EL INDEPENDIENTE

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Living in Shadows

THE LONG-TERM UNDOCUMENTED

Letter from the editor

Students began the reporting process for this project in early January. Ideas were bounced about and refined to reflect this singular idea: what becomes of the long-term undocumented migrant if President Trump's deportation plan takes hold.

Intensive research followed. Data collected from the Pew Research Center, the Center for Migration Studies, various scholars around the nation and governmental reports helped them form the reporting framework for this project.

At times, no data existed to explain the costs of a deportation process that could potentially ensnare 11 million people living in this country without papers. Per-day costs for incarceration, estimates on funds spent to educate their children and estimated annual income and annual tax payments for undocumented were used to quantify costs that could occur.

Some findings were surprising. The media image that most long-term undocumented migrants in this country cross the southern border illegally is no longer true. Most overstay visas. Yet the political rhetoric from the current administration points only to the brown-skinned. And that rhetoric includes the broad-brush painting of these men and women as common criminals is simply untrue.

The goal here is not to make a political statement, but to peel back the impact Trump's policies and the proposed 2,000-mile long 30-foot tall wall will have on the country and Arizona.

Hear the voices from those who patrol the border and from those who live along its path. Hear the voices of people who struggle to provide guidance to those in harm's way. Hear the voices of those in hiding.

The women and men who took on this reporting task wanted to offer readers as comprehensive a perspective as they could. I stand proud of their work.

Dr. Terry Wimmer
Professor, School of Journalism

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This issue was redesigned and created by Gisele Smith and Maxie Ruan
Cover photo illustration by Jordan Glenn

EXPERTS

Context from agricultural, economic, educational minds

By Reina Morrison and Ashley House

GIOVANNI PERI

UC Davis Professor of Economics

Giovanni Peri specializes in international migration's impact on production within labor markets. "The extra income that they create is in large part due to the fact that they are working, earning, and they put back, spend back, their wages into the economy; this is their contribution," said Peri. That contribution, based on Peri's research, makes up 4 percent of all products produced in the United States. Peri believes it comes down to whether illegal immigrants' contribution in the labor markets is more of a competition or a compliment. "So we need a demand in those jobs, but there are not many people who would do them, so it does not effect the wage and employment of others," Peri says that without an undocumented immigrant workforce, the agriculture industry -- the nation's largest -- would be devastated. Food prices could increase dramatically. The construction sector of the labor force would be down at lease 30 percent. "Illegal immigrants are a great value, we have accepted them and we have closed an eye for a long time, so my view is that we need to fix the problem," said Peri.

ANA KENNEDY OTTO

Government Relations Manager, Arizona Farming Bureau

Agriculture has been part of Ana Kennedy Otto's life since birth. She was raised on a calf ranch in Pima County, went to the University of Arizona studying Agriculture and Resource Economics. Working at the Arizona Farming Bureau Association allows her to help with problems farmers face regarding immigration. "I would say that it has not been changing for the positive. Immigration reform is an issue that we have been working on for many years and have seen little positive movement on the front." Otto states striving for a legal and stable work force in agriculture is an issue that the Arizona Farming Bureau as well as the American Farming Bureau continues to work toward. "There aren't many domestic individuals that want agriculture jobs." According to Otto it is a federal issue, one that congress needs to tackle by creating a legal and stable workforce for Arizona producers, and in terms of a solution there is not much action being taken creating obstacles for these business owners. Arizona farmers have had to transition their businesses by investing in large machinery that can do what others won't.

MICHAEL HICKS

Tucson Unified School District President

Michael Hicks, a Pima Community College computer science professor for over 27 years, has been a member of the Tucson Unified School District for seven years. As the current board president, Hicks works with the community and school district to improve education in Tucson. In regards to the economic impact and cost of educating undocumented children, Hicks believes in educating all students. "I think educating these kids is in the best interest for the United States because if we educate them properly and they become more educated, they'll become better citizens, and be more productive citizens," said Hicks. According to Hicks, the majority of students are living in a home where a parent or guardian may be a long-term undocumented individual, but the children are not. "I don't see the children as being individuals who are illegal, I feel it's more of the parent issue," said Hicks. Promoting citizenship and productivity, is what Hicks sees though education, and the education systems in the United States. Hicks states that through educating students who may be undocumented, it will create productivity, and these students will remain in the United States. "For me, I don't have a problem educating them," said Hicks.

DUSTIN SILKS

Hospitality and Restauranteur Expert

Dustin Silks is the director of venues and director of restaurant and bars for 17 years with both Marriott International and Starwood Resorts and Hotels. He has managed operations for both companies in several states including Arizona. "We do hire a number of immigrant workers through the H2B Visa program as well as immigrants who are here legally on other work programs. The direct effect would be minimal however the indirect effect would be quite substantial." The industry relies on many third party companies to run day-to-day business and those firms have have less strenuous verification standards. A laundry company cleans the linens, temp agencies provide additional staffing. Gardeners maintain the grounds. The delivery drivers and warehouse workers, Farm workers who harvest the food. All, he knows, rely upon immigrant labor. End that relationship and consumers will see a sharp increase in pricing across the board. "The great fear is that you wouldn't find someone to do those jobs at all which would cause businesses to close their doors which would affect the overall global economy. We have many jobs at my hotel such as housekeeping and dishwashers that we have not been able to hire for due to a lack of applicants. So not only would you, the consumer pay more but you may not even have clean dishes or clean laundry for your next stay."

Monica Milberg

A CASE STUDY

One in 11 million

One man's life and 25 years of undocumented work

By Elisabeth Morales and Christina Duran

When the words "build the wall, "illegal aliens," "Trump" or "deportation" blast from the television screen, Juan sends his 9-year-old U.S. citizen grandson outside to play. Juan, a long-term undocumented immigrant, doesn't want him to worry.

Juan first came to the United States when he was 19 and has lived in Tucson since, calling it his home for 25 years.

"To be honest, I wasn't even thinking about the U.S. in my life," Juan says. "My thinking back then was to keep going to school, become a teacher and do something with my life. But you never know what's going to happen next month, right?"

For Juan, one thing is always clear: There is no use worrying about what will happen tomorrow, in 10, or even 20 years. He lives a day-to-day life in the shadows.

Juan never intended to stay, but after crossing the border to visit his brother, who lived there at the time, he saw what every other immigrant has seen: opportunity. Not only for himself, but also for his young wife and two children in Mexico.

At 16 and 15, Juan and his wife, respectively, married in Mexico and enjoyed a life there for two years before Juan visited his brother and stayed in the U.S. The lack of opportunity in Huatabampo, Sonora, made the decision easy for him and six months later he returned, but this time only briefly. With his wife and two young children, ages 2 and 5 at the time, they simply crossed a checkpoint into the United States to begin their lives.

He began working as a dishwasher and eventually

became a cook until the restaurant closed in 2001. He switched to construction, began work as a framer and has worked a multitude of jobs within construction and landscaping, picking up countless skills along the way.

Juan lives here with his wife and three kids — two "dreamers" and one a citizen in high school. He learns on the job, mastering kitchen remodeling and home rain-collecting systems. He works mostly with other long-term undocumented people, creating a network and community. Support, he says, is essential.

Especially when "tomorrow it could be you," Juan says.

And for Juan that tomorrow has come nine different times, all within two years. Each time he would volunteer to be sent back, only to return the same day. He has not returned since 1999.

"It's been a long time, I miss my family first of all, and my grandma who is still living," Juan says. "She is 98."

Why not become a citizen of the U.S.? For Juan, it's not that simple.

"The only right way for me to legally go through the process, it's like flipping a coin in the air," he says. "I don't know that if I see the judge if he is going to deport me or allow me to stay here and it would only be a work permit. It's not like I will become a permanent citizen – no it doesn't work that way. If they deport me, I'm not going to be able to come back for a long time."

With a wife of 25 years, three children and a grandchild to look after, Juan says it's just too much to risk.

But if you ask Juan, he isn't scared.

"I'm always positive," he says. "A lot of people say, 'I don't know how you're so positive about life,' well because here in the U.S. we are like a third class people. That's how it is to them. To me I am equal like you guys. I don't feel like a lower class – not at all. Never."

To the people who have fallen for the rhetoric of fear incited throughout the country, Juan only feels one way.

"The people who try to humiliate me, I feel sorry for them," he says. "If they're mad I don't care."

Though Juan doesn't care when he is faced with hate or discrimination, it is a different story when it comes to his family and his people. Over the years, he says, the hate toward his people has gotten worse and he doesn't understand it.

"People who are always pointing the finger, 'Oh they're criminals, they do bad things,'" he says. "How can they be a better person than I am? I work every day, I have a good family, I'm a good neighbor, I'm always helping everybody, I'm respectful, I'm friendly and these people are always pointing the finger. How are we all criminals because one Mexican is a criminal?"

In his little spare time, Juan is a reader. He finds some comfort in the life of Abraham Lincoln. He admires his compassion, and wonders where that sense is in today's political climate.

Juan's son, a "dreamer" protected under the Obama administration who is now 23, has read stories of immigrants who have served in the military and still been deported.

"What will happen to us?" he asked Juan.

Eleven million people just like Juan live in the shadows of this country. Yet, Juan, the day-to-day guy, is positive. He doesn't let the fear or hate control his life.

While Juan faces hate, discrimination and anger, he is filled with hope, positivity, strength and resilience.

"To me it is all the same life," he says. "I'm still thinking that the country has opportunity for anybody who can try that. We have to adjust. This is life. You have to keep going."

Jordan Glenn

Elisabeth Morales

Eloy Detention Center, located in Eloy, Arizona, is a privately-run immigration detention center owned and operated by the formerly named Corrections Corporation of America, now CoreCivic.

DETENTION CENTERS

Conditions suspect

Doubling number of beds brings $4.2 billion price tag

By Elisabeth Morales

The stark white walls, chairs, tables and ceilings were what first stuck out when Arizona State University researcher and professor Leah Sarat toured the privately owned immigration detention center in Eloy, Arizona.

But as the tour continued and Sarat conducted interviews with immigrants, the white physicality didn't seem so bad compared to the food and hygiene standards of the center — the third-largest immigration facility in the United States at 1,550 beds, with the highest number of deaths in the nation.

"I think it was called chicken fried steak on the menu when I was there, and it was this really thin meat patty," Sarat said. "I can eat anything, but it was bad. It was a sawdusty kind of substance and you couldn't tell what kind of meat it was."

Sarat also said women are sometimes given stained undergarments, and she isn't alone in criticizing living conditions in Eloy and other detention facilities.

"Hmmm, how much time do you have?" asked Caroline Isaacs, program director for the American Friends Service Committee's office in Tucson, a Quaker organization that promotes peace with justice.

Not only do the living standards raise issues, but immigrant advocacy groups say President Trump's plans to increase immigration detention may be fiscally problematic as well.

About 350,000 to 400,000 immigrants are placed within the detention system per year at an average stay of about 30 days. Each day, there are 34,000 beds filled nationwide due to a bed quota enacted by congressional appropriation laws. According to the National Immigrant Justice Center, no other law enforcement agency aside from Immigration and Customs Enforcement is subject to a quota for its detainees.

"Immigration is unique in the sense that the federal government, or Congress, mandates through the appropriation process that there are 34,000 beds filled," said Laurence Benenson, policy and advocacy manager at the National Immigration Forum. "What Trump is saying is that he's looking to increase that significantly. And I think it's safe to say conservatively, he probably would have to at least double that number, if not even triple it, to detain and deport the number

of immigrants he wants to."

Trump's plans would require more funding. The U.S. Department of Homeland Security fiscal year 2017 budget allows for $2.2 billion to be allocated to maintaining 34,000 detention beds for immigration detention centers.

Currently, it costs taxpayers about $177 daily per immigrant, including operational expenses, which adds up to about $6 million daily, $42 million weekly and $2.1 billion annually. However, these are just numbers for the past year, prior to Trump's pledge to deport millions of drug dealers, gang members and criminals who entered the United States illegally.

In order to double the number of immigrants detained a year as Trump would need to, it would cost $12 million daily, $84 million weekly and $4.2 billion annually by increasing the bed quota from 34,000 to 68,000. Tripling would mean a 102,000 bed quota at $18 million daily, $126 million weekly and $6.4 billion annually solely to detain immigrants.

These figures do not include transportation or any of Trump's plans to immediately begin constructing facilities to detain even more immigrants. To double the bed quota, the Trump administration would need to double the amount of immigration detention centers or expand already existing facilities. There are currently over 250 immigration detention centers throughout the U.S.

Trump stated he would be detaining and deporting criminals, but some worry those immigrants could be apprehended for something as small as driving without a license or not having a criminal record at all.

Benenson believes in order for Trump's administration to get the number of detention centers they need in such a short amount of time, they will have to work with privately run detention facilities, which also proves to be problematic.

"Their first priority is profit, not safety," Isaacs said.

According to Isaacs and Matthew Lowen, another program director for the AFSC office in Tucson, of the 250-plus immigration detention facilities in the U.S., more than half of them are privately owned and every six out of 10 detention beds are in private facilities.

Private facilities earn a fee per detainee per night and their business model relies on cutting costs in order to return profits to shareholders.

"That cost-cutting goes back to a couple of pretty consistent trends that we see and one of the most troubling is in terms of staff pay and training," said Isaacs. "You get people who are less invested in their job because they are not paid well and they are not trained to handle situations and results in these patterns of problems with abuse and mismanagement."

Isaacs says the fears being incited onto the American public regarding immigrants causing more crime, using more resources and taking more jobs is nothing more than empty rhetoric.

"To criminalize something that is not a danger to people in this country is a completely pointless exercise and at this point the only reason to be doing that is for these corporations to make money," she said.

While private prison corporations earn a profit, taxpayers will pay for the expansion of federal and state immigration detention centers. To detain 11 million undocumented immigrants prior to deportation at a slower pace of 350,000 immigrants a year, it would cost $65.1 billion over a span of 31 years to remove them all and at a faster pace of 450,000 immigrants per year, it would cost $50.4 billion over a span of 24 years.

