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**Life on Hold: Central American Women's Experiences of U.S.
Immigrant Detention**

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**Life on Hold: Central American Women's Experiences of U.S.
Immigrant Detention**

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Dedication

For the brave women fighting for freedom and their families' well-being in U.S. immigrant detention.

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Abstract

Life on Hold: Central American Women's Experiences of U.S. Immigrant Detention

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The University of Texas at Austin, 2016

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This thesis examines daily life in U.S. immigrant detention in the state of Texas based on the perspective of formerly detained, asylum-seeking women from El Salvador, Honduras, and Guatemala. It seeks to answer the following primary questions: what are the policies and structures of current U.S. immigrant family detention centers in Texas, and how do they impact asylum-seeking Central American women and their children living in detention for weeks or months as a time? What internal or external resources do these women draw upon to survive the challenges of detention, and what happens to them once they leave?

This thesis draws on theoretical texts, statistical data, news sources, and reports from international organizations and NGOs to build a conceptual framework to understand U.S. immigrant family detention; however, it places the memories and opinions of formerly-detained women at the heart of its conclusions by engaging in the methodology of oral history and the Latin American tradition of *testimonio*. This work is therefore divided into four principal chapters exploring: (1) country conditions in El Salvador,

Guatemala, and Honduras, as well as women's reasons for leaving home; (2) asylum-seeking women's encounters with U.S. Customs and Border Protection agents in the holding cells known as *hieleras*, or "iceboxes"; (3) experiences of daily life in two new, privately-operated immigrant family detention centers in Texas; and (4) women's individual and collective efforts to resist the challenges of detention and find freedom.

Generally speaking, asylum-seeking women from Central America experienced substantial discrimination, physical distress, and psychological hardship during their time in U.S. immigrant detention which left long-term negative impacts on their families' overall health. Despite this, Central American women who participated in this thesis drew upon multiple internal resources to overcome barriers and organized to defend their human rights inside detention.

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What I desire most is for my children to study, *porque ellos son muy pequeñitos*, they're really small. I feel that if I don't achieve anything, it doesn't matter, it doesn't matter, well, because I'm doing it for my kids. [...] I don't want them to stay in that great violence in my country, because I want them to be people who serve society. Despite all of my suffering, the tears and sicknesses I've had to go through in detention. But I say, all that is over now, now I'm hoping for something new. I have faith in God that there must be something good for me.¹ Yes, now there is a future. And the future I hope to see is my children doing well and growing.

Silvia, 30 year-old mother of two children from El Salvador

INTRODUCTION

This thesis explores the personal stories of life, survival, and resistance of Central American women seeking asylum while incarcerated in two U.S. immigrant detention centers located in the southern state of Texas. Drawing on in-depth testimonies, it examines the varied situations of persecution in the countries of El Salvador, Guatemala, and Honduras that eleven women escaped from with their children, as well as the long journey they embarked on to reach the United States. It also explores the conditions and challenges that asylum-seeking women navigated in their struggles for safety and freedom while living inside newly-opened, privately-operated immigrant family detention centers in Karnes City and Dilley, Texas. Generally speaking, asylum-seeking women from Central America experienced substantial discrimination, physical distress, and psychological hardship during their time in U.S. immigrant detention which left long-term negative impacts on their families' overall health. Despite this, Central American women drew upon multiple internal resources to overcome barriers and organize for their human rights inside detention.

Four interconnected areas of investigation structure the chapters of this thesis: (1) country conditions in El Salvador, Guatemala, and Honduras, and women's individual reasons for migrating to the United States with their children; (2) conditions in the U.S. Customs and Border Protection (CBP) holding cells commonly known as the *hieleras*, or "iceboxes", where undocumented migrants and asylum seekers with or without children often spend several days before transferring to an immigrant family detention center; (3) experiences of daily life and official treatment in the Karnes County Residential Center and the South Texas Family Residential Center, two privately-operated U.S. immigrant family detention centers located in south Texas; and (4) Central American women's

sources of resilience and collective resistance inside detention. To set the stage for the narratives that will unfold shortly, it is first important to lay out some basic concepts related to refugee law and the history of immigrant detention in the United States.

IMMIGRANT DETENTION IN THE UNITED STATES

According to the United Nations High Commissioner for Refugees (UNHCR), refugees are “persons fleeing armed conflict or persecution” who, due to dangerous circumstances in their country, often cross national borders to find safety under international protection.² The 1951 United Nations’ Convention relating to the Status of Refugees (1951 Convention) and its 1967 Protocol, declare a refugee to be anyone who:

[...] owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his [or her] nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his [or her] former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.³

An asylum seeker, therefore, is a person who meets the above refugee definition and formally requests sanctuary in a country that is not of his or her origin or permanent residence, and is awaiting the resolution of that request.⁴ More than thirty-five years ago, the U.S. Congress incorporated the above definition of a refugee into domestic law by adopting the Refugee Act of 1980 (Refugee Act). In addition to more closely aligning U.S. law to international standards for refugee protection, the Refugee Act also “[r]eplaced ad hoc responses to refugee emergencies with a systematic process for annually reviewing and adjusting refugee admissions ceilings”, and it “[a]uthorized the granting of refugee status to individuals who are already present in the United States under a legal designation known as political asylum.”⁵ In 1996, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) expanded the previously accepted definition of a refugee to

include “persons who have been forced to abort a pregnancy, undergo a forced sterilization, or have been prosecuted for their resistance to coercive population controls.”⁶ Thus it is that, today, the U.S. government considers asylum to be “a form of protection to people who: (1) meet the [current] definition of refugee, (2) are already in the United States, or (3) are seeking admission at a port of entry”, such as at an air or sea port, or the U.S. border.⁷

A person may request asylum in the United States in two ways—either through an affirmative or a defensive application process. The affirmative process is for those who migrated to the United States with legal permission, such as by possessing a student or tourist visa, who are already physically present in the country, or who are seeking entrance at a port of entry (e.g., an airport). Within one year of arriving, a person desiring to pursue the affirmative asylum process must fill out and return an asylum application to the U.S. Citizenship and Immigration Services (USCIS), a federal agency under the Department of Homeland Security (DHS) responsible for receiving and determining affirmative asylum claims.⁸ If the person has no bars to applying, he or she then undergoes fingerprinting and a background check before conducting an in-person interview to share his or her story with a USCIS asylum office in the presence of a lawyer or professional interpreter if he or she wishes (and can afford) to hire one. After the interview, the asylum officer conducts an evaluation of the claim’s merits and issues a decision, which the asylum seeker receives a few weeks later. Importantly, a person applying affirmatively for asylum does so in a non-adversarial (non-courtroom) setting and does not have to stay in immigrant detention.

The defensive asylum process, on the other hand, is for those who request asylum while in removal, or deportation, proceedings before an immigration judge. Individuals generally end up in defensive proceedings if USCIS recommends them to an immigration judge after denying their affirmative asylum claim, when they are “apprehended (or caught) in the United States or at a U.S. port of entry without proper legal documents or in violation

of their immigration status”, or if they “were caught by U.S. Customs and Border Protection trying to enter the United States without proper documentation, were placed in the expedited removal process, and were found to have a credible fear of persecution or torture by an Asylum Officer [of the USCIS].”⁹ Defensive asylum applicants present their case before an immigration judge in an adversarial (courtroom-like) setting in which a lawyer from the U.S. Immigration and Customs Enforcement (ICE), another agency under DHS, represents the U.S. government. As a civil process, an applicant does not have the right to a court-appointed lawyer during this hearing, and if found ineligible for asylum or other forms of relief from deportation, the immigration judge will order the person removed from the country.¹⁰ All of the women interviewed for this thesis took part in this second, defensive asylum process after either being apprehended by CBP officers or turning themselves in at the U.S.-Mexico border and being placed into expedited removal proceedings.

Regardless of the path an individual takes to request asylum in the United States, three significant principles underlie the application of the 1951 Convention and its 1967 Protocol: “non-discrimination, non-penalization and *non-refoulement*.”¹¹ The first term requires that States apply the 1951 Convention’s protections without regard to an asylum seeker’s race, ethnicity, gender, national origin, sexual orientation, age, etc. For example, if two people from different countries present separate asylum claims that are both eligible for approval based on their respective merits, it would be wrong for one person not to receive asylum simply because of where he or she is from. The second term non-penalization refers to the fact that whether or not a person has a regular migratory status should have no bearing on his or her right to apply for asylum in a given territory. This principle recognizes that, due to circumstances of war or persecution, not all refugees are able to obtain the legal documents or identification papers necessary to comply with a given

country's immigration laws. The final French term *non-refoulement* refers to the stipulation that “no one shall expel or return (*refouler*) a refugee against his or her will, in any manner whatsoever, to a territory where he or she fears threats to life or freedom.”¹² As the testimonies of asylum-seeking women in this thesis attest, the U.S. government’s immigration enforcement and detention policies may be in serious violation of these three fundamental principles the country has agreed to abide by.

More specifically, Chapter 2 demonstrates the discrimination that Central American women endured at the hands of CBP officers who viewed them as economic migrants not deserving of international protection or welcome of any sort. This same chapter also shows how, at times, CBP officers were reluctant to accept women’s declarations of their fear of returning home, instead trying to force them to sign removal papers against their will. Finally, Chapter 3 demonstrates the detrimental conditions of confinement, control, and discouragement that women and their children lived through in immigrant family detention. The long-term and deep psychological and physical wounds these experiences left on the participants of this study constitute punitive measures that are neither necessary nor warranted according to UNHCR guidelines. For these reasons, which will become even clearer over the course of the following chapters, I argue that the current U.S. policies of immigration enforcement and detention violate central principles of international refugee and asylum law.

The history of immigrant detention in the United States is deep and far-reaching. In her working paper, Silverman reviews the often hidden history of the expansion and significance of U.S. immigrant detention.¹³ She cites past examples such as the detention of arriving immigrants for medical and political purposes at Ellis Island in New York Harbor beginning in 1892, the detention and inspection of Asian immigrants at Angel Island in the San Francisco Bay beginning in 1910, and the internment of Japanese-

Americans and other so-called “alien enemies” during World War II.¹⁴ In the 1980s, President Ronald Reagan initiated an expansion of immigrant detention as a response to the arrival of thousands of Cuban citizens to U.S. shores in 1979-1980 in what would become known as the Mariel Cuban boat lift.¹⁵ Along with Haitian asylum seekers who arrived in the spring of 1980 and later in 1991 after a surprise coup d’état, U.S. officials detained these migrants and refugees in Guantánamo Bay, Cuba as a deterrent to keep others from trying to reach the United States mainland and seek asylum.¹⁶

In more recent history, two key pieces of legislation shaped immigrant detention policies in the United States: the Immigration Reform and Control Act of 1986 (IRCA) and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). The former gave amnesty to undocumented migrants residing in the country since 1982, but also instigated escalated border inspection and internal control to streamline deportation operations.¹⁷ The latter bill paved the way for agreements between federal agencies and local law enforcement to coordinate immigration control which would eventually encompass detention. Importantly, IIRIRA established detention priority levels for apprehended immigrants without a regular status and determined classes of non-residents who were subject to mandatory detention which were to be applied retroactively.¹⁸ With growing categories of detainable and deportable offences,¹⁹ the number of people in U.S. immigrant detention began to rapidly rise during the late 20th century, from approximately 5,500 in all of 1994 to 19,500 on any given day in 2001.²⁰ In the aftermath of the September 11th, 2001 terrorist attacks, major legal and policy shifts occurred in the United States as the agencies previously charged with regulating immigration under the Department of Justice (DOJ), including the Immigration and Naturalization Service (INS), were dissolved in 2003. In their place, three new agencies—ICE, USCIS, and CBP—emerged under the new DHS, thereby effectively fusing criminal and immigration law enforcement.²¹ As one

might expect, the number of Border Patrol agents policing the U.S.-Mexico border during this same period also rose precipitously, beginning under President Bill Clinton with operations “Hold the Line” in Texas (1993), “Gatekeeper” in California (1994), and “Safeguard” in Arizona (1999).²² Later, the number of Border Patrol agents on the ground climbed from 9,821 to more than 20,000 during the presidency of George W. Bush (2001-2009) alone, and it peaked at 21,444 agents in fiscal year 2011 under President Barack Obama.²³

Other changes in immigration enforcement, such as the end of the so-called “catch and release” policy in 2005 and the implementation of Secure Communities in 2008 under President George W. Bush,²⁴ combined with evolving migration patterns from Mexico and Central America during the “Great Recession” to lead the number of both annual detentions deportations of undocumented immigrants and apprehensions of Central American citizens at the U.S.-Mexico border to rise.²⁵ As a result, by 2011, the United States was operating “the world’s largest immigration detention system.”²⁶ That same year, immigrant detention was also the “[f]astest growing form of incarceration in the United States”, and the budget for immigration detention centers had “nearly doubled” since 2005 to “more than \$1.7 billion, according to the ACLU’s Anthony Romero.”²⁷ By 2016, DHS reported that this budget figure had climbed to \$3.3 billion for the detention and removal of undocumented immigrants.²⁸ According to the Global Detention Project, approximately 200 facilities across the nation currently hold immigrants; these include “privately operated detention facilities, local jails, juvenile detention centres, field offices, and euphemistically named ‘family residential centres.’”²⁹ The make-up of the people in immigrant detention today is equally varied. Anyone from undocumented migrants apprehended crossing the border, people who have been found to be in the United States without legal permission, those with

or without a criminal record, and asylum seekers can all be held in immigrant detention centers.³⁰

As immigrant detention has grown, so too has the privatization of these centers' management. Not surprisingly, immigrant detention is big business for the small group of for-profit prison companies that administered roughly half of all immigrant detention center beds in 2009, a figure which has grown to 62%, or 23,000 immigrant detention beds, in 2015.³¹ According to a Detention Watch Network report from May 2011, "The three largest corporations currently invested in immigration detention are Corrections Corporation of America (CCA), the GEO Group, Inc. (GEO), and the Management and Training Corporation (MTC)."³² Of these, CCA and GEO reported annual revenues of \$1.69 and \$1.17 billion, respectively, in 2010.³³ These figures come despite serious and systemic complaints of misconduct, neglect, abuse, and sexual assault against employees of both companies.³⁴ In 2009, the Obama administration announced an overhaul of the immigrant detention system which included a ground-breaking report from ICE outlining issues to immediately address as well as long-term plans for structural reforms and updates.³⁵ Despite some advances, such as the end of family detention at the T. Don Hutto Residential Center (Hutto) in Taylor, Texas in 2009, there has been a new boom in immigrant detention spurred by the arrival of unaccompanied minors and families leaving Central America and Mexico in recent years. With the opening of the Karnes County Residential Center and South Texas Family Residential Center in 2014, the Obama administration initially retreated to implementing mandatory detention for families as a deterrent to prevent others from coming to the United States from Central America, even though asylum-seeking women had passed their initial CFI and posed no significant harm or flight risk.³⁶ This, therefore, was the complicated context into which asylum-seeking women entered when they crossed the Rio Grande into Texas in 2014 or 2015.

PROJECT PURPOSE

Given the confluence of factors shaping U.S. asylum law and detention policy, one of the primary objectives of this thesis is to focus on the voices and actual, lived experiences of Central American women that current immigration detention practices in the United States most directly affect. The hope in doing so is to better understand the personal impact of detention from women's perspective as asylum seekers, mothers, and political actors. This is particularly vital within the current context of unprecedented refugee flows around the world, and more specifically from El Salvador, Honduras, and Guatemala to the United States in the past decade. According to the UNHCR, worldwide, "an estimated 866,000 asylum applications were recorded in 2014", a 45% increase over the year before, and close to the all-time record of 900,000 applications that 44 industrialized countries received in 1992.³⁷ Among the primary factors fueling this remarkable increase are the armed conflicts in Syria, Iraq, and Afghanistan, which made up the top three countries of origin for refugees seeking asylum in 2014.³⁸ Likewise, the International Organization for Migration (IOM) concluded in its year-end report that 2015 was the "deadliest year on record for migrants and refugees crossing the Mediterranean trying to reach Europe", during which time IOM tabulated "total sea arrivals to Europe in 2015 at 1,004,356 or almost five times the previous year's total of 219,000."³⁹ As IOM's Director General, William Lacy Swing, said of the situation:

Migration has been the major theme of 2015 with record numbers of refugees and migrants arriving in Europe, fleeing from conflict and acute poverty. Throughout the year, we have been reminded that much of human mobility is not voluntary and tragically we have seen so many who felt they had no option but to leave their beloved homelands and were lost at sea, in the deserts or trapped in the back of lorries they had hoped would carry them to a safer and better life [...].⁴⁰

The deaths of three-year-old Syrian refugee, Aylan Kurdi, his five-year-old brother, Galip, and their mother, Rehan, are illustrative of Director General Swing's words. Fleeing

fierce fighting near their northern Syrian town of Kobani, the two boys and their mother drowned after their boat capsized near the Greek island of Kos while they had been attempting to reach family in Canada.⁴¹ Only Abdullah, Rehan’s husband and the boys’ father, survived. The image of Aylan lying lifeless on a beach near the Turkish resort town of Bodrum soon appeared on the front page of newspapers around the world [see Figure 1]. Justin Forsyth, CEO of Save the Children, responded to news of Aylan’s drowning by saying, “This tragic image of a little boy who’s lost his life fleeing Syria is shocking and is a reminder of the dangers children and families are taking in search of a better life. This child’s plight should concentrate minds and force the EU [European Union] to come together and agree to a plan to tackle the refugee crisis.”⁴²

Figure 1. Drowned Syrian Refugee Aylan Kurdi



Credit: Anne Barnard & Karam Shoumali, “Image of Drowned Syrian, Aylan Kurdi, 3, Brings Migrant Crisis Into Focus,” The New York Times, Sept. 3, 2015. Original photo from Turkish News Agency. http://www.nytimes.com/2015/09/04/world/europe/syria-boy-drowning.html?_r=1.

While much of the world’s attention has been understandably focused on the conflict in Syria, in recent years, another humanitarian crisis involving refugee children and families has also been unfolding in the United States. To provide a basic snapshot, in

2014, DHS and DOJ's Executive Office for Immigration Review (EOIR) together registered approximately 121,200 asylum applications—44% more than in 2013 and the second highest number in the world that year following Germany.⁴³ Part of this increase was due to a notable rise in the number of asylum applications from citizens of the so-called “Northern Triangle” countries of Central America, namely El Salvador, Honduras, and Guatemala. According to the Annual Flow Report of DHS's Office of Immigration Statistics, in 2014, the United States granted 23,533 people asylum from around the world, 8,775 of whom received asylum defensively from an immigration judge in the EOIR.⁴⁴ Overall, however, from 2013 to 2014, “grants of asylum decreased by six percent” in the country, and grants of asylum defensively in particular dropped by 12%.⁴⁵ Of all those who received asylum in 2014, half were nationals from China (34%), Egypt (12%), and Syria (4%).⁴⁶ Of those who received asylum defensively in the United States in 2014, approximately half were nationals from China (45%) and India (4.2%).⁴⁷

The picture for Central American asylum seekers, on the other hand, is striking. Over the four-year period 2010-2014, the number of defensive asylum claims before the EOIR for nationals from El Salvador increased from 1,925 to 5,921 (307.6%); for Guatemalans they increased from 1,726 to 4,257 (246.6%); and for Hondurans they increased from 783 to 3,669 (468.6%).⁴⁸ As a result, the total number of asylum claims before the EOIR from just these three Central American countries increased over four years by 312.3% from 4,434 claims in 2010 to 13,847 claims in 2014.⁴⁹ Despite this well-documented change, the percentage of these defensive asylum claims from Central American nationals that the United States granted actually decreased over the 2010-2014 period, from 6.4% (El Salvador), 7.6% (Guatemala), and 7.2% (Honduras) grant rates in 2010 to 3.1% (El Salvador), 4.1% (Guatemala), and 4.1% (Honduras) grant rates in 2014.⁵⁰ By comparison, the percentage of defensive asylum claims from Chinese nationals that the

U.S. government granted during the same time noticeably increased from 35.9% in 2010 to 83.3% in 2014.⁵¹ It bears noting that this trend was already well-established before the summer of 2014, when a turn of events brought the plight of Central American asylum seekers to the U.S. public's attention.

During the summer of 2014, an unprecedented number of unaccompanied minors and families from Central America arrived at the southwest U.S.-Mexico border seeking safety from violence and persecution. The U.S. Border Patrol, a division of CBP within DHS, reported that, by the end of fiscal year 2014, its agents had apprehended 68,445 “family units”—to use Border Patrol’s terminology—which represented a 361% increase over fiscal year 2013 when agents apprehended 14,855 families along the southwest border.⁵² Of these, 61,334 families (89.6%) came from El Salvador, Honduras, and Guatemala; many were women with children seeking asylum; and Border Patrol apprehended the vast majority crossing into the Rio Grande Valley area of Texas.⁵³ Media outlets quickly began referring to the situation as a migrant “crisis” or illegal “surge” depending on their particular political position,⁵⁴ and President Barack Obama called on Congress to allocate emergency funding to coordinate a multi-agency response to what he called an “urgent humanitarian situation” at the border.⁵⁵ On the ground level, the Department of Health and Human Services (HHS) opened several temporary shelters on military bases to house unaccompanied minors,⁵⁶ and in June, ICE opened a temporary immigrant detention center for seven hundred people at a law enforcement facility in Artesia, New Mexico.⁵⁷

These would ultimately be the first moves toward a renewed expansion of immigrant family detention in the United States, as over the following months the government would open two new detention centers to hold primarily asylum-seeking women with children from Central America. This move joined the government’s decision

to establish the Central American Minors (CAM) Refugee/Parole Program to provide “an in-country refugee processing program for minors in El Salvador, Guatemala, and Honduras deemed deserving of humanitarian protection in the United States”, so that they might have “a legal, safe alternative to undertaking dangerous, unauthorized journeys to the United States.”⁵⁸ Within the past year, officials announced plans to expand this State Department program to allow three new groups of people to apply for protection: “older siblings of a qualified child, provided they have a parent already living lawfully in the United States; the biological parents of a qualified child; and caregivers of a qualified child, provided a parent is living lawfully in the United States.”⁵⁹

Amidst this barrage of statistics and policy decisions, the identity and voices of the families coming from Central America have often been lost as they enter into legal and political systems in the United States that are reluctant to recognize them as refugees with basic human rights. Rejecting the dehumanization of Central American people, this thesis sets out to engage refugee women’s thoughts and opinions in a more extended and nuanced manner. Contrary to any news sound bite, women who have lived in U.S. immigrant detention possess complex understandings, and often rich memories of their time in detention. By focusing on their personal, lived experiences, this thesis attempts not only to thoughtfully critique certain aspects of current U.S. immigration policy, but also to explore how women survivors of abuse and violence have found the internal strength and determination to persevere through the structural barriers of immigrant detention and the defensive asylum process.

In doing so, this thesis contributes to the important work already carried out by non-profit and international organizations like the Refugee and Immigrant Center for Education and Legal Services (RAICES), Texas United for Families, Grassroots Leadership, and the UNHCR on behalf of the rights of refugee women and children to bring their stories to the

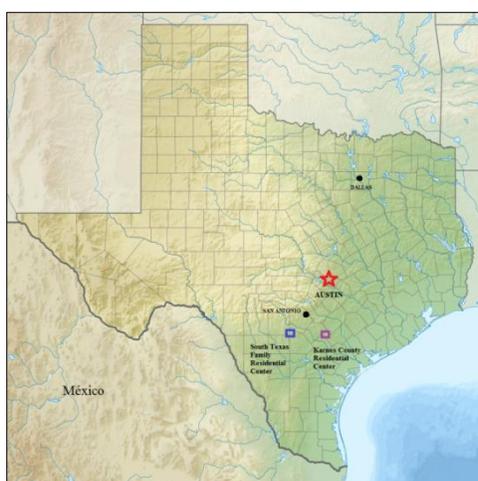
public or secure their release from privatized immigrant family detention centers.⁶⁰ In particular, this thesis' findings might help to further inform well-established organizations and academic centers such as the Women's Refugee Commission and the Center for Gender and Refugee Studies at the University of California Hastings College of the Law, which, through their research and direct representation, have shared vital knowledge and resources for the defense of women asylum seekers and refugees in the United States and beyond.⁶¹ Finally, it has the potential to offer a nuanced gendered perspective of asylum and refugee law to enrich the advocacy efforts of religiously-affiliated groups fighting for immigrants' rights such as the Unitarian Universalist Service Committee, Jesuit Refugee Service, and Lutheran Immigration and Refugee Service, among others.⁶² The ultimate hope is that this thesis might attest to the humanity of refugees from around the world—Central America, Mexico, Syria, and beyond—at a time in U.S. history when major political party candidates and segments of the American public openly support bigotry, xenophobia, and racism, in addition to other forms of discrimination and prejudice.

METHODOLOGY

I carried out the research for this thesis during the summer and fall of 2015 in the U.S. state of Texas. Over the course of several months, I conducted eleven oral history interviews with asylum-seeking Central American women who, along with their children, had been imprisoned in one of two immigrant family detention centers that opened in 2014: the Karnes County Residential Center (hereafter Karnes) located in Karnes City, Texas, or the South Texas Family Residential Center (hereafter Dilley) located in Dilley, Texas [see Figure 2]. Eight of the oral history interviews took place in the cities of Austin, Dallas, or San Antonio, where I traveled to meet with participants either in their home or a private space at the welcoming house of RAICES in San Antonio. The remaining three oral history

interviews took place via phone, as some asylum-seeking women had moved out of Texas since leaving immigrant detention and it was not feasible to meet with them in-person. With their consent, participants in telephonic interviews shared their stories in the comfort of their own home while I called them at a convenient time for their schedule from the privacy of my home office in Austin.

Figure 2. Map of Texas Showing Research Sites, Detention Centers

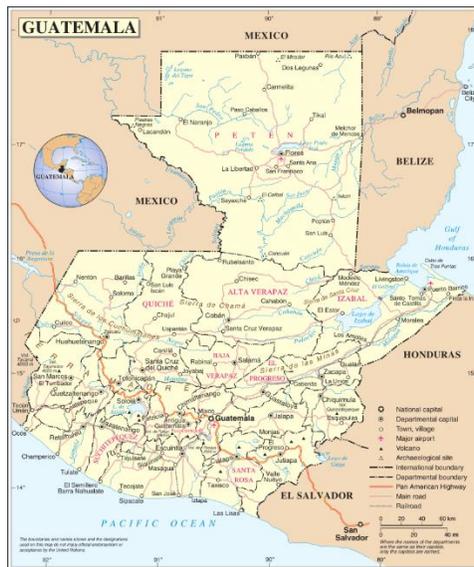


During all eleven oral history interviews, participants and I went through the informed consent process before beginning, which included me explaining to them the objectives, possible benefits, and risks related to agreeing to participate in my study. Once I obtained their informed consent, I then opened our conversation by asking a number of questions regarding women's lives in their home countries, their journey through Mexico, interactions with CBP officers at the U.S. border, and their experiences of life in detention at either Karnes or Dilley [see Appendix B for my interview guide]. I conducted all oral history interviews in Spanish and employed a handheld USB device to record them when participants gave their consent. Otherwise, I took numerous handwritten notes which I later transferred to my computer to analyze and safely store along with the aforementioned voice

recordings. This study and its respective procedures and methodology received official IRB approval at the University of Texas at Austin in the spring semester of 2015.

In order to recruit these participants, I first contacted immigration lawyers in the Austin area to ask if they might work with any clients who would be interested in sharing their stories with me. After having some luck with this approach, I then employed the snowball method, asking current study participants if they knew anyone from their time in detention who might also like to participate. I also reached out to professors at the immigration clinic at the University of Texas at Austin School of Law and non-profit organizations like RAICES, Caritas, and a local shelter for refugees in Austin to see if they might have any suggestions for potential participants to contact. Members of RAICES staff kindly allowed me to volunteer for several weeks over the course of the summer and fall 2015 at the welcoming house where I eventually conducted multiple interviews with women who had recently left the Karnes and Dilley detention centers with their children. Of all oral history participants, two came from Guatemala, two from Honduras, and the remaining seven were from various parts of El Salvador [see Figures 3-5 below for country maps]. I additionally interviewed two U.S. immigration lawyers who at the time were representing detained Central American families at Karnes to gain a better understanding of the legal and institutional barriers that asylum-seeking women face in immigrant detention and to incorporate these professionals' perspective into my research.

Figure 3. Map of Guatemala



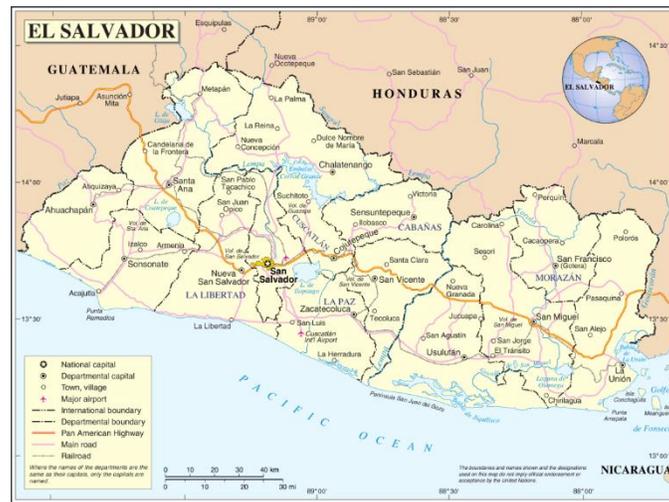
Credit: Image derived from United Nations map in public domain.
<https://commons.wikimedia.org/wiki/File:Un-guatemala.png>

Figure 4. Map of Honduras



Credit: Image derived from United Nations map in public domain.
<https://commons.wikimedia.org/wiki/File:Un-honduras.png>

Figure 5. Map of El Salvador



Credit: Image derived from United Nations map in public domain.
<https://commons.wikimedia.org/wiki/File:Un-el-salvador.png>.

Throughout this thesis, I engage with the traditions of oral history and *testimonio* as methodologies of knowledge creation and political action to analyze what happens inside U.S. immigrant family detention centers. What is oral history exactly, though? According to Ritchie, “Simply put, oral history collects memories and personal commentaries of historical significance through recorded interviews.”⁶³ Its mechanics are fairly straightforward: a prepared interviewer asks a series of structured questions to illicit responses from an interviewee about a topic of historical interest, the former then records the conversation that ensues, and later he or she transcribes, summarizes, and archives it sometimes digitally online or in print at a library or academic institution for future public access and research. Memory lies at the foundation of oral history, which almost from its origin has been “shaped by this interrelationship among diverse social and human disciplines...it is a complex grid of multiple contributions of concepts, methodologies, techniques, hierarchies of research subjects, modes of analysis, form, styles of diffusion and socialization of its results.”⁶⁴

The emphasis on individuals' perspectives in oral history nevertheless allows us to "connect the inner world to the outer world" and to "bridge cultural history with personal biography."⁶⁵ In the words of Enríquez, "The biographical approach [to life histories] nurtures a reflection on the possibilities of penetrating across the humanities and social sciences disciplines to finely weave the threads linking the world of daily life with macro structures that create an exclusive social order that violates existence itself."⁶⁶ Oral history can thus serve to focus on ordinary people's experiences and reflections as a way to learn about and disseminate knowledge "that might not have appeared in print."⁶⁷ According to Neves, oral history is a means to create historical knowledge that involves the interviewer, interviewee, and the larger audience to whom the history is directed.⁶⁸ "The relationship between memory and history is also the relationship between collective and personal memory, always interwoven and almost always imbued with power: the power to forget, to remember, to omit, to silence. As a result, according to Neves (2001), each testimony is unique and fascinating in its singularity and potential to reveal emotions and identities."⁶⁹

These emotions and identities are not free from a particular point of view or even a political objective related to the position of the interviewer, interviewee, or their respective communities. Due to the nature of memory and the production of oral history interviews, some stories—though not all—may contain factually inaccurate details that cause critics to doubt their overall reliability or "objectivity." On this point, Plummer quotes a leading Italian oral historian, Alessandro Portelli, to state that, "life stories are not and cannot be objective: they are always 'artificial, variable, and partial'"; however, they may still teach us important lessons about larger truths that may be "equally as important as factually reliable accounts."⁷⁰ It is for this reasons that I consider oral history a valuable methodology for listening and recording the lives of people woven into historical events and changing times. The participants in this study had the chance to reflect on their own

memories while connecting them to the larger structures of immigrant detention and policy in the United States today. Their insights created a shared knowledge grounded in first-hand experience and countered the official narrative of humane and compassionate immigrant detention.

On the other hand, Beverley describes testimonio, or testimony, as:

[...] a narrative...told in first person by a narrator who is also the protagonist (or witness) of his or her own story. The narrative unit is usually a life or a particularly significant lived experience (labor situation, political activism, incarceration, etc.). The narrator's position in the testimony always involves a certain urgency or need for communication that emerges from lived experiences of repression, poverty, exploitation, marginalization, crime, and struggle.⁷¹

Testimonio emerged as a literary genre in Latin America beginning in the 1960s during a period of social and political revolution in Cuba, military dictatorships in Chile, Argentina, and Uruguay, and ideologically-motivated civil wars in El Salvador, Guatemala, and Nicaragua. After Cuba's Casa de las Américas founded a category for best testimonio among its annual literary awards in 1970, the genre further solidified as a demonstration of "the power of literature as a form of social action", with examples of testimonies aimed to change the *status quo* ranging from Che Guevara's *Episodes of the Cuban Revolutionary War 1956-1958* (1963), to Omar Cabezas's *La montaña es algo más que una inmensa estepa verde* (1981), to Rigoberta Menchú's *I, Rigoberta Menchú* (1983).⁷² Indeed, Stephens speaks about this ability of testimonio to open up public spaces and support the development of democracy as she writes about her experiences meeting and speaking with member of what she calls "an important social movement" in Oaxaca, Mexico in 2006.⁷³ According to Stephens, the act of giving testimony produces knowledge, and the act of recording and disseminating testimonies forms part of an epistemology through which to better understand "the formation of new political identities behind

processes for the claiming of rights and the expansion of concepts like citizenship and political participation.”⁷⁴

Several unique characteristics define the genre of testimonio. First, the voice of the narrator opts for the plural “we” rather than the singular “I” as he or she speaks for a collective or community struggling to change an unjust *status quo* and achieve greater equality and freedom.⁷⁵ Second, the narrator directly addresses his or her audience as an equal, *un compañero*, creating a sense of intimacy and complicity between them as members of a larger movement fighting on behalf of marginalized peoples globally.⁷⁶ Third, the potential power of testimonio lies in the way it privileges the words of those who have often been erased from the official narratives of history and written texts despite their important role in shaping them. By reclaiming their voices as protagonists through the sharing of testimonios, these marginalized peoples have an opportunity to counter from below the sources of power that have sought to silence them and devalue their experiences over generations.

Such is the case of the women of Sepur Zarco in Guatemala who, over the past two years or more, have spoken out in trials against the army members who disappeared their husbands, forced them to work as sexual slaves, and raped them on a regular basis during the armed conflict and genocide of indigenous peoples that occurred in the country in the 1980s. Recovering the word, strengthening the social fabric, and connecting to the collective memory are all important elements of testimonio.⁷⁷ As author Santa Cruz writes about testimony and memory in the case of Sepur Zarco:

“Making memory has to do with rescuing humanity. For these women, offering their testimony meant recovering a suppressed past, and in the process, will be the beginning of the recovery of their dignity. This space that we are living in Guatemala is where history is remade, oral discourse from below confronts written history from above. Thus, an alternative history to the dominant one is

constructed while those who narrate defy the interpretive framework within which history was being written.”⁷⁸

When it comes to trauma and memory, Chilean psychologists Cienfuegos and Monelli were some of the first to use testimony as a therapeutic tool. The two worked with survivors of political persecution and family members of former prisoners under the Pinochet military regime in Chile to highlight the beneficial effects of giving testimony, despite the pain that doing so may entail, and setting down past experiences in written text. Among their conclusions, Cienfuegos and Monelli state that testimony provides substantial relief for the post-trauma symptoms of anxiety and depression, and allows some survivors of persecution to channel their anger and grief into a constructive action (writing) that contributes to the denunciation of the crimes of the Pinochet regime.⁷⁹ They also state that, “besides its therapeutic value, the testimony is a way of registering private suffering caused by social conditions”, thus giving a verbal expression to collective trauma that may, at the individual level, feel overwhelming, confusing, and deeply painful.⁸⁰ With these contributions in mind, my project sets out to listen to asylum-seeking women from Central America who have also survived violence and persecution as they bear witness to the human impact of the United States’ current immigration system. Their words both spread knowledge from inside the opaque barriers protecting immigrant detention centers from public scrutiny and call us as readers to take action to end the forms of discrimination that they describe in their narratives.

THEORETICAL BACKGROUND

Two broad fields have vitally informed the development of a theoretical framework for this project. The first is that of Central American women in refugee studies. At a foundational level, I rely on some basic statistical figures and reports by NGOs to grasp the current context of asylum seekers in the United States and Central American women’s

situation among them. These sources include data from the EOIR and DHS regarding the annual number of asylum requests by the applicants' country of origin,⁸¹ in addition to the UNHCR's annual reports on global trends in populations of refugee and displaced persons, which focus on the most pressing situations of international protection due principally to war, generalized violence, natural disasters, political unrest, etc.⁸²

Statistics alone do not tell the whole picture of the experiences of Central American refugee women, of course, which is why I looked to other sources for insight into what happens for Central American women hoping to reach the United States to seek asylum. In this regard, the UNHCR's 2015 report *Women on the Run* is especially helpful in that it focuses entirely on the reasons why women left El Salvador, Guatemala, and Honduras to journey north and the types of persecution they face on a daily basis in their home communities.⁸³ Another rights-orientated NGO, Human Rights Watch, also released a 2014 report entitled, "*You Have No Rights Here*": *US Border Screening and Returns of Central Americans to Risk of Serious Harm*, about violations of international refugee law occurring during the initial screenings of asylum seekers by U.S. Border Patrol agents that led people with well-founded fears to be deported back to their home country.⁸⁴ This report significantly aided me in exploring the encounters between asylum-seeking women from this study and CBP officers in the processing stations along the border known as the *hieleras*, or ice boxes.

Two final works worth mentioning are related to the mental and emotional health of female trauma survivors from Central America. The first is a 1991 article entitled, "The Gender-Specific Terror of El Salvador and Guatemala: Post-traumatic Stress Disorder in Central American Refugee Women".⁸⁵ It is particularly relevant because it examines the long-lasting impacts of political persecution on the lives of Salvadoran and Guatemalan women who were imprisoned, sexually abused, and tortured during the armed conflicts of

the 1980s. This article allowed me to compare the context of past armed conflict with the current challenges related to gang activity in Central America, and it helped me to identify some common threads between the experiences of women refugees thirty years ago and those of today in terms of the after-effects of trauma that time in immigrant detention can exacerbate. The final report from 2015 is entitled, *No Safe Haven Here: Mental Health Assessment of Women and Children Held in U.S. Immigration Detention*, in which the authors discuss the mental health consequences of detention on children and women who are also survivors of trauma.⁸⁶ This report is important because it echoes testimony from a Congressional hearing on immigrant family detention during which Olivia López, a former psychologist at the Karnes center, and Luis H. Zayas, Dean of the University of Texas at Austin School of Social Work and a leading authority on the emotional development of immigrant children in the United States, each spoke.⁸⁷ As it might not be hard to imagine, the restrictions and stressors of being detained have overall negative impacts on the well-being of immigrant and refugee families held for almost indefinite amounts of time as their cases work their way through the backlogged U.S. immigration court system.

I then further build this second theoretical field, in part, by bringing together various texts that speak to different aspects of Central American women's experiences as refugees and asylum seekers. One text is entitled *Crossing the Border: Voices of Refugee and Exiled Women*, a compilation of women's stories of warfare, imprisonment, sexual violence, and departure told in the narrators' own words. These stories share some commonalities in that they deal with the "living memories" and "cries of pain" that formerly detained women also expressed about the turmoil they had faced before leaving home and the general anguish they had felt while locked up in U.S. immigrant detention.⁸⁸ *Crossing the Border* incorporates the contributions of women from the primary origin countries for refugees in the United Kingdom such as Iran, Iraq, Bosnia, Somalia, and Turkey, among others. Thus,

despite the eloquence and power of women's writings, refugees from the Americas do not form part of the volume; this represents a gap in the literature that I hope my work will help to fill. Turning to the Americas, a second influential text has been Shemak's *Asylum Speakers: Caribbean Refugees and Testimonial Discourse*. As the "first interdisciplinary study of refugees, who are located in the Caribbean, Central America, and United States", *Asylum Speakers* examines the intersections of race, geography, history, and politics surrounding refugee flows from Haiti and Central America, as well as the ways in which testimony and oral discourse shape refugee subjectivity in their new host country.⁸⁹ *Asylum Speakers* is a remarkable text for its engagement with critical race theory, testimonial literature, photography, and more traditional theories of state power from intellectuals such as Giorgio Agamben and Michel Foucault. Noticeably absent from the book, however, is a discussion of the varied ways that gender influences male and female refugees' experiences of flight and how gender intersects with class, sexual orientation, age, and other facets of identity to create different forms of vulnerability and practices of testimonial witnessing.

A text that does deal with the need for a more sophisticated approach to gender in refugee studies is entitled, *Gendering the International Asylum and Refugee Debate*. Author Freedman argues that it is important to research gender within forced migration, because it is "part of a larger move to become aware of the relevance of a gendered analysis of all migratory movements, an analysis which was lacking for many years during which the figure of the migrant was assumed to be male and when women migrants were absent from all research in the area."⁹⁰ A more sophisticated understanding of gender, however, would not only focus on making more visible women's and girls' participation in migratory and refugee flows; rather, it would also strive to explore how gender expression in its fluidity informs why some people must flee from home for safety, how their journey to the

United States unfolds, and how institutions like the asylum regime in the United States uphold male patriarchy and gendered norms of victimhood, testimony, “truth,” and objectivity.

