

⊕ **BLACK ALLIANCE FOR JUST IMMIGRATION**

BLACK LIVES AT THE BORDER

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ADVOCATES AND ORGANIZERS AT THE BORDER ESTIMATE THAT 3,000 HAITIANS WERE PAROLED INTO THE U.S., ANOTHER 3,000 WERE DETAINED OR DEPORTED, AND 2,000 – 3,000 HAITIANS WERE DENIED ENTRY OUTRIGHT.

At the same time, growing communities of African refugees and immigrants at the border were seeing increased Immigration and Customs Enforcement presence and vapid displays of white supremacy and even instances of hate violence. ➡

A SINGLE STEP

by Hawa Allan

And so it ends,
that journey of seven
thousand miles—
with a single step.

Ferried by swollen
feet, having clutched
at the underbelly
of cargo trucks,

head inches
above a blur
of tar and dust.

Dirt-washed
from ancient lands
where war is weather
and weather is war,

you have survived
the arbitrary
blunt force
of history.

And now you
seek the asylum
of my quiet
desperation.

So take a single step,
a quantum jump
into a higher order
of worlds, and find

that you are
always arriving
at the border.

A wall of tongues,
impenetrable ears,

a fortress of detention
locked by unscalable
bond.

Step into the land
of the relatively
free,

a home that is
braved.

Come, walk in
shackled to this new
state.

Welcome to
our adverse
cities.

As you file in
numbers, know
that we are here
waiting to see you.



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Photo: Collette Watson, 2017

INTRODUCTION

In early 2016, the Black Alliance for Just Immigration (BAJI) began hearing reports of a sharp increase in the amount of Haitian migrants seeking entry into the U.S. at the southern border. The migrants, including many families with children, had walked from Brazil through Central America and Mexico, to seek refuge in an America that was quickly closing its doors to immigrants and Black people. Advocates and organizers at the border estimate that 4,000 Haitians were paroled into the U.S., and approximately another 4,000 were detained or deported, and 3,000 Haitians were denied entry outright. At the same time, growing communities of African refugees and immigrants at the border were seeing increased Immigration and Customs Enforcement presence and vapid displays of white supremacy and even instances of violent hate crimes.

BAJI also learned that resources for recently arrived Haitian and other Black immigrants, such as housing, legal services, and Haitian-Creole and African language translation and interpretation, were scarce. As this human rights crisis emerged, BAJI began building relationships with the few Black immigrant- and refugee-serving organizations working at the border including Haitian Bridge Alliance and Partnership for the Advancement of New Americans – San Diego. However, it became evident, that we needed to engage a broader group of leaders if we wanted to increase awareness of this Black migrant crisis at the southern border.

To begin this work, the Black Alliance for Just Immigration (BAJI), Partnership for the Advancement of New Americans (PANA), Haitian Bridge Alliance (HBA), hosted the first ever Black-led, Black migrant focused, delegations to the U.S.-Mexico border on July 28 -30, 2017. Forty organizers, attorneys, politicians, clergy, and racial justice activists gathered in San Diego address issues facing Black migrant-serving organizations and hear from families who recently arrived to the U.S. The leaders also visited Black immigrants in Otay Mesa Detention Center and developed a strategy to elevate the challenges facing Black immigrants and refugees in border communities.

This report discusses the economic, political, and social drivers of the Black migrant human rights crisis at the U.S./Mexico border and our analysis of the trends and impact of border enforcement on Black migrant communities. It also outlines our recommendations for improving conditions facing recently arrived Black immigrants and refugees living in border states.

ANABELLE

A MIGRANT'S

JOURNEY

TO THE U.S.

Anabelle's Story

Anabelle is first and foremost a mother, having birthed six children. Because of the economic devastation caused by the earthquakes in Haiti, Anabelle moved to the Dominican Republic to provide more for her children. She soon left for Brazil. The economic hardships of Brazil did not make her passage easy; she was stuck there for a year without work. Realizing her dire situation and inability to support her husband and children back in Haiti, she reached out to a friend who offered her financial assistance to come to the United States. Anabelle's subsequent trek from Costa Rica to Nicaragua proved to be the most arduous: she was very often under attack at gunpoint. Through the kindness of strangers and indigenous people, she finally arrived in Mexico where she crossed over to San Diego. Anabelle's main challenge, much like other immigrants of African descent, has been her inability to get immigration translation services in Creole, a widely language spoken in Haiti. Because of a linguistic mix-up, she was unable to attend her court appearance at the time appointed by the judge, and as a result; was given a deportation order in absentia.