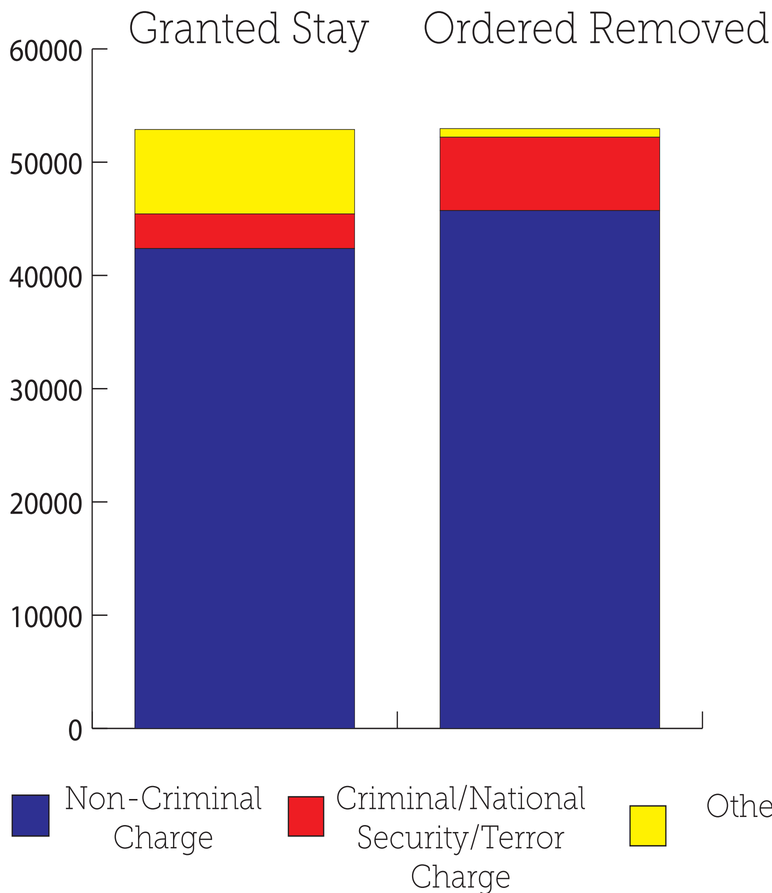
However, if Trump wanted to detain 11 million undocumented immigrants within an eight-year presidency, he would need to do it at a pace of 1,375,000 immigrants a year at a cost of $243.4 billion a year, well over the $2.2 billion budget allocated to maintain detention beds. (And according to a 2015 report from the Migration Policy Institute, there are only 820,000 undocumented immigrants in the U.S. with criminal convictions.)

These projected numbers solely cover the cost of what it takes to detain 11 million undocumented immigrants living in the shadows of the United States - not the cost of transportation of immigrants, or the cost to construct/expand immigration detention facilities.

"It's a lot of resources and money for someone who might well just be living in the community with their family, working construction, or working in agriculture," Benenson said. "It just doesn't make sense."

Elisabeth Morales

A family walks back to their car after visiting a detainee at the Eloy Detention Center.



*Fiscal Year 2017 refers to the period of time from October 1, 2016 to March 30, 2017.
All data found in Syracuse University database, TRAC, trac.syr.edu

Rhetoric fails to match deportation orders

Numbers show the decison to deport may not be as cut and dry as was promised.

DEPORT OR STAY

By Christina Duran

In one of many campaign promises, Donald Trump promised to deport the millions of undocumented immigrants in the United States.

Yet in about half of 105,853 completed cases in the 2017 fiscal year, from October 2016 through March 2017, judges allowed the undocumented immigrant to stay in the United States, whether through termination of the case, relief, or closure, according to the Syracuse University database TRAC,

The Trump administration and Department of Homeland Security also maintain they will prioritize the deportation of those who have committed serious crimes.

However, unauthorized immigrants with a criminal charge, or those classified a national security or terror threat, currently make up about 8 percent of all completed cases for the fiscal year of 2017, and about one-third of all those with a criminal charge, classified a national security or terror threat were granted a stay within the U.S.

While the number of court cases brought to immigration courts continues to rise, with 572,608 pending cases as of April, undocumented immigrants caught in the process have as much of a chance of staying as being deported.

Immigration judges, 309 total, are at the forefront when deciding who stays and who goes. Many times, immigration judges have decided those who have violated immigration law by staying in the U.S. illegally can stay in the country. Eight of 10 undocumented immigrants allowed to stay were charged with violating immigration law.

In an email response, Yasmeen O'Keefe, ICE public affairs officer, says that "DHS will NOT exempt classes or categories of removable aliens from potential enforcement."

O'Keefe was answering a question relating to the rights of undocumented immigrants, who have been living in the United States for longer than two years.

According to the Migration Policy Institute, more than half of the 11 million undocumented immigrants in the U.S. have been living in the United States for more than 10 years.

Within the process of deportation, long-term undocumented immigrants have no more rights than any other immigrant who has violated immigration law, says Kathyrn Mattingly, assistant press secretary for the Executive Office for Immigration Review, an office under the Department of Justice, which interprets and administers federal immigration law.

However long-term undocumented immigrants do have recourse that others do not.

Major changes in immigration law under Trump include the expansion of expedited removal. Expedited removal is the legal authority of Immigration and Customs Enforcement and Customs and Border Protection agents to order the immediate deportation of an individual, without appearing before an immigration judge, unless the person expresses a credible fear, such as asylum seekers and refugees.

Currently, ICE or CBP officers can only order expedited removal within 100 miles from the border and if the person detained cannot prove they have been in the United States for more than 14 days.

This hundred mile area includes about two-thirds of the U.S. population, and 61 percent of undocumented immigrants live within the top 20 metro areas, most of which fall within the 100 miles, according to the Pew Research Center.

When implemented, the new order would give ICE and CBP the ability to use expedited removal anywhere in the United States and remove those detained who cannot prove to have been living within the United States for more than two years.

It would protent any long-term undocumented immigrants from expedited removal if they can prove their two-year residency, although there are no protections for long-term residents from being placed in deportation proceedings.

Of all expedited removals, about 640,000 since 2003, 80 percent were not charged for committing a crime, and 15 percent were charged for committing a Level 3 crime, the priority designation given by DHS to those who have committed petty crimes or misdemeanors, according to the Syracuse University database. Most undocumented immigrants classified as a Level 3 were charged with illegal entry.

However, most undocumented immigrants are subject to the long deportation process.

Those detained, apprehended and held at detention centers wait an average 677 days, almost two years, before their cases are decided.

In 2016, there were almost 240,000 immigrants in deportation proceedings across the U.S., with immigrants from El Salvador, Mexico, Honduras, Guatemala, and China as the largest number of immigrants in the deportation process.

After receiving a notice to appear before a judge, the accused attends a calendar hearing, the equivalent of an arraignment in a criminal case, within a couple of weeks of being placed in detention. Before a judge, the undocumented immigrant is read the removal charges against them, and enters a plea of admit or deny. The judge also identifies possible forms of relief that apply to the specific case.

The judge then sets an individual hearing, or merit hearing, so the undocumented immigrant may present the case to the judge. Even if in detention, it could be three or four months before thier individual hearing.

If the undocumented immigrant posts a bond or is granted a bond by a judge, or if the undocumented immigrant was given a notice to appear before a judge, the case would move to a city and would take three to four years before the undocumented immigrant is able to present the case. The undocumented immigrant may or may not be in detention during that time.

All apprehended undocumented immigrants who have violated immigration law are subject to this process.

For long-term undocumented immigrants, a chance to stay and a receive a benefit is even more rigorous.

In Arizona, three percent of cases ended in relief from removal. Also, TRAC data shows that immigration courts take more than twice as long deciding cases which granted relief than those ending in removal. Currently, the average stands at about 2 years and five months for cases ending in relief versus one year for cases ending in removal.

For Jose Vazquez, immigration lawyer with Wolf and Sultan, a consulting firm in Tucson, representing undocumented immigrants means constantly looking for avenues of relief from deportation.

The judge could grant relief from removal, termination, administrative or other form of closure, or cancellation of removal. Vasquez finds most of his clients who are long-term undocumented immigrants may be eligible to apply for cancellation of removal, which is a type of relief.

The first requirement for cancellation of removal and adjustment of status is that the undocumented immigrant must have lived in the U.S. for at least 10 years.

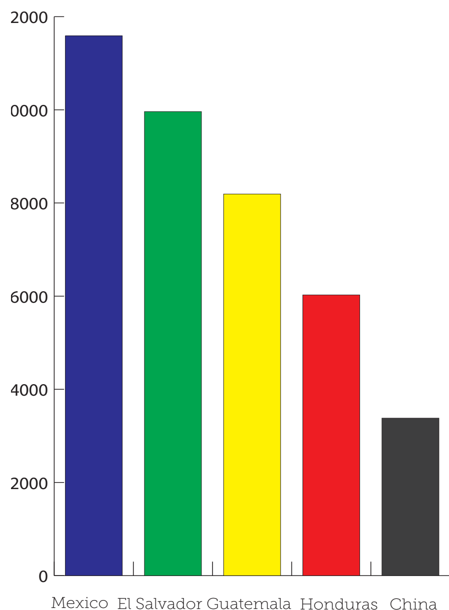
The undocumented immigrants must also demonstrate "good moral character" and not have been convicted of any criminal offense since entering the United States. The offense could include a charge of aggravated felony to crimes of moral turpitude, like shoplifting or even making false statements.

Undocumented immigrants must prove that should they be deported, a relative, citizen or permanent resident spouse, parent or child would suffer extreme or unusual hardship. Each case varies, but the judge will consider financial, medical and psychological hardship.

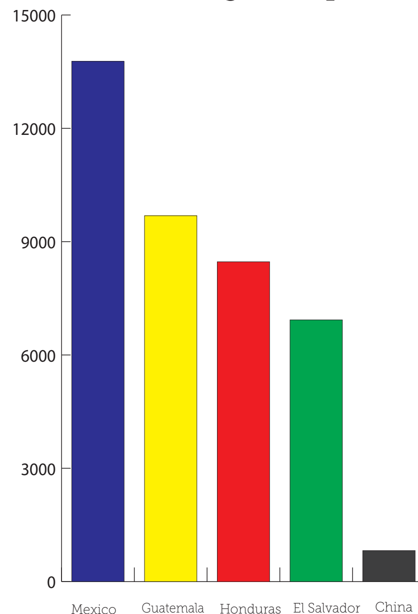
"[This] last requirement is usually the most difficult to get," says Vazquez.

For long-term undocumented immigrants, the chances for relief are slim, and the chance to stay is decided by a judge. So, the question for undocumented immigrants is, are they willing to leave the fate of their lives to chance.

Top 5 Countries of Origin for Cases Granted Stay in U.S.



Top 5 Countries of Origin for Cases Ending in Deportation



Brittan Bates

John Doe 16-3246 in the Pima County Medical Examiners Office.

DEAD IN THE DESERT

Organization fights for the forgotten

More than 900 unidentified bodies lying in Pima County morgues

By Brittan Bates

He had a tattoo of a lion with a soccer ball on his left forearm. It could be assumed from his tattoo that his journey began in San Marcos, Guatemala, near the border with Mexico. It could be believed he was born to loving parents who introduced him to the local club football team that had a lion mascot.

One would like to think he grew up a happy child, playing soccer in the streets with other kids his age and dreaming bigger than any adult imagination could conceptualize. These dreams and aspirations would then find him running after trains and crossing borders in his early 20s, only to have his body fail him in the vast, barren desert of Southern Arizona.

For now, his name is John Doe with the lion and soccer ball tattoo, not to be confused with the 3,000-plus other bodies called John and Jane Doe piling up in border states morgues.

"It is a massive human rights disaster that is happening right now, here in Southern Arizona," said Chelsea Halstead, program director of the Colibrí Center For Human Rights, a nonprofit family advo-

cacy organization. “The amount of people dying is the equivalent of a small plane crash happening every year for the past 15 to 20 years.”

Since 2001, 2,770 individuals’ remains have been found in the desert along the Arizona-Mexico border, according to the Arizona Daily Star’s database.

More than 7,000 known people have died along the United States-Mexico border over the past 20 years, and that is a low estimate considering it is only the people that have been found. Also, border states have been known to not be as meticulous in recording the data as they should, Halstead said.

“It is a crisis of missing people, people who have died and not been identified and of people have died and been identified,” she said.

There are over 900 unidentified bodies in Pima County alone.

The Colibrí Center for Human Rights is the organization fighting for the rights of the missing and dead along the Arizona-Mexico border. For 10 years, Colibrí has been diligently working with families, forensic scientists and humanitarians to end migrant death through identifying the dead, reuniting the missing with their families and political advocacy for migrants.

“We are fighting for a future where the human rights of migrants are respected, their families are protected and migration is safe,” Halstead said. “We don’t think that anybody should have to walk two weeks in the desert to be with their kids or family. That is what our work is all about, pushing back against the narrative that migrants are dangerous or they are coming here to harm us.”

Colibrí is the Spanish word for the hummingbirds that migrate from the United States to the northern deserts of Mexico, to Central America and back. In 2009, a man’s remains were found along the border and in his pocket, he carried a small dead hummingbird — a common native symbol for safe passage.

Since being officially founded in 2013, Colibrí has helped identify more than 100 people. However, it expects the numbers to increase significantly, thanks to a new DNA program that allows the center to swab family’s DNA and compare it to the DNA of the dead. In the past, Colibrí relied on circumstantial data that was later confirmed with DNA.

“The future for us is bright in the sense that I think we are going to be able to bring peace to a lot of people through our work,” Halstead said.

With more than 3,000 missing person’s reports in the center’s database, hundreds of unidentified dead and the threat of a wall being built along the border,

Brittan Bates

Unidentified remains in the Pima County Medical Examiners Office.

Colibrí’s work is needed more than ever, said Halstead, who blames policy for the mass amounts of death among the border.

“It takes over 19 years for these people to get the documentation to live in the United States legally,” she said.

So those wanting to join their families in America are left walking across isolated, remote regions of the desert, directly putting themselves in harm’s way.

“Our work is more relevant and important than it has ever been,” Halstead said. “The work we are doing is railing against the dehumanization of migrants. We are claiming in a very public way that migrants have the same human rights as anybody else and those rights are unfortunately being systematically denied along the border.”

