

FAMILIES BEHIND BARBED WIRE

BY
STEPHEN & CLIO REESE

SADY

TRANSLATED
BY MARTHA CARTER-BALSKE



LAST JUNE THE GOVERNMENT IMPRISONED HUNDREDS OF REFUGEE MOTHERS WITH THEIR CHILDREN IN A REMOTE TRAINING FACILITY IN ARTESIA, NM.

FAR FROM IMMIGRATION LAWYERS.

FAR FROM ANYTHING, REALLY.

THE MOTHERS HAD FLED HORRIFIC VIOLENCE IN GUATEMALA, EL SALVADOR, AND HONDURAS—

—COUNTRIES WITH THE WORLD'S HIGHEST MURDER RATES—

—ALONG WITH SEVERAL REFUGEES FROM CARTEL-DOMINATED SOUTHERN MEXICO.

THEY SPEAK SPANISH OR INDIGENOUS MAYAN LANGUAGES LIKE Q'UICHE, MAM AND ACATECA.



THE AVERAGE AGE OF THE
CHILDREN IS 6 YEARS OLD.

ONCE THE FAMILIES WERE
JAILED IN ARTESIA, AN
ASSEMBLY-LINE DEPORTATION
PROCESS BEGAN.

THE FAMILIES, WITH NO LEGAL
REPRESENTATION, FACED
GOVERNMENT LAWYERS WHO
UNIFORMLY ARGUED THAT
NATIONAL SECURITY REQUIRED
THE REMOVAL OF THE MOMS
AND THEIR CHILDREN.

UNABLE TO ADEQUATELY ARTICULATE
THEIR ASYLUM CLAIMS, PLANLOADS
OF REFUGEES WERE SENT BACK
INTO HARM'S WAY, WITH VALID
ASYLUM CLAIMS NEVER EFFECTIVELY
ADVANCED.



TO ADDRESS THIS HUMANITARIAN CRISIS,
A GROUP OF VOLUNTEER LAWYERS
SUPPORTED BY THE AMERICAN
IMMIGRATION LAWYERS ASSOCIATION
BEGAN THE PRO BOND PROJECT.

THEY ARRANGED SPACE FOR
ATTORNEY MEETINGS IN A
TRAILER AT THE FAR END
OF THE FLETG NEAR THE
REFUGEES' HOUSING.



THE PROJECT PUT TOGETHER
ROTATING TEAMS OF LEGAL
WORKERS TO CONDUCT INTAKE
INTERVIEWS, TO PREPARE FOR
CREDIBLE FEAR INTERVIEWS*
AND TO ACHIEVE RELEASE ON
BOND AFTER A POSITIVE
DETERMINATION THAT THE
FAMILY FILED CREDIBLE FEAR.

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* THE INITIAL DETERMINATIONS
BY ASYLUM OFFICERS.

FROM THE NORTHWEST
TO ARTESIA

ARTESIA NEW MEXICO

AFTER READING AN ARTICLE
ABOUT THE PROJECT, WE
DECIDED, AS FATHER AND
DAUGHTER, TO BECOME
PART OF THE REPRESENTATION
OF THE DETAINED FAMILIES.

WE TOOK 2 WEEKS LEAVE FROM
OUR JOBS AS A FEDERAL PUBLIC
DEFENDER IN PORTLAND — FATHER —
AND AS A TATTOO ARTIST IN
SAN FRANCISCO — DAUGHTER — TO
ACT AS PARALEGALS FOR ATTORNEYS
WHO WERE MAKING SURE THAT
THE REFUGEES HELD IN ARTESIA
HAD ADEQUATE LEGAL REPRESENTATION.

BY THE TIME WE ARRIVED, THE PRO BONO
PROJECT HAD TURNED AROUND THE
DEPORTATION MILL, PROVIDING LEGAL
REPRESENTATION THAT SHIFTED THE
STATISTICS SIGNIFICANTLY ON CREDIBLE
FEAR DETERMINATIONS AND
RELEASES ON BOND.



ALMOST EVERY MERITS HEARING
WITH PROJECT REPRESENTATION
WAS GRANTED —

ALMOST ALL CREDIBLE FEAR
FINDINGS WERE POSITIVE —

— MEANING THERE WAS A
SUBSTANTIAL BASIS FOR ASYLUM
APPLICATION.



