



JIZO

JIZO, JAPANESE DEITY,
PROTECTOR OF CHILDREN,
WHO EMANATES SWEETNESS,
CALM, & BENEVOLENCE.

CHILD DETENTION NEWSLETTER • JUNE 2022 VOLUME 1, ISSUE 3



Photo by Fernando Lopez

Tsuru for Solidarity is committed to supporting migrant children and families detained at the US/Mexico border

Alternatives to Child Detention Centers

As an Alternative to the Office of Refugee Resettlement's (ORR) infamous unregulated Emergency Intake sites (EIS) in Fort Bliss and Pecos, Texas, for unaccompanied migrant children, we, as generations of Tsuru parents, grandparents, sisters, and brothers, stand on the front lines in support of Detention Watch Network's recommendations for these children. (Continued on page 2)



SPECIAL POINTS OF INTEREST

- Alternatives to EIS centers for unaccompanied kids at the border
- Migrant Voices
- An infographic on the obstacles migrant families confront
- The Criminalization of Immigration

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QUESTIONS OR COMMENTS?

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DETENTION WATCH NETWORK RECOMMENDATIONS



“You can’t inspire a movement simply by talking about all the things you’re opposed to. You have to show people an alternative to the status quo and inspire hope in people.”

– KAZU HAGA

- ▶ Establishing a safe and rapid process for keeping children together with trusted non parental caregivers at the border
- ▶ Improving the reunification process to more quickly place children with family or sponsors in the US by working with trusted community-based organizations
- ▶ Expanding ORR’s network of licensed care facilities for unaccompanied children, with a focus on proactively engaging trusted, community based non-profits to open licensed, small-scale, homelike shelters



For more information about Detention Watch Network: [Click here](#)

Carlos



BY SHOSHANA ARAI

After drug traffickers kidnapped and killed his wife, Carlos and their 16-year-old son, Santos, (pseudonyms) fled Colombia last September to seek asylum in the United States. After several days in detention, shackled to a GPS monitor on his ankle, Carlos and Santos ended up in Los Angeles, and unknowingly became part of a cohort in a “dedicated docket” program that the Biden administration established in May 2021. Biden’s resurrected program was the third attempt to expedite the backlog of 1.8 million immigration cases. Under the dedicated docket program immigration judges would fast-track asylum cases to resolution within 300 days, a considerably shorter timeframe than the average 4.5 years.

According to the 2022 Center for Immigration Law and Policy, UCLA Law report, the failure of previous docket programs was clearly due to the shortened timeline that only added to the problem of finding competent and affordable legal representation. Without an attorney, migrants were more likely to receive removal orders in absentia than those in the non-accelerated docket program.

For Carlos and his son Santos, the docket’s expedited timeline allowed only six weeks to secure legal counsel before his first court hearing, another obstacle for migrants with limited resources. Soon after calling from the list of legal resources they will find out that their immigration

cases, unlike criminal ones, do not have a recognized right to counsel.

Compounding the problem for non-English speakers, all the critical court documents are available only in English, even the important Notice to Appear (NTA) that has court date and location information.

Carlos, who only reads Spanish, still managed to arrive with his son in the U.S. Immigration Court in Los Angeles at 7 am on his appointed NTA court date. An ICE officer told them to wait in the lobby of the courthouse. Meanwhile, upstairs on the fourth floor, an immigration judge ordered Carlos and Santos to be deported in “absentia” when they didn’t show up at the appointed time for their immigration hearing. By the time Carlos found out that he was waiting in the wrong place, the judge had already ordered the father and son’s removal.

The judge’s removal order “in absentia” issued to Carlos and Santos, has been the normative outcome for the majority of cases assigned to “docket” programs. Obama’s 2014 “rocket docket” program resulted in 50% of the migrant families being removed in absentia while Trump’s “accelerated docket” program led to 80% of the families being removed. Now Biden’s “dedicated docket” program of migrant removal is in operation in the courtrooms in 11 cities.

According to the UCLA Center’s report, in February 2022, 449 cases went before the Los Angeles immigration courts. The judges issued removal orders in 99.1% of the cases. In the docket program if parents miss one court hearing, the entire family is ordered removed for failure to appear. If only one parent appears in court, while the other parent stays at home with the children, the judge will issue a removal order for the absent parent. Noticeably, almost half of the removal in absentia orders in these immigration hearings were issued against children under the age of six, with 150 of the children less than one year old.

