrimination", while possibly offensive and hurtful, is not always unlawful. When people are treated differently and adversely because of their race, skin color, nation of origin, religion, sex, disability or the fact there is a child under 18 in the household, such treatment is unlawful. Go to www.southwestfairhousing.typepad.com/fair_housing for detailed information.

2. Know the signs of housing discrimination.

3. Make a written record of your experience(s). Write down the names of individuals and companies, along with addresses, phone numbers, dates times and names of any witnesses.

4. Make notes of conversations or incidents that might indicate unlawful discrimination. Remember to include: “who”, “what”, “when”, “where”

5. Keep copies of advertising, letters or other relevant information.

6. If you know a person of the opposite sex, or a different race or religion who received treatment than what you received, note their name and contact information.

7. And, IMPORTANTLY, contact the Southwest Fair Housing Council, the Arizona Attorney General’s Civil Rights Division and/or the U.S. Dept, of HUD’s Enforcement Center for more information or to file a formal housing discrimination complaint.

For more information about housing discrimination and/or to report a possible violation, contact the Southwest Fair Housing Council in Tucson, AZ at 520-798-1568 or toll free at 888-624-4611. Hablamos español.”

“The Southwest Fair Housing Council is a community-based, fair housing agency working to identify and address unlawful discrimination in housing in Arizona. Established in 1986 to serve Southern Arizona, SWFHC is now funded by HUD, the AZ Department of Housing and local CDBG grants to provide programs and services throughout greater Arizona. Primarily activities of the Council include investigating complaints of violations of the Federal and State of Arizona Fair Housing Acts and providing comprehensive fair housing education to the housing industry, including REALTORS’, lenders, builders, insurers, landlords and property managers. In addition, educational opportunities are offered to tenants, first time homebuyers and HOA boards through workshops, classes and orientation sessions. Finally, SWFHC works with entities in the public and private sectors to provide guidance and to assist them in developing fair housing strategies and actions.”
BORDER PATROL

34% of reported possible incidents were committed by Border Patrol.

Mr. C. ~ December 23rd, 2007
The whole family was over at my uncle’s house for a family dinner in Douglas, AZ. My cousin was outside my uncle’s house when a Border Patrol Agent accused him of making an inappropriate gesture with his hand. The agent had his gun drawn and was preparing to shoot my cousin. I shouted that I had a camera and that the official was being recorded and at that he put his gun down, my cousin ran in the other direction. The agent had called for back up, and once they arrived they all made their way for my Uncle’s property. They threw me and my Uncle to the ground, beating us, and using their pepper spray. The agents entered the house pointing their guns at my aunt, who was pregnant, with other children huddled around her. The pepper spray hit some of the kids, and they were calling us all very derogatory names.

Ms. V. ~ September 26th, 2008
I was coming from a meeting with the Douglas Human Rights Promoters, and at the checkpoint in Tombstone, I was detained because they said that I was not showing up properly in the system. Agent, P. Jones, put me in his car without handcuffs because I remained calm. He then drove very fast toward Bisbee. When we arrived at the station, and while I waited for an agent to bring my identification, I could see another agent through a window shaking his head incredulously. Five minutes later, that same officer, named Soto, told me that they were very sorry that the checkpoint did not have all the information, and that they were only doing their job. I asked for my car, and he told me not to worry, and took me to the front of the station and called someone on the phone to have them take me to my car. I waited for 30 minutes, and before I left, Agent Soto told me to tell Jennifer hello, because he recognized me in the office and knew that I work for BAN.

Mr. I. ~ October 20th, 2008
I was thrown against a wall by the Douglas Border Patrol agent. He put my hands behind my back. I did not know why he was acting this way, so I asked him in English why he was treating me this way. He said I seemed suspicious to him because I had my hands in my pockets. He made me feel angry and ashamed because of his treatment of me.

Mr. G ~ December 19, 2007
I crossed the border and almost immediately an agent was upon me with his flashlight drawn like a weapon. I turned to run back to the Mexican side, he tackled me and pulled my feet and then there was another agent hitting me. Even though I had reached the Mexican side, the agent pulled me back and the other continued to hit me, and jumped on my back. My chest, hand and leg were hurt, and my body had cuts all over. The agent that was hitting me also pointed his gun at my head and was yelling at me. After I was taken to the border patrol station, an ambulance was called and I was taken to a hospital. After I was released and taken to the detention facility, I had to go back to the hospital two more times because of my injuries.

No More Deaths

Nogales: 2/14/2008, midday.
A 28-year-old woman reported extreme humiliation at the hands of officers in the desert. They forced her and others to take off their shoes and walk for half an hour in their socks and to lie face-down in the dirt for an hour. The agents, who said that they were “like animals”, verbally abused the group. The migrants had to watch as their food was fed to the agents’ horses. They were held in the processing center for three
days, and received a total of five packets of crackers and one gallon of water to be shared among seven people. The woman was denied medical care in spite of nausea and stomach pain. The migrants’ sweaters were confiscated despite the extremely cold temperatures of the processing center and they were given dirty blankets covered in cactus spines.

