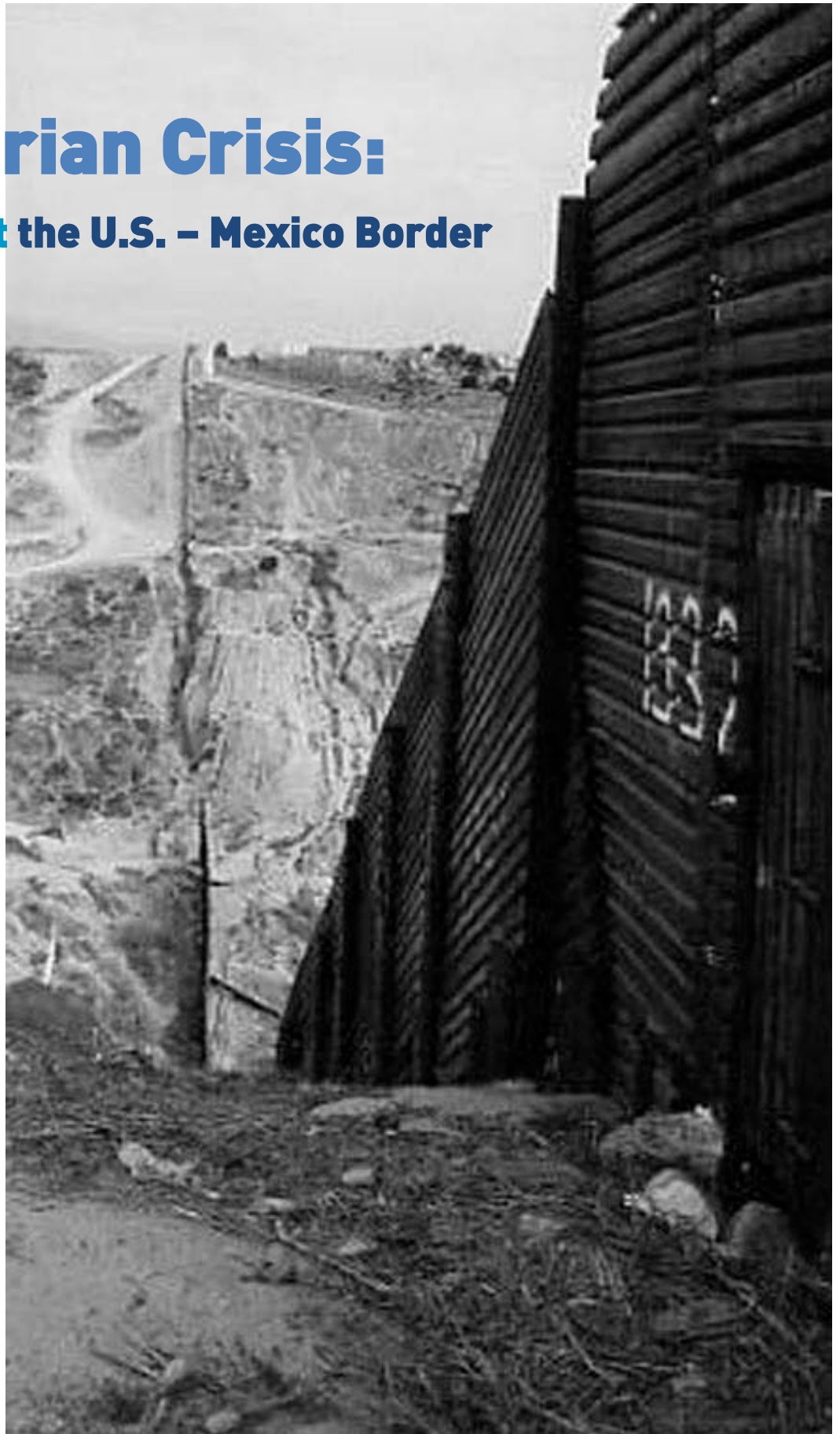


# Humanitarian Crisis:

## Migrant Deaths at the U.S. – Mexico Border

By Maria Jimenez  
October 1, 2009



## **Dedication**

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In memory of Roberto Martinez  
(1937-2009)

For his relentless defense of the human rights of migrants

And to all who have helped prevent the death of a person crossing the border, identify a victim, or return a body to his or her family, home, or an honorable burial.

This report was funded in part by a Grant from the San Diego County Bar Foundation generously supported by a contribution from the San Diego County Bar Association Lawyer Referral and Information Service. The views expressed herein do not necessarily represent those of the San Diego County Bar Foundation or the San Diego County Bar Association Lawyer Referral and Information Service.

## Preface and Acknowledgements

This report, *Humanitarian Crisis: Migrant Deaths at the U.S.-Mexico Border*, is the result of a cooperative agreement entered into by Mexico's National Commission of Human Rights and the American Civil Liberties Union of San Diego and Imperial Counties to explore and use binational strategies to protect the human rights of immigrants in the border region. The report describes the unacceptable human tragedy that takes place daily in this region. The study was conducted and written by immigration and border policy advocate Maria Jimenez who resides in Houston, Texas. We give Maria our most sincere thanks for her valuable research and her untiring work on behalf of the immigrant community.

We also wish to acknowledge John Carlos Frey, writer and director of the new documentary *The 800 Mile Wall* ([www.800milewall.org](http://www.800milewall.org)), who provided many of the photos for this report. His film, although produced independently of this report, provides striking visual documentation of the humanitarian crisis of border crossing deaths. We encourage the public to use the report and documentary together to help break the silence surrounding this issue.

We are profoundly thankful to the experts and organizations who contributed time and information to the preparation of this report, and we express our recognition of their exemplary humanitarian work. We especially extend our gratitude to the relatives and friends of the deceased migrants for their moving testimonies.

We send our condolences to the thousands of families who have suffered the death of a loved one in the border region. Together with them and those advocating for immigrants, we will continue to do our part in response to the call for justice that each migrant death has left in our memory and conscience.



The American Civil Liberties Union of San Diego and Imperial Counties is a nonpartisan organization committed to fulfilling the promises of the U.S. Constitution and Bill of Rights. Founded by Helen Marston in 1933, our mission is to fight for fundamental freedoms and individual rights for all through education, litigation, and policy advocacy. For more information, visit [www.aclusandiego.org](http://www.aclusandiego.org).



Mexico's National Commission of Human Rights is a public organism independent of the government with budgetary autonomy. CNDH's essential objective is the protection and promotion of human rights in order to make of respect for the dignity of every person the cornerstone of public policies and the basis of social life. For further information, visit [www.cndh.org.mx](http://www.cndh.org.mx)

This report's author, Maria Jimenez was born in Mexico and migrated to Houston in the 1950s. She worked for years with the American Friends Service Committee organizing border communities in redressing human and civil rights violations in the enforcement of immigration laws and developing human rights monitoring and documentation methods. She currently works with the Central American Resource Center (CRECEN)/America Para Todos developing programs for immigrant workers.



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## Executive Summary

**T**he American Civil Liberties Union of San Diego and Imperial Counties (ACLU) and Mexico’s National Commission of Human Rights have been resolute in the protection and defense of the fundamental human rights of international migrants. Of all entitlements, the right to life is perhaps the most important. It is essential to the exercise of every other basic freedom and civil liberty. Under international law, the right to life has to be guaranteed at all times and under all circumstances. This right is violated not only when a life is deprived due to the arbitrary actions of a State, but also when actions are not taken to protect life. In enacting border and immigration policies, nations have the sovereign prerogative to protect their territorial integrity and defend their citizenry. That power, however, is restricted and constrained by international obligations to respect fundamental human rights. Unfortunately, these restraints have not precluded the U.S. government from deploying deadly border enforcement policies and practices that, by design and by default, lead to at least one death every day of a migrant crossing the border.

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We are sounding an alarm for a humanitarian crisis that has led to more than 5,000 deaths.

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This report is the sounding of an alarm for a humanitarian crisis that has led to the death of more than 5,000 human beings. It is part of a larger effort of human rights organizations throughout the border region to call attention to the most significant, ongoing violations of human rights occurring today. The report analyzes border security policies and practices that have contributed to the suffering and death of unauthorized border crossers. It reviews the impact of migrant fatalities and injuries to individuals, families and communities. It examines government and civil society responses to preserve and protect human life moving through hostile terrain and severe climates. It explores relevant international human rights laws and principles. Finally, the report offers recommendations to end this humanitarian crisis.

### Key Findings

→ *The deaths of unauthorized migrants have been a predictable and inhumane outcome of border security policies on the U.S.-Mexico border over the last fifteen years.*

Beginning in 1994, the U.S. government implemented a border enforcement policy known as “Operation Gatekeeper” that used a “prevention and deterrence” strategy. The strategy concentrated border agents and resources along populated areas, intentionally forcing undocumented immigrants to extreme environments and natural barriers that the government anticipated would increase the likelihood of injury and death. The stated goal was to deter migrants from crossing. But this strategy did not work. Migrants have died crossing the border

every day, year after year. Estimates of the death toll range from 3,861 to 5,607 in the last fifteen years.

By all accounts, Operation Gatekeeper is a failure. The undocumented immigrant population has expanded significantly at the same time that border enforcement resources have escalated. From 2000 to 2008, the unauthorized population grew from an estimated 8.4 million to 11.9 million. The long-term results have been to strengthen migrant reliance on smugglers, decrease return trips to home countries, and multiply migrant deaths.

Over the last fifteen years, national security concerns have reinforced the deterrence strategy without any improvements in the results. The mutual interest of intercepting national security threats on a shared border reshaped the bilateral relationship between Mexico and the United States, redefining priorities given to immigration and border policies. The national security lens favored the militarization of the border at the cost of migrant lives. In the last five years, the border enforcement budget expanded from \$6 billion to \$10.1 billion, the number of agents jumped to 20,000; 630 miles of new fencing was completed around urban areas; 300 miles of vehicle barriers were erected; a “virtual fence” of technological infrastructure was installed...and more migrants are dying now than ever before.

→ *The risk of death for migrant crossers has increased in spite of government programs to reduce the harmful effects of border deterrence strategies.*

In reaction to growing criticism, both the United States and Mexico developed bilateral protocols and unilateral programs to prevent migrants from undertaking unauthorized border crossings and to rescue migrants in distress. The results of government harm-reduction programs are mixed. In absolute terms, they have saved many migrant lives in the years since their implementation. The total number of rescues, however, has diminished over the years despite a steady increase in deaths. U.S. Border Patrol rescued 2,537 people between October 2005 and the end of July 2006. Since then, in those same months, Border Patrol has rescued far fewer: 1,680 in 2006-07; 1,100 in 2007-08; and only 964 in 2008-09.

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Operation Gatekeeper intentionally forced undocumented immigrants to extreme environments that increased the likelihood of injury or death.

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In comparison to the totality of border enforcement activities, harm-reduction programs and rescue operations have had a negligible impact on preventing migrant deaths. Border Patrol’s law enforcement functions of detention and deportation have at times aggravated the health and safety of migrants, increasing the likelihood of death. In the years that these operations have been conducted, migrant death rates soared. In 2009, an analysis of bodies recovered in the deadliest section of the border found that the risk

of dying was 1.5 times higher in 2009 than in 2004 and 17 times greater than in 1998.

In the face of government failures to prevent migrant deaths, many individuals and organizations established projects to save lives in border areas. Civil society set up water stations, desert medical camps, humanitarian aid patrols, and rescue operations. These efforts have evolved into



a series of life-saving approaches that have saved countless lives of migrants. The activities of border humanitarians have been increasingly met with government opposition and punishment. Nonetheless, their direct experience in saving migrant lives provides witnesses to the suffering and death of migrants in border areas and has built a movement for a reform of border policies that perpetuate needless injury and death. In spite of all these efforts, the death rate continues to go up. In July 2009, the death toll for the year stood at 306. By the end of the year that number is expected to exceed the previous high of 390 dead in 2008.

→ ***Border deaths have increased despite the economic downturn, fewer migrant crossings, and a steady drop in apprehensions.***

Over the last several years, Border Patrol apprehensions have dropped significantly, reflecting a decline in migrant crossings. The number of apprehensions fell from over one million in 2006 to 723,840 in 2008 and continues to decline in 2009. The decline in crossings tracks the downturn in the economy, leading some researchers to suggest that migrants are not coming because they are unable to find work. Unfortunately, a decrease in migrant crossings has not meant a decrease in migrant deaths.

In the first nine months of the 2009 federal fiscal year, Border Patrol reported increased deaths over the same period in 2008 in four sectors along the border: the El Centro sector in California, the Laredo and Del Rio sectors in Texas, and the Tucson sector in Arizona. The greatest increase in deaths was in the Tucson sector where Border Patrol rescue resources are concentrated. In California, 17 migrant deaths were registered by the Mexican Consulate in Calexico. Fifteen had drowned in the All American Canal. These numbers signal an escalating humanitarian crisis that is not going away and requires a reassessment of the underlying deterrence strategies.

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Disregarding international obligations, the federal government has shifted the responsibility of treating the dead to local authorities.

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→ ***Ongoing migrant deaths have exposed government neglect in complying with international law obligations in the treatment of the dead and their families.***

An analysis of the management of migrant deaths has revealed a lack of uniform standards or a centralized database to recover remains, to identify the dead, to determine the cause of death, to prepare the dead for burial, and to notify families of the whereabouts of their relatives. International law has long established guidelines for the treatment of the dead in times of war, in peace, and in natural disasters. The deaths of migrants are a direct product of border security enforcement that has been designed and implemented at the federal level. In total disregard of international obligations, the federal government has shifted the responsibility of the treatment of the dead and their families to local authorities encumbered with shrinking resources and jurisdictional differences. According to one border medical examiner, the processing, identification and storage of recovered bodies cost his office an estimated \$100,000 annually.

Families of migrants are faced with complex, often contradictory, bureaucratic mazes for finding missing or dead relatives. There is no centralized database for locating a relative. The search for

a loved one may take months or even years. In the case of undocumented border crossers, it is estimated that only about 75 percent of the recovered bodies or remains are identified, which is low when compared to 99.5 percent for U.S. citizen deaths. Local authorities and human rights advocates have made proposals for harmonizing standards to treat the dead and their families with dignity. In these pioneering efforts, local authorities and residents, in contrast to federal authorities, have taken steps to respect the rights of the dead, ease family pain and conform to international law requirements of the dignified care of the dead and their families.

## **Recommendations**

**O**ctober 1, 2009 marks the fifteenth anniversary of the launch of Operation Gatekeeper and the ensuing border enforcement policies that have led to the deaths of more than 5,000 people. Prior to Operation Gatekeeper, migrant deaths were few and far between. In its conclusion, the report reflects on the findings and suggests courses of action that the U.S. and Mexican governments could take to protect and advance the human right to life of international migrants.

### **Action on Day One:**

- Recognize border crossing deaths as an international humanitarian crisis.

### **Action within 100 days:**

- Shift more U.S. Border Patrol resources to search and rescue.
- Direct government agencies to allow humanitarian organizations to do their work to save lives and recover remains.
- Establish a binational, one-stop resource for rescue and recovery calls.
- Convene all data collecting agencies to develop a uniform system.
- Commit to transparency.
- Elevate border deaths to a bilateral priority.
- Invite international involvement.

### **Action within One Year:**

- Adopt sensible, humane immigration and border policies.
- Support nongovernmental humanitarian efforts at the border to do what governments are unable or unwilling to do.

These recommendations complement those made in 2002 by the U.S. Commission on Civil Rights to reduce deaths at the border. These included:

1. Demilitarize the border;
2. Establish a guest-worker program;
3. Increase the number of permanent resident visas available to Mexicans;
4. Legalize undocumented immigrants already in the United States;
5. Modify immigration laws that deport immigrants for minor criminal offenses;
6. Encourage cooperation with Mexico;
7. Protect the rights of asylum seekers; and

8. Recognize U.S. citizenship of the Tohono O'odham.

Except for the growing cooperation between Mexico and the United States, the rest of the solutions have not been considered or adopted.

Ultimately, effective border enforcement strategy requires acknowledging the necessity of good faith efforts to fix this problem, respect human rights, and preserve life. Most importantly, it necessitates exploring policy options that minimize forced migration and maximize choices for legal, safe avenues of migration. Only when both nations are seriously engaged in protecting the lives of their most vulnerable populations, will the right of state sovereignty be balanced with the fundamental rights inalienable to all people.

The redress of this most pressing human rights violation must be regarded as a matter of highest urgency. Prolonging the suffering and death of migrants is contrary to international human rights law and common human decency. The time to end this humanitarian crisis is now.



*Photo courtesy of the Gatekeeper Foundation.*

*Migrant death memorial, El Paso, TX.*

## Introduction

**M**en, women, and children go to their death day after day crossing the U.S.-Mexico border. Estimates of the death toll range from 3,861 to 5,607 in the last fifteen years.<sup>1</sup> Immigration policies have severely restricted legal entry, and border security policies have forced unauthorized entry through dangerous routes in perilous conditions. With the implementation of the “Border National Strategic Plan for 1994 and Beyond,” border and immigration policies have been organized and executed “in a way that has knowingly led to the deaths of immigrants seeking to enter the United States.”<sup>2</sup> Migrants have faced increasingly difficult, life-threatening situations in attempts to gain entry into the United States. In his testimony before the U.S. Commission for Civil Rights, Professor Wayne Cornelius observed that these border security policies have “constituted the most obvious, the most acute, and the most systemic violation of human rights occurring on U.S. soil today.”<sup>3</sup>

Fifteen years have elapsed since the first deadly outcomes of border enforcement strategy revealed a flagrant disregard for the safety and human rights of migrants. In 1999, the American Civil Liberties Union of San Diego and Imperial Counties and the California Rural Legal Assistance Foundation challenged this wholesale abuse in a petition filed before the Inter-American Commission on Human Rights (IACHR) on behalf of 350 persons who had died in unauthorized entries into the United States during the implementation of Operation Gatekeeper.<sup>4</sup> In 2005, the IACHR ruled the petition as inadmissible for failing to exhaust domestic remedies. However, the

IACHR left untouched the substantive arguments and their basis in international law.<sup>5</sup> In the arguments, the petitioners established the following facts about U.S. authorities:

- 1) they were aware that U.S. border enforcement strategies placed migrants in mortal danger;
- 2) they had knowledge that migrants had perished as a direct result of border enforcement strategies; and
- 3) they had failed to develop any effective response to the mounting death toll.<sup>6</sup>

The United States had not complied with international and human rights law acknowledging the principle of good faith, the abuse-of-rights principle and the human right to life. The petition recognized the United States’ sovereign right to the use of force in protecting its national security, to control its borders, and to adopt an effective border strategy. However, when exercising that right, the United States is under the obligation to ensure that its policies and actions respect the human right to life, human integrity and human dignity. It must also act to minimize threats to physical integrity and well-being. Finally, it must guarantee its actions are proportionate, necessary, and that no other alternative is available.<sup>7</sup>

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Border security policies constitute the most obvious, the most acute, and the most systemic violation of human rights occurring on U.S. soil today.

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The deaths of migrants have not ceased, nor have life-threatening border policies meaningfully changed in the ten years since the filing of the petition. The United States has not changed its direction, and Mexico has become its silent partner. In 2007, Mexico's National Commission of Human Rights issued "*Todos Saben, Nadie Sabe*" [All Know, No One Knows], a report exposing the indifference to the tragedy of deaths unfolding daily on the U.S.-Mexico border.<sup>8</sup> Conservatively, the report concludes that at least one migrant dies every day.<sup>9</sup> Routine in their occurrence, these deaths have passed unnoticed and have become invisible in the public consciousness. Both the U.S. and Mexican governments have failed to acknowledge their responsibility in contributing to deaths of hundreds of migrants every year. Mexico has fallen short in its affirmative obligation to protect life by changing the economic conditions that force its citizens to migrate and confront life-threatening situations on its northern border.<sup>10</sup> For its part, the United States has expanded fencing and other components of border control policies that cause these deaths.<sup>11</sup>

Rather than spurring authorities to adjust apprehension techniques, the deaths of migrants have become an integral component of border security policies, laws, and measures to strengthen border enforcement at the U.S.-Mexico border. Securing the border from transnational threats has become the cornerstone of trade, immigration, and national security policy. Setting aside mounting evidence substantiating the fatal results of border strategies, national strategic plans for border security have continued to incorporate and build upon the 1994 national border strategy. Currently, the "2006-2010 National Strategic Plan" expands the urgency of its mission.<sup>12</sup> It explicitly explains:

“. . . the daily attempts to cross the border by thousands of illegal aliens from countries around the globe continue to present a threat to U.S.

national security. Some would classify the majority of these aliens as 'economic migrants.' However, an ever-present threat exists from the potential for terrorists to employ the same smuggling and transportation networks, infrastructure, drop houses and other support and then use these masses of illegal aliens as 'cover' for a successful cross-border penetration.”<sup>13</sup>

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Migrant casualties are viewed as an unfortunate but necessary consequence of the global war on terrorism.

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In this perspective, the border enforcement strategy has been held up as a necessary weapon in defense of the homeland and the protection of the lives of its citizens. To date, the most important beneficiary of this policy justification has been the Department of Homeland Security Customs and Border Protection budget, which has expanded from \$6 billion to \$10.1 billion between the fiscal years FY 04 to FY 09. The bulk of these resources have been spent on strengthening border enforcement. The U.S. Border Patrol has increased in size from 18,000 to 20,000 agents. The five-year Security Border Initiative and SBInet have received infusions of technology and infrastructure to form a "virtual fence." Physical barrier and fencing mile construction has also intensified.<sup>14</sup> In this national security scheme, migrant casualties are viewed as an unfortunate but necessary consequence of the global war on terrorism.

Clearly deadly, the current border policies and strategies are the preferred policy option to secure the border even though they have failed to meet the stated goals of averting and discouraging undocumented border crossings. Since 1995, increased border

enforcement measures have not had an impact on the ability of unauthorized migrants to enter despite increased staffing, deployment of troops, or building of virtual, physical or natural barriers. Ninety-seven percent of undocumented migrants eventually succeed in entering into the United States even after multiple apprehensions and hardships in crossings.<sup>15</sup> From 2000-2008, the unauthorized population increased by more than 40 percent—from an estimated 8.4 million to 11.9 million.<sup>16</sup> According to Federal Reserve Bank of Dallas research, declining border apprehensions are not produced by massive border enforcement efforts, instead they closely mirror economic cycles.<sup>17</sup> The only two periods where the undocumented immigrant population did not increase correspond to the two most recent recessions in 2001-2002 and 2007-2008.<sup>18</sup> A recent Pew Hispanic Center study also found that the number of Mexican immigrants who crossed the border fell sharply from March 2008 to March 2009 by 249,000, or 60 percent, in large part due to the economic recession.<sup>19</sup> Examining this data, it is evident that instead of dissuading unauthorized border crossings, accelerated militarization of the border has led to

migrant dependency on smugglers, a decline in rates of migrant returns to countries of origin, and an increase in migrant deaths.<sup>20</sup>

Death looms large even with the current decline in rates of job availability and apprehensions for unauthorized border crossers. The dip in the economy and arrests of undocumented migrants has not led to lower rates of death. On the contrary, most sources indicate that there has been a substantial increase in the rate of death in relation to the number of apprehensions and to the numbers for the same time period the year before. For instance, the 67 bodies recovered in Texas's McAllen Sector in 2008 represented a 72 percent increase from the 39 in 2007.<sup>21</sup> In July 2009, the Mexican Consulate in Calexico, California, expressed dismay that the 17 migrants who died this year had already exceeded the numbers of each of the last two years.<sup>22</sup> In May 2009, the *Arizona Daily Star's* comparative analysis of bodies recovered for the Yuma and Tucson Sector per 100,000 apprehensions found that the risk of dying was 1.5 times higher in 2009 than in 2004 and 17 times greater than in 1998.<sup>23</sup>



Border death memorial, Tijuana, México.

Photo courtesy of the Gatekeeper Foundation from "The 800 Mile Wall."

## I. A Failure to Calculate the Dead

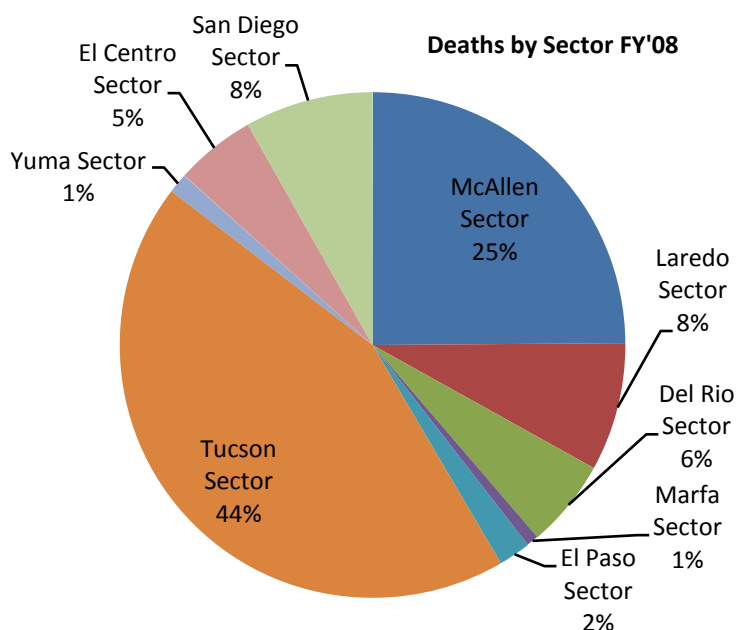
**H**ow many persons die in unauthorized border entries into the United States from Mexican territory? This straightforward question is difficult to answer. There is no coordinated process to systemize

counting the dead. Estimates vary with the source, the criteria used to identify remains as those of undocumented migrants, and the method for registering the dead.<sup>24</sup>

### Death by Sector FY '08

By Sector	Deaths
McAllen Sector	97
Laredo Sector	32
Del Rio Sector	22
Marfa Sector	3
El Paso Sector	8
Tucson Sector	171
Yuma Sector	5
El Centro Sector	20
San Diego Sector	32
<b>Totals</b>	<b>390</b>

Source: Michael J. Reilly, Office of Public Affairs, U.S. Border Patrol Headquarters, Washington, D.C. April 14, 2009



According to the U.S. Department of Homeland Security, 390 bodies of unauthorized border crossers were recovered by the U.S. Border Patrol in the Federal Fiscal Year FY 08 (October 1, 2007 to September 30, 2008).<sup>25</sup> These are bodies or remains found within the 45 counties on or near the U.S.-Mexico border, the nine out of 20 Border Patrol sectors listed above or cases where the Border Patrol was involved.<sup>26</sup> The tally does not take into account cases in which local authorities are the first to respond to calls of humanitarian organizations, border residents or other migrants.<sup>27</sup> By excluding these known deaths, the Border Patrol figures are the least complete.<sup>28</sup> Comparisons of Border Patrol counts to those compiled by the Pima County Medical Examiner's Office (PCMEO) resulted

in significant differences by 44 bodies/remains (32 percent) in 2002, by 56 (43 percent) in 2003, and by 46 (35.6 percent) in 2004.<sup>29</sup> According to the *Arizona Daily Star's* database, in 2009 the discrepancies persisted between Border Patrol and Arizona medical examiners' records of unauthorized border crosser recovered bodies from 2005 to April 2009.<sup>30</sup> It also does not include the bodies or remains of migrants who may have been injured in the United States but made their way back to Mexico, who may have drowned in a river, canal, or ocean but whose corpses were deposited by currents on the Mexican side or who are classified as locals by Mexican authorities.<sup>31</sup> To illustrate, the Centro de Estudios Fronterizos y Promocion de los Derechos Humanos A. C. in Reynosa,

Tamaulipas, documented 88 recovered bodies in the Rio Grande River in Texas in 2008.<sup>32</sup> Only 12 were retrieved from the bank on the U.S. side. The uncounted bodies and the use of the calendar year (January 1 to December 31) in Mexico versus the fiscal year (October 1 to September 30) in the United States also explain the incongruity in official statistics on migrant deaths. According to the Chair of

Mexico's Chamber of Deputies Commission on Population and Borders, 725 Mexican migrants died in their attempt to cross the border in 2008.<sup>33</sup> Even the Department of Homeland Security issued changing figures for the final count for FY 08: in December 2008, it reported 386; in April 2009, 390; and in July 2009, 306.<sup>34</sup>



*Unidentified migrant headstone, Holtville, CA.*

*Photo courtesy of the Gatekeeper Foundation from "The 800 Mile Wall."*



## Deaths Since 1994

How many have died since 1994? Examining estimates from the U.S. Department of Homeland Security Border Safety Initiative (BSI), the U.S. General Accounting Office

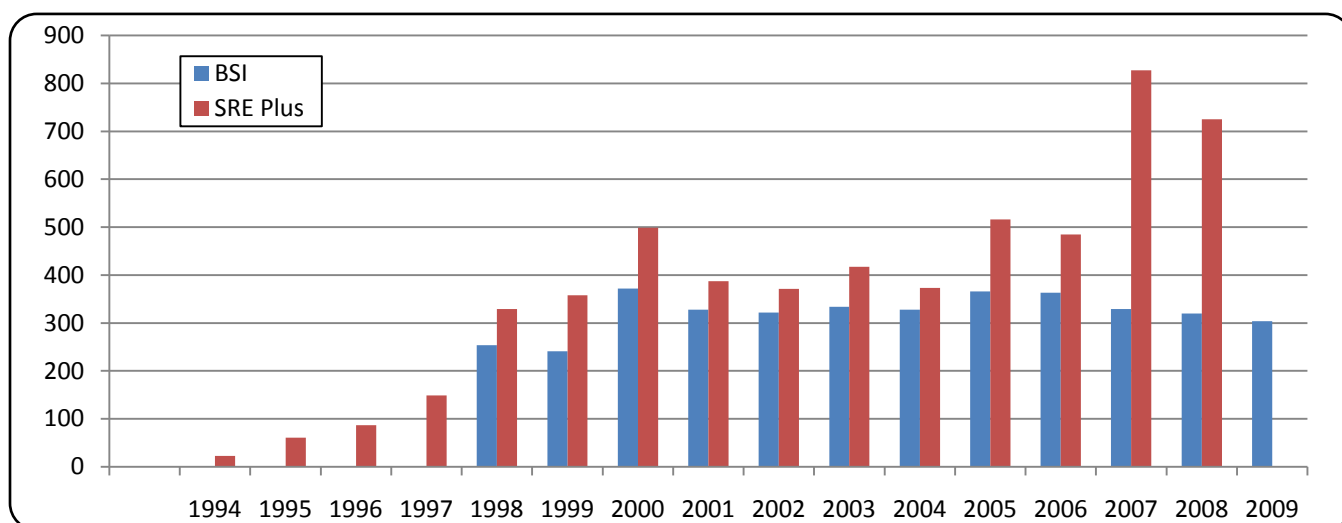
analysis, Mexico's Secretariat of Foreign Relations (SRE) and news sources, the data is as follows:

### Estimates of deaths per fiscal year by source

Year	Number of Apprehensions <sup>35</sup>	Number of deaths <sup>36</sup>	
		BSI	SRE plus
1994	979,101	*	23
1995	1,271,390	*	61
1996	1,507,020	*	87
1997	1,368,707	*	149
1998	1,516,680	254	329
1999	1,537,000	241	358
2000	1,643,679	372	499
2001	1,235,717	328	387
2002	929,809	322	371
2003	905,065	334	417
2004	1,139,282	328	373
2005	1,189,000	366	516
2006	1,089,096	363	485
2007	876,803	329	827
2008	723,840	320	725
2009	*	304	*
	<b>Total</b>	<b>3,861</b>	<b>5,607</b>

Reference: See Endnote 35 & 36

### Estimates of deaths per fiscal year by source



Even with missing data, migrants who have died in unauthorized border crossings from 1994 to July 2009 are in the thousands. The range is 3,861 to 5,607. In the last ten years (1998-2008), the average goes from a low of 356 to a high of 529 every year. From these approximations, it is safe to conclude that “at least one migrant dies every single day.”