Is anyone speaking up for all the families and children who were “removed in absentia” even before they could have their day in court?

[Link to The Biden Administration’s Dedicated Docket, Immigrant Rights Policy Clinic, Center for Immigration Law and Policy, UCLA School of Law](#)

Lucia

BY SHOSHANA ARAI

She was trying so hard not to be seen. Just stay under the radar and get to the border, she told herself. Lucia, (pseudonym), a quiet sixteen-year-old, knew she would have to soon escape from her mother's boyfriend's watchful eyes and groping hands. She knew she wasn't safe at home but neither was she safe on the streets. Salvadorean gang members followed her down the street, gesturing at her body, calling out her name. One night, when her mother was asleep, her mother's boyfriend again tried to rape her. Silently she fought back and managed to escape out the window. With nowhere to go, she asked her young cousin to help and they pooled the little money they had. To protect herself Lucia used the money for a contraceptive injection. Without money to pay a smuggler to get her across the border she decided it would be better to take her chances on the road than to stay at home.

El Salvador, one of the Northern Triangle countries – along with Guatemala, and Honduras, shares the same harsh push factors that drive migrants to head north. Of the Northern Triangle countries, El Salvador has the smallest population, only 6.4 million. Almost half are under the age of 24 (CIA 2020). All three countries report high teen pregnancy rates that result in one in four teenagers becoming pregnant. Not only are unwanted pregnancies feared, women, girls, school kids, lesbian, gay, bisexual and trans (LGBTQ) individuals have to fear the sexual and gender-based violence that permeates every interaction in their lives. El Salvador, in particular, was considered the most “femicidal” country in Latin America. (CEPAL, 2018)

For safety Lucia joined a group of migrants on her journey north as she passed through places she didn't recognize. She was too scared to talk with other migrants - her mother's boyfriend was still sending her threatening text messages. By the time they reached Mexico she was tired, lonely, and anxious, but even more afraid to turn back. The “guide” in their group led them to a container truck on the road. When he opened the door, it was already filled with migrants. Somehow, she squeezed into the container even though she couldn't breathe. Sealed inside the container she lost track of the days and where they were going. She did as she was told - jumping from one container to another, forgetting when she last ate.



She just wanted to get out, breathe, and walk by herself. Others told her it wasn't safe - it was better inside than outside. Finally, the truck arrived at a safe house in Reynosa, a border town in Mexico. A coyote explained how to cross at border.

Walking cautiously towards the border but before taking another step, Lucia was stopped and taken into custody by Mexican immigration authorities. Lucia was too stunned to understand what was happening. She pleaded with them, argued, and wept, saying over and over again that she would be killed if she returned. No one listened to her. Within days, the Mexican authorities sent her back to El Salvador.

Vulnerable, unaccompanied minors, like Lucia, risk their lives every day, trying to reach the US-Mexico border. If they do manage to reach the border, rarely are they given the chance to apply for asylum. Immigration authorities on both sides of the border, along with the drug cartels and gangs are quick to detain, deport and profit off these young migrants. Even the migrant children who have been placed in one of the 170 licensed and federally funded U.S. child welfare agencies worry about being picked up by ICE officers and deported in the middle of the night.

Little known is Mexico's complicit agreement with U.S. Homeland Security to forcibly return unaccompanied minors back to their countries of terror. According to Amnesty International, in 2021, Mexican immigration authorities launched major operations to repatriate - deport - 85% of the unaccompanied Central American children in custody.

On the U.S. side of the border, Customs Border Patrol (CBP) rushed to deport 8,632 unaccompanied Mexican children back to Mexico from November 2020 to April 2021. Most of the children who were deported didn't understand they were signing forms consenting to their return to Mexico. These governmental agreements to repatriate, remove, deport, and expel unaccompanied migrant children violate their international right to asylum and the right to be free from arbitrary expulsion.

Lucia was one of the unlucky children, who tried to find a safe haven only to end up reliving her worst nightmare.

Reference: Unaccompanied children on the move: from Central America to the United States via Mexico. Monica Trigos Padilla. Chapter 10. Published in Dignity in Movement: Borders, Bodies, and Rights. Edited by Jasmin Lillian Diab, E-International Relations, Creative Commons

Photo by Clinton Huey

The Obstacles for Families Seeking Safety & Due Process in the U.S.