Moving on, the second broad field informing my analysis and perspective encompasses issues related to race and gender in prison settings. Thinking about race and immigration, it is vital to address the connections between the U.S. *prison-industrial complex* (PIC) and the growth in immigrant detention centers managed by private prison companies. In *Abolition Democracy*, Davis writes that the strategic use of the term prison-industrial-complex conjures up the imbrication of business interests and military expansion represented by the term *military-industrial-complex*. According to Davis, “When one considers the extent to which both complexes earn profit while producing the means to maim and kill human beings and devour social resources, then the basic structural similarities become apparent.”⁹¹ As Davis explores in *Abolition Democracy* and her other work, *Are Prisons Obsolete?*, the prison-industrial-complex in the United States has historic roots in slavery and the forced labor systems of the Jim Crow era of *de jure* racial segregation in the 19th and 20th centuries.⁹² After the abolition of many of the most obvious and formal expressions of segregation, the prison, and multiple industries that feed off of it, continues to exert an inordinate amount of social control and coercion in what Davis characterizes as a fundamentally undemocratic institution. In a passage that perfectly speaks to my study, she continues on to write that, today, “The population growth in domestic prisons, the emergence of new industries dependent on this growth, the retooling of old industries to accommodate and profit from imprisonment, the expansion of immigrant detention centers, and the use of military prisons as a major weapon in the so-called war on terror, the articulation of anti-crime rhetoric with anti-terrorism rhetoric—these are some of the new features of the prison-industrial-complex.”⁹³

Over the past thirty years, immigration enforcement in the United States has become increasingly tied to criminal law enforcement, leading to what scholars and immigrants' rights activists have termed the "criminalization" of immigration. Ewing, Martínez, and Rumbaut discuss how in the United States "far too many immigration policies are drafted on the basis of stereotypes rather than substance."⁹⁴ Some of these stereotypes rely on the myths that unauthorized immigration is related to rising crime rates and immigrants themselves are more likely to be involved in criminal activity than their native-born counterparts. As the authors show, however, not only do FBI and national census data *not* support these claims, they in fact prove the opposite to be true—that crime rates in the United States have decreased while the foreign-born population (both documented and undocumented) has relatively increased, and that native-born U.S. citizens are more likely to be incarcerated for committing crimes than their immigrant counterparts.⁹⁵ Nevertheless, over the past three decades, the U.S. federal government has employed "increasingly stringent definitions and standards of 'criminality' that do not apply to U.S. citizens" with the effect of increasing anti-immigrant stigma through the euphemistic use of terminology like "criminal alien" to refer to persons who commit non-violent misdemeanor crimes such as traffic violations.⁹⁶ As U.S. immigration laws construct the illegality of more and more "criminal aliens", "the machinery of detention and deportation grows larger as well, casting a widening dragnet over the nation's foreign-born population in search of anyone who might be deportable."⁹⁷ Thus, the criminalization of immigrants and asylum seekers directly feeds the expansion of immigrant detention and its associated industries in the United States.

Drawing on Bourdieu's work, Menjívar and Abrego analyze how intersecting immigration and criminal law and the ever-present threat of deportation constitute forms of "legal violence" for communities of Central American immigrants in the U.S.

southwest.⁹⁸ Through years of in-depth ethnographic interviews delving into the areas of work, family, and school, Menjívar and Abrego reveal the “underside” or “normalized but cumulatively injurious effects of [immigration] law” that have increasingly become tied to matters of national security after the September 11th, 2001 terrorist attacks.⁹⁹ They also highlight how the legal construction of Central American illegality is, in fact, historically and politically situated.¹⁰⁰ Similarly, De Genova provides an important study of the “historical specificity of Mexican migration as it has come to be located in the legal economy of the US nation-state, and thereby constituted as an object of the law.”¹⁰¹ De Genova traces how at historically pivotal moments—e.g., during the Great Depression, WWII, or the post-war boom of the 1950s and 60s—the United States passed immigration laws and policies that effectively restricted the legal channels of migration open to Mexican citizens while simultaneously constructing the vulnerability of migrants to increased deportation raids and border militarization.¹⁰² The constructed illegality of Mexican immigrants, De Genova argues, is both spatialized and racialized. As he writes, “Mexican migrants are likewise racialized as ‘illegal aliens’—invasive violators of the law, incorrigible ‘foreigners,’ subverting the integrity of ‘the nation’ and its sovereignty from within the space of the U.S. nation-state.”¹⁰³ The historical evolution and legal significance of Mexican illegality thus offer relevant lessons to deconstruct the present forces behind the criminalization of Central American refugees in the United States. More specifically, they invite a closer evaluation of the historically rooted relationship between El Salvador, Honduras, and Guatemala and the United States, and how the expansion of immigrant detention plays a role in constructing the illegality of asylum seekers.

The relationships among race, gender, and imprisonment shed further light on asylum-seeking women’s experiences at Karnes and Dilley. Speaking about the impact of prison-industrial complex on communities of color in the United States, “The Critical

Resistance Incite! statement on gender violence and the prison industrial complex” points out that, “Over the past decade [1998-2008], the prison industrial complex has not only expanded, it has widened its web through greater collaboration and complicity with the military, immigration enforcement authorities, law enforcement agencies, child welfare agencies, mental health systems, and social assistance agencies.”¹⁰⁴ Increasing numbers of women, especially women of color, have been swept up into this web as, over the past twenty years, the number of women in prison has grown.¹⁰⁵ In 2015, The Sentencing Project reported that, “Women now comprise a larger proportion of the prison population than ever before; the female prison population stands nearly eight times higher than its population count in 1980.”¹⁰⁶ While men still outnumber women in American prisons, the growth in women’s imprisonment has “outpaced men by more than 50% between 1980 and 2014”, and more than half of women have children under the age of eighteen.¹⁰⁷ Immigrant women make up an important part of this boom in female incarceration, as immigrant women arrested and labeled as “criminal aliens” by the U.S. government made up twenty-seven percent of the federal prison population. According to Sudbury, “The policing and criminalization of immigrant Latinas has therefore been an important factor in U.S. prison expansion in the past three decades and has become a feature of life in the border states in particular.”¹⁰⁸

Given this reality, several authors have written about the lives, struggles, and resistances of female prisoners and Latin American refugees in U.S. immigrant detention. For instance, Thomas explores “how gender differences shape policies and experiences of control [in prison], and how gender identity and roles shape women’s adaptation and resistance to prison culture and control.”¹⁰⁹ One of Thomas’s main conclusions is that women’s past experiences of control and oppression mingle with their current circumstances in prison to shape their subject response to incarceration. As he writes, “In

coping with imprisonment, prisoners engage in a dialectical dance in which their past experiences combine with the control and deprivations of prison culture to add to the punishment. [...] an overwhelming proportion of women in prisons and jails were physically, sexually, and emotionally abused prior to entry.”¹¹⁰ In the case of asylum seekers from Central America, their past brushes with violence and fear, not to mention the challenges they overcame in their journey to the United States, all impacted the way they understood their own subjectivity and coped with confinement in detention.

For their part, Ferraro and Moe focus on several features of imprisonment—including surveillance, health care, education, work, and violence—that “influenced the ways in which women coped with their incarceration.”¹¹¹ While the authors focus on the stories of women incarcerated in two facilities of the Pima County Adult Detention Center in Tucson, Arizona, the similarities between their experiences and those of asylum-seeking in immigrant family detention are uncanny. Like the participants in this study, Ferraro and Moe conclude that:

“The women [they interviewed] utilized a variety of measures as a way of surviving incarceration and resisting its effects, including religion, motherhood, relationships, and management of perceptions regarding incarceration. Their strategies reflected gendered experiences prior to incarceration, as well as their invocation of and resistance to gendered oppression within the institution.”¹¹²

As Chapter 4 will demonstrate, detained Central American women survived the conditions they were under by drawing on diverse sources of consolation and strength. Although the title of this thesis suggests their lives were on hold in the sense that their fate was tied up in immigration court and they could not make their own decisions about how and where to live, asylum-seeking women from Central America nevertheless took action—individually and collectively—to assert what control they could over their families’ lives.

Chapter 1

Nos salvamos de muchas cosas: Life and Persecution in Central America

If someone threatened to kill you and your family, what would you do? If they kidnapped your child, your parent, or your sibling and tortured them, what would you do? If they persistently pressured you to pay them money on a regular basis to allow you to live or work, how would you respond? What if they followed you wherever you went, attacked your home, or murdered your loved ones to intimidate you? What would you do if you lived alone with your children and could not call the police for help? If you had 24 hours to decide where to go after an attack from someone persecuting you, where would you choose and how would you get there?

These are the incredibly hard questions that the women I interviewed had to face and answer somehow. Contrary to rhetoric in the American media, women fleeing with their children are heading north because it is literally impossible for them to remain in their homelands. Though personal and unique, their stories shed light on the larger, complex reality of life and persecution in El Salvador, Honduras, and Guatemala that has led thousands of people to leave their countries to take refuge elsewhere in the past seven years. This chapter does not, however, pretend to give an exhaustive overview of the many reasons why different women have left the three countries above, nor does it touch upon the varied experiences of many women and men who, despite the difficulties, remain in their countries to carry on with their lives the best they can and to provide for their families. These are significant stories that also form part of the realities of life in Central America today, and it would be wrong not to incorporate them into our understanding of how people respond to the situations surrounding them.

Likewise, this chapter tries to avoid depicting El Salvador, Honduras, and Guatemala as monolithically dangerous places in a way that stigmatizes their peoples or contributes to a false dichotomy between the “violent” Northern Triangle region and the “safe haven” of the United States. Such a dichotomy not only misrepresents the great complexity of reality, but it also relies on nationalistic and racialized assumptions about the nature of violence and the rule of law that tend to place the United States in a superior position without critical reflection. Furthermore, it elides the important history of how, where, and why certain kinds of violence—e.g., gang-related or gender-based—have developed in some areas of Central America and not in others, as well as the diverse manifestations of these phenomenon even within the three countries themselves, down to the departmental and community level. It also obscures the forms of insecurity, especially related to gender and gun violence, that persist in the United States and silences how the latter’s War on Drugs and foreign policies over the past century have actively helped to undermine security in Central America. That said, the particular living conditions in a given country will differ in significant ways from those in others based on numerous factors including employment and education opportunities; relationships among indigenous, Afro-descendent, or mestizo populations; aftereffects of any armed conflict or campaigns of genocide that occurred in the past; impacts of neoliberal and extractivist policies that U.S., Canadian, or European corporations have promoted in collaboration with local officials; and illegal drug and weapons flows, among others.

Keeping all this in mind, it remains important to acknowledge and study the daily forms of insecurity that led women to believe their only option was to go to the United States and other places to seek asylum. Indeed, the United States is not the only destination for asylum seekers from Central America, as data from the UNHCR show that since 2009 countries like Mexico, Costa Rica, Panama, Belize, and Nicaragua have also reported

increases in asylum claims from Central American citizens.¹¹³ Therefore, we can attend to the connections between women’s life histories and wider societal changes taking place in El Salvador, Guatemala, and Honduras, and thus begin to make greater sense of why, in recent years, so many thousands have left for their own safety. The ultimate goal of this undertaking is, of course, to imagine and implement durable solutions for peace so that people may remain and thrive at home if they wish to do so.

Section A. Country Conditions and Reasons for Fleeing

Noemy

“En Guatemala *está tremendo*. There’s a lot of extortion and *mareros*,” Noemy said as she described conditions in her homeland. “It wasn’t possible to live,” she added, explaining how the increasing presence of *mareros*—gang members¹¹⁴—made her life steadily more insecure. As we spoke, Noemy sat on her bed in the room she shared with other families preparing to go to sleep at RAICES’s welcoming house for refugee families in San Antonio. She wore a t-shirt and jeans, and had her brown hair streaked with blonde highlights up a high ponytail. In her early thirties, Noemy was from a small *pueblo* in Guatemala where she had lived with her nine-year-old son and husband until recently. Before marrying her son’s father, Noemy had worked as a bank teller.

All this changed when members of a criminal armed organization murdered Noemy’s husband not long ago in Guatemala. “A year ago they killed him,” she said. According to her, those who were responsible filmed his execution and uploaded the video online, where it was still available to watch. After her husband’s murder, Noemy said, “My life has been hard; I was left alone. I decided to come [to Texas] because I’m in danger.” Her fear of the same men who had killed her husband led her and her young son to make the long migration journey to seek asylum.

Diana

“What was life like for you in El Salvador?” I asked Diana, a woman in her early forties who had a warm smile and wavy, medium-length brown hair streaked with grey. “It’s very dangerous,” she responded. “It started after the guerrillas in the 90s...now you don’t know whom you can trust since police and mareros mix together and help each other out.” Diana recalled El Salvador as *un lugar bonito*, a nice place to live, but that was before the Civil War of 1980-1992 changed everything. Bombs rained down between guerrillas and government troops during those years, her home was destroyed, and people died in the carnage of the *matazón*—the killing. More recently, Diana said that “I supported myself taking care of the children” before leaving El Salvador. “I would raise chickens, animals, cattle. I used to help in the *milpa* raising corn” in the semi-rural area where she and her family lived, including her teenage daughter and ten-year-old son who was traveling with her.

Diana left her home in a southeastern department after receiving extortion threats that she believed were coming from the Salvadoran police. “Pay us ‘X’ amount of money or we’ll hit you where it hurts,” she recalled them telling her. This message came after one of her close family members was assassinated by an individual Diana also thought was a member of the police. “My uncle was drinking water and they shot him [from behind]. He fell down dead.” Facing this pressure, Diana and her son set out for Texas in the summer of 2015. To pay for their journey, Diana sold her cattle and home—everything that she had.

“I would be a liar if I said that they didn’t treat us well in Mexico,” Diana said. Instead of traveling by foot, she and her son took buses, cars, and taxis across the country. They paid \$10,000 U.S. dollars to journey the entire way to the United States with a *coyote*, a price which Diana mentioned included at least two more crossing attempts with the same migrant smuggler if their first attempt were unsuccessful. In the end, they were able to

cross the Rio Grande the first time, and CBP agents awaited to meet them once they arrived on the Texas side of the river.

Margarita

“We had a very difficult journey, because the truth is, it isn’t easy to start a journey with your children after suffering what happened to us in our country. The gangs took me and they tortured me. They threatened me. They kidnapped one of my sons and beat him up. That was in 2013. We left from there.” These were the words of Margarita, a woman in her early forties from El Salvador, who shared her story with me in the summer of 2015. She began by saying, “I’m from El Salvador. I lived in [a southeastern] department. I lived there for 10 years. After 10 years, I headed out for *los Estados Unidos* with my two sons,” who at the time of migrating were fifteen and sixteen years old, respectively.

What was life like for Margarita in her community in El Salvador? She recalled, “I had a small business [...] I had a restaurant, and I lived there with my children. They were going to school; they were studying. And in 2014 a lot of things happened. At the beginning of 2014, [gang members] arrived at the school where my children were studying, they took a twelve-year-old girl, a classmate of theirs, and they killed her almost in front of all the students.”

Margarita continued to elaborate, “After that, my children began to be afraid. They wouldn’t leave the house. I would practically take them to the *potrero*, the fenced-in field for cattle grazing, to draw water for the animals. After that we began to live a life that I don’t wish on anyone. The gangs began to harass us because we lived in between the two gangs. They began to harass my sons, to tell them to join the gangs, and they asked me for money and watched me everywhere until one afternoon they came and took one of my sons. They beat him up, and for me that was really hard. I was living at the time with the

father of my children...when I saw that they were trying to force my children to join the gangs, that's when I decided to head here [to Texas].”

“Could you have asked the police for help during this time?” I asked Margarita. “No. No,” she replied. “You ask the police for help in the morning, and at night they’ll already take you to kill you. That’s why people suffer the consequences, they suffer violence out of fear that they’ll kill their children or they’ll kill their loved ones. I used to have a restaurant, I had a *pupusería*, and I sold cell phone *recargas*—credit refills—for the four companies. At that time we were raising thirty livestock and had some eighty head of cattle,” she described, giving a sense of just how severely gang violence had turned her family’s world upside down.

Alejandra

“*Dios me cuidará en México,*” Alejandra thought as she considered whether or not to leave her home in Guatemala in 2014. Carefully weighing the potential risks and benefits of the journey through Mexico, she invoked the protection of God as she finally decided to head north to seek safety with her nine-year-old son.

Alejandra described herself as a twenty-eight-year-old, Mayan-mam woman from *una aldeita* located on a hillside in San Marcos department that had houses and unpaved roads filled with stones. As a young girl, Alejandra worked as a shepherdess looking after a flock of fifteen sheep, while her father earned a living as a merchant selling wool, corn, and beans. Life with her father at home was often hard for her and her mother. According to a later interview she gave to a local journalist, Alejandra grew up “enduring her father's beatings on a regular basis. ‘He sometimes would undress us and beat us up,’ she said. [...] Once, she called the police to report her father’s violence against her mother, but an officer told her, ‘Your mother must not be obeying your father.’”¹¹⁵ Her mother suffered a great

deal as a result of this abuse, including one night when her husband attacked her with a knife, and if it were not for Alejandra and her sister's actions to intervene, their mother may very well have died. One way Alejandra's mother coped with this abuse was to turn to alcohol, which took its toll on her and the family as she would come and go from their home for extended periods of time.

Seeking an outlet from her father's intense violence, Alejandra moved to Guatemala City at the age of fifteen to find work cleaning homes. When she returned to her community about three years later, a young man from her aldeita attempted to strike up a romantic relationship with her. When she refused his advances, he raped her and she became pregnant with her son, whom she gave birth to at the age of nineteen. The family of her attacker quickly found out about the birth and began to harass her so that she would hand over her son to them to raise him as they wished. "I should raise my grandson because a woman does not know how to raise a child," her son's paternal grandfather would tell Alejandra.¹¹⁶ She, on the other hand, did not want her little boy to emulate his grandfather's behavior, for he was suspected of murdering his wife and enforced patriarchal norms of behavior that Alejandra rejected, such as insisting that women must always cook and clean for men. "They can't pick up the plates for themselves...I don't want him to be that way," Alejandra said, referring to her desire to see her growing son become a different kind of person and man.

Unfortunately, few people in Alejandra's family supported her during this difficult period. While she was still pregnant, her own father suggested that she either marry her rapist or have an abortion, and her brothers told her to hand over her son to his father's family as they demanded. Alejandra refused to do either of these things, and instead she and her son, who by this time was approximately seven years old, moved to Guatemala City to escape the mounting pressure of these threats. The two lived together in the capital

in a small room that Alejandra hardly allowed her son to leave for fear of what might happen to him. Her fears were well-founded because, despite the distance between her community and the city, members of her son's paternal family verbally threatened Alejandra while she was there, broke the windows of her home, and said they would call gang members to physically harm both her and her son if she did not acquiesce to what they wanted. The situation reached such an extreme point that Alejandra felt her only remaining option was to leave Guatemala to find safety in the United States where her sister had already migrated.

Analysis

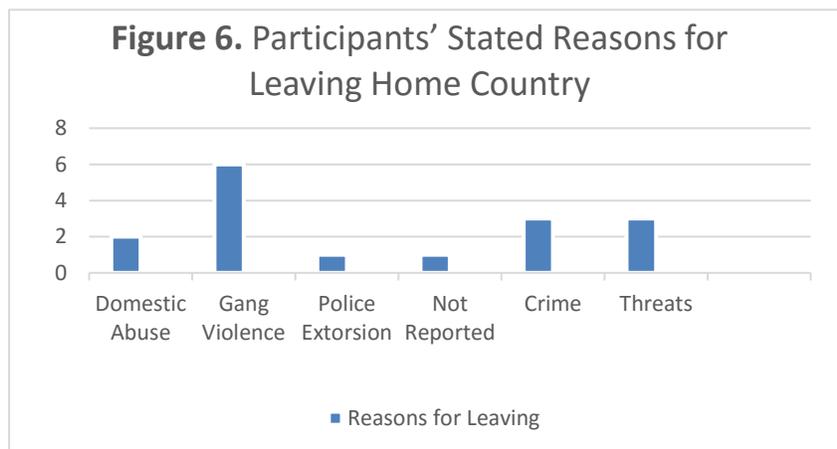
The stories of Noemy, Diana, Margarita, and Alejandra are four unique perspectives that shed light onto the larger security challenges that women in particular regions of Central America face today. To give a sense of what their lives had been like at home, the eleven women I spoke with described having a variety of occupations before migrating from Central America, which ranged from taking care of their children at home, to watching over cattle and growing crops in their family's milpa, to working outside the home as a teacher or bank teller, to running their own businesses [see Appendix A for study participants' demographics]. Several of the women shared that they had not wanted for anything in their country, suggesting that economic necessity had not been the primary factor behind their decision to leave home for the United States. In fact, fear was the reason that participants almost unanimously cited for leaving. Noemy, Diana, Margarita, and Alejandra all described the painful persecution they endured at the hands of armed actors or family members whose crimes remained in impunity in their home countries. However, they are not alone in their experiences. According to 2014 data from a survey that the Vanderbilt University's Latin American Public Opinion Project (LAPOP) undertook of

citizens in the Northern Triangle countries, “respondents were more likely to have intentions to migrate if they had been victims of one or more crimes in the previous year.”¹¹⁷ Another LAPOP survey of 3,000 Honduran citizens in late summer 2014 found that, despite being “acutely aware” of the risks involved in journeying to the United States, “among the most powerful indicators of [respondents’] migration intentions is crime victimization.”¹¹⁸

Each person had specific reasons why she migrated that responded to her own circumstances and reality, but as a group, the participants’ motivations fell into two broad categories: gang violence and domestic violence. Three women who participated in this study reported that gang violence had been the *primary* reason why they left their home country in 2014 or 2015 to seek asylum in the United States, and another three cited gang violence *in combination* with general crime or direct threats against them or their families as the primary reason for their migration. Among these six women, extortion, forced recruitment of male partners or children into gangs, kidnapping, torture, and murder also formed part of the persecution they endured. For a visual representation of the reasons women reported for leaving their homes in El Salvador, Guatemala, and Honduras, see Figure 6 below.

These findings correspond directly with the results of a study the UNHCR’s carried out from June to August 2015 in which it interviewed 160 asylum-seeking women from El Salvador, Guatemala, Honduras, and Mexico who had “all been either recognized as refugees or [had] been screened by the U.S. Government to have a credible or reasonable fear of persecution or torture.”¹¹⁹ Over 60% of these women described being the “targets of direct threats or attacks by members of criminal armed groups as at least one of the primary reasons of their flight” or having their loved ones disappeared or murders by gang members.¹²⁰ 60% of the women said they had sought their State’s protection from the

persecution they faced, only to receive inadequate assistance, while 10% said that “police or other authorities were the direct source of their harm.”¹²¹



*Columns above add up to more than eleven because some participants gave multiple responses.

Significant to note is that many of these crimes began to occur within the past five years. Violence, for example, touched Noemy’s life about a year ago when members of an armed criminal organization murdered her husband and published his execution video online. For Margarita, the security risks in her area of El Salvador became untenable around 2014 when armed gang members murdered a schoolmate of her teenage sons and then kidnapped one of the latter to torture him. As Diana stated, life had not always been so insecure in El Salvador, and there was a time when it was a peaceful, nice place to be. In her estimation, the upheaval of the civil war in the 1980s and 1990s irrevocably changed Salvadoran society and countless individuals’ destinies. Authors Aron, Corne, Fursland, and Zelwer offer a glimpse into some of these changes in the lives of refugee women from El Salvador and Guatemala who experienced sexual violence during the political repression of the internal conflict in those two countries, and as a result, developed post-traumatic stress disorder (PTSD). The political repression they went through as prisoners of war and

civilian targets created a “permanent sense of insecurity” for them that affected their personal psyche and the social fabric in long-lasting ways.¹²²

The devastation and loss of life during the civil wars also gave way to insecurity and growing gang violence in the decades that followed. Some authors point to the U.S.’ deportation regime of Latino gang members from Los Angeles in the mid-1990s and 2000s as a contributing factor in the development of the maras in Guatemala and El Salvador, but others do not go so far as to say that this is the key reason the maras gained a foothold in some parts of the region.¹²³ Another important factor is that, with the exception of Honduras, which never experienced the kind of political polarization that led to internal armed conflict, the Guatemalan and Salvadoran States that emerged from the peace accords of the 1990s were so-called “new democracies” that faced an uphill battle to establish legitimate and effective police forces, legal systems, and political structures. Since the coup d’état that occurred against democratically elected President Manuel Zelaya in Honduras in 2009 with the blessing of the United States, however, political violence and repression have been alarmingly on the rise in that country as well.¹²⁴ Shifting gears to the social front, the United Nations Human Development Reports regarding the Central American region classify these three countries as sharing a common position in the “medium human development category” based on a calculation of indicators relating to health, education and economic opportunities.¹²⁵ Thus, limited economic mobility and relatively weak State capacity to protect citizens from harm also contribute to the challenges of curbing gang violence in the Northern Triangle.

Today, corruption and lack of public confidence in security forces coexist with “zero tolerance” or *mano dura* (“iron fist”) policing policies in El Salvador, Honduras, and Guatemala. The overall result is that El Salvador, Honduras, and Guatemala are struggling to control maras increasingly involved in human and arms trafficking, homicide, and the

illegal drug trade.¹²⁶ These maras employ money, intimidation, fear, and often extreme forms of violence to exert dominance over territories and government officials to achieve their goals. This has led to high rates of crime and homicide in the three countries. For example, Honduras has been known for years as the murder capital of the world due to its high homicide rate, and even as this rate dropped significantly to 66 murders per 100,000 people in 2014, it remains one of the highest worldwide for a “non-war zone” country.¹²⁷ As homicides in Honduras fell, unfortunately, those in El Salvador spiked after a brokered truce between the MS-13 and Barrio 18 gangs broke down in 2013. In 2015, homicides in El Salvador reached an “all-time high” of 104 murders per 100,000 people.¹²⁸ For the citizens of these countries, these numbers translate into often impossible living conditions as they attempt to avoid becoming a target of violence. The United States’ *National Public Radio* (NPR) reported on conditions in El Salvador and the “surreal reasons” why girls were disappearing there. What emerged from their on-location interviews were stories of families in hiding after the assassination of their daughters in the street and young girls who were afraid to leave their house after gang members had disappeared their school friends.¹²⁹

With criminal gangs such as MS-13 and Barrio 18 gaining strength and influence, it has become increasingly difficult to know who is on the side of armed criminal groups or the authorities, as the UNHCR report cited above highlights. Within the scope of this study, Margarita explained why she chose not to report the violence her family suffered out of fear of reprisals from gang members and the inability to trust the local police. Alejandra and Marta, whose story comes later in Chapter 2, asked the police in their area for help, but it was never effective; and finally, Diana could hardly turn to authorities as she tried to escape extortion threats and attacks against her family because she believed them to be coming from the police forces themselves.

Juana and Alejandra, the two participants who fled domestic violence, did not even feel safe in the privacy of their own home from the persecution they experienced related to their identity as women. Alejandra's story is a perfect example of the lengths to which gender-based violence had shaped her life from the time she was a small girl all the way up to her departure from Guatemala in 2014. Under extreme pressure to comply with powerfully gendered expectations of a woman's proper behavior, Alejandra refused to give up her son and attempted to relocate to the capital city to find greater safety. This relocation effort was ultimately insufficient, however, as Alejandra had to resist almost singlehandedly the intimidation, threats, and physical harassment that were coming from the family of her son's father. Feeling forced between a rock and a hard place, Alejandra made the choices she could, given the circumstances she was in and the resources she had. Like the other women whose voices will emerge over the course of the next three chapters, she chose with her feet to carry the child she cherished away from danger.

Juana and Alejandra's respective choices and position in society as women reflect other texts that deal with the topics of gender dynamics and gender-based violence in Central America. Menjívar, for example, examines the everyday lives of *ladina* women in Guatemala and the "ordinary" and enduring forms of violence that structure their fundamental experiences of family, church, community, and their basic sense of self.¹³⁰ Ajcalón Choy also focuses on gender relationships but within the context of a Mayan-Kaqchikel community in Guatemala.¹³¹ Based on in-depth interviews with a group of ten men as well as participant observation, Ajcalón Choy analyzes various masculine identities, men's perceptions of women's lives, gender inequality, and instances of violence and extramarital relationships in the aforementioned community.¹³² Ajcalón Choy's work represents a vital contribution to the growing literature written by indigenous authors on topics of gender, sexuality, and the dynamics of power and domination within indigenous

communities across the Americas. While Alejandra identified herself as a Mam woman from a different community than the Kaqchikel that Ajcalón Choy writes about, the latter's insight offers a starting point to reflect on the gendered expectations and persecution that Alejandra dealt with throughout her life. Alejandra's story also helps to demonstrate the varied responses that some indigenous women may make when facing situations of gender-based violence in order to protect themselves and their loved ones, and how migration may play a part in this process.

Finally, a 2014 report of feminist organizations to the United Nations special rapporteur on violence against women highlights the challenges specifically facing women in Honduras. Take, for example, the fact that between 2005 and 2013, "the number of violent deaths of women rose by 263.4%", with firearms involved in over 70% of these murders, and the group of women most directly impacted being those between the ages of 20-24.¹³³ In addition, criminal codes in Honduras do not consider several frequent forms of violence against women, such as sexual harassment and persecution, sexual violence within marriage, and patrimonial violence, among others.¹³⁴ Even when the law does provide provisions to deal with violence against women, impunity rates as high as 94.5% for certain crimes effectively mean that female survivors cannot access justice within the traditional institutional channels of the State.¹³⁵

In conclusion, each family in this study had their own motivations for leaving Central America, but it was often a specific event—such as a loved one's murder or a child's kidnapping by armed criminals—or the steady build-up of constant harassment and threats from abusive family members, that prompted their ultimate decision to undertake the long journey to the United States. In large part, it is important to focus on the perspectives of asylum-seeking women because, as Freedman states:

If the interests of women fleeing persecution and seeking protection as refugees are truly to be guaranteed, then the voice of these women needs to be heard. It is important to listen to the voices of women seeking asylum and refugees if the trap of essentialising their experience and treating them as passive victims is to be avoided. Women do need protection and are vulnerable in certain circumstances, but this should not be generalised to assume that they are all just ‘vulnerable victims.’¹³⁶

At a time when more women are migrating globally than in the past, it becomes crucial not only to incorporate a more sophisticated gender perspective into the fields of migration and refugee studies,¹³⁷ but also to shift focus away from State security onto human security. According to Tripp, “Human security is, in principle, an attractive normative frame for feminists because it looks at the impact of insecurities on people, not just the consequences of conflict for the State. It focuses on societal activities, not just on State action. It highlights the agency of those affected by insecurity, and focuses on positive action to expand human capabilities, not just defenses of rights.”¹³⁸ One of the benefits of such an approach is that, “This type of understanding allows us to make links between the various forms of violence and persecution faced by women and to link these to gendered relations and structures of power.”¹³⁹ These relations and structures of power exist throughout the migration journey and asylum process in ways that crucially inform women's experiences in each. A human security approach to Central American women's place within refugee studies also opens up the vital question of “whose security policy makers are seeking: that of the State, of people, or of women, in particular. [...] Like human security theorists, feminists have broadened our understanding of security to include not just war, but also interpersonal violence, rape, poverty, and environmental destruction. They have questioned how safe women are as a result of State protection.”¹⁴⁰ Similarly, Chapters 2 and 3 of this thesis interrogate Central American women's safety and well-being while held inside U.S. immigrant family detention.

Section B. Journey to the United States

Blanca

“*Tuvimos que irnos de la noche a la mañana, casi sin pensar,*” Blanca said as she explained how her family fled overnight from their home in El Salvador, almost without thinking. “It’s not healthy anymore—they rape the *muchachas* there. Five years ago it changed with the mareros,” she said, as gang members made their presence known by targeting local people for physical assaults, rape, murder, and intimidation. At the time, Blanca was a single mother in her late thirties raising three children, including twelve and fifteen-year-old daughters who were traveling with her.

“I lived there in the city of sausages,” Blanca continued, explaining how her home in a central department was once commonly known for producing very good chorizo, sausages, and prepared meats. “The weather is cool, and there is a touristic city center and a hill that everyone from El Salvador visits.” As she spoke, Blanca showed pride in conveying the positive aspects of her home city and its reputation as a cultural and culinary destination for visitors in El Salvador. “I used to take care of a little boy. I just worked two to three hours a day. He was a really affectionate child,” she said to describe how she earned a living before leaving. She eventually had to abandon this work as security in her city deteriorated.

“How was the journey to los Estados Unidos for you?” I asked Blanca. “At first, everything was nice in Guatemala and Mexico,” she said, as coyotes led them with a larger group of mothers and children north. The journey quickly took a painful twist for Blanca’s family, however. “They moved us and robbed our things. In Mexico we spent five hours walking through mud in Monterrey [Nuevo León].” Blanca was in pain at the time and could not keep up with the rest of the group as they advanced. “I started to cry, and I asked God to give me a little more strength,” she said. Gathering her courage in that moment,

Blanca decided, “I’m going to walk. We were mothers and children walking together and they didn’t abandon me.”

Finally arriving at the U.S.-Mexico border some time later, Blanca and her daughters crossed the Rio Grande into Texas and began to search for a safe place to rest. “We crossed the river and began to walk. We hid ourselves and shivered. We arrived all wet and were shivering from the cold.” Next, she and her daughters encountered CBP agents for the first time.

Elsa

“The journey through Guatemala and Chiapas was tremendous. It was an experience I wouldn’t like to repeat. I suffered a lot with my children. We were really hungry; we didn’t eat all day, we didn’t drink.” With these words, Elsa, a married mother in her early thirties from Honduras, began to talk about her journey through Central America and Mexico to finally reach the U.S. side. “My life in Honduras a few years ago was really nice, peaceful. I used to work as a teacher.” Elsa said, and she paused before continuing on. “I had to leave my country in 2015. *Un sicario* killed my brother-in-law and nephew. The hitman already left prison. He threatened us, and it’s been difficult since then. My husband told me to come to Long Island [New York].” When we spoke in San Antonio, in fact, Elsa and her children—all of them were school-aged—were on their way to Long Island to reunite with their husband and father after leaving the Karnes Country Residential Center in Texas after more than one month in family detention.

Returning to her narration of the arduous migration journey, Elsa said that one time she and her children were riding in a car on their way north through Mexico when they had a frightening experience. The young man who was driving them “was nervous. He would touch himself like he wanted to take something out [of his pockets].” He was sniffing all

the time, too. “It frightened me quite a lot, but I put everything in God’s hands. I had placed my faith in God.” Beyond the fear, nothing bad happened to Elsa and her children on this occasion and they continued forward despite the risks.

Traveling with a group of other migrants and coyotes who were guiding them, Elsa arrived in Monterrey, Mexico several days later. She and her children then spent two days waiting in a hotel in Monterrey before their guides moved them forward. During this time, everyone in the group slept and ate together, which caused Elsa to feel concern at times. “I was the only woman with my children among the men, but they respected me,” she said, alluding to the possibility of verbal or sexual harassment occurring in the close quarters of the hotel. She was very relieved that, even though she was the only woman in the group, no one mistreated her. From Monterrey, the coyotes led Elsa and her family to the U.S.-Mexico border.

Patricia

“*Nos salvamos de muchas cosas,*” Patricia began, alluding to multiple instances in which she and her two boys, who at the time of migrating were two and three-and-a-half years old, respectively, had managed to escape harm while traveling to the United States. In the fall of 2015, Patricia and her children fled their home in a central department of El Salvador and traveled by a mountain route in order to avoid drawing the attention of Barrio 18 mareros, who by this time were watching their movements almost constantly. “I sent our bags ahead *por el monte*—through the mountain,” Patricia said, so if gang members or the police intercepted the family, Patricia could claim they were not going anywhere in particular.

After crossing into Honduras with coyotes, she and her children hid in a safe house along with other migrants and refugees. Two groups left the house before Patricia, which

in her haste to move north frustrated her. She so wanted to go with them, but the coyotes would not allow it. This later turned out to be quite lucky as Patricia learned that immigration officials had stopped those two groups and turned them back to El Salvador.

Once in Mexico, Patricia described how the smugglers sent them by car. “The Mexican *federales*—federal police—stopped really close by us. When we arrived to Reynosa [Tamaulipas], the federal police made everyone get out, but we didn’t have to hide.” Patricia was fortunate again because the driver, a Mexican citizen, told her to say that she was his wife traveling with their children when Mexican immigration stopped their car, which she did. Immigration officials believed them and allowed them to continue their journey.

Patricia recounted the moment when they finally reached the U.S.-Mexico border. “The coyote who crossed us over the river [Rio Grande] *estaba drogado*. He had been smoking [marijuana],” “They robbed my money and cell phone” that were in a little plastic bag she carried, and they pressured Patricia to contact her mother for more money to pay them. Negotiating her way through this extortion, Patricia and her children finally crossed into Texas around midnight. Her two small boys were thirsty, and everything was dark, so Patricia looked for a place to stop and the boys fell asleep. Later, they walked in search of U.S. Border Patrol agents to ask them for help, and although they were lost, they were not alone. “There were also a lot of women lost with their children,” Patricia said.

Analysis

Blanca, Elsa, and Patricia’s stories represent many of the individual experiences Central American women shared about their journey north. While each person’s journey was ultimately unique due to the circumstances of how, when, and why she left home, as well as how many resources she could count on to finance her family’s trip, transportation

was a universal theme that emerged from all of the narratives of women fleeing persecution. The eleven women who participated in this study reported that they had moved through Central America and Mexico using various modes of transportation—e.g., bus, car, taxi, and walking—and on average, they had arrived to the Texas side of the border in approximately two weeks. Seven women mentioned they had paid for the services of coyotes whose job it was to move them north in larger groups made up of other migrants and refugees. As Blanca stated, the conditions of persecution she was living through did not permit her to plan their trip in advance, and families such as hers often had to make the difficult decision to sell certain belongings or everything they had as quickly as possible to cover their expenses. Diana, for example, stated that she had to sell her home and all of her livestock to make the journey to the United States. Alejandra, on the other hand, had some assistance from her sister whom she was intending to reunite with once she and her son were safely north of the Rio Grande, and Elsa was able to complete the journey through Mexico with the support of her husband. In a prior interview with another asylum-seeking Mayan woman from Guatemala, who at the time was held in Port Isabel Service Processing Center (Port Isabel) located near Brownsville, Texas, I also learned that, in addition to asking friends and family for funds, some women mortgaged or sold parcels of land that their parents had passed down to them in their communities to be able to afford the costs of migrating.

The risks of the journey were a second, ever-present theme in Central American women's narratives. Those whom I spoke with reported a wide variety of dangers—ranging from physical, to emotional, to institutional—that made their journey more difficult. Among these challenges, physical and sexual assault stood out as primary concerns that they attempted to avoid while migrating. In the excerpt above, for instance, Blanca recalled when coyotes had robbed her in Mexico and she tried to keep up with her group while

walking in pain, while Elsa recalled the physical hardships of hunger and thirst that she and her school-aged children lived through in Guatemala and Chiapas. Elsa also expressed her fear of being raped or sexually harassed as a woman traveling alone with her children when they stayed in a shared safe house with other migrants and refugees. She was ultimately relieved when the other members of her group respected her and did not harass her. Ana echoed this concern of being sexually abused when she described an encounter with Mexican federal officials in which she highlighted how they had frisked her looking for contraband or weapons almost to the point of feeling her private areas without her consent. Patricia, for her part, recalled multiple stressful encounters with Mexican immigration officials and human smugglers who robbed and tried to extort her at the U.S. border.

These risks are by no means isolated. In 2010, Amnesty International reported that across Mexico, “Every year thousands of migrants”, 90% of whom come from Central America, “are ill-treated, abducted or raped. Arbitrary detention and extortion by public officials are common.”¹⁴¹ For its part, the National Commission on Human Rights (CNDH for its acronym in Spanish) in Mexico released a 2011 special report about the incidence of kidnappings of migrants in the country. According to the CNDH, during the period of September 2008 to February 2009, the organization learned of 198 cases of kidnapping involving 9,758 migrants nationwide, with 55% of the kidnappings confirmed to have taken place in the south, 11.8% in the north, and 1.2% in the center of the country.¹⁴² Furthermore, based on a survey of data from its regional offices, the CNDH concluded that in the month of August 2009 alone, “a total of 1,211 migrants were victims of kidnapping” in Mexico.¹⁴³ These figures are based on reported kidnappings alone, however, and likely underestimate the full dimension of the problem since many kidnappings go unreported each year. In addition, Jorge Bustamante, then U.N. Special Rapporteur on the human

rights of migrants, authored a report in 2009 summarizing a mission to Mexico from March 9-15, 2008 that explored the primary migration phenomenon and key challenges facing migrants in Mexico. The report detailed the involvement of organized crime networks in abuses of migrants as well as impunity among governmental and law enforcement agents, stating that:

Transnational migration continues to be a business in Mexico, largely operated by transnational gang networks involved in smuggling and trafficking in persons and drugs, with collaboration of the local, municipal, state and federal authorities. These practices are directly related to the rise in cases of violence against women and children, especially along the northern and southern borders, and at transit points. As such, impunity for human rights abuses against migrants is rampant. With the pervasiveness of corruption at all levels of government and the close relationship that many authorities have with gang networks, incidences of extortion, rape and assault of migrants continue. The majority of the cases seem to be against migrants from Guatemala, El Salvador, Honduras and Nicaragua.¹⁴⁴

Among the Special Rapporteur's findings was the fact that migrant women are in a position of particular vulnerability in Mexico, as "They form the majority of cases of harassment or abuse in detention, clandestine domestic workers (sometimes 'servants'), prostitutes, sexual abuse and physical and sexual assault in smuggling operations."¹⁴⁵ The incidence of sexual violence against migrant women in transit in Mexico is also a widely-known fact. According to the aforementioned Amnesty International report:

All irregular migrants are at risk of abuse, but women and children – particularly unaccompanied children – are especially vulnerable. They face serious risks of trafficking and sexual assault by criminals, other migrants and corrupt public officials. Although few cases are officially registered and virtually none are ever prosecuted, some human rights organizations and academics estimate that as many as six in 10 women and girl migrants experience sexual violence during the journey.¹⁴⁶

A 60% rate of sexual violence against women and girl migrants helps to explain why many try to protect themselves to the best of their ability while traveling in Mexico. Strategies can include, but are not limited to taking contraceptives like Depo-Provera

before they leave Central America to avoid becoming pregnant in case of rape, traveling in a group with male friends or neighbors so as not to be alone, or agreeing to enter into a sexual relationship with a Mexican national in exchange for transportation, shelter, protection, or food, for example.¹⁴⁷ Nevertheless, the emotional and physical consequences of sexual violence for some migrant women can be incredibly deep and painful.¹⁴⁸ In their 2012 report, *Building a Care Model for Migrant Women Victims of Sexual Violence in Mexico*, civil society organizations Sin Fronteras and Iniciativa Ciudadana y Desarrollo Social (INCIDE) carry out an in-depth analysis of the implications of sexual violence for migrant women, their access to justice and health systems, and several care models for undocumented survivors in Mexico.¹⁴⁹

For years, civil society organizations, academic institutions, and individual authors in Mexico and Central America have been calling attention to the dangers of migration to the United States. Rodolfo Casillas, an esteemed migration scholar, investigator, and professor at the Facultad Latinoamericana de Ciencias Sociales (FLACSO) campus in Mexico City, wrote in 2011 about the development of transnational migration controls in Mexico that began in earnest in the 1980s and, over time, has come to particularly target Central American nationals whose final destination may either be Mexico or the United States. With regard to deportation statistics, Casillas points out that, “There were also increases in the totals of people apprehended and deported [from Mexico], the highpoint of which occurred in 2005 with close to a quarter million individuals.”¹⁵⁰ The tendency toward a hardened stance on migration is also visible in the passage of policies like the Southern Border Program (Programa Frontera Sur), announced in July of 2014, as well as in the expansion of immigrant detection and detention efforts.¹⁵¹ The Southern Border Program’s stated objective was to promote “order” along the Guatemala-Mexico border and to manage irregular immigration in line with the federal government’s overall strategic

objectives while protecting the human rights of migrants in transit in Mexican territory;¹⁵² however, the results have not always been positive, as organizations like Human Rights Watch have documented.¹⁵³ Also in 2014, Mexico's National Immigration Institute (INM for its acronym in Spanish) deported 107,814 people from the country, a 35% increase over the previous year.¹⁵⁴ The vast majority of those deported come from the countries of Central America and included 18,169 children, or 117% more than the year before.¹⁵⁵ As Casillas concludes, the abuses committed against migrants in Mexico are not only the result of increasing violence in the country as a whole, but also a wider weakening of the social fabric that detrimentally affects all people in Mexico (thus their vulnerability is also ours).¹⁵⁶

A working group of academics and civil society organizations led by the Instituto Tecnológico Autónomo de México (ITAM) also highlights the militarization of migration policies and border security that has led to heightened dangers for migrants and refugees attempting to pass through Mexico. Part of the rising vulnerability is due to an escalation in armed violence across portions of states like Chihuahua, Michoacán, Guerrero, and Tamaulipas during the war on drug trafficking (*la guerra contra el narco*) that Mexican President Felipe Calderon declared in 2006.¹⁵⁷ According to a report issued by ITAM, the historic absence of migration authorities combined with the partial or temporary withdrawal of security forces from key points along migrant routes in Mexico have led to the growing presence of ordinary criminal groups and cartels operating to make “migrants in transit a new criminal niche” for money.¹⁵⁸ The exploitation of migrants has become even more lucrative as the United States has simultaneously militarized its southern border with Mexico, deploying thousands of new U.S. Border Patrol agents, drones, and miles of border fencing and motion-detection technology since the September 11th, 2001 terrorist

attacks.¹⁵⁹ Indeed, the next chapter will demonstrate how the dangers of migration continue for Central Americans after they cross into the United States.