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There is only one point of convergence for all sources: not all deaths are recorded because not all remains are found.

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There is only one point of convergence for all sources: not all deaths are recorded because not all remains are found. The deserts, waterways, mountains and shores are graves of the disappeared. The majority of researchers who attempt to estimate the total death count of unauthorized border crossers have concluded that it is “unknowable.”<sup>37</sup> Current counts will continue to vary and most importantly, to underestimate the number of deaths linked to the prevention-through-deterrence border security policies.<sup>38</sup> Without improved accuracy in available statistics, assessing the full impact to human lives is limited and making changes to prevent deaths remains elusive.

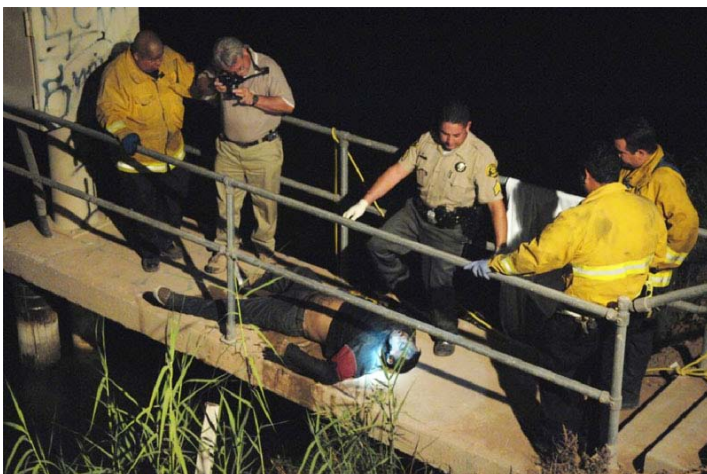


Photo courtesy of the Gatekeeper Foundation from “The 800 Mile Wall.”

*Migrant body recovered from All American Canal, El Centro, CA.*

## Testimony of Martin Gonzalez

**Re:** Casimiro [Last Name Unknown], Male, About 30 years old

**Date of Interview:** August 17, 2009

**Originally from:** Casimiro de Veracruz

**Status:** Died in the Laredo Sector in Texas on June 8, 2000

*We left from Laredo, Texas on June 8, 2000 at five in the morning after the smugglers had driven us back and forth until they completed the group for the crossing. They gave us food, water and tortillas, and they told us we would get there in a “jump.” In reality it took us ten hours to get to the highway where a van picked us up to take us to Houston.*

*We walked at a fast pace in a single line, jumping over barbed wire fences, loose and arid sand and, at a distance, we could see trees. When we ran out of water, we would refill with rotten water in cattle feeding ponds. These smugglers were not like the ones that I dealt with the first time I crossed in 1996; the first ones beat up a person who wanted to leave on his own, and they sexually assaulted the only woman in the group. This smuggler was serious.*

*We rested and ate about one in the afternoon. Casimiro offered me his food, and I told him I had mine and that it would be best that he ate his. At that point, he asked if I had an aspirin because his head hurt. We finished lunch, and we got moving again.*

*We took turns being the last one and, on some stretches, we had to use a branch to rake our prints and the path we were on. About two, it was my turn to be last. We had little water, and I felt dizzy. I began to feel there was something behind me, and I would turn to see what it was. I kept walking, but I felt a presence. I hurried and left my place, and Casimiro started to walk behind me. I offered him a little of the rotten water I still had left—“drink”—but he said no.*

*About 45 minutes later, Casimiro looked very tired and began to walk in a zigzag as if he were drunk. I yelled to the smuggler, “We have to rest. This man needs to rest.” We saw that Casimiro was agitated. His uncle and two companions tried to calm him down but he would scream obscenities and throw sand at them. The smugglers did not want to touch him and so they asked his uncle and friends to try to quiet him down.*

*Casimiro would rile against them, and he would pull away from them when they tried to take him toward some trees so that he could rest. Then they began to struggle with him. Casimiro*

*was a bit heavy and strong. He screamed insults to his buddies who tried to help him. Suddenly he pulled back violently and, in the doing so, he fell and hit his head on a log with such force that it made a very loud noise. He got up and, again, they tried to hold him. He got away and took a few steps forward. Again he fell, but this time over a large, old prickly pear cactus. He got himself*

- more -



Photo courtesy of the Gatekeeper Foundation from “The 800 Mile Wall.”

Migrant death memorial site, Sonora Desert, AZ.

*up, covered with thorns about an inch long all over the front of his body, and with his neck bleeding.*

*Casimiro tumbled a few steps and he fell over on the side of a tree. I walked near him and placed a cross on the tree trunk where Casimiro lay. The smuggler still did not want to touch him, and so he left Casimiro there. We thought he was exhausted and in pain, but we decided to let him recuperate his strength.*

*We did not know that we were waiting on a dead man. After 15 minutes, we went over to see how he was and confirmed that he was not sleeping, that he was without life. In the heat, flies were already flying around him.*

*We decided to go on, and we left him under a tree with his voter registration card so that if he was found he could be identified. When we got to the highway, his companions stayed behind. We do not know what they did with him.*

*When I arrived to my destination, I felt distant and I kept to myself. It took me a month to recuperate. I had never seen anyone die and, much less, like that.*

*I would watch the news every day to see if something was mentioned about Casimiro. I never heard anything. I do not know if someone went to get him or not.*

## II. The Deadly Journey

### Death by Policy<sup>39</sup>

**D**eath was inserted into border security strategy with the initiation of Operation Blockade/Hold the Line in 1993 and its expansion throughout the border region. “This operation changed Border Patrol enforcement efforts regionwide along the U.S.-Mexico border in the 1990s and remains the foundation of the unit’s post-9/11 strategy.”<sup>40</sup> In 1994, the “Border National Strategic Plan for 1994 and Beyond” incorporated the strategy of “prevention through deterrence” to thwart unauthorized border crossings in populated urban areas with a visible display of Border Patrol agents and resources to redirect migrants toward remote, inhospitable areas.

The plan modeled other border enforcement operations in the same manner—“Operation Gatekeeper” in San Diego (1994), “Operation Safeguard” in Tucson (1994, 1999) and “Operation Rio Grande” in South Texas (1997).<sup>41</sup> The deployment of personnel, equipment, technology and border infrastructure to population centers with the intent of channeling migrant flows to remote, dangerous areas became the standard method of dealing with undocumented border crossers. Rather than going back to their communities of origin, migrants turned to smugglers to guide them through unknown territory. The journey then became treacherous treks through mountains, waterways and deserts where

migrants were placed in lethal peril in every attempt to enter without authorization. Migrant death tolls climbed and became the signature of the 1994 border enforcement strategy.<sup>42</sup>

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Operation Gatekeeper’s intent was to channel migrant flows to remote, dangerous areas – “prevention through deterrence.”

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Death accompanied migrants with every new path carved in isolated, inhospitable terrain in order to circumvent stepped up resources and fencing around population centers. In 1994, San Diego was the most frequent entry for undocumented migrants. The Border Patrol was making 450,152 apprehensions annually when Operation Gatekeeper began.<sup>43</sup> Operation Gatekeeper forced unauthorized border crossers eastward into three geographic regions: 1) the Pacific Ocean to Otay Mountain; 2) the Jacumba, Cuyamaca and Laguna Mountains; and 3) the Sonoran Desert.<sup>44</sup> Operation Gatekeeper succeeded in pushing migrants away from urban centers without effectively deterring illegal entry. Within five years, apprehensions in the San Diego Sector plunged to 151,681.<sup>45</sup> As the border strategy was implemented, the mortality rates of undocumented border crossers mounted: 23 in 1994, 61 in 1995, 59 in 1996, 89 in 1997 and 147 in 1998.<sup>46</sup> The chief cause of death shifted within the first year from traffic fatalities to deaths from hypothermia, dehydration, and drowning. The All American Canal, the New River and the Pacific Ocean began to take lives. By 2000, the death toll had shot up to 632 in the San Diego and El Centro border sectors.<sup>47</sup>



Photo courtesy of the Gatekeeper Foundation from “The 800 Mile Wall.”

*Concertina wire atop San Diego, CA border fence.*

In response to this “deterrence” strategy in California and El Paso, migrants braved entry through the deserts of Arizona. Border Patrol interdiction focused on stopping the swelling wave of human beings moving through stretches of cacti, canyons and mountains in heat of more than 100 degrees. Apprehensions by the Border Patrol in the Tucson and Yuma Sectors rose from 160,684 in 1994 to 725,093 in 2000.<sup>48</sup> From 2000 to 2008, the Arizona sectors became the busiest gateway into the United States for unauthorized border crossers and the epicenter of “the killing fields.”<sup>49</sup> All segments of border life in Arizona began to be impacted by the death of migrants making their way through the extreme conditions of the desert. An 18-mile-wide corridor on the Tohono O’odham Nation became known as “the deadliest migrant trail in the U.S.”<sup>50</sup> In seven years, it claimed 229 lives.<sup>51</sup> Local authorities bore the weight of the recovery of bodies and remains.<sup>52</sup> Before 2000, the Pima County Medical Examiner’s Office recovered an average of 14 bodies per year. Between 2000 and 2005, the yearly average escalated to 160. Storage of the unidentified became unmanageable.<sup>53</sup> The Public Fiduciary began to cremate unclaimed bodies and remains rather than bury them in the public cemetery.<sup>54</sup> From October 1, 2001 to the present, about 1,693 migrants perished in the arid landscape of southern Arizona.<sup>55</sup> The death toll mirrored the upsurge in border agents, technology and infrastructure to secure the Arizona section of the border.



*Photo courtesy of the Angeles del Desierto.*

*Search for missing migrants, Arizona.*

Death at the border has remained constant even in the face of changing patterns of unauthorized entry. In 2005, unauthorized border crossers seemed to be moving from the deserts of Arizona to Hidalgo County, New Mexico, making this the busiest corridor in the El Paso Sector.<sup>56</sup> The 34 deaths reported in 2006 nearly doubled the 18 from 2005.<sup>57</sup> In 2006, unauthorized migrants moved across the Rio Grande River and into the brush country of Texas.

Deaths and apprehensions increased dramatically in three South Texas counties. For three consecutive federal fiscal years, the McAllen Sector became the second pathway to death with 63 in FY 06, 50 in FY 07 and 84 in FY 08.<sup>58</sup> In 2008, the Mexican Consulate in McAllen reported a 72 percent increase in the bodies recovered with more women and

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Doris Meissner, former INS Commissioner said, “[These] deaths continue to loom as a tragic byproduct of border enforcement.”

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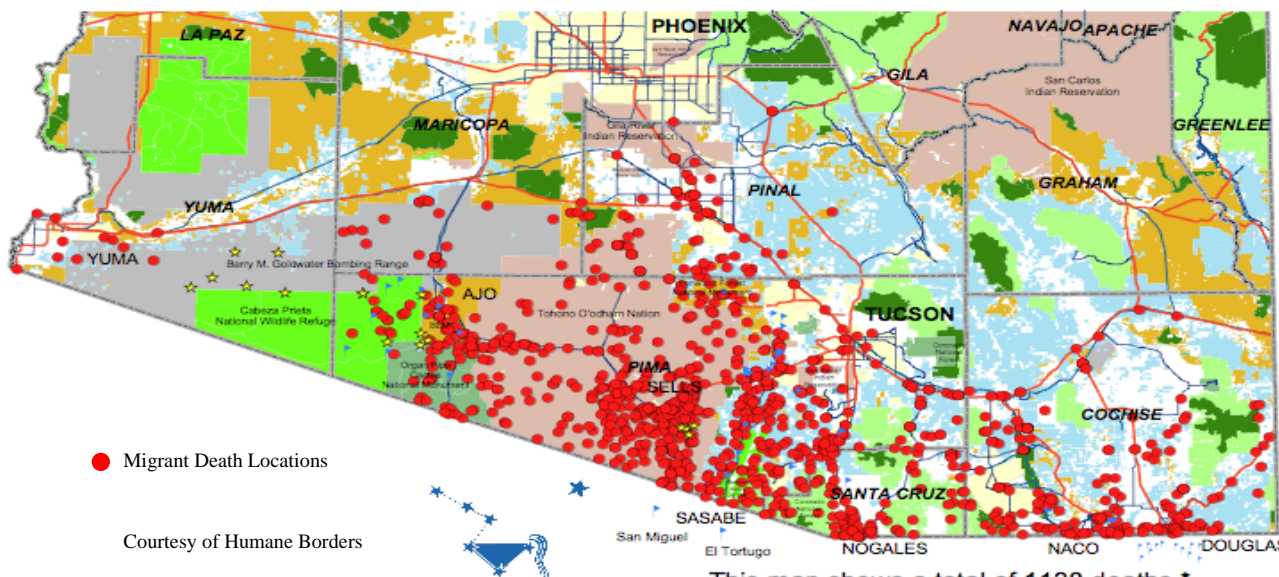
children decedents than in previous years—in 2007, there had been 39 compared to 67 in 2008.<sup>59</sup> By the end of July 2009, the reported number was already at 48.<sup>60</sup> Mexican authorities attributed the rise in migrant deaths to the intensified presence of 300 Border Patrol agents, newly constructed levee walls around McAllen, Texas and round-the-clock staffing of Border Patrol checkpoints along major roads.<sup>61</sup>

The risk of death has increased dramatically irrespective of economic downturns, more border enforcement measures and continued drops in apprehension rates. In 2009, migrants are still confronted with bolstered resources for border security—the number of agents jumped to 20,000; 630 miles of new fencing was completed around urban areas; 300 miles of vehicle barriers were erected; and a “virtual fence” of technological infrastructure was installed. Migrants are walking longer

distances and crossing further away from fortified border areas.<sup>62</sup> In the first six months of the 2009 federal fiscal year (Oct. 1 to March 31), the Border Patrol made 265,000 arrests, a drop of 24 percent for the same time the previous year. Despite plummeting apprehensions, the trek has become deadlier.<sup>63</sup> According to the data of the Border Safety Initiative, 304 fatalities had been recorded in the first nine months of FY 09 compared to 320 for the entire 12 months in FY 08.<sup>64</sup> The greatest single increase was in the Tucson sector with 184 reported deaths.<sup>65</sup> Increased numbers were also reported in Laredo and Del Rio in Texas and in El Centro in southeastern California in the first half of 2009.<sup>66</sup> The number for Laredo stood at 44, for Del Rio 24 and El Centro 19.<sup>67</sup> In July, the death of 17 migrants had been registered for the year by the Mexican Consulate in Calexico. Fifteen had drowned in the newly cemented All American Canal.<sup>68</sup> In 2009, initial reports indicate that migrants persist in sidestepping concentrated border enforcement and taking greater risks that are making death more likely.

Deaths have paralleled strengthened border enforcement efforts in the last fifteen years. Growing academic research has substantiated that these policies and strategies have made border crossing difficult, dangerous and even

life-threatening. In a 2005 paper evaluating the border and immigration strategy implemented since 1993, researcher Wayne Cornelius summarized that one of the consequences had been the spike in migrant deaths.<sup>69</sup> In 2006, the University of Arizona Binational Migration Institute issued a scientifically rigorous report examining the “funnel effect” produced by the border enforcement strategy that had made southern Arizona the site of the greatest number of unauthorized border crossers’ deaths on the southwestern border.<sup>70</sup> In 2009, another researcher, Douglas Massey, testified before the U.S. Senate Judiciary Committee that accelerated militarization of the border had also increased “the risk of death”.<sup>71</sup> Many more studies by the U.S. General Accounting Office, Rutgers University and the University of Arizona have confirmed that migrant deaths have paralleled strengthened border enforcement efforts irrespective of the addition of an official, government search and rescue operation to prevent migrant deaths.<sup>72</sup> The former INS Commissioner under the Clinton Administration and signer of the “Border National Strategic Plan for 1994 and Beyond,” Doris Meissner, put it simply: “Still [in 2009] such deaths continue to loom as a tragic byproduct of border enforcement.”<sup>73</sup>



\*The map reports only deaths recorded by the United States Border Patrol between October 1, 1999 and September 30, 2007.

## Death by Suffering

“The deaths are full of suffering,” wrote a reporter for the *New York Times* in 2002.<sup>74</sup> Migrants succumb to extreme terrain, climates and physical barriers. Migrants fall prey to unscrupulous smugglers and criminal elements. Migrants endure mistreatment upon detection and apprehension. Migrants make multiple attempts to re-enter, and are thereby further injured, exhausted, and traumatized. The suffering is experienced again and again: “The underlying logic of this ongoing enforcement system is to eventually scare off would-be unauthorized border crossers via seemingly predictable, but not acceptable, levels of injury, suffering and death to those

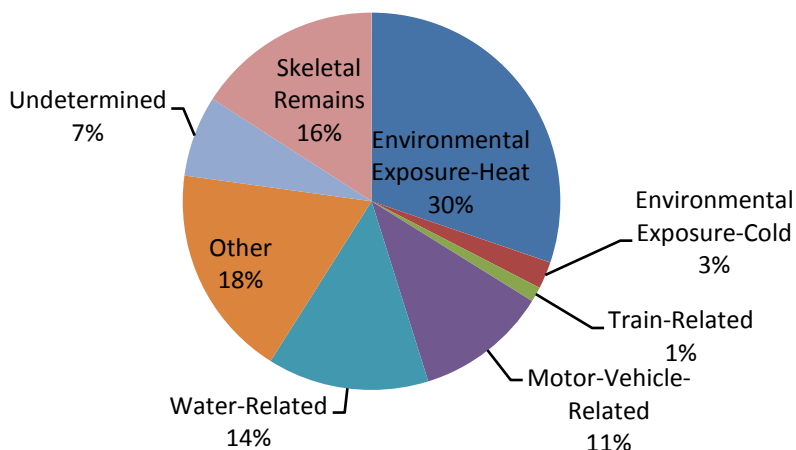
who dare to try,” say the authors of “The Funnel Effect.”<sup>75</sup> As one researcher put it, “... in the desert, the border is enforced through fatigue, heat exertion and occasionally despair.”<sup>76</sup>

In FY 08, migrants died due to the extremes of environmental exposure (127), train and motor vehicle accidents (49), drowning (54) and other reasons such as homicide, suicide, existing diseases and natural disasters (71).<sup>77</sup> For some, the cause of death is undetermined (27) and others are reduced to skeletal remains (62).<sup>78</sup>

### Deaths by cause for FY '08

By Type	Number of Deaths
Environmental Exposure-Heat	118
Environmental Exposure-Cold	9
Train-Related	5
Motor Vehicle-Related	44
Water-Related	54
Other	71
Undetermined	27
Skeletal Remains	62
<b>Totals</b>	<b>390</b>

Source: Michael J. Reilly, Office of Public Affairs,  
U.S. Border Patrol Headquarters, Washington, D.C., April 14, 2009





In the remote areas and away from populated areas, migrants have no choice but to initiate their unauthorized entry “in staging areas” guided by coyotes or smugglers.<sup>79</sup> This is no man’s land. No one patrols these desolate areas for unauthorized entries. On the Mexican side, military and other law enforcement authorities are bribed to leave these areas unpatrolled.<sup>80</sup> Violent gangs or *bajadores* operate from these areas; on occasion, they quickly intrude onto the U.S. side of the border to steal all the belongings of the migrants and even the smugglers. At other times, drug cartels, traffickers, smugglers, and *bajadores* work in concert to assault, rob, extort, kidnap, rape, and kill migrants.<sup>81</sup> Unarmed and outnumbered, the Mexican federal specialized law enforcement unit known as *Grupo Beta* limits its activities to populated areas and sometimes refuses to confront violent criminals.<sup>82</sup> As a measure of self-defense, lone U.S. Border Patrol agents avoid direct confrontation with criminal elements. In July 2009, one agent was murdered in a secluded area near Campo, California.<sup>83</sup> In another incident last year in Tecate, a young migrant was killed by a border criminal with a high-powered weapon who shot him on the spot, in front of the entire group of migrants, when he tried to stop the rape of a young woman.<sup>84</sup>

In this context, migrants begin their journey into the United States. Migrants and coyotes share a common interest in defying the structural apparatus that enforces the law and



Photo courtesy of No More Deaths.

*Badly blistered feet.*

the border.<sup>85</sup> Migrants interviewed by several researchers expressed overwhelming satisfaction and success in reaching their destination when guided by smugglers, with only a very small number reporting dissatisfaction or abuse.<sup>86</sup> Together migrants and smugglers move to overcome risks. The crossers strategy is simple: “[T]o go as fast as far as they can to try to avoid being caught by the heat, by fatigue or by the men in green.”<sup>87</sup>

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In the desert, the border is enforced through fatigue, heat exertion, and occasionally despair.

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Migrants who lag behind are most often the ones who suffer the consequences of the elements or death. In these circumstances, “a blister is a fatal injury.”<sup>88</sup> Migrants who cannot keep up with the pace are left behind to fend for themselves. At times, migrants in the group confront the smuggler, and they wait until the injured or exhausted migrant is well enough to continue the trip.<sup>89</sup> Occasionally, the whole group may lose its way. That was the case of the 14 migrants who died southeast of Yuma in Arizona in 2001.<sup>90</sup> Those who underestimate the treacherous journey ahead, the physical challenge, the amount of water and food needed, unforeseen circumstances such as brush fires or snake bites or the deceptiveness of the smuggler are lost for days, never found, or left to die.<sup>91</sup> Some will be rescued and live to try again. The overwhelming majority will make their destination.

More often than not, death comes gradually. In the extreme environments of mountains, deserts, and brush country, migrants are not immediately aware of the gradual effects of changes in body temperature that eventually lead to organ failure and death.<sup>92</sup> The physical manifestations of lower or higher body temperatures are clumsiness, slurred speech, muscle cramps, headaches, vomiting,

difficulty breathing, chest or abdominal pain, dim vision, and seizures. These conditions may be further aggravated by confusion, low energy, extreme fatigue and progressive loss of consciousness.<sup>93</sup> For a few, physical deterioration comes quickly due to the stress that inhospitable conditions place on already pre-existing health problems like cardiovascular disease or diabetes.<sup>94</sup> In any case, confused thinking, growing clumsiness, physical pain, and fatigue interfere with the self-awareness and the dexterity needed for survival. It is not unusual to find bodies of migrants who in a confused state have removed their clothing in freezing weather or attempted to drink desert sand to satisfy thirst in extreme heat.<sup>95</sup> Disoriented, migrants sometimes fall on cacti or rocks suffering blunt trauma and lacerations in different parts of the body.<sup>96</sup> Exposed and treading through hostile terrain, death begins with blistered feet, slowing the trek and intensifying the impact of environmental exposure and health complications that lead to a slow, agonizing death.

Migrants drown in the numerous canals, dams, irrigation ditches, stretches of concrete channels, high reservoirs and even oceans. Drowning occurs in the All American Canal in California, irrigation canals in Arizona, and different points of the Rio Grande River in Texas. As physical barriers have been erected



Photo courtesy of the Gatekeeper Foundation from "The 800 Mile Wall."

*Migrants in peril, All American Canal, El Centro, CA.*

to prevent undocumented migration, unauthorized border crossers have opted to enter through the Gulf and Pacific oceans.<sup>97</sup> In all these waterways, migrant death comes in a series of events described as the drowning sequence—the person panics, struggles to stay

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In the extreme environments, migrants are not aware of the gradual effects of changes in body temperature that lead to organ failure and death.