Naco: 3/10/2008, 3:30 pm.
A man, age 28, was repatriated with a cactus spine in his eye, causing it to bleed. He had been in custody without receiving any treatment for the eye injury. No food and insufficient water were provided.

Agua Prieta.
A group of 15 people was forced to run in place for 30 minutes by Border Patrol agents who told them that they were making them do so to ensure that they would not want to come back. They kicked anyone who stopped, including a 14 year old boy, a 16 year old boy, and three women. A Chevrolet Tahoe and Ford truck were at the scene, as was a red horse. One of the agents had a red beard, was tall (1.7 meters), and wore dark glasses.

Migrants Resource Center:

April 18, 2008, 12:00 pm.
Border Patrol agents swore at the migrants, calling them dogs and taking pictures of them. They were threatened at gun point by agents made to run in the desert.

SHERIFF

Mr. C ~ May 28th, 2008
I was stopped by the Pinal Sheriff’s Department, and the officer asked me for my work papers, license, registration and even birth certificate. I gave him everything, which he returned to his vehicle. Thirty minutes later, a tow truck arrived, and the officer made me get out. He gave me papers to sign and gave me nearly twelve different tickets—one even saying that I was in violation of repeating the same crime of illegally entering the country. I told him my license was valid, and he handcuffed me on my wrists and my ankles. He did not put a seat belt on me, and began driving 120 miles in a 75 mile zone. He brought me to Florence, where he told them that he had brought an ‘illegal’. The agents at the facility reviewed my documents and said that they were all in order and that they had no reason to hold me because I have a legal work visa. The sheriff appeared to be angry that the agents would not take me and began driving again 120 mph in a 75 mph. I was brought back to a gas station near where the sheriff had arrested me, and left with no car since it was previously towed. This was the second time I have been stopped by the very same Sheriff’s officer. It cost $1200 for me to get my car out of impound.

Ms. C ~ April 1st, 2007
We were stopped by a sheriff in Casa Grande while on our way to Douglas. Suddenly, with guns drawn, they ordered us to get out of the car with our hands up. They cuffed all of us but after seeing I could not carry my 4 month old child they reconsidered and took my handcuffs off. They checked my baby for any drugs or guns that we could have possibly been hiding on her. We asked what was going on and why they were treating us like this but we got no answer. They found nothing, gave no reason for what they were doing, and let us go.
LOCAL POLICE

Mr. G, August 13, 2008:
Around 10 pm my 14 year-old daughter ran inside the house and tells me, “There’s a lot of cop cars outside”, I went outside to see what was going on. On my porch, I found a police officer hitting my son on his hands with a baton. I cried out to my son, “what is happening?” The officer told me to move away, and I did, only to watch him hit my son again. I pleaded him to stop, and he pushed me against the side of my house. I yelled for him to stop again, and he pepper sprayed me in the eyes and turned and used it on my son. I made my way into the house and into the bathroom to wash out my eyes, and just as I was splashing water into my eyes, I was grabbed from behind by the back of my shirt and dragged through my home and to the front porch. There, I was handcuffed and made to kneel. My 14-year old daughter was standing nearby crying and another officer grabbed her and pushed her aside and then hit her on the side of the head with an object in her hand. My son was now face down on the ground, handcuffed, and not resisting, while two officers held him down, one repeatedly pounced on his back.

Off to the side of the house we have an altar that my wife prays at every night, where she watched on her knees as we were all being beaten, scared that she couldn’t do anything because it was the police. Sitting next to her is our family dog, scared of fireworks and even the garden hose, who then was also pepper sprayed in the eyes, which ended up getting in my wife’s eyes as well. We pleaded for water to wash out our eyes, my son had been sprayed multiple times, but they would not. One of the officers inadvertently got sprayed in his eyes and an ambulance was called for him. When the paramedics arrived and were attending the officer, one washed my son and my eye’s out. Concerned about my wife, he took her blood sugar level, and found it to be at a dangerous level. After my son and I were taken away in separate cars, she fainted and had to be examined at the hospital. A neighbor overheard an officer say she was being “dramatic”, while the paramedic quickly responded by saying that she was indeed very sick. I have never been arrested in my life, nor have I ever experienced anything like this before, especially with my family all watching.

Mr. U ~ August 15, 2008
I witnessed an elderly man fall in the Food City parking lot in Tucson. A police officer asked him in English what was wrong, and the man answered in Spanish that he felt sick. The officer told him to speak to him in English. He called an ambulance and he called Immigration Customs Enforcement (I.C.E.).

Mr. D. ~ July 22, 2008
Two police in civilian clothes in an unmarked cop car jumped the fence to my house without authorization, damaging it in the process. They arrived hitting the door to the house and I asked them to announce themselves. They said they were the Douglas Police. I asked them to present a search-warrant. They said they did not need an order to enter into any house. Yelling, they told me to open the door or else it would be knocked down. I said that I knew my rights and would not answer the door. The police officers continued to yell for them to open the door. Finally, I grabbed a video camera from to document any other abuses. When I went to the door, the police were jumping the fence and climbing back into a police car.