Meanwhile, it is important to note that the violence against migrants in transit in Mexico has reached “unprecedented levels”, with cases like the August 2010 massacre of 72 migrants—most of whom were from Central America—in San Fernando, Tamaulipas sending shock waves through the country.¹⁶⁰ Salvadoran journalist Óscar Martínez has covered the human cost of this trend both at home in the online news portal *El Faro* and in his book of *crónicas*, or journalistic dispatches, from Mexico and the U.S.-Mexico borderlands entitled, *The Migrants Who Don't Matter*.¹⁶¹ Of relevance to this thesis, the ITAM working group and Martínez also discuss the specific risks that female migrants (and refugees) face while traveling through Mexico due to their gender identity. As women adopt more clandestine methods to reach the United States, their exposure to risk differs from that of many men, given the routes and means of transportation they take.¹⁶² According to the ITAM report, some of the primary risks that undocumented women face while migrating through Mexico include: physical, sexual, and psychological assault with resulting effects to their overall health (AIDS, STDs, etc.); becoming the target of human trafficking for sexual or labor purposes; and falling victim to robbery, kidnapping, or in extreme cases, murder.¹⁶³

However, the report does not focus on the intersections of homophobia, misogyny and racism that too many members of the LGBTI community live through during migration in places such as migrant shelters, immigrant detention centers, and even public streets.¹⁶⁴ For example, *The Atlantic* reported in 2013 that, “Nearly 36 percent of transgender people who stayed in a migrant shelter in Mexico reported experiencing some form of violence, according to a 2013 study of 862 migrants conducted by the Mexican National Institute of Public Health. Meanwhile, 57% of transgender migrants who did not stay in a shelter

reported violence.”¹⁶⁵ Martínez, meanwhile, incorporates the stories of transgender people into his first-hand accounts of the journey through Mexico, although he does not delve into the long-term impact of sexual violence, discrimination, and marginalization on the lives of women and LGBTI migrants in a systematic way, opting instead for vignettes of personal memories of violence with graphic descriptions of gender persecution meant to foster indignation.¹⁶⁶

Responding to these multiple variables, the women in this study who were traveling with children, especially little ones, often chose to travel by relatively more expensive means like buses and taxis to expedite their travel and reduce the risks associated with riding the infamously dangerous Mexican cargo trains popularly called *la Bestia*, or “the Beast.” While some female migrants and refugees do risk injury, kidnapping, and rape to ride *la Bestia*, particularly those who cannot afford to pay for alternative transportation, a greater number of women follow other routes. No matter how they traveled, though, the journey they made required sacrifices in terms of money, physical health, and psychological well-being in order to realize their ultimate goal of reaching the United States. Crossing into Texas, Blanca, Patricia, and others wandered in search of a place to rest with their children, who were thirsty and shivering from the Rio Grande waters. As Patricia said, some families may have been lost, but they were not alone—many women were also there with their children.

Throughout their migration journeys, there were several close calls that alarmed Elsa and Patricia. Elsa, for example, mentioned the fear she felt watching their driver make nervous movements as her family traveled by car in Mexico. Patricia, on the other hand, had some uncomfortable encounters with federal immigration officials and smugglers who helped her to cross the Rio Grande into Texas. Near Reynosa, Tamaulipas, Mexican immigration stopped the car she was traveling in, and if it were not for the driver’s idea to

lie and say she was his wife driving with their Mexican-born children, Patricia might very well have been detained and deported.

Several others also described their varied encounters with immigration officials and coyotes. Alejandra, for example, traveled through Mexico with the guidance of a coyote, and whenever Mexican immigration officials stopped them on transportation such as buses, she would pretend to be asleep to evade detection. It cost her \$2,000 to cross the Rio Grande River in a small *lancha*, and it was an experience that stood out in her memory. Men with tattoos she described as *groseros*, or rude, helped them to cross. “*Ándale, corre, corre. ¡Que viene la migra!*” they yelled as they grabbed her son and ordered them both to run while U.S. immigration approached. Ana, a mother of a nine-year-old boy and a two-year-old girl from Honduras in her early thirties said that, “Everything went well in the journey. The only bad thing was that the Mexican officials would have us get off the buses to ask for money. They searched everything we had and almost touched my private parts looking for money,” she said. As this memory suggests, coyotes were not the only people who extorted undocumented migrants and refugees on occasion in Mexico. All of the women above undertook their journey by paying anywhere from \$2,000 to \$10,000 U.S. dollars to coyotes. Despite the cost, women had mixed experiences while traveling with them and other smugglers. For example, Patricia felt frustrated while staying at the safe house in Honduras where she waited anxiously to leave for Mexico. When she finally headed out, her group was lucky, unlike the two before it, and they did not fall into immigration authorities’ hands. Nevertheless, these instances reminded women of their precarious legal and social position as undocumented refugees traveling through a country that was not their own.

Having a route in mind and a plan to make it to the United States was also a key factor in the overall success of their journeys. No matter how much they might think of a

plan, however, at times they were able to escape some close calls by luck or determination. Patricia, for example, planned her movements carefully when she embarked from El Salvador, and she sent their belongings ahead through the mountains to avoid calling too much attention to her family since the 18th Street gang members were watching them closely to find out the whereabouts of Patricia's partner, whom they had already tried to kill twice. Later in Mexico, Patricia traveled by car and narrowly escaped a run-in with federal immigration officials. Blanca described a particularly low point of her journey when she and her daughters had to walk through the mud for several hours in northern Mexico. In her case, she associated movement with assault and pain, as the coyotes she was traveling moved her family and robbed them of their belongings. Walking through pain and the elements, Blanca reached a low point where she cried and prayed for a little more strength to continue. The presence of other families and that fact that they would not abandon her contributed to her determination to struggle onward. Blanca's perseverance is one of many examples of the sacrifices that Central American women made and the courage they showed to save themselves and their children from greater harm at home.

Conclusion

The eleven women I spoke with who journeyed from Central America to Texas to seek asylum did so because they had almost no other option. Years ago, life had been different for them—they cultivated crops, took care of animals, worked as professionals, or took care of their children at home, among other activities. After the bloody Civil War of the 1980s in El Salvador and the territorial expansion of the maras and other armed criminal organizations in Honduras and Guatemala, however, security began to deteriorate. Life became increasingly impossible as the threats, extortions, kidnappings, murders, and forced recruitment efforts created enormous stress and anxiety for families who became

targets. Women suffering in situations of domestic violence could find safety neither in public nor in the privacy of their own homes, and relocation attempts proved fruitless as their persecutors watched and followed them wherever they went. Calling the local police for assistance might have no noticeable impact (i.e., it was not helpful) or create even greater danger for those reporting the threats and crimes they had experienced. In a complex context where it was common knowledge that police forces and criminal groups often mixed, asking for protection from the State was effectively impossible.

Contending with such limited possibilities, women undertook the incredibly taxing journey to reach the U.S. side and seek safety for their families. Sometimes this decision to leave came after a long build-up of tensions with the mareros or abusers in women's family; other times it occurred hastily after an attack or murder that convinced women that, if they did not leave within hours, their lives or that of their children would soon come to an end. Some of the women migrated to reunite with loved ones who were already living in the United States; others went because it was the only place where the gangs would have more difficulty finding them. For example, Alejandra was hoping to reunite with her sister in the Midwest, Elsa was headed to New York to see her husband, Diana was going to reunite with her husband and daughter in Texas, Silvia was also headed to Texas to be with her husband and son, and Patricia came to the United States to find her husband who had left El Salvador to evade the death threats of gangs that were pursuing him there.

The life journeys they shared with me were full of many experiences—some more positive than others. Women traveling with their children were aware of the particular risks they faced due to their undocumented status and gender identity, and as a result, they took what precautions they could to travel via “safer” methods like buses and taxis. These methods, nevertheless, could still present risky situations and close calls which women had to navigate with the help of some luck. Certainly, the possibility of sexual violence,

robbery, and deportation taking place was high on women's list of concerns as they described instances where they were vulnerable to abuse.

Ultimately, the women in this chapter and those to come made tremendous economic, physical, and emotional sacrifices to bring their children out of situations of serious violence and to protect them the best they could. This commitment to their children and the presence of other mothers also searching for help allowed women to persevere despite significant odds against them and their run-ins with deceitful coyotes and Mexican immigration forces. After crossing the Rio Grande into south Texas, some of these same resources allowed them to continue persevering in the face of generally intense discrimination during the next phase of their journey: U.S. immigration custody.

Chapter 2

Tú no tienes nada que hacer aquí:

Criminalization of Asylum-seeking Women in the United States

The week of June 30, 2016, a judge in Arizona unsealed photographs from an on-going class action lawsuit filed in U.S. District Court challenging allegedly “deplorable and unconstitutional” conditions at the CBP’s temporary holding stations in its Tucson border sector.¹⁶⁷ Brought forward by immigrants’ rights groups like the ACLU of Arizona and the American Immigration Council, the complaint entitled *Doe v. Johnson*, No. 15-00250 (D. Ariz. filed June 8, 2015) “alleges that Tucson Sector Border Patrol holds men, women, and children in freezing, overcrowded, and filthy cells for days at a time in violation of the U.S. Constitution and CBP’s own policies.”¹⁶⁸ As *Fusion* reported, the immigrant plaintiffs also claimed they were “stripped of outer layers of clothing and forced to suffer in brutally cold temperatures”, unhygienic bathrooms, and water fountains that did not work in the Border Patrol holding stations.¹⁶⁹

According to the CBP website, the United States’ terrestrial borders are currently divided into twenty Border Patrol sectors in which multiple stations operate to hold people apprehended by Border Patrol Agents who do not have legal permission to enter or remain in the country.¹⁷⁰ The Rio Grande Valley (RGV) sector, which encompasses more than 34,000 square miles of southeast Texas, is where the women who participated in this study entered the United States. The sector “has nine stations, two checkpoints, air and marine operations and an intelligence office. Rio Grande Valley Sector agents patrol over 320 river miles, 250 coastal miles and 19 counties equating to over 17,000 square miles.”¹⁷¹ During their daily patrols, Border Patrol agents perform a number of tasks, including rescuing and administering first aid to immigrants who are injured or in distress; intercepting drugs,

weapons, and contraband goods entering the country; and apprehending undocumented migrants within their jurisdiction along the border. After apprehending individuals, the Border Patrol agents then bring them to processing stations where migrants are detained in secured holding cells until U.S. authorities ascertain their identity, country of origin, and make a decision as to where they will go next—often deportation or a longer-term immigrant detention facility. According to the CBP’s 2009 *Security Policy and Procedures Handbook*, the Border Patrol stations must comply with very specific construction details that the Handbook visually displays in diagrams, but they are not to contain beds, as a hold room “is not designed for sleeping”.¹⁷²

In October 2015, CBP Commissioner R. Gil Kerlikowske announced “the implementation of an agency-wide policy that sets forth the first nationwide standards to govern CBP’s interaction with detained individuals.”¹⁷³ The commissioner added that the policy, entitled the U.S. Customs and Border Protection’s *National Standards on Transport, Escort, Detention, and Search* (TEDS), “continues our commitment to the safety, security and care of those [immigrants] in our custody.”¹⁷⁴ The TEDS standards clearly lay out rules intended to maintain humane conditions and treatment for detainees in CBP facilities. With regard to the duration of detention, they state that “Every effort must be made to hold detainees for the least amount of time required for their processing, transfer, release, or repatriation as appropriate and as operationally feasible”; however, “[d]etainees generally should not be held for longer than 72 hours in CBP hold rooms or holding facilities.”¹⁷⁵ Whenever they can, CBP officers and agents should keep hold room temperatures “within a reasonable and comfortable” range for both them and detainees, and “under no circumstances” will they use temperatures controls “in a punitive manner.”¹⁷⁶

The standards further note that CBP officers or agents should “make every effort” not to exceed the recommended capacity of hold rooms if they can avoid it, and detainees should have a “reasonable amount of privacy” when using the restroom.¹⁷⁷ Finally, juveniles and breast feeding woman must have regular access to snacks, milk, and juice while in detention, and officers must treat what the CBP considers “at-risk” populations—which includes family units, victims of sexual abuse, juveniles, and intersex, transgender and gender non-conforming individuals—with “dignity, respect, and special concern for their particular vulnerability.”¹⁷⁸ These TEDS standards generally build upon and reiterate a prior 2008 directive the U.S. Border Patrol issued to “establish national policy for the short-term custody of persons arrested or detained by Border Patrol Agents and detained in hold rooms at Border Patrol stations, checkpoints, processing facilities, and other facilities that are under the control of U.S. Customs and Border Protection (CBP).”¹⁷⁹ Significantly, this latter policy affirms that, whenever possible, the duration of detention should last no longer than 12 hours, which the 2015 policy extended to 72 hours.¹⁸⁰

Despite these clear guidelines, the plaintiffs in the *Doe v. Johnson* class action suit allege that:

[...] conditions in all of the Tucson Sector Border Patrol facilities violate the Due Process Clause of the Fifth Amendment and the Administrative Procedure Act and seek to compel the Tucson Sector of the Border Patrol to bring its detention facilities in line with Constitutional standards, including limiting the time a person may be detained in holding cells to a few hours, providing adequate food, water, and medical care, beds and bedding, access to showers and hygiene supplies, and maintaining appropriate capacity limits and temperature controls, among other reforms.¹⁸¹

This chapter, therefore, focuses on asylum-seeking women’s experiences in Border Patrol stations of the RGV located farther to the east of the Tucson sector. Nevertheless,

they generally raises similar concerns regarding the physical conditions and due process violations that occur in these facilities.

Section A. Conditions in the “Icebox” and “Dog Pound”

Ana

“It’s like being locked up in prison, locked up,” Ana said to describe the Border Patrol station for undocumented immigrants where CBP agents taken her and her two children after they had entered the Texas side of the U.S.-Mexico border. “Some [agents] treat you well, others don’t. [...] There are some that view you as less because you’re not from this country,” she said. At home in Honduras, Ana had lived with her children and husband in what she described as a small pueblo. She spent her time working at home, taking care of her small children and performing household duties. “It was the same routine every day. I would clean the house, rest for a while, and make lunch” for the family. It was October 2015 when Ana set out for the United States with her son and daughter who were nine and two years old, respectively, at the time. “Everything went well in the journey. The only bad thing was that the Mexican officials would have us get off the buses to ask for money. They searched everything we had and almost touched my private parts looking for money,” Ana said. After she and her children crossed the Rio Grande into Texas, they met CBP agents there and asked them for help.

Reflecting on her first hours in U.S. immigration custody, Ana recalled what it was like to be inside the hielera, or “icebox” as people commonly called the Border Patrol holding room due to its frigid temperatures. “I mean, you see everything, anybody can watch when you use the bathroom,” she said, referring to the communal toilet located at one end of the room. “You sleep on the floor. Even my daughter slept right on the floor. She became sick. [...] My head started to ache, and I wanted a pill, but they told me no

because they said they weren't doctors," she said. Following this introduction to American detention, Ana and her two children spent two days in the *hielera* waiting to see where they would go next.

Diana

"They would take us out all the time...they wouldn't leave us in peace," Diana shared about how CBP agents constantly made the people in the *hielera* stand up and move. She estimated that approximately one hundred mothers and their children were in the cell where she was waiting. Agents there handed out *frasquitos*, or bottled drinks, and gave what she described as mortadella sandwiches for everyone to eat. Several days later, she and her son moved to the *perrera*, a second immigration-processing center commonly called the "dog pound" in Spanish because of its large metal fences and holding cages, where the difference in conditions and treatment was considerable in her experience. "Yes, the officials treated us well [in the *perrera*]. In the *hielera* it was worse," Diana said. In the *hielera* "there was a *señora* with a son crying. Her baby was hungry, and [the CBP agent] refused to give her milk. The agent stood in the door, and the woman began to cry because of her comments. [...] It made me sad to see how the children cried in the *hielera*." By contrast, there were mats and thermal blankets to sleep with in the *perrera*, a second processing center for detained immigrants. Families also ate three meals a day in the *perrera*, and children like Diana's son could shower. A short while after arriving, Diana and her son traveled with officials to their final destination, the Karnes County Residential Center, where they would spend the next month and a few days living under ICE custody in immigrant family detention.

Analysis

Ana and Diana's stories present a vision of how conditions in the hielera and perrera affected families staying there. The most common recurring theme was that of the cold. Throwing away the food and extra clothing they had brought with them, women and children were left to wear a t-shirt, pants, and what shoes they had on when they first met CBP agents. The result was that families shivered and tried to keep warm the best they could using the thin thermal blankets they received. Alejandra described the three hard days she and her son lived in the hielera in Texas. On multiple occasions, Alejandra saw how different CBP agents, though not all, yelled at the women and their children in the hielera, humiliating them with xenophobic statements.

"We arrived and it was like we were dangerous, some criminals, or even animals," Alejandra recalled. "Why did you come here?" she paraphrased an agent who interrogated various mothers. Another addressed himself to Alejandra, "*No tienen el derecho de estar aquí*", to make it clear that they had no right to be in the country. "They [CBP agents] had taken away everything we were carrying", Alejandra said. She elaborated, "Our sweaters, belts, hair ties, the children's toys, the food we were carrying—everything. So, we were left with only a t-shirt. In the hielera, something like a chimney is in the room where something like a cloud comes out and falls down with little drops [of water]. It was incredibly cold. You couldn't sleep that way, most of all because every now and then they [CBP agents] would come and yell at us to get up. They never turned off the lights, so we lost count of the time we were there in the hielera. They put really small children in there, but there was no milk for them, so the babies could only drink breast milk from their mothers to calm down, because they were purple from the cold."

Alejandra could hear how the little ones would cry out of discomfort, and many became sick, but CBP agents refused to give them anything because they said that it was

not a hospital there. These practices caused some, like Ana and her daughter, to become sick. Overcrowding also contributed to the likelihood of illness, as both Diana and Ana spoke about how full the holding cells were when they arrived at the hielera. Unable to even walk with so many people nearby, Ana's two-year-old daughter had to sleep on the floor, which may have contributed to her becoming sick. Even more difficult, women who asked for more milk for their children or medicine for ailments like headaches or colds were reprimanded to the point that Diana remembered one woman began to cry.

With agents constantly moving families in the hielera and so many crowded together inside, privacy and personal hygiene were effectively impossible. Ana remarked incredulously how anyone could watch a person using the shared bathroom at the end of the hielera. Constant illumination also ensured that CBP agents on duty could monitor whatever families were doing, and they were prompt to yell at them for not behaving properly. Once, for example, Patricia said that she tried to raise the temperature in the hielera, but other agents yelled at her for taking the initiative to make the hielera slightly less uncomfortable. Not all women shared these negative experiences of the hielera, however. Noemy said that in her case, "*Bendito sea Dios*, they didn't treat me badly." During all this time, she was most concerned about what U.S. officials would do to her family. "I imagined that we would be deported, but it was better than that, thank God," she said. Instead, officials transferred her and her son to the perrera and finally to the long-term immigrant family detention center in Karnes.

Compared to the hielera, conditions in the perrera were relatively better. When I asked Juana what the perrera was exactly, she mentioned that "[t]he perrera is a big place divided with *tela ciclón* into little rooms, and everything is fenced in so you feel like a dog inside a cage." Indeed, the word "perrera" in Spanish roughly translates to dog pound or kennel in English. Larger than the hielera and designed to accommodate more people, the

women I spoke to voiced fewer complaints about conditions in the perrera. “We felt relieved,” said Blanca about the moment they arrived there. “They gave us a sleeping mat, a cold ham or chicken taquito, and different water.” Nevertheless, the time she and her two daughters spent in the perrera was far from idyllic, as bathing and personal hygiene were still limited. “I couldn’t bathe myself during the two and a half days in the perrera. The girls could, but not me,” Blanca said.

Generally speaking, the constrained physical conditions of the hielera and perrera had a cumulatively negative impact on the Central American families who had made the long migration journeys, and especially on children. Frequent instances of anguish, illness, crying, yelling, and hypervigilance on the part of CBP agents left women feeling on edge and their children distraught. Women with a prior deportation encountered even greater challenges, as the third section of this chapter explores. With the unknown weighing on their minds, both Ana and Alejandra described the criminalizing sensation of being held in the CBP stations. Perhaps one of the hardest conditions of the hielera and perrera was the way women felt they were viewed and treated as dangerous criminals in a prison. As the next section demonstrates, the attitudes, words, and actions of some CBP agents in the hielera contributed greatly to the criminalization of Central American women who had come to seek asylum in accordance with international refugee law.

The women in this study join many others who, like the plaintiffs in the case opening this chapter, allege that conditions inside the hielera are uncomfortable at best and abusive at worst. Guillermo Cantor, a researcher at the American Immigration Council, for example, released a report in December of 2015 detailing the lengthy detention, deplorable conditions, and abuse taking place in CBP holding cells. The report explores two main areas: first, based on government documents and data obtained through a Freedom of Information Act (FOIA) request, it examines the average duration of detention to see if it

is in accordance the CBP's own detention standards previously discussed in this chapter; second, based on declarations from a sample of immigrant women held in the hieleras of the RGV sector in October or November 2015, the report explores the most prevalent conditions of detention they reported.

With regard to the first area, Cantor's analysis finds the Border Patrol "routinely uses holding cells to detain people for prolonged periods, forcing men, women, and children to sleep on concrete floors and hard benches in holding cells that have no beds and are not equipped for sleeping."¹⁸² A possible reason for the occurrence of prolonged detention is overcrowding—the facilities in the RGV are not prepared to handle the large numbers of people who are apprehended crossing that sector each year, which leads to delays in processing. In fact, the RGV sector has the highest number of apprehensions per year among the nine Border Patrol sectors of the southern U.S. border (over 53% of *all* apprehensions along the U.S.-Mexico border in FY 2014).¹⁸³ Furthermore, "Women and juveniles are more heavily represented among individuals apprehended in the RGV sector than among those apprehended in all other southwest border sectors combined."¹⁸⁴

With regard to the second area, women detained in RGV hieleras in October or November of 2015 reported recurring themes of "overcrowding, separation of mothers from their children, inadequate access to medication and/or medical care, extreme temperature, lack of access to showers, food insufficiency, and sleep deprivation."¹⁸⁵ Some respondents said it was so cold in the hieleras that their hands and feet went numb; others said the rooms there were so full they could "hardly even walk to get to the bathroom area"; while still others spoke about the lack of medical care they received, as in the case of one woman who spent three days asking CBP officers for help to treat her son's fever, only to have CBP ignore her requests and tell her and other mothers that "this isn't a hospital."¹⁸⁶ Referring to CBP officers' behavior while on duty in the hieleras, another woman said that

“I felt that treatment the officers gave us was worse treatment that you would give an animal. [...] Whenever we were spoken to by officers, we were yelled at.”¹⁸⁷ The stories at the foundation of Cantor’s study echo those in other news reports by major outlets such as *The Guardian*, *Mother Jones*, and the *Los Angeles Times*.¹⁸⁸ Civil and human rights organizations also filed a complaint in 2014 on behalf of over 100 immigrant minors who claimed they had experienced “abuse and mistreatment” while in CBP custody in the *hieleras* during the period when a significant number of Central American migrants and refugees were arriving to the U.S.-Mexico border.¹⁸⁹

In response to these complaints, CBP issued a statement to *The Guardian* repeating its position that the *hieleras* are “designed to provide for the security, safety and well-being of those in our custody and are maintained in accordance with applicable laws and policies. Temperatures are set at 70F (21C) and detainees are provided blankets. Facilities are illuminated to provide for the safety of those in custody and agency personnel.”¹⁹⁰ If any abuses do occur within the facilities, CBP maintains that it “investigates all allegations of misconduct, and is committed to improving on the progress made in detainee treatment and continuing to emphasise [sic] policies that protect human life and treat individuals with dignity and respect.”¹⁹¹ CBP Commission Kerlikowske also gave an interview to NPR in which he said “the complaints about the [Border Patrol] facility are absolutely spot-on.” However, he continued:

One is that when I looked at all of the complaints, y’know, sleeping on a concrete floor is not anything any of us wanted to see, and to see a room the size of this office with 40 or 50 kids lying on the floor, covered in a blanket, waiting two and three and four days to be actually moved to a better facility, I know that we were overwhelmed. [...] What I did not see, other than several complaints of offensive language, I didn’t see complaints of assault, or use of force. I didn’t see complaints where the children or the women said they had been assaulted or hurt or sexually assaulted.¹⁹²

The next year, the Commissioner visited a processing center in a converted warehouse that opened in July 2014 after the nearby Border Patrol station was overwhelmed by the number of families and unaccompanied minors arriving each day. Acknowledging how overcrowded the station had been the previous year, he said to reporters during his visit that “We’re in a much better position now”, but “what we would much rather do is prevent this [situation].”¹⁹³ It remains unknown what the outcome of *Doe v. Johnson* will be and how it might affect the day-to-day operations of the *hieleras*.

Section B. Interactions with U.S. Customs and Border Protection Agents

Margarita

“Well, we arrived and immigration caught us. At first, I thought they were good people, but you’re in for a big surprise because you don’t know what you’re going to face in this country. Because when we entered there, they had us in the *hieleras*. We spent seven days there in the *hieleras*, sleeping on the ground. [...] I got a big fever, *una gran calentura*, and I even got diarrhea. I asked them [CBP agents] for help to give me something, medicine, but they told me that it wasn’t a hospital there. That’s what you come to look for in this country. *Uno viene buscando la vida, pero la muerte viene a encontrar*”, Margarita said as she described how someone fleeing north for his or her life might find death instead.

She explained, “The officials in the *hielera*, ay *Dios mío*, how could I say it...they hurt us. They mistreated us, because I would see them grab women by the chest and throw them inside.¹⁹⁴ And since you’ve arrived sensitive, having suffered violence, and you see that here, you feel bad because they especially shouldn’t treat women and children that way. Because you come suffering and risking yourself for your children. For me that wasn’t easy, but I would say, if I have to suffer all of this so that they’ll give me an opportunity in this country, I don’t care. Because I knew that if I returned to that country [El Salvador] it

was going to be easy to see my children die in front of me, because what the gangs do is to take them out of their home and dismember them in front of you as a mother. And I said, *no quiero recoger a mis hijos en pedazos...* I don't want to collect my children in pieces."

Elsa

"They took us to the line, to the bridge. After we arrived there, I turned myself in." When Elsa arrived at the U.S.-Mexico border with the help of coyotes, the U.S. agents working there told her to "Go back where you came from—go to the consulate." "Help me, please," Elsa responded to them, but they simply said, "No, go." Elsa seemed confused by their reaction, since she had already tried to obtain travel documents in Honduras to enter the country legally. "I went twice to the U.S. embassy in Honduras, and they denied me a visa. I never thought that I would be able to cross that way," she explained. This was in large part why Elsa had come to the Texas side of the U.S.-Mexico border to turn herself in and apply for asylum.

After insisting, "I found an agent with a good heart who gave us food and allowed me to come in with my children," Elsa said. What eventually followed was a series of negative encounters with CBP agents who worked at the hielera and perrera. In the hielera, Elsa described how "a female agent treated a woman of an age that deserves even more respect very badly. 'Liar. You're saying lies,' she yelled at the señora." "They humiliate you. You feel like there is racism, although it's not everyone. The agent who helped me was calm, patient. But they didn't attend to us as quickly," Elsa said.

Some agents in the hielera spoke Spanish, others English. They often talked among themselves, which Elsa said she did not understand for the most part, but at times the agents would speak directly to her and other women who had arrived at the station. "One official told me, he said, 'a lot of people are coming [to the United States]. That's wrong'", Elsa

remembered. She replied to him, “We lived well in my country with a car and everything”, suggesting that she had not left Honduras for economic opportunity. Apparently disregarding her words, this same agent directed his next comment directly at Elsa, “It’s not fair that we pay taxes and they go to you all. That’s why I’m going to vote for Donald Trump”, referring to the controversial candidate in the 2016 U.S. presidential election.

Leaving the hielera, Elsa said that, “they took us out in a really cold car as a punishment for us. We arrived at the perrera. A doctor looked us over, and they gave us *un papel de aluminio*—a thermal blanket. I was desperate because they separated us from our children. Some of the children cry because they want to be with their mother. We couldn’t bathe or brush our teeth. I couldn’t do my personal hygiene that way. I didn’t feel ok”, Elsa said. She and her family spent one day and a night in the perrera before leaving for the family detention center in Karnes.

Analysis

Margarita and Elsa’s interactions with CBP agents after arriving in U.S. territory reveal the overall rejection of their claims as asylum seekers. Having endured unspeakable pain, fear, and loss, the women I spoke with met CBP agents in a particularly vulnerable state. Whether having been robbed a few hours before by a coyote, feeling exhausted from the exertion of crossing the Rio Grande, or still processing the attacks they had gone through at home, women and children “arrived sensitive” in Margarita’s words. They often arrived with a different idea in mind of what would happen to them once they asked for help, too, not expecting to go into detention. Margarita’s expressed the surprise some felt as events unfolded when she said that, at first, she thought that CBP agents were good people, but “you’re in for a big surprise because you don’t know what you’re going to face in this country.” Rather than reach safety and life, Margarita felt the treatment her family

went through at the hands of CBP agents was more similar to a form of punishment and death.

The punishment she and others felt took both physical and verbal forms. Margarita described how some CBP agents would grab and push women into the hielera, which she felt was especially wrong to do to women and children. Elsa recounted the racism she felt in conversations she had with CBP officials. Noting that not all officials were the same and some were kind-hearted and patient, Elsa repeated the discriminatory statements she heard while in custody. Of particular importance was the instance when a CBP agent accused an older woman of being a liar in a way that Elsa thought was humiliating. Another instance was when a different CBP agent told Elsa his opinion that it was wrong for so many people to come to seek asylum since they were taking the American taxpayers' resources, and for this reason he would potentially vote for Republican presidential nominee Donald Trump.

This final exchange gains greater meaning in the context of the 2016 U.S. presidential campaign, during which the Republican nominee Trump has made openly racist statements about Mexican people and suggested building an enormous wall to "secure" the U.S.-Mexico border. Any such wall, or similarly restrictive immigration policies, would likely make it more difficult for asylum seekers like Elsa, Margarita, and the other nine women from Central America I met as part of this study, not to mention many others who similarly seek safety from persecution. These comments also echo Alejandra's recollection of the CBP agent who told her that she had no right to be in the United States. While international refugee law upholds that a person's migratory status should have no bearing on his or her right to claim asylum in another country, CBP agents who expressed discriminatory sentiments contributed to women's feelings of criminalization and rejection despite the fears they expressed. Their negative sentiments also raise serious concerns about whether CBP agents were complying with their duty to

screen arriving families from Central America in order to identify if they had any fear of returning home. The stories in the following section suggest that CBP agents pressured certain women with an expressed fear of returning home to sign their removal papers against their will. If true, I argue that such actions violated the 1951 Convention's international obligation, which the United States officially signed and incorporated into its domestic law, not to return refugees or asylum seekers back to a territory where they are liable to be persecuted, also known as *non-refoulement*.

Section C. Potential *Non-refoulement* Violations

Marta

“If I didn't flee they were going to kill me...*estaba entre la espada y la pared*,” Marta said as she recounted her precarious position between a rock and a hard place that forced her to leave her native country, El Salvador. When we spoke in the summer of 2015, Marta was in her early thirties and a native of a southeastern department in El Salvador. She had three children eleven years or younger, all of whom had migrated with her to seek asylum the year before. While she did not go into detail about the persecution she faced in El Salvador, Marta did describe how her life there had become increasingly dangerous.

At home, Marta was a community organizer who formed part of a neighborhood group that tried to help people in need of assistance in her local area. At the time, gang members were recruiting young people as new members, kidnapping others, and threatening to extort or kill those who refused to comply with their demands. These same gangs eventually began pressuring her because of her community work, so Marta and her family initially tried to negotiate with them to come to some sort of a peaceful resolution for several months during 2014. These efforts ultimately proved fruitless, however, as did asking the Salvadoran police for aid.

As safety deteriorated, Marta left El Salvador with her three children in 2014. After journeying through Guatemala and Mexico, they arrived at the southwest U.S. border a little over two weeks later. CBP agents took them from there to the *hielera*. “It was horrible”, Marta said, when I asked her what she thought of conditions in the *hielera*. In her estimation, the officials there were “*agresivos*”, pressuring her to sign self-deportation papers because she had a prior deportation from the United States. Despite their insistence and intimidation to sign, she always replied, “*¡Que no, no, no!*” She had come to seek asylum with her children from the violence in their country.

Silvia

“The officials who took me out of the river were kind, but when they took me to the offices that was then they started to treat us badly. *Comenzaron a tratarnos mal*. They told us that all the food, umm, from the kids, clothes, we had to throw it away in the garbage. I threw it away. Later when we entered those places we call *las hieleras*, is when I saw a lot of children. *No podíamos ni caminar...*not even walk one over the other,” said Silvia. The *hieleras* were so full, Silvia mentioned that, “Each mom had, some moms had up to three children. I came with just my daughter”, who was three years old.

She remembered the “*gran frío*” that they felt while waiting there in the *hieleras*. “[It was] truly, very cold, really strong air conditioning. You can feel the air. All the children were crying. They were crying from hunger, and when we would leave and ask the officials for some milk, *ellos muy enojados*, they would get upset. [...] Yes, they would yell at us. They yelled at us”, she said. The hygiene conditions in the *hieleras* were hardly any better. “There weren’t any bathrooms, just a *baño* to do one’s necessities, just to pee. But to bathe ourselves, no. I spent four days there.”

“Did U.S. officials ever pressure you to sign deportation papers at any time in the hieleras or before going to Karnes?” I asked her. Silvia explained, “Yes. Ah, well, since I was one of the mothers who had *una deportación anterior*—a prior removal—they treated me really bad. Because when I wasn’t asking anything, and I was watching how they called and called the moms with their kids, *y a las últimas*, among the last ones, they called me. They say, ‘*Ven para acá.*’ ‘Come over here.’ And I say, ‘Yes.’ ‘Your name, you already mentioned it to me.’ ‘Yes.’ ‘Sign your deportation here.’ And I said, ‘No.’ ‘Why?’ [an official] says. ‘Because I...I can’t return to my country. I’ve come fleeing from that violence. That’s why I’ve come with my little girl.’ And from there they wanted to force me to sign, but I resisted and said ‘No’, that I wasn’t going to sign. They told me [to sign] like three times. And they insisted. They yelled at me. They told me, ‘*[T]ú no tienes nada que hacer aquí.*’ You have no reason to be here. I said, ‘Yes’, I said. ‘Maybe you don’t think so, but my situation is difficult’, I said. ‘I can’t be living in my country.’ They say, ‘Ah, but we don’t care what happens to you all. You’re not in your country, here is someone else’s country.’”¹⁹⁵

Analysis

Marta and Silvia’s experiences illustrate the additional challenges that women with a prior deportation faced in the hielera with CBP agents. Both Marta and Silvia voluntarily shared that they had previously come to the United States and been deported, which they related to the discriminatory treatment they felt they received in immigration custody. Marta, for example, shared how “horrible” her stay in the hielera was because of the intense pressure she was under to sign her deportation papers. CBP agents she called “aggressive” intimidated and pressured her to sign despite the multiple times that she said no. Silvia, on the other hand, waited a long time for CBP agents to call her and watched as other women

with their children went ahead. When she finally did speak with someone, the agents insisted three times that she sign her deportation even though she said she could not return to her country because of the violence she faced there.

In addition to directing the same kind of criminalizing statement toward Silvia, (“You have no reason to be here”), the CBP agents were also frankly callous in their disregard of her fear when they said they did not care what happened to her family. Such callousness is similar to the initial rejection Elsa discovered when she presented herself at the U.S. border for help. Rather than promptly flagging their cases for an asylum officer to determine whether Marta, Silvia, or Elsa had a credible fear of returning home due to the likelihood of persecution, the CBP agents mentioned above generally took it upon themselves to turn away asylum-seeking women. Such stories reflect the results of a 2014 investigative report by Human Rights Watch, in which the organization interviewed 35 Honduran citizens who were either in U.S. immigrant detention or had recently been deported back to their country. Many had expressed a fear of returning to Honduras to CBP agents after being apprehended at or near the U.S. border, as did the women in this current study, and virtually all of them were placed into proceedings for either expedited removal (for first-time border crossers) or reinstatement of removal (for second-time border crossers) which hastened their deportation.¹⁹⁶ While part of CBP agents’ job is to screen arriving migrants to see if they are potential candidates for international protection measures, Human Rights Watch found through its research that “many asylum seekers are being turned away in the first stage” of CBP screening.¹⁹⁷

Based on this information, the organization concluded that “The failure of CBP and other US immigration agencies to identify asylum seekers raises concerns that the US government is violating its international human rights obligations to examine asylum claims before returning them to places where their lives or freedom would be

threatened.”¹⁹⁸ Among other measures, it recommended increasing the training, transparency, accountability, and oversight mechanisms within CBP in order to ensure that agents are properly screening arriving migrants for protection needs, and to cease the use of expedited removal for nationals arriving to the United States from countries experiencing conditions of severe insecurity that do not allow their people to live in peace. Importantly, it also recommended ending the use of immigrant detention for vulnerable populations like refugee families who have passed their credible or reasonable fear interviews.¹⁹⁹ Marta, Silvia, and Elsa’s stories corroborate Human Rights Watch’s findings and suggest that the practice of pressuring asylum seekers to agree to their deportation may be a problem that extends beyond Honduran nationals to other Central Americans—if not even further. These alleged *non-refoulement* violations, therefore, warrant greater systematic investigation to verify the extent to which U.S. agents may be failing to fully comply with the nation’s pledged obligation to protect refugees and asylum seekers.

Conclusion

Searching for life and security, asylum-seeking women who reached the Texas side of the U.S.-Mexico border underwent unexpected forms of hardship and discrimination while in CBP custody in what these immigrants identified as *hieleras* and *perreras*. Not all women who participated in this study reported having felt this discrimination, as some like Noemy said they had received good treatment from U.S. officials. However, far more women including Ana, Alejandra, Margarita, Silvia, and Elsa mentioned that the conditions, interactions, and statements of CBP agents in the *hielera* had made them feel like “dangerous criminals” locked away in prison. Conditions in the *hielera* were universally harsh with cold and crowded being the most common phrases women used to describe them. Young children especially suffered while sleeping on the floor and falling

ill from the lack of heat and milk to drink. When mothers tried to ask for assistance in the form of medicine, food, or a change in the hielera's temperature, CBP agents responding by yelling at them to the point that some women burst into tears.

Interacting with CBP agents, women reported that some were kind and considerate, while others spoke harshly to them, interrogating them as if they were liars, and expressing sympathy with the racist statements of Republican presidential candidate Donald Trump. Mothers with a prior deportation, like Marta and Silvia, went through an even more difficult process of resisting CBP agents' insistence that they sign their removal papers. Throughout these experiences, a consistent sentiment of rejection and disbelief wove through the words of U.S. officials, as if they believed that the women who had arrive to seek asylum were instead trying to enter the country unlawfully. Despite these obstacles and the exhaustion they carried from the journey, women persevered. Margarita summarized her feelings by saying, "For me that wasn't easy, but I would say, if I have to suffer all of this so that they'll give me an opportunity in this country, I don't care. Because I knew that if I returned to that country [El Salvador] it was going to be easy to see my children die in front of me...I don't want to collect my children in pieces." As the following two chapters will demonstrate, this same determination would help to carry women through their experiences of immigrant family detention as well.

Chapter 3

Pero las cosas no son como aparentan ser:

Behind the Façade of “Family-Friendly” Prisons

Various forms of immigrant detention currently exist in the United States. The breadth and size of immigrant detention systems in the United States responds in part to a Congressionally-approved mandate establishing the minimum number of immigrant detention beds that DHS must legally maintain on a daily basis as a condition of its annual appropriations. In FY 2014, this daily bed quota was 34,000 nationally.²⁰⁰ According to the Detention Watch Network, “The national detention bed quota is, in turn, bolstered by local quotas requiring ICE to pay for a minimum number of beds—that ICE is encouraged to fill and exceed—at key detention centers, most of which are involved with private prison corporations.”²⁰¹ Minimum guarantees built into detention contracts state that ICE will pay a for a minimum number of mandated detention beds regardless of how many immigrants actually fill them, thus ensuring a steady revenue stream for key local partners (mostly private prison corporations) and incentivizing ICE and DHS agents to increase immigration enforcement efforts in order to maximize tax payers’ money.²⁰² Within this context, the Karnes and Dilley centers in Texas represent the two most notable examples of so-called family residential centers for immigrant detention.

Before July 2014, Karnes had been an ICE civil detention center for undocumented migrant men as visible in Figure 7 below. After the arrival of more than 63,000 families from Central America that summer, many of whom were seeking political asylum at the U.S.-Mexico border, in July 2014, the U.S. government modified its contract with Karnes County to convert Karnes into a family detention center capable of holding up to 532

immigrant and refugee families at a cost of approximately \$140 per person, per day.²⁰³ As Karnes opened, women and children transferred from the temporary detention facility in Artesia to the permanent center in Texas, thus representing the first expansion in immigrant family detention in the United States since a 2007 lawsuit settlement helped to lead the Obama administration to shut down family detention at Hutto in 2009 due to allegations of unacceptable conditions.²⁰⁴ Karnes, on the other hand, was reported to have improved conditions and installations such as a hair salon, state-of-the-art medical clinic, play area for children outside, and classrooms for on-site school lessons.²⁰⁵

Figure 7. Entrance to the Karnes County Civil Detention Center



Credit: U.S. Immigration and Customs Enforcement, DHS, March 13, 2012.

