

Note to Signatooees

CNLD changed the following language in our letter from:

That the "Border Patrol" and those associated with immoral practices be held accountable for terrorizing immigrant communities, creating conditions for migrant deaths in the desert, and murdering migrants.

To: That the "Border Patrol" and those associated with immoral practices be held accountable for terrorizing immigrant communities, creating conditions for migrant deaths in the desert, and using excessive and lethal force including killing migrants and border inhabitants in what amounts to state sanctioned murder.

Via Email to undisclosed recipient

February 16, 2018

To Whom It May Concern:

I work with migrant communities in southern Arizona. I also teach for the Earlham College Border Studies Program and am the co-coordinator of the Pima Community College Border Culture Program. I understand your concern regarding the language in our letter, and I would like to offer you many examples of why we chose to use such language.

One critical component to understanding why we use the word "murder" in our letter is understanding the historical context with which our modern border and its militarization and enforcement operate. Until the formation of our modern border, accompanied by NAFTA in 1994 and post-9/11 funding in "securing our nation's borders," there were few migrant deaths in the desert as well as fewer instances agents killing migrants. With shifts in immigration enforcement and spending occurring post-1994 and post-2001, the standard practice of migrants crossing through traditional ports of entry in cities or towns shifted to remote parts of the US-Mexico border; one of the largest shifts in policy is the BP using its "prevention through deterrence" strategy (this is in their planning policy manual) that actually uses the Arizona desert as a weapon to a) hinder migrants from making it to their final destinations and b) deter others from crossing due to the harsh terrain. With the majority of migrants now crossing the border in remote locales instead of densely populated ports of entry, there has been a steady increase of migrant deaths by BP agents--fewer witnesses exist in the desert. Approximately 7,000 remains of human bodies have been recovered from the borderlands, though we know that many more deaths have gone undocumented. The desert, with its harsh terrain and copious desert animals, can decompose a body in as little as 2 weeks. This situation has also disabled many migrants who attempt to make it to the US.

The increase in border militarization funding has also shifted the make-up of agents, and we see agents not from the borderlands who are not familiar with cultural norms be assigned into a community and leave, usually on 6-week terms. This is a hugely important detail as the respect for human life, an understanding of the way the border has historically functioned, and the lack of empathy that many agents hold have lead to the deaths and outright murders by BP guns. There are over 45 cases where BP agents have killed migrants, the majority of whom were unarmed, and the agency has claimed "rocking" or migrants throwing rocks at agents as justification for lethal force. This phenomenon has also seen a steady increase over the last 20 years with no agent being held accountable for migrant murders. The sole agent to be charged with the death of a person is Lonnie Swartz who fired into Mexico, killing a 16-year-old Mexican citizen on Mexican soil in 2010 (I've provided a link below), but his trial has been postponed for over two years.

In short, the last 20 plus years of border enforcement has operated much like the Prison Industrial Complex. The Border Industrial Complex along with the "war on terror," has many private companies that make a financial killing off of creating new technologies, imprisoning and deporting migrants, influencing politicians, and pushing forth rhetoric that justifies migrant deaths and disappearances, be it in the desert or at the hands of BP agents. People with disabilities have felt the neoliberal squeeze over this same time period, and it would not be hyperbolic to stress that the same policy, rhetoric, and devaluation of human life that create challenges for folx

with disabilities today are the tied to the same forces that create the conditions for migrant deaths along the US-Mexico border as well as in (im)migrant and refugee communities across the US.

Below are some key examples of why the word "murder" was used in our letter.

1. The case of Jose Antonio Elena Rodriguez is perhaps the best example of BP murdering border inhabitants with impunity. "On October 10, 2012, José Antonio Elena Rodriguez, a 16-year old boy, was shot and killed on Calle Internacional, a street in his hometown of Nogales, Sonora, Mexico by a U.S. Border Patrol Agent" from the US side of the border. His family has been fighting since 2010 to have the agent charged and the trial to occur. While the agent has been charged, the trial has been pushed back 2 years at this point.
<https://www.aclu.org/blog/immigrants-rights/ice-and-border-patrol-abuses/justice-jose-antonio-16-year-old-boy-killed-us>

2. This report, "A Culture of Cruelty," draws on three years of research to conclude that there is a systemic correlation between border enforcement and migrant death at the hands of BP agents without justification. No BP agent has ever been charged with the murder of migrants, US citizens, or Mexican citizens. No More Deaths "entitled [their] report *A Culture of Cruelty* because [they] believe [their] findings demonstrate that abuse, neglect, and dehumanization of migrants is part of the institutional culture of the Border Patrol, reinforced by an absence of meaningful accountability mechanisms.
<http://forms.nomoredeaths.org/abuse-documentation/a-culture-of-cruelty/>

3. "Cross the Line" is a report analyzing two years worth of data in the Tucson Sector of Border Patrol enforcement that concludes that basic human rights of migrants detained by BP were violated.
<http://forms.nomoredeaths.org/abuse-documentation/crossing-the-line/>

4. Here is the Southern Border Communities list of media surrounding 56 cases of migrant deaths by border patrol.
http://www.southernborder.org/deaths_by_border_patrol

I am happy to have a conversation with you next week via phone to field any further questions. I really appreciate your concern as it initiated a fruitful discussion within the CNLD to discuss our wording. We are embarking on new ground in CNLD by bringing to light the linkages among (im)migration, Latinidad, and disability.

Thank you for all the work that you do.

Saludos,
Alisha