Chastity Laskey

DISAPPEARING POSSESSIONS

Detainees' property often not returned after their release

No accountability for what happens to personal goods

By Jorge Encinas

On a warm day in September, a young man sits in a soup kitchen on the Mexican side of Nogales. He has just been deported from the United States without his belongings. Here at the comedor, he is surrounded by more than 30 others who have also been deported and are in need of assistance to get home.

Luis, who was only willing to give his first name, is 24 years old and unsure of what awaits him when he returns to his hometown. Still wearing the identifiable prison release uniform, a light blue shirt and blue jean pants, Luis just finished serving almost 16 months in an Arizona prison.

When he was released from detention and returned to Mexico, Luis was missing two smart phones, clothing, $200 and his Mexican identification card.

Luis' situation is neither an isolated incident nor a new phenomenon. It is the result of broken system that fails on multiple levels to return deported migrants' possessions.

The first failure is the U.S. Customs and Border Protection's policy of holding personal possessions for 30 days before they are destroyed. The policy does not account for incarceration longer than 30 days.

This policy is, in part, the cause of more than one-third of migrants' personal property becoming lost in the deportation process.

It also runs counter to agreements the Department of Homeland Security, which CBP is part of, has made on repatriation with the Mexican government and with standard law enforcement practice of returning detainee possessions after release. Announced in February, stipulations in the agreements state that the U.S. government will ensure personal property is returned to the migrants.

While the 30-day policy is a contributing factor, another issue is the lack of CBP agents adhering to established guidelines on how to properly record and take custody of migrants' possessions.

The most prominent failure in the system is the federal government's lack of a single set of protocols for handling migrants and their possessions that encompasses all agencies involved in their apprehension, transportation, trial, detention and deportation. The result of which is migrants being moved across multiple agencies while their possessions remain with CBP.

Advocates and researchers who study property loss in the deportation process agree that the federal government should develop and enforce a chain of custody standard that all agencies involved in the immigration process are required to follow to ensure personal property is returned.

The failure of the United States government to ensure those who have had personal belongings confiscated while being apprehended by immigration enforcement was documented in a study from 2013, and continues to this day.

Daniel E. Martinez, Jeremy Slack and Josiah Heyman conducted the study, "Bordering on Criminal: The Routine Abuse of Migrants in the Removal System," and found that from 2009 to 2012, 34 percent of 1,110 randomly selected migrants who were deported did not have their personal possessions returned to them.

According to statistics released by U.S. Immigration and Customs Enforcement for removals, there were more than 1.5 million deportations for the 2009 and 2012 time period in the study.

If the randomly selected sample was representative of the overall deportations, it could mean there was more than 540,000 migrants who did not have personal possessions returned to them between 2009 and 2012.

In the same report from ICE, there were 235,413 deportations for the 2015 fiscal year.

According to the study's authors, they found that 70 percent of the people surveyed had some form of Mexican identification documents with them, but after being deported 26 percent of those with documents did not have them returned.

"We conclude that this problem stems from a lack of inter-agency standardization and cooperation, particularly between Customs and Border Protection (CBP), the U.S. Department of Justice's Federal Bureau of Prisons, and the Department of Corrections (DOC)," the authors said.

The problem surrounding the unreturned identification documents is especially troubling for one advocate helping those recently deported in Ciudad Juarez, Mexico.

Connecting El Paso, Texas and Ciudad Juarez, the Paso del Norte Bridge spans the short walking distance between two countries that can, at times, seem worlds apart. This is where the U.S. sends those they deport from El Paso. There, the migrants are released on the American side and left to walk across the crowded bridge back to Mexico.

In a small building near the crowded Mexican port sits a woman by the name of Rocio Melendez Dominguez. This was her last stop of the day as Dominguez showed the various places where newly repatriated migrants can go to receive assistance after being deported.

Dominguez is a lawyer with the Programa de Defensa e Incidencia Binacional, (PDIB, the Binational Defense and Advocacy Program), an advocacy group in Mexico that works to address civil rights violations against Mexican people while in the U.S.

The PDIB and Dominguez also work closely with the American Civil Liberties Union. Both groups help address the issue of property loss in the deportation process. Lately, Dominguez noted, there have been fewer migrants returning by route of the bridge. What once had been a regular flow of dozens of people a day was now down to approximately 18 migrants per day.

Sitting on a chair in the waiting area, Dominguez talks about the importance for U.S. authorities to ensure repatriated migrants have their personal belongings returned, especially their identification.

"They are undocumented in their country," Dominguez said. "It's very difficult to get other official IDs here in Mexico. You have to have another two official Mexican IDs and it takes like a month to get the official documents."

To make it more complicated, in order to get a new ID, the person must travel to their hometown. For people from the southern part of the country, this is difficult because they have been deported to northern Mexico without identification, Dominguez said.

The failure to return ID can also cause other problem leading to a cycle of deportation and illegal re-entry. Vicky Gaubeca, the director of the Regional Center for Border Rights, part of the ACLU of New Mexico, explains how being deported without ID can leave the migrants with few options.

"Ironically, because in Mexico without an ID, a government issued photo ID, you're no one," Gaubeca said. "Without that you can't open a bank account, you can't get on a bus to go back home and we sometimes actually force individuals who have been deported, we kind of force them, to come back to the United States because they can't get back to their town of origin."

Records

Joanna Williams, the director of education and advocacy at the Kino Border Initiative, an organization that works with migrants in Nogales, Arizona and Mexico, points out that many of the migrants arrive with blank inventory tags attached to their bags.

Vicente E. Paco, Border Patrol agent and public information officer for the Tucson sector, said the tags, known as an I-77 by the form number, attached to the personal property bag will not have itemized listings of what was placed in the bag. There are itemized inventory forms, but unless it is considered a high-value item the possessions will not be recorded, he said.

Multiple attempts were made to obtain records from CBP through the Freedom of Information Act, but no data were provided.

The data requested were for copies of inventory records, both the electronic forms and the I-77, as well as the standard operating procedures for handling personal property.

The request for the standard operating procedures, filed on Aug. 5, was supposed to have been provided on Sept. 19. However, the request remains unfulfilled without reason for any delay.

The request for inventory records was filed with the online processing site on Sept. 28, and included both Tucson and El Paso sector for the past five years.

To the date of this publication, nothing has been provided.

The ACLU

On April 6, 2016, the ACLU filed a complaint with the U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement and the Border Patrol about 26 incidents of personal belongings not being returned during the deportation process for the El Paso sector alone.

The complaint was a joint effort from advocacy groups on both sides of the border. The Kino Border Initiative and PDIB were among the contributing members.

The 26 incidents were identified through interviews conducted in Ciudad Juarez by Dominguez from PDIB. These incidents showed more than $2,816, 19 Mexican identification documents, including a passport, and 11 cell phones were not returned, at the time of deportation, by U.S. authorities.

According to the authors of the 2013 study, the median amount of money lost was $55 per person between 2009 and 2012. For someone like Luis who can expect to make 600 pesos a week, this is a loss of almost two weeks of pay. Among the possessions missing from the migrants, 20 percent did not have their money returned to them."

CONTINUED ON NEXT PAGE

The study from 2013 does show El Paso sector as having the worst rate for possessions not being returned. From the 34 percent who did not have their possessions returned to them in the study, 65 percent were deported from El Paso.

"We've been hearing about it for a couple of years, that it's been happening in a lot of the sectors, including in the Tucson and Yuma sectors," Gaubeca said.

According to the study, Tucson and San Diego sectors also have higher rates of possessions not being returned at 35 and 38 percent respectively.

There have been policy changes enacted to ensure possessions are returned to migrants after deportation. One such policy change came in October 2015, with the CBP's National Standards on Transport, Escort, Detention and Search, also known as TEDS.

Under section seven of TEDS, all detainee property that is not contraband should be itemized and recorded electronically. It also states that when possible, agents will make every effort to transfer the property with the migrants, both internal and external agency transfers.

Without a single chain of custody protocol for all agencies involved in the handling of the migrants, efforts to ensure the property follows them may not be possible. The result is migrants' possessions will be subject to a provision where their property will be destroyed.

According to the complaint filed by the ACLU, section seven of TEDS fails to address the problem of unreturned property.

One reason cited by the complaint is the preservation of the 30-day period for migrants to reclaim their possessions before they are destroyed. The Border Patrol has long had a standard of destroying unclaimed belongings 30 days after a migrant has been detained. A policy which has been in place long before TEDS went into effect.

"All of these agencies are being involved, and the theory is that their belongings should be following them to all these different agencies."
-Vicky Gaubeca

However, this 30-day period is no longer adequate considering the longer periods of time migrants are being held in detention. In addition, many of the migrants are now passing through several federal and state agencies as they are prosecuted for illegal entry or re-entry and are increasingly being detained in federal, state and county jails and prisons.

"It used to be that individuals were apprehended and then they would be repatriated and their custody went through, sort of, the same agency," Gaubeca said. "Now it's gotten very complex."

The complexity Gaubeca is referring to are the multiple layers of agencies the migrants now have to pass through, many of which have their own procedures for handling property. This movement across different agencies could be one potential source of property not being returned.

In the study from Martinez, of the 34 percent who did not have their property returned, 57 percent were migrants processed through Operation Streamline. The operation is a federal program where migrants are given mass trials to convict them of illegal entry or re-entry.

"All of these agencies are being involved, and the theory is that their belongings should be following them to all these different agencies," Gaubeca said. "But I think that what we were finding was in the sectors where individuals were being referred to all these different processes, that was where the problems were the worst."

For Gaubeca, an improvement would be better coordination between the agencies to ensure the personal belongings are following the migrants and being returned once repatriated back to Mexico, she said.

There does appear to be a lack of cross-agency coordination when handling the property of those being held by CBP. For instance, if the migrants are facing any criminal charges related to their crossing, they can be transferred to any of the local, state, federal or tribal agencies involved in the case.

If they are facing any federal immigrations charges, they can be transferred to the custody of the U.S. Marshals.

"If an individual is prosecuted criminally, for example the individual has past criminal history or was encountered in a smuggling violation, such as a drug mule or drug trafficker, and he has personal property, then the individual is required to sign a hold harmless form releasing his property to CBP after 30 days," Paco said.

By signing the hold harmless form, the personal property is confiscated by CBP while the migrants are in custody of one of the many different agencies they may have been transferred to. After the 30-day period, any property that is left unclaimed by the migrants is then destroyed by the CBP.

The individuals in CBP custody are given directions on how to reclaim their belongings along with the hold harmless form and information about doing so through the assistance of their consulate office and lawyers, Paco said.

While the 30-day period is an agency-wide standard, each sector has control over how to implement it.

Solutions

The 30-day period for migrants to claim their possessions is one aspect that causes personal property to be lost, but it is not the key issue contributing to the problem.

The major issue is the government's inability to establish a cross agency protocol for migrants' possessions. When migrants are transferred from CBP custody to other federal, tribal, state, local or private agencies, their possessions may not follow them.

"This is kind of a consequence of late modernity, where a lot of aspects of securitization become privatized, and so there are multiple entities involved in assuming custody of immigrants when they're apprehended, then transferring them from one place to another," Martinez said.

With more agencies being involved in the process, migrants and their possessions become exposed to more procedures handling their property.

"There are a lot of different players involved, there are a lot of different entities involved that have different protocols and different policies in place regarding immigrant's possessions," Martinez said. "Obviously, we need standardized policies and practices regarding chain of custody when it comes to immigrants and their possessions."

However, no matter how many agencies or what level of government they belong to, the federal government is responsible for ensuring the possessions are returned according to nine repatriation agreements between the Department of Homeland security and the Mexican government announced in a DHS press release on Feb. 23, 2016.

According to the ACLU complaint, the language includes a provision regarding personal belongings.

As stated in the complaint, "The signatory participants

should take all feasible steps to ensure that property, valuables, and money retained, are available for return to the rightful owner at the time of initial release from DHS custody."

"Even though there are all these different agencies, even the local county jurisdictions, are all beholden to federal policy," Gaubeca said. "So it's all the U.S. government whether it's the marshals, or the bureau of prisons, whether it's ICE, whether it's CBP, all of them are beholden to a federal contract in the management and transfer of these individuals from one agency to another.

"So the policy needs to be fixed at the federal level by the U.S. government," Gaubeca said.

According to the Marshal's property procedures, found in their policy directive 9.20, "cellblock operations," all prisoner property is to be inventoried and recorded. The property is then secured until given to the prisoner's attorney, family, transporting officers, other representatives or mailed out within five business days. Any unclaimed property is donated or destroyed after 30 days.

As Paco stated for CBP's Tucson sector, the marshals taking custody of migrants will sometimes take their possessions with them and other times they will not.

Lynzey Donahue, spokeswoman for the U.S. Marshals Service headquarters in Washington, DC., issued a statement on how marshals handle prisoner property.

This policy (directive 9.20, cellblock operations) applies to all U.S. Marshals prisoners, regardless of citizenship, Donahue said.

According to the statement, the marshals will not accept the personal belongings if the facilities they are being transported to are not equipped to store large amounts of personal property, Donahue said.

This will leave those possessions in the custody of CBP and their 30-day policy.

"Many detention facilities are not equipped to store large amounts of personal property for extended periods of time," Donahue said. "Accordingly, the U.S. Marshals Service generally does not accept property that the federal, state, local and private detention facilities where Marshals prisoners are housed will not accept."

With federal agreements in place by DHS and the Mexican government to return migrant property, American authorities would need to ensure all detention facilities are equipped to store the confiscated possessions until they are released.

"I think the responsibility is up to the U.S. government," Gaubeca said. "Because CBP will blame it on the U.S. Marshals, I mean, they are just pointing fingers basically.