Public domain image from *WikiCommons*,

<https://commons.wikimedia.org/wiki/File:120313.KarnesCountyDetentionCenterICE.jpg>.

On the other hand, Dilley opened its doors in December 2014 to 480 women and children, but with a capacity for 2,400 people, it is the country's largest immigrant family detention center.²⁰⁶ According to ICE estimates reported by Reuters, at full capacity the detention center operates at a cost of \$298 per person, per day.²⁰⁷ Built upon a housing camp for employees of the fracking industry in the area, Dilley's lodgings are reminiscent of the WWII Japanese internment camps as Figure 8 demonstrates below. Gas stations,

fields, and a state prison also line the farm road that leads to Dilley, potentially leading a first-time visitor to confuse the immigrant detention center for the prison. Both Dilley and Karnes are located in rural areas of south Texas tucked away from most public view an hour's drive south from San Antonio. In this region, the fracking and prison industries provide a significant number of jobs and dollars to the local economies based around small to medium-sized towns with populations around 4,000 inhabitants.²⁰⁸

Generally speaking, the selection of the Karnes and Dilley sites to detain immigrant and refugee families is not surprising, as Texas is already home to several immigrant detention facilities for adult men and women migrants. These include the South Texas Detention Complex in Pearsall, operated by GEO, and the Port Isabel Processing Center, which is operated directly by ICE near South Padre Island and Brownsville along the U.S.-Mexico border.²⁰⁹ Texas leads all U.S. states in detaining the largest number of immigrants on a daily basis—approximately 8,000 according to 2015 figures from the non-profit Community Initiatives for Visiting Immigrants in Confinement (CIVIC)—with Karnes and Dilley forming part of this much larger picture of immigration enforcement.²¹⁰ Another part of the picture particularly relevant to this study is a noticeable rise in the detention of asylum seekers for extended periods of time. According to a 2016 report by Human Rights First, “The number of asylum seekers sent to and held in immigration detention has increased nearly threefold from 2010 to 2014”, from 45% of all asylum seekers in removal proceedings detained in the United States in FY 2010, to 77% of all asylum seekers in any court proceedings detained in FY 2014.²¹¹ Information obtained from ICE under a FOIA request by the ACLU and Center for Gender and Refugee Studies also details a drop in the percentage of parole requests that ICE approved for asylum seekers in the first nine months of 2015. Compared to 80% of asylum seekers found to have a credible fear who were granted parole from detention in 2012, only 47% received parole during the first nine

months of 2015 after the arrival of the aforementioned Central American families and unaccompanied minors in 2014.²¹²

Figure 8. American Flag at the Dilley Detention Center



Credit: Bob Owen, San Antonio Express-News

Returning to the specific case of immigrant detention in Texas, GEO, one of the world's largest private prison corporations, operates Karnes, while CCA, "which has more than three decades of experience managing facilities in partnership with the federal government" operates Dilley, both in contract with ICE.²¹³ Since Karnes and Dilley opened to families, the majority of people detained there are from the Central American countries of El Salvador, Guatemala, and Honduras, and they have come to seek asylum after having suffered direct violence or threats from criminal armed groups, gang members, the police, or their own family members, among other actors.

Regarding the goals motivating the rapid expansion of family detention, then acting ICE Director Thomas S. Winkowski said, "These facilities help ensure timely and effective removals that comply with our legal and international obligations, while deterring others from taking the dangerous journey and illegally crossing into the United States."²¹⁴

Likewise, ICE's San Antonio Field Officer Enrique Lucero stated during a Karnes media tour in late July 2014 that:

The Karnes County Residential Center is the first facility constructed with ICE's new civil detention reforms in mind. It allows ICE detainees freedom of movement, recreational opportunities, counsel visitation, while maintaining a safe and secure environment for both the residents and the staff. I'm pretty sure you will agree that this is nothing like you've seen before. We pride ourselves in this location, we think it is absolutely appropriate for adults with children. [...]

The use of this facility is sending one very important message to families in Central America considering crossing into the United States: Do not risk the lives of your children. Do not risk your life. This is a very dangerous journey coming to the U.S. Unfortunately, there have been deaths coming into the Rio Grande Valley area [in Texas] by both adults and children as recently as in the last few months. Putting your lives in the hands of criminal smugglers who care not for human life is very dangerous. The U.S. border is not open to illegal immigration, and after your immediate detention and due process, there is every likelihood you will be returned to your home country.²¹⁵

Interesting to note in the above quotes is that both Winkowski and Lucero emphasize the legal and appropriate nature of immigrant detention for refugee families with children. Indeed, the CCA website for Dilley employs similar language to state that the center's mission is to "provide an open, safe environment with residential housing as well as educational opportunities for women and children who are awaiting their due process before immigration courts."²¹⁶ Nowhere does the page mention that Dilley is a secure facility whose "residents", as they refer to detainees, cannot leave if they want. Equally present in the two statements is the reiterated message of deterrence that the new family detention centers send to anyone considering entering the U.S. without prior authorization. Keeping this official stance in mind, then, the following are asylum-seeking women's stories of daily life and conditions inside U.S. immigrant family detention in Texas.

Figure 9. Bienvenidos/Welcome Sign at the Entrance to Karnes Detention Center



Credit: Eric Gay, Associated Press

Section A. Daily Life in U.S. Immigrant Detention

Juana

“The first day [at Karnes] it was kind of hard, because when I entered that detention center, I mean, imagining that only a few hours were left until I would be with my family, and to know that it wasn’t going to be that way, that I was going to be in that detention center and how long I was going to be in that place, that my son was going to be locked up with me...it was unbearable, for my son as well as me. It was a day full of torments, because when I arrived, I began to cry and cry because I didn’t know what to do for myself or my son”, Juana said.

A single mother in her early thirties from El Salvador, Juana and her eleven-year-old son had fled domestic abuse at home and migrated in 2014. After spending time in both the hielera and perrera in Texas, Juana described what daily life in Karnes was like for her, since she and her son spent more than eleven months in family detention. “I feel like, for my son and myself, we lived through something hard in that detention center, just as many mothers did who were in that detention center, and the children, the youth. I mean, they’re really hard things that you go through in those detention centers”, Juana said of her overall experience.

“How did Karnes look like inside and what routines did you have there?” I asked her. “Four mothers and children lived together [in each room], but the detention center had capacity for 600 people”, Juana replied.²¹⁷ “The smallest children who arrived there were a month all the way up to 17 years old.” Having arrived in August 2014, time slowly ticked by and Juana noted that in Karnes “no day was different, all the days were normal for us. Every day was the same.” The day-to-day routine included head count and going to the dining commons for meals. “I mean, the routine was *pesada*—tiresome”, Juana said. “In the beginning, I used to work on my [arts and crafts] pieces, but then my *compañeras* and I joined together and we did two hunger strikes. As a punishment for the hunger strikes, they took away our *trabajos*, our jobs, but we didn’t care because we were fighting for our children’s freedom. For us as mothers, we could no longer put up with so much suffering for the children and youth in that detention center.”

According to Juana, asking for basic medical care at Karnes could also be a challenge. “The truth is that we were waiting two or three hours to see the doctor. We would go to the doctor, and she didn’t even examine us. We used to take the children with a temperature, vomiting, with headaches, and the doctor would tell us that they were fine [and] that we should just give them water. That was the medicine that she would give. Water.” When the doctor was not there, the wait could be even worse. “Yes, and well, when the doctor wasn’t available, then you had to sit there waiting up to five or six hours. And it was no use to wait so long if the doctor just entered, didn’t look you over, nothing, and simply said, ‘You’re fine. Go and drink water. [...] That’s how it is, I mean, the doctor didn’t give us any medical care. I mean, it’s illogical, *pues*, that they would tell us to take the children to the doctor if [she] didn’t give them any medicine or anything”, Juana said.

Advising mothers to give their sick children water was especially impractical since the water quality at Karnes was poor in Juana’s estimation. “The water was in some big

bottles, but it had too much chlorine in it, because my stomach would become inflamed drinking the water. I mean, the water did that to me as an adult; imagine what it would do to a child! That's right, I mean, practically the whole time we were in that place we weren't okay even with the water. What we lived through in that detention center was something *tormentoso*", Juana said, expressing how tormenting these instances were for her and her son.

The food at Karnes was equally bad in Juana's opinion. "The food was *pésima*, it is terrible. When we had just arrived, they would give us food like dog vomit. I mean, they treated us like animals, or maybe not even like animals, because I've seen how they treat animals well in this country, and they treated us terribly in the dining commons", she said. Over time, the food quality gradually improved, but these gestures were not what the mothers and children at Karnes really wanted. According to Juana, "The only thing that changed was the food, but like we would tell them, we didn't want changes to the food—we wanted our freedom."

Alejandra

"It was something incredible", Alejandra said of her time in Karnes. "It was very, very difficult. So many things happened. We spent eleven months in that center. We spent Children's Day (*Día del niño*), the birthday of [her son], my birthday, Christmas, Day of the Dead, and Mother's Day. It was very sad." She paused, and then said, "When it was Mother's Day, all [the children] wanted some poems for their mothers, and everyone went to a place to sing to their mothers. There was like a gymnasium and everyone gathered there. But I didn't have the courage to go. I felt sad, and I stayed in the [dormitory] room to cry. I began to think about a lot of things. Why are we suffering a lot? What is going to

happen? The only thing I wanted was to spend Mother's Day outside [of Karnes]. Many mothers came out crying, and there were some that didn't participate" she added.

Alejandra and her son had arrived at Karnes in August 2014 after spending three days in the CBP's *hielera*, "*aguantando hambre*" in Alejandra's words as they drank chlorinated water and ate what she described as cold quesadillas. When they first entered Karnes, the first thoughts and impressions that raced through Alejandra's mind as she evaluated their new environment included: "What is this? Why have we come here and when are we going to leave?" Alejandra's attention quickly turned to the asylum petition process. "*Me lo negaron el caso*", she said, explaining how her first credible fear interview (CFI) with U.S. asylum officers resulted in a negative outcome. Alejandra shared her memory of this interview, saying, "You have twenty minutes to speak and then they take you out. It's very difficult, it's hard to talk with someone who is insulting, '*Contesta sí o no*'", to give just yes or no answers to their questions.

Alejandra did not have legal counsel at this time, and she participated in the CFI interview in Spanish, her second language after her native Mam. In addition to feeling nervous, Alejandra did not fully understand the questions that the interviewers were asking her quickly in Spanish. It was only later when she sought the help of a pro-bono lawyer that she felt calmer and more confident as she prepared to appeal this initial negative CFI decision. In the end, she won her appeal and was able to continue applying for asylum, all the while living in Karnes with her young son.

"*Era tan aburrido*", Alejandra said to describe what she considered to be the boredom of daily life at Karnes. In each dormitory room there were four bunk beds where mothers and children would sleep, normally with mothers on the top bunk. Somewhat similar to the *hielera*, GEO guards would enter the families' rooms at different times of the day without knocking on the door to announce their presence. Alejandra's morning routine

consisted of the same activities: wake up, eat breakfast, do head count, have a shower, and send her son to classes on-site at Karnes. Alejandra said she felt so sad when she did these activities for the first time because she realized the reality of where they were and how long they might be detained there. In order to occupy herself and distract her mind, she participated in organized crochet classes at Karnes, but after a while GEO guards took away the yarn she had been keeping in her room to make a scarf and bracelets. “¿A quién estás vendiendo estos hilos?” they asked her, suggesting that she was selling threads or her finished projects to someone against center rules. According to Alejandra, the guards’ insistence that there was no reason to have yarn in her room “was just out of meanness—there was no logic. That is not the rule.”

Reflecting on the experience of being an indigenous Mayan-Mam woman in immigrant detention, Alejandra related, “It’s very difficult being indigenous. Sometimes they take advantage of you if you don’t speak Spanish.” At Karnes, Alejandra had an indigenous friend from another town in Guatemala who did not speak Spanish. Alejandra had learned some very basic Spanish during her time working in Guatemala City and continued to learn at Karnes, so she tried to help her friend to communicate with U.S. immigration officials. The latter, however, did not pay any attention to her. In Alejandra’s words, “They say to you, ‘I don’t understand you. *Lárgate*. Go away. She should speak for herself”, referring to her friend who did not speak Spanish or English.

One day, GEO guards at Karnes became angry when they saw Alejandra’s same friend as she grabbed one of her children so that he would not run in the center, as children are naturally inclined to do sometimes. The guards accused her of child abuse, and they took away her children for a time, according to Alejandra. By this time, Alejandra spoke much more Spanish and she approached the officials to intervene on her friend’s behalf and serve as an interpreter in order to clear up what she considered to be a

misunderstanding, because the woman was not trying to harm her son, but rather protecting him from the punishment of GEO guards for running in the center. Yet again, the officials ignored Alejandra. This episode saddened her very much, because U.S. officials had threatened her friend with six years in prison for alleged child abuse.

Apart from the officials, Alejandra described how there was a lot of discrimination at Karnes among asylum-seeking women themselves. Women from different places and cultures lived together in the center, but Alejandra noted a division in the way some *mestiza* women from urban areas in countries like El Salvador, Honduras, México, and Guatemala treated indigenous and rural women. “That really bothered me”, she said. “They were bad, rude people. They insulted my friend [from Guatemala], they used really strong words. Why did they have to discriminate? We were all living the same situation, under the same conditions, but instead of helping and explaining how things worked, they would say, ‘*Cochina*. You’re dirty, get away from me. I don’t want your children to play with mine’”, Alejandra recalled. “There was a lot of mistreatment”, she said.

In response, Alejandra went to speak with the GEO guards to see if they could move her friend to her room, since they got along well and Alejandra could help to take care of her children, but they denied her request. Each month, the officials at Karnes would change the families from room to room, sending them where they pleased. “I don’t know if it was out of meanness or what”, Alejandra said about this practice, or perhaps it was a way to weaken the unity among women and thereby make it more difficult for them to resist authority.

Alejandra’s overall evaluation of the treatment she received from GEO guards at Karnes was mixed. “There were some good detention staff and some bad ones who hated immigrants”, she said. If you asked them a question, they would only respond by saying, “I don’t know.” There was also a tremendous amount of pressure to obey GEO orders and

ICE rules in Karnes. For example, if children made too much noise in the center, GEO guards would *regañar*, or yell, at their mothers to control their behavior. “[Alejandra] recalled guards asking kids not to play together. They would tell [her son], ‘Stay close to your mom.’ Her son would tell her, ‘Mama, if we were puppies, they would have treated us better. At least they would let us play outside.’ A single kind guard at Karnes who used to give children toys and candies was fired before long because he was ‘too close’ to the detainees.”²¹⁸ Thus, the treatment in detention varied depending on the personality of the officials on duty and how strictly they enforced the center’s rules, but it generally entailed a considerable amount of control and regimentation.

“*Había muchos abusos*”, Alejandra said, referring to several instances of mistreatment by GEO and ICE she witnessed first-hand. During the eleven months she and her son were in Karnes, Alejandra said there were times when officials would take women away from their rooms, only to have no one hear from them again. “I don’t know if they disappeared or deported them. I don’t know”, Alejandra said about these sudden absences. On one occasion, one of Alejandra’s own friends was deported under suspicious circumstances after she had attempted to commit suicide.

“I couldn’t believe it”, Alejandra recalled, and then elaborated, “I was scared when my friend cut her hands. She was truly suffering. The judge told her that she would be deported. She wanted to commit suicide, so they took her and locked her up in the medical clinic and separated her son from her. They said she was *loca*—acting ‘crazy’. One of the officials took care of her son; meanwhile, they handcuffed her and deported her. They tricked her—they said, let’s go to the doctor, but they deported her.” One of Alejandra’s other friends had also been deported from Karnes without warning in the middle of the night. “[She] had agreed to the deportation, but they woke her up at night to go to the

doctor. They collected all her things”, Alejandra said. And just like that, the woman was gone from the detention center.

Analysis

A closer examination of Juana and Alejandra’s stories reveals important themes about the nature of life inside U.S. immigrant family detention. One is that of daily routines and feelings of boredom. Juana spoke of each day being exactly like all the rest to the point of weariness, while Alejandra mentioned how boring life in Karnes had been for her. Waking up in the standard dormitory room [see Figure 10], both Juana and Alejandra attempted to fill their days with activities to keep themselves somewhat occupied—doing crochet in the case of Alejandra, as well as arts and crafts and a small job for Juana. However, these two women’s stories demonstrate how conditional even these activities were in Karnes, for GEO guards took away Alejandra’s yarn and Juana lost her small job in retaliation for participating in two hunger strikes which asylum-seekers organized inside Karnes in March and April of 2015. The repetitive nature of daily life in family detention exacerbated feelings of sadness for both mothers and children who desired their freedom above all—freedom of movement and, in many cases, freedom to reunite with family members in other parts of the country as they continued their asylum cases. As a later section of this chapter will discuss, the lack of freedom in Karnes and Dilley inflicted deep and enduring harm on asylum-seeking families from Central America.

Figure 10. Dormitory Room Inside Karnes Detention Center



Credit: Drew Anthony Smith, Getty Images

Another significant theme emerging from Juana and Alejandra’s narratives is that of insufficient medical attention in detention. Wait times of two, three, or even more hours are an apparent norm at Karnes and Dilley as mothers take their children with fevers, coughs, chicken pox, vomiting, and other ailments for treatment. As Juana pointed out, however, the cruel irony is that, even after such lengthy waits, multiple women who participated in this study reported that medical staff simply advised them or their children to drink more water. For women living in detention, it was extremely difficult to have little to no control over the care of their sick children, which contributed to their feelings of anguish and anxiety.

Such sub-par care has been documented by other advocates and organizations monitoring the conditions inside immigrant detention facilities like Karnes and Dilley. For example, the U.S. Commission on Civil Rights issued a 2015 report concluding that DHS “maybe [sic] violating detainee civil rights and liberties” by not fully implementing standards of detainee care at its facilities, including those it contracts out to private corporations for management.²¹⁹ In 2013, the University of Arizona conducted a study among 1,113 recently deported individuals that found 37% of those who had requested medical attention while in immigration custody stated that ICE had denied their request.²²⁰

In 2016, Human Rights First also reported that, “Immigrants who suffer from acute or chronic conditions requiring medical treatment often receive sub-standard care while detained.”²²¹ This care varies from withholding life-saving medications; to delays resulting in preventable medical emergencies and, in some cases, death; to blocking access to basic gynecological exams such as Pap smears and mammograms for immigrant women.²²² In the cases of immigrant deaths in detention, the ACLU, Detention Watch Network, and the National Immigrant Justice Network released a report in February 2016 describing how, “Egregious violations of ICE medical care standards played a prominent role in eight deaths in immigration detention facilities from 2010 to 2012.”²²³ Even more troubling, the organizations’ investigation also found that, after the fact, “ICE’s deficient inspections system essentially swept the agency’s own death review findings under the rug.”²²⁴

A case more specifically related to the experiences of the women in this thesis occurred in family detention at Karnes in 2014. At that time, ICE officials refused to release a seven year old girl named Nayely from El Salvador who suffered from a malignant brain tumor even after she and her mother had passed their CFI and submitted documentation from Texas-based doctors attesting to the severity of her illness and the need for rapid, specialized medical intervention which was not available at Karnes. Although the pro-bono lawyer who took on her case referred to it as “one of the most serious cases she has ever seen [in six years of legal practice] and the continued detention of a proven and gravely ill child such as Nayely is shocking”, it took a grassroots advocacy campaign and media intervention to finally secure Nayely and her mother’s release from Karnes.²²⁵

Central American women at Karnes and Dilley shared stories of having to wait for hours to see a medical professional for basic illness like fever or headaches, and then being told almost unanimously to drink more water, or bathe in cold water, to resolve their symptoms. For at least two women—Silvia and Ana—their children’s fevers reached such

an advanced stage due to the lack of medical attention in Karnes that they became seriously worried for the former's long-term well-being. Their struggles to obtain care bear some similarities with documented shortcomings in the health services available for U.S. citizen women from backgrounds of limited economic resources inside ordinary local jails. As authors Moe and Ferraro summarize from their qualitative interviews with 30 women incarcerated in an Arizona detention center, "Simply having a medical condition did not guarantee that the correctional officers would make any sort of treatment available. As Alicia [one of the interviewees] commented, 'They feel like you have to be absolutely dying to go to the doctor.'"²²⁶

Moe and Ferraro conclude that the conditions in jail in many ways reflect and amplify the discrimination and abuse that all too often confront women in different ways in wider society. "As a location of the most extreme and explicit forms of social control, the experiences of women in jail may be best understood within the contexts of social marginalization, disempowerment, and oppression."²²⁷ With regard to asylum-seeking women in immigrant detention, the same argument may help to explain why participants in this study encountered so much difficulty in obtaining adequate care for their sick children. In the disadvantaged position of physical isolation and legal limbo in removal proceedings while dealing with the bureaucracy of the U.S. immigration system in detention, asylum-seeking women and children's health took a back seat to other security concerns (e.g., paroled families could pose a flight risk) in the minds of officials.

A third recurring theme directly related to families' physical well-being is the quality of food and water inside family detention. A prime example is Juana's description of the strong chlorine taste in the water at Karnes that left her stomach inflamed. Her perspective illustrates the overall quality of food and water at the center during its first year of operation. Several women I interviewed mentioned not liking the food in detention—

that the black beans were not good, the tomatoes did not sit well with their children, or that there were insects in the food on occasion—and at least three women said that the food quality, in conjunction with the stress of confinement, had led their children to become sick. Despite this, ICE released video footage of the Karnes and Dilley detention centers to the media that showed both as having clean facilities and proper food [see Figure 11 below], a very different picture from the memories of formerly-detained women.

Figure 11. Meal time in Dilley



Credit: Screenshot from *YouTube* video, Inside Texas immigrant detention facilities, *McClatchyDC*, May 12, 2015. <https://www.youtube.com/watch?v=v0wABJ2DFYA>. Screenshot Captured May 31, 2016 by the author.

Language barriers are a significant fourth theme, which Alejandra raised in her story. For non-Spanish speakers like indigenous women from Guatemala, the difficulty of communicating their cases and needs in detention is particularly concerning. As Alejandra mentioned, women fluent in languages other than Spanish were thrown into the asylum process, sometimes with legal representations but oftentimes without, and left to explain horrific forms of violence, torture, sexual assault, and persecution in their CFIs in a language that was not native to them. While in theory an interpreter should have been available to help them through this process, in practice, interpreters were scarce and often

too far from the detention centers to physically be present. Telephonic interpretation, an alternative to this problem, nevertheless raises serious concerns about confidentiality when ICE and GEO officials could be monitoring any calls that women received in detention. Discrimination and lack of effective language interpretation go hand in hand, leading to the abuse and marginalization of indigenous women like Alejandra's friend whom U.S. officials not only separated from her children but also threatened with six years in jail for alleged child abuse. Alejandra herself also felt the sting of language injustice when she offered to help facilitate communication between GEO guards and her friend from Guatemala, but the former simply ignored her as if she did not matter.

Such instances also connect with a final fifth theme of life in U.S. immigrant family detention: discrimination within immigrant groups. Discrimination could take the form of verbal abuse from U.S. officials and guards, but also the rejection and racist comments of other women seeking asylum. Despite enduring common experiences of detention, as Alejandra shared, some mestiza women she met were unkind and rude to some rural and indigenous women who did not speak Spanish. This discrimination often had to do with their perceptions of appropriate child rearing practices and personal hygiene habits. It also had to do with deeper and more complex perceptions of indigenous women within the societies in Central America where they came from, as well as other Spanish-speaking countries. Instances of overt discrimination could be particularly hurtful and isolating for indigenous women in detention, because in general terms, they were already in a position of greater marginalization and vulnerability due to the structural barriers they faced in accessing legal representation and trained interpreters in the United States.

An Austin-based immigration lawyer by the name of Gloria touched upon the particular obstacles that indigenous women seeking asylum encounter inside U.S. family detention based on her first-hand experience working with Central American families in

Karnes. Despite her efforts to recruit interpreters in different indigenous languages to volunteer at Karnes and serve the population of women who did not speak Spanish, only one professor from the University of Texas at Austin was able to make the two-hour drive from the state capital to speak with detained women asylum seekers. As Gloria said:

I begged, I offered money, not for love, or money, or independent study, or anything could we get interpreters of Mayan languages to drive out to Karnes and help us have conversations with Mayan women, Mayan language speaking women who do not speak Spanish or English and who were locked up. Those women were really in a terrible position, and we could not adequately represent them because we couldn't understand their stories.

Without sufficient interpreters or translators, few lawyers could ethically take on indigenous women's cases knowing that they would not be able to communicate with them as clients; thus, many of these women had to navigate the U.S. asylum process by themselves. Given the common knowledge that asylum seekers with legal representation have a considerably higher chance of winning their cases,²²⁸ Gloria suggested that it would be helpful to analyze more closely the asylum claims of non-Spanish-speaking indigenous women from countries like Guatemala, Mexico, and Honduras to better understand the extent to which language barriers may have played a role in the length of their detention, bond determination, and likelihood of a negative outcome in their case, such as deportation.

Section B. Treatment by Guards and Immigration Officials

Margarita

“The first week they treated us well, the first week. But from then on everything was changing”, Margarita said. After spending time in CBP's hielera and perrera stations, Margarita and her sixteen and seventeen-year-old sons had arrived at Karnes where they would spend the following three months in family detention. “The first week, maybe they look at you like someone who has arrived really sick, really weak, [and] they treat you

more or less well. They wake you up, take you to eat, because practically when I arrived at that center, I almost don't remember when I arrived because, I mean, I was really sick."

This period of kindness did not last long for Margarita, however. "Four days later the problems started. The people began to treat the women badly. I would say, 'Don't they say that they treat people well here, and what is this?' You come looking for someone to lend you a hand, *pero las cosas no son como aparentan ser*", Margarita said as she explained how appearances could be misleading. "Because outside is one thing and being locked up inside is another. The *policías* began mistreating the women. The officials. They made them line up in the sun. [...] Yes, in order to ask for food. Sometimes up to an hour in the middle of the day carrying children. *Era una desesperación, una fatiga*—an exasperating fatigue. And I would say, why does this have to happen like this?"

If anyone tried to object to this treatment, the response she received was often negative. "And when you would say something to [the officials] they would get really angry. And if you answered back to them, sometimes they would take women out, not let them eat, and send them to their rooms. Sometimes women went without eating lunch, and some didn't have dinner. And an official, this one was a woman, she treated the [detained] women badly, because that woman would grab them by the shirt and chest and push them inside. She was a *morenita*, a tan-skinned woman. [...] And she yelled at them, because she yelled at me once in the dining commons, and she took me out from the dining commons and wouldn't let me eat. She did that once to me, but more times with other women."

Margarita continued, "And the store—because that is where you buy things—the things there are really expensive, and they make you line up in the sun the same way." Sometimes mothers would carry their small children to wait with them, "[a]nd some who couldn't walk, *niños tiernitos*, little ones, so you would tell them to go head so they

wouldn't have to go through that with their children... So, the woman [guard] would come, yelling at you, reprimanding you, and saying that if someone had left [the line] then she should get out, but they wouldn't sell to either of the two women. She was angry, but as a mother you always know the *bienestar*, the well-being of children. That woman was the one who mistreated people the most, the one who was there looking after things and selling."

For Margarita, the treatment she received on a daily basis in immigrant detention was very hard. "There [at Karnes] they yell at you, and in the center where they caught us, in the hielera, they treated us like dogs, because an official said that it would be better to have dogs and not people like they had locked up... because I said to him, 'Why does it have to be this way?' And he would walk around with a garrote club in his hand and every now and then banged it against the door. It's really hard because they don't have to do that. Because if someone lived ok in his or her country, if I had lived ok in my country, *ni loca me hubiera venido para este país*", Margarita said as she described how she would never migrated except for survival. "I was able to live there [in El Salvador]. I had land, cattle, two houses, everything. I wasn't lacking anything. It hasn't been easy to come here begging with my children."

Recalling a tragedy, she explained, "It was out of necessity and for their [her sons'] lives more than anything. While there in the center, they deported eighteen families. Once, there was a mother with two *jovencitos*, a fifteen-year-old and a thirteen-year-old son, and they deported them. They had barely arrived in El Salvador when the next day they killed them both. They killed her two sons, because [the gang members] were like watching them. They arrived one day in the afternoon. The next day the two youths were dead. And we found out because she gave us the number where she lived in El Salvador, and we told her that we would call her. We called her two days later because it came out in the news that

they had killed [someone] and the woman had been in the detention center, there in Karnes. And we knew her because she had been our friend. That woman would cry and say that if her sons' death would stop them from deporting the women who were in the center, then she wouldn't mind, because she didn't wish what she had suffered on anyone. It wasn't easy to lose children, because there in that center they practically forced the women to sign [their] deportation."

As Alejandra before her, Margarita continued sharing about the abuses she had witnessed at Karnes: "They would put some women in dark rooms, threaten them, [and] tell them that they would take away their children and send them to another center. That if they didn't sign their deportation, they would take away their children and send them to another center, and they would send the women somewhere else.²²⁹ And they would be in prison for two or three years. And if it reaches the point where people don't fight for their children, well, they would give them up for adoption." U.S. officials thus engaged in multiple physical and psychological tactics to pressure detained women and procure their "voluntary" removal from the country. In doing so, however, they failed to take seriously the latter's expressed fear of returning home to the violence and persecution they were trying to avoid.

Many mothers would not take such treatment lying down. "We would tell them that that was illegal and they couldn't do that. Because they can't do that. So, they would tell us that *ellos podían hacer lo que les diera la gana* because we were some immigrants and had no reason to come to this country", Margarita said to describe how ICE officials boasted that they could do whatever they wanted with the families seeking asylum. "Once they even said they were going to deport just the mothers and leave the children because they were going to give them up for adoption. And some mothers signed the deportation out of fear. [...] For fear that they would take away their children, they signed the

deportation.” Thus, some U.S. officials demonstrated a view that the women in detention were not really asylum seekers, but rather ‘some immigrants’ who were not subjects with civil or human rights.

Monitoring combined with fear as a part of daily life for families in Karnes. “Yes, it’s really controlled,” Margarita said, “because they have cameras everywhere. They have you really controlled there [in detention].” In addition to three daily check-ins and vigilance during eating hours and activities, Margarita said, “I think that there are cameras even in the bathroom, because I used to see a small wheel shining light in the bathroom. I imagine that it’s a camera. [...] You’re going to see a little light on above in the bathroom where you sit down on the toilet, right above there. A little light that turns on and off, a little green light. And in the *sala* where you leave the bathroom is the other little green light that turns on and off. They’re monitoring you day and night. Don’t believe that they don’t see you bathing—they see everything”, she said.

The multiple stresses of life at Karnes had an impact on both Margarita and her children’s health. “My children suffered a lot because practically the food, to start, they didn’t like the food there, the type of tomato they have there. My son got sick. He would get up from bed and walk around, and I don’t know how. I went to the clinic they have there and asked them for help, and I told them that he should see a psychologist because he wasn’t well. *El encierro*—being locked up—was affecting him. A psychologist was seeing him for almost a month, and he told me that yes, being locked up was affecting him. And I said to him, ‘What can I do?’ I said. Because after that, he didn’t even want to eat. I would say let’s go eat, and he didn’t want to eat. He didn’t even want to get up anymore. Because being locked up was affecting him, and that was around three months [in Karnes].”

“I didn’t know what to do”, Margarita said. “I used to chat with the women and tell them, look, this and this are happening, and I don’t know what to do. I would tell them,

mis cipotes están mal, and I don't know what to do anymore.” Margarita's voiced quickened with emotion as she spoke about how deeply unwell her sons were at Karnes. “It's that they were frustrated. One of them even said, the younger one, he tried and told me, ‘Mami,’ he said, ‘I don't know what to do anymore. *Fíjate*, I've had a dream where I throw myself down the stairs,’ imagine that. That to me was already like an attempted suicide for him. So, I would say, ‘What can I do?’ I told the lawyer, ‘Help me. What can I do? I want to get out of here *ligero*—quickly.’ The lawyer asked for a sooner [court] date, but they didn't want to give it to her because they gave really late court dates. And she did the paperwork as fast as possible. That took a toll because they were three long months that felt to me like *tres meses fatales*”, Margarita said to convey how hard those three months were for her family in detention.

Analysis

Margarita's reflections highlight multiple aspects of the treatment asylum-seeking women received at the hands of various guards and immigration officials while in family detention. As Margarita recounted, GEO guards at Karnes had treated her and her teenage sons more or less well when they first arrived, suggesting that it was perhaps because she was quite ill at the time. Indeed, other women who participated in this study also reported that they had received decent treatment while in detention for short periods. Soon, though, things took a turn for the worse for her, and she noted how some GEO guards at Karnes began to physically mistreat women in detention, grabbing them and pushing them in inappropriate ways. Contrary to the public discourse of the appropriate and non-punitive nature of family detention, things inside were not as they appeared according to Margarita. Living in Karnes, she had witnessed first-hand what she claimed to be very serious abuses by U.S. officials. Juana reiterated how being in detention provided a more realistic and

complete idea of the conditions, structures, and treatment of detainees in Karnes. Rather than the rose-tinted picture the U.S. government and some media outlets painted for the general public, life in detention could be traumatizing.

A large part of this trauma came from the arbitrary and at times cruel behavior of certain GEO guards and immigration officials on duty. Margarita spoke of reprimands by GEO guards in the commissary line, punishment in the dining commons, ICE threats of separation and forced adoption of children, pressure to sign removal papers, and verbal taunting from immigration officials who boasted about their power over families' fates in a legal system stacked against the latter. Of course, not all guards or officials treated those in detention poorly, but the wide variety of the former's attitudes and actions intensified the uncertainty and stress of detention. As Alejandra said of her experience, "There were some good detention staff and some bad ones who hated immigrants." Juana, on the other hands, spoke of the mixed treatment she observed while at Karnes. "Ah, well, the employees", she said. "There were some good ones and some bad ones. A lot of the employees were racist. They discriminated against us for coming to this country", she added. "Can you give an example of someone good and someone bad [at Karnes]?" I asked her. "The good person would give us advice, tell us to have faith [and] that soon we would leave, a good person. And a bad person told us that in that place [Karnes] there was a lot of space to bury us there if we died.²³⁰ I mean, *había de todo*", Juana responded to show the range of GEO guards' attitudes toward detained migrants and asylum seekers. "There were more good, excuse me, more bad people than good. And they would fire the good people and leave the bad people" to work at the center during the time she and her son were in detention.

Meanwhile, according to Ana, "There were some women [guards] who were arrogant, kind of *prepotentes*. Sometimes they would speak really mean to you. I asked for

a mop one time and a guard told me, ‘No.’” The treatment Blanca received from GEO guards during the month she spent at Karnes was generally professional, although there was at least one notable exception. As she said, “There was one female guard who wore her hair in a bun who was *amargada*, a bitter woman. The rest [of the guards] were wonderful—*un pan de Dios*. She was mystic, delicate, and yelled at us, ‘You, what are you doing? This isn’t your house. You have to ask me for things.’”²³¹ Patricia reflected on her interactions with the CCA guards on duty at Dilley, “In the area where we were they treated us well.” Nevertheless, being in detention was an overall negative experience for her. “I didn’t like being there *encerrada*—locked up—like in a prison... I didn’t feel well. We [families] were all together.” There was also “the uncertainty of what was going to happen” with her asylum case and her family in El Salvador weighing on Patricia’s mind.

While in detention, Central American women felt they had little to no control over the well-being of their families, and few options to remedy their situation. Juana, Alejandra, and Margarita each reflected on how the treatment they received in immigrant detention had been similar to or worse than that afforded to animals in the United States—dogs in particular. The food was so bad, according to Juana, that not even dogs would have been treated the way they were for months in detention. From a child’s perspective, Alejandra’s son once imagined how improved their treatment would be if they were puppies, and Margarita overheard a CBP agent in the *hielera* make statements that appeared to value the lives of dogs more than those of women and children fleeing persecution in Central America.

The frequent repetition of being treated as less than human reflects the dehumanizing and humiliating nature of immigrant detention that is intended to disempower and silence individuals entering the country for any reason without prior authorization. Such systemic mistreatment, which goes beyond the occasional “rotten

apple” of xenophobic guards or immigration officials, is particularly concerning in the case of asylum seekers, for they have followed (not broken) international law by coming to the United States to request asylum out a fear of returning home. If through threats, intimidation, and solitary confinement inside immigrant detention, the U.S. government has managed to deport families to their deaths—as the anecdote about the mother in Karnes whose fifteen and thirteen-year-old sons were murdered upon arriving in El Salvador suggests—then the nation has violated basic principles of due process, *non-refoulement*, and the human right to life, liberty, and security of person.²³²

Margarita’s reflections further suggest disturbing patterns of physical control and alarming forms of retribution inside family detention, including the strategic use of confinement in dark rooms. Such practices could potentially re-traumatize asylum-seeking women, many of whom are survivors of kidnapping, torture, domestic abuse, or other forms of violence. They could also add insult onto injury, as in the case of women who claimed that officials placed them in dark rooms at Karnes in retaliation for speaking out about the sexual abuse that GEO guards had subjected them to. On September 30, 2014, San Antonio-based immigration lawyer, Javier Maldonado, the Mexican-American Legal Defense and Education Fund (MALDEF), the University of Texas School of Law, and Human Rights First co-signed and submitted a complaint to DHS which alleged that GEO guards had engaged in misconduct and sexual abuse against women at Karnes beginning in August 2014.²³³ According to *Al Jazeera America*, “The women, mainly from Central America, say guards kissed, groped and fondled them and called them ‘novias,’ or ‘girlfriends,’ sometimes in front of their children. The guards also allegedly requested sexual favors from the women in exchange for money or assistance with pending immigration cases.”²³⁴

This was far from the first incident of sexual abuse reported by women in ICE custody, as government records obtained in 2011 by the American Civil Liberties Union (ACLU) through a FOIA request contained “nearly 200 allegations of sexual abuse of immigration detainees jailed at detention facilities across the nation since 2007 alone.”²³⁵ An especially notorious case was that of a CCA guard at Hutto in Texas who pleaded guilty to multiple counts in state court based on his assaults of five asylum-seeking women which occurred while he transported them by himself to the airport or bus station in Austin after their release from Hutto.²³⁶ “It is clear there is an urgent need for the government to recognize just how pervasive a problem the sexual abuse of immigration detainees is and take immediate steps to fix the problem and ensure that everyone in the government’s care is protected”, said David Shapiro, staff attorney with the ACLU National Prison Project. “The detainees in immigration detention are a particularly vulnerable population. Even one incident of sexual abuse is one too many.”²³⁷

Falcón addresses the issue of sexual assault against immigrant women along the U.S.-Mexico border in her 2001 article, “Rape as a Weapon of War: Advancing Human Rights for Women at the U.S.-Mexico Border”. Falcón argues that “rape is one outcome of militarization along the U.S.-Mexico border.”²³⁸ Since 1986, when then-President Ronald Reagan declared drug trafficking to be a matter of national security, the “influence of military culture” on the U.S. Border Patrol’s equipment, structure, and tactics has steadily increased, as is most visible in the interdiction and border enforcement operations of the so-called War on Drugs.²³⁹ According to Falcón, these shifts have led to a more distinctly marked “us versus them” mentality in the Border Patrol and immigration agencies of the United States, facilitating the construction of migrants arriving from countries such as Mexico, El Salvador, Guatemala, and Honduras as a racialized and gendered threat to national security.²⁴⁰

Furthermore, the material and ideological shifts that have enabled border militarization in the United States are fundamentally rooted in “issues of hyper-masculinity, patriarchy, and threats to national security.”²⁴¹ Falcón states that “the gendered effects of militarization at the U.S.-Mexico border on women should be assessed”, as the dehumanization and racialization of migrant women as an “enemy” figure can lead to sexual violence against them.²⁴² In the context of the borderlands, this violence can take the form of Border Patrol agents demanding sex in exchange for migrants’ release or the return of their identification documents, “aggressive and improper searchers of women”, and kidnapping, assault, and rape in Border Patrol vehicles in isolated areas, among others.²⁴³

The problem of border sexual violence is even greater because of the difficulty in bringing to justice those Border Patrol agents who commit crimes against migrants. Until quite recently, prime examples of this impunity were cases in which Border Patrol agents shot and killed Mexican citizens while on the job—such as 16-year-old Jose Antonio Elena Rodriguez who died in Nogales, Mexico after a U.S. agent shot him from across the border fence in 2012—and have not faced criminal charges. Notably, in Elena Rodriguez’s case, the Border Patrol agent involved was charged in the cross-border shooting, but only three years later, in 2015. According to Lee Gelernt, deputy director of the ACLU’s Immigrants’ Rights Project, “The indictment is the first time in the history of the country when an agent has been charged with a cross-border shooting. That makes it significant by itself.”²⁴⁴ When a single indictment of a federal Border Patrol agent for the abuse of power and criminal use of deadly force is considered significant progress, it becomes apparent how challenging it can be to legally prove that a Border Patrol agent has committed sexual assault and/or rape against migrant women. Regarding this point, Falcón notes that, “After successfully convicting two Border Patrol officials of rape in Texas in 1982, the government prosecutor

said, ‘It is really difficult to win civil rights cases against law enforcement officers. They have a lot of power.’”²⁴⁵ Thus power and impunity can combine with a militarized, patriarchal culture in the Border Patrol and lead to misogynistic violence against women migrants who are in a less advantageous position to defend their rights, especially if they are undocumented.

Some of these same tendencies are also present in the structures of immigrant detention centers. Given the similarities between the Karnes and Dilley centers and a prison—e.g., lock-down facilities, multiple daily head counts and room checks, constant surveillance, regimented food schedules, limited health care, etc.—it is pertinent to consider the connections between patriarchy and gendered social control inside the prison-like settings of family detention. In this sense, Thomas discusses how “[w]omen prisoners especially exist in an atmosphere of subjugation that is at best institutionally paternalistic, at worst systematically repressive and arbitrary.”²⁴⁶ Even in all-women prisons, Thomas posits that the ideological force of gender shapes experiences of incarceration and control in ways that “sustain male power and privilege.”²⁴⁷ Prisons act as a microcosm for forms of social relations and oppression that exist in everyday society, and further offer opportunities for the re-inscription of gender violence as women are made to submit their bodies and minds to the will of guards (both male and female) and an immigration system that alternately views them as a threat, as Falcón suggests, or vulnerable victims in need of State (read as masculine and patriarchal) protection. These roles and expectations are constantly reinforced in immigrant detention through daily verbal and physical interactions between guards and women detainees, as well as through ICE’s threat to punish women who protest against detention by separating them from their children. This echoes Thomas’s reflection that, “...we cannot fully understand women’s prison experiences without also understanding the relationship between children and mothers, and how

maternal incarceration contributes to punishment.”²⁴⁸ The recurring realities of gender and motherhood are palpable in the stories of Central American asylum-seeking women held in U.S. immigrant detention.