LEAVE HOME



FIND ASYLUM

**RETURN TO DANGER
VIA DEPORTATION**



Journey to the U.S., fleeing extreme violence after a family member is killed and your child is directly threatened.



Get locked up as a result of the U.S.'s strategy to deter asylum-seekers from migrating to safety.



Express fear of returning to your country of origin by detailing the trauma you've experienced in front of your child.



Find legal representation despite isolation, barriers to communication, and a shortage of attorneys.



Pay an exorbitant bond that doesn't acknowledge your inability to pay for you and your child.



Be put on an ankle shackle—ICE's new blanket policy for nearly all recently-arrived mothers.



Seek asylum by telling your story to a judge through an interpreter.



Hope you've been assigned the nice judge who gives you a chance to explain why you missed your last court date, and didn't just order you automatically deported.



Find out that you missed a court date because your notice arrives a day after your court date or because it was sent to the wrong address.



Find legal representation and the money to pay for it all over again, and do it fast because your court case has been expedited on a "rocket" docket.



Receive legal paperwork in English about your next court hearing, ICE check-in, and how to register your new address that you can't understand.



Remove the obstacles for families seeking asylum. #EndFamilyDetention



DETENTION WATCH NETWORK

“You are not going to deter people who have to be with their families; anyone would cross the border again in their circumstances.”

– MILAGROS CISNERO,
PHOENIX PUBLIC DEFENDER

WHAT DO YOU MEAN THE CRIMINALIZATION OF IMMIGRATION?

Federal Laws: 8 USC 1325 and 1326 the Catch-22 at the US/Mexico border

– SHOSHANA ARAI, TSURU CHILD DETENTION COMMITTEE

The United States’ open door policy for fleeing migrants has a history of running from hot to cold. The welcome door swings open when laborers are needed and swings shut when the work is done. European migrants arriving in the early 1880s fleeing ghettos and crop failures were welcomed to establish new homes on New York’s crowded eastside. By the late 1880s, America’s welcoming door closed as virulent white nativists pushed for the passage of the 1882 Chinese Exclusion Act, the first restrictive legislation that targeted a specific racial group for exclusion. This exclusion of Chinese workers lasted for 62 years until the 1942 Executive Order 9066 that ordered the removal of 120,000 Japanese Americans to isolated prison camps in the deserts.

Ironically, in the haste to exclude one racial group of workers with another, U.S. growers were dismayed to find there was no one left to work in the fields. To rescue the harvest, Congress introduced the 1942-1964 Bracero program that allowed Mexicans to temporarily enter the U.S. as seasonal laborers



Tsuru by Akemi Ina

at minimum wages.

By the 1950s, with a surplus of returning soldiers, America’s welcome cooled as U.S. unions campaigned to demonize Mexican farmworkers as “illegal aliens” with Operation Wetback. This forced the “repatriation” of 3.8 million migrant farmworkers back to Mexico.

Fast forward to the fate awaiting the thousands of immigrants amassed at the US-Mexico border. In 2017, instead of allowing seasonal border entry,

any migrant, who enters or re-enters the U.S. without authorization, faces civil deportation sanctions and federal criminal sanctions. Any migrants who improperly enter the U.S. can be charged with 8 USC 1325, a federal misdemeanor. If they re-enter after deportation or a removal order they will be charged with 8 USC 1326, a felony violation that is punishable by up to 180 days in federal jail or prison and up to 2 years for subsequent convictions. This mercurial coupling of a civil statute with a criminal statute has created the deadly - Catch-22 - the
(Continued on page 7)

**“WHEN YOU GO SEE
SOMEONE IN JAIL AND THEY
ARE GETTING MORE TIME
THAN PEOPLE WHO IMPORT
DRUGS, IT REALLY Baffles THEM.
THEY SAY, ‘BUT, ALL I DID
WAS CROSS A LINE.’”**

– CHLOE DILLON,
FEDERAL DEFENDER OF SAN DIEGO

(Continued from page 6)

criminalization of immigration. Over a million migrants since 2004 have served time in prison or been deported for violations of statutes 1325 and 1326.