MICHEL

A MIGRANT'S JOURNEY TO THE U.S.

Michel's Story

Originally from Saint Michel de l'Attalaye in Haiti, Michel* is a young man who identifies as a person of the LGBTQ community. He mentioned that he tried many times to convert to someone who isn't gay to please his family, but he quickly realized that this was unhealthy. Although his case was made public by another group in the hopes of raising awareness about many of the Black LGBTQ who seek refuge in the United States, it quickly became apparent that the campaign, while innocent, would increase persecution against Michel. Nonetheless, much of the funding needed to help Michel with his case has been raised. As the last remaining Haitian in his section at the immigration detention center, he is eager to get released from immigration detention soon. The lawyers to whom he was directed have rejected his case, and many other cases of people of African descent, several times.



Photo: Collette Watson, 2017

Black Migrants at the U.S. Mexico Border

People from the Caribbean make up the largest share of migrants entering the border. Outside of Central Americans and Mexican migrants, nearly 7,000 Haitian immigrants are now residing in several border towns in Mexico. A recent Voice of America report found that 19,000 African and Haitian migrants arrived in Mexico in 2016 and up to 700 a day were arriving in Tapachula, Mexico in that same year.⁴ The reality of border towns on the Mexican side of the border reflect the changing face of migration.

Migrants frequently share their difficult and often terrifying stories of paying smugglers and navigating extreme danger and violence across the many countries on the route. According to the United Nations report, migrants pay anywhere from \$5,000 to \$10,000 each for the non-authorized journey across thousands of miles in the care of smuggling networks. The report also indicated that the smuggling business estimated to generate \$6.6 billion a year for smugglers along Latin America's routes to the U.S.⁵ The 2010 earthquake in Haiti forced many peoples to leave, heading to Brazil whose vibrant economy offered opportunities for work. In Brazil, Haitian, African and other migrants found were integrated into local economies until the worst recession in 80 years began⁶. This coupled with political unrest in Brazil after a right wing coup precipitated an intense anti-immigrant sentiment in the country along with a sharp decrease in job opportunities for low wage migrant workers.⁷

Background

The nature of migration across the U.S. Mexican border has changed dramatically in the last decade. For the first time, non-Mexicans are the majority of people crossing the border, and the total amount of people crossing is the lowest it has ever been since 1970.¹

A large drop in Mexican migrants accounts for the major decrease in total migration. Along with this decrease in Mexican migrants there has been a sharp increase in non-Mexican migrants coming from Central America, the Caribbean, Africa and parts of Asia. By 2014, Central Americans alone outnumbered the amount of migrants from Mexico.² These migrants, who travel from longer distances are now the majority of the people crossing and also getting apprehended at the border.³

1. <http://www.pewresearch.org/fact-tank/2014/12/30/u-s-border-apprehensions-of-mexicans-fall-to-historic-lows/>

2. <http://www.migrationpolicy.org/article/evolving-and-diversifying-nature-migration-us-mexico-border>

3. <http://www.migrationpolicy.org/article/evolving-and-diversifying-nature-migration-us-mexico-border>

4. <https://www.voanews.com/a/african-migrants-latin-america-jungle/3678060.html>

5. https://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf

6. <http://www.latimes.com/projects/la-fg-immigration-trek-america-tijuana/>

7. <http://www.cnn.com/2017/04/12/ousted-brazilian-president-dilma-rousseff-i-was-the-victim-of-a-coup.html>

8. <http://www.latimes.com/world/mexico-americas/la-fg-brazil-immigration-20170503-story.html>

BLACK LIVES AT THE BORDER



KELVIN'S STORY

KELVIN FROM CAMEROUN WAS ALSO UNABLE TO FIND A LAWYER WILLING TO REPRESENT HIM. HE IS CLAIMING ASYLUM BASED ON PERSECUTION AGAINST HIS TRIBE BACK IN CAMEROUN. DESPITE BEING GIVEN RESOURCES FROM A NONPROFIT ORGANIZATION THAT MAY BE ABLE TO HELP HIM, HE WAS STILL UNSUCCESSFUL IN HIS ATTEMPT TO REACH OUT TO THEM.