In this way, women in both prison and immigrant detention are “controlled through routinization that subjectifies [sic] them and reinforces institutionalized power asymmetries of race, class, and gender.”²⁴⁹ Bringing Falcón’s and Thomas’s work together, I believe detention centers like Karnes and Dilley are an extension of the militarized border, albeit a version marketed to the public as “child friendly” and humane. The power asymmetries present inside the closed walls of detention, along with the relative discretion and impunity of privately-employed guards, can, in the absence of public awareness and congressional oversight, become factors increasing the possibility of violence and sexual assault against migrant women and their children.

Returning to the allegations of sexual abuse at Karnes, the DHS’s Office of Inspector General (OIG) conducted an investigation at the center and released a memorandum on January 7, 2015 stating that, “We found no evidence to substantiate the allegations and were unable to identify a victim or a suspect in this matter”, and concluding that “ICE complied with the Prison Rape Elimination Act reporting requirements” in this case.²⁵⁰ On the other hand, organizations like RAICES asserted that “questions remain” in the investigation into sexual abuse at Karnes, and submitted a FOIA request to DHS in order to clarify what RAICES called a “blind spot” in the video surveillance footage that the OIG relied heavily on to draw its conclusions.²⁵¹ These allegations of abuse warrant more in-depth, independent scrutiny from the U.S. Congress, press, and general public to immediately end any forms of physical or sexual abuse that may be occurring in immigrant family detention. Indeed, it has often been through strategic legal advocacy, mounting

public pressure from immigrant communities, and detained women's own political organizing that the U.S. government has made any changes to the family detention system.

Given this hostile environment, some women in detention sought out advice and support from other mothers regarding their children's maladies, as Margarita did when her sons were suffering from the encierro. Nevertheless, facing these difficulties on a daily basis compounded women's frustration and fatigue, as Margarita referred to it, of being locked up while awaiting to see if they would be forced to return to their country. Thus, the arbitrary treatment of families functioned to wear asylum-seekers down in various ways that did not necessarily leave a physical mark, and often with the implicit objective to coerce them to drop their asylum claims.

Section C. Impacts on Mothers and Children

Silvia

Silvia and her three-year-old daughter arrived at Karnes in July 2014 and had their first look around the center where they would live for the next eleven months. "In the beginning they gave us a small talk, and, well, they were just the officials who work there. And they said that we were going to be ok. In the beginning they gave us food and then they took us to the room and we went to take a bath. From there was when we began to fill out [papers] later, saying that we wanted, umm, asylum. We wanted an interview. So, they interviewed me eighteen days after having arrived at the center."

"We were among the first groups to fill that center. Well, they say that they were opening up the center. So, when I and my other compañeras arrived, there were empty rooms. There weren't many people. But in three days they filled the center. They filled the center. It was a week in which I felt like, in comparison with the hieleras, *nos habían atendido*. They had taken care of us. But after that was the difficult part, when we met the

ICE officials. When we began to ask, my compañeras and I, about us having come to ask for a permission [i.e., asylum] with our small children. One official answered *muy grosero*, and said to me rudely, ‘Ah,’ she said, ‘you’re going to spend a long time here. It’s not my fault if your daughter becomes sick. Yes, you can go to the doctor, there is the clinic, but you’re going to spend a long time. The people with *deportación* can take 8 months, or they can take a year.’ That was when the suffering began, Silvia said, “To think about so much time and we were just finishing up one month [at Karnes]. One month.”

“I felt, like I said, ‘*Ay, Dios mío*’, I said, ‘I can’t make it through this,’” Silvia recalled. “That month that had passed felt hard. I said, ‘Eight months or a year?’ We started to cry. My, my morale dropped, you could say. My morale. I didn’t feel like going to eat anymore. I didn’t feel happy about anything anymore. Week after week went by, and they [the officials] only arrived when a month had gone by to leave us some papers to sign. We didn’t know what we were signing.” “Did they explain to you what you were signing?” I asked. “No, no they didn’t explain. Some officials didn’t speak Spanish”, Silvia said.

Fighting their cases from inside detention, Silvia and other women with previous deportations grew frustrated as they saw how others were leaving Karnes on bond. “We tried to get them to listen to us, but we were all the groups of women that had a [previous] deportation. We always saw how we were being left behind to the last. All the señoras who were first-timers, they did leave—with really high bonds—but they left.²⁵² Yes. And we were always left behind. I don’t know, it was like they looked at us with a feeling that we had committed a crime. Because a compañera and I said, ‘Why are they doing that with us?’ ‘*Ustedes deben un crimen en este país*’”, “You all owe a crime [to serve out] in this country”, U.S. officials told them. ““But what crime? We’ve made the mistake of crossing the river. Now we’ve come asking for permission, for asylum.’ ‘Ah, but for the crime you

owe you don't have the right to anything in this country.' That's how they would tell us", Silvia said.

Silvia's worries increased as she saw her little girl become ill. Over the months they spent at Karnes, her daughter's behavior changed and her belly swelled beyond its normal size. "We were together. They never separated me from my daughter. But my *niña* was changing. She's a very humble girl. She didn't talk, she didn't want to play with anybody, with none of the children. So, I used to take her outside. My little girl would just cry and cry, or she just wanted me to carry her in my arms. From there, well, she began to get sick. *De su pancita*—her stomach. And the fevers started, but fevers so big like she had never had when we were in my country. And I would take her to the doctor, but they didn't want to give her anything", Silvia recalled.

"One night my daughter became sick, so I went to the doctor, and they told me to give her a bath, that they weren't going to give her anything because of her age. But I was afraid to give her a bath because she had a really high fever. I just wet a cloth and put it on her, but I think I made her more uncomfortable. I don't know if it hurt her, because that night my daughter started sitting up in bed and yelling, she said to me, '*Mami, esto es un animal!*'" pointing to what she thought was an animal in her bed, "and it was the blanket she had. So, that night I went three times to the doctor, until the final time at three in the morning they gave me a tiny bit of Tylenol. But my daughter spent three days that time with a fever. Yes."

When Silvia would take Jocelyn to the on-site clinic to see a doctor, there would be long waits, especially at night. "You had to wait up to two or three hours, because the doctor wasn't there at night. Just during the day, so the nurses would see you", she said. "Well, it was really worrying, because a mother always wants the best for her children. I felt like I couldn't do anything for my daughter. Not even in the sense of giving her the

right food on time, or eating what she wanted...and to think about the immigration process and when we were going to leave that center...because they never gave us any hope. Never.”

Silvia visited an on-site psychologist to talk through her concerns about what was happening to her family in Karnes during the asylum process. “Yes, they called me [to visit the psychologist]. They called me a lot. Because when I, well, when I saw my little girl kept getting sick, I started to feel really sad. Everyone noticed it—the compañeras and a few GEO officials. What’s wrong? Why are you so sad? *Me veían sólo llorando*—always crying. I tried to forget it, but I couldn’t. I was losing weight. I was losing weight. I used to go to the *comedor*, but I had no appetite. Losing weight and not sleeping. So I went to the doctor and the psychologist had me come to talk many times. Many times.” “Did meeting with the psychologist help you at all?” I asked. “Ahh, not really, no. It didn’t help”, Silvia replied.

Analysis

As Silvia’s story indicates, family detention could inflict physically, emotionally, and psychologically detrimental impacts on many women and children, especially those who were detained for longer periods of time. Nine of the eleven women I interviewed, including Silvia, reported that detention had left a negative impact on either their own or their children’s emotional and physical well-being. “They’re not well” living in detention, Marta said, as she described how children nine or eleven years old began wetting their beds in Karnes. Other children grew more aggressive or nervous, “*con los nervios alterados*”, she added. Her own daughter would cry. “I was worried about my children...what is happening is too much”, Marta said. She would take her children to Karnes’ psychologist

for some guidance on how to help them feel better, but according to Marta, the psychologist told her, “We can’t do anything. It’s being here [in detention] that is harming them.”

When I asked Alejandra what impacts, if any, she noticed on the families in detention, Alejandra recalled how some children fainted or lost weight in Karnes. Others became increasingly anxious, pulling on their mothers and hitting the doors of their rooms, while still others became physically ill with symptoms of diarrhea, fever, and vomiting from a combination of stress, unfamiliar food and water, or pre-existing medical conditions in some cases. Alejandra’s own son used to cry and ask her when they would leave Karnes. “You must be patient”, she would tell him, to which he would reply that he wished he were a bird in order to have wings and fly away. Alejandra herself felt horrible during the eleven months they were detained, and said how extremely hard it was to see people crying in Karnes. In addition, frequent nightmares prevented her from sleeping during this time, and she constantly worried about what might happen to her immediate family if she returned to Guatemala.

Detention in Dilley also left an impression on Patricia’s two-year old son, which she told me in an anecdote of what had happened when ICE released them from the center earlier that day. “When they took us from the center in a van, they put my son in a booster seat”, she said. “He didn’t like it at all. He tried to take off his seat belt because he wanted to be with me. He yelled. Later in the airplane [which would take them to see her partner in another part of the country] her son started to cry when they tried to fasten his seat belt. It seems like it reminded him of what he had felt with the ICE people.” Patricia eventually had to leave the plane to calm her young son down, and so they missed their flight.

In the case of Elsa, she said that, “When we arrived at Karnes, they treated us well. I didn’t want anything.” Her material needs satisfied, she nevertheless was not at ease in detention. “I felt like I was in a prison, [and] I became too upset. *Me puse mal de los*

nervios”, Elsa said to describe how she fell ill shortly after arriving. Like Silvia, Ana shared how she had felt when her two-year-old daughter came down with a fever and Karnes’ medical staff simply told her to bathe the little girl in cold water. “I was really worried”, Ana said. “I saw my girl feeling ill, and I couldn’t give her anything. I felt really bad because I couldn’t take care of her.”

Not surprisingly, worrying about their children’s health contributed to feelings of sadness, suffering, hopeless, and depression among women in U.S. family immigrant detention. Silvia mentioned how her suffering began once she entered the asylum process and learned from ICE the many months she and her daughter could be detained in legal limbo. Never, Silvia said, did officials give her any hope of success or freedom; on the contrary, they seemed intent on making things more arduous for her since she was one of the mothers with a prior deportation. The months dragged on, time warped into new dimensions of waiting and exasperation, and Silvia’s morale dropped to the point of falling into a deep depression. Integral to her spiral downward was the fact that Silvia’s daughter was truly unwell, and as a mother, she could do nothing to take care of her. In fact, Silvia was afraid she might have made her daughter feel worse by placing a wet cloth on her in an attempt to lower her three-day fever, while Karnes’s medical care was inadequate to say the least.

In response to these feelings, Silvia, Margarita, and Marta stated that they or their children had spoken with a psychologist working at Karnes either by their own will or because the psychologist called them to make appointments. In the case of Marta, a psychologist saw one of her teenage sons who was having suicidal dreams for approximately one month and told her that being locked up was affecting him. When Marta took her children to the psychologist for help since they were sad and crying, the psychologist said there was nothing she could do to help because it was also being locked

up that was harming the youths. Indeed, despite access to even this basic level of psychological support, Silvia said that counseling had not helped her to feel better. The fact was that these adverse impacts often reverberated for months after women and their children regained their freedom, as Chapter 4 will explore in more detail.

Conclusion

The stories in this chapter shed light on the complexity of life in U.S. immigrant detention and demonstrate its overall punitive effects on asylum-seeking families. Basic day-to-day conditions in Karnes and Dilley feature regimented routines of significant supervision, surveillance, and control by detention guards. Central American women in detention, on the other hand, have limited control over what they eat, drink, wear, do during the day, and how to take care of their children. Life in detention was not uniformly negative for the participants in this study, especially for those who spent the least amount of time at Karnes and Dilley, and some of the personnel on duty in the centers were kind and considerate of the families' needs and concerns there. That said, for the majority of participants, especially those who had spent more than two months in detention with their children, their memories of Karnes and Dilley were filled with fatigue, frustration, pain, and injustice. Many of these feelings stemmed from the uncertainty of why they were in detention in the first place and what would happen to them and their family members back home in the future. They also related to the fact that many women felt their detention was a punishment for having come to the United States to seek help.

Structural challenges also inform their experiences of detention, including inadequate medical care, racial and linguistic discrimination against asylum-seeking women in general and indigenous women in particular, reluctance to release families on bond, and practices of intimidation to coerce people into agreeing to their removal from

the United States. Such issues point to the deeper significance of immigrant detention today as an extension of border militarization and an “us versus them” mentality in the United States. The structural obstacles of discrimination and marginalization that asylum-seeking women encountered while in detention point to the importance of going beyond proposals for system reform—e.g., better food and water, more medical professionals on site, etc.—to abolition so that they and their children no longer live incarcerated in conditions that create opportunities for mistreatment and misconduct by U.S. officials and guards. If nothing is done to change the status quo, however, the long-term impact of detention can be deeply painful in physical, psychological, and emotional ways.

Chapter 4

Nosotras siempre seguimos en la lucha:

Women's Struggles for Freedom and Justice

In response to the conditions, treatment, and impacts of family detention outlined in the previous chapter, Central American women shared the diverse ways they attempted to maintain their hope and dignity while detained. Concerned about their children's well-being, asylum-seeking women organized themselves in Karnes and Dilley to make collective demands against those in power who wished to keep them detained, thereby demonstrating their own political action and acumen. As the following stories further show, however, the road to safety and freedom for asylum-seeking women was full of ups and downs—including difficult, rock-bottom moments as well as high points of happiness. Nevertheless, several common factors united the eleven women I had the opportunity to interview: their incredible determination to protect their children, steadfastness in seeking their freedom and just treatment, and resiliency to work toward a more positive future after detention.

Section A. Sources of Strength

Silvia

“Ahh, some days I felt I had strength, but they were very few. I'm Catholic and I like to pray a lot. I used to pray and I would cry a lot, even if I had to do it in the bathroom because I couldn't have any privacy. And for days I felt *consuelo*—consolation. And sometimes my compañeras showed me their affection and they gave me strength. Because I felt like I didn't have any strength left to fight when I was coming up on eight months.”

Fear of returning home also motivated Silvia to continue fighting. The threats and violence of the mareros in her town in El Salvador were very present in her mind. “That situation led me to spend all that time [in Karnes] and not once dare to say, ‘I want to return to my country—I’m suffering.’ I knew that if I arrived in my country, I probably wouldn’t be here talking. I wouldn’t be telling my story because on May 11th a cousin of mine died a terrible death. Yes, and all his family is threatened... It’s really hard. It’s really difficult. That is why we as moms don’t want our children to suffer that violence, that [the mareros] subject them, or perhaps kidnap one of our children and then come out killing even though sometimes people might pay *un rescate*, a ransom fee. They don’t return those people alive.”

Perhaps Silvia’s strongest source of strength and determination came from the hope of leaving Karnes to reunite with her family. ICE officials had told Silvia and the other women in Karnes with a prior removal that their cases would be decided before a judge, which is how Silvia came to her final court date. “So, I had my final court hearing, but the judge didn’t believe me. No, he said that he was sorry, but he didn’t believe in my case. It was a hearing from eight in the morning until something like three in the afternoon. Many, many questions. Many questions.”

She explained how she felt when she lost her case, “I felt like a person who was nothing in this country. When I left the court, my friends, my compañeras were waiting for me outside. I didn’t cry in that moment. I said, ‘*Sólo me encomiendo a dios.*’ I put myself in God’s hands. And my compañeras say, ‘What happened?’ And I say, ‘No, nothing.’ ‘What did he tell you?’ ‘No, he says no. He says he’ll just give me an appeal. He’s giving me an appeal.’ And well, my compañeras say, ‘*Tenga fe. Tenga fe.*’ Have faith because we’re going to get out. They are really positive. So that was when my lawyer said, ‘This

hasn't ended here. This will go on. They've given us an appeal. That was when, in the end they gave us a bond."

Margarita

"[Taking a deep breath] Ah, look. For your kids you'd do everything, because I knew what was waiting for me if I returned to my country", Margarita said. She described how, during her last immigration court date while detained at Karnes, "The judge told me that I couldn't enter this country. I told him, I faced him and I told him that he was no one to tell me that I had to go back. And the lawyer asked me why I had confronted the judge, and I told her, 'This is the last court I'm going to have with the judge, and if he is going to deport me then I'm not going to stay with the desire to tell him the truth', I said. I said to the judge, 'You are no one to tell me that I have to go back, because you don't know what I have been through and suffered with my children. Are you the head of a family?' I said. 'Do you have any children?' I said. 'What kind of person are you?' I said to the judge."

Despite these powerful words, after two long hours, the U.S. judge denied Margarita's case and issued her a deportation order. Margarita left the courtroom devastated and began to cry. Just outside, she found herself face to face with an asylum officer who was waiting to hand her a packet of bond papers. Margarita recounted, "I said to him, 'But I can't believe this.' 'Yes,' he says, 'your [credible fear] claim was positive.' 'And if the judge just gave me a deportation order?' [Margarita replied]. 'I don't know why the judge gave you that order', he said, 'if your case is won.' '*Dios mio*', I said. 'This is a blessing from God.' It's incredible...that was a gift from God in that center. Because they closed the doors, but God opened the doors for me, and when God opens a door, no one can close it."

How did Margarita leave the Karnes center? She explained, “The official told me, ‘You can’t contradict the judge, and you stood up and yelled at him and said that he didn’t have any right to throw you out.’ ‘Yes’, I said, ‘but I don’t know, I felt like an impulse to stand up and say that he didn’t have any right to deport people back there, because he’s no one to do that. The only one who can do that is God. And like I said, he doesn’t have the words, the power to do it. [...] My claim turned out positive, imagine that. Nothing is impossible for God.”

In addition to her faith in God, Margarita’s relationships with other women provided emotional support to survive detention. “We used to all talk because there was always an hour break and they took us out onto the patio, and that was where we used to all talk. And we would say to each other, ‘What can we do?’ That was when we spoke with the lawyers and told them what was happening [inside the center], and the lawyers said they would bring journalists to talk with the women. But when they [GEO guards and ICE] found out, they didn’t let anybody enter. They closed the center. They didn’t let anyone enter, even the lawyers. Because later they didn’t allow many lawyers in, and they told them to close the cases of lots of women that they had there. That was like from the officials at the center because it didn’t suit them to have people find out what was happening inside.”

After smuggling letters out to the press through her lawyer, and a failed attempt to bring journalists into Karnes to speak with the women detained there, Margarita described what happened when a delegation from Washington, D.C. came to visit the center. “After that they invited the White House, and when the people from the White House went, what they wanted to do here was to lock up all the people. They didn’t let anybody out. Why? So people wouldn’t talk”, she said. “You have your room, right? In each room they put eight people. So, they told everyone to get in their rooms, and there was no permission for

them to leave. And so when someone would leave without their permission, one of the *vigilantes*—the guards—would be there with a club in hand telling her to get back inside.”

She also explained, “Yes, we were a lot of friends. We all got along well, we talked. Once we agreed to do a hunger strike because they hadn’t let anyone leave [Karnes]. And they said they would deport all of us, and the officials arrived every day and called a few people to sign deportations [paperwork]. Two hours later they called again for other people to go and sign deportations...there were some who signed and others who didn’t, and I would tell them, ‘Why are you signing a deportation if the lawyer already told me that at no time should I sign a deportation, because they have no right to take me out of here?’ [...] I said to the rest, ‘*¡no firmen deportación!* Don’t sign a deportation! Don’t do it.’ But when they were inside the officials threatened them and said that if they didn’t sign their deportation they would take away their children, well they signed a deportation then.”

“The bonds they gave out were so much—\$15,000, \$10,000, and \$8,000. When they realized that we were going to do that hunger strike, they said that it was because we had told the lawyer that we were going to do [it], and that when we were striking she should bring the media. We had already agreed with the lawyer to do it, but they found out before. [That’s when] they began to call us there from the dining commons. They had a meeting, and the officials arrived and said that whichever woman began a hunger strike would be immediately deported, they would take her out whether or not she wanted to, *si era posible vía rastras*”, Margarita said as she described how officials were even willing to drag women out against their will.

“That’s how they said it. And the women were afraid and said they no longer supported [the strike] and that only about five of us had agreed and said we would do it. So, the other women said we were the only ones who were going to do it, and for them it would be easier to take us out. So, we stayed and the lawyer arrived and asked us, and I

told her no, that they had threatened us and said that if we did the hunger strike they were going to put us in jail. And from there, whether or not we wanted to, they were going to deport us. We didn't go through with it that time. When my sister was there [in Karnes], they did do a strike.”

[...]

“Being there [in detention], I learned a lot of things. I learned that, for a woman, the life of her children is very valuable, and mine as a woman, too. Sometimes in your country they don't value you as a woman, but in that place [the detention center] you learn, you learn to value yourself. But you learn to value yourself because of your own efforts. You gain courage, *capricho*, and that strength to fight for your children. It doesn't matter whom you have to face, because I faced many asylum officers, many officials, and I told them that just because I was a woman and came from another country, they didn't have the right to walk all over anyone.”

Analysis

Throughout the challenges of detention, Silvia and Margarita's reflections reveal the personal ways asylum-seeking women sought to maintain their personal integrity and protect their families within highly constrained circumstances. The first sources of strength that emerged were faith and prayer. Silvia mentioned the consolation she felt praying by herself in the bathroom—one of the few places in Karnes where there was any degree of privacy. Marta echoed the importance of finding time along to express her feelings when I asked her how she was able to continue fighting in detention, “I have faith in God. I asked God to give me strength”, she said. Due to the shared living quarters and constant monitoring by GEO staff, Marta also used to go to the bathroom to kneel down, cry, and pray. Margarita praised God when her asylum case took a positive twist and she was able

to leave detention on bond. Trusting in a higher power to open the doors that officials had tried to close for her, she firmly believed that leaving detention was a *bendición*—a blessing from God. Occasionally, Elsa would join with other mothers in family detention to pray as a group in the dormitory pods, which she referred to as *células*. “The women in the *células* would come together to say mass and to sing the word of God. It was really nice”, she recalled. Even before detention, in fact, faith was a source of endurance during the journey north. For example, when Blanca was in pain and could not keep up with the group of migrants and refugees she was travelling with through Mexico, she recalled, “I started to cry, and I asked God to give me a little more strength.” Gathering her courage in that moment, Blanca decided, “I’m going to walk. We were mothers and children walking together and they didn’t abandon me.” Not only did her faith in God inform Blanca’s determination to keep walking, but also the unwavering presence of other women allowed her to pull forward through this low point in her journey.

Fear of returning home was a second source of strength, although not in a positive sense. Silvia remarked on her cousin’s death and threats her family had received from criminal groups to explain the danger she would be in if she returned to El Salvador. She also described the difficult reality of insecurity occurring in her country and how it had caused many mothers in her community to fear that their children and loved ones might be kidnapped and disappeared. Under such conditions, waiting and suffering in U.S. detention, though incredibly challenging, was preferable to experiencing severe violence or death at home. Alejandra reiterated this sentiment when in an interview with a local journalist she said, ““If I could go back in time, I would still decide to come to the U.S. [...] I had no other option. I would rather live my whole life detained than be free in Guatemala.””²⁵³

Female friendship was a third important source of strength that helped to lighten the emotional burdens of life in detention. As Chapter 3 briefly discussed, some of the women in Karnes developed friendships and spent time talking with each other during breaks and daily activities. Such was the case when Margarita would go talk with her friends about her children when the changes in their behavior worried her. In addition to offering companionship to break the isolation of detention, women listened, sympathized, and suggested advice to help others whose children suffered from illness or sadness. They also compared their experiences of poor medical care and treatment by guards and immigration officials, and also considered strategies to fight for their freedom, including media campaigns and a hunger strike, which in the end, occurred after Margarita left detention in 2014. In other instances, women showed solidarity and support during the trying times of court hearings, as Silvia recalled. When she had her final court date and learned from the immigration judge that he did not believe in her case, Silvia was distraught. However, she had at least one thing that the judge could not take away from her—her friends who had accompanied her to the hearing and who encouraged her to have faith and keep going once she told them the outcome of her hearing.

Family ties were a fourth source of strength inside of family detention. Particularly strong was the desire to protect children from violence and suffering. “For your kids you’d do everything”, Margarita said, “because I knew what was waiting for me if I returned to my country.” Marta described her feelings in the following manner, “My children need me. They supported me.” It was for them and their safety that she had to continue when she felt upset or defeated. When Blanca was feeling down in detention she would think, “Maybe it’d be better to return to my country despite what might happen”, but in the end she persevered so that her daughters might achieve something in life away from the threat of

imminent violence. “I hope that my daughters have a future—that they study and stand out as persons”, she said.

Lastly, a fifth source of internal strength was women’s own sense of worth and courage that grew over time while in detention. A good example of this was the transformation that occurred within Alejandra over the eleven months she and her son were in Karnes. As Gabriela, Alejandra’s lawyer at the time, said in our interview:

And Alejandra, who’s this tiny little original Mam speaker, but now her Spanish is much better, she was so meek and mild when I first met her, I mean one of my most timid indigenous clients. And over the course of eleven months that she was there, she developed this attitude of confidence that made me so proud. And one day, in fact, I was visiting with her deportation officer, and he was trying to give her again forms to sign, and so if he’s standing in front of me and she’s standing there and he’s got a witness, and he hands me the paperwork for me to read. And I said, ok, and I read it and handed it back to him, and he hands it to her for her to sign. She didn’t even look at me. She smiled and she handed it right back to him-- I mean she didn’t even need like a signal from me; she didn’t need my permission.

[...] It was symbolic of how she took control, the little control she could in her life, and she was dodging ICE for three months in that facility [Karnes]. Literally she was hiding. Every time they called her, she wouldn’t go to medical. Her son had a headache—suck it up, we’re not going, because the last time people did that they got deported. So I think she could give you a very good idea of what it was like.

Another example of asylum-seeking women’s growing sense of worth and *capricho* were the lessons that Margarita learned from her time in family detention. As she said above, in detention she learned to value herself as a woman and to gain courage to confront powerful and intimidating legal systems. Such a confrontation occurred when she refused to remain silent and stood up to a U.S. immigration judge to challenge him to have some sense of justice and compassion, asking him whether he knew what it was like to be a parent. “It doesn’t matter whom you have to face”, Margarita said, “because I faced many

asylum officers, many officials, and I told them that just because I was a woman and came from another country, they didn't have the right to walk all over anyone."

Not only did Margarita demonstrate her clear understanding of the citizenship and gender-based discriminations she was contending with in her search for safety on the U.S. side, she also showed an indomitable spirit to resist second-class treatment. Alejandra embodied this same fight and courage through her actions to avoid cooperating with ICE as her deportation officer pressured her to sign papers and return to Guatemala. These examples suggest that, while time in family detention could be painful and re-traumatizing for some asylum-seeking women, through adversity others found sources of inner strength to survive extremely constrained circumstances.

Section B. Organized Resistance (Hunger Strikes)

Marta

"We mothers put up with it for a while and didn't say anything", Marta said, referring to the months of detention she and others waded through without a resolution in their asylum case or the possibility to leave Karnes on bond. Marta herself went to ask GEO and ICE officials why they were treating some asylum seekers this way. "I neither feared nor trusted the officials. I always told them the truth", Marta said. She elaborated that, "the law isn't carried out. They wouldn't follow through on their word" to release families like hers. She explained that the mothers didn't want to witness their children experience any kind of pain or suffering, so she and her fellow compañeras made a heartfelt decision to carry out a work and hunger strike at the end of March 2015.

The strike officially began March 31, 2015 when 78 mothers sent a signed letter to ICE explaining the injustice of their indefinite detention and laying out their demands for freedom. The work strike lasted 4 days, during which time Marta and the other strikers

wrote to ICE Director Sarah Saldaña asking for a *respuesta*—an answer to their concerns. When the strikers saw that Saldaña would not take actions to fundamentally address their situation, on April 14, 2015 they declared another strike that lasted 8 days and included sending additional letters to U.S. President Barack Obama and Pope Francis of the Catholic Church. These strikes eventually came to an end, but when a delegation of Democrats from the U.S. Congress later visited Karnes in June of 2015 to see conditions there first-hand, Marta said that the women who could come out and shouted to the visitors “*¡Libertad!*”²⁵⁴ Thus, they showed they had not stopped fighting for their freedom since the hunger and work strikes.

As a result of the strikers’ efforts and sustained legal pressure from advocates outside of detention, women who had been detained in Karnes for more than 3 months at last received a bond determination. However, those who had participated in the work and hunger strikes received bonds of \$10,000 each. The strikes had a positive personal impact for Marta. The experience of having previously organized in El Salvador “helped a lot” to write letters to Saldaña and the public because, in her words, she “already had it a little” from her time helping families and youth in her community. Finally leaving Karnes in June 2015, Marta said in our interview, “I feel happy. I’m free with my children, with their *papá*.” Marta was especially content that, in the end, “[m]y compañeras managed to leave [Karnes] after so much struggle.” As she transitioned into life after detention, Marta was able to remain in touch with her fellow detainee friends to know how they were doing.

Juana

“We reached a point in which, well they wouldn’t give us a solution, so we mothers decided to band together, because there were some mothers who had been in that detention center for a long time, [and] well, we were the ones who came together the most, because

we couldn't endure so much injustice. We decided to do the hunger strike to see if that would give us a result. And well, with the help of God more than anything, we did those two hunger strikes." "You could say, well, we came together, I guess. All of us mothers came together."

Juana and her compañeras held two hunger strikes at the end of March and beginning of April 2015 in order to demand a final decision in their asylum cases and end their seemingly indefinite detention. The reaction toward the hunger strikers from GEO guards and ICE officials at Karnes was swift. "They reacted [soft laughter], because they even told us that if we continued with that they were going to take away our children. But we didn't care, *y siempre seguimos en la lucha*", Juana recalled about how the mothers did not give up in their struggle. Apart from verbal threats, officials physically separated multiple striking women. "They isolated three mothers from us and put them into medical rooms. One [woman] was there just a day, another two days, and the other three days", Juana said.

Juana fought in the face of these obstacles, in part, because of this deep desire for freedom that she shared with other women detained at Karnes, as well as her own personal sense of motherhood. "Ah, well, the experience. Well, it was...how would I tell you? Something like the experience of being a mother was what influenced us to be strong, to fight for our children. I mean, maybe if we hadn't had our children with us, the struggle would have been more different", Juana said. "The fight we had was for our freedom, and in the end, after so much time, we achieved it thanks to God", she added.

Analysis

Marta and Juana were two of three women who had participated in the hunger and work strikes at Karnes in 2015. Their stories offer invaluable insight into how the political

mobilization for the strikes came about; what strategies the strikers employed to communicate their demands to ICE and the public; and what results they ultimately achieved within the larger context of other hunger strikes that immigrants and asylum-seekers were carrying out across the country around the same time. In short, the hunger and work strikes at Karnes demonstrate a considerable degree of political mobilization and organizing by women inside of detention who were fed up with the conditions and lack of freedom there. As Marta stated, she was skeptical of U.S. officials who never fulfilled their word, and both she and other women were fed up seeing their children become depressed in confinement without being able to play, explore, and develop normally.

Thus it was that the mothers banded together as Juana described to oppose the injustices of indefinite detention and no bond determinations for women with prior deportations. Relating what it was like to be among those who stood up to ICE during this tense period, Alejandra, who by this point had joined the strike, said, “It was a very, very difficult fight—almost like a war. Because the mothers were on this side, and those from immigration were on the other, and they asked us, ‘Who is your leader? Why are you doing that [the hunger strike]?’ It was impressive to hear the women who responded, ‘We’re tired of seeing our children suffer.’ Not all the women joined the strike, because some were afraid they would take away their children”, she said. For those like Marta, having previous experience in community organizing facilitated their participation in the strikes’ strategies, such as the letter writing campaigns to DHS and heads of state.

The resolve of Juana, Alejandra, and Marta among the collective of hunger strikers in detention reflects that of other movements of women in the Americas whose motherhood has shaped their own sense of justice and political activism. The Mothers of the Plaza de Mayo in Argentina are among the most emblematic of these movements, as they have, for years, staged a public protest in front of the presidential Casa Rosada in Buenos Aires to

demand information regarding the whereabouts of their children who disappeared in the 1970s and 80s during Argentina's dirty war at the hands of the military government at the time. As Guzman Bouvard writes, participants of the Mothers "are women who deliberately invoke their culture's symbols of femininity to oppose governmental policies", thereby creating their form of "women's politics of resistance" to quote Sara Ruddick.²⁵⁵ According to Taylor, the Mothers of the Plaza de Mayo were highly aware of their gendered role as mothers, and consciously used that role through activism not only to unmask the "violence and hypocrisy" of the military regime that attacked its own citizens, but also ironically to "challenge traditional maternal roles and [call] attention to the fact that motherhood was a social, not just biological, construct."²⁵⁶ The Mothers made the personal political by saying that it was "precisely their maternal responsibilities as 'good' mothers that took them to the plaza in search of their children."²⁵⁷ Weathering harassment and government repression, their courageous and dynamic protest included turning their own bodies into billboards for the photos of the missing the Mothers of the Plaza de Mayo and demonstrated how, through shared grief and outrage, "they came to consider themselves the mothers of all the disappeared, not just their own offspring."²⁵⁸

Thousands of miles away in Mexico, another woman by the name of Rosario Ibarra de Piedra shares this sense of communal motherhood and an unwavering quest for justice to this day. Born in the northern state of Coahuila in 1927, Ibarra de Piedra married and raised four children in Monterrey, Nuevo León by the names of María del Rosario, Jesús, Claudia y Carlos. In April 1975, Ibarra de Piedra's life changed forever when her son Jesús disappeared—a victim in Mexico's "dirty war" against internal subversion in the 1960s and 70s.²⁵⁹ According to the documentary *Rosario*, which traces Ibarra de Piedra's life and activism in Mexico, her son's disappearance transformed her into an "untiring fighter" for human rights and the return of forcibly disappeared people.²⁶⁰ The responsibilities and joys

of motherhood fundamentally informed how Ibarra de Piedra spoke of her drive to find her son, as she said, “It is part of the job of being a mother: I gave him life, [so] I have the obligation to preserve it for him, to save him, and bring him toward the effect of, as a compañera of mine would say, returning to him all the days they stole from us.”²⁶¹

Like the Mothers of the Plaza de Mayo in Argentina, Ibarra de Piedra came to lead a movement and an organization (*Comité Eureka*) searching for the disappeared sons and daughters of Mexico who also quickly became her own in an emotional sense. As the newspaper *La Jornada* reported, “For doña Rosario and the women of the Comité Eureka, all the disappeared are their sons and daughters. They do not trust those theories, very much from the north of this continent, that establish that only a biological mother should care for her child; [rather,] they search tirelessly for the son or daughter of whomever.”²⁶² While many things on Earth can be negotiated (such as a salary), in the words of Ibarra de Piedra, there are some things that are simply non-negotiable. One of those things is a human life “sprung from our womb or tied to us by blood, affection, affinity, or convictions.”²⁶³ That bond endures and has motivated Ibarra de Piedra to maintain her activism and unwavering hope of seeing her son once again.

The enduring nature of some mothers’ commitment to fight for justice is also apparent in two final examples of women activists from Mexico and the United States. In the former case, mothers of disappeared and murdered women in Ciudad Juárez, Chihuahua found “[i]nternal strength, resolve, and the zeal to fight against impunity and violence” after the shock and sadness of losing their children changed their lives.²⁶⁴ Sharing their testimony as a way to cope with the pain and anger they felt, the mothers of Juárez who mobilized politically joined together their stories “into a collective discourse” thereby “reshaping suffering into political action” in the analysis of Ravelo Blancas.²⁶⁵ The mothers not only took on the formidable patriarchal state structures and forces of discrimination

that led to the circumstances of their daughters' deaths—including political corruption, impunity, misogyny, and economic marginalization—they also deployed powerful emotions to create social change in a way that humanized the victims of the wave of femicidal²⁶⁶ violence that targeted women in the city in the 1990s and 2000s. Given the lack of a satisfactory response they received from local authorities to investigate the crimes against their daughters, many mothers and other family members of the victims of gender violence created their own organizations, built support networks, and engaged with the media to prevent what happened to them from happening to anyone else.²⁶⁷

A similar determination to find justice and raise the public's awareness of a serious rights violation led another mother, this time in the United States, to transform, in her words, from "ordinary" to "activist." Garrison describes her journey as an African-American mother living and raising two sons in Washington, D.C. who came to understand a new meaning of "struggle" when her children were "viciously swept into an unjust [criminal] justice system."²⁶⁸ After her sons were falsely accused of a drug related crime, Garrison worked tirelessly to advocate on their behalf, confronting the bureaucratic and political processes that dehumanized and discouraged them every step of the way. Along her journey, Garrison speaks about how she learned the details of the legal labyrinth her family was in and even overcame her nervousness to engage with the media—like many of the other mothers mentioned in this section—as an alternative means to spread awareness of her sons' innocence.²⁶⁹ One of the greatest lessons that Garrison shares in her writing is that "struggle and activism is something meant for ordinary people. For me, 'struggle' is what a mother must do to protect her babies."²⁷⁰ Again, motherhood and the experiences of raising and providing for children informed Garrison's activism as she connected her own personal story to the larger reality of racial biases and historical inequalities entrenched in the American justice system.

Like Garrison, the mothers of Ciudad Juárez, the Mothers of the Plaza de Mayo in Buenos Aires, and Ibarra de Piedra—among many others whose stories are not publically or widely known—the Central American women who joined the hunger and work strikes at the Karnes and Dilley immigrant detention centers in 2015 drew on gendered discourses of mother and womanhood to carry out an embodied political protest that transformed them in many ways from “ordinary” to “activists”. While not all asylum-seeking women in detention took part in the strikes for various reasons, not least among which was the threat of having their children taken away by U.S. immigration officials in retaliation, those who did directly confronted the patriarchal structures of U.S. asylum and immigration policy to demand alternative forms of justice and safety for themselves and their families. Women like Alejandra and Marta also stood up against immigrant family detention by speaking out in newspaper interviews, Congressional hearings, and in conversation with academics like myself who were interested sharing their knowledge and stories with a wider audience. As these diverse women demonstrate, the experience of motherhood is a deeply intimate one that creates a mixture of feelings in women which can include the desire to fight against injustice, patriarchal violence, and structural discrimination despite the odds against them.

The hunger strikes mentioned above did not occur in a vacuum, of course. In fact, they were the first of a series of hunger strikes in 2015 that asylum seekers from around the world carried out in Texas and California. On October 14th, 2015 for example, fifty-four men seeking political asylum from Bangladesh, Afghanistan, and Pakistan held a one-week hunger strike at the ICE immigration processing center in El Paso, “demanding an end to deportations and an investigation into allegations of mistreatment and medical neglect” at the center.²⁷¹ In Adelanto, California, asylum seekers began another strike October 30th, which grew to several hundred participants, according to some of the detained men’s lawyers.²⁷² Shannah Abdullah, a Ghanaian asylum-seeker who had been detained

in Adelanto for over eleven months and just recently lost his case, said in an interview by phone that “he and about 90 other men joined the hunger strike this week [of November 6]”. “We won’t stop”, Abdulluah went on to say. “If it’s going to take us one week or one month we will continue.”²⁷³

On October 27th, 2015, news broke that 27 asylum-seeking women had started a hunger strike at Hutto.²⁷⁴ After months—and, in some cases, over a year—of being imprisoned while fighting their cases, the women were fed up. At least twelve of them released hand-written letters to advocacy organizations and the media in the immediate days after the strike began, explaining their reasons for coming to the United States and the conditions inside the detention center that had led them to collectively decide to refuse meals.

Like the mothers in Karnes and Dilley, the majority of the strikers at Hutto came from Central America and had made their long migration journeys by van, bus, train, or foot to seek safety from different forms of persecution, especially gang violence and domestic abuse. While these life experiences had been painfully difficult, the women had not expected the treatment and bureaucracy they would encounter from CBP agents, immigration officials, and detention staff. In their letters to advocacy groups, the strikers laid out a list of abuses and injustices that they were no longer willing to put up with in the facility. These included poor food quality, insufficient medical and psychological care, and harsh and unequal treatment from some of the guards.²⁷⁵ More than anything else, however, the women demanded their freedom and immediate release from Hutto, which they referred to as a prison.

As the strikes multiplied nationwide, U.S. media coverage slowly and selectively picked up the story. Traditionally left-leaning outlets like *Democracy Now* aired reports about the Hutto strike and interviewed immigrant advocacy groups like Grassroots

Leadership, an Austin non-profit fighting to end the for-profit prison industry which also heavily invests in operating immigrant detention centers in the country.²⁷⁶ A few more mainstream reporters, like *NPR*'s John Burnett and *Latino U.S.A.*'s Maria Hinojosa and Marlon Bishop also spent time covering the reality facing asylum-seeking women after they left detention and navigated big-brother monitoring systems in the form of ICE-issued ankle bracelets the women called *grilletes*, or shackles, in Spanish.²⁷⁷ ICE officials, meanwhile, denied that any hunger strike was taking place at Hutto, even as reports emerged that participation had increased to hundreds of members.²⁷⁸

Other accounts quickly surfaced of strikers facing pressure and retaliation for defending themselves or taking collective action. In El Paso, reports revealed that guards had physically assaulted hunger striker Haji Khiay Mohamed Bilal before separating him for two days in solitary confinement as a result of providing interpretation for his fellow detainees.²⁷⁹ At Hutto, retaliatory measures included immigration officials threatening to deport striking Central American and Mexican women if they did not eat and facility staff placing several people in solitary confinement in medical units.

Describing her experience of retaliation, Insis Maribel Zelaya wrote in a letter released by Texas United for Families, an immigrant advocacy organization, that “they have separated me from my friends they have me in a very cold room... I feel like they are treating me like a criminal, it’s an injustice.”²⁸⁰ ICE eventually transferred Francisca Morales Macías, one of the first women to begin the hunger strike at the facility, to the predominantly male South Texas Detention Center in Pearsall. Describing her experience of retaliation, Morales said she felt ICE had discriminated against her because they moved her from Hutto without giving a reason. They simply did it. “I am only asking that they give me asylum, that they give me freedom”, said Morales about why she had decided to strike.²⁸¹

The hunger strikes at Karnes, El Paso, Adelanto, and Hutto were important for at least two reasons. First, in practical terms, the strikes shed light on the conditions and deep frustrations that many asylum seekers, especially those who could not afford to pay an inflated bond, have struggled with while awaiting the outcome of their immigration case. Second, the strikers' refusal to eat or work was a deeply symbolic act of civil disobedience that critiqued detention's regime of racialized and gendered disciplinary, expanding upon Foucault's work regarding prisons and society.²⁸² The strikers risked their health to reclaim some degree of control over their bodies and destinies within criminalized spaces where the State intentionally and systematically denied detainees control as a mechanism to coerce them into withdrawing their asylum claims and signing removal papers. Given detention's constrained possibilities for collective action, the strikers resisted through one of the few avenues available to them by ceasing to obey the regimented schedules of food and staff rules in detention. In so doing, women became "unruly" and undisciplined bodies, which threatened to subvert the *status quo* of the "orderly", militarized immigration system of the United States. This in turn helped to explain the punitive response from ICE, GEO, and CCA.