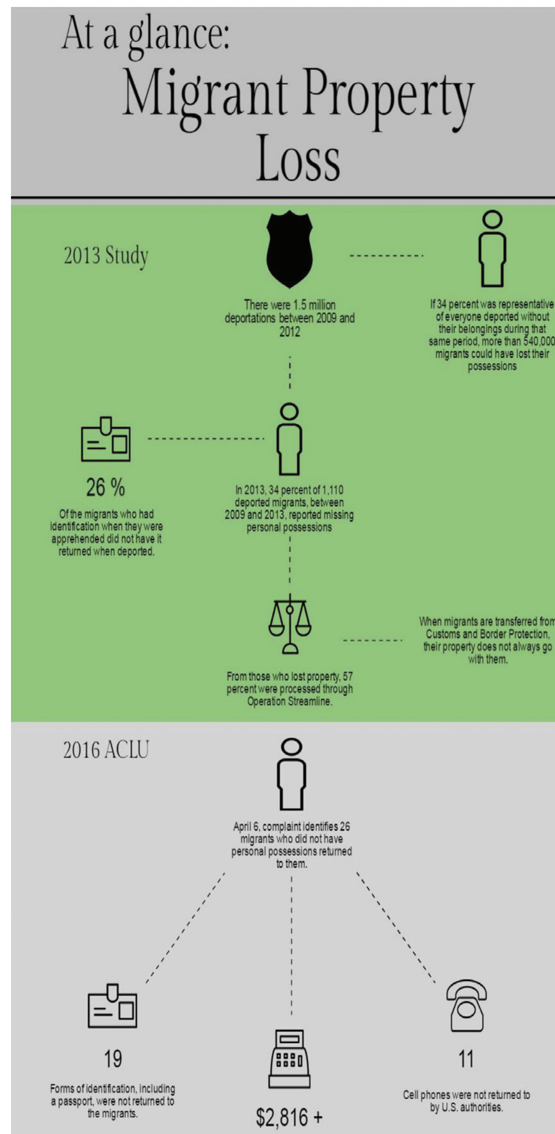
"It's just a problem that does not require a tough solution, just a willingness of the U.S. government to solve it," she said. "That's all it takes."

The federal government's failure to establish a single policy on the chain of custody for migrants' possessions leaves them subject to CBP's 30-day policy and the instances of property being unreturned during deportation.

However, the Marshals service did acknowledge there are issues surrounding property being transferred to their custody from DHS.

"The U.S. Marshals Service is aware of the property challenges associated with the transfer of detainees from the Department of Homeland Security and is currently reviewing its policies and procedures, in conjunction with other concerned agencies, with a view towards expanding the types of property authorized for retention," Donahue said.

Ultimately, any solution would have to come from the federal government and be capable of putting a single protocol for handling migrants and their possessions in place for all agencies involved in the process.



"I think it would take initiative from the feds, but it seems to me like immigration just has kind of taken a step back," Martinez said.

Multiple attempts were made to get comments from government officials about what could be done to solve the issues, but met with limited success.

The U.S. Marshals' headquarters was the only national level agency willing to provide comment through an issued statement.

Neither the U.S. Federal Bureau of Prisons nor the Homeland Security responded to request for comment. Multiple request made to Congressman Raul Grijalva's office also went unanswered.

The national CBP headquarters redirected a request to the Tucson sector public information officer which Paco already commented from. However, they did not respond to a request for leaders to comment at the national office who could speak for all Border Patrol sectors made on Dec. 10.

"The thing is if they're refusing to give you a statement and that they're refusing to work with NGOs on finding a solution, they're basically saying 'It's okay to rob these people of their belongings,'" Gaubeca said. "That's basically what they are saying."

Photo Courtesy of National Park Service

DEPORTATION HISTORY

Operation Wetback: A lesson in wrong

Racism and mistreatment in the roundups that deported thousands of Mexican laborers and families

By Andrew Paxton

When laborers on small ranches in the Southwest awoke on May 17, 1954, they thought it would be another day of working fields and tending livestock, as many of them had been doing for more than a decade.

Instead, hundreds of Immigration and Naturalization Services agents descended and rounded up everyone of Mexican descent, even those who were working legally and those who had been brought over by their employers.

Under "Operation Wetback," rifle-bearing officers led the laborers to trains and trucks, sent them to the border and handed them over to Mexican authorities, who cooperated with U.S. police in collecting tens of thousands of workers — both legal and illegal — and sent them deep into Mexico to keep them from returning to America.

A decade earlier, the U.S. attitude stood different toward these citizens from the south. War raged in Europe, and U.S. farmers desperately needed help with the crops. Incentive programs enticed workers to fields and factories far north of the border.

Soon, thousands of laborers arrived from Mexico seeking legal work under the Bracero program, a guest-worker system organized by both governments.

Corporations and ranchers alike benefited from the cheap labor, and many of the workers established permanent roots in the communities.

The racism and mistreatment laborers faced was no different, regardless of whether they held legal status or came across the border without proper authorization. All were referred to as “wetbacks,” a term first coined to mean Mexicans entering Texas by wading across the Rio Grande. Later, the name was applied to all Mexicans coming into the U.S. and was used by authorities in both countries despite being derogatory.

By the late 1940s and early ‘50s, with World War II over and millions of Americans needing jobs, the U.S. government’s tone changed toward these workers. With the Communism scare sweeping the country and politicians warning constituents that “thousands of Marxists were crossing the border every day,” the public attitude soured, too.

With this xenophobic backdrop, President Dwight D. Eisenhower appointed a former Army general, Joseph Swing, to lead the INS and tasked him with running the organization like a military organization.

The U.S. government “exploited concerns regarding national security and exaggerated claims about immigration and crime to stir up fear about illegal immigration,” said Avi Astor, a history professor at Universitat Autònoma de Barcelona, in an email interview. Astor wrote extensively on the program in his 2007 paper, “Unauthorized immigration, securitization and the making of Operation Wetback.”

By coercion, or by force, authorities on both sides conspired to repatriate millions to Mexico, and by some estimates they succeeded in deporting 1.3 million people.

Swing gathered more than 1,000 INS agents and dispatched them to farms and ranches across the Southwest. Hundreds of men and women were picked up each day.

American officials transferred the deportees to the border where Mexican officers loaded them onto trains, trucks and even ships before releasing them deep within the country. Reporters who attempted to board the trains were kicked off, and most national media supported the efforts, or ignored the topic entirely.

“There were some reports of abuse about the INS’ handling of the deportations, but most reports centered on the abuses of the Mexican authorities involved in the process,” Astor said.

A year after the roundups began, 88 deportees died after being dropped by authorities in a remote Mexican desert with the July temperatures over 110 degrees. The public’s attitude began to change.

“Deportees were taken to areas far from their homes and cut off from their social support networks,” said Astor, who has written a paper on the history of “Operation Wetback.” “Some were beaten, and others died jumping from trains or making their way back across the border.”

The mass deportations did little to stem the overall flow of illegal immigration, with the growing numbers and rising mistreatment eventually leading to the Immigration and Naturalization Act of 1965.

“These large-scale deportations have never ‘solved’ the problem of illegal immigration in the past, and they are unlikely to do so in the future,” Astor said.

“Their impact on breaking apart families and ruining dreams can be devastating,” Astor said. “Moreover, they are extremely costly and have few lasting consequences on the numbers of undocumented immigrants in the country.”

Advice from Captors

By Marielle Carrera

Here’s advice to prevent capture from those who capture.

Law enforcement offer their wisdom on how not to be found.

Jack Woolridge, the Tucson Police Department robbery detective sergeant, advises to stay out of the legal system. “Some good advice I can give is to not commit a crime because you will get caught,” says Woolridge.

Moving regularly and avoiding technology could help, he says.

Rene Anthony Guerrero, owner of Azteca Bail Bonds, agrees with Woolridge on avoiding committing crimes. “Be smart so your family has no reason to contact people like me,” he says.

Here are some general tips on how to separate yourself from the technological world and avoid detection in the real one.

1. Your electronics

Stay off all social media. Post nothing. Once something is on the internet it can be traced forever, even if it is deleted. Having no accounts on the internet keeps you from being traced. Cell phone usage is traceable by location.

2. Only pay in cash.

Credit and debit cards track every purchase you make and where you make them making it easy to leave a paper trail. This also applies to loyalty cards offered by grocery stories and large chains.

3. Forward your mail to a secure mail drop.

Companies will allow you to forward them your mail and provide you with a secret and secure mail-

box. This way you can send mail from a secure location without using your address or a P.O. box.

4. Avoid toll roads.

When driving on a toll road, you are being filmed so the government can make sure you pay your way. This gives the identity of your car and its registration. Parking garages work in similar ways to deter criminals, so park where there are no cameras.

5. If you have the need to search the web, use a public computer.

Every time a Webpage is opened, it is possible to track the history of the user. Libraries generally have public computers which can be used and untraceable to a certain user. This way you can have some technology that cant be traced back to a name or address.

6. Obey all traffic laws. No rolling stops. Use turn signals. Keep registration current. Drive at or below the speed limit. Check all vehicle lights and turn signals often. Give officers no probable cause to pull you over.

Erik Kolsrud

An agent stands looking at the border near Nogales, Arizona. The Trump administration wants to hire at least 5,000 more agents.

BORDER PATROL

Hurry, wait do a job

Painted as the 'bad guys' but it's all about duty

By Erik Kolsrud

They wear "pickle suits," ride horses, and read books to elementary schoolers. Being pelted with rocks is a daily hazard, as is occasionally being shot at. Make no mistake — being a part of the Border Patrol is not an easy job.

On one hand, it's hours of sitting in a car, watching a section of the border. On the other, it is dealing with potentially dangerous situations involving drug runners or heartbreaking scenes of desperate families in peril.

This double-edged sword is just one facet of a deeply complex institution that guards nearly 2,000 miles of border between the United States and México. Hot-button issues such as immigration or the war on drugs, so commonly spoken about on the national stage, are a fact of life for olive-uniformed agents walking the fence or trudging through the desert.

Agents Daniel Hernandez and Chris Sullivan don't pay much attention to the politics — they say agents on the ground worry more about doing their jobs than they do about policy.

"Where they are, whether in the United States or México, doesn't matter for the agent going home that night," Sullivan said.

The Trump administration promises many more agents. Trump signed an executive order that called for an additional 5,000 Customs and Border Protection agents. According to Border Patrol, 17,000 of its more than 19,000 agents nationwide were assigned to sectors in the Southwest in fiscal year 2016.

Training of BP agents lasts six months and encompasses a suite of firearms training, legal instruction and Spanish-language education in a setting that resembles a cross between a police academy and boot camp. Agents are trained for the realities of the job: spending a lot of

time in the desert, often times alone.

"A lot of these situations you've done a hundred times in training," Hernandez said. "You really got to love the outdoors."

While the agents watching the border are adept at traversing and surviving in the desert, the people they are tasked with apprehending rarely are. The summer months see a transformation in the type of operations performed by the Border Patrol: search and rescue.

"We don't want people to die crossing the border," Sullivan said. "We have a lot of resources. We want to help people."

In Sullivan's case, this is where his EMT training comes into play. Migrants picked up in the remote sections of the Sonoran Desert are often suffering from heat stroke, dehydration, blood loss and other complications stemming from crossing the border. In many cases, the predatory guides who bring migrants across rob or abandon them without water. In the Sonoran, this can be a death sentence — and yet, people still come.

"We didn't make them walk in the desert, they made a conscious choice," Sullivan said. "Sometimes you have to take the law enforcement hat off and do medical care."

Dealing with what is essentially a humanitarian crisis takes a toll on agents. The turnover rate approaches 30 percent of new agents. The job is isolating, difficult to talk about with people who don't know or understand what agents go through, which is why the Border Patrol has several avenues of help for those seeking a way to talk about what they've seen.

"There's some times where I'm crying on the way home," Hernandez said.

However, it still can be too much. Paco Cantu joined the Border Patrol in 2008, serving chiefly in an intelligence role until he decided to leave in 2012. Cantu worked on identifying the bigger picture of what the cartel smuggling operation looked like across the southern border.

"My time in the Border Patrol was an accumulation of info and actions that led me to feel overwhelmed," Cantu said. "It wasn't until years later that I started to process it."

While the mental health of agents is rarely discussed, their role in the national conversation about immigration is — though rarely in a positive manner.

Confusion about the roles of Immigration and Customs Enforcement and the Border Patrol leave many under the impression that Border Patrol tracks down migrants in the cities, which is ICE's job. The Border Patrol is generally painted in broad strokes and is the poster child for actions regarding immigration — whether or not the Border Patrol was actually involved.

"Some people don't like us, so we just try to do our best," Hernandez said. "We aren't an evil organization by any means."

Some of that distrust comes from controversy of the overuse of force by agents. The two biggest in recent memory include the 2010 killing of Mexican national Sergio Hernández Guereca by BP agent Jesus Mesa in Texas, and the 2012 killing of Mexican national Jose Antonio Elena Rodriguez by BP agent Lonnie Schwartz in Nogales. Both victims were in México and were shot through the border fence.

"The role of the Border Patrol is important in enduring for the time being," Cantu said. "Border Patrol agents are the first Americans, first representatives of the U.S. government that migrants encounter. At the same time, you have to balance that with the violent reality."