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afloat, and submerges holding his or her breath.<sup>98</sup> Within three minutes of being under water, oxygen deprivation to the heart and the brain results in cardiac arrest, brain damage, and loss of consciousness. Within six minutes, the brain dies. The bodies are washed downstream, are removed by canal authorities or owners, decompose at the edge of the river, or are swept away by sea waves. In Texas, these decedents are referred to as “floaters.”<sup>99</sup>

Multiple deaths of migrants occur in motor accidents of vehicles involved in smuggling of undocumented border crossers. These vehicles are poorly maintained and severely overloaded. Weighted down, their tires blow out, or drivers lose control of the vehicles at high speeds trying to evade authorities. Migrants “stacked like wood” and without seat belts are thrown violently out in crashes and rollovers.<sup>100</sup> Dozens are injured or die. In one study of computerized database searches of overloaded motor crashes along 281 miles of the Arizona border with Mexico for 1990-2003, 59 undocumented border crossers died and 325 were injured in a total of 38 crashes involving 663 passengers.<sup>101</sup> The average number of passengers was 17 per vehicle. In one case in April 2008, 60 migrants were packed into one pick-up truck that rolled over, killing four and injuring 27.<sup>102</sup> Later in August, an SUV carrying 19 undocumented migrants flipped, killing nine and seriously injuring ten.<sup>103</sup> In June 2009, a similar accident involving a sports utility vehicle with 22 men

resulted in the death of nine persons, including a 15-year-old.<sup>104</sup>

Although migrant homicide rates for unauthorized border crossers declined in the first half of the decade, anecdotal evidence indicates that conditions may have turned more lethal for migrants in the second half of the decade.<sup>105</sup> As smuggling has increased and expanded, “the nature of smuggling has become more violent.”<sup>106</sup> Taking advantage of migrant reliance on smugglers to survive the dangers created by U.S. border enforcement strategies, drug cartels have cut into and have increased the profitability of smuggling operations with kidnappings and extortion of migrants. Increasingly the old-fashioned guides operate side by side with the more sophisticated career criminals associated with organized criminal activity and drug cartels.<sup>107</sup>

Not all migrants are aware of the differences between smuggling networks, and they may enter into criminal rings that kidnap and torture them for ransom from relatives in the United States.<sup>108</sup> Not only have migrants become prey to increasingly heavily armed smugglers or gangs, but also, unfortunately, to the growing crossfire between authorities, smugglers, and *bajadores* in armed conflicts. Migrants have also been killed by border agents using deadly force inappropriately in carrying out their duties in arrest situations.<sup>109</sup> There are also documented cases of hate killings by vigilante groups in extra-judicial border enforcement operations.<sup>110</sup>

Migrants also die in natural disasters like the raging fires in California.<sup>111</sup> In October 2007, fire swept through San Diego’s back country.<sup>112</sup> The Border Patrol reported having arrested 200 unauthorized border crossers in the border fire zone. Fifty were directly rescued in the fire by Border Patrol agents. Eleven suffered burns requiring hospitalization at the University of California, San Diego Medical Center. In the same week, four bodies badly burned were discovered in a ravine near Dulzura, California. The Border Patrol continued to scout for more fire victims on ground that was still so hot that one agent was

treated for second degree burns on his feet. In all, five migrants had died and 21 had been injured in that fire. A spokesperson for the Mexican consulate lamented, “The result of the fire, for Mexican immigrants, has been terrible.”<sup>113</sup>



Photo courtesy of the Gatekeeper Foundation from “The 800 Mile Wall.”

*Unidentified migrant remains, Pima County, AZ.*

Many of those who survive suffer the agony of hypothermia, heat exhaustion, abrasions, snake bites, skeletal trauma, dehydration, and exhaustion as they move through deserts, mountains, rivers, or packed motor vehicles.<sup>114</sup> In one Arizona case in July 2009, a Mexican woman was found with extreme, severe sunburn, a collapsed lung, and only ten percent function of her kidneys.<sup>115</sup> Like her, many migrants will live with permanent physical injuries such as kidney damage or heart failure. Others will carry injuries from violent attacks, falls, or vehicle crashes. Humanitarian organizations report treating migrants with back injuries due to falls, lacerations, snake bites, cactus needles, muscle seizures, severely blistered feet, sprained ankles, injured arms and hands, severe sunburns, high fevers, frozen limbs, vomiting, nausea, shortness of breath, and miscarriages.<sup>116</sup> The journey leaves a lifetime of emotional and physical scars. One immigrant observed, “. . . the entire desert, the fatigue, the fear . . . the trip as whole. It burdens you, but you make up your mind to keep going because you know you are going to die.”<sup>117</sup>

For 21.2 percent of migrants whose remains have been recovered, the cause of death will remain undetermined.<sup>118</sup> Oftentimes, remains found are skeletal, fragmented or severely decomposed.<sup>119</sup> Medical examiners find it difficult to draw a conclusion on the cause of death. About 25 percent of the recovered

remains are never identified. Many are never found at all—quickly decomposed in deserts, carried by river currents or devoured and dispersed by animals.<sup>120</sup> The list of missing unauthorized border crossers is constantly changing. Death is the only certainty.

### **Death by Vulnerability**

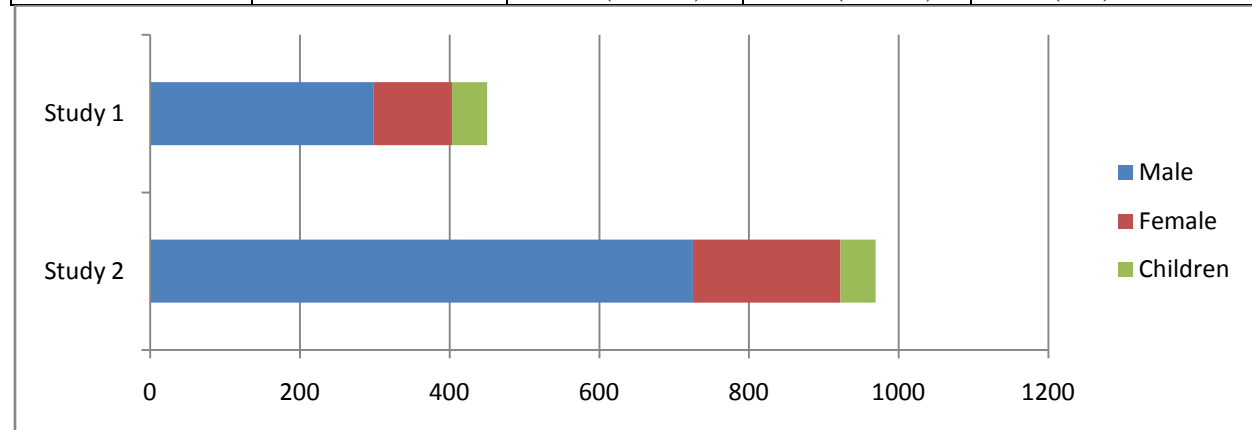
Women and migrant children are among the most vulnerable, mistreated, and injured of the migrant groups. Migrants are not just immigrant workers; they are also family members, children, and the elderly. With restrictive immigration policy closing avenues of legal entry for “family unity,” more women and children are joining the dangerous journeys of unauthorized border crossings. Women accounted for about 18 percent of the yearly apprehensions for 2005 to 2008 and minors under the age of 17 ranged from eight to nine percent.<sup>121</sup> After apprehension, families are split apart and repatriated to different ports of entry at different times.<sup>122</sup> In clandestine trips across rugged territory, women and children who cannot keep up are often left behind.

In the case of migrant decedents, two studies delineate the demographic characteristics of migrants who died crossing the border. In one study, medical researchers examined records

of 409 unauthorized border crossers whose remains were found during two years (2002-2003) on a 650 mile section of the border between Yuma, Arizona and El Paso, Texas.<sup>123</sup> Of 322 decedents whose age was known, 213 or 66.1 percent were between 20 and 39 years of age. Forty-seven or 11.4 percent were under the age of 19. For those whose gender was determined, 298 (72.8 percent) were male and 105 (25.6 percent) were female. In a second study, Binational Migration Institute (BMI) researchers looked at autopsy records of 927 bodies/remains recovered by the Border Patrol in the Tucson Sector in Southern Arizona from 1990 to 2005.<sup>124</sup> Of these, 725 decedents (78.2 percent) were male and 197 (21.3 percent) were female. Of the 668 decedents where age was known, 539 (81 percent) were under the age of forty with 317 (47 percent) between the ages of 18 years old and 29; the median age at the time of death was 30. Forty-seven (7 percent) were under the age of 18.

#### **Death rates of migrants by age and sex**

Research Study	Total Records	Male	Female	Minors
1	322	298 (72.8%)	105 (25.6%)	47 (11.4%) under 19
2	927	725 (78.2%)	197 (21.3%)	47 (7%) under 18



BMI researchers noted an upward trend for the youngest age group. In 1990, no unauthorized border crosser bodies under the age of 18 were recovered. “In 2005, however, there were 11 such cases.”<sup>125</sup>

Migrant women and children are particularly exposed to dangers that increase fatalities during an unauthorized border crossing attempt. Anecdotal stories from hospital emergency rooms in Arizona indicate that migrant women brought in for injuries from severe environmental exposures or motor vehicles survive, but may lose unborn children.<sup>126</sup> The number of cases of intrauterine fetal demise is unknown. Women are 2.87 times more likely to die of exposure than men.<sup>127</sup> Children are 3.4 times more likely to die in a motor vehicle accident than adults since families prefer paying smugglers the higher fees for transporting children in motor vehicles rather than exposing the children to the harsh conditions of the rugged terrain or deserts.<sup>128</sup> Only with respect to homicide do women fare better than men. Women are less likely to be murdered than men.<sup>129</sup>

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In the first six months of  
2008, ninety thousand  
children were deported by  
U.S. authorities.

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Migrant women and children also find themselves at disadvantages when deported by U.S. authorities to the Mexican side of the border. Neither the United States nor Mexico dedicates resources to care for migrant women and youth who are repatriated and left daily in many Mexican border towns.<sup>130</sup> In the first six months of 2008, ninety thousand children were deported by U.S. authorities.<sup>131</sup> Some are housed in shelters run by the Mexico’s Desarrollo Infantil de la Familia (DIF) or by religious or nonprofit organizations. In the four months of 2009, 5,149 children and

adolescents were repatriated to Mexico.<sup>132</sup> Although adhering to bilateral agreements for the most part in the formal transfer of minors, there have been complaints of U.S. authorities violating agreements by not handing minors over to consular authorities in designated ports-of-entry or leaving them in the middle of the night without anyone to receive them.<sup>133</sup> In the current violent environment of border cities, women and children cannot even access migrant shelters late at night. The pervasive violence forces these charitable institutions to lock down in the early evening.

Many children left in border cities do not have family connections; often they crossed with people they did not know. As a result, more children are in the streets.<sup>134</sup> One study of a working group of the Mexican Congress reported that, of 90,000 repatriated minors in 2008, 15 percent, or 13,500, remained in border areas rather than return to relatives in communities of origin.<sup>135</sup> Among adolescents, 70 percent stated that they will try crossing the border again to find work in agriculture, construction, or in the general labor force.<sup>136</sup> In the meantime, survival in precarious conditions in border towns decreases the physical stamina needed in succeeding tries to cross the border without documents.

In a series on Mexico’s northern border, the newspaper *La Jornada* described the plight of approximately 200,000 migrants who find themselves in border cities in the State of Tamaulipas.<sup>137</sup> Thirty percent are women who are forced to make payment to coyotes sexually.<sup>138</sup> Some accept the role of “*compañeras*” for protection; others are assaulted, raped, forced into human trafficking, or killed. “According to the UN, up to 70 percent of women crossing the border without husbands or families are abused in some way.”<sup>139</sup> Fourteen and fifteen year olds are used as guides or drivers of packed vehicles in the smuggling trade so that if they are caught or crashes occur, juveniles will get lighter sentences.<sup>140</sup> In this area of the border,

the clandestine transport of children has become very lucrative. Human rights organizations indicate that one out of five children smuggled never make contact with relatives who await their arrival.<sup>141</sup> In 2009, Mexican consular officials reported a rising trend in recovered bodies of women and

children within the Border Patrol McAllen sector in Texas.<sup>142</sup>

Death at the border does not discriminate. It takes men, women, and children.

### Testimony of Javier Garcia

**Re:** *Death of Jorge Garcia Medina, 29 years of age*

**Date of Interview:** August 16, 2009

**Originally from:** Guanajuato

**Status:** Found dead in the Japul Mountains of California, January 28, 2009

*[My brother] had tried to cross at the line several times, but he couldn't. That's why he took a risk and got a smuggler. He spoke with his wife on Saturday, and he told her he was coming through the mountain and that she should have the money to pay the smuggler on Monday. They were going to walk all Sunday and all Monday.*

*On Tuesday, I spoke with my father to ask how [Jorge] was, and he told me that someone from our hometown had crossed with my brother and that he said an elderly person had been left behind. We already had a feeling that something was wrong, but we thought it was not him; he was young.*

*We spoke on Wednesday with his wife and we asked ourselves, why doesn't he call? Why doesn't he get in touch with us? We called him on his cell and it went to voice mail.*

*My niece, Jorge's daughter, tells me that she called and got a signal but that no one answered. She sent a text message: "Daddy call me—I do not know anything of you—call me."*

*On Friday, my niece received a message that said to call this number, and, when we called, it was the medical examiner. We found out he was dead. He had diabetes, and the medical examiner told us that he had not taken any insulin.*

*Later we were visited by Mr. Rafael Hernandez, and he told us that they had searched for him and had found him without life. A group of immigrants who passed him by saw him sitting down and very sick. They left him a blanket, a can of tuna and water. When they arrived, they called Angeles del Desierto, and all they could tell them was that they left him near a lake. Since there are two lakes, the Angeles team first went to one and did not find him. Then they went to the other, and there was my brother, lifeless, and with a photo of his daughters clutched in his hand.*

*When they returned his things to us, we saw his cell phone. In the memory, there was a call to 911 at 3:30 in the morning. We do not know if it was answered or not. Mr. Rafael told us that a lot of people in my brother's circumstances are ignored by the 911 rescuers, so we do not know.*

*But people can't just abandon lives just because. When you don't have papers, much is being lost. I hope that my brother's case is taken as an example of what should not happen, that things change.*

### III. Saving Lives: A Humanitarian Urgency to Reduce Deaths and Suffering

**T**he silence of the dead is typically broken by migrants who survive the life-threatening crossing. They are the first to tell the story and bring to light the almost unbearable, exhausting trek of migrants, of those who made it and of those who did not make it.

Over the last 15 years, civil society has engaged in actions questioning the inhumanity of border control strategies that intentionally lead to danger and death. Human rights organizations were the first to begin to “name” the dead. The American Friends Service Committee’s U.S./ Mexico Border Program, Derechos Humanos de Arizona, Border Angels, the Border Network for Human Rights and the National Network for Immigrant and Refugee Rights organized events displaying crosses for both the identified and unidentified migrants.<sup>143</sup> The University of Houston, the University of California, San Diego, the Binational Migration Institute at the University of Arizona, and many more institutions of higher learning developed ground-breaking research to quantify and explain the deadly consequences of border policies.<sup>144</sup> The American Civil Liberties Union of San Diego and Imperial Counties and the California Rural Legal Assistance Foundation filed a petition in the Inter-American Commission on Human Rights charging that international law and human rights norms had been violated by the implementation of Operation Gatekeeper and that the result was loss of life.<sup>145</sup> The U.S. General Accounting Office and the Public Institute of California issued reports regarding the mounting death tolls.<sup>146</sup> The U.S. Civil Rights Commission and the U.N. Special Rapporteur for the Human Rights of Migrants held hearings to investigate the human rights implications of the border enforcement

strategy that has channeled so many to their deaths.<sup>147</sup> In response to the human costs of the border enforcement measures, humanitarian aid projects were initiated throughout the border region to prevent deaths and save lives.<sup>148</sup> For many defending the human rights of migrants, it was not enough to hear the United States claim the sovereign right to control its borders; the United States had to participate in creating systems to prevent deaths and cease human rights violations.



*Photo courtesy of the Gatekeeper Foundation from “The 800 Mile Wall.”*

*Migrant body, Arivaca, AZ.*

As the years passed, migrant deaths largely receded from public debate and political discourse. In a climate of fear about security, the deaths of migrants were seen as routine, unavoidable, or as civilian casualties in time of war. Nonetheless, a segment of civil society in border areas refused to stand aside as mere grieving spectators to the human tragedies happening daily in their communities. These groups helped “shame” the United States and Mexico into establishing a border safety initiative as part of border enforcement efforts. Ironically, the U.S. government search and

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Ironically, the U.S. government's search and rescue operations and Mexican repatriation programs give legitimacy to policies, laws and practice and make routine death more palatable.

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rescue operation and Mexican repatriation programs have given additional legitimacy to

border security policies, laws and practice and made routine death more palatable. With no end to migrant deaths, civil society countered with humanitarian intervention in the face of the U.S. government's failure to change its border enforcement strategy and to minimize threats to human life. Border humanitarianism emerged to challenge the silence of death—the seeming acceptance of the inconsequentiality of death of those the state “lets die.”<sup>149</sup>

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### **The Persecutor as Savior: The Duality of Government Search and Rescue Operations**

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Confronted with swelling criticism but unwilling to change the immigration and border policies to reduce the prevalence of migrant deaths, the United States launched the Border Safety Initiative (BSI) in 1998 with the stated purpose of trying to make the border safer for migrants, officers and border residents.<sup>150</sup> The BSI harm-reduction program focused on four safety measures: 1) public awareness campaigns warning of the dangers of crossing in isolated terrain; 2) search and rescue operations conducted by specially trained agents in Border Search, Trauma and Rescue (BORSTAR); 3) training agents in early life-saving and rescue techniques; and 4) establishing a data tracking system recording all border deaths and rescues to inform ongoing operations.<sup>151</sup> Additionally, two more safety programs were implemented: the Arizona Border Control Initiative (ABCI) and the Interior Repatriation Program (IRP).<sup>152</sup> ABCI primarily focused on establishing collaborative partnerships with several federal, state, local and tribal law enforcement agencies to disrupt smuggling operations involved in moving unauthorized border crossers and reduce border crossing exposure deaths. The IRP was a binational pilot program during the summer months for repatriating detained immigrants to the interior of Mexico to remove them from border areas, decreasing the possibilities of re-entry.

The effectiveness of the BSI harm-reduction program components is difficult to determine. In 2006, the GAO concluded that inconsistent methods of data collection limited the possibility of measuring the impact of the BSI, ABCI or IRP on border crossing deaths.<sup>153</sup> To the contrary, GAO data analysis showed an increase in migrant deaths along the southwestern border in the first five years of BSI from 241 in 1999 to 472 in 2005.<sup>154</sup> Three-fourths of the rise in deaths occurred in the Tucson Sector where ABCI and IRP were concentrated.<sup>155</sup>

The safety outcomes of the BSI components are questionable. Public information campaigns informing migrants of the dangers of unauthorized border crossings assume that migrants do not know that danger exists crossing the border and that a public relations campaign would mitigate the reasons migrants are willing to risk their lives in crossing. In the last two years, the Border Patrol launched a community education initiative called “No Mas Cruces en la Frontera” (“No More Crosses on the Border”) and two CDs of “Migra Corridos” (“Border Patrol Ballads”) to inform migrants of the potential risks of unauthorized border crossings.<sup>156</sup> However, research studies have found that migrants are well aware that border crossings are treacherous and deadly, but this knowledge is not statistically significant in their decision on



whether or not to cross without authorization.<sup>157</sup> BSI also assumes that migrants will reach out to access the Border Patrol, the same agency they are trying to evade or that they will seek out Border Patrol agents in times of distress. As a survival strategy when in mortal danger, migrants with cell phones do call the Border Patrol, activate Border Patrol Beacons, or consent to third parties calling them.<sup>158</sup> Once migrants are rescued and deported, they will often try crossing again.

The most important aspect of BSI is the integration of search, rescue, and emergency medical response training to the law enforcement operations for line agents of the Border Patrol and the development of the specialized unit BORSTAR.<sup>159</sup> In its own recounting of the history of the program, the DHS declares that BORSTAR was established in 1998 in response to a request by the San Diego Sector because of the slow response time of civilian rescue of injured agents who

required complicated medical extractions and treatment.<sup>160</sup> In 2004, Rutgers University researchers found that when BORSTAR agents responded, death was probable only in seven percent of the cases.<sup>161</sup> These agents receive arduous training as emergency medical technicians and in water, mountain, and desert rescue operations. When regular line agents were first responders, the probability of death was 47 percent.<sup>162</sup> In March 2009 a three-year, University of Arizona medical study analyzing the frequency of BORSTAR activities in relation to the total Border Patrol enforcement activities, researchers concluded that, while the Tucson Sector BORSTAR unit routinely provided search, rescue, and medical intervention to undocumented immigrants under harsh conditions, the number of times it responded was insignificant in comparison to the volume of Border Patrol law enforcement activities.<sup>163</sup> In the BSI table below, the number of incidents and people rescued for the five year period beginning October 1, 2004 and ending July 27, 2009 is tracked.<sup>164</sup>

### 2004 - 2009 Date Range (10/1/04 - 7/27/09)

Rescue Type	Incidents					People				
	10/1/2004 7/27/2005	10/1/2005 7/27/2006	10/1/2006 7/27/2007	10/1/2007 7/27/2008	10/1/2008 7/27/2009	10/1/2004 7/27/2005	10/1/2005 7/27/2006	10/1/2006 7/27/2007	10/1/2007 7/27/2008	10/1/2008 7/27/2009
Environmental Exposure-Heat	262	213	146	107	121	1163	654	390	317	219
Environmental Exposure-Cold	17	24	24	17	6	40	76	47	22	9
Water-Related	25	36	48	35	22	34	98	98	72	31
Other	211	368	372	176	162	860	1606	1038	437	476
Motor-Vehicle-Related	14	18	27	40	39	69	103	107	245	220
Train-Related	0	0	0	1	3	0	0	0	7	9
Totals	529	659	617	376	353	2166	2537	1680	1100	964

During this period, the Border Patrol conducted rescue, search or medical aid activities in 2,534 events, saving 8,447 people. Notwithstanding the authenticity of the rescue efforts, and the number of saved lives compared to the deaths, to follow the logic used by medical researchers, the number appears minor when weighed against the millions of apprehensions, detentions and deportations taking place in the same time period.

Perhaps the most serious shortcoming of BSI is the lack of transparency of the BSI Tracking System. BSITS statistics are not readily available for public scrutiny in contrast with apprehension information that can be accessed from the DHS.gov website.<sup>165</sup> Rarely does the official website reference overall performance of search and rescue operations or the level of funding, staffing, and resources. Only the agency's own press releases provide a public record of specific lives saved by the Border Patrol.<sup>166</sup> Each provides a dramatic account about death and mortal dangers of undocumented border crossings. These press releases applaud official efforts to alleviate suffering and death of migrants. They detail heartbreaking stories of death and survival, for example: six individuals near Gila Bend, four extremely dehydrated and two deceased;<sup>167</sup> a couple, ages 65 and 67, found after they were abandoned near la Casita, Texas without food or water in 100-degree temperatures;<sup>168</sup> or a mother, her 12-year-old daughter, and a female companion, all from Mexico, rescued from East County in California after being left behind two days earlier.<sup>169</sup> There is no doubt that lives are saved, the injured are taken to local hospital emergency rooms, or that the migrants will be held in custody until deported or allowed to "voluntarily depart."<sup>170</sup>

However, without aggregate numbers, the limited data on deaths and rescues calls into question the significance and importance given to live-saving operations in border enforcement strategies. The GAO recognized the grave consequences in its 2006 report: "Such incomplete data may in turn affect



Photo courtesy of the Gatekeeper Foundation from "The 800 Mile Wall."

*BSI emergency beacon, southern Arizona desert.*

the Border Patrol's ability to understand the scale of the problem in each sector and to affect the agency's ability to make key decisions about where and how to deploy BSI resources across the southwest border."<sup>171</sup> In other words, the efficacy of where and how decisions to save lives are made is inscrutable and therefore, in doubt.

Even more somber are reported actions taken directly by Border Patrol agents that threaten the health and safety of migrants apprehended in isolated areas, far from public examination. For years, deaths and injury from the official misconduct of border agents have been raised by the Mexico's National Commission of Human Rights, the American Civil Liberties Union, the American Friends Service Committee, Human Rights Watch, and Amnesty International.<sup>172</sup> Their reports chronicle the systemic abuse of authority by border agents in the performance of their duties, including unjustified shootings, beatings, sexual assault, rape, verbal or racial insults, and the denial of due process and constitutional rights violations. Mistreatment and the abuse of authority occurs in a context of failed oversight in the field, weak internal review mechanisms, and nonexistent public

accountability policy initiatives by agencies enforcing immigration laws. No significant changes have been adopted to reduce or redress official misconduct in the reorganization of border enforcement agencies into the Department of Homeland Security.<sup>173</sup>

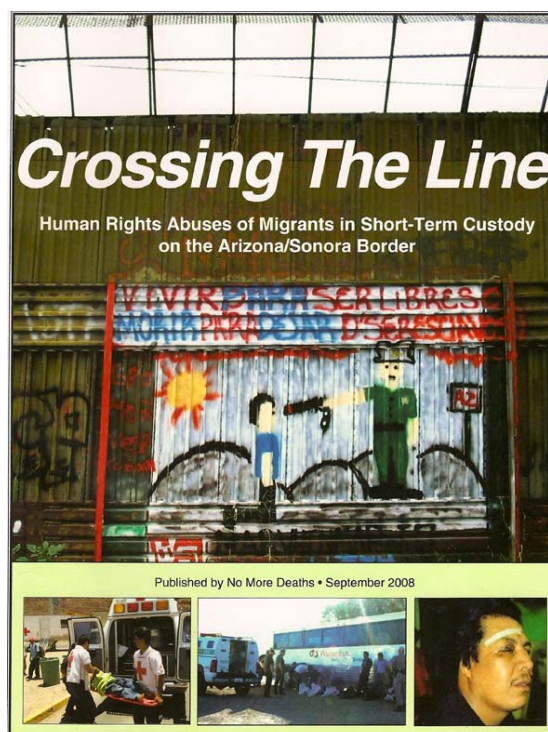
Fifteen years later, the suffering endured by migrants apprehended after long, difficult border crossings is multiplied by the abusive actions of border and detention agents in the implementation of border security policies. In 2008, the humanitarian aid organization No More Deaths' report, "Crossing the Line: Human Rights Abuses of Migrants in Short-Term Custody on the Arizona/Sonora Desert," details the findings of migrant experiences documented by medical professionals and trained volunteers in migrant aid centers at ports of entry along the Arizona/Sonora border.<sup>174</sup> The report highlighted several areas of concern that aggravated health conditions of migrants: 1) the denial of food and water; 2) the denial of medical care and access to medical professionals; 3) overcrowding and uncomfortable temperatures in holding cells; 4) verbal and physical abuse aimed at discouraging further border crossings attempts; 5) transportation practices endangering the safety of transported migrants; 6) the separate repatriation to different ports of entries of family members, often women and children, and at times, the practice of leaving them on the Mexican side at late hours of the night.<sup>175</sup> The report highlights the following cases:

#### *Physical & Verbal Abuse in Agua Prieta:*

A group of 15 migrants, including three women and two teenage boys, were detained by the Border Patrol while crossing the desert. The agents who detained them made them run for 30 minutes, telling them that this would discourage them from crossing again. If they stopped running, the agents would kick them to force them to run again.

#### *Physical Abuse & Failure to Provide Medical Care in Nogales:*

Three women, approximately age 20, sought treatment for injuries sustained



*No More Deaths report.*

fleeing "bandidos." All reported that the agents who apprehended them had pushed them into cacti as they were walking in custody. None had received treatment for blisters, trauma, or cactus spines.

#### *Denial of Water in Agua Prieta:*

A group of nine was in detention from 6 pm to 8:30 am. The jail was very cold and they were not provided with food or water. Maria begged for water for her two children, ages 6 and 9, and the BP officers drank in front of them and refused to provide any water for her children or the others."<sup>176</sup>

More disturbing are tactical operations of Border Patrol agents that increase possibilities of fatalities of unauthorized border crossers:

#### *Vehicle Deaths*

The most obvious are the multiple deaths caused by vehicle rollovers or crashes resulting from high-speed chases or nail strips placed across roads by Border Patrol agents to burst tires.<sup>177</sup>

### *Death Marches*

With respect to land patrols, a Border Patrol agent who asked not to be identified indicated that Border Patrol agents in the Tucson sector routinely interdicted migrants in areas calculated to take two days of walking to reach.<sup>178</sup> This wait by Border Patrol agents guarantees groups of migrants are exhausted, physically ill, and unwilling to resist arrest, thereby, making the agents' job easier even though maps tracking deaths show that many migrants will die on the second day.<sup>179</sup>

### *Dusting*

Another life-threatening law enforcement action is caught on film: a border patrol helicopter comes down on a group of sixty migrants in a tactical approach referred to as "dusting."<sup>180</sup> The chopper's blades raise desert dust, blinding and scattering the group, making it easier for agents to arrest smaller groups of migrants. Unfortunately, at the moment of dispersal, many migrants run farther away from the group and find themselves alone in unknown territory with no guide available to lead them to safety. At other times, Border Patrol agents avoid patrolling areas where armed criminal gangs intrude into the U.S. territory, leaving migrant groups open to assaults.<sup>181</sup> Ironically, in these circumstances, it is the smuggler who takes migrants to safety in the interest of repeated financial gains in

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Most disturbing are Border Patrol's tactical operations that increase the possibility of fatalities of unauthorized border crossers.