Just as the hunger strikers at Karnes faced retaliation, isolation, and threats from ICE for participating in the protest and political organizing, so too did strikers at Hutto and El Paso, as the narrative above recounts. Although Juana, for example, had performed voluntary jobs at Karnes before the hunger strikes in March and April of 2015, afterward officials at the center took away their jobs. Undeterred, Juana and others continued their fight for freedom, most of all so that their children would no longer suffer. Indeed, motherhood was a powerful driving force behind the political organizing that took place among women in detention. The hunger and work strikes grew out of a concrete and immediate concern for their children's well-being, which unsurprisingly, was also a

primary motive for why many women had left their home countries in the first place. Women were prepared to fight if it meant that they and their children could once again live in peace. And most certainly the women in immigrant family detention are not alone in these feelings. Studying the available literature about the lives of incarcerated women and other women of color caring for their children in the United States also reveals how motherhood, gender, race, and citizenship influence subjective experiences of detention.

Section C. Life after Detention

One by one, the families who shared their stories with me were released from Karnes and Dilley. The transition from prison-like settings in family detention to the outside world was one that took time for some to assimilate and provoked mixed feelings. “Leaving was...to see freedom like when you’re in the darkness of night and then see a light and feel like everything opened up, you felt something in your life, you breathed, and saw the light”, Silvia recalled of her first days after Karnes. She elaborated on how she felt right after leaving the detention center, “I felt like my eyes had never opened. When I saw the entire city and later I arrived, I felt really different. My dreams started to focus themselves.” Arriving home to her husband and son in Dallas, Silvia began to work through the months of anxiety and sadness she had struggled with in Karnes. “I came [carrying] like a huge exhaustion, I felt like when I saw myself in the mirror, I saw my image...I felt like I was not myself, like I was someone else. And day after day I was sleeping and getting better. But even when I would sleep, I used to imagine that they were talking to me. The officials. I felt like they were arriving to bang on the doors like they always did. And I would wake up and say, ‘Where am I?’ In the end, I felt like my memory, *como que se estaba enloqueciendo*...like it was going insane.” Now free from the physical confinement

of immigrant detention, the psychological and emotional repercussions of constant vigilance left Silvia feeling as if she were a changed person, and not for the better.

Silvia was not alone in the feelings she expressed. Marta also described how, more than one month after leaving Karnes, life in immigrant detention had left enduring, negative marks on her family. While in detention, it was against the rules for Marta to leave her youngest three-year-old son alone, a habit which he internalized over the ten months and nine days they were detained. Now living at their family home in Virginia, when he and Marta are separated in different rooms, her son will occasionally call out, “*Mamá, aquí estoy*”, so that she knows where he is. “He carries it inside him”, Marta said, adding that he even remembers the number of their dormitory room in Karnes and asks her when they will return there. “It’s something that my children and I can’t forget...it’s something that I’m going to carry with me until I die. *Duró y marcó*”, Marta said of the lasting impacts of having lived in U.S. immigrant detention with her young children.

Juana echoed Marta’s reflections when I asked her how life had been taking shape for her family after they regained their freedom following eleven months of detention in Karnes. “Well, it practically hasn’t even been two months since I left that detention center, but it’s something that I have to assimilate, because for my son and me it’s left us this psychological and verbal trauma”, she said. “It had a big impact because we were in that detention center for eleven months. It’s been something psychologically and verbally [difficult] for my son and me, and for so many mothers who were in that detention center. Because I was not the only one there for almost a year—there were many of us.” Indeed, of the eleven women with whom I spoke for this study, those who had spent three months or more in Karnes or Dilley reported having not only the most negative experiences inside immigrant detention, but also the most long-lasting and pernicious effects on their daily lives and children’s well-being afterward. As Juana remarked about the consequences of

many months in Karnes, “Before, my son would play, have fun, talk, but not now. I speak to him *y él está bien ido*—he’s really gone. He doesn’t answer me. I ask him, ‘What’s wrong?’ ‘Nothing.’ I mean, it’s a big trauma that my son has.”

Beyond the important, but limited support networks of their immediate family, Juana and her son could not call upon many other resources to navigate the realities of life post-detention at the time of our conversation in the summer of 2015. “Well, I wouldn’t know what to tell you, because over here at the moment I practically don’t have any friendships”, Juana said in response to my question of whether she had found any support after leaving Karnes. While she had formed close friendships in Karnes and remained in touch with her friends via Facebook, these friends now reside in locations scattered throughout the United States, making visits practically impossible, at least for the time being. Recognizing the specific needs of asylum-seeking women—ranging from access to health care, to housing, to child care, to transportation, etc.—far more attention should be paid to their adjustment to life post-detention, as well as to the availability of support networks and services to accompany them through the ups and downs of this complex process.

Of course, not all aspects of life after immigrant detention were negative. For Silvia, for example, things gradually grew more stable and less painful. She recalled, “I saw how my daughter played, smiled, and wanted to eat again. There were two weeks [in detention] when my daughter didn’t eat; I would feed her and she would act almost like she had never eaten before. No, she didn’t want to eat. But she eventually started gaining her strength back, and now I’m free and I feel good with my family. I have a lot of family members, lots of family. When I saw my family, I felt, well, *me dio una gran emoción*. I cried, I hugged my uncles, and well, I felt really glad. Everything was different. And up until now I’m with my family and I feel really good.” Silvia faced an uphill battle to remain in the

United States and she continued to have to attend regular immigration check-ins as her asylum petition worked its way through the courts. Nevertheless, simply being near her family, having the chance to hug them and to see her daughter return more to her normal self, were all sources of great relief and happiness for Silvia. This freedom came at a cost, however, as Silvia was forced to wear an electronic monitoring device on her ankle as another condition of her release from Karnes.

What was it like for Silvia to wear this monitoring device, or *grillete*, as she referred to it in Spanish? As she pulled up her jean leg to show me the bulky plastic bracelet with a tracking device, she described how uncomfortable it was because of the way it would heat up as it charged for hours and leave scars—*cicatrices*—where it had burned her ankle. In addition, the charger’s cable length limited her mobility as Silvia was unable to move more than a few feet from the outlet while charging her *grillete*’s battery. Having to wear the electronic monitoring device out in public also made Silvia feel embarrassed since, in her view, it looked just like the devices that some criminals must wear. She was especially embarrassed to go to parent-teacher meetings with her son’s instructors at school because she thought they might see the *grillete* (its size and dimensions made it very hard to miss) and judge her. The *grillete* thus inflicted something deeper than physical scars on her ankle. For Silvia, it represented the stigma of being different from other people in her Dallas community and, in particular, from the parents at her seven-year-old son’s school. The *grillete* also served as a constant reminder that her asylum case was not finished, for at the time we spoke in 2015, she still faced the very real possibility of deportation and an unknown fate back home in El Salvador.

Analysis

Other immigrant women from Central America have similarly described their experiences wearing grillettes. When Maria Hinojosa of *Latino U.S.A.* interviewed a group of Garifuna women from Honduras who had immigrated to New York City in 2015, one individual said that wearing her grillete felt, “Emotionally and psychologically bad, because I never thought it would be like this. I came looking for freedom, fleeing violence and abuse.” While she had expected to find in the United States a place to move forward, study, and achieve her goals, having to wear a grillete had changed her view of the country. “It’s cruel, very cruel”, she said of her situation in removal proceedings.²⁸³ Another Honduran Garifuna immigrant named María Asunción spoke with the North American Congress on Latin America (NACLA) and commented on her grillete, “I feel like an animal, because only animals are treated like this. My son asked me why they put this on me, he said that they only do this to thieves. I explained to him that I am not a thief.”²⁸⁴ Julia, a thirty-one-year-old asylum seeker from Honduras who gave an interview in March of 2016 to *Public Radio International* (PRI), also said of wearing her grillete, “I feel detained. It’s so humiliating.”²⁸⁵ As PRI reported, Julia had “fled devastating violence in her homeland. She says that she ‘would be dead’ had she stayed in Trujillo, in Colón, Honduras. She came to the [United States] and is waiting to find out if her request for asylum will be granted.”²⁸⁶ In the meantime, the U.S. government monitored her every move.

Ankle monitoring devices are one of a series of programs in U.S. immigration enforcement collectively known as Alternatives to Detention (ATD), which ICE employs to track and monitor immigrants and asylum seekers who are currently in removal proceedings but no longer formally detained in centers like Karnes or Dilley. According to NACLA, ATDs have existed in the United States since at least the mid-1990s, but it was

not until around 2004 when they began to expand with the introduction of the Intensive Supervision Appearance Program (ISAP).²⁸⁷ Since then, immigration officials and for-profit companies have increased the number of people enrolled in these programs. As *Latino U.S.A.* reported, “There are currently about 12,000 immigrants wearing ankle monitors [in 2015]. By 2016, the Department of Homeland Security plans to expand to 50,000 immigrants on some form of supervision.”²⁸⁸ When the Lutheran Immigration and Refugee Service investigated the history and development of ATDs in the United States, it found that, starting in 2004, a for-profit company named Behavioral Interventions Incorporated (B.I.) operated the ISAP and ankle monitoring program for the U.S. government.²⁸⁹ In 2010, however, the GEO Group acquired B.I. and added the company to its portfolio of incarceration operations as one of the leaders of the private prison industry.²⁹⁰ This apparent relationship among mass incarceration, growing immigrant detention, and ATDs in the United States has led some observers to state that “dismissing complaints about electronic ankle monitors in the shadow of mass incarceration obscures the fact that ADT is part of this very same industry-driven expansion.”²⁹¹ As with the resurgence of family immigrant detention, it is therefore necessary to examine further the economic incentives that may be promoting the widespread monitoring and stigmatization of immigrant peoples and asylum seekers in this country today.

Although the purported purpose of ISAP is to ensure compliance with immigration proceedings and rulings, watchdog groups have highly criticized the use of ankle monitors and other ATDs, such as unannounced home visits and voice recognition telephone check-ins, as invasive and unnecessary.²⁹² For example, a 2012 report by the Immigrant Rights Clinic at Rutgers School of Law-Newark and the American Friends Service Committee concluded that, despite being sold as viable alternatives to detention, ATDs in fact impose their own hardships on immigrants and asylum seekers, as Silvia’s testimony vividly

demonstrates.²⁹³ The report outlined flaws in ATD programs like ankle monitoring devices which ranged from a lack of transparency and consistency, to overuse, to language issues (the pre-recorded messages that play on ankle monitors are only in English), to the economic, emotional, and psychological tolls of wearing an ankle monitor on a daily basis.²⁹⁴ Among its conclusions, it recommended that ICE “should discontinue its use of private contractors in the administration of alternative to detention (ATD) programs in favor of community-based models” managed by non-profit organizations.²⁹⁵

More recently, in March of 2016, Paulette Brown, President of the American Bar Association (ABA), wrote a letter to DHS’s Secretary Jeh Johnson expressing the Association’s “strong objection” to the Department’s widespread use of ankle monitoring devices for Central American families arriving at the U.S.-Mexico border.²⁹⁶ In Brown’s words, “The use of electronic monitors is an extreme measure that is often overly restrictive and intrusive in nature. Wearing the monitoring device carries serious social stigma and may cause harmful physical and psychological effects,” including burning, swelling of the ankle, stigma, and criminalization. Rather than embracing an “enforcement-based approach” and “implementing overly restrictive custody determination and release procedures” for those whom ICE deems it necessary to monitor after detention, the ABA recommended that DHS instead adopt a humanitarian stance to promote the use of community-based alternatives that “incorporate social services and legal support mechanisms” after detention.²⁹⁷

Conclusion

Asylum-seeking women draw on a breadth of internal emotional resources and external support pillars in order to survive the often grueling conditions of U.S. immigrant family detention. Among the most significant sources of strength were private prayer,

female friendship, and family ties such as dependent children who needed their mother's care and protection. By contrast, psychological counseling and medical assistance available inside family detention were frequently unhelpful, and in the case of medical assistance, effectively absent in key moments of health crises. Silvia's story, for example, demonstrates how the root causes of her symptoms of depression lay in the fear she felt for her family back home, her anxiety over the health of her daughter, and the unknown future that spread out before her with no hope in sight for her asylum claim in family detention. Given such structural constraints, visiting a psychologist, no matter how compassionate and capable he or she might be, was like placing a band aid on a life-threatening wound. Meanwhile, detained women formed their own networks of friendships and communication to share information and advice on how to improve the well-being of their children. The conversations contributed to a burgeoning political consciousness of the damaging conditions in immigrant detention, the demoralizing and xenophobic attitudes of some guards, and the overwhelming desire for freedom.

As a result, over seventy women joined together to say that enough was enough—business would no longer continue as usual. Placing their bodies and futures on the line, they participated in hunger strikes that drew national attention to the inherent injustices of purportedly “family-friendly” prisons. Through these actions, several individuals shared how they learned to value and defend themselves not only as human beings and women, but also as political actors and protagonists in the fight to end immigrant family detention. This same awareness carried on even after they had left the Karnes and Dilley centers and began to contend with the emotional and psychological fallout of detention as well as the criminalizing effects of wearing ankle monitoring devices in public.

CONCLUSION AND FINAL REFLECTIONS

This thesis centered the voices and opinions of formerly-detained asylum-seeking women from El Salvador, Guatemala, and Honduras to analyze the policies, practices, and impacts of U.S. immigrant family detention in Texas. It privileged women's lived experiences as sources of first-hand knowledge guiding an exploration of what lies beneath the supposedly "humane" and "family-friendly" system of immigrant family incarceration currently in place in the United States. The chapters in this text allowed a small glimpse into several asylum seeking women's journeys from their communities in Central America, through Mexico, and to this country. They also created a space for these same women to share insights into the multifaceted realities of immigrant family detention at the Karnes and Dilley centers, which often differ from the official image that the American government prefers to present of them to the general public. Calling upon the methodology of oral history and the tradition of testimonio in Latin America, this thesis delved into the politics of memory to consider how asylum-seeking women remember their past, frame their experiences, and present their own personhood and political subjectivity as protagonists in the struggle for freedom in the United States.

Chapter 1 set the stage by focusing on certain aspects of the country conditions present in El Salvador, Honduras, and Guatemala and describing the reasons why participants in this study had to make the difficult decision to leave their homes. The chapter began by asking the simple question of what life had been like for participants at home. Almost unanimously, the women recalled life in the past as being good, but problems with abusive family members or maras in recent years frequently led their quality of life to deteriorate rapidly. Central American women reported that they worked in various occupations in their home country; these ranged from house wife, to child care provider,

to teacher, to bank teller, to restaurant owner, to community organizer. Some had been married, as in the case of Ana, Diana, Elsa, Marta, and Silvia, while others were separated from their spouse, like Juana, and still others were widows, as in the case of Noemy. Silvia, Diana, Margarita, and Blanca described their countries as nice places to live before recent years and their children had grown up going to school, playing with animals, and helping with household chores. The exception to this trend was Alejandra and Juana, the two women who had endured domestic abuse, who shared that their lives both at home and in public had been unsafe for extended periods before they left their communities to migrate north.

Conditions in El Salvador, Guatemala, and Honduras began to change approximately two to three years ago for the participants of this study, and soon it impossible for them to live in safety and peace. Marta, for example, came under pressure in 2014 from gang members as a result of her organizing and commitment on behalf of her community in El Salvador; Blanca no longer felt safe in her city located in another region of El Salvador after gang members began raping the young girls there around the same year; Elsa and her family were threatened in Honduras by the sicario who had killed several of her family members after he was released from prison in 2015; while Alejandra, on the other hand, had been fighting for years to get away from members of her son's paternal family who were persecuting her to hand over her nine-year-old son. Regardless of the reasons why they left their countries, the women in this study shared the common choice of either fleeing or facing the very real possibility of their family's imminent harm or possible death. Thus, they decided to take their children away from this violence and traveled to the United States.

The journey to reach the Texas-Tamaulipas border was a long, and at times, arduous one. Traveling by bus, taxi, or car, women paid human smugglers anywhere from \$2,000

to \$10,000 U.S. dollars to cross Mexico and enter the United States. On the road, they faced the risk of detention, deportation, sexual harassment or assault, including rape. Additionally, they told stories of being robbed or extorted on the road while trying to evade detection by Mexican immigration officials or gang members who might be monitoring their movements. Finally crossing the river (or bridge) into Texas, some women and their children searched for CBP officers for help while others waited for the latter to find them to begin their saga under U.S. immigration custody.

Chapter 2 next examined asylum-seeking women's encounters inside the CBP holding facilities commonly known as the *hielera* and *perrera*. Conditions in the *hielera* were unanimously poor according to Central American women's memories. Icy cold air poured from an air conditioning unit into the holding cell, which was so full of mothers and children that there was no space to walk around let alone to sleep, and it was impossible to maintain personal hygiene in any dignified manner. While these conditions were challenging enough, some CBP agents' behavior made time spent in the *hielera* even more painful. As women recounted, some agents would bang on the holding cell door with clubs to wake families up and make them move; others would refuse to administer absolutely any medical care or provide mothers basic items such as milk for the small babies that were crying because of the cold; and still others would yell at immigrant women if they tried to make requests, change the cell's temperature, or allow their children to move around without prior permission.

While this treatment was difficult for the participants to assimilate after their long journeys, women who had a prior deportation order in the United States or attempted to turn themselves in at a border bridge received perhaps the least welcoming reception from American officials. Silvia and Marta, for example, had to wait until almost the final people had left the *hielera* before CBP officers called them forward for processing to ask them

questions about why they had come. It was then that the officers began to pressure the two women to sign their deportation papers, insisting that they do so with apparent disregard for the fear and resistance that both Marta and Silvia were demonstrating to the idea of returning home. Despite this intimidation, both women stood firm and would not sign these papers, which eventually led them to end up in the Karnes detention center after further screening. In Elsa's case, the U.S. officials stationed at the international bridge in Texas where she first requested asylum initially refused to receive her and told her to go home and try to secure a travel visa to enter the United States. Elsa also refused to back down in this situation, and eventually, she was able to persuade these officials to help her. When she entered the hielera she then overheard the conversations of a few CBP officers that expressed discrimination and antagonism toward the people arriving to seek asylum from south of the U.S.-Mexico border.

Such encounters revealed the range of attitudes and behaviors of the CBP officers entrusted not only to carry out border security operations, but also to help screen asylum seekers and others who might need of international protection. As Chapter 2 argued, the possibility that CBP officers would actively turn away asylum seekers who have stated that they fear returning home, and who have broken no law in coming to the U.S.-Mexico border, is cause for concern and far greater scrutiny on the part of the U.S. public, media, and Congress. It is a matter of legal and moral importance to stop any violations of migrants' and asylum-seekers' rights that may be occurring at the border in contradiction to the international agreements—such as the 1951 Convention—that the United States has committed to uphold, as the introduction of this thesis previously discussed.

Moving on, Chapter 3 then analyzed daily life inside the Karnes and Dilley immigrant family detention centers in Texas. To do so, it deconstructed different forms of treatment that detainees received from both ICE officials and GEO and CCA guards, and

it reflected on the overall impact of detention on refugee families' emotional and physical well-being. Generally speaking, life inside Karnes and Dilley was marked by routines and boredom for the most part. Multiple daily check-ins, meal time, school for children, and small jobs or activities filled the days of many women detainees, as did prayer and breaks with friends made in detention. Some of the daily activities in detention exacted a physical toll, as Margarita described the fatigue she felt lining up to eat or buy commissary items at Karnes. For other families, the sub-par food and water quality was a recurrent theme in their evaluation of the discomfort of being in detention, as heavily chlorinated water and occasionally rotten food made them feel sick. Constant surveillance and strict compliance with detention rules also left some women feeling as if there were no place where they could enjoy privacy to express their deepest feelings, except perhaps in the bathroom. Nevertheless, even there they might be under the watchful eye of a camera. Finally, language barriers and discrimination among the women asylum seekers themselves added extra anguish to the daily lives of some indigenous women like Alejandra, since both U.S. officials and women's peers in detention made various racist remarks—albeit from different positions of relative power—and, at times, treated them as if they did not matter.

Speaking once again in general terms, immigration officials and guards at Karnes and Dilley treated detained families in an arbitrary manner. On the one hand, some GEO guards would give advice or attempt to console distraught women in Karnes; on the other, some would taunt or yell at them for minor reasons and threaten to take away their children if they stepped out of line or questioned their authority. The participants in this study further raised serious accusations of abuse taking place in immigrant family detention. Alejandra, for example, recalled the sudden and suspicious deportations of her close friends, and Margarita recounted how women at Karnes had been locked up in isolation rooms in retaliation for speaking about the alleged sexual abuse that GEO guards had subjected them

to. As a result of these and other instances which the chapter outlined, life in detention had an overall negative impact on the asylum-seeking families involved in this study. This could take the form of loss of appetite, insomnia, fever, suicidal dreams, sadness, crying, or anxiety, but as Margarita, Marta, and Silvia's stories clearly demonstrate, medical staff on-sight at Karnes responded in a woefully inadequate manner to provide relief from these maladies. In some cases, the professionals on staff noted that it was precisely being imprisoned in immigrant detention that was making women and children feel deeply unwell. Coping with their children's illnesses and sadness, many Central American mothers felt powerless to protect and care for their loved ones, which caused some like Silvia to fall into a severe depression or attempt to commit suicide. Thus, immigrant detention left a hefty mark on individuals who had already survived other forms of violence in their home communities. These conditions and personal experiences emphasized the importance of demanding accountability and transparency regarding the training and behavior of GEO and CCA on duty in detention. They also point to the necessity of working toward the closure of family immigrant detention centers in the United States, and of considering the use of alternatives to detention, as discussed later in this conclusion.

Finally, Chapter 4 looked at asylum-seeking Central American women's responses to the structures, practices, and barriers outlined in the previous chapter. More specifically, it examined the internal and external sources of strength that aided participants in surviving daily life in U.S. immigrant detention, and the political organizing that led to two hunger and work strikes at Karnes in the spring of 2015. In short, participants drew upon a variety of internal and external sources to maintain their strength in detention, including faith and prayer, female friendship, their children, and even the fear of returning to situations of violence in their home countries. Persevering through multiple oppressions and risks, women from Central America put their hearts, minds, and bodies on the line to fight for a

fair chance to live peacefully again with their children, whom they wished to see grow happily and healthy. By overcoming the challenges of detention, asylum-seeking women also gained a new appreciation of their value as people, women, and mothers with rights that no one—not a deportation officer, immigration judge, or detention guard—could take away. This was perhaps the most poignant reflection that participants shared in our conversations, as I was able to listen to them convey their own sense of personhood, reaffirm their dignity, and talk about their hopes for a brighter future free of violence for their families.

Chapter 4 ended by considering how asylum-seeking women from Central America have transitioned from immigrant detention back to the larger world after their release from Karnes and Dilley. This section dealt with some of the ups and downs of post-detention life, as well as the repercussions of detention, especially since several participants still wore ankle monitoring devices at all times as their asylum cases continued to wind their way through immigration courts toward a final resolution. In this chapter, I argued that this particular alternative to detention inflicted its own sort of harm and humiliation on the participants of this study, as the devices not only prevented them from fully incorporating into their communities, but also reinforced the criminalizing stigma of dominant immigrant detention models in the United States.

FINAL CONSIDERATIONS AND POLICY RECOMMENDATIONS

In any conversation about the future of immigrant detention in the United States and the policies that might effectively protect asylum-seeking families' human and legal rights, it is absolutely vital to listen to the voices of immigrants and asylum seekers themselves. While politicians, members of the media, academics (myself included), and others say and write so much about these groups, less often do we take the time to be quiet

and listen to what they themselves are thinking, opining, doing, and feeling. What are their plans and hopes for the future and how do they want to fulfill them? What do their families and they think about the detention practices and immigration laws that most directly affect them? What, in their opinion, should U.S. politicians know about life in detention that might influence the policy choices they make? At the end of our interviews, I asked the participants of this study these questions, and their answers demonstrate yet more of the diversity that exists among asylum seekers' points of view and their respective life paths. If we attend to their words and experiences, their answers can also help to guide wiser policy decisions that respect, rather than diminish, the value and capabilities of asylum seekers and other immigrants.

Alejandra

“What, if anything, would you say to U.S. politicians about the detention centers in this country based on your experiences?” I asked Alejandra. “*Que se haga justicia*”, she said to describe her desire to see justice carried out for families like hers. “They should no longer have any hieleras, and mothers and children should remain together in one calm place” as their asylum petitions wind through the system. “*¿Qué culpa tienen ellos?*” she asked, referring to the children who had done nothing wrong to be locked away indefinitely in detention. It was unfair that they should be forced to live in detention centers like her son did for eleven months in Karnes. “One can endure many things as an adult, but children cannot”, she concluded.

Ana

“Is there anything you think U.S. policymakers should know about the current detention system based on your experiences in Karnes?” I asked Ana. She replied, “They should treat you better. The fact that we’re not from here...not all, but some [guards] scold

you like that.” For instance, one time a GEO guard at Karnes directly asked her, “What are you here for? Why are you bringing her?” referring to her motives for bringing her daughter to the United States. These pointed questions suggest that at least a few officials at Karnes were questioning the validity of Ana’s claim to be in this country with her children.

Diana

As of August 2015, Diana and her son were finally free from detention and on their way to see Diana’s daughter, her husband, and her brother and sister in another part of Texas. “What would you like to do now that you’ve left Karnes?” I pondered out loud. “I’d like to work and help my parents, because they’re still in [my hometown]”, she said. While she was determined to support her family in El Salvador, Diana ended by emphasizing that safety was the primary reason why she and her son had come north. “We didn’t come here to reunite with our families and work. We came because we’re fleeing from the violence. It’s something that [U.S.] immigration doesn’t understand.”

Elsa

“What, if anything, would you like to tell the politicians here in the United States—President Obama, for example—about your experience living in Karnes?” I asked Elsa as our conversation came to a close. “What I would like to tell Obama is that we came so that they’ll give us opportunities. We didn’t come *para perjudicar*—to harm anyone”, she said. Instead, she explained they had come to ask for protection for herself and her children. She reflected, “I think the president must look for a stronger strategy so that the federal agents don’t harm us. We think that they treat us ... instead of feeling safe, they make us [feel] afraid. They make us afraid to speak.”

Juana

“What I think is that the [U.S.] government doesn’t really know what is happening in the detention centers, because the staff of the detention center tells them one thing. By contrast, someone who has lived it *en carne propia*—first-hand—really knows what is happening in the detention centers. I mean, for the government *los tienen como un maquillaje*”, Juana said to describe the false appearance of the immigrant family detention centers. In her opinion, Karnes and Dilley had something like two faces: one was what the public and highest officials saw in promotional video footage, speeches by ICE members, and company language from GEO and CCA that upheld the centers as humane, safe, and appropriate places for families with children to remain in order to promote due process of law and comply with international refugee convention obligations; the other was the less visible daily struggle to overcome the hardship of life in detention and not to give up hope for a better future, as the previous chapters of this thesis highlighted.

Before saying goodbye, Juana shared some of her final thoughts about life in detention and what she would like to see happen to the U.S. detention system. “Whether members of Congress or journalists, in all the time I was there [at Karnes], eleven months, almost a year, well, one journalist entered that place. But what did they do with us, the oldest people? They locked us up in a room so we couldn’t speak with the media. I mean, they practically don’t want what is happening inside to filter out. They have everything *oculto*—hidden”, Juana said as she explained the lack of transparency at Karnes.

“Well, [deep breath] what I would like after all that I have lived through, for my son and for me it was something that affected us a lot, and well, I wouldn’t want mothers who come entering [the United States] to suffer as I have suffered with my son. It’s something that I don’t wish upon anyone...because they’re really hard things that you live through in those detention centers. Because sometimes people on the outside might think

that we're there *a lo máximo*, having a great time, that they give us food [and] all the benefits. But they don't know that the most important thing we yearn for and desire is our freedom", she said.

"What I would say [to the American people] is to raise your voice so that the government knows that those detention centers are not equipped for mothers or children, but especially not for children, because children have that trauma of not being a criminal to be locked up. I mean, the government thinks that maybe it helps us, but no, they're causing traumas for mothers and children. And I think that maybe more for the children, because remember that the children say in this country you fight for the rights of children. By contrast, children who already have their minds opened say, 'And where is the government that says it supports children? Is this how they support us?' they say, 'having us locked up like criminals?' That is no help. They should close those detention centers because they are equipped neither for children nor mothers. They should close so that they no longer exist for mothers with children, or for children alone, because they're no place to be, well, locked up."

Margarita

Margarita shared her final thoughts about U.S. immigrant detention and her experiences of struggle at Karnes, adding, "Well, they shouldn't let women suffer there with their children, because they don't deserve to be treated that way. And at least they should support women who come with children, because I feel ok. [...] And I know that everything is going to turn out ok for me."

Noemy

Now freed from Karnes, Noemy's thoughts turned to her future court dates and the ankle monitor she had to wear indefinitely. "So far it [the ankle monitor] doesn't bother

me, it only bothers me behind [pointing to the spot on the back of her ankle], but I don't want to put on socks", she said. Facing the uncertainty of her on-going asylum petition, Noemy put her faith in God, his mercy and protection, and the U.S. legal system to continue forward. "I hope to do what they told me and go to the [immigration] court. I want to do it because they are placing their faith in me." Hopefully, everything will turn out all right, she said, "when God and the judge will it." Compared with almost all the other women I spoke with, Noemy seemed to have more faith in the U.S. government and believed in the fairness of the judicial system that would decide her case.

At the same time, Noemy recognized aspects that had not been easy in detention and the asylum process, such as the food quality, hieleras, and discomfort from wearing an ankle bracelet, in addition to the possibility that she might be separated from her son. In the end, however, she seemed more concerned about the security situation in Guatemala than anything else. Living there had grown increasingly untenable as gang members exerted pressure and made physical violence a painfully immediate part of her family's daily life.

Patricia

"What, if anything, would you change about your experiences of detention at Dilley?" I asked Patricia. "[They should] make it easier for you to talk with family", she said. The food could also be better, because "it doesn't sit well with everyone."

Marta

"What were your expectations of the journey to *los Estados Unidos* and how did they compare with the reality you encountered here?" I asked Marta. "I had something different in mind about what was going to happen to me. I never imagined that *los Estados Unidos* would detain families. It was such a sudden trip, [I thought that] if immigration

catches me, we'll be detained for a few days maybe." Detention at Karnes, however "is wrong. It's not right." Officials at Karnes would tell Marta, "You don't have the right to anything [in the United States]," but she would reply assertively, "I came to protect my children and myself." Detaining growing children is wrong, because, as Marta said, "It's different for adults who understand that they've broken a law [entering the country without documents.] But children in detention are not free to play, to walk around." She asserted that, "As a mother, you become desperate."

Marta sought refuge and help from what she considered to be a "great nation", but her experience in Karnes shook that belief. "It's like a stain that doesn't fit with this country. How can we celebrate freedom [on July 4th] when they are detained?" she reflected. "All human beings have the right to freedom", she continued. "I don't want my children to grow up to say that they want to be like [U.S.] immigration officials...No human being can enforce laws that take away freedom. Only God can do that", she concluded. Marta wanted to teach her children to be free, which in part is why the current situation in El Salvador, where violence disproportionately hurts young people, deeply saddened her. Marta expressed her commitment to continue fighting so that young people in her country could advance themselves and not die amidst the violence that forced her and her children to flee for their lives. This activism took the shape of publically speaking out about her family's experiences at Karnes, as she did just a few days after our conversation by participating in a congressional hearing on immigrant family detention in Washington, D.C. Through her words and actions, Marta conveyed strong convictions and a clear sense of both justice and freedom for detained women and children.

Silvia

“If I were to speak with the police chiefs, or, I don’t know, with the people in government [in El Salvador] about those who commit crimes against innocent people, [I would tell them] to truly give them the punishment they deserve so that the full weight of the law falls on them, so others will act and see that they really do have a punishment. Unfortunately, our country’s president, I don’t know what’s happening, [because] not even the police are reporting *un cadáver*, a dead body—they don’t want to go [to a crime scene]. They themselves feel afraid, so not even the authorities feel safe. *Últimas nosotras*. We women least of all. The criminals feel more powerful than the police, more than the government itself.”

And to U.S. officials, Silvia would speak about the other mothers who are leaving Central America and going through the asylum process like her. She reflected, “*Vienen huyendo*—they are fleeing. Well, there are many women who suffer in our countries, and they can no longer handle the suffering. That’s why, although they continue to suffer, well, they arrive, they arrive even though [U.S.] immigration doesn’t even want to look at them.” In Silvia’s opinion, how should immigration officials treat Central American immigrants? “They should look at the cases and review them. They should give us an opportunity. An opportunity because we aren’t a threat to this country. We and our children, we want to live, we don’t want to be a *carga*, a burden, for the State. We might be people with family who can vouch for a home, their children, parents, brothers and sisters. There might be people who have someone to receive them.” Despite the anti-immigrant sentiments and restrictive measures coming from both sides of the political aisle in the United States over the past two decades, Silvia said that, “It’s not like we’re going to stay here for all of our lives, or steal what isn’t ours from the people from this country. No, we didn’t come

looking for that. Although we're humble people in our countries, we need an opportunity, too. We need an opportunity while, maybe, the violence passes a little."

More than anything, Silvia shared her desire for those in power to take into account the views of mothers like her and to consider them as people, not as stereotypes. "That is what I ask, that U.S. politicians and immigration officials listen to us, and they don't think that we're going to do what other people have done when they come to commit crimes or big mistakes in this country. No. [Mothers] are coming out of necessity, for security, to work and have money [laughs]. To live basically, no? [...] What I want as a mother with my two small children is to see them grow and, well, after some time to return to my country. Return with my children grown. *Pero que ya no crezca la delincuencia*", Silvia said describing how she wished that crime would stop growing in her home country of El Salvador. "I feel like I live with this great fear that I'm going to open the door of my house one day and they're going to be waiting for me [to kill me]. At any moment that I open the door. You can't live like that. You feel afraid like at any time they'll take your life away and they're counting the days. That's it. Living in fear like that doesn't feel like life. Or the fear that if I go shopping, they're going to stab me in the back. Or, if I resist, at night they're going to knock at my door and come to kill me or whoever is in the house." Time and again, Silvia and the mothers who participated in this study spoke about their wish to live in peace and watch their children grow and flourish like any other family.

"What I desire most is for my children to study, *porque ellos son muy pequeñitos*, they're really small. I feel that if I don't achieve anything, it doesn't matter, it doesn't matter, well, because I'm doing it for my kids. [...] I don't want them to stay in that great violence in my country, because I want them to be people who serve society. Despite all of my suffering, the tears and sicknesses I've had to go through in detention. But I say, all that is over now, now I'm hoping for something new. I have faith in God that there must

be something good for me. Yes, now there is a future. And the future I hope to see is my children doing well and growing.”

Study Relevance and Implications

As this text’s introduction mentioned, this study comes at a time of almost unprecedentedly large refugee flows worldwide and thriving anti-immigrant hatred in numerous European countries and the United States. It also comes, however, at a time of renewed organizing and action among immigrant and refugee communities and their allies in the United States to combat the militarization and criminalization of immigration law and detention. Some of this organizing took the shape of protests outside the Karnes and Dilley centers that occurred in October 2014 and May 2015, respectively [see Figures 12 and 13] calling for an end to immigrant family detention and deportations in the country.

Other organizing efforts have included academic gatherings that stimulate public engagement and debate around the topics of immigrant detention and refugee rights, such as the 2016 Lozano Long Conference at the University of Texas at Austin entitled, *Derechos en Crisis: Refugees, Migrant Detention, and Authoritarian Neoliberalism*.²⁹⁸ For their part, members of various religious traditions have also been active in detention visitation programs which aim to monitor human rights conditions and break the isolation of immigrant detention in Texas. Finally, a burgeoning movement of churches nationwide and in Texas has begun to offer sanctuary to refugees and migrants who face a final removal order from U.S. immigration.²⁹⁹

Figure 12. Protest Posters Outside Dilley Detention Center



Credit: Photo taken by author on May 2, 2015

Figure 13. National Security Risk? Images of Refugee Families at the #EndFamilyDetention Protest at Karnes



Credit: Photo taken by author on October 11, 2014

Within this general context, this study has tried to create yet another platform for the voices, stories, and lives of asylum-seeking women from Central America to contribute to the on-going debate surrounding immigration policy in the United States. It has paid close attention to their point of view as people whose opinions are often least taken into account but the most insightful due to their first-hand, lived experience. This study invites us to listen carefully to immigrant and asylum-seeking women's evaluations of detention

practices and to act on their suggestions to fundamentally change the *status quo* of punitive detention; it also encourages us to pay attention to the political role that detained women played as they organized themselves against tremendous odds and forces of power inside detention centers like Karnes and Dilley. In doing so, we will be far better equipped to reveal the fallacy of prevailing stereotypes that alternately depict asylum seekers and migrants from Central America and Mexico as a homogenous national security threat to the United States; a criminal group necessary to incarcerate and treat as if they had no rights; or helpless victims unable to care for themselves.

Going further, this study implies that any thoughtful critique of current immigration and detention policy in this country must grapple with the fraught meanings of security fifteen years after the September 11th, 2001 terrorist attacks, and how heightened surveillance and confinement in the name of security have affected millions of immigrants as well as refugee survivors of trauma and their children. In addition, this study points to the necessity of undertaking more comprehensive and reflexive research on the ways that race, nationality, class, gender expression, and sexual orientation affect the lived experiences of asylum seekers and refugees in the United States today, especially for groups like trans folks, trafficking survivors, indigenous communities, and minors. In the case of LGBTQI communities, efforts like the Queer Detainee Empowerment Project (QDEP) work to support “folks coming out of immigration detention in securing structural, health/wellness, educational, legal, and emotional support and services. We work to organize around the structural barriers and state violence that LGBTQI detainee/undocumented folks face related to their immigration status, race, sexuality, and gender expression/identity.”³⁰⁰ While this thesis focused most of all on the survival and resiliency of detained asylum-seeking women, movements like QDEP show the importance of looking forward toward life post-detention and how former detainees

transition into American communities, “creating a narrative of thriving, not just surviving.”³⁰¹

Likewise, this study argues that we must stop reforming immigrant detention (e.g., to make centers “family-friendly”) and move toward abolitionary strategies that envision alternative forms of justice, security, and democracy not built upon the subjugation of large groups of people. As Davis says about her own work *Abolition Democracy*, “Hopefully it will encourage people to think not only about the institution of the prison but also about the particular version of democracy to which we are asked to consent. Democratic rights and liberties are defined in relation to what is denied to people in prison. So we might ask, what kind of democracy do we currently inhabit?”³⁰² Similarly, we must contemplate the institution of immigrant detention in relation to the prison and ask ourselves hard questions about what the policies and practices of detention, especially of asylum seekers, say about our values and character as a people. Davis’s contributions to the field of prison abolition provide vital tools to deconstruct the growing connections between immigrant detention and the prison-industrial-complex in the United States, to follow the money behind GEO and CCA contracts with the federal government, to create advocacy tools to shut down detention centers, and to re-orient our priorities as a country from national security to human security so that the U.S. government no longer deprives asylum-seeking women and children of their freedom in detention centers.³⁰³

Finally, a significant part of this study’s relevance is related to the on-going security challenges that made life impossible in certain parts of Central America for the eleven women whose voices are at the heart of this thesis. During the summer of 2015, I was able to hear the stories of persecution that led women from El Salvador, Guatemala, and Honduras to leave for the United States as I worked as a member of a United Nations team that interviewed asylum-seeking women both inside and out of detention in Texas. This

experience gave me unique insight into the magnitude of the dangers that Central American women and their children are fleeing, as well as the structural barriers that prevent them from finding safety in the United States. In general, I agree with the conclusions of the UNHCR's report *Women on the Run*—the final result of that summer's collective efforts—that a large number of the women and children who have arrived to the United States since 2014 are indeed in need of international protection as refugees, and that governments in the region should take more proactive and coordinated steps to protect these peoples' human rights and dignity while they determine whether or not to grant them asylum.

An implication of this reality is that the U.S. government should recognize the nature and severity of the persecution ravaging certain communities of Central America and grant more people from the region asylum from gender and gang-related violence. A long-term policy implication of the study is that the United States should work toward the abolition of immigrant detention, especially for asylum seekers and others in need of international protection or in situations of vulnerability. In the process of doing so, however, the American government should more widely implement alternatives to family detention that, unlike grilletes, prioritize the best interest of children, do not criminalize or stigmatize refugee families, and do not create sizeable profits for private prison corporations and their shareholders. The United Nations General Assembly has declared that, “The right to liberty and security of person, as set out above, obliges States to consider in the first instance less intrusive alternatives to detention of migrants.”³⁰⁴ With regard to alternatives, the General Assembly mentions that case management, reporting requirements, and designated residence are all viable options to replace detention as long as they “conform to relevant principles of international law, including the principles of non-discrimination, necessity and proportionality and should not prevent individuals from exercising their other human rights, including the right to health and education.”³⁰⁵

In addition to considering these alternatives, another step the United States should take immediately is to more closely adopt the UNHCR's 2012 *Detention Guidelines* which outline that: first, States should respect the right to seek asylum; second, detention should be an exception and *not* the norm; and third, detention must not be arbitrary, but rather based on an individual assessment of the asylum seekers' needs and situation, particularly if they are accompanied by minor children.³⁰⁶ At the end of the day, the stories in this thesis demonstrate the extent to which asylum seekers from Central America may have existing connections with family or community members already living in the United States. These ties strengthen the possibility for unconditionally releasing people like the participants of this thesis to allow migrants and asylum seekers to reunite with their families and to count on their support while they continue their immigration process.

LIMITATIONS AND FUTURE RESEARCH

Like any study, this thesis has shortcomings and limitations. The conclusions I draw are not necessarily generalizable to all Central American women's experiences of living with their children in immigrant family detention at Karnes or Dilley. The variety of perspectives existing even among the small group of women I interviewed leads me to reaffirm the fact that asylum-seeking women from El Salvador, Guatemala, and Honduras are a heterogeneous group of people from many different cultural, economic, and racial backgrounds, and that some individuals may evaluate life in immigrant detention and U.S. officials' behavior in different ways depending on varied factors. Previous histories of trauma and the length of time spent in immigrant detention are worth mentioning as just two of these factors.

Another limitation of this thesis is related to the crucial and delicate process of building rapport and trust with participants in order to make them feel comfortable talking

about sometimes personal and painful memories. While I remain in touch with some of the women who shared their stories with me, I only knew the majority of them during a limited time. I believe these circumstances led to natural silences in the oral histories that participants and I conducted, in which some individuals may have preferred not to talk about (or to elaborate extensively on) certain topics with me as someone they were just coming to know. Since at that moment I was already asking participants to touch upon sensitive topics after leaving detention when they had other priorities to address, like taking care of their children, traveling to reunite with loved ones, attending immigration check-ins, etc., I respect women's decisions to tell exactly what they wished and am deeply grateful for the time and reflections they did share.

A third related limitation are the ways in which trauma and fear may impact memory. The women whose lives form the foundation of this thesis are survivors of domestic abuse, torture, extortion, and death threats. Some have even seen their family members kidnapped or murdered. Having traveled thousands of miles under difficult conditions and then spending time in the hostile environment of U.S. immigrant detention, it is understandable that emotional trauma and the need for heightened self-protection lead some women to remember certain aspects of their experiences while omitting or modifying others. Rather than interpreting this as a factual inaccuracy, I think it is far more worthwhile to explore the malleable and subjective nature of memory and to ask why women remember and present their histories in specific ways depending on the circumstances they find themselves in and their motivations for participating in an oral history project like this one.

