

SEALING THE BORDER

THE CRIMINALIZATION OF ASYLUM SEEKERS IN THE TRUMP ERA

EXECUTIVE SUMMARY

Sealing the Border documents violations of the rights and dignity of migrants and asylum-seekers by immigration enforcement agencies and officials in the El Paso and Southern New Mexico region of the borderlands. In the jargon of immigration enforcement, this area is known as the El Paso Sector. The human rights violations described paint a picture of the impact on asylum seekers of the increased militarization of the border and criminalization of migrants in the first year of the Trump administration.

Between June 2017 and January 2018, the Hope Border Institute conducted in-depth research on enforcement and detention policies and practices in the El Paso Sector. An analysis of nearly 300 documented cases revealed that the Trump administration has looked to El Paso as a laboratory for its brutal model of immigration and border enforcement. By effectively nationalizing troubling policies, practices, patterns and a culture of abuse unique to the El Paso Sector, the Trump administration has weaponized border enforcement, immigrant detention and the immigration courts, solidifying an iron triangle of deterrence against *bona fide* asylum seekers, forcing them to make the painful choice between deportation and prolonged detention.

Emboldened by the inauguration of President Donald J. Trump, immigration agencies and officials in the El Paso Sector have exacerbated the following human rights violations:

Hope Border Institute

with the collaboration of the Borderland Immigration Council

1. DETERRING ASYLUM SEEKERS AT THE BORDER

- ICE and CBP wrench children from parents arriving at the border, dividing families and creating situations where children are lost in the system.
- CBP and Border Patrol actively harass, intimidate, dissuade and discourage asylum seekers at ports of entry and within 100 miles of the border, flouting obligations to provide aid to those seeking refuge from violence and persecution.

2. DETERRING ASYLUM SEEKERS THROUGH DETENTION

- ICE has implemented a blanket policy of detention of asylum seekers at the border, including the detention of pregnant women, journalists fleeing state-sanctioned violence, and those with acute medical conditions.
- 2,000 human beings are incarcerated on any given night in the El Paso Sector in detention centers where conditions are often inhumane, food and water are restricted, medical care is inadequate, access to counsel is hampered and where migrants are punitively bounced back and forth hundreds of miles between detention centers.

3. JUSTICE FOR IMMIGRANTS IN EL PASO IS JUSTICE DENIED

- El Paso is one of the harshest places to receive justice in the immigration courts, where judges rule against Mexican and Central American asylum seekers nearly 100 percent of the time.
- The Trump administration is subverting the justice system and forcing judges to impose impossible punitive bonds on asylum seekers, rush cases, and compel asylum seekers to self-deport.
- Even when you win, you lose. Even when asylum seekers prevail in their cases, ICE appeals well-founded decisions and continues to detain individuals unjustly.

Immigration agencies and officials here are racially and ethnically profiling and criminalizing migrant families and border communities like El Paso as targets for surveillance and enforcement.

Sealing the Border is grounded in a faith-based approach to immigration enforcement and public policy which is centered around ethical imperatives of respect for the rights and dignity of all persons. It is the second study of its kind to be carried out by a local coalition of advocates in this region, a partnership between the Hope

Border Institute and the Borderland Immigration Council, and the first of its kind to expose the practices of immigration courts in the region.

Our report calls for a national dialogue in response to the need to fashion ethical approaches to immigration enforcement. We join hands here in a collective call to conscience, rooted in moral reflection and action, with all those who share our transformative vision of a global community committed to human rights and dignity for all, where borders are morally irrelevant.