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future successive trips.

Caught in the roles of persecutor and rescuer, the Border Patrol implements and enables the border enforcement policies that foster the conditions of suffering and death. Officially, the responsibility for the deaths is shifted to the smuggling operations—rather than the strategy of "prevention through deterrence" that expanded and consolidated smugglers as necessary conduits for undocumented border crossings.<sup>182</sup> Ultimately for border authorities, the priority is to toughen law enforcement operations on the southern border to stop undocumented migrants and smugglers moving across the boundary line without government authorization.<sup>183</sup> From the perspective of the agency, migrants and smugglers are indistinguishable targets of enforcement and the defense of the nation.<sup>184</sup> Their deaths are solely "collateral damage."

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## **The Rise of Life-Saving Humanitarian Intervention on the Border**

In many border areas, "a remarkable humanitarian movement" arose to challenge the inequalities that forced people to migrate in mortal danger and the government policies that gave a death sentence to unauthorized border crossers.<sup>185</sup> The urgency of saving lives gave rise to humanitarian aid organizations that chose to act to prevent deaths in the face of the neglect, hostility, and indifference of local and federal authorities. The call to save and rescue migrants was answered by many different people, of different life experiences, with different approaches, in different border areas and with different results. Their progression followed the paths of deaths on

the border. Their unity lay in the profound belief that "people of conscience must work openly and in community to uphold fundamental human rights."<sup>186</sup>

The earliest efforts surfaced in the midst of the deaths of hundreds of migrants forced into mountains, waterways, and deserts by Operation Gatekeeper in California. Two organizations rose to the challenge of saving lives that even today, stand as outstanding examples of humanitarian intervention to protect the lives of any traveler caught in the death grip of treacherous terrain.

## *Angeles Del Desierto*



*Photo courtesy of Angeles del Desierto.*

On March 4, 1997, Rafael Hernandez and six other volunteers began the first of many search and rescue operations in the mountainous areas where Operation Gatekeeper had forced unauthorized migrants to cross.<sup>187</sup> Hernandez had understood that migrants in these isolated areas were in mortal danger when lost, physically ill, and suffering the consequences of extreme weather. He saw an opportunity to use the skills and training he had received as a rescue volunteer with the Red Cross in the Federal District of Mexico. Hernandez and the volunteers whom he trained and recruited live by the conviction that “if [the migrant] is there, we will find him.”

In one rescue, the volunteers decided to take on the name Angeles Del Desierto after a woman whom the group had located in the desert referred to them as “angeles” and a Border Patrol agent assisting in the evacuation agreed, “Sí, son los angeles del desierto.” Initially, the Angeles Del Desierto had difficulties with the Border Patrol who thought the group was engaging in “aiding and abetting” undocumented entries. For that reason, the work began clandestinely. In time, collaborative arrangements were established with both the Border Patrol in the United States and Grupo Beta in Mexico.

The all-volunteer group grew to 30 on the U.S. side and 20 on the Mexican side. Driven by a desire to save lives and lay the dead to rest, Angeles Del Desierto has conducted search and rescue missions in the Rio Grande River

near Laredo, the Arizona deserts, the California mountains, deserts, irrigation canals, and the ocean. In the ensuing twelve years, they have evacuated an estimated 70 to 80 migrants who had lost their way.<sup>188</sup> While the focus of the searches is to spot migrants wandering on their own, Angeles Del Desierto also places a high priority on recovering bodies and remains in deference to the decedent and the family’s need to bury their dead. They find about eight to ten bodies or remains of unauthorized border crossers every year.<sup>189</sup>

In addition, Angeles Del Desierto began to bring humanitarian aid—food, medicine, and other support services—to individuals deported to Tijuana.<sup>190</sup> Every week they collect donated items to take to the site at the point of entry where migrants set foot after they are repatriated by U.S. authorities. The work is undertaken without support from either the Mexican or U.S. government. The volunteers tend to injuries, take migrants to shelters, call emergency medical services when needed, and distribute food and clothing among the migrants.

Currently, as time and resources permit, Los Angeles undertake search and rescue operations in response to: 1) families who are trying to find missing relatives who crossed at certain points of entry; 2) families who have information that a relative was left behind or had died upon crossing; 3) coyotes, who call about a migrant left behind; or 4) migrants who run into an injured, ill, or dead border crosser.<sup>191</sup> The rescues are conducted in vast areas and, usually, with very general directions from relatives or other migrants. They may take days and several trips. In some cases, no one is found even after volunteers have combed the area and camped out to cover more square miles of the search area. Sometimes, the lack of resources does not permit the group to travel to areas identified by relatives and thus, the remains of a dead migrant wait until resources permit a search.<sup>192</sup>

The effort is arduous on the rescuers who travel across difficult trails and terrain in extreme cold or heat. They conduct the searches with limited, donated resources, including the use of small planes and hiking equipment. Most often, they resort to their own individual resources in response to a rescue request. There have been times when the inability to procure the expensive communication equipment needed has isolated one part of the team from another, leaving the volunteers out of contact with each during search situations, thus requiring the division of the group into separate teams.<sup>193</sup>

In the case of the search for a migrant missing after the 2007 California fires, volunteers left in haste without food or water to try to rescue the migrant in the area of the Tecate mountains where relatives believed he had crossed.<sup>194</sup> They climbed the mountain for twelve hours amidst the extreme heat generated by still raging fires. Later, Rafael Hernandez recounts the moment they found the body of Juan Carlos Bautista:

“One of the rescues that has most pained and affected me was when we found the body of migrant Juan Carlos Bautista, who died in the fires that erupted that year. Seventy percent of his body was burned, and it took several days for him to die. Imagine how much he suffered. We found him by the trail left by his blood as he walked among the rocks. When we found him, he had already been dead for several days, but we could see that it took him several days to die.”<sup>195</sup>

Subsequently, at a mass celebrating the Angeles Del Desierto’s 12<sup>th</sup> anniversary, Rafael Hernandez echoed the sentiments of the volunteers, “We also want to renew our voluntary commitment to protect our brothers and sisters, freeing them from the dangers they are exposed to, asking that we are filled with strength, wisdom and the tools to overcome human and natural adversaries.”<sup>196</sup>

## Water Station



*Photo courtesy of Water Station.*

Water Station was established in 1999 to prevent migrant deaths from heat exposure, dehydration and heat waves in the Imperial Valley Desert, Anza Borrego Park and surrounding areas in California. Migrants began moving through unfamiliar territory to skirt the deployment of resources of Operation Gatekeeper, and known migrant deaths due to extreme temperatures in summer and winter jumped.<sup>197</sup> Founder John Hunter was moved to find a solution to the reported deaths of migrants going through stretches of desert, fast moving irrigation canals, and sharp mountainous terrain East of San Diego.<sup>198</sup> One day in a restaurant, a desert dweller overheard Hunter’s conversation about his concern regarding the deaths of migrants going through El Centro and about his frustration with not knowing how to prevent them. The man gave Hunter detailed information from his experience as a guide for persons hiking through the extreme California desert known as Death Valley.

Hunter, with the desert dweller’s counsel, began placing water stations in the areas where most migrants died. The effort was formalized through the incorporation of a nonprofit, tax-exempt organization called Water Station. Eventually, Water Station expended funds on applications for permits from government and private land managers to allow the permanence of water stations.<sup>199</sup> Volunteers and donations came in, until Water Station had 340

stations.<sup>200</sup> The project became the model on which Humane Borders in Arizona is based.<sup>201</sup> To this date, Water Station remains an all-volunteer effort.

Currently, from mid-March to mid-October, founder John Hunter and his wife Laura work with hundreds of volunteers to install, maintain and take down 140 plastic barrels filled with water jugs next to orange and blue flags.<sup>202</sup> The water is the lifeline for migrants crossing. Every two weeks, they return to leave more water jugs to place in the barrels. Sometimes as many as 100 jugs are gone, an indication that migrants are picking up these life-saving containers.<sup>203</sup> In August 2008, the Hunters and volunteers held a prayer service at a site near the barrels where three migrants were found dead.<sup>204</sup> Apparently, the water jugs had already been picked up by other migrants passing through the searing desert heat. The fact that none had been available to save the lives of the deceased migrants greatly distressed the Hunters. They wanted to respect the lives of these migrants with a burial ceremony at the site and renew their resolve to keep up the water stations.

Later that year, about 40 water stations were vandalized. Volunteers found cut flags, punctured water jugs and, in one case, a burned flag. Laura Hunter commented to the *Imperial Valley Press*, “It is very sad that someone is so misguided and so full of hate that they actually go out there and do something that can hurt someone else.”<sup>205</sup>

Water Station offered a \$1000 reward for information leading to the prosecution of the responsible parties. For a period, the

vandalism stopped, but occasionally volunteers still come across destroyed water stations.<sup>206</sup>

The Hunters also began a systematic campaign to prevent deaths on the All American Canal. In the All American Canal, over 530 people have drowned since 1943.<sup>207</sup> In an effort to prevent these fatalities, the Hunters have led a campaign since 2001 to pressure the Imperial Irrigation District (IID) to install safety devices. At first the IID officials approved the recommendations. Later, they withdrew their support after a study revealed that these changes would encourage more crossings. Migrants continued to drown in the canal. In 2007, the Hunters went back and insisted that safety measures be added during the IID project to add cement lining to 23 miles of the canal. Instead, the district funded the design and production of a crane to scoop up bodies.<sup>208</sup> Refusing to take no for an answer, the Hunters persevered, demonstrating the affordability of adding life-saving features and continuing to press for the placing of fences, climbing ropes, and buoys in the canal. The Bureau of Reclamation opted to put ladders 375 feet apart along the cement-lined stretch, ignoring experts’ observations that even strong swimmers would be unable to reach the sides.<sup>209</sup> In 2009, the IID announced the testing of the Hunters’ recommended safety measures, making it clear that it would be at least a year before the Bureau of Reclamation might give its approval and funding.<sup>210</sup> Pressuring the Imperial Irrigation Authority, the Hunters finally received word that the safety features they recommended will be tested. Not leaving this to chance, the Hunters



Photo courtesy of the Gatekeeper Foundation from “The 800 Mile Wall.”

*The All American Canal, object of a major campaign of Water Station, which advocated that the Imperial Irrigation District add safety measures to prevent drowning. Instead, the IID funded the design and production of a crane to scoop up bodies.*

## *Humane Borders*

have continued the campaign to ensure that these safety measures are finally adopted to prevent deaths. In the meantime, the Mexican Consulate announced an increase in drowning deaths in the All America Canal in the first half of the year. The bureaucratic indifference, however, has not discouraged the Hunters; instead it has increased their determination to prevent deaths.

With the changes in migrant crossing points produced by Operation Gatekeeper, the Hunters established a partnership with Humane Borders in Tucson, Arizona after Reverend Robin Hoover inquired about placing water stations in the deserts of Arizona.<sup>211</sup> This initial experience between Humane Borders and Water Station prepared the next phase of border humanitarian activism emerging in response to migrant deaths in Southern Arizona.

Drawing strongly from communities of faith and extensive experience with immigrants and refugees, several efforts to save lives grew in Arizona in what ultimately has become the deadliest stretch of the U.S.-Mexico border. Humane Borders, Samaritan Patrol, and No More Deaths mobilize thousands of volunteers to prevent deaths, alleviate medical emergencies and challenge immigration policies that daily lead to the suffering and death of migrants on the Arizona/Sonora border.



*Photo courtesy of Humane Borders.*

Humane Borders is a faith-based, nonprofit organization created in June 2000 to save the lives of migrants crossing the Arizona desert and to promote humane immigration and border policies.<sup>212</sup> The urgency of hundreds of deaths of migrants funneled into the Sonoran Desert compelled Reverend Robin Hoover to activate hundreds of volunteers to place water stations in corridors where most migrants were dying. With the help of John Hunter of California's Water Station and with detailed GPS maps of locations where migrant deaths occurred most frequently, Humane Borders requested government and private land owners' permission to set up the water stations.<sup>213</sup> In logs kept by volunteers refilling the water stations, there are numerous references to interactions with migrants on their journey. Protocols allow for dispensing of food, water and first aid kits, but prohibit the transport of any migrant unless the Border Patrol is first notified. Humane Borders estimates that volunteers run into about 100 migrants every year.<sup>214</sup>

Since its founding, Humane Borders has dispensed more than 150,000 gallons of water working with at least 10,000 volunteers.<sup>215</sup> It maintains more than 100 water stations.<sup>216</sup> Each station is made up of a metal stand with two, blue, 55-gallon barrels of water with spigots. A 30-foot long metal pole with a blue flag atop can be seen from long distances in the desert; each barrel also is marked with the Spanish word for water, *agua*. First aid kits, emergency rations and sometimes clothes are also left at the sites. These stations are maintained throughout the year by hundreds of volunteers making at least 70 maintenance trips a month during the summer months and 20 during the winter.<sup>217</sup> In addition to servicing migrants and water stations, volunteers repair barrels damaged by bullet holes or punctures. Volunteers also conduct trash pickup drives to remove migrant trash from the desert, and organize events to explore ways to reduce deaths and take steps to end the policies that cause so much suffering.



Two other important projects are housed at Humane Borders: 1) the mapping of migrant deaths in partnership with the International Open Geographical Information System to assist in the location of missing migrants and identification of decedents; and 2) the development of migrant safety initiatives such as the Cell Phone Tower Migrant Safety project, which allows any migrant the use of a cell phone to call for help in distant areas.<sup>218</sup> These projects form the basis of ongoing partnerships with the University of Arizona and Pima County to design and pilot new approaches to reduce migrant deaths.

Humane Borders is a recognized advocate for immigration and border policy changes at the national and international levels. Humane Border's concrete project to deploy water to the desert to save lives has created a committed community of volunteers who testify to the inhumanity of border policies in public forums, Congressional hearings, public presentations, and media interviews. Collaborating at the binational level with the Mexico's National Commission of Human Rights, Humane Borders prepared and distributed Migrant Warning Posters that detail dangers, walking times from points of entry, sites of migrant deaths, and the location of water stations in communities where migrants start the trek.<sup>219</sup> In addition, Humane Borders has provided technology and equipment to set up similar water stations on the Mexican side of the border.<sup>220</sup>

The visibility given to otherwise invisible people has won Humane Borders international recognition. In 2006, Reverend Robin Hoover accepted Mexico's National Human Rights Award in the name of all the volunteers who work daily to save lives. In June 2009, Humane Borders celebrated its ninth anniversary and organized the screening of the film *The 800 Mile Wall* with a panel discussion afterwards.<sup>221</sup> In these events, volunteers reiterated their conviction: "We are here to take death out of the immigration equation."

## Samaritan Patrol



*Photo courtesy of Samaritan Patrol.*

The Samaritan Patrol of Tucson was formed in June 2002 to save lives in the Sonoran Desert areas where Humane Borders had been denied permission to place water stations and where deaths had occurred.<sup>222</sup> Samaritans are an interfaith ministry of volunteers that provides humanitarian aid directly to the migrants they encounter in daily desert patrols during the summer months.

In a letter to the Tucson Border Patrol Sector Chief, founders John Fife and Rick Ufford-Chase of the Southside Presbyterian Church, articulated its central philosophy:

"We call upon all citizens of good will and faith to join us in providing this life-giving aid and hospitality to migrants in need in the desert. We believe that respect for human rights, the right to render humanitarian aid under U.S. immigration law, and our ethical responsibility to save human lives demand this of us all."<sup>223</sup>

The Samaritan Patrol sends volunteers in four-wheel drive vehicles marked with a specific Samaritan Patrol identification. In addition, each vehicle carries documentation and a phone number to call for its validation as a bona fide participant in the Samaritan Patrol. Each patrol includes one volunteer who is fluent in Spanish and one who is a medical professional.<sup>224</sup> The patrol vehicles are equipped with food, water, and first aid

supplies to assist migrants. The Samaritans transport migrants to the nearest medical facility only in the event of a medical emergency and only after the Border Patrol has been notified.

Over the last six years, Samaritans have assisted hundreds of people in medical distress.<sup>225</sup> They provide water to migrants walking the desert and suffering from dehydration. They treat sprains and bandage blistered feet. They call for emergency evacuation of people experiencing heat stroke. They offer blankets on cold nights, diapers and baby formula for infants, and give food and water to large groups of detained migrants.

Most importantly, Samaritans can, and do speak of the need to change immigration and border policies based on their direct witnessing of the consequences of those policies.<sup>226</sup>

### *No More Deaths*



*Photo courtesy of No More Deaths.*

Alarmed by the unabated deaths of migrants in the deserts of Arizona despite efforts to prevent the loss of lives, faith leaders and social activists came together and decided that the most effective approach was to have a direct presence in the desert.<sup>227</sup> In October of 2003, hundreds of volunteers unified under the umbrella “No More Deaths,” with the goals of providing water, food and medical assistance by setting up desert camps and border aid stations called Arks of the Covenant.<sup>228</sup> These life-saving activities provided by trained volunteers and medical personnel offered the

opportunity to monitor U.S. border enforcement operations and increase public awareness of the pain caused by U.S. policies to people forced to migrate despite mortal danger.

No More Deaths established desert camps to provide direct medical assistance to migrants in life-threatening situations in the 100-plus degree heat in the Sonoran desert.<sup>229</sup> The camps were initially used to host delegations of volunteers trained in basic medical aid and desert survival skills who led daily patrols looking for people in need of nourishment and medical care. In succeeding years, the camps became fixed sites staffed with medical professionals to ensure proper care to desert travelers during the summer months and sometimes, in other months of the year.<sup>230</sup> The principal camp is the Arivaca Camp founded in 2004. Trained medical professionals became permanent participants in all phases of the camps in order to properly direct volunteer efforts in the treatment of blistered feet, injuries due to cacti or missteps in the rugged terrain, and, occasionally, infections of the digestive system caused from drinking contaminated water in cattle watering ponds.<sup>231</sup> The medical staff also works with volunteers to determine if an emergency medical situation exists requiring the medical evacuation of migrants to hospitals and clinics. Although difficult to quantify, the food, water, and medical care has undoubtedly saved many lives and cared for many more.

In 2006 and 2007, No More Deaths (NMD), in partnership with organizations on the Mexican side of the border, sent hundreds of volunteers to work in three border aid stations and resource centers in Nogales, Agua Prieta, and Naco.<sup>232</sup> The purpose was to extend humanitarian aid and medical care to the hundreds of thousands of repatriated or deported migrants who still bore the extreme suffering of unauthorized border crossings in the desert. In the first 18 months, volunteers gave food, shelter, medical care, and information to over 200,000 migrants dropped off by U.S. authorities on the Mexican side.<sup>233</sup>

In these efforts, NMD sought to lessen the harmful impact of the desert journey on the health of migrants. NMD explains, “Many migrants attempt to cross more than once, and each time in more compromised health, raising the likelihood of injury or death.”<sup>234</sup> In this endeavor, too, NMD has saved and comforted thousands of migrants.

NMD also trains volunteers in human rights documentation of abuses noted while caring for the migrants. In 2008, NMD published its report on human rights violations of migrants in short-term custody who were then repatriated to the Mexican side of the border.<sup>235</sup> The report recounts the suffering inflicted by official actions of border authorities, abuses that contribute to the worsening of the health conditions of migrants and to increasing the possibility of death on successive attempts to cross into the United States. It is a compilation of the most common stories revealed by migrants to volunteers of the human rights violations and mistreatments inflicted on migrants by U.S. authorities during apprehension, confinement, and repatriation. The report is an overview of the suffering of migrants in the context of unremitting border policies that perpetuate death as the ultimate human rights violation.

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Volunteers have been charged with “aiding and abetting” for transporting seriously ill migrants and with “littering” for placing water jugs on desert trails.

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Acting on the principle of civil action and openly working to provide humanitarian aid to people regardless of their legal status, NMD volunteers have been subject to hostile reactions from federal authorities.<sup>236</sup> Several volunteers have been charged with legal violations—from “aiding and abetting” for

transporting undocumented immigrants when evacuating seriously ill migrants to “littering” for placing water jugs on trails frequented by migrants. The medical desert camp was once raided by mounted Border Patrol agents. Despite this hostility, No More Deaths has been a leading force worldwide in fighting the criminalization of humanitarian intervention with its ongoing campaign “Humanitarian Aid is Never a Crime,” and its volunteers have been recognized for their extraordinary commitment to justice and human rights.

### *Paisanos al Rescate*

In Texas, an innovative approach to humanitarian aid to migrants began in 2004. In El Paso, a businessman named Armado Alarcon formed an aerial humanitarian effort called Paisanos al Rescate.<sup>237</sup> Alarcon, an amateur pilot who owned an old Cessna plane, organized volunteer pilots to fly above the Chihuahua desert, New Mexico mountains, and southeastern Arizona deserts to look for migrants in distress and to drop plastic bottles of water. The plane flies low, about 500 feet from the ground.<sup>238</sup> Initially, the water bottles shattered upon reaching the ground. Migrants interpreted these forcefully tossed bottles as hostile projectiles and thus returned the perceived assault by throwing rocks at the plane.<sup>239</sup> An engineer from California read about the problem and provided a solution—secure each water bottle with a flare parachute. The parachutes are silk-screened with information of distances between landmarks, emergency telephone numbers and tips to avoid dehydration.<sup>240</sup> Only when they spot a migrant in distress do these flying humanitarians notify the Border Patrol.<sup>241</sup> These efforts have only been suspended when funds for fuel and supplies are short.<sup>242</sup> Once again, the need to act to save lives gave way to civilian acts of humanitarian good will.

## State Repression of Civilian Humanitarian Intervention

Civil society's efforts to provide humanitarian assistance to migrants in mortal danger met with opposition from different levels of government authorities from their inception.<sup>243</sup> The first objection made was that these efforts enabled unauthorized migration. Humanitarian organizations refuted in different ways the assertions that the humanitarian gestures encouraged undocumented migration. Initially, Angeles Del Desierto labored surreptitiously to avoid being charged with "aiding and abetting." Humane Borders and Samaritan Patrol met with the Border Patrol and made it clear that the only purpose of their efforts was to intercede in saving lives and not to transport or promote undocumented migration.<sup>244</sup> Some, like Water Station and Paisanos al Rescate, established collaborative relations with government agencies.<sup>245</sup> In Arizona, humanitarian groups were at times at odds with a variety of local, state, and federal authorities.<sup>246</sup> Humane Borders was denied permission to set up stations on public lands of the State of Arizona.<sup>247</sup> The Samaritans were not allowed on Tohono O'odham tribal land. Volunteers have been charged with violations ranging from the unlawful transport of undocumented immigrants to littering on public lands. The harassment and resistance from local and federal authorities has not deterred the nonprofits—efforts continue and have strengthened to make certain that not one more migrant dies in the backyards of border communities.

The most serious resistance to humanitarian intervention to save lives has come from the Tohono O'odham Nation. The tribal government has backed the Border Patrol in denying aid to migrants channeled onto tribal land along the deadliest corridor of the U.S.-Mexico border.<sup>248</sup> It is estimated that almost two-thirds of migrant fatalities in Arizona have taken place within the Tohono O'odham Nation.<sup>249</sup> Tribal police recover about 65 bodies a year on this 18-mile route.<sup>250</sup> Humanitarian groups have been permanently barred from rendering aid to migrants, and

transporting dying migrants to the tribal hospital has been declared a crime.<sup>251</sup> Humane Borders was stopped from setting up water stations within the nation's territory.<sup>252</sup> Mike Wilson, a member of Tohono O'odham and a volunteer with Humane Borders, has been threatened with tribal banishment for his continued placing of water on the route for migrants crossing through the self-governing nation.<sup>253</sup> In part, Wilson sees the reaction of the tribal government as a result of the imposition of a federal border enforcement strategy that pushed 1,000 to 1,500 migrants daily onto Tohono O'odham land, resulting in serious consequences to police, health, environmental, and transportation services.<sup>254</sup> Nonetheless, Wilson, under personal threat, has sustained the principle that "no one deserves to die in the desert for want of a cup of water."<sup>255</sup> In the Indigenous Border Summit of the Americas, indigenous people opposed the continued militarization of the border and the criminalization of humanitarian aid, recognizing that many migrants are themselves indigenous people from throughout the Americas.<sup>256</sup>

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Wildlife refuge officials and Border Patrol joined forces to build barriers, surveillance towers and rescue beacons, and share an airstrip.

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In the last year, the authorities of the Buenos Aires National Wildlife Refuge in Arizona have engaged in punitive actions against humanitarian workers.<sup>257</sup> In February 2008, U.S. Fish and Wildlife agents ticketed five humanitarian workers with No More Deaths for littering after leaving plastic jugs of water in a migrant trail where the remains of 14-year-old Josseline Hernandez had been found.<sup>258</sup> Two volunteers were later convicted in federal court.<sup>259</sup> The initial report of the

activities of the humanitarian workers was called in to the refuge authorities by an agent of the U.S. Border Patrol; three agents and one helicopter had been tracking the humanitarian workers' movements.<sup>260</sup> Refuge officials and the Border Patrol established a partnership in 2007 to reduce the impact of undocumented border crossers on public lands and build barriers, surveillance towers and rescue beacons as well as the use of the airstrip.<sup>261</sup> In July 2009, 40 humanitarian aid volunteers again went into the Buenos Aires refuge to dispense water jugs along migrant trails hearing that temperatures were expected to reach 110 degrees.<sup>262</sup> Once more, the wildlife agents ticketed 13 humanitarian workers, picked up the water containers as evidence, and left migrants to their fate in the hot desert sun. In all, 18 humanitarian workers have received littering citations.<sup>263</sup> In response to a letter-writing campaign, the Secretary of the Department of the Interior (DOI) met in late July 2009, with seven representatives of No More Deaths and Humane Borders in Washington, DC.<sup>264</sup> The Southern Arizona delegates discussed the need to provide humanitarian assistance on DOI lands. After the meeting, NMD representative Gene Lefebvre commented that the Secretary and his staff "are working now to find a solution."<sup>265</sup>

These tensions between humanitarian workers and border authorities have been escalating. Three years prior to these incidents, two other humanitarian workers were arrested by the Border Patrol and charged with felonies for transporting three severely dehydrated and injured migrants for medical attention.<sup>266</sup> In

defense of its work and the volunteers, No More Deaths launched a campaign called "Humanitarian Aid is Never a Crime" where yard signs, bumper stickers and a petition of 30,000 signatures raised public awareness of the government interference with the right to save lives and provide humanitarian aid to those in need.<sup>267</sup> A federal judge eventually dismissed the cases stating that the humanitarian workers made efforts to ensure that their actions were lawful. However, the repression did not stop here. In August 2008, a dozen mounted Border Patrol agents raided the Arivaca medical camp set up by No More Deaths to provide medical assistance to desert travelers.<sup>268</sup> Two immigrants at the camp were arrested. Driven by their deep belief in the inherent worth of each human being, humanitarian aid workers have not been discouraged or stopped by government's hostility or punishment. For most NMD volunteers, saving a life is a moral imperative.

In spite of official resistance, punishment, and exile, the border humanitarian movement has not refrained from any attempt to adopt life-saving strategies for unauthorized border crossers. Border humanitarianism has filled the vacuum left by the government failure to prevent deaths in the implementation of border enforcement policies aimed at "securing the border." Water stations, medical patrols, medical camps, and search and rescue operations have destroyed the obscurity of migrant deaths tolerated in the name of national security. The exposure of human tragedy generated by humanitarian activism has brought death home, disrupting the normality of the civilian population and the legitimacy of the violence inherent in the nation-state's approach to the border.



Photo courtesy of the Gatekeeper Foundation from "The 800 Mile Wall."