With regard to the possibilities for future research, there are at least two points that emerged throughout this study that deserve greater attention. As Chapter 2 outlined, the first is to examine more closely the situation of indigenous asylum-seeking women who must deal with multiple, intersecting discriminations in U.S. immigrant detention due to

their national origin, ethnicity, and gender, among other facets of their identity. In particular, it is pressing to analyze the asylum cases of non-Spanish speaking indigenous women from countries like Guatemala, Mexico, and Honduras to better understand the extent to which the language barriers that Alejandra identified played a role in determining the ultimate decisions in their cases, especially if those decisions were a denial of their asylum claims.

The second point is the possibility that CBP and ICE officials are violating the principle of *non-refoulement* and/or committing additional abuses against immigrants and asylum seekers in U.S. detention. To reiterate, the definition of *non-refoulement* contained in the UNHCR's 1951 Convention and 1967 Protocol is to "expel or return (*refouler*) a refugee against his or her will, in any manner whatsoever, to a territory where he or she fears threats to life or freedom."³⁰⁷ As Chapters 2 and 3 discussed at length, some CBP officers did not view the women who participated in this study as refugees and thus used notable amounts of pressure, intimidation, threats, and physical isolation to prevent them from applying for asylum and to force them to sign their removal papers instead. Given CBP's general lack of transparency regarding the operations of U.S. Border Patrol agents and hielera conditions, as well as the questionable behavior that Silvia, Marta, Margarita, and others recounted about life in detention, there should be a systematic, independent investigation to verify the extent to which CBP agents and ICE officials may be abusing immigrants and asylum seekers and why. If the United States is indeed serious about fulfilling its international obligations to protect and respect refugees and asylum seekers, it is the least the country could do.

Appendix A: Study Participants

Name ^a	Age	Country of Origin	Marital Status	Kids	Occupation	SES ^d	Year Left Home	Reason for Leaving	Time in Karnes or Dilley
Alejandra	Late 20s	GUAT	Single	Yes	Domestic worker	Working class	2014	Domestic abuse/ crime	11 months
Ana	Early 30s	HON	Married	Yes	Housewife	Lower class	2015	NR ^c	1 month
Blanca	Late 30s	SAL	Single	Yes	Child care provider	Working class	2015	Gang violence	1 month
Diana	Early 40s	SAL	Married	Yes	Housewife, cattle raiser, and farmer	Middle Class	2015	Police extortion/ threats	1 month and a few days
Elsa	Early 30s	HON	Married	Yes	Teacher	Working class	2015	Threats from hired assassin	1 month and a few days
Juana	Early 30s	SAL	Single	Yes	NR ^c	Middle class	2014	Domestic abuse	11 months
Margarita	Early 40s	SAL	NR ^b	Yes	Restaurant owner	Upper-middle class	2014	Gang violence	3 months
Marta	Early 30s	SAL	Married	Yes	Community organizer	Middle class	2014	Gang violence	*10 months and a 9 days
Noemy	Early 30s	GUAT	Widow	Yes	Bank teller	Middle class	2015	Gang violence/ crime	1-2 months
Patricia	Early 20s	SAL	NR ^b	Yes	Housewife	Lower class	2015	Gang violence/ Threats	13 days
Silvia	Early 30s	SAL	Married	Yes	Housewife	Working class	2014	Gang violence/ crime	*11 months

^aAll names have been changed to maintain participants' anonymity and confidentiality.

^bNot revealed. Margarita reported that she lived with the father of her children in El Salvador, but she did not share the status of their relationship. Patricia reported she had a male *pareja* (partner) who had fled to the United States from El Salvador before her.

^cNot revealed.

^d Socio-economic status

*Silvia and Marta voluntarily revealed that they had previously been deported from the United States

Appendix B: Oral History Interview Guide (Translated from Spanish)

Life on Hold: Central American Women's Experiences of U.S. Immigrant Detention

Principal Investigator: Aileen Ford

I. Establishing Rapport

- a. How do you feel knowing that you're going to share some of your experiences as an immigrant with me?
- b. Why did you want to participate in this study?
- c. Is it ok if we begin the interview now?

II. Personal Information

- a. Where are you from?
- b. May I ask how old you are?
- c. Did you go to school?
 - i. If YES: Until what age? What did you study?
- d. What did you do in...before you left for the United States? Were you working, for example?
- e. Do you have a partner?
 - i. If YES: Tell me a little about your partner (age, job, personality, etc.). How long have you been together?
- f. Do you have any children?
 - i. If YES: Where do they live?

III. Home Life

- a. What memories do you have of your childhood?
- b. Whom did you live with?
- c. Who took care of you?
- d. How did you get along with the people who took care of you?
- e. In general, did life at home influence your decision to leave...?
 - i. If YES: Could you explain how?

IV. Gangs

- a. Can you describe what it was like to live in...?
- b. Did you feel safe there, walking on the street or going to the store, etc.?
 - i. If YES: Why?
 - ii. If NO: Why not?
- c. Were there gangs in your neighborhood?
 - i. If YES: How did they treat your neighbors?
 - ii. If YES: Did they ever pressure you or other women to join the gangs or to become their girlfriends?

1. If YES: What would happen to a young woman if she said no to their demands?
 - d. In general, did gang violence influence your decision to leave...?
- V. Migration**
- a. Before leaving, what did you think the journey to the United States would be like?
 - b. Did you think you might face danger on the road as a woman?
 - i. If YES: What dangers did you think about the most?
 - ii. If YES: How did you try to protect yourself from these dangers during your journey to the United States?
- VI. Sexual Violence**
- a. This is a difficult question, but may I ask if you had any experiences of sexual violence during your journey here?
 - i. If YES: How did it make you feel?
 - ii. If YES: Could you talk with someone or ask for help after it happened if you wanted to?
 - iii. If NO: Did you know anyone else in the journey who experienced sexual violence?
- VII. Detention**
- a. How did you arrive at the detention center in Texas?
 - b. How long were you there?
 - c. Were you applying for asylum while you were there?
 - i. If YES: Did you have a lawyer to help with your case?
 1. If YES: Were they helpful?
 - ii. If NO: Can you describe how you prepared your application?
 - d. At any time during your application did you need an interpreter?
 - i. If YES: Were you able to find one? How long did it take? Did they help?
 - ii. If NO: Skip to letter "e."
 - e. Can you describe a normal day in the center? Were there rules you had to follow?
 - f. How did you feel most days?
 - g. What did you think about or do to pass the time?
 - h. How much privacy did you have in the center?
 - i. Could you move around the center freely?
 - j. What do you remember about the food you normally ate?
 - k. How did the guards treat you and the other women at the center in general?
 - l. What do you remember about your daily interactions with other detainees? Did you make any friends in the center?
 - m. Were you in contact with your family and friends in the United States or at home?
 - i. If YES: How would communicate with them?

- n. Did any lawyers ever come to give a talk to you all about your legal rights while you were in detention?
 - o. Looking back, what do you think now about your experience of detention?
- VIII. *Life after Detention***
- a. How has life been since you left the center?
 - b. Do you think detention has affected you in any way? If so, how?
 - c. What resources have you used to survive after detention?
 - i. How important have family or friends been in the transition?
 - ii. Have you tried to use any public services for refugees or immigrants?
 - 1. If YES: How has your experience been?
 - 2. If NO: Why not?
- IX. *Participants' Response to Interview***
- a. Now that we are finishing our conversation, is there anything else that you think is important for me to know that I did not ask?
 - b. What should people in the United States know about life inside immigrant detention centers like the one where you were? About life after detention?

Appendix C: Advocate Interview Guide

Life on Hold: Central American Women's Experiences of U.S. Immigrant Detention

Principal Investigator: Aileen Ford

I. Establishing Rapport

- a. How do you feel knowing that you're going to share about your advocacy work with Central American women who are (or have been) in immigrant detention?
- b. Why did you want to participate in this study?
- c. Is it ok if we begin the interview now?

II. Background

- a. Can you tell a little bit about your work at [organization name] and the capacity in which you serve detained immigrant women?
- b. How long have you worked in your current position and what attracted you to it?

III. Immigrant Detention Centers

a. History and Legislation

- i. From your work as an advocate, what have you learned about the history of immigrant detention in the United States and the rise of immigrant detention centers in Texas?
- ii. Do you know if federal immigrant detention policies have changed much over time?
 1. Yes: What are the most remarkable changes?
 2. No: Why do you think that is?
- iii. Are there any key moments or pieces of federal/state legislation that have had the greatest impact on the development of the United States' current system of immigrant detention?

b. Privatization

- i. How (if at all) have privatization and contracting affected the way the current immigrant detention system works nationally? And in Texas?
- ii. In Texas, how many privatized detention centers are operating right now? On any given day, how many immigrants do these centers hold, and what are the main corporations that run them?
- iii. How transparent have these centers historically been about their practices and policies? For example, in cases of reported abuses against detainees, who is responsible for investigating and keeping these centers accountable? How much access does the American public have to the centers' financial records and internal reporting about their conditions and administrative policies?

c. Conditions

- i. To the best of your knowledge, what is life like inside the privatized detention centers in Texas where Central American women are living?
- ii. How long did the women you know spend in detention? Were they seeking asylum at the time?
- iii. How much access do the detainees you work with generally have to basic health care, psychological support, legal representation, and communication with family and friends while in detention?
- iv. How often do women presenting their asylum cases request or need the services of interpreters? How often can they find a competent interpreter that speaks their language?
- v. What have immigrant women told you about the food inside detention and the commissary items and prices?
- vi. What have you heard about the way guards treat detained women in their daily interactions?
- vii. How has detention affected the emotional, physical, and mental well-being of the Central American women you know (or have known)?

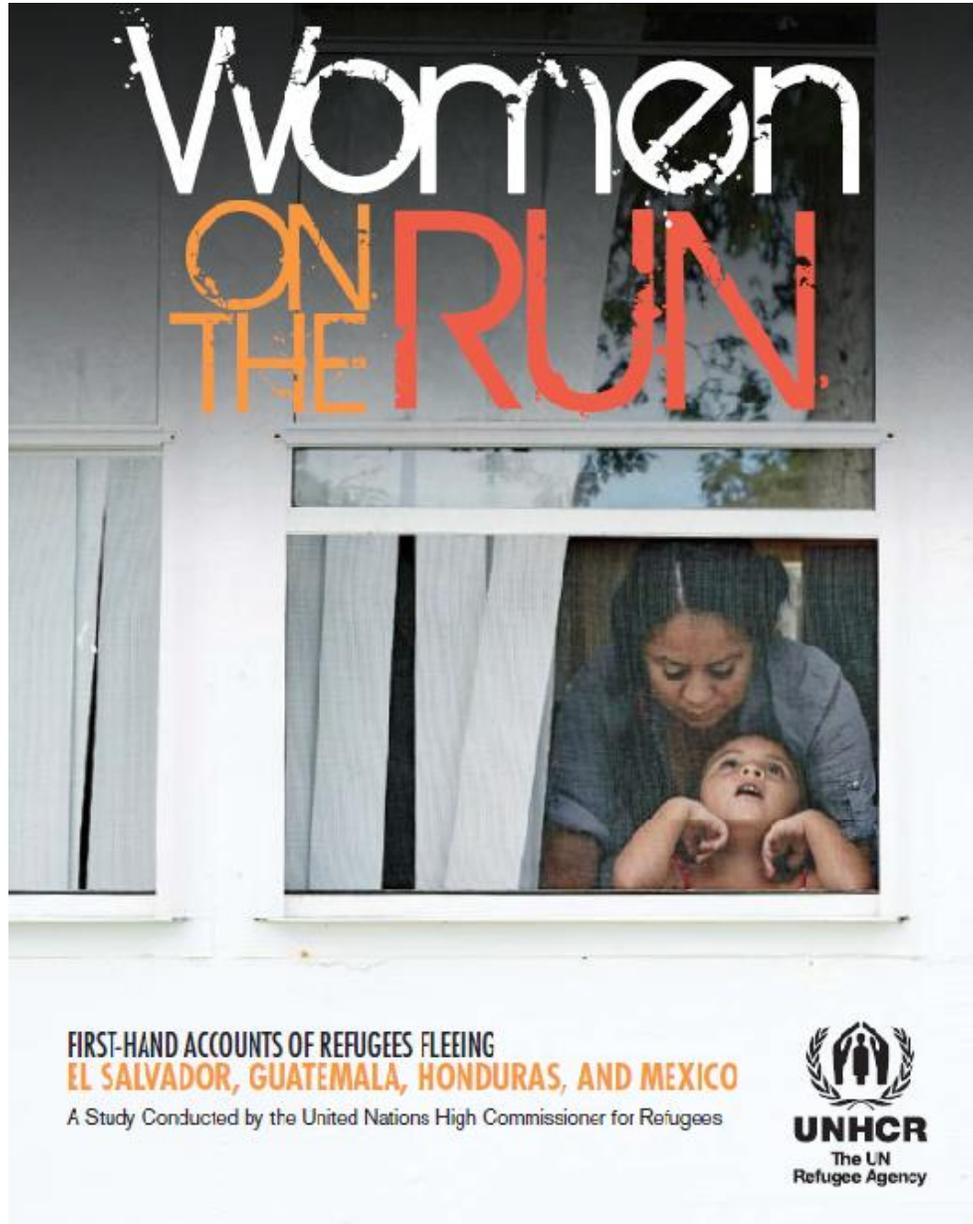
d. Life after Detention

- i. What is the transition to life after detention like for the Central American women that you serve?
- ii. What kinds of support systems (if any) do Central American women draw upon to survive and find work, housing, etc. after leaving detention in Texas?
- iii. Where do the majority of released immigrant women go after detention? Do they stay in the state or mostly relocate elsewhere in the country?
- iv. As far as you know, what kinds of public services are currently available in Texas for refugee women who are released from immigrant detention?
- v. What are the strengths and weaknesses of these services? Do they have any gaps or areas where they could be improved?

IV. Final Reflections

- a. What is your take on the movement to end immigrant detention in this country? Does it have what it takes to make a tangible impact?
- b. In your opinion, what is the future of privatized immigrant detention in Texas? Do you think the status quo will continue or could any changes be on the horizon?
- c. As our conversation winds down, is there anything that you think is important for me to know that I didn't ask today?
- d. If you could tell the public one thing they probably don't know about the policies and practices behind immigrant detention in the United States, what would that be?

Appendix D: UNHCR Report, *Women on the Run*



Retrieved from: <http://www.unhcr.org/5630f24c6.html>

Appendix E: List of Acronyms and Abbreviations

1951 Convention—1951 United Nations Convention relating to the Status of Refugees
ABA—American Bar Association
ACLU—American Civil Liberties Union
ATD—Alternatives to Detention
B.I.—Behavioral Interventions Incorporated
CAM—Central American Minors Refugee/Parole Program
CBP—U.S. Customs and Border Patrol
CCA—Corrections Corporation of America
CFI—Credible Fear Interview
CIVIC—Community Initiatives for Visiting Immigrants in Confinement
CNDH—Mexico’s National Commission on Human Rights (Comisión Nacional de Derechos Humanos)
DHS—U.S. Department of Homeland Security
DOJ—U.S. Department of Justice
Dilley—South Texas Family Residential Center
EOIR—Executive Office for Immigration Review
FLACSO—Facultad Latinoamericana de Ciencias Sociales
FOIA—Freedom of Information Act
GEO—Geo Group, Inc.
HHS—U.S. Department of Health and Human Services
Hutto—T. Don Hutto Residential Center
ICE—U.S. Immigration and Customs Enforcement
IIRAIRA—Illegal Immigration Reform and Immigrant Responsibility Act of 1996
INCIDE—Iniciativa Ciudadana y Desarrollo Social
INM—Mexico’s National Immigration Institute (Instituto Nacional de Migración)
INS—Immigration and Naturalization Service
IOM—International Organization for Migration
IRCA—Immigration Reform and Control Act of 1986
ISAP—Intensive Supervision Appearance Program
ITAM—Instituto Tecnológico Autónomo de México
Karnes—Karnes County Residential Center
LAPOP—Vanderbilt University’s Latin American Public Opinion Project
MALDEF—Mexican American Legal Defense and Education Fund
MTC—Management and Training Corporation
NACLA—North American Congress on Latin America
NPR—National Public Radio
OIG—Office of the Inspector General
PIC—Prison-Industrial-Complex
Port Isabel—Port Isabel Service Processing Center

PRI—Public Radio International
PTSD—Post-traumatic Stress Disorder
QDEP—Queer Detainee Empowerment Project
RAICES—Refugee and Immigrant Center for Education and Legal Services
Refugee Act—Refugee Act of 1980
RGV—Rio Grande Valley
TEDS—U.S. CBP’s *National Standards on Transport, Escort, Detention, and Search*
UNHCR—United Nations High Commissioner for Refugees
USCIS—U.S. Citizenship and Immigration Services

Footnotes

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- ¹ “*Tengo la fe en dios de que algo bueno tiene que haber para mí.*”
- ² United Nations High Commissioner for Refugees, 2016a
- ³ United Nations High Commissioner for Refugees, 2010, p. 14
- ⁴ United Nations High Commissioner for Refugees, n.d.
- ⁵ U.S. Embassy, 2010
- ⁶ Zong & Batalova, 2015
- ⁷ U.S. Citizenship and Immigration Services, 2015a
- ⁸ U.S. Citizenship and Immigration Services, 2016
- ⁹ U.S. Citizenship and Immigration Services, 2015b
- ¹⁰ *Ibid.*
- ¹¹ United Nations High Commissioner for Refugees, 2010, p. 3
- ¹² *Ibid.*
- ¹³ Silverman, 2010
- ¹⁴ *Ibid.*, pp. 4, 6-7
- ¹⁵ Yoo, 1998
- ¹⁶ Silverman, 2010, pp. 10-11; Gavigan, 1997
- ¹⁷ Silverman, 2010, p. 11; Cooper & O’Neil, 2005, pp. 3-4
- ¹⁸ Silverman, 2010, p. 13; 104th U.S. Congress, 1996
- ¹⁹ Migration and Refugee Services/United States Conference of Catholic Bishops, & The Center for Migration Studies, 2015, p. 22
- ²⁰ Silverman, 2010, p. 14
- ²¹ Gavett, 2011
- ²² U.S. Customs and Border Protection, n.d.a; Wilson & Selee, 2010, p. 2
- ²³ U.S. Customs and Border Protection, 2015a, p. 3
- ²⁴ For more information on these policies, see (Catch and Release) <http://www.npr.org/templates/story/story.php?storyId=5026375> and (Secure Communities) https://www.dhs.gov/sites/default/files/publications/14_1120_memo_secure_communities.pdf.
- ²⁵ Gonzalez-Barrera & Krogstad, 2014; U.S. Border Patrol, n.d.a
- ²⁶ Global Detention Project, 2016
- ²⁷ Gavett, 2011
- ²⁸ U.S. Department of Homeland Security, 2016, p. 5
- ²⁹ Global Detention Project, 2016
- ³⁰ Gavett, 2011
- ³¹ Global Detention Project, 2016
- ³² Detention Watch Network, 2011, p. 1
- ³³ *Ibid.*
- ³⁴ Kirby, Libal, Madison, Morris, & Quong Charles, 2013; Kuo & Hanna, 2014
- ³⁵ Schriro, 2009
- ³⁶ American Civil Liberties Union, 2015
- ³⁷ United Nations High Commissioner for Refugees, 2015a, p. 2
- ³⁸ *Ibid.*, p. 3
- ³⁹ International Organization for Migration, 2016
- ⁴⁰ *Ibid.*
- ⁴¹ Smith, 2015

- ⁴² *Ibid.*
- ⁴³ UNHCR, 2015a, p. 9
- ⁴⁴ Mossaad, 2016, p. 1
- ⁴⁵ *Ibid.*, pp. 5-6
- ⁴⁶ *Ibid.*
- ⁴⁷ *Ibid.*
- ⁴⁸ Author's calculations based on the number of received and granted defensive asylum claims reported for the years 2010-2014 found in Office of Planning, Analysis, and Technology, 2015
- ⁴⁹ *Ibid.*
- ⁵⁰ *Ibid.*
- ⁵¹ *Ibid.*
- ⁵² "Family units" are defined as "individuals (either a child under 18 years old, parent or legal guardian) apprehended with a family member by the U.S. Border Patrol". For more details, see U.S. Border Patrol, n.d.b
- ⁵³ *Ibid.*
- ⁵⁴ See Park, 2014; see also Payne & Yan, 2014
- ⁵⁵ Office of the Press Secretary, 2014
- ⁵⁶ Burwell, 2014
- ⁵⁷ McCabe, 2014; Preston, 2014
- ⁵⁸ Hipsman & Meissner, 2015
- ⁵⁹ Nakamura, 2016
- ⁶⁰ For videos of Central American refugee women telling their own stories of family detention, see RAICES's series entitled "Mothers Survive Family Detention" available on *YouTube* at [https://www.youtube.com/watch?v= ShPWaV8sz4](https://www.youtube.com/watch?v=ShPWaV8sz4).
- ⁶¹ See (Women's Refugee Commission) <https://www.womensrefugeecommission.org/about> and (Center for Gender and Refugee Studies) <http://cgrs.uchastings.edu/>.
- ⁶² See (Lutheran Immigration and Refugee Service) <http://lirs.org/>, (Unitarian Universalist Service Committee) <http://www.uusc.org/>, and (Jesuit Refugee Service) <http://en.jrs.net/>.
- ⁶³ Ritchie, 2014, p. 1
- ⁶⁴ Author's translation of Aceves Lozano, 2013, p. 117
- ⁶⁵ Plummer, 2001, p. 1
- ⁶⁶ Enríquez Rosas, 2013, p. 275
- ⁶⁷ Ritchie, 2014, p. 10.
- ⁶⁸ Neves Delgado, 2006, pp. 15-16
- ⁶⁹ *Ibid.*, p. 31.
- ⁷⁰ Plummer, 2001, p. 6
- ⁷¹ Beverley, 1987, p. 9
- ⁷² *Ibid.*, p. 15
- ⁷³ Stephen, 2015, p. 6
- ⁷⁴ *Ibid.*, p. 10.
- ⁷⁵ *Ibid.*, pp. 9 & 14
- ⁷⁶ *Ibid.*, pp. 11 & 14
- ⁷⁷ For more on testimonio as a research methodology, see Peredo Beltrán, 1996
- ⁷⁸ Santa Cruz, 2016
- ⁷⁹ Cienfuegos & Monelli, 1983, pp. 49 & 50
- ⁸⁰ *Ibid.*, p. 51

- ⁸¹ Executive Office for Immigration Review Office of Planning, Analysis, and Technology Immigration Courts, 2015; Executive Office for Immigration Review Office of Planning, Analysis, and Technology Immigration Courts, 2016; Office of Immigration Statistics, 2016
- ⁸² United Nations High Commissioner for Refugees, 2015a; United Nations High Commissioner for Refugees, 2016b
- ⁸³ United Nations High Commissioner for Refugees, 2015b
- ⁸⁴ Human Rights Watch, 2014
- ⁸⁵ Aron, Corne, Fursland, & Zelwer, 1991
- ⁸⁶ O'Connor, Thomas-Duckwitz, & Nuñez-Mchiri, 2015
- ⁸⁷ Migrant Clinicians Network, 2015; Lopez, 2015
- ⁸⁸ Langer, 2002, p. 2
- ⁸⁹ Shemak, 2011, pp. 3-5
- ⁹⁰ Freedman, 2007, p. 12
- ⁹¹ Davis, 2005, p. 39
- ⁹² See Chapter 2 of Davis, 2003
- ⁹³ Davis, 2005, p. 113
- ⁹⁴ Ewing, Martínez, & Rumbaut, 2015, p. 2
- ⁹⁵ *Ibid.*, pp. 4-6
- ⁹⁶ *Ibid.*, p. 2
- ⁹⁷ *Ibid.*, p. 10
- ⁹⁸ Menjívar & Abrego, 2012
- ⁹⁹ *Ibid.*, pp. 1382 & 1394
- ¹⁰⁰ *Ibid.*, p. 1391
- ¹⁰¹ De Genova, 2004, p. 160
- ¹⁰² *Ibid.*, p. 161
- ¹⁰³ *Ibid.*
- ¹⁰⁴ INCITE! Women of Color Against Violence and Critical Resistance, 2008, p. 17
- ¹⁰⁵ *Ibid.*, p. 22
- ¹⁰⁶ The Sentencing Project, 2015
- ¹⁰⁷ *Ibid.*
- ¹⁰⁸ Sudbury, 2010, p. 17
- ¹⁰⁹ Thomas, 2003, p. 3
- ¹¹⁰ *Ibid.*, p. 18
- ¹¹¹ Ferraro & Moe, 2003, p. 67
- ¹¹² *Ibid.*, p. 83
- ¹¹³ United Nations High Commissioner for Refugees, 2015b, p. 6
- ¹¹⁴ The participants in this study used the terms *mareros*, *pandilleros*, and *delincuentes* often interchangeably to refer to armed criminals and members of groups like the 18th Street gang.
- ¹¹⁵ Samir Shehata, 2015
- ¹¹⁶ *Ibid.*
- ¹¹⁷ Hiskey, Córdova, Orcés, & Fran Malone, 2016, p. 1
- ¹¹⁸ *Ibid.*, p. 9
- ¹¹⁹ United Nations High Commissioner for Refugees, 2015b, p. 3
- ¹²⁰ *Ibid.*, p. 4
- ¹²¹ *Ibid.*, p. 23
- ¹²² Aron, Corne, Fursland, & Zelwer, 1991, p. 42
- ¹²³ Bruneau, 2011, p. 14; Garsd, 2015

- ¹²⁴ Center for Constitutional Rights & International Federation for Human Rights, 2012; For just one example of a recent high-profile assassination of an environmental and indigenous rights' activist in Honduras, see the story of Berta Cáceres: <https://www.theguardian.com/world/2016/may/02/berta-caceres-murder-four-men-arrested-honduras>.
- ¹²⁵ Bruneau, 2011, p. 7
- ¹²⁶ Kennedy, 2013, p. 50
- ¹²⁷ Hiskey, Córdova, Orcés, & Fran Malone, 2016, p. 3
- ¹²⁸ *Ibid.*
- ¹²⁹ McEvers & Garsd, 2015
- ¹³⁰ Menjívar, 2011
- ¹³¹ Ajcalón Choy, 2014
- ¹³² *Ibid.*, pp. 34, 69, & 105
- ¹³³ Centro de Derechos de Mujeres, et al., 2014, p. 2
- ¹³⁴ *Ibid.*, p. 6
- ¹³⁵ *Ibid.*, p. 3
- ¹³⁶ Freedman, 2007, p. 133
- ¹³⁷ Donato, Gabaccia, Holdaway, Manalansan IV, & Pessar, 2006
- ¹³⁸ Tripp, 2013, p. 9
- ¹³⁹ Freedman, 2007, pp. 19-20
- ¹⁴⁰ Tripp, 2013, pp. 9-10
- ¹⁴¹ Amnesty International, 2010, p. 5
- ¹⁴² Comisión Nacional de los Derechos Humanos, 2011, p. 12
- ¹⁴³ *Ibid.*, p. 17
- ¹⁴⁴ *Ibid.*, p. 18, para. 65
- ¹⁴⁵ Bustamante, 2009, p. 15, para. 49
- ¹⁴⁶ Amnesty International, 2010, p. 5
- ¹⁴⁷ Sistiaga, 2012; Siegal McIntyre, 2014
- ¹⁴⁸ For a powerful account of the personal experience of sexual violence during migration in Mexico, see the 2005 documentary *De Nadie (No One)* available on YouTube: <https://www.youtube.com/watch?v=uX4X1YhW-sY>.
- ¹⁴⁹ Sin Fronteras & INCIDE, 2012; see pp. 50-54 & 70-73 for examples of sexual violence's impacts on migrant women's well-being in Mexico, as well as proposals for care models for survivors.
- ¹⁵⁰ Casillas, 2011, p. 146
- ¹⁵¹ *Ibid.*; Boggs, 2015
- ¹⁵² Ministry of the Interior (*Secretaría de Gobernación*), n.d.
- ¹⁵³ Human Rights Watch, 2016
- ¹⁵⁴ Boggs, 2015
- ¹⁵⁵ *Ibid.*
- ¹⁵⁶ Casillas, 2011, pp. 148 & 150
- ¹⁵⁷ For a journalistic treatment of Mexico's war on drug trafficking, see Gibler, 2011 and Grillo, 2016, Part V. The Saint: Mexico
- ¹⁵⁸ Instituto Tecnológico Autónomo de México, 2014, p. 19
- ¹⁵⁹ Border Network for Human Rights, Border Action Network, & U.S.-Mexico Border and Immigration Task Force, 2008
- ¹⁶⁰ Instituto Tecnológico Autónomo de México, 2014; Booth, 2010; For information on other murders of migrants in Mexico, see The Associated Press, 2014
- ¹⁶¹ For the original Spanish text, see Martínez, 2010; For Martínez's more recent articles on life in El Salvador, see <http://www.elfaro.net/user/profile/omartinez>.

- ¹⁶² Instituto Tecnológico Autónomo de México, 2014, p. 24
- ¹⁶³ *Ibid.*
- ¹⁶⁴ Giovanniello, 2013
- ¹⁶⁵ Lieberman, 2013
- ¹⁶⁶ See chapters entitled, “Aquí se viola, aquí se mata” and “Las esclavas invisibles” in Martínez, 2010
- ¹⁶⁷ Feliz, 2016
- ¹⁶⁸ American Immigration Council, 2015
- ¹⁶⁹ Rivas, 2016
- ¹⁷⁰ U.S. Customs and Border Patrol, n.d.b
- ¹⁷¹ U.S. Customs and Border Patrol, n.d.c
- ¹⁷² U.S. Customs and Border Patrol, 2009, p. 494
- ¹⁷³ U.S. Customs and Border Patrol, 2015b, p. 3
- ¹⁷⁴ *Ibid.*
- ¹⁷⁵ *Ibid.*, “4.0 Secure Detention Standards,” p. 14
- ¹⁷⁶ *Ibid.*, “4.6 Hold Room Monitoring,” p. 16
- ¹⁷⁷ *Ibid.*, “4.7 Hold Room Standards,” p. 16, and “4.15 Restroom Facilities,” p. 18
- ¹⁷⁸ *Ibid.*, “5.0 At-Risk Populations,” p. 19, and “5.6 Detention,” p. 22
- ¹⁷⁹ U.S. Border Patrol, 2008
- ¹⁸⁰ *Ibid.*, “6.2. Duration of Detention,” p. 3
- ¹⁸¹ American Immigration Council, 2015
- ¹⁸² Cantor, 2015, p. 2
- ¹⁸³ *Ibid.*, p. 5
- ¹⁸⁴ *Ibid.*
- ¹⁸⁵ *Ibid.*, p. 2
- ¹⁸⁶ *Ibid.*, pp. 11, 12, & 14
- ¹⁸⁷ *Ibid.*, p. 17
- ¹⁸⁸ See Pilkington, 2015; Redden, 2014; and Carcamo & Simon, 2013
- ¹⁸⁹ American Civil Liberties Union, 2014
- ¹⁹⁰ Pilkington, 2015
- ¹⁹¹ *Ibid.*
- ¹⁹² National Public Radio, 2014
- ¹⁹³ Hennessey-Fiske, 2015
- ¹⁹⁴ “...yo veía que a las mujeres las agarraban del pecho y las aventaban para adentro.”
- ¹⁹⁵ ‘Ah, pero a nosotros no nos importa lo que a ustedes les pase. Ustedes no están en su país, aquí es un país ajeno.’
- ¹⁹⁶ Long, 2014, pp. 5-6
- ¹⁹⁷ *Ibid.*, p. 7
- ¹⁹⁸ *Ibid.*
- ¹⁹⁹ *Ibid.*, pp. 41-42
- ²⁰⁰ National Immigration Forum Staff, 2013
- ²⁰¹ Detention Watch Network (n.d.)
- ²⁰² *Ibid.*
- ²⁰³ Contreras, 2014a; mySouTex.com, 2014
- ²⁰⁴ Bernstein, 2009
- ²⁰⁵ Contreras, 2014a
- ²⁰⁶ U.S. Immigration and Customs Enforcement, 2014; Human Rights First, 2015
- ²⁰⁷ Edwards, 2014
- ²⁰⁸ Pskowski, 2016

- ²⁰⁹ For more details about these two facilities, see (South Texas Detention Complex) <https://www.ice.gov/detention-facility/south-texas-detention-complex> and (Port Isabel Service Processing Center) <https://www.ice.gov/detention-facility/port-isabel-service-processing-center>.
- ²¹⁰ Community Initiatives for Visiting Immigrants in Confinement, 2015
- ²¹¹ Human Rights First, 2016, p. 2
- ²¹² *Ibid.*, p. 13
- ²¹³ Corrections Corporation of America, 2016
- ²¹⁴ U.S. Immigration and Customs Enforcement, 2014
- ²¹⁵ Lucero, 2014
- ²¹⁶ Corrections Corporation of America, n.d.
- ²¹⁷ Karnes's official capacity is in fact 532 adults and children. See <https://www.ice.gov/factsheets/karnes-county-residential-center>.
- ²¹⁸ Samir Shehata, 2015
- ²¹⁹ U.S. Commission on Civil Rights, 2015, p. 28
- ²²⁰ *Ibid.*, p. 31
- ²²¹ Human Rights First, 2016, p. 32
- ²²² Human Rights Watch, 2009
- ²²³ Takei, Small, Wu, & Chan, 2016
- ²²⁴ *Ibid.*
- ²²⁵ *Ibid.*, p. 34; Grassroots Leadership, 2014; Contreras, 2014b
- ²²⁶ Moe & Ferraro, 2003, p. 9
- ²²⁷ *Ibid.*, p. 17
- ²²⁸ See Schoenholtz, Schrag, & Ramji-Nogales, 2014
- ²²⁹ *"...que si no firmaban la deportación, les iban a quitar los niños y los iban a mandar para otro centro, y a ellas las iban a mandar para otro lado."*
- ²³⁰ *"Y una persona mala nos decía de que en ese lugar había mucho espacio por si nos moríamos para enterrarnos ahí."*
- ²³¹ At this point in our conversation, the other woman in the room, Ana, asked Blanca if this female guard, whom she described as *"una morenita con moño,"* was the same one who had also been rude to her at Karnes. The women compared descriptions and shared a moment talking about the guard's attitude and words toward them and other families in detention.
- ²³² See United Nations, 1948
- ²³³ Maldonado, Boyle, Guttin, Natarajan, Hines, & Bono, 2014
- ²³⁴ Taylor & Huusko, 2014
- ²³⁵ American Civil Liberties Union, 2010
- ²³⁶ *Ibid.*
- ²³⁷ *Ibid.* See also Rhoad, 2010
- ²³⁸ Falcón, 2001, p. 31
- ²³⁹ *Ibid.*, pp. 31-33
- ²⁴⁰ *Ibid.*, p. 34
- ²⁴¹ *Ibid.*, p. 35
- ²⁴² *Ibid.*
- ²⁴³ *Ibid.*, pp. 37-38, & 40
- ²⁴⁴ Burnett, 2015a
- ²⁴⁵ Falcón, 2001, p. 35
- ²⁴⁶ Thomas, 2003, p. 2
- ²⁴⁷ *Ibid.*, p. 15
- ²⁴⁸ *Ibid.*, p. 18
- ²⁴⁹ *Ibid.*

²⁵⁰ Office of Inspector General, 2015, p. 4

²⁵¹ RAICES (n.d.)

²⁵² In the asylum process there is an important legal difference between those who apply having arrived to the U.S. for the first time—the ‘first-timers’ Silvia refers to—and those who have previously been in the country and were removed (i.e., deported). For one, the burden of proof for asylum seekers with a previous deportation is higher as they must successfully pass a reasonable, rather than a credible fear interview. They also often receive extremely high bonds from ICE if they are even given the chance to leave detention.

²⁵³ Samir Shehata, 2015

²⁵⁴ For a similar demonstration that took place June 23, 2015 at the South Texas Family Residential Center in Dilley, see: <http://www.theguardian.com/us-news/video/2015/jun/24/dilley-detention-center-texas-video>.

²⁵⁵ Bouvard, 1994, no page number

²⁵⁶ Taylor, 2001, pp. 98, 103 & 107

²⁵⁷ *Ibid.*, p. 100

²⁵⁸ *Ibid.*, pp. 101-102

²⁵⁹ Maristain, 2013

²⁶⁰ *Ibid.*; Erenberg, 2013

²⁶¹ “Es parte del oficio de ser madre: le di la vida, tengo la obligación de preservársela, de salvarlo, de traerlo hacia el efecto de, como decía una compañera por ahí, devolverle todos los soles que nos han robado”, from Erenberg, 2013.

²⁶² Cardoza, 2005

²⁶³ *Ibid.*

²⁶⁴ Ravelo Blancas, 2010, p. 42

²⁶⁵ *Ibid.*, p. 51

²⁶⁶ Mexican feminist, activist, anthropologist, and politician Marcela Lagarde coined the term *feminicidio*, building on the work of fellow feminist academics like Diana Russell and Jill Radford. *Feminicidio* refers to the collective forms of genocidal violence that occur against women and girls because of their gender identity within the framework of patriarchal societies around the globe. While the sexual abuse and murder of women and girls are some of the most extreme forms of this violence, *feminicidio* encompasses a variety of human rights violations that women and girls suffer on a daily basis due in large part due to the active complicity or passive omission of State institutions that fail to protect their rights. For more, see Lagarde, 2008.

²⁶⁷ Lagarde, 2008; Espeleta Olivera, 2015, p. 1000

²⁶⁸ Garrison, 2006

²⁶⁹ *Ibid.*, p. 29

²⁷⁰ *Ibid.*, p. 28

²⁷¹ DRUM—South Asian Organizing Center, n.d.; For more about DRUM, see <https://www.facebook.com/DesisRising>; Chowdhury, 2015

²⁷² Linthicum, 2015; ICE reported that the hunger strike at Adelanto had ended Monday, November 16, 2015. Victoria Mela, from the Community Initiatives for Visiting Immigrants in Confinement (CIVIC), said the men “may relaunch their strike if their demands [for reduced bond, expedited case processing, and release on their own recognizance] aren’t met.” For more on this story, see <http://www.latimes.com/local/lanow/la-me-ln-adelanto-hunger-strike-ends-20151116-story.html>.

²⁷³ *Ibid.*

²⁷⁴ Parker, 2015

²⁷⁵ *Ibid.*; Rankin Naasel, 2015

²⁷⁶ Democracy Now, 2015

- ²⁷⁷ Burnett, 2015b; see also <http://latinousa.org/2015/10/23/why-are-immigrant-mothers-wearing-ankle-monitors/>.
- ²⁷⁸ Tolan, 2015
- ²⁷⁹ DRUM-Desis Rising Up & Moving, 2015
- ²⁸⁰ Tolan, 2015
- ²⁸¹ Democracy Now, 2015
- ²⁸² Foucault, 1979
- ²⁸³ Bishop, 2015
- ²⁸⁴ Barron & Santos Briones, 2015
- ²⁸⁵ Rinaldi, 2016
- ²⁸⁶ *Ibid.*
- ²⁸⁷ Barron & Santos Briones, 2015
- ²⁸⁸ Bishop, 2015
- ²⁸⁹ Lutheran Immigration and Refugee Service, 2015
- ²⁹⁰ *Ibid.*
- ²⁹¹ Barron & Santos Briones, 2015
- ²⁹² Lutheran Immigration and Refugee Service, 2015
- ²⁹³ Winograd, 2012
- ²⁹⁴ Rutgers School of Law-Newark, Immigrant Rights Clinic & American Friends Service Committee, 2012, pp. 12-19
- ²⁹⁵ *Ibid.*, p. 20
- ²⁹⁶ Brown, 2016, p. 1
- ²⁹⁷ *Ibid.*, pp. 1 & 2
- ²⁹⁸ University of Texas at Austin, 2016
- ²⁹⁹ Gorman, 2015
- ³⁰⁰ Queer Detainee Empowerment Project (n.d.)
- ³⁰¹ *Ibid.*
- ³⁰² Davis, 2005, p. 46
- ³⁰³ *Ibid.*, pp. 47 & 89
- ³⁰⁴ United Nations General Assembly, 2012, p. 13
- ³⁰⁵ *Ibid.*, p. 14
- ³⁰⁶ United Nations High Commissioner for Refugees, 2012, pp. 12 & 15-16
- ³⁰⁷ United Nations High Commissioner for Refugees, 2010, p. 3

References

- 104th U.S. Congress (1996, September 30), Pub. L. 104-208: Illegal Immigration Reform and Immigrant Responsibility Act of 1996. 110 Stat. 3009. *U.S. Citizenship and Immigration Services*. Retrieved from <https://www.uscis.gov/sites/default/files/ocomm/ilink/0-0-0-10948.html#0-0-0-1191>.
- Aceves Lozano, J. E. (2013). La historia oral, plataforma para una práctica interdisciplinar: Una conversación de frente al espejo. In K.Y. Covarrubias Cuéllar & M. Camarena Ocampo (Eds.), *La historia oral y la interdisciplinariedad: Retos y perspectivas* (109-129). Colima, México: Universidad de Colima, Centro Universitario de Investigaciones Sociales.
- Ajcalón Choy, R. (2014, May). *Masculinity, gender, and power in a Mayan-Kaqchikel community in Sololá, Guatemala*. M.A. thesis presented to the Graduate School of the University of Texas at Austin. Retrieved from <http://liberalarts.utexas.edu/lilas/student-programs/theses-and-dissertations.php>.
- American Civil Liberties Union (2010, August 20). *Sexual abuse of female detainees at Hutto highlights ongoing failure of immigration detention system, says ACLU*. Press release. Retrieved from <https://www.aclu.org/news/sexual-abuse-female-detainees-hutto-highlights-ongoing-failure-immigration-detention-system>.
- _____ (2014, June 11). *Unaccompanied immigrant children report serious abuse by U.S. officials during detention*. Press release. Retrieved from <https://www.aclu.org/news/unaccompanied-immigrant-children-report-serious-abuse-us-officials-during-detention>.
- _____ (2015, July 31). *RILR v. JOHNSON*. Retrieved from <https://www.aclu.org/cases/rilr-v-johnson>.

American Immigration Council (2015, December 8). *Unconstitutional conditions in CBP detention facilities challenged in class action lawsuit*. Regarding Doe v. Johnson, No. 15-00250 (D. Ariz. filed June 8, 2015). Retrieved from <http://www.legalactioncenter.org/litigation/unconstitutional-conditions-cbp-detention-facilities-challenged-class-action-lawsuit>.

Amnesty International (2010). *Invisible victims: Migrants on the move in Mexico*. London, UK: Amnesty International Publications. Retrieved from <http://www.amnestyusa.org/research/reports/invisible-victims-migrants-on-the-move-in-mexico>.