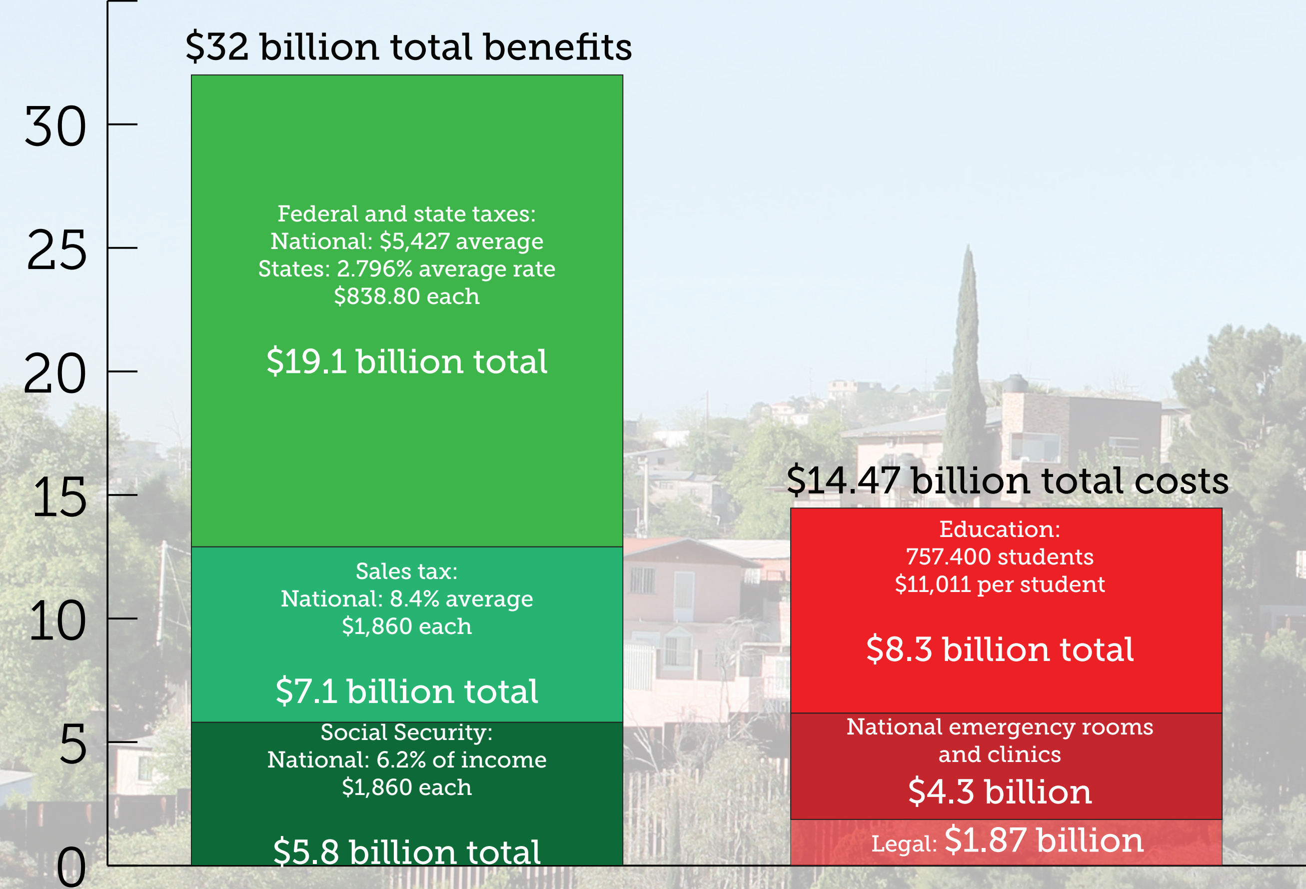
That violent reality is part of what the proposed 5,000 agents will have to face, as the Trump administration takes a harder line on immigration and smuggling across a border where you never know who or what you may encounter.

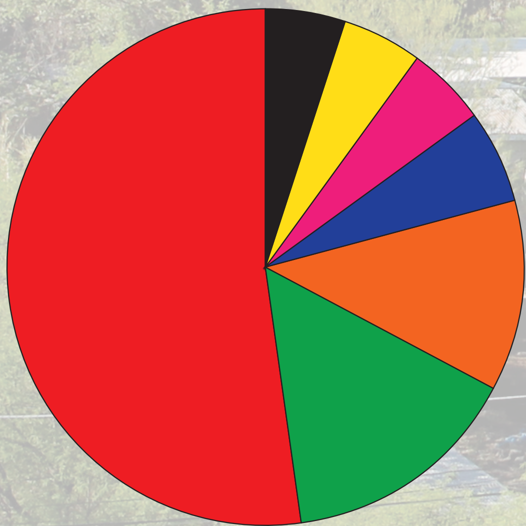
"You put on the uniform, you put on the gun," Sullivan said. "You never know when you're going to have a bad day. And when you have a bad day, it's a bad day."

Erik Kolsrud

Agents Daniel Hernandez and Chris Sullivan point out the differences between types of barriers on the U.S. - Mexico border.

Cost/Benefit Analys





52%: Mexico
15%: Central America
12%: Asia
6%: South America
5%: Caribbean
5%: Europe & Canada
5%: Other

Undocumented country of origin

How we calculated the data

Our research is based off of the 11 million undocumented people in the U.S., earning an annual average income of $30,000. We base our numbers off the 3.1 r
ing. Federal taxes were calculated based on the average rate. State taxes were calculated based on an average of the 44 states that have state taxes. Sales taxes
estimated undocumented students. Annual healthcare costs were provided by the Pew Research Center. Annual legal costs were provided by the Pew Researc
(azgov.org), National Academy of Social Insurance, U.S. Census Bureau, National Center for Education, State and Federal Government Data, Department of Hon

Data reporting by Reina Morrison ar

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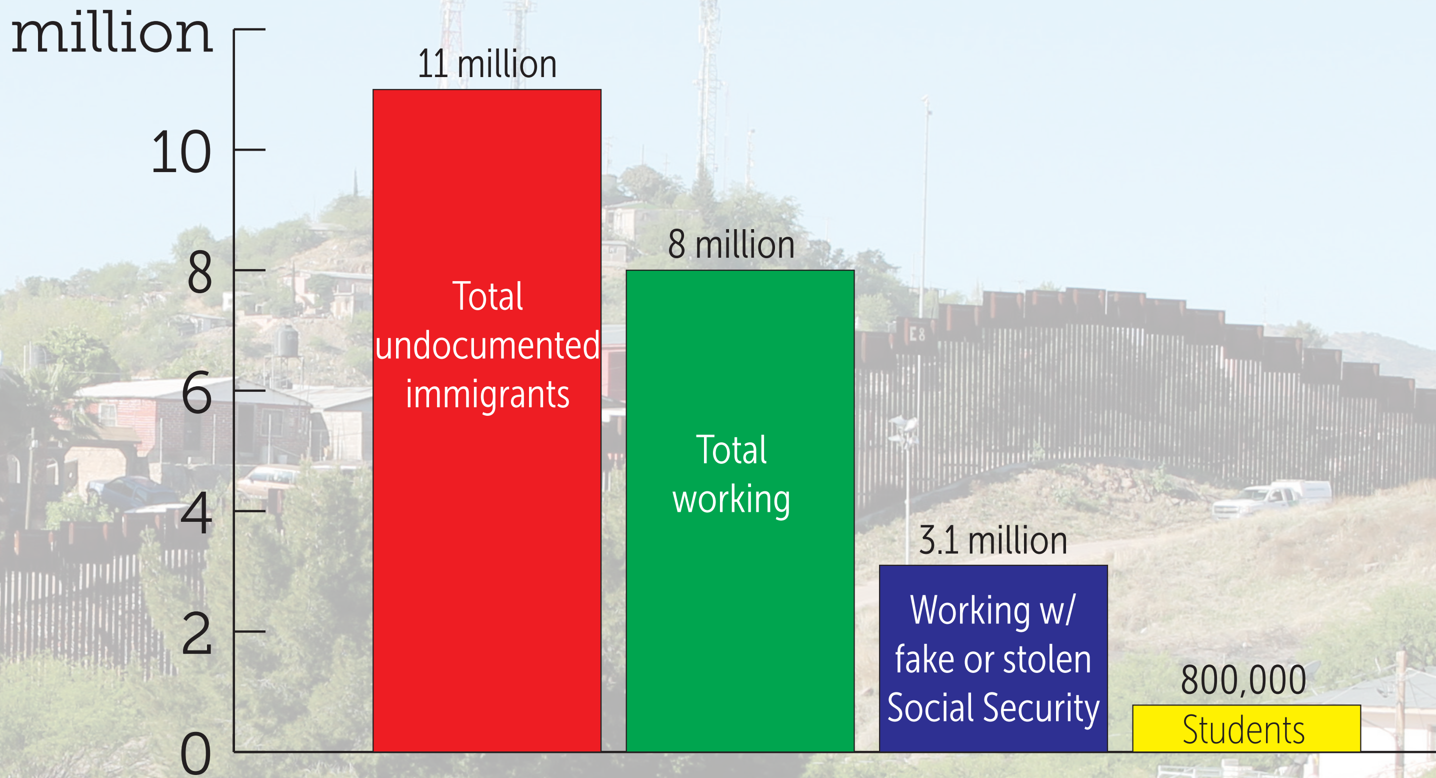

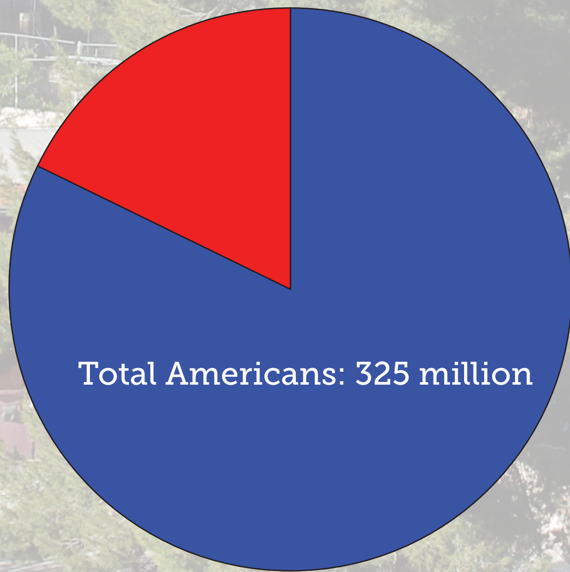

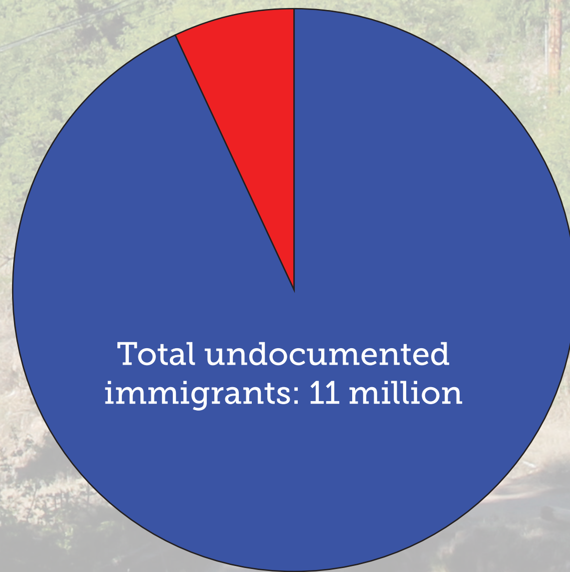

million who are using stolen or fake Social Security cards, meaning most pay taxes. The numbers do not include the additional 4.9 million who are work-
were calculated based on the national sales tax average. Education costs were figured based on the average per-student cost multiplied by the number of
h Center and the Center for Immigration Studies. Sources: The Pew Research Center, The National Social Security Administration, State of Arizona Government
neland Security, Professor of Economics at UC Davis Giovanni Peri.

d Ashley House, Design by Andrew Paxton

Photo illustration by Jordan Glenn and Nicholas Smallwood

DIVIDED TOHONO O'ODHAM NATION

A wall within a Wall

How Trump's plan effects already divided Tohono O'odham nation

By Lauren Renteria and Jordan Glenn

For the Tohono O'odham nation, a border wall already exists, it just hasn't been built yet.

In the desert of southern Arizona, the federally recognized O'odham reservation occupies 4,464 square miles of desert that half of its 34,000 enrolled population call home. But, the original tribal land — roughly the size of Connecticut — extends far past southern Arizona into Sonora, Mexico.

Some tribal members still make the journey across the border to practice traditional migratory patterns and visit family members and sacred grounds in northern Mexico.

Donna Garcia, 31, a mother and lifetime resident on the O'odham reservation, said her mother, Janet, makes the trip to the border from Sells on foot. Her mother is only one of a large group of O'odham people who migrate in early October to celebrate the feast day of Saint Francis of Assisi in northern Mexico.

The O'odham people once used the San Miguel border gate as a major port of entry into Mexico and a straight shot to the tribe's capital in Sells, Arizona. But, traveling across the border through the gate is now impossible after a family of ranchers bought the surrounding land from the government and sealed the gate for travel last March.

Now, tribal members must drive to Sasabe or Lukeville, two neighboring towns, turning a 30-minute drive down the highway into a two-hour journey to get to the nearest entry points.

For the O'odham community living in Mexico, traveling north is essential. Many tribal members make the trip to Sells not only for tradition, but also for health care at the local hospital and government administrative services.

When Trump signed his executive order for a 2,000-mile-long border wall, O'odham government leaders quickly voiced their discontent with the president's plans, vowing to leave a 75-mile gap in the wall where the nation straddles the border.

Last month, members of the O'odham community in northern Mexico organized a protest on Facebook to rally support against Trump's proposed border wall at the closed San Miguel gate.

At the gate, activists from across the state were turned away by the Border Patrol. Agents cited a 1990s tribal code, signed by the chairman, which can exclude and remove non-members for trespassing without permission from the tribal government.

Donna Rose, an activist turned away by local police and Border Patrol agents, said she is unsure about how to show her support when the tribal government and law enforcement is clearly against a protest.

"I'm torn because there's obviously dissent within the tribe on how to handle this," she said.

Verlon Jose, vice chairman of the O'odham tribal government, had a message for Trump after he announced the plans for a border wall.

"Over my dead body," he said.

Many tribal members living on the reservation echoed his sentiment. In the traditional tribal language, there is no O'odham word for "border."

Garcia said she of knows of tribal members who live in the Mexican communities who make the trip across the border daily.

If there's a wall, she's not sure if those individuals will be able to make it across.

"I don't know what's going to happen with them on that side," she said.

The tribe does take its own initiatives to secure the border, spending about $3 million toward border security and enforcement.

When the federal government began to crack down on illegal immigration at nearby ports of entry, much of the problem was funneled onto O'odham land. The influx in illegal border crossings and smuggling causes 60 percent of O'odham police efforts to focus on border issues, according to the Tohono O'odham Department of Public Safety.

The land separating the U.S. O'odham reservation from the Mexican side is surrounded by vehicle barriers meant to tackle illegal immigration and drug smuggling, something that Max Chavez, 62, an O'odham member on the reservation, said he's seen himself.

Chavez said he "doesn't have a problem" with the wall because of the direct effects that illegal border crossing has on the local community. During his time on the reservation, he said he saw about 20 people quietly traveling through O'odham land — people he believes were traffickers.

Before the vehicle barriers built in 2007, the border wasn't a border at all, leaving wide-open space for cars to barrel through the desert. The barriers, in their own way, act like a wall and have deterred illegal activity from crossing through the O'odham drastically.

For years, the tribal government has been against any permanent physical barrier impeding on their land. In the past, the Tohono O'odham Legislative Council passed more than 20 resolutions opposing a border wall.