*No More Deaths' Mariposa Migrant Aid Station.*

## **Testimony of David Cruz**

**Re:** Alberto Cruz, 42 years old

**Date of interview:** August 16, 2009

**Originally from:** Zacapu Michoacán

**Status:** Lost in the mountains of Japatul in California on September 2, 2008.

*My brother and I are twins. It had been 20 years since my brother had been here in the United States. He crossed through Tecate with three young men. They left September 1 in the afternoon. I live in Oregon. The young men called me to tell me that my brother had stayed behind during the trip and that he had said he was very tired and wanted to rest during the night to continue in the morning. I do not know why my brother made this decision nor if this is how things happened.*

*I left for California two days after my brother did not appear nor got in touch with us. I have a cousin that lives in Coronado. I went directly with the young men and also with the smuggler who had crossed them. The smuggler drew a map where he had left my brother and the young men also made me another. My cousin and I went every day, for four days consecutively, to the area indicated by the map. We found nothing. We would walk three to four hours to the place where we had been told my brother had remained.*

*My wife located the five immigration detention centers in the area on the Internet and I went to each one of them to see if he was there. They [immigration authorities] asked for information about him and possible names that he could have used. I do not have any problems: I am a permanent legal resident. I had with me our birth certificate, license, everything that could be needed to identify my brother and me. I even had his photo. In one of these detention centers, the detention officers first asked for all types of identification and then they told me that they could not help me because they did not really know if I was his brother or whether I was looking for him to harm him. The officer said, "How do we know you do not want to kill him?"*

*I went to the consulate at San Bernardino, because it was closest to Coronado to report that my brother had been lost. They told me that it was out of their jurisdiction and that the area where he was lost was under the consulate at San Diego. When I went to San Diego, it was difficult to get an appointment. Even though I had the maps, birth certificate and other documents, they told me at the consulate that I did not have sufficient information. I even had more documentation sent via fax from Mexico to complete what the consulate requested. Finally they accepted to open a case file on my brother. After that, they did not communicate with me and so I would call to see if there had been any news. To this date, no one has returned my calls.*

*Then I went to the Border Patrol. They took the maps and told me to meet them the next day on Highway 8 to begin the search. They did not allow me to go with them because they said they did not know if I could keep up with the pace or difficult walk. So I stayed behind until they returned. They went out two days, and they did not find him either.*

*Then I went with the Beta Group in Tijuana and they did not want to take the report. They told me to go to Tecate. In Tecate, I left the maps, and all the information with the Beta Group. Like the consulate, they have never called me.*

*We made a flyer with my brother's picture. We went to Tecate and Tijuana. We put up flyers in many places. We also put some up in the migrant centers. I found out how much they help people and how many things they need to continue their work. Until it happens to you, one does not have any idea how much these centers help.*

*Then we went to the police in San Diego, and they told us that they would look with a helicopter, but I believed that it was going to be very difficult to find someone on the ground from above. From there, we went to the medical examiner, but my brother was not there either. I still communicate with them and I am waiting for some of my brother's X-rays and in three weeks, I will take them to their office. They told me I could leave a DNA sample when I am there.*

*It pains me a great deal to think that my brother decided to go back or to stay behind, that he did not take into account the consequences. I am also pained, because the authorities did not respond. As authorities, they could have mobilized many government offices. I tried looking for help in many places and no one gave us the opportunity or any concrete results. They did not even return my calls, especially the consulate. Aren't they the ones that are supposed to represent us? I think that for them it is only a matter to be dealt with behind their desks. That is wrong: we are human beings.*

*There should be more help. There are many people who do not search because they do not know whether they should cross or how to move. There is no place one can go to. I am a resident and I can move freely, but what about those who can't.*

*It's been almost a year and we still know nothing of my brother. He has two children—16 and 18 years old. A friend knew about Angeles Del Desierto and got in touch with them. Mr. Rafael Hernandez already called us and in three weeks, I return to California to go out on one more search.*

*I cannot stop until I know something. This should not happen anymore. There should not be more deaths.*



Finding a little bit of shade and resting.

*Photo courtesy of the Gatekeeper Foundation from "The 800 Mile Wall."*

## **IV. The Rights of the Dead and the State Obligations to Families**

**T**he United States has never fully acknowledged the inextricable link between the deaths of migrants and its border security and immigration policies. This denial is particularly evident in the refusal to uphold international law and protect the human rights of the dead and their families.<sup>269</sup> In 2002, the Inter-American Court of Human Rights explored at some length the importance of a family's right to identify remains of relatives, to be notified of the location of their bodies, and to bury their deceased family members.<sup>270</sup> It reviewed nations' obligations under international humanitarian and human rights law to set protocols and enact a framework of domestic laws to recover, identify, and dispose of human remains in situations of armed conflict or natural disasters. In a plenary session, the General Assembly of the Organization of American States adopted a resolution, "Persons Who Have Disappeared and Assistance to Members of their Families", in which guiding principles were enunciated for protecting the right of families to learn the fate of members of their families and to prevent further

disappearances.<sup>271</sup> These rulings expand centuries of customary international law that cover the rights of the dead and their families. These conventions and resolutions give priority to: 1) the recovery of any remains; 2) the legal determination of the cause of death; 3) the identification of the body; 4) the preparation of the remains for burial or cremation; and 5) the respect for the rights of the family to know the whereabouts of their missing relatives.<sup>272</sup>

The treatment of the dead exemplifies both Mexico's and the United States' abandonment of the protections, obligations, and requirements under international humanitarian law that should extend these rights to migrant populations. In the case of the many migrants who perish or go missing in unauthorized entries, the United States and, to a lesser extent, Mexico, has abdicated its state obligations to adopt domestic laws or bilateral agreements to address the situation of missing or deceased migrants and the uncertainty faced by families.

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### **Disarray in the Management of Missing or Dead Migrants**

The United States currently has no centralized databases for locating missing persons or unidentified migrant decedents stored in morgues or buried in pauper graves.<sup>273</sup> Mexico has established a limited system that, in part, relies on U.S. counterparts to give assistance and relief to family inquiries of the missing and the dead.<sup>274</sup> Family members are confronted with overwhelming difficulties in finding a missing relative who crossed without

authorization or in recovering the remains of one known to have perished in the journey.<sup>275</sup> Families of the missing or unidentified wend their way through a web of law enforcement agencies, databases, states, counties, coroners, forensic specialists, consular officials, as well as nonprofit and volunteer organizations to locate relatives who may have died in unauthorized border crossings, been detained by immigration authorities, or kidnapped by





Photo courtesy of Water Station.

*Migrant graves, Holtville, CA.*

smugglers.<sup>276</sup> Oftentimes, families have little information to contribute to locate their loved ones.<sup>277</sup> At other times, the families have to rely on lengthy bureaucratic processes before an answer can be given or remains recovered and sent home.<sup>278</sup> They bounce from source to source. They painfully persist, sometimes for years, until the missing person is found, the dead are laid to rest... or the search becomes a lifelong endeavor.<sup>279</sup>

Over the last fifteen years, the responsibility of locating and identifying migrant decedents has fallen on U.S. county and other local governments. Border counties and indigenous governments have wrestled with an increase in resources expended in the recovery of the remains, legal determination of the cause of death, identification of the deceased migrants, preparation of the remains for burial or cremation and the notification of families. For example, the Imperial County Sheriff indicated that 32 percent, or 60, of their cases in 2006 had to do with undocumented immigrants who had drowned in the All American Canal, which required the added expenses of two to three professional divers and additional investigators.<sup>280</sup> In Arizona, a representative of the Tohono O'odham Nation indicated that 42 autopsies of the 72 undocumented bodies found in 2007 had cost \$80,000.<sup>281</sup> In Deming, New Mexico, the cost to taxpayers for retrieving remains of undocumented border

crossers cost \$480 for transport and \$2,500 for each autopsy.<sup>282</sup> In Pima County, the Medical Examiner's Office requested a federal government grant to buy a \$60,000 refrigerated trailer to store bodies until DNA samples could be taken, and later, "spent \$240,000 to build a storage unit to double the capacity of the county morgue."<sup>283</sup> In 2006, Pima County's chief medical examiner estimated that the processing, identification and storage of recovered bodies cost his office \$100,000 annually.<sup>284</sup> For the unidentified, remains are buried or cremated at public expense. In a 2006 report, the U.S.-Mexico Border Counties Coalition concluded, "Fiscal burdens of failed immigration policies, while developed, adopted and implemented by legislators and the executive at the national levels, fall disproportionately on border counties 'in the direct line of fire.'"<sup>285</sup>

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The United States and, to a lesser extent, Mexico, has abdicated its state obligations to adopt laws to address the issue of missing or deceased migrants.

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Adding to the family's burden in locating the missing or dead is the absence of national or binational standards for identifying or storing decedents.<sup>286</sup> Protocols used by local U.S. government officials to recover, identify, and store remains vary within each jurisdiction and as a whole; these jurisdictions have little communication or sharing of information among them.<sup>287</sup> In some counties, recovery of the dead falls on medical examiner offices, sheriffs, fire departments, or, in Texas, justices of the peace who simply extend a death certificate.<sup>288</sup> In some counties, skeletal remains or badly decomposed bodies may or may not be classified as undocumented border crossers even if the remains were found in areas known to be routes of migrant crossings.<sup>289</sup> There is no shared DNA databank between jurisdictions.<sup>290</sup> County morgues or private funeral homes keep remains in

compliance with state and local laws, ranging from one year in Pima County to two weeks in Deming, New Mexico.<sup>291</sup> Bilateral “Operational Protocols for Border Violence Incidents” between Mexico and the United States detail procedures in cases of the discovery of deceased persons.<sup>292</sup> In practice, the Border Patrol will only become involved when relatives can give an exact location.<sup>293</sup> A Border Patrol agent put it this way: “[T]he Border Patrol is not interested in the dead, they are only interested in the living.”<sup>294</sup>

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The United States currently has no centralized database for locating missing persons or unidentified migrant decedents.

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Families are further troubled when the identity of the dead is unknown. There are no reliable estimates of the number of migrant decedents whose remains are still left without identification in border counties. Most forensic professionals indicate that the general majority of deceased go unidentified for only a short period of time.<sup>295</sup> In the case of undocumented border crossers, it is estimated that only about 75 percent of the recovered bodies or remains are identified, which is low when compared to 99.5 percent for U.S. citizen deaths.<sup>296</sup> The Pima County Medical Examiner reports that over half of the bodies recovered in the desert are found with no identification papers or false identity documents.<sup>297</sup> The medical examiner has processed one thousand unauthorized border crosser remains between 2001 and 2007. At least 300 remain unidentified.<sup>298</sup> In 2009, half of 67 bodies found in McAllen, Texas were unidentified.<sup>299</sup> Those with no identification may remain anonymous for months, years or even decades. Some will never be given an identity and family members will never know with certainty the whereabouts of their relatives or if they are alive.<sup>300</sup> The unidentified will remain stored in morgues, buried in public gravesites or kept in crypts with containers of cremated ashes. These will lie without an identity for eternity.

## Civil Society Actions to Comfort the Grieving

Several civil society initiatives have surfaced to alleviate the suffering of families looking for relatives. Coalicion de Derechos Humanos has established the “Arizona Recovered Bodies Project,” in coordination with the Pima County Medical Examiner’s Office, to update lists of identified and unidentified remains of border crossers for families in search of their relatives.<sup>301</sup> *The Arizona Daily Star* also established the “AZ Starnet Database” to allow family members to find lost loved ones.<sup>302</sup> Other organizations like Humane Borders or No More Deaths in Arizona or Angeles Del Desierto in San Diego undertake some rescue operations in response to family requests to search for a loved one in a particular area of the border.<sup>303</sup> Volunteers of these organizations come upon remains or actively search for and recover bodies of deceased migrants, then call the sheriff or fire department to place a formal report and request transport to the county medical examiner’s offices.<sup>304</sup> Without resources or trained staff, civil society efforts are only able to assist a small percentage of the grieving family members who call seeking help.<sup>305</sup> But often, civil society organizations are the only source of relief for families.



Photo courtesy of Humane Borders.

Medical team transporting a recovered body.

At the binational level, families looking for their missing or dead relatives encounter some of the same difficulties found in conflicting U.S. local jurisdictions. There are no standardized reporting procedures or legally mandated compilation of information for identifying the dead among jurisdictions on either side of the border.<sup>306</sup> In 2006, Mexico's National Commission of Human Rights asked immigrants to call a hotline to report any remains or bodies they may have come upon when crossing through deserts or other areas.<sup>307</sup> The hotline's intended purpose was to reduce the number of family members who feared that their loved ones might have died crossing the border. The Commission would establish a mechanism to corroborate the existence of the remains and proceed to recover, identify, and return the remains to family members. Despite this effort, no binational, centralized system exists to find missing migrants.



*Photo courtesy of the Gatekeeper Foundation from "The 800 Mile Wall."*

*Unidentified migrant mausoleum, Tucson, AZ.*

### **Exhausted families look for comfort**

For Mexican families, the Mexican Consulates' Offices of Protection answer hundreds of inquiries about missing relatives, relatives with whom they have lost contact, or notification of families where the injured or dead provided positive identification.<sup>308</sup> Untrained to deal with anxious or grieving families, consular officials spend countless hours treading through family information regarding their loved ones, medical examiner records of the identified, and tracing records in the System for the Identification of Remains and Localization of Individuals, or SIRLI.<sup>309</sup>

Families and consular staff enter into a relationship of endless calls.<sup>310</sup> The waiting period before a family member is found may last only a few days or it may take months or years. Discouraged with the bureaucratic process, some families gradually stop calling Mexican authorities.<sup>311</sup> Desperate, they may even resort to contracting unscrupulous swindlers with "leads" to their relative's whereabouts, or clairvoyants with "new visions" of the loved one.<sup>312</sup>

In 2004, to respond to these family tragedies, Mexico established the SIRLI database, which contains information from reports filed by families with Mexican local, state and federal authorities, including photos, fingerprints, and signatures from Mexican consular voting, military, and consular registries.<sup>313</sup> Forensic information provided by Mexican and U.S. medical examiners is incorporated and linked to a DNA bank compiled initially at Baylor University in Waco, Texas, and currently at the University of Georgia.<sup>314</sup> Based on SIRLI data, the Secretary of Foreign Relations released information that in 2005, of 443 recovered remains, 117 had not been identified and in 2006, of 425, 130 had remained nameless.<sup>315</sup> The Mexican database, however, may have conflicting or incomplete information since it relies on multiple U.S. county government procedures to take DNA samples.<sup>316</sup> For instance, California coroners will only take DNA tests if requested by a county sheriff, and in some Texas counties, no medical examiners exist to draw DNA specimens.<sup>317</sup> On the other hand, U.S. authorities and medical examiners do not have direct access to the SIRLI database, which restricts the sharing of identifying information to only those cases requested by Mexican authorities.<sup>318</sup>

In 2007, civil society organizations in Mexico raised more concerns to President Felipe Calderon regarding changes in criteria of the registry of persons who had died in unauthorized border crossing incidents.<sup>319</sup> The request was made to ensure that migrants who died on Mexican territory in their attempt to

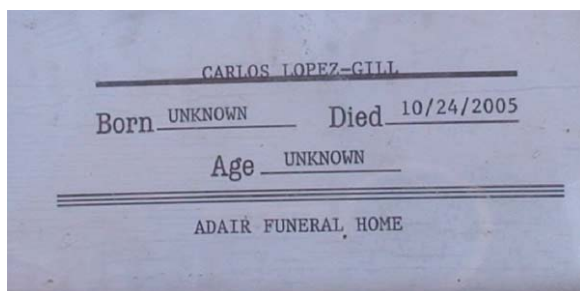
cross the border were classified as international migrants. The Secretariat of Foreign Relations denied any changes except to separate the deaths of migrants who died on the northern border from those on the southern border. However, civil society groups complained that it was difficult to obtain the number of decedents, names, dates, place, and causes of death. They added that the Secretariat of Foreign Relations (SRE) referred them to the Federal Institute of Access to Public Information which had decided, three years previously, that information about migrant decedents would not be stored.

From the perspective of civil society organizations, their concerns stem from discrepancies discovered between their direct documentation of migrant deaths and the numbers compiled by national institutions that treat migrant deaths as local matters. Many times, the government institutions fail to forward information to consular officials on the border.<sup>320</sup> In general, Mexican authorities do not differentiate between those who died in their attempt to cross the border or those who died in the same region under other circumstances.<sup>321</sup> This situation compounds the difficulty of the recovery and identification of the deceased. If would-be migrants die in Mexico, local authorities produce a brief report and then bury the body.<sup>322</sup> If a body is found in a remote area, it is left alone, or left to locals to bury the dead.<sup>323</sup> In part, reluctance to touch bodies comes from fear of organized crime and the dominance of drug cartels in

border areas.<sup>324</sup> Drug smugglers use violence against human smugglers and migrants who trek through drug trafficking routes in the belief that border enforcement efforts focused on stopping undocumented migration will attract notice of their business. Local authorities believe that drawing attention to the dead is to draw attention to the work of the cartels. Expressing this fear, local officials would rather stay away from those bodies and instead promptly label them as drug smugglers to shift responsibility to the national or state governments, effectively erasing the death of an international migrant from the official count.<sup>325</sup>

### Searching for answers to identify the dead and end family pain

In contrast to the inconsistent, inadequate, or nonexistent efforts of the federal governments of both Mexico and the United States, civil society organizations and local governments have continued to try to ease the pain and suffering of families and pay respect to the dead. In April 2008, the Coalicion de Derechos Humanos of Arizona, the University of Arizona and the University of North Texas's Center for Human Identification proposed the "Missing Migrant DNA Database" project to facilitate the return of individuals to their families.<sup>326</sup> The project was proposed as a collaborative effort between civil society organizations, institutions of higher education, forensic offices, and international affiliates. Its objectives were to determine the identities of bodies recovered in the desert, simplify the return of remains to the country of origin, and make recommendations regarding the treatment of unidentified remains, and call attention to the human rights crisis on the border. It proposed the use of the latest technology and DNA sampling to identify missing persons, improving the chances of positive identification. The project would centralize efforts through local organizations and, thereby, reduce the costs to



*Photo courtesy of the Gatekeeper Foundation from "The 800 Mile Wall."*

*Migrant grave marker.*

local governmental agencies. Unable to attract funders, the project failed to gain traction.<sup>327</sup> In another effort, a graduate student of the University of California at Santa Cruz proposed building a database of soil profiles in communities of origin using an anthropological technique analyzing soils, pottery and glazes that would permit matching human remains to their place of birth.<sup>328</sup>

In June 2007, the hope of treating the dead and their families with dignity was again revived by the Pima County Medical Examiner's Office and the Binational Migration Institute (BMI) of the University of Arizona. The Pima County Medical Examiner's Office has one of the highest levels of identification of undocumented migrants bodies recovered in the nation.<sup>329</sup> In recognition of its pioneering work to identify undocumented migrant decedents, this office received an anonymous donation of \$200,000 to compile a database of migrant deaths, which has the potential of increasing the identification of migrants who died in unauthorized border crossings.<sup>330</sup> The database will feature: 1) physical descriptions of unidentified remains; 2) information from missing persons reports; 3) applications that allow the information to be shared and sorted for possible matches; and 4) applications to map locations of migrant deaths, which could help spot trends and find missing people. If it succeeds, the plan is to expand the database to other agencies and jurisdictions to begin developing a uniform approach to identify missing and unidentified remains.<sup>331</sup> The BMI is also conducting research to identify best practices in the 24 U.S. border counties of identifying remains of unauthorized border crossers, with the goal of developing national

standards.<sup>332</sup> With the study, the BMI plans to share its findings in a national conference to begin a process of defining national procedures and approaches.<sup>333</sup> For both the PCMEO and BMI, the standardization of procedures and databases will increase the probability of giving a name to the unidentified and fulfilling the responsibility of letting families know what happened to their loved ones.

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In anonymity, the deaths of undocumented border crossers works to the advantage of the U.S. and Mexican governments, whose policies are partially responsible for the deaths.

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In anonymity and uncertainty, the deaths of undocumented border crossers are hidden testimonies of the systemic loss of life on the U.S.-Mexico border. In obscurity, no one is likely to be held accountable for the loss of life. This obscurity, therefore, works to the advantage of the United States and Mexican governments whose policies and practices are chiefly or partially responsible for the crossing deaths. Giving a name to the dead and respecting the family's right to know unsettles the silence of the deadly arrangement that deprives migrants of fundamental human rights. Identified as human beings with a name and a story, the dead shatter the silence and demand to be treated with the respect and dignity all human beings expect for a loved one.

## **V. Conclusion and Recommendations**

**T**he death trails constructed by border enforcement strategies in the last fifteen years have taken the lives of thousands of men, women, and children. National security threats, real and imagined, from terrorism, drug cartel violence and economic insecurity have overwhelmed our common decency, sense of humanity and concern for migrants dying in the desert. More men, women and children are destined to die in unauthorized border crossings on the U.S.-Mexico border unless things change.

Border enforcement strategies must prioritize good faith efforts to reduce death and harm. They must respect international human rights norms and afford assistance to those providing humanitarian relief.<sup>334</sup> They must also minimize forced migration and maximize choices for legal, safe avenues of migration. Only when both the United States and Mexico are seriously engaged in protecting the lives of their most vulnerable populations will the right of state sovereignty be balanced with the fundamental rights inalienable to all people.

Currently, however, the United States and Mexico appear wedded to sustaining the deadly policies that foster these fatalities. Both countries have given priority to their joint national-security agendas over the safety and lives of international migrants. Under the new Obama Administration, the United States has not only maintained, but has increased the use of strategies that are known to cause deaths. Mexico, for its part, is complicit in the abandonment of its citizens due to both a failure to offer economic opportunities domestically and its unwillingness to jeopardize the bilateral relations built on the national security interests of both nations.<sup>335</sup>

Both nations have refused to seriously explore policy alternatives to alleviate the suffering and deaths of migrants rooted in border enforcement and immigration policies. Both governments seem to prefer minimal involvement in dealing with unauthorized migrant deaths, with the United States dedicating nominal resources to search and rescue operations and Mexico providing only moderate services for identifying the dead and transferring corpses.

Both nations have treated crossing deaths as inevitable. But, they are not. There are a number of things the United States, Mexico, and the international community can do to break the silence and end the daily mounting death toll.

Operation Gatekeeper was launched October 1, 1994. Fifteen years and more than 5,000 deaths later, we can mark this anniversary by taking action to end the crisis.

### **Action on Day One**

#### **Recognize border crossing deaths as an international humanitarian crisis.**

The first step in breaking the silence is recognizing this ongoing disaster for what it is and calling it by name—an international humanitarian crisis. This status is justified based on several factors:

- the scale of the humanitarian toll,
- the ongoing nature of the crisis,
- the escalating militarization of conflict in the region, and
- the intentional exacerbation of conditions that cause the crisis, especially the United States' expansion of the border wall and other enforcement strategies, without commensurate mitigating actions or policies.

U.S., Mexican, and international officials need to go on record stating whether they recognize U.S.-Mexico border crossing deaths as an international humanitarian crisis.

### **Action in First 100 Days**

In short order, the United States, Mexico, and the international community can take several steps to abate the crisis.

#### **Shift more U.S. Border Patrol resources to search and rescue.**

Without legislation or regulations, the U.S. Secretary of Homeland Security can and should shift more of the existing and expanding resources of Customs and Border Protection to search and rescue operations conducted by U.S. Border Patrol's BORSTAR. In the medium and long-term, it may be more effective for rescue and recovery to be handled by a different agency, and, by the end of the first year, we recommend funding humanitarian organizations to complement the government role (see below). In the short term, however, this shifting of resources will save lives now.

#### **Instruct government agencies to allow humanitarian organizations to do their work.**

It is a tragedy and embarrassment that non-governmental humanitarian organizations, many of which are volunteer based, must assume the burden of saving lives and recovering remains as a result of negligent enforcement policies. To do what the U.S. and Mexican governments have not been sufficiently willing and able to do, these organizations must be allowed to access the borderlands without delay, harassment, or punishment. Government leaders, such as the U.S. Secretaries of Homeland Security and the Interior, should direct agencies working at the border to facilitate the work of humanitarian organizations. To this end, the relevant federal agencies, in consultation with humanitarian organizations engaged in search and rescue, should develop clear protocols for collaborating with these organizations to allow them to save lives and recover remains without obstruction.

#### **Establish a binational, one-stop resource for rescue and recovery calls.**

The U.S. and Mexican governments should contract with a third-party, non-governmental organization to receive all calls regarding missing border crossers. Like the 211 human services hotlines run by United Way organizations and others in the United States, this hotline should be easy to remember, widely promoted, and committed to confidentiality. Operators should be bilingual and well trained about the variety of needs, responding agencies, and relevant resources throughout the border region.

#### **Convene all data collecting agencies to develop a uniform system.**

The U.S. and Mexican governments, perhaps with the assistance of the International Committee of the Red Cross or the International Federation of the Red Cross and Red

Crescent Societies, should gather the relevant federal, state, local, consular, academic, medical, and other non-governmental entities and develop a protocol to standardize collection of data on deaths and injuries at the border.

### **Commit to transparency.**

Essential to these steps to stem the crisis is a commitment of both the U.S. and Mexican governments to be transparent in sharing the facts, policies, and procedures relating to the crisis. Out of embarrassment, denial, or excessive caution, the U.S. and Mexican governments have not always been forthcoming with critical information concerning border deaths. Each government should assign a high-level official the responsibility and authority to pry free the necessary information so all stakeholders understand and can address the issues.

### **Elevate border deaths to a bilateral priority.**

As part of its bilateral discussions over security and human rights, the Mexican government should demand that the United States take serious steps to address this crisis. As part of the Merida Initiative, the United States has insisted that Mexico address human rights concerns so that U.S. funds do not wind up supporting corruption and abuses. Mexico should insist the United States exhibit the same concern for human rights when it comes to the deaths of thousands of crossers at its border, many of whom are Mexican nationals. There should also be sustained bilateral attention on the economic development needs of Mexico. Regularly and together, both countries should be adjusting their humanitarian plans for the border according to forecasted economic changes.

### **Invite international involvement.**

This crisis merits the immediate attention of the Inter-American Commission on Human Rights and relevant United Nations' human rights bodies. We urge the IACHR to request the permission of the governments of the United States and Mexico to make an onsite visit to the region, conduct an investigation, and issue a report on the crisis for the General Assembly of the Organization of American States. The commission's report should incorporate recommendations to the United States and Mexican governments on the necessity of stemming this crisis and insuring respect for human rights.

## **Action Within One Year**

Within a year of the fifteenth anniversary of Operation Gatekeeper, the U.S. and Mexican governments could significantly decrease and possibly end the humanitarian crisis at the border. If Presidents Obama and Calderon were so inclined, we could, by October 1, 2010, celebrate a major humanitarian victory for which they would deserve international acclaim.

### **Adopt sensible and humane immigration and border policies.**

Immigration and border enforcement reforms in the United States must prioritize human life over death. To that end, reforms should provide legal and safe avenues for crossing the border and should not, as Operation Gatekeeper does, force migrants to assume the risk of death to reunite with their families, fill essential labor needs, or seek asylum from persecution in their home country.



### Support non-governmental humanitarian efforts at the border.

It is important to note that humanitarian organizations engaged in search and rescue operations fulfill needs that government efforts, even with increased resources, could not. For example, they serve as a non-threatening resource and point of contact for families who are afraid to interact with the government because of their immigration status, because they fear retaliation from a *coyote*, or for some other reason. At present, humanitarian organizations are a primary point of contact, second only to the Mexican Consulate, for calls regarding missing persons. They spend countless hours in search of the missing and then call in federal agents to recover the injured and the dead. The U.S. and Mexican governments have not been sufficiently able or willing to do this work. Recognizing this, the two governments should provide funding to non-governmental organizations that take on this responsibility. Funding should not be contingent on an organization divulging confidential information related to the identities of callers or family members of the injured or deceased migrants.

### Final Words

In contrast to the official response, civil society has stepped forward to prevent deaths that government policies have produced on both sides of the border. Laboring with limited resources and, sometimes, in the face of government hostility or punishment, humanitarian aid organizations have played an invaluable role in protecting the lives and human rights of international migrants trapped in the dangers of unauthorized border crossings. The civil actions of border humanitarians have advanced the principle of the inherent worth of each human being and the principle that all human beings are equal in dignity and rights. With each migrant treated, fed, given water, rescued, or saved, humanitarian border workers have embraced the human right to life and unsettled the injustice of deadly border policies. Border humanitarians have deepened their knowledge of the approaches that will contribute constructive guidance in the protection of migrant rights and saving of lives and in the prevention of deaths. The civil actions of border humanitarian advocates provide important examples of courage, dedication, and commitment to global justice and equality. If the broader society is ever outraged by the senseless loss of life on the border, it will be because those affected and those witnessing this atrocity to human life have demanded the equal protection of all lives and all rights.