Aron A., Corne S., Fursland A., Zelwer, B. (1991). The gender-specific terror of El Salvador and Guatemala: Post-traumatic stress disorder in Central American refugee women. *Women Studies International Forum*, 14(1/2), 37-47. DOI: 10.1016/0277-5395(91)90082-S.

Barron, K. & Santos Briones, C. (2015, January 6). No alternative: Ankle monitors expand the reach of immigration detention. *The North American Congress on Latin America (NACLA)*. Retrieved from <http://nacla.org/news/2015/01/06/no-alternative-ankle-monitors-expand-reach-immigration-detention>.

Bernstein, N. (2009, August 5). U.S. to reform policy on detention for immigrants. *The New York Times*. Retrieved from http://www.nytimes.com/2009/08/06/us/politics/06detain.html?_r=0.

Beverly, J. (1987, January), Anatomía del testimonio. *Revista de Crítica Literaria Latinoamericana*, 13(25), 7-16. DOI: 10.2307/4530303.

Bishop, M. (2015, October 23). Why are immigrant mothers wearing ankle monitors? *Latino U.S.A.* Retrieved from <http://latinousa.org/2015/10/23/why-are-immigrant-mothers-wearing-ankle-monitors/>.

Boggs, C. (2015, April 3), Mexico's southern border plan: More deportations and widespread human rights violations. *Washington Office on Latin America*. Retrieved from http://www.wola.org/commentary/update_on_mexico_s_southern_border_plan_new_routes_more_deportations_and_widespread_human.

- Booth W. (2010, August 25). Survivor: Drug gang massacred 72 migrants in northern Mexico. *The Washington Post*. Retrieved from <http://www.washingtonpost.com/wp-dyn/content/article/2010/08/25/AR2010082506776.html>.
- Border Network for Human Rights, Border Action Network, & U.S.-Mexico Border and Immigration Task Force (2008, November). *U.S.-Mexico border policy report. "Effective Border Policy: Security, Responsibility and Human Rights at the U.S.-Mexico Border"*. Release in collaboration with the National Immigration Forum. Retrieved from <https://law.utexas.edu/humanrights/borderwall/communities/municipalities-US-Mexico-Border-Policy-Report.pdf>.
- Bouvard, M. G. (1994). *Revolutionizing motherhood: The mothers of the Plaza De Mayo*. Wilmington, DE: Rowman & Littlefield Publishers.
- Brown, P. (2016, March 18). *Letter sent to the Honorable Jeh Johnson, Secretary, U.S. Department of Homeland Security on behalf of the American Bar Association*. Retrieved from http://www.americanbar.org/content/dam/aba/uncategorized/GAO/2016mar18_dh_sanklemonitors_1.authcheckdam.pdf.
- Bruneau, T. (2011). Introduction. In T. Bruneau, L. Dammert, & E. Skinner (Eds.), *Maras: gang violence and security in Central America* (1-19). Austin, TX: University of Texas Press.
- Burnett, J. (2015a, October 9). In a first, border agent indicted for killing Mexican teen across fence. *National Public Radio*. Retrieved from <http://www.npr.org/2015/10/09/446866267/in-a-first-border-agent-indicted-for-killing-mexican-teen-across-fence>.
- Burnett, J. (2015b, November 13). As asylum seekers swap prison beds for ankle bracelets, same firm profits. *National Public Radio*. Retrieved from <http://www.npr.org/2015/11/13/455790454/as-asylum-seekers-swap-prison-beds-for-ankle-bracelets-same-firm-profits>.

- Burwell, S. M. (2014, July 10). *Statement by Sylvia M. Burwell, Secretary, U.S. Department of Health and Human Services (HHS) on Unaccompanied Children before the Committee on Appropriations, United States Senate*. Retrieved from <http://www.hhs.gov/asl/testify/2014/07/t20140710b.html>.
- Bustamante, J. (2009, March 24). *Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development. Report of the Special Rapporteur on the human rights of migrants*. United Nations General Assembly: Human Rights Council, A/HRC/11/7/Add.2. Retrieved from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G09/125/76/PDF/G0912576.pdf?OpenElement>.
- Cantor, G. (2015, December). *Hieleras (iceboxes) in the Rio Grande Valley sector: Lengthy Detention, deplorable conditions, and abuse in CBP holding cells*. Washington, DC: American Immigration Council. Retrieved from <http://www.immigrationpolicy.org/special-reports/hieleras-iceboxes-rio-grande-valley-sector>.
- Carcamo, C. & Simon, R. (2013, December 5). Immigrant groups complain of ‘icebox’ detention cells. *Los Angeles Times*. Retrieved from <http://articles.latimes.com/2013/dec/05/nation/la-na-ff-detention-centers-20131206>.
- Cardoza, M. (2005, April). Rosario Ibarra de Piedra: paradigma materno ante la ignominia. *La Jornada*. Retrieved from http://www.jornada.unam.mx/2005/05/02/informacion/81_rosario.htm.
- Casillas, R. (2011). Los migrantes indocumentados: su vulnerabilidad y la nuestra. In N. Armijo Canto (Ed.), *Migración y seguridad: nuevo desafío en México*, First edition (145-164). México: Casede.
- Center for Constitutional Rights & International Federation for Human Rights (2012, November). *Impunity in Honduras for Crimes against Humanity between 28 June 2009 and 31 October 2012. Submission Pursuant to Article 15 of the Rome Statute of the International Criminal Court*. New York, NY: Center for Constitutional Rights. Retrieved from <http://ccrjustice.org/sites/default/files/assets/files/Honduras%20ICC%20Submission.pdf>.

- Centro de Derechos de Mujeres, et al. (2014, June). *Status of violence against women in Honduras. Submitted to the Special Rapporteur on violence against women in her visit to Honduras*. Feminist Organizations Report. Retrieved from http://www.derechosdelamujer.org/tl_files/documentos/derechos_humanos/Violence-Women-Honduras-RapporteurONU-June2014.pdf.
- Chowdhury, J., (2015, October 21). South Asian detainees seeking asylum hold hunger strike. *NBC News*. Retrieved from <http://www.nbcnews.com/news/asian-america/south-asian-detainees-seeking-asylum-hold-hunger-strike-n448681>.
- Cienfuegos, A. J. & Monelli C. (1983). The testimony of political repression as a therapeutic instrument. *American Journal of Orthopsychiatry*, 53(1), 43-51.
- Coffey, G. J., Kaplan, I., Sampson, R. C., & Montagna Tucci, M. (2010). The meaning and mental health consequences of long-term immigration detention for people seeking asylum. *Social Science & Medicine*, 70 (12), 2070–2079. <http://dx.doi.org/10.1016/j.socscimed.2010.02.042>.
- Comisión Nacional de los Derechos Humanos (2011, February). *Informe especial sobre secuestro de migrantes en México*. Retrieved from http://www.cndh.org.mx/sites/all/doc/Informes/Especiales/2011_secmigraantes.pdf
- Community Initiatives for Visiting Immigrants in Confinement (2015). *Immigration detention map & statistics*. Retrieved from <http://www.endisolation.org/resources/immigration-detention/>.
- Contreras, G. (2014a, July 31). ICE opens south Texas facility for women, children from Central America. *Houston Chronicle*. Retrieved from <http://www.houstonchronicle.com/news/houston-texas/houston/article/ICE-opens-south-Texas-facility-for-women-5661274.php>.
- _____ (2014b, September 3). Feds release 7-year-old immigrant girl with cancer for treatment. *Houston Chronicle*. Retrieved from <http://www.houstonchronicle.com/news/article/Feds-release-7-year-old-immigrant-girl-with-5732146.php>.

Cooper, B. & O'Neil, K. (2005, August). Lessons from the Immigration Reform and Control Act of 1986. *Migration Policy Institute*, Policy Brief No. 3, 1-5. Retrieved from http://www.migrationpolicy.org/pubs/PolicyBrief_No3_Aug05.pdf.

Corrections Corporation of America (n.d.). *South Texas Family Residential Center*. Retrieved from <http://www.cca.com/facilities/south-texas-family-residential-center>.

_____ (2016). *About the center*. Retrieved from <http://www.southtexasfamilycenter.com/About>.

Davis, A. Y. (2003). *Are prisons obsolete?* New York, NY: Seven Stories Press.

_____ (2005). *Abolition democracy: Beyond empire, prisons, and torture*. New York, NY: Seven Stories Press.

De Genova, N. (2004). The legal production of Mexican/migrant 'illegality'. *Latino Studies*, 2, 160-185. Retrieved from <http://nicholasdegenova.net/resources/De+Genova+-+Legal+Production+of+Mexican+Illegality.pdf>.

Democracy Now (2015, November 6). *Locked up & neglected after fleeing danger, immigrant women detainees launch hunger strike in Texas*. Retrieved from http://www.democracynow.org/2015/11/6/locked_up_neglected_after_fleeing_danger.

Detention Watch Network (n.d.). *Detention quotas*. Retrieved from <https://www.detentionwatchnetwork.org/issues/detention-quotas>.

_____ (2011, May). *The influence of the private prison industry in the immigration detention business*. Retrieved from <http://www.detentionwatchnetwork.org/sites/default/files/reports/DWN%20Private%20Prison%20Influence%20Report.pdf>.

Donato, K. M., Gabaccia, D., Holdaway, J., Manalansan IV, M., & Pessar, P. R. (2006). A glass half full? Gender in migration studies. *International Migration Review*, 40(1), 3-26. DOI: 10.1111/j.1747-7379.2006.00001.x.

DRUM—Desis Rising Up & Moving. (2015, October 18). *Keep Up the Pressure!* Image caption. Retrieved from <https://www.facebook.com/DesisRising/photos/a.407156939342582.92250.401826796542263/983803775011226/?type=3&theater>.

DRUM—South Asian Organizing Center (n.d.). *South Asian asylum seekers on hunger strike demand end to deportations, improved treatment in detention*. Retrieved from <http://www.notonemoredeportation.com/portfolio/asylumseekersdetained/>.

Edwards, J. (2014, September 23). New U.S. migrant detention center to be run by firm criticized by advocates. *Reuters*. Retrieved from <http://www.reuters.com/article/usa-immigration-detention-idUSL2N0RO23O20140923>.

Enríquez Rosas, R. (2013). La subjetividad interrogada: Método biográfico y análisis social contemporáneo. In K.Y. Covarrubias Cuéllar & M. Camarena Ocampo (Eds.), *La historia oral y la interdisciplinariedad: Retos y perspectivas* (275-292). Colima, México: Universidad de Colima, Centro Universitario de Investigaciones Sociales.

Erenberg, S. (Director & Producer) (2013). *Rosario*. Trailer retrieved from <https://www.youtube.com/watch?v=iHwCoKPNRk8>.

Espeleta Olivera, M. (2015, December). Testimonio y subalternidad hoy. En torno a dos colectivos de mujeres mexicanas en lucha. In J. Peris Blanes & G. Palazon (Coords.), *Avatares del testimonio en América Latina: tensiones, contradicciones, relecturas...Número especial de Kamchatka*. 'Revista de análisis cultural' (989-1009). DOI: 10.7203/KAM.6.7249. Retrieved from <http://attic.uv.es/index.php/kamchatka/article/view/7597/7777>.

Ewing, W. A., Martínez, D. E., & Rumbaut, R. (2015, July). *The criminalization of immigration in the United States. Special Report*. Washington, DC: American Immigration Council. Retrieved from <http://immigrationpolicy.org/special-reports/criminalization-immigration-united-states>.

- Falcón, S. (2001). Rape as a weapon of war: Advancing human rights for women at the U.S.-Mexico border. *Social Justice*, 28(2), 31-50. Gatekeeper's State: Immigration and Boundary Policing in An Era of Globalization. Retrieved from <http://www.jstor.org/stable/29768074>.
- Feliz, W. (2016, June 30). Photographic evidence of conditions in CBP's short-term detention facilities 'hieleras' revealed. *Immigration Impact*. Retrieved from <http://immigrationimpact.com/2016/06/30/photographic-evidence-conditions-cbps-short-term-detention-facilities-hieleras-revealed/>.
- Ferraro, K.J., & Moe, A.M. (2003). Women's stories of survival and resistance. In B.H. Zaitzow & J. Thomas (Eds.), *Women in prison: Gender and social control* (65-93). Boulder, CO: Lynn Rienner Publishers, Inc.
- Foucault, M. (1979). *Discipline and punish: the birth of the prison*. Translated by Alan Sheridan. New York: Vintage Books.
- Freedman, J. (2007). *Gendering the international asylum and refugee debate*. New York, NY: Palgrave Macmillan.
- Garrison, K. B. (2006). From ordinary to activist: A mother's journey. *The Black Scholar*, 36(1), 27-30. Retrieved from <http://www.jstor.org/stable/41069189>.
- Garsd, Jasmine (2015, October 5). How El Salvador fell into a web of gang violence. *National Public Radio*. Retrieved from <http://www.npr.org/sections/goatsandsoda/2015/10/05/445382231/how-el-salvador-fell-into-a-web-of-gang-violence>.
- Gavett, G. (2011, October 18). Map: The U.S. immigration detention boom. *PBS Frontline*. Retrieved from <http://www.pbs.org/wgbh/frontline/article/map-the-u-s-immigration-detention-boom/>.

- Gavigan, P. (1997, September 30-October 1). Migration emergencies and human rights in Haiti. Paper prepared for the Conference on Regional Responses to Forced Migration in Central America and the Caribbean. Organization of American States: Department of International Legal Affairs, Office of Legal Cooperation. Retrieved from <http://www.oas.org/juridico/english/gavigane.html>.
- Gibler, J. (2011). *To die in Mexico: Dispatches from inside the drug war*. San Francisco, CA: City Lights Books.
- Giovanniello, S. (2013, July 24). Transgender migrants encounter extreme violence in Mexico. *GLAAD*. Retrieved from <http://www.glaad.org/blog/transgender-migrants-encounter-extreme-violence-mexico>.
- Global Detention Project (2016, May). *United States immigration detention*. Retrieved from <http://www.globaldetentionproject.org/countries/americas/united-states>.
- Gonzalez-Barrera, A. & Krogstad, J. M. (2014, October 2). U.S. deportations of immigrants reach record high in 2013. Fact Tank: News in the Numbers. *Pew Research Center*. Retrieved from <http://www.pewresearch.org/fact-tank/2014/10/02/u-s-deportations-of-immigrants-reach-record-high-in-2013/>.
- Gorman, S. (2015, December 25). Churches offer refuge for Central Americans facing U.S. deportation. *Reuters*. Retrieved from <http://www.reuters.com/article/us-usa-immigration-idUSKBN0U80XS20151225>.
- Grassroots Leadership (2014, August 31). *Seven year old with brain tumor being denied life saving [sic] treatment in detention*. Retrieved from <http://grassrootsleadership.org/releases/2014/08/seven-year-old-brain-tumor-being-denied-life-saving-treatment-detention>.
- Grillo, I. (2016). *Gangster warlords: Drug dollars, killing fields, and the new politics of Latin America*. New York, NY: Bloomsbury Press.

Hennessey-Fiske, M. (2015, August 26). Border Patrol chief visits Texas and warns immigrants of deportation. *Los Angeles Times*. Retrieved from <http://www.latimes.com/nation/nationnow/la-na-border-patrol-chief-20150826-story.html>.

Hipsman, F. & Meissner, D. (2015, August). In-country processing in Central America: A piece of the puzzle. *Migration Policy Institute*. Retrieved from <http://www.migrationpolicy.org/research/country-processing-central-america-piece-puzzle>.

Hiskey, J. T., Córdova, A., Orcés, D., Fran Malone, M. (2016, February). *Understanding the Central American refugee crisis: Why they are fleeing and why U.S. policies are failing to deter them*. Retrieved from the American Immigration Council at <http://www.immigrationpolicy.org/special-reports/understanding-central-american-refugee-crisis-why-they-are-fleeing>.

Human Rights First, (2015, January 16). *Human Rights First tours Dilley detention center for immigrant mothers and children*. Retrieved from <http://www.humanrightsfirst.org/blog/human-rights-first-tours-dilley-detention-center-immigrant-mothers-and-children>.

_____ (2016, July). *Lifeline on lockdown: Increased U.S. detention of asylum seekers*. New York, NY & Washington, DC: Human Rights First. Retrieved from <http://www.humanrightsfirst.org/sites/default/files/Lifeline-on-Lockdown.pdf>.

Human Rights Watch (2009, March 17). *Detained and dismissed: Women's struggles to obtain health care in United States immigration detention*. Washington, DC: Human Rights Watch. Retrieved from <https://www.hrw.org/report/2009/03/17/detained-and-dismissed/womens-struggles-obtain-health-care-united-states>.

_____ (2014, October). *"You don't have rights here": US border screening and returns of Central Americans to risk of serious harm*. Washington, DC: Human Rights Watch. Retrieved from <https://www.hrw.org/report/2014/10/16/you-dont-have-rights-here/us-border-screening-and-returns-central-americans-risk>.

- _____ (2016, March). *Closed doors: Mexico's failure to protect Central American refugee and migrant children*. Washington, DC: Human Rights Watch. Retrieved from <https://www.hrw.org/report/2016/03/31/closed-doors/mexicos-failure-protect-central-american-refugee-and-migrant-children>.
- INCITE! Women of Color Against Violence and Critical Resistance (2008). The Critical Resistance INCITE! statement on gender violence and the prison industrial complex In The CR10 Publications Collective (Eds.) *Abolition now!: Ten years of strategy and struggle against the prison-industrial complex* (15-29). Oakland, CA: AK Press.
- Instituto Tecnológico Autónomo de México (2014, June). *Migración centroamericana en tránsito por México hacia Estados Unidos: Diagnóstico y recomendaciones. Hacia una visión integral, regional y de responsabilidad compartida*. México, D.F.: ITAM. Retrieved from https://www.researchgate.net/publication/269403711_Migracion_centroamericana_en_transito_por_Mexico_hacia_Estados_Unidos_diagnostico_y_recomendaciones.
- International Organization for Migration (2016, January 5). *IOM counts 3,771 migrant fatalities in Mediterranean in 2015*. Retrieved from <http://www.iom.int/news/iom-counts-3771-migrant-fatalities-mediterranean-2015>.
- Kennedy, E. G. (2013, May). Refugees from Central American gangs. *Forced Migration Review*, 43, 50-52. Retrieved from <http://www.fmreview.org/fragilestates/kennedy.html>.
- Kirby, H., Libal, B., Madison, P., Morris, J., & Quong Charles, K. (2013). *The dirty thirty: Nothing to celebrate about 30 years of Corrections Corporation of America*. Austin, TX: Grassroots Leadership. Retrieved from <http://grassrootsleadership.org/cca-dirty-30>.
- Kuo, V. & Hanna, J. (2014, October 4). Women allege sexual abuse at Texas immigrant detention center. *CNN International Edition* +. Retrieved from <http://edition.cnn.com/2014/10/03/justice/texas-immigrant-detention-allegations/>.

- Langer, J. (Ed.) (2002). *Crossing the border: Voices of refugee and exiled women*. Nottingham: Five Leaves.
- Largarde, M. (2008). Antropología, feminismo y política: Violencia feminicida y derechos humanos de las mujeres. In M. Bullen & C. Diez Mintegui (Coords.), *Retos teóricos y nuevas prácticas* (209-239). Retrieved from <http://www.campoalgodonero.org.mx/sites/default/files/documentos/Violencia%20feminicida.pdf>.
- Lieberman, A. (2013, July 18). Gay and transgender migrants face staggering violence in Mexico. *The Atlantic*. Retrieved from <http://www.theatlantic.com/international/archive/2013/07/-gay-and-transgender-migrants-face-staggering-violence-in-mexico/277915/>.
- Linthicum, K. (2015, November 6). Hundreds launch hunger strike at immigrant detention center in Adelanto, Calif. *Los Angeles Times*. Retrieved from <http://www.latimes.com/local/lanow/la-me-ln-immigrant-hunger-strike-20151106-story.html>.
- Long, C. (2014, October). 'You don't have rights here': US border screening and returns of Central Americans to risk of serious harm. Human Rights Watch. Retrieved from <https://www.hrw.org/report/2014/10/16/you-dont-have-rights-here/us-border-screening-and-returns-central-americans-risk>.
- Lopez, O. (2015 July 28). *Statement of Olivia Lopez, PhD; Licensed Master Social Worker*. Family Detention Forum, U.S. House of Representatives. Transcript retrieved from <https://grijalva.house.gov/uploads/FamilyDetentionForumTestimony.pdf>.
- Lucero, E. (2014, 31 July). Inside the Karnes County Residential Center. *You Tube*. Posted by mySouTex.com. 4 Aug. 2014. Retrieved from <https://www.youtube.com/watch?v=jvOvQQdAcck>.
- Lutheran Immigration and Refugee Service (2015, July 6), *Alternatives to detention (ATD): History and recommendations*. Backgrounder. Baltimore, MD: LIRS. Retrieved from <http://lirs.org/wp-content/uploads/2015/07/LIRS-Backgrounder-on-Alternatives-to-Detention-7.6.15.pdf>.

- Maldonado, J., Boyle, A., Guttin, A., Natarajan, R., Hines, B., & Bono, M. (2014). *Re: Complaints regarding sexual abuse of women in DHS custody at Karnes County Residential Center*. Letter addressed to Mr. Jeh Johnson, Ms. Margo Schlanger, Mr. Enrique Lucero, and Mr. Kevin Landy. *Mexican American Legal Defense and Education Fund (MALDEF)*. Retrieved from http://www.maldef.org/assets/pdf/2014-09-30_Karnes_PREA_Letter_Complaint.pdf.
- Maristain, M. (2013, October 24). Rosario Ibarra de Piedra, la luchadora incansable, retratada íntimamente en el documental de Shula Erenberg. *SinEmbargo.mx*. Retrieved from <http://www.sinembargo.mx/24-10-2013/792369>.
- Martínez, Ó. (2010). *Los migrantes que no importan: En el camino con los centroamericanos indocumentados en México*. Barcelona, Spain: Icaria Editorial.
- McCabe, D. (2014, November 18). Administration to close immigrant detention center at month's end. *The Hill*. Retrieved from <http://thehill.com/news/administration/224626-administration-to-close-immigrant-detention-center>.
- McEvers, K. & Garsd, J. (2015, October 5). The surreal reasons why girls are disappearing in El Salvador. *National Public Radio*. Retrieved from <http://www.npr.org/sections/goatsandsoda/2015/10/05/445985671/never-leave-your-house-survival-strategies-for-el-salvador-s-15girls>.
- Menjívar C. (2011). *Enduring violence: Ladina women's lives in Guatemala*. Berkeley, CA: University of California Press.
- Menjívar, C. & Abrego, L. J. (2012, March). Legal violence: Immigration law and the lives of Central American immigrants. *American Journal of Sociology*, 117(5), 1380-1421. <http://www.jstor.org/stable/10.1086/663575>.
- Migrant Clinicians Network (2015, July 29). *Dr. Luis Zayas provides testimony on family detention*. Retrieved from <http://www.migrantclinician.org/blog/2015/jul/dr.-luis-zayas-provides-testimony-family-detention.html>.

- Migration and Refugee Services/United States Conference of Catholic Bishops & The Center for Migration Studies (2015). *Unlocking human dignity: A plan to transform the U.S. immigrant detention system*. Washington D.C.: United States Conference of Catholic Bishops. Retrieved from <http://www.usccb.org/about/migration-and-refugee-services/upload/unlocking-human-dignity.pdf>.
- Ministry of the Interior (*Secretaría de Gobernación*) (n.d.). *Strategic plan of the National Migration Institute, 2013-2018*. Published in Spanish in Mexico. Retrieved from <https://www.gob.mx/cms/uploads/attachment/file/45158/PLAN ESTRATEGICO INM 2013-2018.pdf>.
- Moe, A. M. & Ferraro, K. J. (2003). Malign neglect or benign respect: Women's health care in a carceral setting. *Women & Criminal Justice*, 14(4), 53-80. Retrieved from http://scholarworks.wmich.edu/sociology_pubs/3/?utm_source=scholarworks.wmich.edu%2Fsociology_pubs%2F3&utm_medium=PDF&utm_campaign=PDFCoverPages.
- Mossaad, N. (2016, April). *Refugees and asylees: 2014*. Retrieved from Department of Homeland Security: Office of Immigration Statistics at https://www.dhs.gov/sites/default/files/publications/Refugees%20%26%20Asylees%20Flow%20Report%202014_508.pdf.
- Nakamura, D. (2016, July 26). U.S. to expand refugee program for Central American minors. *The Washington Post*. Retrieved from https://www.washingtonpost.com/politics/us-to-expand-refugee-program-for-central-american-minors/2016/07/26/242ab0cc-533f-11e6-bbf5-957ad17b4385_story.html.
- National Immigration Forum Staff (2013, August 22). *The math of immigration detention*. Policy Papers. Retrieved from <http://immigrationforum.org/blog/themathofimmigrationdetention/>.
- National Public Radio (2014, July 18). *Transcript: Commissioner Kerlikowske's full interview*. Conversation with Steve Inskeep. Retrieved from <http://www.npr.org/2014/07/18/332286063/transcript-commissioner-kerlikowskes-full-interview>.

Neves Delgado, L.A. (2006). *História oral: memória, tempo, identidades*. Belo Horizonte, Brasil: Autêntica Editora.

O'Connor, K., Thomas-Duckwitz, C., & Nuñez-Mchir, G. G. (2015, August 11). *No safe haven here: Mental health assessment of women and children held in U.S. immigration detention*. Commissioned by the Unitarian Universalist Service Committee (UUSC). Retrieved from http://www.uusc.org/sites/default/files/mental_health_assessment_of_women_and_children_u.s._immigration_detention.pdf.

Office of Immigration Statistics (2016, April). *Refugees and asylees: 2014*. Retrieved from U.S. Department of Homeland Security at <https://www.dhs.gov/publication/refugees-and-asylees-2014>.

Office of Inspector General (2015). *Memorandum to the honorable Jeh C. Johnson, secretary*. Washington, DC: Department of Homeland Security. Retrieved from https://www.oig.dhs.gov/assets/Mga/OIG_mga-010715.pdf.

Office of Planning, Analysis, and Technology (2015, March). *Asylum Statistics FY 2010-2014*. Retrieved from EOIR, U.S. Dept. of Justice at <https://www.justice.gov/sites/default/files/eoir/pages/attachments/2015/03/16/fy2010-fy2014-asylum-statistics-by-nationality.pdf>.

_____ (2016, April). *FY 2015 statistics yearbook*. Retrieved from EOIR, U.S. Department of Justice at <https://www.justice.gov/eoir/statistical-year-book>.

Office of the Press Secretary (2014, August 1). The Obama administration's government-wide response to influx of Central American migrants at the southwest border. *The White House*. Retrieved from <https://www.whitehouse.gov/the-press-office/2014/08/01/obama-administration-s-government-wide-response-influx-central-american->.

Peredo Beltrán, E. (1996). *El testimonio: Una orientación para quienes desean hacer investigación en base a testimonios*. La Paz, Bolivia: Tahipamu, Taller de Historia y Participación de la Mujer.

- Park, H. (2014, October 21). Q. and A. children at the border. *The New York Times*. Retrieved from http://www.nytimes.com/interactive/2014/07/15/us/questions-about-the-border-kids.html?_r=0.
- Parker, C. (2015, October 27). BREAKING: At least 27 women on hunger strike at the Hutto detention center #Hutto27. *Grassroots Leadership*. Retrieved from <http://grassrootsleadership.org/blog/2015/10/breaking-least-27-women-hunger-strike-hutto-detention-center-hutto27>.
- Payne, E., Martinez, M., & Yan, H. (2014, July 3). Showdown over immigration: ‘This is an invasion’. *CNN.com*. Retrieved from <http://edition.cnn.com/2014/07/03/us/california-immigrant-transfers/>.
- Pilkington, E. (2015, January 26). ‘It was cold, very cold’: migrant children endure border patrol ‘ice boxes’. *The Guardian*. Retrieved from <https://www.theguardian.com/us-news/2015/jan/26/migrant-children-border-patrol-ice-boxes>.
- Plummer, K. (2001). The call of life stories in ethnographic research. In P. Atkinson, A. Coffey, S. Delamont, J. Lofland, & L. Lofland (Eds.) *Handbook of Ethnography* (395-406). DOI: <http://dx.doi.org/10.4135/9781848608337>.
- Preston, J. (2014, December 15). Detention center presented as deterrent to border crossings. *The New York Times*. Retrieved from http://www.nytimes.com/2014/12/16/us/homeland-security-chief-opens-largest-immigration-detention-center-in-us.html?_r=0.
- Pskowski, M. (2016, June 27). Detained in Dilley: Deportation and asylum in Texas. *CounterPunch*. Retrieved from <http://www.counterpunch.org/2016/06/27/detained-in-dilley-deportation-and-asylum-in-texas/>.
- Queer Detainee Empowerment Project (n.d.). *Our mission: About the Queer Detainee Empowerment Project (QDEP)*. Retrieved from <http://www.qdep.org/our-mission/>.

- RAICES (n.d.). Questions remain: Investigation into sexual abuse at the Karnes family detention center. From website section entitled “*Advocacy*”. Retrieved from <https://www.raicestexas.org/pages/karnesabuse>.
- Rankin Naasel, K. (2015, November 9). UPDATE: 100+ women now refusing to eat in Texas immigration detention center. *Colorlines*. Retrieved from <https://www.colorlines.com/articles/update-100-women-now-refusing-eat-texas-immigration-detention-center>.
- Ravelo Blancas, P. (2010). We never thought it would happen to us: Approaches to the study of the subjectivities of the mothers of the murdered women of Ciudad Juárez. In H. Domínguez, H.D. Ruvalcaba, & I. Corona (Eds.), *Gender Violence at the U.S.-Mexico Border* (37-57), Tucson, AZ: University of Arizona Press.
- Redden M. (2014, July 16). Why are immigration detention facilities so cold? *Mother Jones*. Retrieved from <http://www.motherjones.com/politics/2014/07/why-are-immigration-ice-detention-facilities-so-cold>.
- Rhoad, M. (2010). *Detained and at risk: Sexual abuse and harassment in United States immigration detention*. Washington, DC & New York, NY: Human Rights Watch. Retrieved from <https://www.hrw.org/report/2010/08/25/detained-and-risk/sexual-abuse-and-harassment-united-states-immigration-detention>.
- Rinaldi, T. (2016, March 10). Many women seeking asylum in the U.S. have been released from detention—but with ankle monitors. *Public Radio International*. Retrieved from <http://www.pri.org/stories/2016-03-10/many-women-asylum-seekers-have-been-released-detention-ankle-monitors>.
- Ritchie, D. A. (2014). *Doing oral history*. New York, NY: Oxford University Press.
- Rivas, J. (2016, June 29). These unsealed photos offer rare peek inside Border Patrol’s notorious ‘ice box’ detention cells. *Fusion*. Retrieved from <http://fusion.net/story/319856/judge-border-patrol-unseal-pictures-documents/>.

- Rutgers School of Law-Newark, Immigrant Rights Clinic & American Friends Service Committee (2012, July). *Freed but not free: A report examining the current use of alternatives to immigration detention*. Retrieved from <http://www.law.newark.rutgers.edu/files/FreedbutnotFree.pdf>.
- Samir Shehata, D. (2015, December 25). Choosing detention over death: Families fleeing violence in Central America get a cold welcome from the U.S. *The Austin Chronicle*. Retrieved from <http://www.austinchronicle.com/news/2015-12-25/choosing-detention-over-death/>.
- Santa Cruz, D. (2016, February 28). Sepur Zarco necesita a Guatemala. *Plaza Pública*. Retrieved from <https://www.plazapublica.com.gt/content/sepur-zarco-necesita-guatemala>.
- Schoenholtz, A. I., Schrag, P. G., & Ramji-Nogales, J. (2014). *Lives in the balance: Asylum adjudication by the Department of Homeland Security*. New York, NY: NYU Press. Retrieved from <http://www.jstor.org/stable/j.ctt9qg68b>.
- Schriro, D. (2009, October 6). *Immigration detention overview and recommendations*. Retrieved from Department of Homeland Security: Immigration and Customs Enforcement at <https://www.ice.gov/doclib/about/offices/odpp/pdf/ice-detention-rpt.pdf>.
- Shemak, A. (2011). *Asylum speakers: Caribbean refugees and testimonial discourse*. New York, NY: Fordham University Press.
- Siegal McIntyre, E. (2014, September 16). Rape another threat on migrant women's journey north. *Americas Quarterly*. Retrieved from <http://www.americasquarterly.org/content/rape-another-threat-migrant-womens-journey-north>.
- Silverman, S. J. (2010, October 1), Immigration detention in America: A history of its expansion and a study of its significance. *Centre on Migration, Policy and Society (COMPAS)*, Working Paper No. 80, 1-31. Retrieved from Social Science Research Network at <http://dx.doi.org/10.2139/ssrn.1867366>.

- Sin Fronteras & INCIDE (2012). *Construyendo un modelo de atención para mujeres migrantes víctimas de violencia sexual en México*. Retrieved from http://www.sinfronteras.org.mx/attachments/article/1418/Modelo_Mujeres_WEB_BR.pdf.
- Sistiaga, J. (2012, January 16). La violación como precio del pasaje. *El País*. Retrieved from http://internacional.elpais.com/internacional/2012/01/16/actualidad/1326673727_748856.html.
- Smith, H. (2015, September 22). Shocking images of drowned Syrian boy show tragic plight of refugees. *The Guardian*. Retrieved from <https://www.theguardian.com/world/2015/sep/02/shocking-image-of-drowned-syrian-boy-shows-tragic-plight-of-refugees>.
- Stephen, L. (2015). Martin Diskin memorial lecture, San Juan, Puerto Rico, 29 de mayo de 2015. In *LASA Forum*, 46(3), 4-14.
- Sudbury, J. (2010). Unpacking the crisis: Women of color, globalization, and the prison-industrial complex. In R. Solinger, P. C. Johnson, M. L. Raimon, T. Reynolds, & R. C. Tapia (Eds.), *Interrupted life: experiences of incarcerated women in the United States* (11-23). Berkeley, CA: University of California Press.
- Takei, C., Small, M., Wu, C., & Chan, J. (2016, February). *Fatal neglect: How ICE ignores death in detention*. Report by the American Civil Liberties Union, Detention Watch Network, and Heartland Alliance's National Immigrant Justice Center. Retrieved from <https://www.aclu.org/report/fatal-neglect-how-ice-ignores-death-detention>.
- Taylor, D. (2001). Making a spectacle: The mothers of the Plaza de Mayo. *Journal of the Association for Research on Mothering*, 3(2), 97-109. Retrieved from <http://jarm.journals.yorku.ca/index.php/jarm/article/viewFile/2774/1979>.
- Taylor, M. & Huusko, S. (2014, October 9). Immigrant women allege sexual abuse at detention center. *Al Jazeera America*. Retrieved from <http://america.aljazeera.com/articles/2014/10/9/family-detentioncenterabuse.html>.

- The Associated Press (2014, December 22). Mexican police helped cartel massacre 193 migrants, documents show. Reprinted by *National Public Radio*. Retrieved from <http://www.npr.org/2014/12/22/372579429/mexican-police-helped-cartel-massacre-193-migrants-documents-show>.
- The Sentencing Project (2015, November). *Fact sheet: Incarcerated women and girls*. Retrieved from <http://www.sentencingproject.org/wp-content/uploads/2016/02/Incarcerated-Women-and-Girls.pdf>
- Thomas, J. (2003). Gendered control in prisons. In B. H. Zaitzow & J. Thomas (Eds.), *Women in prison: Gender and social control* (1-20). Boulder, CO: Lynne Rienner Publishers.
- Tolan, C. (2015, November 4). Women on hunger strike face retaliation at this Texas immigration detention center, activists say. *Fusion*. Retrieved from <http://fusion.net/story/227041/t-don-hutto-detention-center-tyler-texas-hunger-strike-hundreds/>.
- Tripp, A. M. (2013). Toward a gender perspective on human security. In A. M. Tripp, M. M. Ferree, & C. Ewig (Eds.), *Gender, violence, and human security: Critical feminist perspectives* (3-32). New York, NY & London, UK: New York University Press.
- United Nations. (1948, December 10). *The Universal Declaration of Human Rights*. Retrieved from <http://www.un.org/en/universal-declaration-human-rights/>.
- United Nations General Assembly (2012, April 2). *Report of the Special Rapporteur on the human rights of migrants, François Crépeau*. A/HRC/20/24. Retrieved from http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A-HRC-20-24_en.pdf.
- United Nations High Commissioner for Refugees (n.d.). *Asylum-seekers*. Retrieved from <http://www.unhcr.org/asylum-seekers.html>.

_____ (2010). *Convention and protocol relating to the status of refugees*. Geneva, Switzerland: UNHCR. Retrieved from <http://www.unhcr.org/protection/basic/3b66c2aa10/convention-protocol-relating-status-refugees.html>.

_____ (2012). *Guidelines on the applicable criteria and standards relating to the detention of asylum seekers and alternatives to detention*. Geneva, Switzerland: UNHCR, Division of International Protection. Retrieved from <http://www.unhcr.org/505b10ee9.pdf>.

_____ (2015a March 26). *UNHCR asylum trends 2014: Levels and trends in industrialized countries*. Geneva, Switzerland: UNHCR. Retrieved from <http://www.unhcr.org/statistics/unhcrstats/551128679/asylum-levels-and-trends-in-industrialized-countries-2014.html>.

_____ (2015b, October). *Women on the run: First-hand accounts of refugees fleeing El Salvador, Guatemala, Honduras, and Mexico*. Report by the UNHCR. Retrieved from <http://www.unhcr.org/5630f24c6.html>.

_____ (2016a, June 20). *Global trends: Forced displacement in 2015*. Geneva, Switzerland: UNHCR.

_____ (2016b, July 11). *UNHCR viewpoint: 'Refugee' or 'migrant' – Which is right?* Retrieved from <http://www.unhcr.org/news/latest/2015/8/55df0e556/unhcr-viewpoint-refugee-migrant-right.html>.

University of Texas at Austin (2016). *Lozano Long Conference: Refugees, migrant detention, and authoritarian neoliberalism*. Occurring February 24-26 at the Teresa Lozano Long Institute of Latin American Studies (LLILAS). Retrieved from http://calendar.utexas.edu/event/lozano_long_conference_refugees_migrant_detention_and_authoritarian_neoliberalism#.V6wkPZgrKM9.

U.S. Border Patrol (n.d.a). *U.S. Border Patrol apprehensions from Mexico and other than Mexico (FY 2000-FY 2015)*. Retrieved from <https://www.cbp.gov/sites/default/files/documents/BP%20Total%20Apps%2C%20Mexico%2C%20OTM%20FY2000-FY2015.pdf>.

_____ (n.d.b). *Southwest border sectors: Family unit* and unaccompanied alien children (0-17) apprehensions FY 14 compared to FY 13*. Retrieved from <https://www.cbp.gov/sites/default/files/documents/BP%20Southwest%20Border%20Family%20Units%20and%20UAC%20Apps%20FY13%20-%20FY14.pdf>.

_____ (2008, January 31). *U.S. Border Patrol policy. Subject: Detention Standards*. Reference number: 08-11267. Retrieved from <https://www.documentcloud.org/documents/818095-bp-policy-on-hold-rooms-and-short-term-custody.html>.

U.S. Citizenship and Immigration Services (2015a, November 12). *Refugees & asylum*. Retrieved from <https://www.uscis.gov/humanitarian/refugees-asylum>.

_____ (2015b, October 19). *Obtaining asylum in the United States*. Retrieved from <https://www.uscis.gov/humanitarian/refugees-asylum/asylum/obtaining-asylum-united-states>.

_____ (2016, February 23). *The affirmative asylum process*. Retrieved from <https://www.uscis.gov/humanitarian/refugees-asylum/asylum/affirmative-asylum-process>.

U.S. Commission on Civil Rights (2015, September). *With liberty and justice for all: The state of civil rights at immigration detention facilities. A briefing before the U.S. Commission on Civil Rights held in Washington, D.C.* Statutory Enforcement Report. Retrieved from http://www.usccr.gov/pubs/Statutory_Enforcement_Report2015.pdf.

U.S. Customs and Border Protection (n.d.a). *Border Patrol history*. Retrieved from <https://www.cbp.gov/border-security/along-us-borders/history>.

_____ (n.d.b). *Border Patrol sectors*. Retrieved from <https://www.cbp.gov/border-security/along-us-borders/border-patrol-sectors>.

_____ (n.d.c). *Rio Grande Valley sector Texas*. Retrieved from <https://www.cbp.gov/border-security/along-us-borders/border-patrol-sectors/rio-grande-valley-sector-texas>.

_____ (2009, August). *CBP security policy and procedures handbook*, HB 1400-02B. Washington, DC: U.S. DHS. Retrieved from <https://info.publicintelligence.net/CPB-SecurityHandbook.pdf>.

_____ (2015a). *United States border: Border Patrol agent staffing by fiscal year*. Retrieved from <https://www.cbp.gov/sites/default/files/documents/BP%20Staffing%20FY1992-FY2015.pdf>.

_____ (2015b, October). Forward from the commissioner. In *National standards on transport, escort, detention, and search*. Washington, DC: DHS. Retrieved from https://www.cbp.gov/sites/default/files/documents/cbp-teds-policy-20151005_1.pdf.

U.S. Department of Homeland Security (2016), *Budget-in-brief: Fiscal year 2016*, Washington, D.C.: DHS. Retrieved from https://www.dhs.gov/sites/default/files/publications/FY_2016_DHS_Budget_in_Brief.pdf

U.S. Embassy (2010, September 21). *Thirty years of the Refugee Act of 1980*. Retrieved from <http://iipdigital.usembassy.gov/st/english/publication/2010/09/20100921144657aidan0.8100397.html#axzz4BV79J6P7>.

U.S. Immigration and Customs Enforcement. (2014, November 17). *ICE's new family detention center in Dilley, Texas to open in December*. News release. Retrieved from <https://www.ice.gov/news/releases/ices-new-family-detention-center-dilley-texas-open-december>.

Wilson, C. E. & Selee, A. (2010, July 29). Immigration and security: Does the new immigration law protect the people of Arizona? *Woodrow Wilson International Center for Scholars: Mexico Institute*. Retrieved from https://www.wilsoncenter.org/sites/default/files/immigration_security_arizona.pdf

- Winograd, B. (2012, July 11). For immigrants, alternatives to detention not all they're cracked up to be. *American Immigration Council: Immigration Impact*. Retrieved from <http://immigrationimpact.com/2012/07/11/for-immigrants-alternatives-to-detention-not-all-theyre-cracked-up-to-be/>.
- Yoo, A. S. (1998, December). The Mariel Boatlift. World: Cuba special report, 40th anniversary. *The Washington Post*. Retrieved from http://www.washingtonpost.com/wp-srv/inatl/longterm/cuba/mariel_port.htm.
- Zong, J. & Batalova J. (2015, October 28). Refugees and asylees in the United States. *Migration Policy Institute*. Retrieved from <http://www.migrationpolicy.org/article/refugees-and-asylees-united-states>.

Vita

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