Most recently, the council signed another resolution outlining reasons for its opposition to Trump's executive order, citing problems with the wall's efficacy and impact on the environment:

"A continuous wall on the Nation's southern boundary would: further divide the Nation's historic lands and communities; and prevent Nation's members from making traditional crossings for domestic, ceremonial, and religious purposes, including the annual St. Francis pilgrimage to Magdalena, Mexico, and cultural runs; deny tribal members access to cultural sites, ceremonies, and traditional cemeteries for burying family members; prevent wildlife from conducting migrations essential for survival and general life, health and existence; injure endangered species such as the jaguar and other wildlife sacred to the Tohono O'odham; destroy saguaro cactus and other culturally significant plants; militarize the lands on the Nation's southern boundary."

In a statement addressing the border wall, the vice chairman said the plan would not help rid the área of illegal activity.

"Walls, through this world, have proven to be not 100 percent effective. We believe that, what is effective, is continued cooperation and working together," Jose said in the video statement. "When you talk about homeland protection and homeland security, these are our homelands and we want to protect, we want to secure them as well."

Over the last decade, the tribe has relied on the help from Immigration and Customs Enforcement, Border Patrol and the nation's own police force to address border issues in the place of a fixed barrier.

In that time, the tribal government fostered close relationships with ICE and Border Patrol, providing full staffing support for the ICE Shadow Wolf program, a special-trained tracking unit based exclusively on the Tohono O'odham reservation, and Border Patrol agents in regular town hall meetings.

But, some O'odham members have doubts about what enforcement officers do for the community.

The tribal government acknowledges multiple cases in which O'odham members were detained and deported while migrating across the border after restrictions were placed on travel. Others accuse Border Patrol of confiscating religious items from O'odham members.

Terry Encinas, 59, a member of the O'odham community, said the Border Patrol has little regard for what the people living on the reservation want. While Encinas said communication has improved, he said relationships between O'odham community members with the agents are very different from those with the local police force. He doesn't think the Border Patrol is as open with the community as it should be.

"You can tell just by going down the highways, (agents) don't live by the law — they do what they want," Encinas said. "They go as fast as they want, they'll do whatever they want because they know they won't be seen."

Since the beginning of the United States, Native American tribes were left without a choice in government decisions. For the Tohono O'odham tribe, this is just another battle. As the nation decides whether it wants to yell or whisper its grievances, the battles both internally and externally could grow worse. And building a wall could put an end to 1,000 -year-old pilgrimages and rituals of which the culture has grown around.

The History of a Nation

After the Gadsden Purchase in 1853, the O'odham land was drastically minimized — a once expansive piece of uncharted territory was reduced to a small reservation given to the tribe by the U.S. federal government. And, the split didn't come without consequences.

Tribal communities were broken apart across the U.S.-Mexico border. Today there are nine communities south of the recognized O'odham reservation most of which are located in northern Mexico, the home for some 2,000 O'odham people.

Under the provisions of the Gadsden Purchase, the U.S. government promised to respect the property and rights of former Mexican citizens, which the O'odham people were considered under Mexican law. The U.S. did not uphold that promise. Instead, the government took the land from the tribe and justified the decision because it did not consider the O'odham people as former Mexican citizens.

When the U.S. established the main O'odham reservation in 1917, it divided up native communities within Arizona. Tribal communities that lived off the main reservation were placed into three separate reservations in southern Arizona: the Gila River Indian Community, the Ak-Chin Indian Community and the Salt River Indian Community.

While the tribe was split apart into these separated communities the government did not recognize the O'odham people as a sovereign government until 1937 — a full 20 years after the main Tohono O'odham Nation was established.

At first, members were able to move freely across international lines, but, with the militarization of the border, travel to Mexico became restricted. In the late 1990s, Congress passed a law that required O'odham people to carry a passport and a tribal identification card or be subject to arrest.

Photo by Taylor Dayton

Cottonwood glow in the late-day light along the San Pedro River outside of Hereford.

ENVIRONMENT

A river runs through it

Environmental issues along San Pedro haunt plans for the wall: confining a river not possible

By Taylor Dayton

The mighty San Pedro River in Southeastern Arizona and Northern Mexico has survived droughts, floods, fires and wars, but will the Trump administration's proposal to build a wall on the U.S.-Mexican border threaten one of the last undammed rivers in the United States?

The river flows north out of Mexico and across the border into the United States near Hereford. The river has a rich cultural, ecological and historical record, and is the lifeblood to the small communities that have sprouted up along its banks. It also impacts a riparian area that is home to more than 250 migratory birds and more than 100 species of breeding birds, including the yellow-billed cuckoo. The riparian area of the San Pedro is also home to 84 species of mammals such as jaguars, coatimundi, beavers and bats.

It is here in Southern Arizona where concerns about the environmental impacts of a possible "wall" on the river are mounting.

Jacob Petersen-Perlman, research analyst for the Transboundary Aquifer Assessment Program at the University of Arizona's Water Research Center said building a wall on the river "could be a big issue."

"But I think the bigger thing would be the wildlife, more so than the water itself," he said. "I think that is what is seen as a more serious impact."

Petersen-Perlman is not alone in his concerns for the wildlife in the area assuming a wall is built on the border. Robert Weissler, president of the Friends of the San Pedro,

said the existing fence already prevents larger wildlife from crossing the border in some areas, so an actual wall would make it difficult for wildlife to migrate across the border.

"There are at least three flavors of the border fence around here," Weissleer said."One is the 20-foot-tall sort of posts that are sunk in with a pile driver. Those have a gap not wide enough for a person to squeeze through, but for small wildlife, they can fit through it. So whether we need to have a 'wall' as opposed to that is questionable."

Over the past few years, jaguar sightings have become more common in the Southern Arizona, as their habitat that stretches from Northern Mexico into Southern Arizona. Just last week a third jaguar sighting was reported in the area.

"How did it get there? It could have come up the San Pedro River and then taken one of the washes and followed it up into the mountains," Weissler said. "So you build a wall and obviously large critters like jaguars are going to be excluded."

Petersen-Perlman pointed to the Red River in Minnesota, where he grew up, to illustrate the power of water to make its own path. Recalling the large levees and walls built along the Red River to hold back the spring floods. Petersen-Perlman said the barriers worked for some time, but eventually gave way to massive flooding in the area of Grand Forks, North Dakota, and East Grand Forks, Minnesota, when the water overtopped the walls built to protect the cities. He said, "anytime you build infrastructure, particularly around water, there is just going to be times when nature will win."

Petersen-Perlman also referred to the flooding disaster in New Orleans when Hurricane Katrina hit in 2005, another example of water finding a way over and through levees, walls and barriers built to hold the water out of an area. Petersen-Perlman said the key to keeping these structures from being overpowered by nature is regular maintenance. "That's one thing that will be interesting to hear if this wall does get built is, what are the plans for maintenance?"

Although the wall may create a physical barrier to the river's flow and wildlife migration, Petersen-Perlman said the political aspect of the wall may be the greater threat to the river for agencies on both sides of the border that collaborate on efforts to protect the waterway.

"This wall and the politics make our job harder," he said. "It's not like the upper level people in Mexico are all that enthusiastic to cooperate with the United States when something like this is proposed. So it is definitely something we are watching closely to see how this impacts our own work down there."

Petersen-Perlman is not alone in his concerns in preserving the San Pedro's perennial flow and riparian habitat that has been shrinking over the last few decades due to a number of factors. Said Weissler: "We don't want this river to have happen to it what happened to the Santa Cruz River in Tucson."

Weissler said the Santa Cruz was once a perennial river that had year-round flowing water and riparian areas like the San Pedro. But excessive groundwater pumping and a lowering water table caused the Santa Cruz to become a dry wash bed, he said, only flowing after heavy monsoon or winter rains.

To prevent this from happening to the San Pedro, Weissler and the Friends of the San Pedro River organization have focused their efforts on two issues: the surface condition of the landscape in the San Pedro Riparian National Conservation Area (SPRNCA) and the aquifer that feeds base flows of the river in the absence of precipitation events.

Weissler said the surface condition of the river has improved dramatically since cattle were removed from most areas of the conservation area in the late 1980s. He also said the breeding success of birds has improved dramatically in the riparian area. "Most of this surface restoration is simply letting nature heal the river over the decades since," Weissler said.

Although the surface of the river is in fairly good shape, there are always issues to deal with that impact the future of the river.

"Battles over groundwater dominate the headlines locally in recent years," Weissler said. "Planned residential developments that would increase groundwater pumping in the watershed threaten the aquifer that supports the river, not to mention the wells of existing residents."

The possibility of a border wall over the San Pedro would just be one of many roadblocks the river would inevitably find a way to overcome.

"Of course, you can't put a wall directly in the river," Weissler said. "The existing border wall/fence is roughly 20 feet tall, but ends before it meets the river and is replaced by a Normandy-style vehicle barrier up to the river channel. The channel itself is open, because any obstruction in the river will simply be washed away during the monsoon rains of summer."

Even great engineering marvels such as the Great Wall of China and the Berlin Wall never actually crossed any rivers. The Great Wall of China was constructed parallel to the Yellow River in some areas, and at times there was no wall at all, just the Yellow River marking the border. If the wall became perpendicular to the river, the wall would simply stop at the river, and then start again on other side of the river.

So how do you build a wall over a river? According to Weissler, "the answer is you don't actually. The water has got to go somewhere unless you're planning to build a dam which has a whole lot of other consequences."

Taylor Dayton

The San Pedro River channels its way through thick stands of cottonwood forests and grasslands

Erik Kolsrud

ONE BORDER TOWN

A wall Naco residents believe isn't needed

New section of fence even leaves locals uneasy

By Erik Kolsrud

Sonia Urcadez woke up one October morning to the sound of cement trucks lining the street in front of her house, kicking up clouds of dust that obscured the sunrise and her view of the San José Mountains. It was 6 a.m. and one hundred feet from her house, construction on the border fence had just begun.

The U.S. Border Patrol announced in January that the section of border fence in Naco will be replaced with a more modern barrier by June. That announcement was months overdue for the residents of Naco, who had been living with the disruptive construction since last October. Cement trucks and construction workers had been coming and going seven days a week as they prepared the work site for the removal of the old fence and the replacement of the new.

Nobody living near the construction – or in the community itself – had been asked or even told that the new fence was going to happen. The construction recently began on property owned by Gerry Eberwein, a local police officer.

"The only time I was told anything about it was the day after they had already built the cement factory," Urcadez said. "[Eberwein] told me that if anything bothered me, to let him know. And I kind of just really rolled my eyes. Are you going to mute the machines? Are you going to come dust my house? I mean really, what can he do?"

In Naco, the border currently has a system of two fences

with a road in between - a remnant of an older system of fencing that recycled runway siding from the Vietnam War as a barrier against crossing. There have been barriers on the border for decades, but the last 10 years have seen an increase in the buildup of the border.

"The wall makes everyone look guilty," lifelong Naco resident Ramon Tapia said. "We aren't used to walls. We don't like walls. It didn't used to be like this."

People in Naco like Tapia and Urcadez remember a time when there wasn't a fence, when the Border Patrol had less of a presence here. Crossers could come and go more or less as they pleased. That changed after 9/11, as it did in many border towns in Arizona and beyond.

Nogales is one of those towns only a couple dozen miles away and serves as an example for the types of problems faced by Naco now - as well as the unforeseen consequences that can arise as a result of this replacement. It, too, had the older style of fencing, which was replaced years ago with the new model of 20-foot steel fence.

Nogales, like Naco, is a port of entry for commerce flowing in and out of the United States. It is one of the largest in the country and the preferred entry point for most of the U.S. produce imports that arrive by truck. This has transformed the city into a packing and distribution center with a massive multi-lane port of entry.

On the other hand, Naco isn't so lucky. The port there is desolate, more akin to an abandoned military checkpoint than a commercial land port. There is barely a trickle of travelers walking over. This traffic drought has had devastating effects on the businesses and residents of the small border town. The main street that ran through the center of town all the way to the border, Towner Avenue, once was lined with an auto shop, restaurant, coffee shop, grocery store and clothing store that catered to crossers and residents.

That was before the port of entry was moved about one hundred yards east of the end of Towner - where it had been for decades.

"It killed Naco," former auto shop owner Ernest Rogers said. "There used to be four or five businesses and it was a straight shot across the border. Now there aren't any. I would know, I was one of them."

Rogers claims the movement came as a result of the North American Free Trade Agreement, as the port would be easier for trucks to enter and exit from a point farther away from Towner Avenue. Those trucks - and the international commerce they represent - never materialized in Naco, preferring to go through nearby Douglas and the expanded port of entry there.

Now, the only trucks coming through Naco are full of cement and construction supplies for the replacement of the wall section. This construction comes on the heels of President Trump's decision to build a new border wall between the two countries.

"You know it's kind of sad that they're wasting all this money trying to build another wall, we already have two up here," Urcadez said. "But the wall is just a waste of money. They've already knocked one down to replace another one. And they're going to put this one up, and then they're going to knock it down again to put up the Trump wall or whatever it is. And then they say they can't help the poor people down here. It's just so weird."

The president urged the building of a border wall as a rallying cry during his campaign, promising that he would "get México to pay for it." Campaign rhetoric notwithstanding, the U.S. already has a system of steel fences that line much of the Southern Arizona border.

"It's a big open world out there, you know," Larry Slaughter, a mechanic and Naco resident, said. "People that want to get across will get across, I don't know how they could ever really clamp it down. We got the Berlin Wall torn down, why build another one?"

Erik Kolsrud

The former crossing point on the Naco border. Border Patrol moved it farther east, away from the spot it had been at for decades.

Courtesy photo

Jim Chilton, whose ranch is on the border, says he wants a wall between his ranch and Sonora,Mexico.

BORDER RANCHERS

Immigrants impact cattle-raising efforts

Death, crime and fear part of the daily life

By Chastity Laskey

Baling hay. Driving cattle. Checking the herd. It's all in a day's work on Arizona ranchland.

For ranchers along the Arizona-Sonora border, they've had to add to that list numerous activities that have little to do with raising cattle. They include everything from mending fences cut by migrants and border patrol agents, to calling on Customs and Border Patrol agents to help lost migrants.

Ranchers who own land that stops at the international border with Mexico, and those who live 10 miles north of the boundary, said they see a lot of foot traffic from migrants heading north.