CAUSE OF MIGRATION

photo: June 16, 2011, www.army.mil

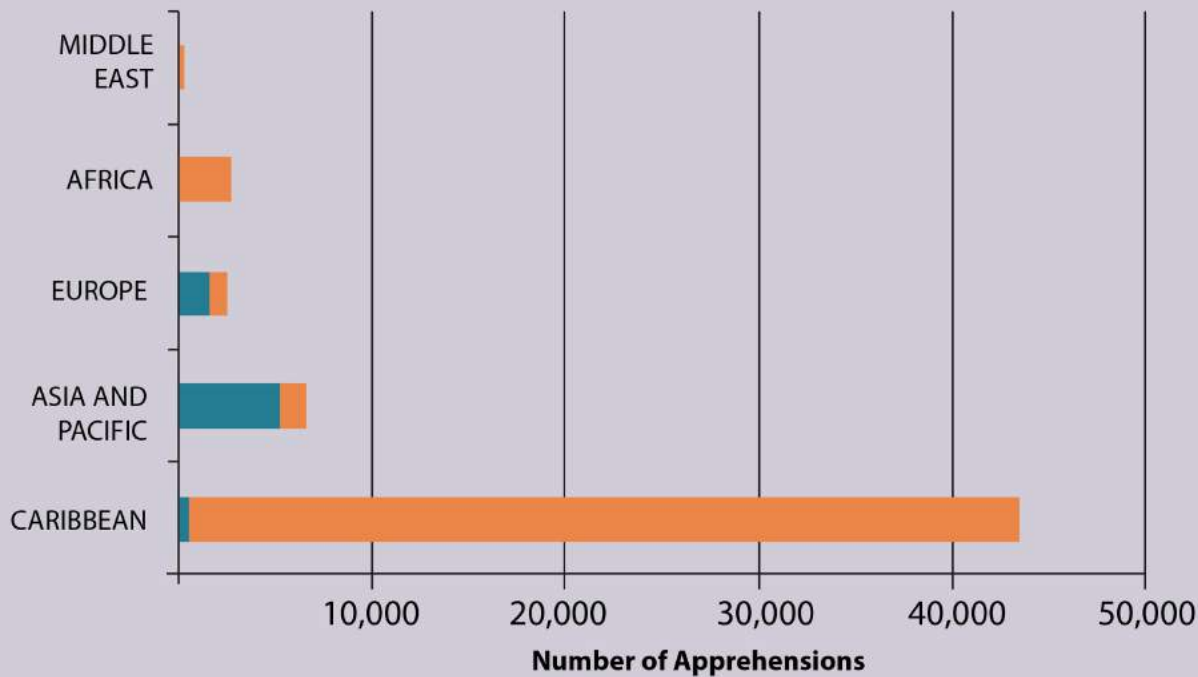
ALTHOUGH ALL THE CAUSES OF THE INCREASE IN MIGRATION CANNOT BE FULLY EXPLAINED IN THIS SHORT REPORT, WE HAVE ATTEMPTED TO DISTILL SOME OF THE MOST SALIENT INITIAL FINDINGS BELOW:

2010 HAITIAN EARTHQUAKE

ON JANUARY 12, 2010, A 7.0 MAGNITUDE EARTHQUAKE STRUCK THE CARIBBEAN NATION OF HAITI, RESULTING IN AN INJURY TOLL OF 300,000 AND A DEATH TOLL BETWEEN 220,000 AND 316,000, MAKING IT ONE OF THE MOST DEADLIEST EARTHQUAKES TO TAKE PLACE AT ANY POINT IN HISTORY. THE FORCE OF THE EARTHQUAKE CAUSED EXTREME DAMAGE TO THE PHYSICAL INFRASTRUCTURE OF THE HAITI; DAMAGING HOSPITALS, SCHOOLS, AIR, LAND AND SEA TRANSPORTATION FACILITIES, AND COMMUNICATION SYSTEMS. IN ADDITION TO THE DAMAGE IMPACTING MAJOR FACILITIES, HOMES THROUGHOUT THE SOUTHERN REGION OF THE NATION WERE DESTROYED - LEAVING 1.5 MILLION PEOPLE DISPLACED IN THE IMMEDIATE AFTERMATH OF THE QUAKE.