The National Immigrant Justice Center (NIJC) estimates on any given day 11,000 people are serving time in federal prisons for migration-related crimes. Few are aware that the enforcement of 1325 and 1326 sanctions is not limited to new arrivals. Undocumented workers who are caught in sting operations are charged with re-entry violations and deported. The threat of deportation haunts the 11.4 million (2018) undocumented residents in the U.S. despite decades working, paying taxes, and raising families.

Ana, a client of NIJC, tells her story. Ana migrated to the U.S. when she was 17. Now, 26 years later, she is mother to three U.S. citizen children and one grandchild. Unaware of the border crossing sanctions, Ana returned to Mexico to care for her dying mother. While in Mexico, she went to her long awaited visa interview. Ana was stunned to hear her visa application was denied and that she would have wait 10 years to reapply. Afraid to stay in

Mexico and desperate to be with her family, Ana attempted to return but was arrested, charged with unauthorized entry, 1325, and deported back to Mexico. She still has not be able to return to her family for crossing a line.

Hidden in the shadows are the multi-million dollar contracts awarded to privately operated federal prisons, known as Criminal Alien Requirement (CAR) prisons, that profit solely from imprisoning migrant “noncitizens.” Also worthy of investigation are the federal contracts with local law enforcement agencies. In El Paso, Texas, U.S. Marshalls paid the county sheriff over \$20 million, the third highest source of county revenue, for holding migrants in jail for 1325 and 1326 violations.

(Nathan, *El Paso Matters*)

THE NATIONAL IMMIGRANT JUSTICE CENTER RECOMMENDATIONS

- The repeal of criminal penalties for unauthorized entry and re-entry prosecutions.
- Remove “aggravated felony” penalty to unauthorized re-entry convictions.
- End Operation Streamline en mass prosecutions.
- Investigate and end for-profit detention facilities.



LINKS TO RESOURCES

- [Undermining Laws of Immigration - D. Nathan](#)
- National Immigrant Justice Center: <https://immigrantjustice.org/legacyofinjustice>
- [Indefensible](#)
- [No Queda de Otra](#)



“We found that the traditional drivers of forced migration – including poverty, violence, absence of the rule of law and criminal control over lives and livelihoods are continuing to push people out of Central America and Mexico, but the Covid-19 pandemic and climate change are compounding these push factors. Vulnerable groups such as women, families, young people, and LGBTQ+ individuals are the forefront of this trend. ”

**– NO QUEDA DE OTRA
HOPE BORDER INSTITUTE**



Dorothea Lange, Densho

ASYLUM-SEEKERS TURNED BACK AT PORTS OF ENTRY

Migrants were unaware Title 42 is still in place; up to 60,000 now waiting in Juarez to cross border

JULIAN RESENDIZ, MAY 23, 2022

EL PASO, Texas (Border Report) – Unaware Title 42 has not ended, several migrants are showing up at U.S. ports of entry Monday to request asylum. They are being told the public health order remains in place and are being turned back to Mexico.

Officials in Juarez initially described the northward flow as “sporadic” and said traffic was flowing smoothly for border commuters at pedestrian and automobile lanes. However, by late afternoon, a long line of migrants could be seen all along the bridge leading to the port of entry.

The federal government said Title 42 was to end on May 23, but a federal judge in Louisiana on Friday ruled the order should stay in place for now.

[\(Click here for link to full article\)](#)

OUR CONNECTION TO FORT BLISS

In 1942, 91 Issei were detained in the Enemy Alien Detention Station at Fort Bliss, Texas.

The Issei were held under guard, surrounded by barbed wire then sent on June 26, '42 to Lordsburg, NM.



Jizo mourns all the innocent children and grieving families who have lost beloved ones to violence.

JIZO NEWS SPLASH!

TSURU WILL HOST KAZU HAGA'S HEALING RESISTANCE TRAINING SESSIONS



PART 1: Saturday, July 16
9:00am - 3:00pm PT, 12 - 6:00pm ET

PART 2: Sunday, July 17
9:00am - 3:00pm PT, 12 - 6:00pm ET

[Click Here to Register](#)

The training sessions will help us gain a more sophisticated methodology and skill set to handle the escalation of violence in the public arena and to give people deeper training around nonviolence for direct action/civil disobedience.

“This is a commitment not only to our own well-being but to healing of past generations and the liberation of future generations.”

– KAZU HAGA