Migrants calculate the odds of death and life with each entry. Migrants know that death may await them when they make their journey. Migrants also know that death awaits them if they do not. In each gamble to beat the probabilities, migrants defy the conditions of death they confront in unauthorized border crossings and communities of origin. Every time they attempt to cross the border and risk suffering and death, migrants knowingly risk their lives for the higher commitment to a dignified life for self, family, community, and humanity. It is time for the United States, Mexico, and the community of nations to honor this commitment to dignity, equality and humanity.

## Endnotes

<sup>1</sup> These figures were compiled from different sources. The lower estimate is the total derived from data provided by the U.S. Border Patrol Safety Initiative to the U.S. General Accounting Office (GAO-06-770, p. 42) for the years 1998-2004 and the Headquarters of the Border Patrol Office of Public Affairs [Mark Qualia [mark.qualia@dhs.gov](mailto:mark.qualia@dhs.gov)] for the years 2005-2009. The higher figure is the total derived from data provided by the Coalicion Pro Defensa del Migrante, A.C., based on figures of Mexico's Secretaria de Relaciones Exteriores that were published in *La Jornada* (11/19/2008), "La esperanza muere en la frontera," and *La Jornada* (01/02/2009), "Murieron 725 mexicanos en 2008 al intentar pasar a EU," for the years 1995 to 2008 and Wayne Cornelius, "Death at the Border: The Unintended Consequences of U.S. Immigration Control Policy 1993-2000", Working Paper 27, The Center for Comparative Immigration Studies, University of California at San Diego, (2001), Table 2, for 1994. No figures are available from U.S. sources for the years 1994-1997 or Mexican sources for 2009.

<sup>2</sup> Inter-American Commission on Human Rights, Report No. 104/05, Petition 65/99, p.1, paragraph 2, <http://www.iachr.org/annualrep/2005eng/U.S.A.65.99eng.htm>.

<sup>3</sup> Wayne Cornelius, Testimony before the U.S. Commission on Civil Rights, *Preliminary Hearings on Civil and Human Rights Implications of the U.S. Southwest Border Policy* (Washington, DC: U.S.CCR, 2002), 5-9, <http://www.usccr.gov/pubs/migrant/present/trans.htm>.

<sup>4</sup> Inter-American Commission on Human Rights, Petition 65/99, *Victor Nicolas Sanchez et al vs. United States*, 3-8 <http://www.iachr.org/annualrep/2005eng/U.S.A.65.99eng.htm>.

<sup>5</sup> Professor William J. Aceves, interview by Maria Jimenez, notes, California Western School of Law of San Diego, San Diego, CA, July 24, 2009.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Mexico's National Commission on Human Rights, *Todos Saben, Nadie Sabe: Trece Años de Muerte de Migrants, Reporte sobre impunidad y muerte en la frontera sur de Estados Unidos* (Mexico City, DF: CNDH November 2007).

<sup>9</sup> Ibid., 11.

<sup>10</sup> Ibid., 8

<sup>11</sup> Ibid.

<sup>12</sup> U.S. Department of Homeland Security, Customs and Border Protection, *National Border Patrol Strategy: Office of Border Patrol* (Washington, DC: DHS, 2004), 3.

<sup>13</sup> Ibid., 5.

<sup>14</sup> Doris Meissner and Donald Kerwin, *DHS and Immigration: Taking Stock and Correcting Course* (Washington, DC: Migration Policy Institute, 2009), 9-12, [http://www.migrationpolicy.org/pubs/DHS\\_Feb09.pdf](http://www.migrationpolicy.org/pubs/DHS_Feb09.pdf).

<sup>15</sup> Ibid., 18.

<sup>16</sup> Demetrios G. Papademetriou and Aaron Terrazas, *Immigrants and the Current Economic Crisis* (Washington, DC: Migration Policy Institute, 2009), 7, [http://www.migrationpolicy.org/pubs/lmi\\_recessionJan09.pdf](http://www.migrationpolicy.org/pubs/lmi_recessionJan09.pdf).

<sup>17</sup> Catherine Rampell, "Illegal Immigration as a Job Market Predictor," *New York Times*, May 15, 2009, "Economix," <http://economix.blogs.nytimes.com/2009/05/15/illegal-immigration-as-a-job-market-predictor/>.

<sup>18</sup> Papademetriou, 7.

<sup>19</sup> Jeffrey S. Passel and D'Vera Con, *Mexican Immigrants: How Many Come? How Many Leave?* (Washington, DC: Pew Hispanic Center, 2009), "Executive Summary," i-ii, <http://pewhispanic.org/files/reports/112.pdf>.

<sup>20</sup> Douglas Massey, Testimony before the U.S. Senate Committee on the Judiciary (Washington, DC: May 20, 2009), [http://judiciary.senate.gov/hearings/testimony.cfm?id=3859&wit\\_id=7939](http://judiciary.senate.gov/hearings/testimony.cfm?id=3859&wit_id=7939).

<sup>21</sup> Associated Press, "Immigrant deaths along South Texas border rose 72 percent," *The Dallas Morning News*, March 1, 2009, <http://www.dallasnews.com/sharedcontent/dws/dn/latestnews/stories/030209dntswbodies.2492f61.html>.

<sup>22</sup> Arturo Bojorquez, "Alarma Aumento de Muertes de Migrantes," *Imperial Valley Press/Adelante*, July 8, 2009,

<sup>23</sup> Brady McCombs, "Death count rises with border restrictions; Officials: Crossers trek farther to dodge security," *Arizona Daily Star*, May 17, 2009, <http://www.azstarnet.com/sn/border/293256>.

<sup>24</sup> Raquel Rubio-Goldsmith, M. Melissa McCormick, Daniel Martinez & Inez Magdalena Duarte, *Policy Brief: A Humanitarian Crisis at the Border: New Estimates of Deaths Among Unauthorized Immigrants*, (Washington, DC: Immigration Policy Center, 2007), 1-5.

<sup>25</sup> Michael J. Reilly to Susan Carroll, April 14, 2009, "Table on deaths by sector and by cause of death for FY 08," Headquarters of the Border Patrol, Office of Public Affairs, Washington, DC, [michael.reilly@dhs.gov](mailto:michael.reilly@dhs.gov)

- <sup>26</sup> U.S. Government Accountability Office, *Illegal Immigration: Border-Crossing Deaths Have Doubled Since 1995; Border Patrol's Efforts to Prevent Deaths Have Not Been Fully Evaluated* (GAO-06-770), (Washington, DC: GAO, 2006), 1.
- <sup>27</sup> Rubio-Goldsmith et al., *Policy Brief*, 4.
- <sup>28</sup> *Ibid.*, 3.
- <sup>29</sup> *Ibid.*, 3.
- <sup>30</sup> Brady McCombs, "Death count rises with border restrictions; Officials: Crossers trek farther to dodge security," *Arizona Daily Star*, May 17, 2009, <http://www.azstarnet.com/sn/border/293256>.
- <sup>31</sup> Raquel Rubio-Goldsmith, interview by author, notes, University of Arizona, Tucson, Arizona, June 11, 2009.
- <sup>32</sup> Centro de Estudios Fronterizos y Promoción de los Derechos Humanos, "Estadísticas: Ahogados 2008," (Reynosa, Tamaulipas: 2009), Official Web Site, <http://www.derechoshumanosenmexico.org/pages/estadisticas/ahogados-2008.php>.
- <sup>33</sup> Enrique Méndez, "Murieron 725 mexicanos en 2008 al intentar pasar a EU," *La Jornada*, January 2, 2009, <http://www.jornada.unam.mx/2009/01/02/index.php?section=politica&article=011n3pol>.
- <sup>34</sup> The figures are from three different sources provided by the Department of Homeland Security: 1) Univision Online, "Hubo 386 muertos en la frontera en 2008" December 17, 2008, <http://64.14.58.80/content/content.ihtml?cid=1780577>; 2) Mark Qualia to Maria Jimenez, July 27, 2009, *Border Safety Initiative Table Death by Sector: FY 05 - FY 09 – YTD*, Headquarters of the Border Patrol Office of Public Affairs, Washington, DC, [mark.qualia@dhs.gov](mailto:mark.qualia@dhs.gov); and 3) Michael J. Reilly to Susan Carroll, April 14, 2007, *Table Death by Sector and by Cause of Death for FY 08*, Headquarters of the Border Patrol, Office of Public Affairs, Washington, DC, [michael.reilly@dhs.gov](mailto:michael.reilly@dhs.gov).
- <sup>35</sup> U.S. Department of Homeland Security, "Table 35, Deportable Aliens Located By Program and Border Patrol Sector and Investigations Special Agent In Charge (Sac) Jurisdiction: Fiscal Years 1999 to 2008," <http://74.125.95.132/search?q=cache:Zk1nldRFC64J:www.dhs.gov/xlibrary/assets/statistics/yearbook/2008/Table35.xls+deportable+aliens+located+by+program+and+border+patrol+sector+fiscal+years+1999+to+2008&cd=1&hl=en&ct=clnk&gl=us>.
- <sup>36</sup> These figures were compiled from different sources. See Footnote 1.
- <sup>37</sup> Rubio-Goldsmith et al., *Policy Brief*, 4.
- <sup>38</sup> *Ibid.*
- <sup>39</sup> Maurizio Albahari, *Death and the Modern State: Making Borders and Sovereignty at the Southern Edges of Europe*, The Center for Comparative Immigration Studies, University of California at San Diego (2006), 19.
- <sup>40</sup> Timothy J. Dunn, *Blockading the Border and Human Rights: The El Paso Operation That Remade Immigration Enforcement*, (Austin, Texas: University of Texas Press, 2009), 1.
- <sup>41</sup> *Ibid.*, 1.
- <sup>42</sup> Wayne A. Cornelius, "Controlling 'Unwanted' Immigration: Lessons from the United States, 1993-2004," *Journal of Ethnic and Migration Studies*, Volume 31, Number 4 (July 2005), 9, <http://www.cri.uci.edu/pdf/JEMS--final.pdf>.
- <sup>43</sup> U.S. Department of Homeland Security, "Table 35."
- <sup>44</sup> Inter-American Commission on Human Rights, Petition 65/99, *Victor Nicolas Sanchez et al vs. United States*, 18.
- <sup>45</sup> U.S. Department of Homeland Security, "Table 35."
- <sup>46</sup> Mexico's National Commission on Human Rights, *Todos Saben, Nadie Sabe*, 12.
- <sup>47</sup> Claudia Smith, Testimony before U.S. Commission of Civil Rights *Preliminary Hearings on Civil and Human Rights Implications of the U.S. Southwest Border Policy*, (Washington, DC: U.S.CCR, 2002), 5. <http://www.usccr.gov/pubs/migrant/present/trans.htm>.
- <sup>48</sup> U.S. Department of Homeland Security, "Table 35."
- <sup>49</sup> U.S. Commission on Civil Rights, "Executive Summary and Transcript, of Briefing" *Tragedy Along the Arizona-Mexico Border: Undocumented Immigrants Face the Desert* (Tucson, AZ: 2002), 1-11. <http://www.law.umaryland.edu/marshall/usccr/documents/cr182t67b.pdf>.
- <sup>50</sup> Brady McCombs and Eric Volante, "'Deadliest migrant trail in U.S.' is right on Tucson's doorstep," *Arizona Daily Star*, December 9, 2007, <http://www.azstarnet.com/dailystar/215469>.
- <sup>51</sup> *Ibid.*
- <sup>52</sup> Rocio Magaña, "Bodies and the Border Landscape," *Bodies On The Line: Life, Death, And Authority On The Arizona-Mexico Border*, (\ Ph. diss., University of Chicago, 2008), 137-136.
- <sup>53</sup> Raquel Rubio-Goldsmith, M. Melissa McCormick, Daniel Martinez & Inez Magdalena Duarte, *The "Funnel Effect" & Recovered Bodies of Unauthorized Migrants Processed By The Pima County Office of the Medical Examiner, 1990-*

2005, Report Submitted to the Pima County Board of Supervisors, (Tucson, Arizona: Binational Migration Institute, 2006), 3.

<sup>54</sup> Magaña, 137-138.

<sup>55</sup> Coalicion de Derechos Humanos, Arizona Recovered Bodies Project, Total Count by Maria Jimenez, from Lists of Bodies Recovered from October 1, 2001 to April 30, 2009, Official Web Site, [http://www.derechoshumanosaz.net/index.php?option=com\\_content&task=view&id=20&Itemid=34](http://www.derechoshumanosaz.net/index.php?option=com_content&task=view&id=20&Itemid=34).

<sup>56</sup> U.S./Mexico Border Counties Coalition, *Undocumented Immigrants in U.S.-Mexico Border Counties: The Costs of Law Enforcement and Criminal Justice Services*, (Tucson AZ: University of Arizona, 2007), 52, <http://www.bordercounties.org/vertical/Sites/%7BB4A0F1FF-7823-4C95-8D7A-F5E400063C73%7D/uploads/%7B690801CA-CEE6-413C-AC8B-A00DA765D96E%7D.PDF>.

<sup>57</sup> Border Network for Human Rights, *2006 Report on Migrant Deaths at the U.S.-Mexico Border: El Paso-New Mexico Border Region*, (El Paso, TX: 2006), [http://www.bnhr.org/index.php?option=com\\_content&view=article&id=4:2006-report-on-migrant-deaths-at-the-us-mexico-border&catid=1:status-of-human-rights&Itemid=7](http://www.bnhr.org/index.php?option=com_content&view=article&id=4:2006-report-on-migrant-deaths-at-the-us-mexico-border&catid=1:status-of-human-rights&Itemid=7).

<sup>58</sup> U.S. Department of Homeland Security, "Table 35."

<sup>59</sup> Associated Press, "Immigrant deaths along South Texas."

<sup>60</sup> Mark Qualia, *Border Safety Initiative Table Death by Sector: FY 05 – FY09 – YTD*.

<sup>61</sup> Associated Press, "Immigrant deaths along South Texas."

<sup>62</sup> Meissner and Kerwin, 9-12.

<sup>63</sup> Arthur H. Rotstein, "Border deaths up despite apparent dip in crossings" *ABC News U.S.*, Associated Press, April 8, 2009, Tucson AZ, <http://abcnews.go.com/U.S./wireStory?id=7293187>.

<sup>64</sup> *Border Safety Initiative Table Death by Sector: FY 05 – FY09*.

<sup>65</sup> Coalicion de Derechos Humanos, Arizona Recovered Bodies Project (Tucson AZ July 25, 2009), [http://www.derechoshumanosaz.net/index.php?option=com\\_content&task=view&id=20&Itemid=34](http://www.derechoshumanosaz.net/index.php?option=com_content&task=view&id=20&Itemid=34).

<sup>66</sup> Arthur H. Rotstein, "Border deaths up."

<sup>67</sup> Mark Qualia, *Border Safety Initiative Table Death by Sector: FY 05 – FY09*.

<sup>68</sup> Arturo Bojorquez, "Alarma Aumento de Muertes."

<sup>69</sup> Wayne A. Cornelius, "Controlling 'Unwanted' Immigration," 9.

<sup>70</sup> Raquel Rubio-Goldsmith et al., *The "Funnel Effect"*, 3.

<sup>71</sup> Massey, 1.

<sup>72</sup> The three studies referenced are: 1) U.S. Government Accountability Office, *Illegal Immigration: Border-Crossing Deaths Have Doubled Since 1995; Border Patrol's Efforts to Prevent Deaths Have Not Been Fully Evaluated*, GAO-06-770, (Washington, DC: GAO, 2006); 2) Robert T. Guerette, "Immigration Policy, Border Security and Migrant Deaths: An Impact Evaluation of Life Saving Efforts Under the Border Safety Initiative," *Criminology and Public Policy* Volume 6 Number 2 (On line publication July 28, 2007), 245-266, <http://www3.interscience.wiley.com/cgi-bin/fulltext/117993432/PDFSTART>; and 3) Samuel M. Keim, Frank Reiser, Sheetal Shetty, James Ranger-Moore, "Wilderness Rescue and Border Enforcement Along the Arizona Mexico Border—The Border Patrol Search, Trauma and Rescue Unit," *Wilderness and Environmental Medicine* 20 (2009), 39-42, <http://www.bioone.org/doi/abs/10.1580/08-WEME-OR-245.1>.

<sup>73</sup> Meissner and Kerwin, 15.

<sup>74</sup> Evelyn Nieves, "Illegal Immigrant Death Rate Rises Sharply in Barren Areas," *The New York Times*, August 6, 2002, <http://www.nytimes.com/2002/08/06/us/illegal-immigrant-death-rate-rises-sharply-in-barren-areas.html>.

<sup>75</sup> Rubio-Goldsmith et al., *The "Funnel Effect"*, 30.

<sup>76</sup> Magaña, 93.

<sup>77</sup> Michael J. Reilly, "Table on deaths by sector and by cause of death for FY 08."

<sup>78</sup> Ibid.

<sup>79</sup> Magaña, 78-90.

<sup>80</sup> Christian Ramirez and Pedro Rios, interview by Maria Jimenez, notes, American Friends Service Committee, San Diego, CA, July 26, 2009.

<sup>81</sup> Sylvia Moreno, "Border Crackdown Spans Violence: More Deaths Occurring as Smugglers Fight Over Valuable Human Cargo," *The Washington Post*, February 19, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2007/02/18/AR2007021801340.html>.

<sup>82</sup> Rafael Hernández, interview by María Jiménez, notes, Director of Ángeles del Desiertos, San Diego, CA, July 25, 2009.

- <sup>83</sup> Customs and Border Protection, "Statement by U.S. Customs and Border Protection Commissioner Jayson Ahern on Death of Border Patrol Agent Robert Rosas," Newsroom, July 24, 2009, [http://www.cbp.gov/xp/cgov/newsroom/news\\_releases/july\\_2009/07242009\\_3.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/july_2009/07242009_3.xml).
- <sup>84</sup> Ramirez, interview notes.
- <sup>85</sup> David Spener, "Smuggling Migrants Through South Texas: Challenges Posed By Operation Rio Grande," *Global Human Smuggling in Comparative Perspective*, (Baltimore MD: The John Hopkins University Press 2001), 134, [http://books.google.com/books?id=5blzwmEvZG4C&pg=PA129&lpg=PA129&dq=David+Spener+smuggling&source=bl&ots=JnsbIP9Vmp&sig=L8MmGiP-2FVqsjvJKZb7waIMLRI&hl=en&ei=LUOCSvfAM4quMifEsJ8L&sa=X&oi=book\\_result&ct=result&resnum=1#v=onepage&q=David%20Spener%20smuggling&f=false](http://books.google.com/books?id=5blzwmEvZG4C&pg=PA129&lpg=PA129&dq=David+Spener+smuggling&source=bl&ots=JnsbIP9Vmp&sig=L8MmGiP-2FVqsjvJKZb7waIMLRI&hl=en&ei=LUOCSvfAM4quMifEsJ8L&sa=X&oi=book_result&ct=result&resnum=1#v=onepage&q=David%20Spener%20smuggling&f=false).
- <sup>86</sup> Spener, "Smuggling Migrants," 136
- <sup>87</sup> Magaña, 90.
- <sup>88</sup> Sara Roberts, "Treating Injuries of Migrants," Volunteer Training Part II, notes, No More Deaths, Tucson, AZ, June 14, 2009.
- <sup>89</sup> Amelia Perez, interview by Maria Jimenez, notes, Centro Aztlan, Houston, TX, February 23, 2009.
- <sup>90</sup> Giovanna Dell'orto, "14 Illegal Immigrants Die in the Desert," *The Washington Post*, May 24, 2001, [http://www.washingtonpost.com/wp-srv/aponline/20010524/aponline090219\\_000.htm](http://www.washingtonpost.com/wp-srv/aponline/20010524/aponline090219_000.htm).
- <sup>91</sup> Roberts, Volunteer Training Part II notes.
- <sup>92</sup> Symptoms of Dehydration, "Signs and Symptoms of Dehydration," <http://www.symptomsofdehydration.com/>; and for hypothermia at *MedicineNet.com*, Official Web Site, <http://www.medicinenet.com/hypothermia/article.htm>.
- <sup>93</sup> Ibid.
- <sup>94</sup> Sara Roberts, Volunteer Training Part II notes.
- <sup>95</sup> Ibid.
- <sup>96</sup> Ibid.
- <sup>97</sup> Customs and Border Protection, "22 Mexican Nationals in Boat Nabbed off San Diego Coast," Newsroom, August 10, 2009, [http://www.cbp.gov/xp/cgov/newsroom/news\\_releases/08102009\\_4.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/08102009_4.xml).
- <sup>98</sup> *eMedicineHealth*, "Drowning," Official Web Site, [http://www.emedicinehealth.com/drowning/article\\_em.htm](http://www.emedicinehealth.com/drowning/article_em.htm).
- <sup>99</sup> Susan Combs Texas Comptroller of Public Accounts, "Governing Who Decides?" *Window on State Government*, (1998), <http://www.window.state.tx.us/border/ch12/ch12.html>.
- <sup>100</sup> Associated Press, "Eight Illegal Immigrants Killed in Rollover in Arizona," *NAZ TODAY*, June 7, 2009, <http://www.naztoday.com/news/arizona/2009/06/eight-illegal-immigrants-killed-in-rollover-in-arizona/>.
- <sup>101</sup> Darlene Rodriguez, Elizabeth Plata, Daniel Caruso, "Case Report: Illegal Immigration Via Overloaded Vans and the Effect on the Trauma System," *Disaster Management & Response* 3, no. 1, (2005) 4-10, <http://linkinghub.elsevier.com/retrieve/pii/S154024870400121X>.
- <sup>102</sup> Gordon Gibb, "Nineteen Passengers in Crashed SUV: Seriously Unsafe Vehicle," *LawyersandSettlement.Com*, *America's Premier Online Legal News Source*, August 8, 2008, <http://linkinghub.elsevier.com/retrieve/pii/S154024870400121X>.
- <sup>103</sup> Ibid.
- <sup>104</sup> Associated Press, "Eight Illegal Immigrants Killed in Rollover," and interview with parents (requested identity not disclosed) of 15 year-old who died, Humane Borders, Tucson, AZ, June 13, 2009.
- <sup>105</sup> Rubio-Goldsmith et al., *The "Funnel Effect"*, 51.
- <sup>106</sup> Pia Orrenius and Roberto Coronado, *The Effect of Illegal Immigration and Border Enforcement on Crime Rates along the U.S.-Mexico Border*, Working Paper 131, The Center for Contemporary Immigration Studies, University of California at San Diego (2005), 4, [http://www.ilw.com/articles/2006\\_0726-orrenius.pdf](http://www.ilw.com/articles/2006_0726-orrenius.pdf).
- <sup>107</sup> David Spener, "Smuggling Migrants."
- <sup>108</sup> REPORTAJE/la narcoguerra /III, "La banda se alio a los polleros en un negocio que significa secuestro y tortura de migrantes," *La Jornada*, 3 de marzo de 2009.
- <sup>109</sup> Mexico's National Commission on Human Rights, *Todos Saben, Nadie Sabe*, 24-27.
- <sup>110</sup> Bob Moser, "Open Season," *The Intelligence Report*, (Montgomery AL: Southern Poverty Law Center, 2003), <http://www.splcenter.org/intel/intelreport/article.jsp?aid=19>.
- <sup>111</sup> Leslie Berestein, "Border fire takes toll on illegal crossers," *The Union-Tribune*, October 28, 2007, <http://www.signonsandiego.com/news/mexico/tijuana/20071028-9999-1m28border.html>.
- <sup>112</sup> American Civil Liberties Union of San Diego and Imperial Counties, Justice Overcoming Boundaries of San Diego County and San Diego Immigrant Rights Consortium, *Firestorm: Treatment of Vulnerable Populations During the*

- San Diego Fires*, Report, San Diego, CA, November 2007, 1  
[http://www.aclusandiego.org/article\\_downloads/000698/Final%20Report%20-%20Firestorms%2011-07.pdf](http://www.aclusandiego.org/article_downloads/000698/Final%20Report%20-%20Firestorms%2011-07.pdf).
- <sup>113</sup> Berstein, "Border fire."
- <sup>114</sup> Rubio-Goldsmith et al., *The "Funnel Effect,"* 32.
- <sup>115</sup> No More Deaths, interview by Maria of aunt and mother (requested identity not be disclosed) of badly injured woman migrant, notes, St. Mary's Hospital, Tucson, AZ, June 12, 2009.
- <sup>116</sup> Roberts, Volunteer Training Part II notes.
- <sup>117</sup> Magaña, 49.
- <sup>118</sup> Rubio-Goldsmith et al., *The "Funnel Effect,"* 47.
- <sup>119</sup> Sanjeeb Sapkota et al, "Unauthorized Border Crossings and Migrant Deaths: Arizona, New Mexico, and El Paso, Texas, 2002-2003," *American Journal of Public Health* 98, no. 7 (2006), 3,  
<http://www.ajph.org/cgi/reprint/AJPH.2005.075168v1.pdf>.
- <sup>120</sup> *Ibid.*, 5.
- <sup>121</sup> Department of Homeland Security Office of Immigration Statistics, "Apprehensions by the U.S. Border Patrol: 2005-2008," *Fact Sheet* (June 2009), 2,  
[http://www.dhs.gov/xlibrary/assets/statistics/publications/ois\\_apprehensions\\_fs\\_2005-2008.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_apprehensions_fs_2005-2008.pdf).
- <sup>122</sup> No More Deaths, "Executive Summary," *Crossing the Line: Human Rights Abuses of Migrants in Short-Term Custody on the Arizona/Sonora Desert*, (Tucson, AZ, 2008), 3,  
<http://www.nomoredeaths.org/index.php/Abuse-Report/>.
- <sup>123</sup> Sapkota et al, 2.
- <sup>124</sup> Rubio-Goldsmith et al., *The "Funnel Effect,"* 40-58.
- <sup>125</sup> *Ibid.*, 45.
- <sup>126</sup> *Ibid.*, 3.
- <sup>127</sup> *Ibid.*, 49.
- <sup>128</sup> *Ibid.*, 50.
- <sup>129</sup> *Ibid.*, 51.
- <sup>130</sup> Center for Public Policy Priorities, "Executive Summary," *A Child Alone Without Papers: A report on the return and repatriation of unaccompanied undocumented children by the United States*, (Austin, TX: September 2008), 11,  
<http://www.cppp.org/repatriation/A%20Child%20Alone%20and%20Without%20Papers.pdf>.
- <sup>131</sup> Redacción, "En 7 meses, EU deporto 90 mil niños mexicanos," *La Jornada*, August 11, 2008,  
<http://www.jornada.unam.mx/2008/08/11/index.php?section=politica&article=018n1pol>.
- <sup>132</sup> Diana García, "Repatriados de EU mas de cinco mil niños en el primer trimestre," *El Sol de México*, August 2, 2009, <http://www.oem.com.mx/elsoldemexico/notas/n1269137.htm>.
- <sup>133</sup> Center for Public Policy Priorities, 11.
- <sup>134</sup> Eileen Truax, "Sin Padre, Sin Madre, Nomas con lo Puesto," *Mundo Abierto*, November 28, 2008,  
<http://mundoabierto.info/2008/11/28/sin-padre-sin-madre-nomas-con-lo-puesto/>.
- <sup>135</sup> Eileen Truax, "Niños deportados y abandonados a su suerte en la frontera de EUA en México," *MERCOSUR NOTICIAS*, November 25, 2008,  
[http://www.mercosurnoticias.com/index.php?option=com\\_content&task=view&id=17141&Itemid=214](http://www.mercosurnoticias.com/index.php?option=com_content&task=view&id=17141&Itemid=214).
- <sup>136</sup> *Ibid.*
- <sup>137</sup> PRIMER REPORTAJE DE TRECE SOBRE LA FRONTERA, *La Jornada*, March 1, 2009.
- <sup>138</sup> REPORTAJE/la narcoguerra /III, "La banda se alio a los polleros", *La Jornada*.
- <sup>139</sup> Tim Vanderpool, "Price of Admission: Along the border sexual assault has become routine," *Tucson Weekly*, June 5, 2008, <http://www.tucsonweekly.com/tucson/price-of-admission/Content?oid=1091501>.
- <sup>140</sup> *Ibid.*
- <sup>141</sup> *Ibid.*
- <sup>142</sup> Associated Press, "Immigrant deaths along South Texas."
- <sup>143</sup> The display of crosses with the names and the word "unidentified" has become a popular form of denouncing the deadly border enforcement strategy on the border and in many immigrant communities nationally. It was first organized by human rights organizations in opposition to Operation Gatekeeper. See American Friends Service Committee, [www.afsc.org](http://www.afsc.org), Coalicion de Derechos Humanos, [www.derechoshumanosaz.net](http://www.derechoshumanosaz.net), Border Angels, [www.borderangels.org](http://www.borderangels.org), Border Network for Human Rights, [www.bnhr.org](http://www.bnhr.org), and the National Network for Immigrant and Refugee Rights, [www.nnirr.org](http://www.nnirr.org)
- <sup>144</sup> These were the pioneering studies on death at the border: 1) S. Bailey, K. Eschbach, J.M. Hagan, & N.P. Rodriguez, "The Human Cost of Border Enforcement: Migrant Death at the Texas-Mexico Border," *Migration*

*World*, 24, no. 4, (1996); 2) Wayne Cornelius, *Death at the Border*; and 3) Raquel Rubio-Goldsmith et al., *The "Funnel Effect."*

<sup>145</sup> Inter-American Commission on Human Rights, Petition 65/99, *Victor Nicolas Sanchez et al vs. United States*.