IN THE WEEKS AND MONTHS TO FOLLOW, HUMANITARIAN AID FROM AROUND THE WORLD Poured INTO THE NATION IN THE FORM OF MEDICAL SUPPLIES, FOOD, CLOTHING, ETC. DOCTORS, NURSES, AID WORKERS, AND VOLUNTEERS ALSO MADE WAY TO THE NATION IN RESPONSE TO THE HUMANITARIAN CRISIS. HOWEVER, TEN MONTHS FOLLOWING THE EARTHQUAKE, THE RESULT OF THE INCOMPETENCE OF U.N. PEACEKEEPING FORCES, HAITI WAS FACED WITH THE WORST CHOLERA EPIDEMIC IN RECENT HISTORY. THE OUTBREAK OF CHOLERA EXACERBATED AN ALREADY DELICATE STATE OF AFFAIRS AS THE NATION WAS FACED WITH POST-EARTHQUAKE RECOVERY EFFORTS. TO DATE, THERE HAVE BEEN OVER 700,000 CHOLERA CASES, OF WHICH OVER 400,000 WERE HOSPITALIZED AND NEARLY 9,000 DIED. MANY HAITIAN MIGRANTS CITE THE 2010 EARTHQUAKE AS THEIR INITIAL MOTIVE TO LEAVE.

Figure 1. Non-Latin American Apprehensions at the U.S. - Mexico Border, FY 2016*



CENTRAL AMERICAN UNACCOMPANIED MINORS

In one year, 70,000 unaccompanied Central American minors crossed the U.S. border fleeing environmental harm, oppressive governmental regimes sponsored by the U.S., the transnational war on drugs, and a number of other life threatening conflicts. It is unclear how many of these migrants are Black but reports suggest that many of them are members of Garifuna communities who have been dealing with the consequences of environmental damage, land grabs and narco trafficking.⁹

ECONOMIC OPPORTUNITIES

There has been drastic improvement in the Mexican economy which has coincided with the worsening conditions in the U.S. economy. Increasing economic opportunities in Mexico has decreased the amount of Mexican migrants entering and increasing those who exit from the United States.

IMMIGRATION ENFORCEMENT TRENDS

Immigration enforcement trends in United States have lowered crossing opportunities for Mexican migrants while at the same time difficulty enforcing Mexico's southern border has increased the non-Mexican immigrant population. While border crossing has decreased to historic lows, the U.S. is increasingly concerned about border security. This has driven increased border enforcement and security, which began during the Bush administration and expanded under President Obama.

The constant desire to maintain military budgets, has also played a major role in immigration enforcement trends. As the U.S. decreased funding for two major war theaters in Iraq and Afghanistan, the Pentagon and the Department of Homeland Security have used immigration as an argument for increased spending. This demand for funds has led to Pentagon and DHS officials lobbying for increased budgets to address border security.

9. <http://www.telesurtv.net/english/news/Garifuna-Flee-Discrimination-and-Land-Grabs-in-Record-Numbers-20170223-0002.html>

ENZO

A MIGRANT'S JOURNEY TO THE U.S.

Enzo's Story

Enzo is a teacher from Guinee in Africa. He left his country due to fear of persecution against him because of his strike against the government. As one of the most visible activists, his information was published and it soon became clear that his life was in danger. Soon after, fellow teachers started to disappear and Enzo, fearing for his life, quickly made the decision to leave his home. He escaped to Mali and there could secure passage by plane to Brazil. From Brazil, he travelled by foot through the following countries; Peru, Ecuador, Colombia, Panama, Costa Rica, Nicaragua, Honduras, Guatemala, and then he finally arrived in Mexico. He encountered the most difficult situation in Nicaragua as he was told to restart his journey since the country does not have a safe passage agreement, or an agreement to allow immigrants safe travel. Enzo currently faces the same problems as many Haitians do; he is unable to find a lawyer to represent him. Similarly, he has been unable to find many people who speak French and eventually, he became happy enough to just speak with someone in his native language.

FEDERAL BORDER ENFORCEMENT

EXECUTIVE ORDER ON BORDER SECURITY & IMMIGRATION ENFORCEMENT IMPROVEMENTS

On January 25, 2017, President Trump signed an executive order, "Border Security and Immigration Enforcement Improvements," which includes costly plans to further militarize the U.S.-Mexico border, curtail due process, and expand problematic detention and enforcement practices. The order will likely result in asylum seekers, families, children, and others being turned away and denied access to humanitarian protection guaranteed for decades under U.S. and international law.¹⁰ This order demand for the following:

- *Construction of a wall on the U.S./Mexico border. The Department of Homeland Security has been directed to evaluate, plan and marshal Federal funds to construct the aforementioned wall. In subsequent news interviews, the Trump Administration suggested that the wall will be paid for via a 20% tax on Mexican imports.*
- *Detention of non-citizens apprehended on suspicion of violating any Federal or State law pending proceedings regarding those violations. These violations are not limited to immigration related offenses such as border crossing or immigration fraud; they also include state and federal criminal offenses. Hence, this provision will also affect green card holders accused of a deportable offense under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (one of the laws commonly referred to as "the 1996 laws")*
- *Expedited determinations of eligibility to remain in the United States for those apprehended individuals.*
- *After criminal and civil sanctions - including incarceration - "promptly" deport those whose claims to stay in the U.S. have been invalidated.*
- *Re-establish the Secured Communities Program by encouraging and enabling state and local law enforcement to the "maximum extent of the law," [permitted under INA section 287(g)] perform the functions of immigration officers.*
- *Expansion of additional local-ICE collaboration programs including federal/state partnerships to enforce immigration "priorities," and state monitoring and detention programs consistent with federal immigration laws and priorities.*
- *Hiring 5,000 new Border Patrol agents.*
- *Construction of new detention facilities at or near the U.S./Mexico border.*
- *Assignment of asylum officers to immigration detention facilities to accept asylum referrals and conduct credible fear determinations and to ensure that the parole and asylum provisions of federal immigration law are not exploited to prevent the removal of non-citizens.*

¹⁰. <https://www.americanimmigrationcouncil.org/research/border-security-and-immigration-enforcement-improvements-executive-order>



RAMI

A MIGRANT'S JOURNEY TO THE U.S.

Rami's Story

Rami* was a natural medicine practitioner in Haiti before he fled. He was well known for his abilities to heal the sick and often received many prominent patients. However, one unfortunate encounter with a prominent patient, who passed away in his care through no fault of his, made it dangerous for him to continue living in Haiti. The family of the prominent patient decided that he was the cause of their family's members death and proceeded to threaten his livelihood and eventually his life. He fled in the middle of the night, leaving behind his pregnant wife, who would lose their baby because of the scuffle with the prominent patient's family. After fleeing to the Dominican Republic, both husband and wife were reunited. He later moved to Brazil to look for work to provide for his wife while she stayed in the Dominican Republic. He also encountered different forms of violence and racism against people of African descent in Brazil. It was then that he decided to come to the United States. From the Brazil/Peru border, he drove to Peru and then Ecuador. From there, he travelled by foot with several other migrants through the Columbian jungle. He also encountered many Native people in the jungle who provided them with shelter and protection. He then proceeded through the following countries to arrive to the United States; Panama, Costa Rica, Nicaragua, Honduras, Guatemala, and Mexico. Once he arrived in the United States, he was diagnosed with Tuberculosis and given many medicines to take and was put in isolation for 29 days in immigration detention. After this, he was diagnosed as no longer having Tuberculosis, but the immigration detention center insists that he continues to take his medicine, causing him several bodily ailments. Unfortunately, Rami has the highest bail forcing him to stay in the detention center for months and has appeared three times before a judge with no legal representation.

STATE & LOCAL BORDER ENFORCEMENT POLICIES

Arizona

Arizona's SB 1070, law which legalized racial profiling for immigration enforcement purposes, also prevents any city from enacting sanctuary policies. Under this law, when an immigrant does not have their immigration authorization paperwork on them, they can be charged with a misdemeanor. The bill also imposes penalties on individuals that assist undocumented immigrants. This law also made it illegal for undocumented immigrants to solicit work and requires that law enforcement inquire about employment.

Anti-immigrant sentiment in Arizona has led to health clinic raids in border communities.¹³ Organizations like No More Deaths give aid to immigrants who have recently crossed the border and document crossing deaths.¹⁴ Their clinics have been experienced consistent raids, compromising safety.

California

Senate Bill 54 (SB 54): California's landmark "sanctuary state"¹¹ bill to protect immigrants without legal residency in the U.S., part of a broader push by Democrats to counter expanded deportation orders under the Trump administration.

California's state sanctuary bill would limit Immigration and Customs Enforcement (ICE) cooperation in state jails while allowing law enforcement to alert ICE when an undocumented immigrant is in jail because of a violent felony. SB-54 prohibits state and local agencies from participating in immigration enforcement. This bill would create 'safe zones,' and encourage many public institutions to adopt state policies. SB54 permits collaboration with federal agencies on non-immigration related enforcement¹² efforts.

New Mexico

New Mexico is currently working on sanctuary state legislation.¹⁵ Despite lack of robust statewide legislation, New Mexico already has prominent sanctuary cities like Santa Fe and Albuquerque.