Dan Bell's ranch, called ZZ Cattle Corporation, is right on the border. The former president of the Arizona Cattlemen's Association said he's concerned about the intentions of people who travel on his property.

"You don't know if it's someone who's coming to better their life, or it's someone who's already committed a crime in the U.S.," Bell said.

Bell, and other ranchers like to mention that 20 percent of those who cross the border have criminal records, but there is no reliable statistic or study that confirms this.

Another problem ranchers said they have faced is fires intentionally being set on their property by unknown sources and people.

In 2011, Bell said he saw an increase of fires set that CBP found to be so-called "warning fires."

According to border authorities, migrants sometimes light fires as diversions, warning signals to others that there are authorities in the area. Sometimes fires are started to warm migrants traveling through the desert in the winter months.

Supporting a wall

While they may or may not have voted for President-Donald Trump, many border ranchers are in favor of building a wall where their ranches butt up against the international boundary.

Most of the Arizona-Sonora border has been walled off, but in some of the most rugged and remote areas of the border, where many ranches are located, there is no fence.

Another border rancher, Jim Chilton, who's been quite vocal about problems that border ranchers face, said there needs to be more security along the border. Approximately 25 miles from Nogales, the border wall ends and transforms into a four strand cattle fence, with some vehicle barriers.

On his front porch, Chilton keeps a collection of shoes worn by migrants that are specifically designed not to leave tracks in the desert. Warning signs written in English are also on the porch. One asks, "Is there life after death? Trespass, and find out."

Chilton said he wants the government to create a border road that would run all along the international line, which would connect to the main border checkpoints. Eventually he said he wants a wall, and he's even offered to rent his land, so that Customs and Border Patrol could build quarters for its agents.

Not giving up

Not far from the Bell's ranch, about 25 miles north of the Arizona-Sonora line, cattle graze on the Jon and Peggy Rowley's 30,000 acre ranch. The Rowley family has cared for the land and the cattle on it since 1951, but things have changed over the past five decades.

Peggy Rowley said she no longer goes out on the ranch by herself to do tasks she never would have thought twice about doing 10 years ago. "It's really scary when you drive up and there's a whole group of them sleeping under a tree and you scare them and they scare you."

Trash left by migrants can be a problem for the environment as well as the cattle. Rowley said she recently encountered a calf who had an aluminum can wrapped around its ankle, just above its hoof. This is not the first time. When this happens, it can cause injury, leading to vet visits, and money lost.

"Laws are laws, borders are borders, they need to design a plan that keeps our country safe and helps immigrants who wish to come to this country to better themselves and make us a better nation," said Rowley.

Still, she's somewhat sympathetic to most migrants' plight. "Some people ask for help and just want water," Rowley said. On terrain where it's not unusual for temperatures to hit well over 100 degrees, Rowley said, "Others just quit and ask for Border Patrol, and then there are some who demand to use our phones or ask where Phoenix is."

The Chiltons and others will continue to work the land.

Many ranchers along the border are multi-generational and have been around for more than 50 years, a tradition they don't foresee giving up anytime soon.

The Chilton family began ranching before Arizona was a state, in 1885, when Jim Chilton's ancestors drove cattle from Texas to Arizona.

Many ranchers didn't expect to have to deal with some of the problems they are now confronting, but most aren't planning to leave. If they did want to move, it might pose yet another challenge, because land values in the area have dropped.

"I didn't know it would be a real horrible issue. I didn't know people would be dying on my ranch. I didn't know that 260 people would die between 1999-2016. It's a horrible humanitarian issue and my ranch now is worth a third of what it was when I bought it. Why? Because of the international boundary issues, who would buy into this problem," Chilton said.

Although estimates by the Pew Research Center show that undocumented immigration in Arizona has decreased, border ranchers said they are still struggling with some of the issues related to migrants crossing on their land.

"We get frustrated that we face these issues, but you can complain about it and still have to face the issues or you can work with them to make things a little bit easier," Bell said. "That's what we've done with border patrol to see how we can minimize the affects on us."

"We're not in the drug enforcement business, but you hate to see that going through your property," Rowley said, who routinely works with Border Patrol agents to resolve conflicts.

In the meantime, Rowley said they've put a lot of time, effort, energy and years into improving their herds, and they aren't going anywhere.

"We were here first before the drug problem, and once it's in your blood, I could never leave and like go live in Tucson.You just can't give it up - it's your life, it's what you do, it's what you become good at," Rowley said.

Chastity Laskey

Amanda Oien

A family visits with one another through the border fence in Nogales, Arizona on Saturday, April 8. A wall would end this limited face-to-face exchange.

BOTH NOGALES

'Ambos Nogales' divided by plans for massive wall

Fence now splits families, economies, culture

By Amanda Oien

Saturdays and Sundays bring families to the steel beams of fence, dividing Ambos Nogales, a Spanish term to describe the community of Nogales north and south of the border.

Families and loved ones come together at the border to talk, eat and relax. Despite being separated by the fence, they find shade under mesquite trees and spend hours visiting. Jiovana Aldez, a factory worker from Nogales, Sonora, meets her husband every two weeks. When they say goodbye, they kiss between the rusty beams.

Aldez's husband is Cuban and has asylum in the United States and lives in Phoenix. However, Aldez's visa expired, keeping them apart.

"If there was a wall, I wouldn't be able to see him," Aldez said. "It would be by phone. If there's an actual wall, he won't be able to come down and see me."

Aldez, who has lived in Nogales her entire life, has seen the changes that immigration policy has had on those holding family gatherings at the border.

"Even two years ago, the fence would be filled with people," Aldez said. "I remember that people used to give each other food across the border."

Now, according to Aldez, food is not permitted. The families must stay behind a red line while visiting.

Mariel Fernandez visits with his family along the border quite often.

Fernandez said if President Trump were to build his wall, it may affect how they visit with one another.

"If there was a wall, maybe we would communicate differ-

ently, by phone maybe," Fernandez said.

Small businesses selling tacos, snacks and souvenirs in Nogales, Sonora, fill the streets, catering to both American and Mexican tourism and those who visit friends and family along the border.

Victor Manuel Barrios has worked at a carreta de comida, or roadside stand, in Nogales, Sonora, for 10 years.

"We're out here every day," Barrios said. "We don't rest. If it rains or snows, we're out here."

Barrios sells popular Mexican snack foods, such as drinks and duros with chamoy, to both Americans and Mexicans traveling through the area.

A wall, he believes, might affect his business, but his concern is about how it splits the cultural richness of Ambos Nogales.

"You can build it as much as you want, but it's just symbolism," Barrios said.

For Barrios, the militarization of the border tells Mexicans, "We don't want you here."

Barrios said he has seen the border change dramatically over the years.

"It used to just be a gate. Nowadays, you see more patrolling over here, or Border Patrol looking at us through the fence," he said.

Barrios said even if Trump's wall is built, it wouldn't change much because for him, there is already some form a wall: the current border fence.

The fence stands at 18 feet. Trump's proposed border wall would stand at 30 feet.

"If he does build it, I don't know, it just makes me feel like a rat in a cage or something," Barrios said.

The people of Ambos Nogales, have become accustomed to a confined relationship.

Jose Nuñez, an employee at San Fransisco Drugstore in Nogales, Sonora, said he fears the militarization of the border will deter Americans from traveling to Mexico.

"In a way, it could scare some Americans to the point where they say 'Well, all the Mexicans are going to be mad because we built the wall and doubled the size, so they might have hard feelings about it,' " Nuñez said.

Despite Trump saying his wall will be constructed so it "cannot be climbed over or dug under for at least 6 feet," Nuñez thinks differently.

"When [Mexicans] want to go, they'll go," Nuñez said. "They're going to find a way to go over or under that wall, either way."

Nuñez, who has worked at San Francisco Drugstore for four years, said tourism drops and rises because of the imbalance between American media negatively portraying Nogales and the services and culture that Nogales, Sonora, has to offer to Americans.

"They [Americans] hear all the bad media and all the stuff on the news and yeah, a lot of them are scared," Nuñez said. "But then some of them still come and tell their friends, 'Hey all that stuff on the news is not true. I was just in Mexico yesterday and I didn't get my head chopped off, so it's cool if you go.'"

Efrain Llamas, has worked in Curios, a Mexican handcrafts bazaar in Nogales, Sonora, for 35 years. Llamas said he remembers a time of barbed-wire fencing that made the international border.

"Everything, including the border agents, were more peaceful at that time," Llamas said. "It was very different."

Nogales, Sonora's commerce is directly affected by the border, according to Llamas. After 9/11, Llamas said tourism and business dropped significantly.

"The commerce hasn't recuperated itself," Llamas said. 'Besides 9/11, the anti-Mexico propaganda and the violence guide you to the same result. There's a lot of negative promotion to come here because people think you'll get robbed. But it's not really true."

People who live in Green Valley, Tucson and Phoenix all still come to Nogales, Sonora, and often bring friends and family. Llamas said the people who visit Nogales, Sonora, see that the rhetoric against Mexico is often false.

Llamas said his favorite memory of Nogales, Sonora, was of a simpler time.

"My favorite memory was when there was a lot of people in Nogales," Llamas said. "The streets were filled with people. If you were in a hurry, you had to get off the sidewalk and walk on the street. It's a beautiful memory because people back then, they didn't see any problems.

"People weren't scared at all."

Amanda Oien

Victor Barrios poses for a photo in front of his carreta de comida, or roadside stand in Nogales, Sonora, on Saturday, April 8. Barrios sells popular Mexican snack foods, such as drinks and duros with chamoy, to both Americans and Mexicans traveling through the Nogales.

Elisabeth Morales

SANCTUARY MOVEMENT

Perception or power?

Cities taking stance to help the undocumented

By Elisabeth Morales

After 94 days in sanctuary, Francisco Perez Cordova left his Tucson office-turned-bedroom at St. Francis in the Foothills United Methodist Church. A year later in 2015, Rosa Robles left her sanctuary at Southside Presbyterian Church in Tucson after 461 days.

Cordova had been detained when his brother-in-law reported a crime, while Robles had been taken in for a minor traffic infraction.

Both were undocumented, both had called the United States home for decades and both had children they were separated from while in sanctuary.

"This is his home and for some reason we don't want to recognize that," said Rev. Jim Wiltbank, pastor at St. Francis in the Foothills.

Sanctuary cases like these occur throughout the U.S. — and more could arise after President Trump's executive order targeting undocumented residents. His executive order denies federal funding to sanctuary cities, or cities that choose not to work with federal level agents to deport undocumented immigrants.

With millions of dollars at stake, Trump's order triggered opposition from business and political leaders in the country, and from cities with large immigrant populations that define themselves as sanctuary cities.

However, with no firm legal definition of the term "sanctuary city," there is confusion as to which cities actually label themselves as a sanctuary — what they do and what power the government has over them.

More than 270 jurisdictions embrace these "sanctuary laws" and Barbara Armacost, a law professor at the University of Virginia and author of the study 'Sanctuary Laws': The New Immigration Federalism, said officials at the federal level often believe that state and local sanctuary laws only serve to hide undocumented immigrants and disobey federal immigration enforcement. However, this is not the case.

"Law enforcement could come in, but we're not trying to hide these folks from law enforcement," Wiltbank said.

Elisabeth Morales

Rev. Jim Wiltbank, pastor at St. Francis in the Foothills United Methodist Church, allowed Francisco Perez Cordova to live in sanctuary at his church from September to December 2014.

"We are trying to say, 'Here we are, but we're giving them a safe space.' "

However, despite the terms "sanctuary" and "safe place," the church holds very little legal power over the federal government. According to Wiltbank, the church's power in this situation is more traditional rather than legal.

"Back in the middle ages, the church building was always considered to be a place where someone could find a space of safety and refuge," Wiltbank said.

Though there are no known cases where an undocumented immigrant has been deported from a church, it is possible for a federal official to do so.

"Unfortunately there is little Homeland Security cannot do," said Sarah Launius, a sanctuary movement advocate from the Tucson sector. "The thing that has stopped this from happening in the past is public perception. Unfortunately, we see the current administration is not worried about public perception."

What Wiltbank fears most are the people rejecting refugees and immigrants while under the guidance of Christianity.

'We as a nation of faith are better than that'

-Rev. Wiltbank

"They are going completely against what Matthew 25 says to reach out to the least of people and they are completely doing the opposite, but they're doing it under the guise of a spirituality and religion," he said. "So I fear, most of all, that people are buying into that. That is what a Christian religion is about, and it's being propagated by people high up in our political movement and I mourn that because we as a nation of faith are better than that."

Many argue Trump's executive order denying federal funds to sanctuary cities is unconstitutional.

Under the Tenth Amendment, which states that whatever powers not given to the U.S government belong to the states and the people, local governments reserve the right to refuse to enforce federal law.

According to Armacost, this resistance at the state and local level is the first wave of "immigration federalism" and should be taken seriously.

She argues state and local resistances cannot be simply written off, that they will persist and that federal immigration forces would have little success without the cooperation of these local and state forces.

"Officials familiar with local communities have identified serious problems resulting from immigration policing," she said, "and have implemented laws and policies designed to address these problems and that is reason to invite them to be part of the conversation and the broader solution."

Ultimately, states' leaders hold the power to decide whether they will implement sanctuary laws. It is unclear how Trump will defund these sanctuary cities, but even then the Supreme Court has ruled in the past that federal grants to state and local governments are not enforceable unless "unambiguously" stated in the law.

"There is a whole lot of possibilities of what he can do," Wiltbank said. "But the question is will we, the people, the voice around, allow that to happen, or will we stand up and say, 'No, that's not us.' "

DREAMER

Her dream to learn depends on the law

Fatuma Shiwoko

Marygrace Ghio-Rodriguez reads a book on the University of Arizona campus.

Her parents brought her to the U.S. when she was four-years-old.

By Fatuma Shiwoko

Little 4-year-old Marygrace watched by the door with her big brown eyes, curious as to what's going on. Her mother started packing their suitcases as

Today, Marygrace Ghio-Rodriguez stands tall and slim at 5 feet 6 with a sandy complexion. Her shoulder-length raven brown hair streams over her back. She gives off a full energy of confidence. Now 18, she majors in anthropology at the University of Arizona. As a native Peruvian, she speaks Spanish fluently.