<sup>146</sup> U.S. Commission on Civil Rights, "Executive Summary," 21.

<sup>147</sup> For proceedings on implications of the southwestern border policies, See U.S. Commission on Civil Rights [www.usccr.gov/](http://www.usccr.gov/), and UN Special Rapporteur for the Human Rights of Migrants, <http://www2.ohchr.org/english/issues/migration/rapporteur/>.

<sup>148</sup> The humanitarian projects are: 1) California: Angeles del Desierto <http://losangelesdeldesierto.org> and Water Station [www.desertwater.org](http://www.desertwater.org); 2) Arizona: Humane Borders [www.humaneborders.org](http://www.humaneborders.org), No More Deaths [www.nomoredeaths.org](http://www.nomoredeaths.org) and Samaritan Patrol [www.samaritanpatrol.org](http://www.samaritanpatrol.org); and 3) Texas: Paisanos al Rescate (no web site found).

<sup>149</sup> Albahari, 29.

<sup>150</sup> Robert T. Guerette, "Immigration Policy, Border Security and Migrant Deaths: An Impact Evaluation of Life Saving Efforts Under the Border Safety Initiative," *Criminology and Public Policy*, Volume 6, Number 2 (On line publication, July 28, 2007), 245.

<sup>151</sup> *Ibid.*, 248.

<sup>152</sup> U.S. Government Accountability Office, *Illegal Immigration: Border-Crossing Deaths Have Doubled Since 1995; Border Patrol's Efforts to Prevent Deaths Have Not Been Fully Evaluated* (GAO-06-770), Washington, DC, August 2006.

<sup>153</sup> *Ibid.*, 5.

<sup>154</sup> *Ibid.*, 3.

<sup>155</sup> *Ibid.*, 13.

<sup>156</sup> Ashley Surdin, "Crossover Appeal," *The Washington Post*, March 15, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/03/13/AR2009031304234.html>.

<sup>157</sup> Meissner and Kerwin, 17.

<sup>158</sup> Rev. Robin Hoover, interview by Maria Jimenez, notes, Humane Borders, Tucson, AZ, June 10, 2009.

<sup>159</sup> Guerette, 248.

<sup>160</sup> Department of Homeland Security Customs and Border Protection, "BORSTAR History," (06/09/2003), [http://www.cbp.gov/xp/cgov/border\\_security/border\\_patrol/special\\_oper/borstar/borstar\\_history.xml](http://www.cbp.gov/xp/cgov/border_security/border_patrol/special_oper/borstar/borstar_history.xml).

<sup>161</sup> Robert T. Guerette, "Immigration Policy, Border Security and Migrant Deaths," 256.

<sup>162</sup> *Ibid.*

<sup>163</sup> Keim et al, 39-42.

<sup>164</sup> Mark Qualia to Maria Jimenez, July 27, 2007, *Border Safety Initiative Table '04-'09 Date Range (10/1-7/27)*, Headquarters of the Border Patrol Office of Public Affairs, Washington, DC, [mark.qualia@dhs.gov](mailto:mark.qualia@dhs.gov).

<sup>165</sup> Customs and Border Protection, "BORSTAR," June 09, 2003.

[http://www.cbp.gov/xp/cgov/border\\_security/border\\_patrol/special\\_oper/borstar/borstar.xml](http://www.cbp.gov/xp/cgov/border_security/border_patrol/special_oper/borstar/borstar.xml).

<sup>166</sup> Customs and Border Protection, Newsroom, CBP News Releases, <http://www.cbp.gov/xp/cgov/newsroom/>.

<sup>167</sup> Customs and Border Protection, Newsroom, CBP News Releases, "Border Patrol Partnership Saves Lives in Arizona," July 16, 2009.

<sup>168</sup> Customs and Border Protection, Newsroom, CBP News Releases, "Rio Grande City Patrol Rescues Elderly Couple," July 15, 2009.

<sup>169</sup> Customs and Border Protection, Newsroom, CBP News Releases, "Border Patrol Saves Mother, Daughter, Woman from Heat After Ditched by Smugglers" July 14, 2009.

<sup>170</sup> Margo Cowan and Guadalupe Castillo, interview by Maria Jimenez, notes, Tucson, AZ, June 12, 2009.

<sup>171</sup> U.S. Government Accountability Office, *Illegal Immigration: Border-Crossing Deaths*, 5.

<sup>172</sup> These organizations and many more have issued reports or taken actions to address official misconduct of immigration agents: 1) American Friends Service Committee. *Sealing our Borders: The Human Toll* (Philadelphia, PA: AFSC, 1992); America's Watch. *Brutality Unchecked: Human Rights along the U.S. Border with Mexico*. (New York: Human Rights Watch, 1992); 3) Amnesty International. *United States of America: Human Rights Concern in the Border Region with Mexico* (London: Amnesty International, 1998) and 4). National Network for Immigrant and Refugee Rights. *Over-raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Immigrants* (Oakland, CA: 2008).

<sup>173</sup> For several reports on official misconduct of immigration and border agents due to the lack of oversight system that can prevent and redress the abuse of authority, see Immigration Advocates Network, Official Web Site, [www.immigrationadvocatesnetwork.org](http://www.immigrationadvocatesnetwork.org).

- <sup>174</sup> No More Deaths, "Executive Summary," 1-3.
- <sup>175</sup> No More Deaths, "Executive Summary," 1.
- <sup>176</sup> No More Deaths, "Executive Summary," 3.
- <sup>177</sup> Two sources are: 1) Debbie Baker, "Speeding car draws fire at border checkpoint," *The Union-Tribune*, July 21, 2009, <http://www3.signonsandiego.com/stories/2009/jul/21/bn21bpshoot08186/> and 2) Ashley Powers and Seema Metha, "Fatal Crash Ends Border Patrol Chase," *Los Angeles Times*, April 14, 2005, <http://articles.latimes.com/2005/apr/14/local/me-border14>.
- <sup>178</sup> Magaña, 91.
- <sup>179</sup> Humane Borders, "Humane Borders Water Station Maps and Warning Posters," Official Web Site, <http://www.humaneborders.org/news/news4.html>.
- <sup>180</sup> *The 800 Mile Wall*.
- <sup>181</sup> Magaña, 91.
- <sup>182</sup> David Spener, "Global Apartheid, Coyotaje and the Discourse of Clandestine Migration: Distinctions Between Personal, Structural and Cultural Violence," *Migracion y Desarrollo*, (2008 First Semester), 120-123, <http://www.estudiosdeldesarrollo.net/revista/rev10ing/e6.pdf>
- <sup>183</sup> *Ibid.*, 121.
- <sup>184</sup> *Ibid.*, 129.
- <sup>185</sup> No More Deaths, "History and Mission of No More Deaths," Official Web Site, <http://www.nomoredeaths.org/index.php/Information/history-and-mission-of-no-more-deaths.html>
- <sup>186</sup> *Ibid.*
- <sup>187</sup> Interview with Rafael Hernandez, Director of Angeles del Desierto, notes, (Escondido CA June 25, 2009 and San Diego CA June 26, 2009), Official Web Site, [angelesdeldesierto.org](http://angelesdeldesierto.org).
- <sup>188</sup> Eleazar Lopez, "Rafael Hernández: Salvando Vidas," *DiarioSanDiego.com*, April 22, 2009, <http://diariosandiego.worldmedianetworks.com/bin/printerfriendly/pf.cgi>.
- <sup>189</sup> *Ibid.*
- <sup>190</sup> Hernández, interview notes.
- <sup>191</sup> *Ibid.*
- <sup>192</sup> *Ibid.*
- <sup>193</sup> *Ibid.*
- <sup>194</sup> Mario Cordero, "Ángeles del Desierto, guardianes de los migrantes," *La Voz Del Migrante*, June 2, 2008, <http://www.lavozdelmigrante.com/notas.php?key=244&fch=2008-06-02>.
- <sup>195</sup> *Ibid.*
- <sup>196</sup> Tatiana Martínez, "Cumplen Sus 1," *El Mexicano Gran Diario Regional*, February 27, 2009, <http://www.el-mexicano.com.mx/servicios/imprimir-noticia.aspx?id=341478>.
- <sup>197</sup> Mexico's National Commission on Human Rights, *Todos Saben, Nadie Sabe*, 12.
- <sup>198</sup> John Hunter, interview by Maria Jimenez, notes, Escondido, CA, June 25, 2009, and Water Station, Official Web Site, [www.desertwater.org](http://www.desertwater.org).
- <sup>199</sup> Laura Celina Hunter, interview by Maria Jimenez, notes, Escondido, CA, June 25, 2009.
- <sup>200</sup> Hunter, J., interview notes.
- <sup>201</sup> Rev. Robin Hoover of Humane Borders, John Hunter and Laura Celina Hunter of Water Station, conversation with Maria Jimenez, notes, Tucson, AZ, June 10, 2009.
- <sup>202</sup> Hunter, J., interview notes.
- <sup>203</sup> *Ibid.*
- <sup>204</sup> David Maung, "Oasis of Hope for Migrants in the Desert," *La Presna San Diego*, August 15, 2008, <http://www.highbeam.com/doc/1P3-1561787511.html>.
- <sup>205</sup> Nicolas Taborek, "Former Illegal lends a hand," *Imperial Valley Press*, June 29, 2009, <http://www.highbeam.com/doc/1P3-1561787511.html>.
- <sup>206</sup> Hunter, L.C., interview notes.
- <sup>207</sup> Hunter, J., interview notes.
- <sup>208</sup> *The 800 Mile Wall*.
- <sup>209</sup> Hunter, J., interview notes.
- <sup>210</sup> Megan Bakker, "Bureaucracy stalls All-American safety measures," *Imperial Valley Press*, June 6, 2009, [http://www.ivpressonline.com/articles/2009/06/07/local\\_news/news06.txt](http://www.ivpressonline.com/articles/2009/06/07/local_news/news06.txt).
- <sup>211</sup> Hoover, Hunter and Hunter, conversation.



- <sup>212</sup> Rev. Robin Hoover, interview by Maria Jimenez, notes, Tucson, AZ, June 10, 2009, and Humane Borders Official Web Site: [www.humaneborders.org](http://www.humaneborders.org).
- <sup>213</sup> Ibid.
- <sup>214</sup> Ibid.
- <sup>215</sup> Human Borders, "Humane Borders Water Stations", and conversation with Executive Director Sue Goodman (Tucson AZ June 10, 2009), Official Web Site, [http://www.humaneborders.org/about/about\\_wstations.html](http://www.humaneborders.org/about/about_wstations.html).
- <sup>216</sup> Human Borders, "Humane Borders Water Stations", Official Web Site, [http://www.humaneborders.org/about/about\\_wstations.html](http://www.humaneborders.org/about/about_wstations.html).
- <sup>217</sup> Ibid. and interviews and field trips with Rev. Robin Hoover, notes, Tucson, AZ, June 10-11, 2009.
- <sup>218</sup> Humane Borders, "Humane Borders Water Station Maps and Warning Posters," and interview with Rev. Robin Hoover, Official Web Site, <http://www.humaneborders.org/news/news4.html>.
- <sup>219</sup> Ibid.
- <sup>220</sup> Hoover, interview notes.
- <sup>221</sup> Humane Borders, Ninth Anniversary Celebration, and observations of events dinner, film screening and panel discussion at the First Christian Church, notes, Tucson, AZ, June 10-11, 2009.
- <sup>222</sup> Bob Moser, "Samaritans in the Desert," *The Nation*. May 26, 2003, 5, <http://www.thenation.com/doc/20030526/moser/5>.
- <sup>223</sup> Samaritan Patrol, Official Web Site, "Letter to Chief David Aguilar," <http://www.samaritanpatrol.org/june272002letter.html>.
- <sup>224</sup> Samaritan Patrol, "About Samaritans," Official Web Site, <http://www.samaritanpatrol.org/ABOUTSAMARITANS.html>.
- <sup>225</sup> Ibid.
- <sup>226</sup> Ibid.
- <sup>227</sup> No More Deaths, "History and Mission of No More Deaths," Official Web Site, <http://www.nomoredeaths.org/index.php/Information/history-and-mission-of-no-more-deaths.html>.
- <sup>228</sup> Ibid.
- <sup>229</sup> Gene Lefebvre, "The Principles and Ethics of Civil Initiative," Volunteer Training Part II, notes, No More Deaths, Tucson, AZ, June 14, 2009.
- <sup>230</sup> No More Deaths, "Overview of Projects," Official Web Site, <http://www.nomoredeaths.org/index.php/Project-Overviews/>.
- <sup>231</sup> Magaña, 140-175.
- <sup>232</sup> No More Deaths, "Overview of Projects."
- <sup>233</sup> Ibid.
- <sup>234</sup> Ibid.
- <sup>235</sup> Ibid.
- <sup>236</sup> Tim Vanderpool, "The Activist Question: Tensions between humanitarians and federal officials are on the rise along the border," *Tucson Weekly*, July 9, 2009, <http://www.tucsonweekly.com/tucson/the-activist-question/Content?oid=1230781>.
- <sup>237</sup> Dunn, 179.
- <sup>238</sup> Sylvia Moreno, "Drops of Water in the Desert Help Immigrants on their Way," *The Washington Post*, August 27, 2006, [http://www.washingtonpost.com/wp-dyn/content/article/2006/08/26/AR2006082600673\\_2.html](http://www.washingtonpost.com/wp-dyn/content/article/2006/08/26/AR2006082600673_2.html).
- <sup>239</sup> Simon Romero, "Patrolling the Border for Migrants from Mexico, With a Humanitarian Goal," *The New York Times*, July 20, 2005, [http://www.nytimes.com/2005/07/20/national/20border.html?\\_r=1&pagewanted=2](http://www.nytimes.com/2005/07/20/national/20border.html?_r=1&pagewanted=2).
- <sup>240</sup> Ibid.
- <sup>241</sup> Ibid.
- <sup>242</sup> Louie Gilot, "Donations rescue group that give migrants water," *El Paso Times*, August 22, 2005.
- <sup>243</sup> Tim Dunn, 185.
- <sup>244</sup> Hernandez, Hunter, Hunter, Hoover, and Lefebvre interviews and statements and protocols, Official Web Sites, Angeles del Desierto, [angelesdeldesierto.org](http://angelesdeldesierto.org), Humane Borders, [www.humaneborders.org](http://www.humaneborders.org); No More Deaths, [www.nomoredeaths.org](http://www.nomoredeaths.org); Samaritan Patrol, [www.samaritanpatrol.org](http://www.samaritanpatrol.org) and Water Station, [www.desertwater.org](http://www.desertwater.org). In contrast, co-existing vigilante activity has been for the most part tolerated and sometimes encouraged.
- <sup>245</sup> Laura Celina Hunter and John Hunter, interview and Simon Romero, "Patrolling the Border for Migrants,".
- <sup>246</sup> Vanderpool, "The Activist Question: Tensions."
- <sup>247</sup> Hoover, interview notes.
- <sup>248</sup> *The 800 Mile Wall*.

- <sup>249</sup> Rubio-Goldsmith et al., *Policy Brief*, 4.
- <sup>250</sup> McCombs and Volante, "'Deadliest migrant trail in U.S.'"
- <sup>251</sup> Brenda Norrell, "Indigenous Border Summit Opposes Border Wall and Militarization," Americas Program, Center for International Policy, October 31, 2006, <http://americas.irc-online.org/amcit/3648>.
- <sup>252</sup> Tim Vanderpool, "Water Tank Tussle: Mike Wilson battles his tribe and fellow humanitarian group leaders to maintain desert water stations," *Tucson Weekly*, August 26, 2004, <http://www.tucsonweekly.com/tucson/water-tank-tussle/Content?oid=1077384>.
- <sup>253</sup> Vanderpool, "Water Tank Tussle."
- <sup>254</sup> Norrell, "Indigenous Border Summit."
- <sup>255</sup> *The 800 Mile Wall*.
- <sup>256</sup> Norrell, "Indigenous Border Summit."
- <sup>257</sup> Valeria Fernandez, "Humanitarian Aid Criminalized at the Border," *Inter Press Service*, June 19, 2009, <http://www.commondreams.org/headline/2009/06/19-9>.
- <sup>258</sup> Ibid.
- <sup>259</sup> Ibid.
- <sup>260</sup> No More Deaths, "Federal Trail Against Humanitarian Begins June 1," Press Release (Undated), Official Web Site, <http://www.nomoredeaths.org/index.php/Press-Releases/feds-hand-out-13-littering-tickets.html>.
- <sup>261</sup> *Field Coordinating Committee Newsletter*, no. 7, August 2007, 1-2, [http://www.cerc.usgs.gov/FCC/docs/Newsletters/DOI\\_FCC\\_Newsletter\\_Issue\\_7\\_Aug%2007.pdf](http://www.cerc.usgs.gov/FCC/docs/Newsletters/DOI_FCC_Newsletter_Issue_7_Aug%2007.pdf).
- <sup>262</sup> No More Deaths, "Feds hand out 13 littering tickets" Press Releases (July 9, 2009), Official Web Site, <http://www.nomoredeaths.org/index.php/Press-Releases/feds-hand-out-13-littering-tickets.html>.
- <sup>263</sup> Ibid.
- <sup>264</sup> Tim Vanderpool, "Meeting With the Secretary: Has the Interior Department opened a window to migrant ad on Buenos Aires?" *Tucson Weekly*, August 6, 2009, <http://www.tucsonweekly.com/tucson/meeting-with-the-secretary/Content?oid=1270490>.
- <sup>265</sup> No More Deaths, "Humanitarian Representatives Meet With the Department of Interior," July 21, 2009, Official Web Site, <http://www.nomoredeaths.org/index.php/Updates-and-Announcements/>.
- <sup>266</sup> Magaña, 153-157.
- <sup>267</sup> Ibid.
- <sup>268</sup> Vanderpool, "The Activist Question: Tensions."
- <sup>269</sup> Aceves, interview notes.
- <sup>270</sup> William J. Aceves to Maria Jimenez, June 25, 2009, Memo, "International Obligation to Identify the Dead," California Western School of Law, San Diego, CA.
- <sup>271</sup> Organization of American States, "Persons Who Have Disappeared and Assistance to Members of their Families (AG/RES. 2513 (XXXIX-O/09))" (San Pedro Sula, Honduras: June 2-4, 2009), <http://reliefweb.int/rw/rwb.nsf/db900sid/SNAA-7SQ7C2?OpenDocument>.
- <sup>272</sup> William J. Aceves to Maria Jimenez, June 25, 2009, "Memo on the Rights of the Dead," California Western School of Law, San Diego, CA.
- <sup>273</sup> Erin McMenemy, *Databasing the Disappeared and Deceased: A Review of the Resources Available in Missing and Unidentified Persons Cases*, (Master Thesis, Louisiana State University and Agricultural and Mechanical College, 2008), 1-5. [http://etd.lsu.edu/docs/available/etd-06082008-153915/unrestricted/McMenemy\\_Thesis.pdf](http://etd.lsu.edu/docs/available/etd-06082008-153915/unrestricted/McMenemy_Thesis.pdf).
- <sup>274</sup> Leslie Berestein, "New tool helps find missing migrants," *The Union-Tribune*, August 8, 2005, <http://www.signonsandiego.com/news/mexico/20050808-9999-1m8identify.html>
- <sup>275</sup> Kat Rodríguez, interview by María Jiménez, notes, Coalición de Derechos Humanos, Arizona Recovered Bodies Project, Tucson, AZ, June 12, 2009.
- <sup>276</sup> Magaña, 139-140.
- <sup>277</sup> Hernández, interview notes.
- <sup>278</sup> Magaña, 136.
- <sup>279</sup> Rodríguez, interview notes.
- <sup>280</sup> U.S.-Mexico Border Counties Coalition, *Undocumented Immigration in U.S.-Mexico Border Counties: The Cost of Law Enforcement and Criminal Justice Services*, (Tucson, AZ: University of Arizona, 2007), 22, <http://www.bordercounties.org/vertical/Sites/%7BB4A0F1FF-7823-4C95-8D7A-F5E40063C73%7D/uploads/%7B690801CA-CEE6-413C-AC8B-A00DA765D96E%7D.PDF> .
- <sup>281</sup> McCombs and Volante, "'Deadliest migrant trail in U.S.'"

- <sup>282</sup> Darryl Fears, "Border States Paying Toll of Fatal Crossings: Millions Spent on Examining the Rising Deaths of Illegal Immigrants," *The Washington Post*, September 7, 2005, <http://www.washingtonpost.com/wp-dyn/content/article/2005/09/06/AR2005090601561.html>.
- <sup>283</sup> Rubio-Goldsmith et al., *The "Funnel Effect,"* 21.
- <sup>284</sup> Ibid.
- <sup>285</sup> U.S.-Mexico Border Counties Coalition, *Undocumented Immigration*, 134.
- <sup>286</sup> Raquel Rubio-Goldsmith, interview by Maria Jimenez, notes, Binational Migration Institute, University of Arizona, Tucson, AZ, June 11, 2009.
- <sup>287</sup> Rodríguez, interview notes.
- <sup>288</sup> Combs, 2.
- <sup>289</sup> Sapkota et al, 5.
- <sup>290</sup> Rodriguez, interview notes.
- <sup>291</sup> Ibid.
- <sup>292</sup> *Operational Protocols for Border Violence Incidents: Border Violence Occurring in the U.S.*, [http://www.region49.org/txrc/files/Catalog\\_of\\_Border\\_Incidents.pdf](http://www.region49.org/txrc/files/Catalog_of_Border_Incidents.pdf), 1-7.
- <sup>293</sup> Hernandez, interview notes.
- <sup>294</sup> McMenamin, 1.
- <sup>295</sup> Magaña, 95.
- <sup>296</sup> Cody Calamaio, "Identifying the Undocumented," *Border Beat*, April 29, 2009, <http://borderbeat.net/story/show/961>.
- <sup>297</sup> Mariana Alvarado Avalos, "Anonymous \$200K gift gets ball rolling," *Arizona Daily Star*, July 24, 2008, <http://www.azstarnet.com/sn/printDS/249660>.
- <sup>298</sup> Calamaio, "Identifying the Undocumented."
- <sup>299</sup> Associated Press, "Immigrant deaths along South Texas."
- <sup>300</sup> Rodríguez, interview notes.
- <sup>301</sup> Coalicion de Derechos Humanos, "Arizona Recovered Remains," (Last updated July 11, 2009), Official Web Site, [http://www.derechoshumanosaz.net/index.php?option=com\\_content&task=view&id=20&Itemid=34](http://www.derechoshumanosaz.net/index.php?option=com_content&task=view&id=20&Itemid=34).
- <sup>302</sup> Ibid.
- <sup>303</sup> *The 800 Mile Wall* and Interviews with Rev. Robin Hoover, Kat Rodriguez, Sarah Roberts and Rafael Hernandez.
- <sup>304</sup> Ibid.
- <sup>305</sup> Rodríguez and Hernández, interview notes.
- <sup>306</sup> Rubio-Goldsmith, interview notes.
- <sup>307</sup> Terra/EFE, "Recuperaran restos humanos de inmigrantes en la frontera," *Terra*, April 10, 2006, <http://noticias.terra.com/articulo/html/act380062.htm>.
- <sup>308</sup> Magaña, 133-134.
- <sup>309</sup> Rubio-Goldsmith, interview notes.
- <sup>310</sup> Magaña, 133-134.
- <sup>311</sup> Ibid.
- <sup>312</sup> Rodríguez, interview notes.
- <sup>313</sup> Berestein, "New tool helps find missing migrants."
- <sup>314</sup> Rubio-Goldsmith, interview notes.
- <sup>315</sup> José Antonio Román, "La SRE tergiversa cifras de migrantes muertos: organizaciones de México y EU," *La Jornada*, April 26, 2007, <http://www.jornada.unam.mx/2007/04/26/index.php?section=politica&article=007n1pol>.
- <sup>316</sup> Combs, 2.
- <sup>317</sup> Mariana Alvarado Avalos, "Anonymous \$200K gift gets ball rolling."
- <sup>318</sup> Ibid.
- <sup>319</sup> Román, "La SRE tergiversa cifras de migrantes."
- <sup>320</sup> Ibid.
- <sup>321</sup> Magaña, 115.
- <sup>322</sup> Ibid.
- <sup>323</sup> Ibid.
- <sup>324</sup> Ibid., 116.
- <sup>325</sup> Ibid.
- <sup>326</sup> Elizabeth Wood, *Missing Migrant DNA Database (MMDD) Project: Power Point Presentation, April 15, 2008*, Slides 1-63, .docstoc, [http://www.docstoc.com/docs/4194186/Missing-Migrant-DNA-Database-\(MMDD\)-Project](http://www.docstoc.com/docs/4194186/Missing-Migrant-DNA-Database-(MMDD)-Project).

<sup>327</sup> Rodriguez, interview notes.

<sup>328</sup> Jennifer McNulty, "Death on the Border: A graduate student's promising technique offers hope of closure for loved ones," *UC Santa Cruz Review*, (Santa Cruz CA: University of California, Fall 2006), [http://review.ucsc.edu/fall06/RevF06-pp18-19\\_Death.pdf](http://review.ucsc.edu/fall06/RevF06-pp18-19_Death.pdf).

<sup>329</sup> Calamaio, "Identifying the Undocumented."

<sup>330</sup> Alvarado Avalos, "Anonymous \$200K gift gets ball rolling."

<sup>331</sup> Ibid.

<sup>332</sup> Ibid.

<sup>333</sup> Ibid.

<sup>334</sup> Inter-American Commission on Human Rights, Petition 65/99, *Victor Nicolas Sanchez et al vs. United States*.

<sup>335</sup> National Commission of Human Rights of Mexico, *Todos Saben, Nadie Sabe*, 8.

## Bibliography

Aceves, William J. Testimony before the United States Commission on Civil Rights *Preliminary Hearings on Civil & Human Rights Implications of the U.S. Southwest Border Policy* (Washington, D.C.: USCCR, 2002), 12-14.

Albahari, Maurizio. *Death and the Modern State: Making Borders and Sovereignty at the Southern Edges of Europe*, Working Paper No. 137, The Center for Comparative Immigration Studies, University of California at San Diego (2006), 29-30.

America's Watch. *Brutality Unchecked: Human Rights along the U.S. Border with Mexico*. (New York: Human Rights Watch, 1992).

American Civil Liberties Union of San Diego and Imperial Counties, Official Web Site [www.aclusandiego.org](http://www.aclusandiego.org), (accessed August 2009).

American Civil Liberties Union of San Diego and Imperial Counties, Justice Overcoming Boundaries of San Diego County and San Diego Immigrant Rights Consortium, *Firestorm: Treatment of Vulnerable Populations During the San Diego Fires*, (San Diego, CA November 2007), [http://www.aclusandiego.org/article\\_downloads/000698/Final%20Report%20-%20Firestorms%2011-07.pdf](http://www.aclusandiego.org/article_downloads/000698/Final%20Report%20-%20Firestorms%2011-07.pdf).

American Friends Service Committee. *Sealing our Borders: The Human Toll* (Philadelphia, PA: AFSC, 1992).

Amnesty International. *United States of America: Human Rights Concern in the Border Region with Mexico* (London: Amnesty International, 1998).

Ángeles del Desierto, Official Web Site: [angelesdeldesierto.org](http://angelesdeldesierto.org) (accessed July 2009).