Texas

Texas has banned sanctuary cities. SB4 is a Texas state bill that forces local law enforcement agencies and government offices to do the work of federal immigration officers. The bill specifically states that it punishes local officials who choose to prioritize their communities' safety over the anti-immigrant agenda of the federal government, corrodes public trust in law enforcement, and drives victims and witnesses of crime into the shadows.¹⁶

The bill also allows law enforcement to ask the immigration status of people who they detain.¹⁷ This bill makes a range of local leaders subject to a misdemeanor for not complying, including officials at public colleges. Recently, the border town of El Cenizo, Texas joined a lawsuit against this bill, with advocates like League of United Latin American Citizens taking the lead. This bill requires that all jails comply with detainer request and gives the state attorney general the power to remove from office elected officials that do not comply.



photo: Feb. 4, 2010, upload.wikimedia.org

TAKING ACTION TO SERVE BLACK MIGRANTS AT THE BORDER

Despite our efforts, we recognize that a holistic strategy is needed to support Black immigrants, refugees, and advocates at the border. Some of the acute needs that BAJI and participants in the delegation to the border identified include:

- *Funding for Black immigrant and refugee organizations to provide services, advocacy initiatives, and transition support to recently arrived Black migrants.*
- *Mechanisms to hold some of the larger, more resourced organizations operating at the border accountable to serving all migrants, including Black migrants, that seek their support.*
- *Engagement with policy makers, clergy, funders and other stakeholders in border communities.*
- *Culturally competent attorneys and Creole and African-language interpreters*
- *Creating space for Black leadership in immigration and refugee advocacy initiatives at the border.*

11. <http://www.latimes.com/politics/la-pol-sac-skelton-sanctuary-state-compromise-20170316-story.html>

12. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB54

13. <http://www.npr.org/2017/06/28/534671455/aid-group-shuts-down-migrant-aid-camp-after-border-patrol-raid> and document crossing deaths.

14. <http://www.npr.org/2017/06/28/534671455/aid-group-shuts-down-migrant-aid-camp-after-border-patrol-raid>

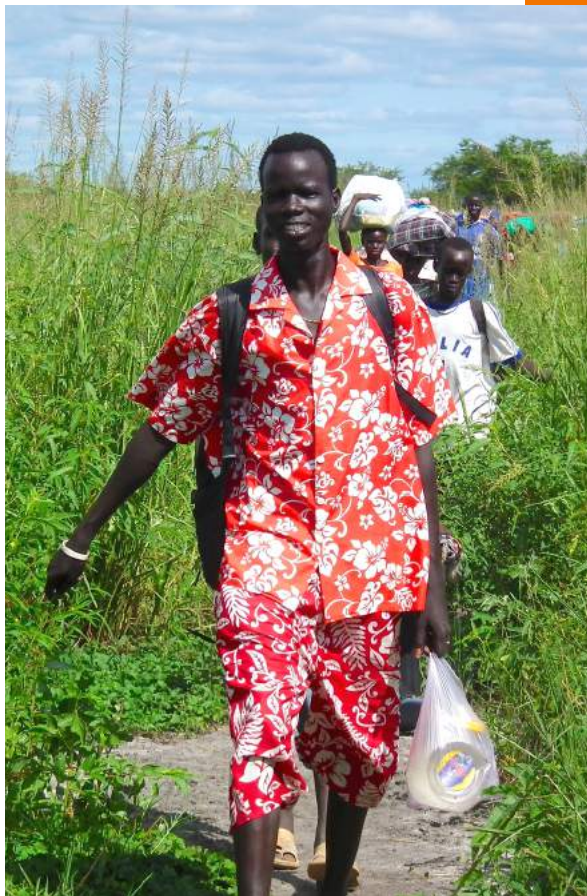
15. <https://www.abqjournal.com/957077/nm-house-slows-down-immigration-bill.html>

16. <https://www.aclutx.org/en/sb4>

17. <https://www.texastribune.org/2017/05/07/abbott-signs-sanctuary-cities-bill/>

CONCLUSION

We have tried to capture our observations and analysis, as well as the stories of those that have sacrificed everything to seek refuge in the U.S. But we are aware that the entirety of this experience goes beyond this report. Our hope is that this report will be the first of its kind, and will help to uplift the challenges facing Black migrants at the southern border and help us begin to make the case for centering their experiences. More importantly, with the delegation and this report, we aim to continue mobilizing Black communities and allies to advance dignity, freedom, and human rights for all Black immigrants and refugees.



photos: Oct. 7, 2010, www.pixabay.com