HOUSING/LANDLORD

Ms. A ~ November 5, 2008
My children were out playing in our trailer park neighborhood in Tucson, and they knocked on a door that had a sign that read, “it’s not convenient for you to knock on this door”. They then ran home. A few minutes later, the manager comes over, very upset, almost breaking the door down, and yelling at them.
My 8 year old who had knocked on the door became so scared that she went into a room under a crib and started to cry. He was very mad, yelling disrespectful things at us, and threatening to fine us because our kids weren't supposed to be outside, and for having the dogs in my house. After many threats, he slammed the door and left.

Mr. F ~ December 5, 3008
I had recently become a father for the first time, and my parents came to stay at our house for the occasion. I noticed I had an extra $100 charge on my rent a few days later, and the manager told me it was because he saw extra people living with me. I explained the situation, and he did take off the charge. I do know however, that many people are afraid of the manager because he threatens to call Immigration Customs Enforcement (I.C.E) all the time.

Mr. S ~ October 3, 2008
I am very stressed living in the trailer park, Plaza Verde, because of the property manager, Gilbert Ortiz. He fines us excessive fees like, leaving my trash can open, my kids playing in the street, and for even leaving my shoes on my front porch. He gives no warning before fining us, and I am often worried I won't be able to pay rent and other bills when I have all these fines to pay.

EMPLOYER

Ms. R ~ July 10, 2008
I was working for a local labor union when I was fired without any notice. I worked there with 10 other organizers who were also fired. We were never paid on time, nor given correct wages and had checks bounce when they did pay. We felt disrespected as workers trying to win the community’s support for a great cause while we ourselves were experiencing abuse from our own employer.

Ms. A ~ September 19, 2008
I have been working at McDonald's for close to 10 years, when a new manager took over the restaurant. I had been making $12/hour, but now the new manager will not honor my pay, and I am now required to work weekends. I was granted weekdays for my longevity with the company, and now the new manager is making changes that I just don't understand. I am afraid to say that I feel discriminated against because I am undocumented.
RECOMMENDATIONS

1. Require Human Rights Certification of Federal Agents and Local Officers. Immigration Agents, Border Patrol Agents, police officers and other law enforcement officers working on the border region should receive ongoing training in ethics, civil and constitutional rights, human rights and community relations.

2. Improve Oversight and Integrity of the Complaint Process. The complaint process of border enforcement agencies and local law enforcement should be improved to ensure that incidents are investigated by an independent auditor, that those who filed complaints are informed of the results of the investigation, and that agencies document and track complaints and their results. To create a climate of integrity and transparency agencies should issue annual reports providing a summary of the complaints received and actions taken by the agency to prevent similar future incidents.

3. Develop Non-Lethal Response Techniques and Practices. Guidelines and ongoing training should be provided to federal and local law enforcement that ensures agents and officers responses are commensurate with the level of threat posed.

4. Develop a Community Education Program. Border Patrol, Customs and local law enforcement agencies should launch an educational campaign to focused on building confidence of community members in agency complaint processes and investigations.

5. Encourage the Formation of Local Citizens’ Review Committees. The committees should be independent of the Border Patrol, meaning that the committee sets the agenda, facilitates the meeting and holds the meetings in public places not a Border Patrol station. The committees should be tasked with giving feedback to the agency on local activities and reviewing incoming complaints and the results of the investigations.

6. Implement “Public Safety and Confidentiality” Policies and Practices. Arizona law enforcement agencies and city and county governments should develop a series of “Public Safety and Confidentiality” policies and practices to encourage community security, cooperation with law enforcement and reporting crimes while also protecting residents’ personal information. The new policies should:
   • Protect victims of and witnesses to crime by prohibiting police inquiry into immigration status unless it is specifically related to the initial offense being investigated.
   • Prevent and combat racial profiling by law enforcement.
   • Establish a system of reports, audits, and complaint procedures to address improper police inquiry about immigration information.
   • Combat identity fraud through a local “Privacy Act” in order to limit the circumstances under which a person is required to provide his or her Social Security number (SSN).
   • Prohibit local law enforcement agencies from participating in U.S. Immigration and Customs Enforcement (ICE) raids.
   • Promote community policing practices that engage all community members in fighting crime by combating fears and addressing concerns of all communities.
   • Conduct anti-crime education and outreach programs educating immigrants on how to avoid becoming victims of crime (e.g., opening bank accounts rather than carrying cash), how to report crimes when they have been victimized; how to avoid unknowingly violating city ordinances (e.g., cars on front lawns, overcrowded housing), and how to steer children away from gangs.
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To view:
Crossing the Line: Human Rights Abuses of Migrants in Short-Term Custody on the Arizona/Sonora Border

Migrant Resource Center

Agua Prieta, Sonora