Associated Press, "Eight Illegal Immigrants Killed in Rollover in Arizona," *NAZ TODAY*, June 7, 2009, <http://www.naztoday.com/news/arizona/2009/06/eight-illegal-immigrants-killed-in-rollover-in-arizona/>.

\_\_\_\_\_. "Immigrant deaths along South Texas border rose 72 percent," *The Dallas Morning News*, March 1, 2009, sec. A.

Alvarado Avalos, Mariana. "Anonymous \$200K gift gets ball rolling," *Arizona Daily Star*, July 24, 2008, <http://www.azstarnet.com/sn/printDS/249660>.

- 
- Bailey, S. Eschbach, K., Hagan, J.M., and Rodriguez, N.P., "The Human Costs of Border Enforcement: Migrant Death at the Texas-Mexico Border," *Migration World* 24, no.4, (1996).
- Baker, Debbie. "Speeding car draws fire at border checkpoint," *The Union-Tribune*, July 21, 2009, <http://www3.signonsandiego.com/stories/2009/jul/21/bn21bpshoot08186/>.
- Bakker, Megan."Bureaucracy stalls All-American safety measures," *Imperial Valley Press*, June 6, 2009, [http://www.ivpressonline.com/articles/2009/06/07/local\\_news/news06.txt](http://www.ivpressonline.com/articles/2009/06/07/local_news/news06.txt).
- Berestein, Leslie. "Border fire takes toll on illegal crossers," *San Diego Union-Tribune*, October 28, 2007, <http://www.signonsandiego.com/news/mexico/tijuana/20071028-9999-1m28border.html>.
- \_\_\_\_\_. "New tool helps find missing migrants," *The Union-Tribune*, August 8, 2005, <http://www.signonsandiego.com/news/mexico/20050808-9999-1m8identify.html>.
- Bohórquez, Arturo. "Alarma Aumento de Muertes de Migrantes," *Imperial Valley Press*, July 8, 2009, "Adelante."
- Border Network for Human Rights, *2006 Report on Migrant Deaths at the US-Mexico Border: El Paso-New Mexico Border Region*, (El Paso, TX: 2006), [http://www.bnhr.org/index.php?option=com\\_content&view=article&id=4:2006-report-on-migrant-deaths-at-the-us-mexico-border&catid=1:status-of-human-rights&Itemid=7](http://www.bnhr.org/index.php?option=com_content&view=article&id=4:2006-report-on-migrant-deaths-at-the-us-mexico-border&catid=1:status-of-human-rights&Itemid=7).
- Calamaio, Cody. "Identifying the Undocumented," *Border Beat*, April 29, 2009, <http://borderbeat.net/story/show/961>.
- Cano, Arturo y agencias. "La esperanza muere en la frontera," *La Jornada*, 19 de noviembre de 2008, <http://migracion.jornada.com.mx/migracion/estadisticas/4-mil-500-migrantes-muertos-en-la-frontera-y-sigue-la-cuenta>.
- Center for Public Policy Priorities. "Executive Summary," *A Child Alone Without Papers: A report on the return and repatriation of unaccompanied undocumented children by the United States*, (Austin TX: 2008), 11, <http://www.cppp.org/repatriation/A%20Child%20Alone%20and%20Without%20Papers.pdf>.
- Centro de Estudios Fronterizos y Promoción de los Derechos Humanos, A.C. "Estadísticas: Ahogados 2008," (Reynosa, Tamaulipas: 2009), Official Web Site <http://www.derechoshumanosenmexico.org/pages/estadisticas/ahogados-2008.php> (accessed March 2009).
- Coalición de Derechos Humanos. "Arizona Recovered Bodies Project" (Tucson AZ: 2009), Official Web Site, [http://www.derechoshumanosaz.net/index.php?option=com\\_content&task=view&id=20&Itemid=34](http://www.derechoshumanosaz.net/index.php?option=com_content&task=view&id=20&Itemid=34). (accessed January-July 2009).
- Cordero, Mario. "Ángeles del Desierto, guardianes de los migrantes," *La Voz Del Migrante*, 2 de junio de 2008, <http://www.lavozdelmigrante.com/notas.php?key=244&fch=2008-06-02>.
- Cornelius, Wayne. "Controlling 'Unwanted' Immigration: Lessons from the United States, 1993-2004," *Journal of Ethnic and Migration Studies* 31, no. 4 (2005) 775-795.

- 
- \_\_\_\_. "Death at the Border: The Efficacy and Unintended Consequences of U.S. Immigration Control Policy, 1993-2000." Working Paper 27, The Center for Comparative Immigration Studies, University of California at San Diego (2001).
- \_\_\_\_. Testimony before the United States Commission on Civil Rights *Preliminary Hearings on Civil & Human Rights Implications of the U.S. Southwest Border Policy* (Washington, D.C.: USCCR, 2002), 5-9.
- Dell'orto, Giovanna. "14 Illegal Immigrants Die in the Desert," *The Washington Post*, May 24, 2001, [http://www.washingtonpost.com/wp srv/aponline/20010524/aponline090219\\_000.htm](http://www.washingtonpost.com/wp srv/aponline/20010524/aponline090219_000.htm).
- Dunn, Timothy J. *Blockading the Border and Human Rights: The El Paso Operation That Remade Immigration Enforcement*, (Austin, Texas: University of Texas Press, 2009) 1, 185.
- eMedicineHealth*, "Drowning," [http://www.emedicinehealth.com/drowning/article\\_em.htm](http://www.emedicinehealth.com/drowning/article_em.htm) (accessed May 2007).
- Durand, Jorge. "¿Desmigratizar la agenda México-EU?," *MX Sin Fronteras*, no. 41, Mayo 2007, 6-9.
- Fernández, Valeria. "Humanitarian Aid Criminalized at the Border," *Inter Press Service*, June 19, 2009, <http://www.commondreams.org/headline/2009/06/19-9>.
- Fears, Darryl. "Border States Paying Toll of Fatal Crossings: Millions Spent on Examining the Rising Deaths of Illegal Immigrants," *The Washington Post*, September 7, 2005, <http://www.washingtonpost.com/wp-dyn/content/article/2005/09/06/AR2005090601561.html>.
- Field Coordinating Committee Newsletter*, Issue 7, August 2007, 1-2, [http://www.cerc.usgs.gov/FCC/docs/Newsletters/DOI\\_FCC\\_Newsletter\\_Issue\\_7\\_Aug%2007.pdf](http://www.cerc.usgs.gov/FCC/docs/Newsletters/DOI_FCC_Newsletter_Issue_7_Aug%2007.pdf).
- García, Diana. "Repatriados de EU más de cinco mil niños en el primer trimestre," *El Sol de México*, 2 de agosto de 2009, <http://www.oem.com.mx/elsoldemexico/notas/n1269137.htm>.
- Gibb, Gordon. "Nineteen Passengers in Crashed SUV: Seriously Unsafe Vehicle," *LawyersandSettlement.Com, America's Premier Online Legal News Source*, August 8, 2008, <http://www.lawyersandsettlements.com/features/suv-rollover-vehicle-crash.html> (accessed February 2009).
- Gilot, Louie. "Donations rescue group that give migrants water." *El Paso Times*, August 22, 2005.
- Guerette, Robert T. "Immigration Policy: Border Security and Migrant Deaths: An Impact Evaluation of Life Saving Efforts Under the Border Safety Initiative," *Criminology and Public Policy* 6, no. 2 (On line publication July 28, 2007), 245-266. <http://www3.interscience.wiley.com/cgi-bin/fulltext/117993432/PDFSTART>.
- Humane Borders, Official Web Site, <http://www.humaneborders.org/> (accessed July 2009).
- Immigration Advocates Network, Official Web Site, [www.immigrationadvocatesnetwork.org](http://www.immigrationadvocatesnetwork.org) (accessed June 2009).
- Inter-American Commission on Human Rights, Petition 65/99, *Victor Nicolas Sanchez et al vs. United States*, <http://www.iachr.org/2005eng/USA.65.99eng.htm>.

- 
- \_\_\_\_. Report No. 104/05, Petition 65/99, <http://www.iachr.org/annualrep/2005eng/USA.65.99eng.htm>.
- Keim, Samuel M., Frank Reiser, Sheetal Shetty, and James Ranger-Moore, "Wilderness Rescue and Border Enforcement Along the Arizona Mexico Border—The Border Patrol Search, Trauma and Rescue Unit," *Wilderness and Environmental Medicine* 20 (2009), 39-42, <http://www.bioone.org/doi/abs/10.1580/08-WEME-OR-245.1>.
- La Jornada*, <http://www.jornada.unam.mx/>.
- \_\_\_\_. PRIMER REPORTAJE DE TRECE SOBRE LA FRONTERA, 1 de marzo de 2009.
- \_\_\_\_. Redacción, "En 7 meses, EU deporto 90 mil niños mexicanos," 11 de agosto de 2008.
- \_\_\_\_. REPORTAJE/la narcoguerra /III, "La banda se alió a los *polleros* en un negocio que significa secuestro y tortura de migrantes," 3 de marzo de 2009.
- López, Eleazar. "Rafael Hernández: Salvando Vidas," *Diario San Diego*, 22 de abril de 2009, <http://diariosandiego.worldmedianetworks.com/bin/printerfriendly/pf.cgi>.
- Magaña, Roció. *Bodies On The Line: Life, Death, And Authority On The Arizona-México Border* (Ph. D. diss., University of Chicago, 2008), 137-136.
- Martínez, Tatiana. "Cumplen Sus 1," *El Mexicano Gran Diario Regional*, 27 de febrero de 2009, <http://www.el-mexicano.com.mx/servicios/imprimir-noticia.aspx?id=341478>.
- Massey, Douglas. Testimony before the US Senate Committee on the Judiciary (Washington, DC: May 20, 2009), [http://judiciary.senate.gov/hearings/testimony.cfm?id=3859&wit\\_id=7939](http://judiciary.senate.gov/hearings/testimony.cfm?id=3859&wit_id=7939).
- Maung, David. "Oasis of Hope for Migrants in the Desert," *La Presna San Diego*, August 15, 2008, <http://www.highbeam.com/doc/1P3-1561787511.html>.
- McCombs, Brady. "Death count rises with border restrictions; Officials: Crossers trek farther to dodge security," *Arizona Daily Star*, May 17, 2009, <http://www.azstarnet.com/sn/border/293256>.
- McCombs, Brady and Eric Volante. "'Deadliest migrant trail in U.S.' is right on Tucson's doorstep," *Arizona Daily Star*, December 09, 2007, <http://www.azstarnet.com/dailystar/215469>.
- McMenamin, Erin. *Databasing the Disappeared and Deceased: A Review of the Resources Available in Missing and Unidentified Persons Cases* (Master Thesis, Louisiana State University and Agricultural and Mechanical College, 2008), 1-5. [http://etd.lsu.edu/docs/available/etd-06082008-153915/unrestricted/McMenamin\\_Thesis.pdf](http://etd.lsu.edu/docs/available/etd-06082008-153915/unrestricted/McMenamin_Thesis.pdf).
- McNulty, Jennifer. "Death on the Border: A graduate student's promising technique offers hope of closure for loved ones," *UC Santa Cruz Review*, Fall 2006, [http://review.ucsc.edu/fall06/RevF06-pp18-19\\_Death.pdf](http://review.ucsc.edu/fall06/RevF06-pp18-19_Death.pdf).
- MedicineNet.com*, <http://www.medicinenet.com/hypothermia/article.htm>.
- Meissner, Doris and Donald Kerwin. *DHS and Immigration: Taking Stock and Correcting Course* (Washington, DC: Migration Policy Institute, 2009), 9-20, [http://www.migrationpolicy.org/pubs/DHS\\_Feb09.pdf](http://www.migrationpolicy.org/pubs/DHS_Feb09.pdf).

- 
- Méndez, Enrique. "Murieron 725 mexicanos en 2008 al intentar pasar a EU," *La Jornada*, January 2, 2009, <http://www.jornada.unam.mx/2009/01/02/index.php?section=politica&article=011n3pol>.
- Moreno, Sylvia. "Border Crackdown Spans Violence: More Deaths Occurring as Smugglers Fight Over Valuable Human Cargo," *The Washington Post*, February 19, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2007/02/18/AR2007021801340.html>.
- \_\_\_\_\_. "Drops of Water in the Desert Help Immigrants on their Way," *The Washington Post*, August 27, 2006, [http://www.washingtonpost.com/wp-dyn/content/article/2006/08/26/AR2006082600673\\_2.html](http://www.washingtonpost.com/wp-dyn/content/article/2006/08/26/AR2006082600673_2.html).
- Moser, Bob. "Open Season," *The Intelligence Report*, Southern Poverty Law Center, Spring 2003, <http://www.splcenter.org/intel/intelreport/article.jsp?aid=19>.
- \_\_\_\_\_. "Samaritans in the Desert," *The Nation*. May 26, 200, 5, <http://www.thenation.com/doc/20030526/moser/5>.
- Napolitano, Janet. Testimony on record of the Secretary Designate Janet Napolitano before the US Senate Homeland Security and Governmental Affairs Committee: "Committee Holds Nomination Hearing for Napolitano," (Washington, DC: January 15, 2009), [http://www.dhs.gov/ynews/testimony/testimony\\_1232547062602.shtm](http://www.dhs.gov/ynews/testimony/testimony_1232547062602.shtm).
- \_\_\_\_\_. Testimony on record of Secretary Janet Napolitano before the US Senate Homeland Security and Governmental Affairs Committee: "Southern Border Violence, Homeland Security Threats, Vulnerabilities, and Responsibilities," (Washington, DC: March 25, 2009), [http://www.dhs.gov/ynews/testimony/testimony\\_1237993537881.shtm](http://www.dhs.gov/ynews/testimony/testimony_1237993537881.shtm).
- Mexico's National Commission on Human Rights. *Todos Saben, Nadie Sabe: Trece Años de Muerte de Migrantes, Reporte sobre impunidad y muerte en la frontera sur de Estados Unidos* (México City, DF: Noviembre 2007).
- National Network for Immigrant and Refugee Rights. *Over-raided, Under Siege: U.S. Immigration Laws and Enforcement Destroy the Rights of Immigrants* (Oakland, CA: 2008).
- Nieves, Evelyn (2002) "Illegal immigrant death rate rises sharply barren areas," *New York Times*, August 6, 2002.
- No More Deaths. *Crossing the Line: Human Rights Abuses of Migrants in Short-Term Custody on the Arizona/Sonora Desert* (Tucson AZ, September 2008), Executive Summary, Official Website, <http://www.nomoredeaths.org/index.php/Abuse-Report/>.
- No More Deaths. Official Web Site, <http://www.nomoredeaths.org>. (accessed August 2009).
- Norrell, Brenda. "Indigenous Border Summit Opposes Border Wall and Militarization," Americas Program, Center for International Policy, October 31, 2006, <http://americas.irc-online.org/amcit/3648>.
- Notimex."México y EU crean grupo para migración," *CNNEXPANSION.com*, 3 Abril 2009, <http://www.cnnexpansion.com/actualidad/2009/04/03/mexico-y-eu-crean-grupo-para-migracion>.
- Operational Protocols for Border Violence Incidents: Border Violence Occurring in the U.S.*, [http://www.region49.org/txrc/files/Catalog\\_of\\_Border\\_Incidents.pdf](http://www.region49.org/txrc/files/Catalog_of_Border_Incidents.pdf), (accessed April 2009).



- 
- Organization of American States. "Persons Who Have Disappeared and Assistance to Members of their Families (AG/RES. 2513 (XXXIX-O/09))," (San Pedro Sula, Honduras: June 2-4, 2009), <http://reliefweb.int/rw/rwb.nsf/db900sid/SNAA-7SQ7C2?OpenDocument>.
- Orrenius, Pia and Roberto Coronado. *The Effect of Illegal Immigration and Border Enforcement on Crime Rates along the US-Mexico Border*, Working Paper 131, The Center for Contemporary Studies, University of California at San Diego, 2005), 4.
- Qualia, Mark E-mail to Maria Jimenez, July 27, 2009. *Border Safety Initiative Table '04-'09 Date Range (10/1-7/27)*, Headquarters of the Border Patrol Office of Public Affairs, Washington, DC, [Mark Qualia [mark.qualia@dhs.gov](mailto:mark.qualia@dhs.gov)].
- \_\_\_\_. *Border Safety Initiative Table Death by Sector: FY 05 – FY09 – YTD*, Headquarters of the Border Patrol Office of Public Affairs, Washington, DC, [Mark Qualia [mark.qualia@dhs.gov](mailto:mark.qualia@dhs.gov)].
- Papademetriou, Demetrios G. and Aarón Terrazas. *Immigrants and the Current Economic Crisis* (Washington, DC: Migration Policy Institute, 2009), 7, [http://www.migrationpolicy.org/pubs/lmi\\_recessionJan09.pdf](http://www.migrationpolicy.org/pubs/lmi_recessionJan09.pdf).
- Passel, Jeffrey S. and D'Vera Con, *Estimates of the Size & Characteristics of the Undocumented Population*, (Washington, DC: Pew Hispanic Center, 2005).
- \_\_\_\_. *Mexican Immigrants: How Many Come? How Many Leave?* (Washington, DC: Pew Hispanic Center, 2009), "Executive Summary," i-ii, <http://pewhispanic.org/files/reports/112.pdf>.
- Powers, Ashley and Seema Metha, "Fatal Crash Ends Border Patrol Chase," *Los Angeles Times*, April 14, 2005. <http://articles.latimes.com/2005/apr/14/local/me-border14>.
- Rampell, Catherine. "Illegal Immigration as a Job Market Predictor," *New York Times*, May 15, 2009, "Economix Blog," <http://economix.blogs.nytimes.com/2009/05/15/illegal-immigration-as-a-job-market-predictor/>.
- Reilly, Michael J. E-mail to Susan Carroll, April 14, 2009. "Table on deaths by sector and by cause of death for FY 08," Headquarters of the Border Patrol, Office of Public Affairs, Washington, DC, [Michael J. Reilly [michael.j.reilly@dhs.gov](mailto:michael.j.reilly@dhs.gov)].
- Organization of American States. "Persons Who Have Disappeared and Assistance to Members of their Families (AG/RES. 2513 (XXXIX-O/09))" (Washington DC 2009), <http://reliefweb.int/rw/rwb.nsf/db900sid/SNAA-7SQ7C2?OpenDocument>.
- Rodríguez, Darlene, Elizabeth Plata, and Daniel Caruso. "Case Report: Illegal Immigration Via Overloaded Vans and the Effect on the Trauma System," *Disaster Management & Response* 3, no. 1, (2005), 4-10, <http://linkinghub.elsevier.com/retrieve/pii/S154024870400121X>.
- Román, José Antonio. "La SRE tergiversa cifras de migrantes muertos: organizaciones de México y EU," *La Jornada*, 26 de abril de 2007, <http://www.jornada.unam.mx/2007/04/26/index.php?section=politica&article=007n1pol>.
- Romero, Simon. "Patrolling the Border for Migrants from Mexico, With a Humanitarian Goal," *The New York Times*, July 20, 2005, [http://www.nytimes.com/2005/07/20/national/20border.html?\\_r=1&pagewanted=2](http://www.nytimes.com/2005/07/20/national/20border.html?_r=1&pagewanted=2).

---

Rotstein, Arthur H. "Border deaths up despite apparent dip in crossings" *ABC News US*, Associated Press, April 08, 2009, <http://abcnews.go.com/US/wireStory?id=7293187>.

Rubio-Goldsmith, Raquel, M. Melissa McCormick, Daniel Martinez, and Inez Magdalena Duarte. *The "Funnel Effect" & Recovered Bodies of Unauthorized Migrants Processed By The Pima County Office of the Medical Examiner, 1990-2005*, Report Submitted to the Pima County Board of Supervisors, (Tucson, Arizona: Binational Migration Institute, October 2006).

\_\_\_\_\_. *Policy Brief: A Humanitarian Crisis at the Border: New Estimates of Deaths Among Unauthorized Immigrants*, (Washington, DC: Immigration Policy Center, February 2007), 1-5.

Samaritan Patrol. Official Web Site, <http://www.samaritanpatrol.org> (accessed July 2009).

Sapkota et al. Unauthorized border crossings and migrant deaths: Arizona, New Mexico, and El Paso, Texas, 2002-2003. *American Journal of Public Health* 96, no.7 (2006), 1-7.

Smith, Claudia. Testimony before the United States Commission on Civil Rights *Preliminary Hearings on Civil & Human Rights Implications of the U.S. Southwest Border Policy* (Washington, DC: USCCR, 2002), 9-12, <http://www.usccr.gov/pubs/migrant/present/trans.htm>.

Spener, David. "Global Apartheid, Coyotaje and the Discourse of Clandestine Migration: Distinctions Between Personal, Structural and Cultural Violence," *Migracion y Desarrollo*, (2008 First Semester), 120-123, <http://www.estudiosdeldesarrollo.net/revista/rev10ing/e6.pdf>.

\_\_\_\_\_. "Smuggling Migrants Through South Texas: Challenges Posed By Operation Rio Grande," *Global Human Smuggling in Comparative Perspective*, (Baltimore MD: The John Hopkins University Press 2001), 134.

Susan Combs Texas Comptroller of Public Accounts, "Governing Who Decides?" Window on State Government, (Austin, TX: July 1998), <http://www.window.state.tx.us/border/ch12/ch12.html>.

Surdin, Ashley. "Crossover Appeal," *The Washington Post*, March 15, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/03/13/AR2009031304234.html>.

*Symptoms of Dehydration*. "Signs and Symptoms of Dehydration," <http://www.symptomsofdehydration.com/> (accessed May 2009).

Taborek, Nicolas. "Former Illegal lends a hand," *Imperial Valley Press*, June 29, 2009, <http://www.highbeam.com/doc/1P3-1561787511.html>.

Terra/EFE, "Recuperaran restos humanos de inmigrantes en la frontera," *Terra*, 10 de abril de 2006, <http://noticias.terra.com/articulo/html/act380062.htm>.

*The 800 Mile Wall*. DVD. Directed by John Carlos Frey (Los Angeles, CA: 2009), <http://www.800milewall.org/>.

Truax, Eileen. "Niños deportados y abandonados a su suerte en la frontera de EUA en México," *MERCOSUR NOTICIAS*, 25 de noviembre de 2008, [http://www.mercosurnoticias.com/index.php?option=com\\_content&task=view&id=17141&Itemid=214](http://www.mercosurnoticias.com/index.php?option=com_content&task=view&id=17141&Itemid=214).

- 
- \_\_\_\_. “Sin Padre, Sin Madre, Nomás con lo Puesto,” *Mundo Abierto*, 28 de noviembre de 2008, <http://mundoabierto.info/2008/11/28/sin-padre-sin-madre-nomas-con-lo-puesto/>.
- United States Commission on Civil Rights. “Executive Summary and Transcript, of Briefing” *Tragedy Along the Arizona-Mexico Border: Undocumented Immigrants Face the Desert* (Washington, DC: USCCR. 2002), 1-11. <http://www.law.umaryland.edu/marshall/usccr/documents/cr182t67b.pdf>.
- \_\_\_\_. *Preliminary Hearings on Civil & Human Rights Implications of the U.S. Southwest Border Policy* (Washington, DC: USCCR. 2002), 1-37.
- United States Department of Homeland Security, Customs and Border Protection. “22 Mexican Nationals in Boat Nabbed off San Diego Coast,” Newsroom (August 10, 2009) [http://www.cbp.gov/xp/cgov/newsroom/news\\_releases/08102009\\_4.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/08102009_4.xml).
- \_\_\_\_. “BORSTAR History,” (06/09/2003), [http://www.cbp.gov/xp/cgov/border\\_security/border\\_patrol/special\\_oper/borstar/borstar\\_history.xml](http://www.cbp.gov/xp/cgov/border_security/border_patrol/special_oper/borstar/borstar_history.xml).
- \_\_\_\_. *National Border Patrol Strategy: Office of Border Patrol* (Washington, DC: September 2004).
- \_\_\_\_. Newsroom, CBP News Releases, “Border Patrol Saves Mother, Daughter, Woman from Heat After Ditched by Smugglers” (July 14, 2009).
- \_\_\_\_. Newsroom, CBP News Releases, “Rio Grande City Patrol Rescues Elderly Couple,” (July 15, 2009).
- \_\_\_\_. Newsroom, CBP News Releases, “Border Patrol Partnership Saves Lives in Arizona,” (July 16, 2009).
- \_\_\_\_. “Statement by US Customs and Border Protection Commissioner Jayson Ahern on Death of Border Patrol Agent Robert Rosas,” Newsroom (July 24, 2009), [http://www.cbp.gov/xp/cgov/newsroom/news\\_releases/july\\_2009/07242009\\_3.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/july_2009/07242009_3.xml).
- United States Department of Homeland Security, Office of Immigration Statistics, “Apprehensions by the U.S. Border Patrol: 2005-2008,” *Fact Sheet* (June 2009), 1- 2, [http://www.dhs.gov/xlibrary/assets/statistics/publications/ois\\_apprehensions\\_fs\\_2005-2008.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_apprehensions_fs_2005-2008.pdf).
- \_\_\_\_. Office of the Press Secretary. “Secretary Napolitano and Mexican Finance Minister Agustin Carstens Sign Bilateral Agreement to Strengthen Security and Facilitate Trade,” Press Release, (June 15, 2009), [www.dhs.gov/ynews/releases/pr\\_1245081021647.shtm](http://www.dhs.gov/ynews/releases/pr_1245081021647.shtm).
- \_\_\_\_. “Table 35, DEPORTABLE ALIENS LOCATED BY PROGRAM AND BORDER PATROL SECTOR AND INVESTIGATIONS SPECIAL AGENT IN CHARGE (SAC) JURISDICTION: FISCAL YEARS 1999 TO 2008.” <http://74.125.95.132/search?q=cache:Zk1nldRFC64J:www.dhs.gov/xlibrary/assets/statistics/yearbook/2008/Table35.xls+deportable+aliens+located+by+program+and+border+patrol+sector+fiscal+years+1999+to+2008&cd=1&hl=en&ct=clnk&gl=us>.
- United States Government Accountability Office. *Illegal Immigration: Border-Crossing Deaths have Doubled Since 1995; Border Patrol’s Efforts To Prevent Deaths Have Not Been Fully Evaluated*, GAO-06-770 (Washington, DC: GAO, 2006).

---

US-Mexico Border Counties Coalition, *Undocumented Immigrants in U.S.-Mexico Border Counties: The Costs of Law Enforcement and Criminal Justice Services*, (Tucson, AZ: University of Arizona: 2007), 52, <http://www.bordercounties.org/vertical/Sites/%7BB4A0F1FF-7823-4C95-8D7A-F5E400063C73%7D/uploads/%7B690801CA-CEE6-413C-AC8B-A00DA765D96E%7D.PDF>.

Vanderpool, Tim. "The Activist Question: Tensions between humanitarians and federal officials are on the rise along the border," *Tucson Weekly*, July 9, 2009, <http://www.tucsonweekly.com/tucson/the-activist-question/Content?oid=1230781>.

\_\_\_\_. "Body work: Mexican dead take a long and winding road back home," *The Tucson Weekly*, January 19, 2006.

\_\_\_\_. "Meeting With the Secretary: Has the Interior Department opened a window to migrant ad on Buenos Aires?" *Tucson Weekly*, August 6, 2009, <http://www.tucsonweekly.com/tucson/meeting-with-the-secretary/Content?oid=1270490>.

\_\_\_\_. "Price of Admission: Along the border sexual assault has become routine," *Tucson Weekly*, June 5, 2008, <http://www.tucsonweekly.com/tucson/price-of-admission/Content?oid=1091501>.

\_\_\_\_. "Water Tank Tussle: Mike Wilson battles his tribe and fellow humanitarian group leaders to maintain desert water stations," *Tucson Weekly*, August 26, 2004, <http://www.tucsonweekly.com/tucson/water-tank-tussle/Content?oid=1077384>.

Water Station, Official Web Site, <http://www.desertwater.org> (accessed August 2009).

Wood, Elizabeth. *Missing Migrant DNA Database (MMDD) Project: Power Point Presentation, April 15, 2008*, Slides 1-63, [http://www.docstoc.com/docs/4194186/Missing-Migrant-DNA-Database-\(MMDD\)-Project](http://www.docstoc.com/docs/4194186/Missing-Migrant-DNA-Database-(MMDD)-Project).