Ghio-Rodriguez is not a U.S. citizen. She is part of the Dreamer generation, children whose parents brought them to the country when they were very young. Her parents still aren't citizens, and her college hopes depend upon Obama administration rules that got her into UA — rules that are now up in the air under President Trump.

According to an American Immigration Council fact sheet, only about 65,000 out of roughly 1.2 million undocumented students graduate from high school, and many end up not going to college or pursuing their dreams. The official website for Department of Homeland Security states that for a student to be eligible for a Deferred Action for Childhood Arrivals status, they must have came to the United States before the age of 16, have resided in the United States since June 2007 — and have not been convicted of a felony, misdemeanor, and do not post a threat to national security.

About 70 DACA students are enrolled at UA. The Arizona Republic reported 103 DACA students across all three state universities. States such as South Carolina, Alabama and Georgia all ban undocumented students from attending any state university or community colleges. Nationwide, 20 states offer in-state tuition to undocumented students.

When she was 13, Ghio-Rodriguez found out she was an undocumented student.

"I had just gotten in a fight with another student in middle school," she said, "I remember my mother sitting me down in the kitchen and telling me that I had to be wary of the people I am with and the trouble I cause because we were undocumented."

Many students don't find out that they are undocumented until they apply for a driver's license

or college, and learn they lack legal documents. The Development, Relief and Education for Alien Minors Act — or "DREAM Act" — helps provide a pathway to legal status of undocumented students who graduate from high school each year.

This gives them a chance to apply for a higher education as a lawful permanent resident. In June 2012, President Obama announced an executive order creating the DACA program, which grants certain undocumented immigrants lawful presence and a temporary work permit. "I was very discouraged about applying to college or even the ability to drive a car," she said, "Once I got DACA, I was more enthusiastic about going to college."

Although this gives students a path to go to college, they are not eligible for federal education grants. As a DACA student, Ghio-Rodriguez is fortunate enough to get in-state tuition because she has enough documentation to prove of her residency.

"Financial aid is not available for DACA or undocumented students. Undocumented students pay either out-of-state tuition or international student tuition," she said. "Scholarships vary, but they are super competitive and we can only apply to those who don't ask for any status or those that are for undocumented students."

Robert McCune, 40, program coordinator for First Cats, a transitional program to assist incoming first-year students at UA, is an ally for undocumented students getting a chance to get a higher education.

"I think that they are more likely to be a contributing factor in society," he said, "because if we limit their opportunities they can't reach their full potential."

McCune believes that the Dream Act is good for the country because of what the U.S. is trying to achieve.

"It's the American dream that allows students to expand their educational experience," he said, "There's no downside to allowing students to stay here and go to school here and becoming a citizen."

Many undocumented students have supporters like McCune who want them to have access to a higher education. Some have different views.

One of those people is Sergio Corona, a UA major in computer science and engineering.

"I believe that it's the universities' responsibility to turn in those who don't have the right documents," he said. "Undocumented people coming to get an education is good as long they are doing it the correct way, like paying for it like the rest of us. And if they want to get an education, who am I to deny them."

Ghio-Rodriguez believes President Trump is a terrible man.

"I have friends from countries that he did the Muslim ban for, and he is an absolute monster," she said, "besides the fact that he has been taunting the DACA and undocumented community for a long time. Thus, people aren't sure if they should renew their DACA or go back to their country."

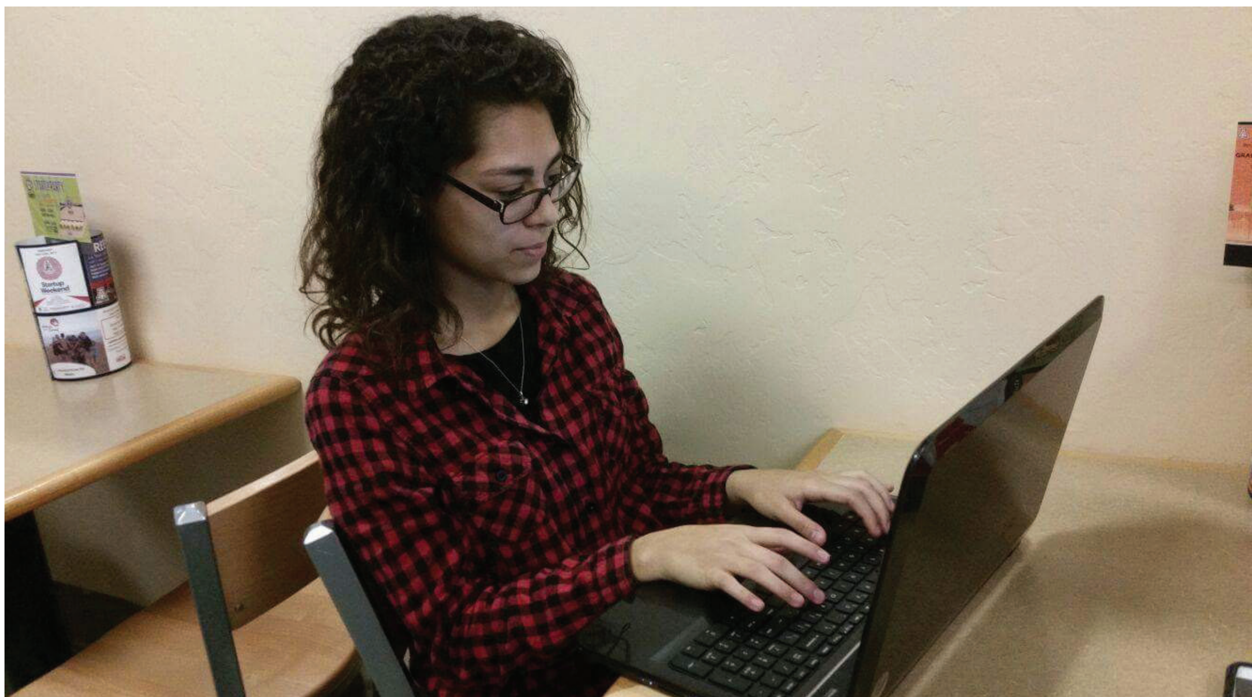

Photo by Fatuma Shiwoko

Marygrace Ghio-Rodriguez sits and types on her laptop at the Student Union Memorial Center at the University of Arizona.

PILGRIMAGE TO

Undocumented immigrants

Graphic Design and Reporting By Lilly Berkley

SPECIAL IMMIGRANT
Immigrant applies for the Special Immigrant Visa, called I-360. This visa costs $435. It's a varied amount of time before the applicant can request a green card, up to a couple of years. The first background check occurs.

The immigrant is then able to apply for permanent residency or a green card, which costs up to $1,500.

MARRIAGE
The foreign partner enters the country as a K Non-immigrant , also known as a K-1 visa. This costs $535.

The couple has 90 days to get married after entry in the U.S.

Then the spouse applies for a green card called I-485 which costs $1,140.

EMPLOYMENT
Immigrant applies for a nonimmigrant visa called a DS-160.

The U.S. employer is able to sponsor them and hire them temporarily. The work visa is called a H-1B. Petitioning for an H-1B could cost up to $5,000.

EDUCATION
Students apply for a F-1 visa, also known as Optional Practical Training (OPT). This allows them to attend a U.S. university for 12 months, or extend it one time for a total of 29 months. This can cost up to $500.

From there the student can either find work in the U.S. and apply for a H-1B visa ($5,000) or apply for permanent residency or green card ($1,500).

SPECIAL IMMIGRANT

Applies to a widow(er), religious worker, U.S. Armed Forces member, or an Afghan or Iraqi who worked with the U.S.

MARRIAGE

Applies when a U.S. citizen wants to marry a foreign national.

EMPLOYMENT

Applies when a foreigner finds work in the U.S. The cost of H-1B visa varies, depending on the sponsorship of the employer.

EDUCATION

Applies when a student seeks education in the U.S. Trying to get permanent residency after studying can take a long time. It's encouraged to find a job right after gradaution and then apply for H-1B visa.

CITIZENSHIP
need not apply.

The immigrant then has to wait five years before they can apply for citiizenship.

They must wait three years for the foreign spouse to apply for citzenship.

The process has cost them about $2,000.

After living in the U.S. for five years the immigrant petitions to be naturalized which costs $725. A final background check and a citizenship exam is required.

The foreigner then applies for permanent residency, or a green card which can cost up to $1,500.

If they are accepted for one of the visas then the immigrants must wait five years before applying for citiizenship.

Derivative Beneficiary

Family members can be brought into the citizenship process in all of these routes except education. A derivative beneficiary is able to stay in the U.S. up to five years as a permanent resident independent of the principal beneficiary.

Data Source: Tucson immigration lawyer John Messing and U.S. Citizenship and Naturalization Services.

DETENTION CENTERS

Conditions suspect

Doubling number of beds brings $4.2 billion price tag

DEAD IN THE DESERT

Organization fights for the forgotten

More than 900 unidentified bodies lying in Pima County morgues

Aumento En La Detención De Inmigrantes: ¿Razonable O Insensato?

El centro de detención de inmigrantes de Eloy, Arizona es la tercera instalación más grande de los Estados Unidos y cuenta con el mayor número de muertes en la nación. Actualmente, el centro le cuesta a los Estado Unidenses $2.1 billones anualmente. Sin embargo, Donald Trump quiero incrementar el número de detenciones lo cual incrementara el gasto a $4.2. millones anuales. **PÁGINAS 4-5. http://bit.ly/2oq0LYm**

Organizacion Local Lucha Por Los Derechos De Los Migrantes

2,770 restos de individuos se han encontrado en el desierto a lo largo de la frontera entre Arizona y México desde el 2001. Solamente en el condado Pima hay más de 900 cuerpos sin identificar. Organizaciones locales están luchando para brindar que los derechos de los inmigrantes sean respetados, empujando contra la narrativa de que los inmigrantes son peligrosos. **PÁGINAS 10-11. http://bit.ly/2pchhYQ**

EN ESPAÑOL

UN VIZTAZO DE LO QUE HAY DENTRO

Por Mar Ruiz

DISAPPEARING POSESSIONS

Detainees have 30 days to recover their property yet most held longer

No accountability for what happens to personal goods

OPERATION WETBACK

Braceros Betrayed: Operation Wetback

The history of the operation that wrongfully deported thousands of Mexican laborers

Las Pertenencias De Los Inmigrantes Suelen Desaparecer

La Oficina de Aduanas y Protección Fronteriza de los Estados Unidos fracasa en su póliza de mantener posesiones personales durante 30 días antes de ser destruidas. La póliza no tiene en cuenta el encarcelamiento por más de 30 días, lo que implica que cientos de indocumentados son deportados y pierden todas sus pertenencias. **PÁGINAS 12-15**

Programa Braceros, Una Historia Problemática

Durante los años 40, Estados Unidos necesitaba de la ayuda de México para poder cosechar en sus granjas. El programa Bracero fue fundado gracias a esto, pero una década después todo cambio. Alrededor de 1 millón de trabajadores de descendencia mexicana fueron deportados sin importar su estatus legal. **PÁGINAS 16-17.**

BORDER PATROL

Hurry, wait do a job

Painted as 'the bad guys' but it's all about duty

Oficiales De La Patruya Fronteriza Haciendo Su Labro

Con sus trajes de "pepinillos", los agentes aduanales montan en sus caballos y leen libros a los estudiantes de primaria. El riesgo de ser golpeados con rocas o enfrentarse con personas armadas siempre es un riesgo. El trabajo de la patrulla fronteriza no siempre es sencillo; tiene sus días buenos y sus días malos. **PÁGINAS 18-19.**

DIVIDED TOHONO O'ODHAM NATION

A wall within a Wall

Planes Dividen La Nación Tohono O'odham

La reserva Tohono O'odham ocupa alrededor de 4,464 millas cuadradas del desierto de Arizona, aunque la tierra se extiende en Sonora, México. Despues de la compra de Gadsen en 1853, la tierra de Tohono O'odham fue minimizada. El gobierno de los Estados Unidos prometió respetar la propiedad y los derechos de los ciudadanos mexicanos, pero nunca lo hizo. **PÁGINAS 22-23.**

ENVIRONMENT

A river runs through it

Environmental issues along San Pedro haunt president's plans for the wall

¿Podrá El Muro Impedir Que El Río San Pedro Siga Circulando A Través De La Frontera?

El potente río San Pedro al sureste de Arizona y al norte de México ha sobrevivido sequías, inundaciones, incendios y guerras, más sin embargo la propuesta de la Administración de Trump para construir un muro en la frontera entre los EE.UU. y México, es una amenaza para uno de los últimos ríos sin barreras en los Estados Unidos. **PÁGINAS 24-25. http://bit.ly/2pccPtf**

ONE BORDER TOWN STORY

A wall Naco residents believe isn't needed

New section of fence leaves locals uneasy

Un Muro Que Se Construye En El Patio Trasero De Naco Despierta Emociones

La construcción de un muro fronterizo trae consigo un sin fin de controversias para los habitantes de pueblos fronterizos, como Naco, Arizona. Naco ya cuenta con un muro fronterizo y algunos habitantes no están de acuerdo con la construcción de una nuevo ya que están "gastando mucho dinero" en algo que ya existe. **PÁGINAS 26-27. http://bit.ly/2oZAEWN**

AMBOS NOGALES

'Ambos Nogales' divided by Trump's wall

A split community

La Separación De Las Dos Nogales

Las ciudades de Nogales, Arizona y Nogales, Sonora, México son conocidas como Ambos Nogales. Las familias en Ambos Nogales se levantan cada mañana para verse atreves de un cerco. Un muro fronterizo de 30 pies de altura podría acabar con la poca interacción entre las familias no solamente en Ambos Nogales sino también en más ciudades fronterizas. **PÁGINAS 30-31.**

DREAMER

Living her dream for an education

Her parents brought her to the U.S. when she was four.

Una Estudiante Con Un Sueño Obtiene Su Oportunidad

Una joven peruana de 18 años, Maygrace Ghio-Rodríguez, actualmente se especializa en antropología en la Universidad de Arizona. Ghio-Rodríguez no es ciudadana estadounidense, pero es parte de la generación Dreamer; una de las 103 estudiantes con ese estatus en Arizona. Aunque ella es clasificada como Dreamer, Ghio-Rodríguez no tiene el camino fácil. **PÁGINAS 34-35.**

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