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THE WORK BEGINS

SO THE FIRST DAY AT WORK
HAD THE EERIE DISSONANCE
OF DOING SERIOUS LEGAL
WORK —

ICE COMMUNITY
HELPLINE
1888 951 4024

HAPPY BIRTHDAY

ALL THE MOTHERS HAD
THEIR CHILDREN WITH
THEM, SITTING ON LAPS
OR PLAYING WITH OTHER
KIDS IN THE BIG ROOM
WHERE ALL THE
INTERVIEWS OCCURRED.

— IN THE MIDDLE OF
A DAYCARE CENTER.

ANIMATED FILMS BLASTED
IN DUBBED SPANISH —

FROZEN, RIO, AND HAPPY FEET.

OUR LEADER-FOR-THE-DAY
HANDLED THE LIST — PAIRING
THE MANY WOMEN WITH
APPOINTMENTS WITH THE
AVAILABLE LEGAL WORKERS.

THE WORK WENT ON ALL DAY
AT THE FACILITY AND INTO THE
NIGHT IN A DONATED CHURCH
SPACE.



STORIES OF FEAR AND VIOLENCE

THE FAMILY HISTORIES ARE
AWFUL—

— EACH MOTHER TELLS
A UNIQUE STORY OF THE
EXTRAORDINARY PAIN AND
FEAR THAT WOULD LEAD
HER TO LEAVE EVERYTHING
FOR THE HOPE OF SAFETY
FOR HER AND HER CHILD.



THE PERSONAL HISTORIES
INVOLVE OVERLAPPING AND
STAND-ALONE ACCOUNTS OF
VICIOUS DOMESTIC VIOLENCE
WITH NO ASSISTANCE FROM
INADEQUATE OR COMPLICIT
AUTHORITIES—



—GANG VIOLENCE ON A
SCALE OFTEN MEASURED
BY MURDERED FRIENDS
AND FAMILY MEMBERS—

— AND POLITICAL OR ETHNIC
VIOLENCE WHERE FACTIONS
SUPPRESS PERCEIVED ENEMIES
WITH DISAPPEARANCE AND
DEATH.

THEY TELL THE STORIES
SOMETIMES WITH STOICISM—



—SOMETIMES WITH TEARS—

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-ALWAYS TRYING TO PROTECT
THE CHILDREN FROM THEIR
OWN FEAR AND UNCERTAINTY.





THE JOURNEY NORTH

THE HOME COUNTRY TRAUMAS ARE COMPOUNDED BY FEAR, HUNGER, AND SEXUAL VIOLENCE FACED ON THE JOURNEY NORTH.

BY BUS, TRUCK, AND ON FOOT, THE MOTHERS AND THEIR CHILDREN MADE THEIR WAY TO THE BORDER, CROSSING THE RIVER BY WADING OR INFLATABLE RAFT.

MOST WOMEN GO INTO DEBT TO HIRE "COYOTES" TO ARRANGE TRANSPORTATION TO THE BORDER.

THESE HUMAN TRAFFICKERS RANGE FROM RELATIVELY BENIGN GUIDES TO SERIAL RAPISTS AND EXTORTIONISTS.

coy.o.te

ONCE IN AMERICA, THE WOMEN SURRENDERED TO BORDER PATROL.



TREATMENT WORSE THAN ANIMALS
IN THE HIELERAS

YOU CAN STILL HEAR THE
PAIN AND INDIGNATION IN
THEIR VOICES AS THE WOMEN
DESCRIBE THEIR TREATMENT
IN THE CUSTOMS AND
BORDER PROTECTION FACILITIES.

SO HERE'S SOMETHING WE WEREN'T
EXPECTING—

THE MOTHERS COULD NOT KEEP
THEIR CHILDREN WARM—

EVERY MOTHER USED THE SAME
EXPRESSION FOR THE PLACES
WHERE THEY WERE FIRST
DETAINED FOR 2-6 DAYS—

"HIELERAS" OR "ICEBOXES."

hie·ler·as

NO HIELERAS



-THEIR CHILDREN WENT HUNGRY-



-THEY HAD TO SLEEP ON
THE FLOOR.

ONE WOMAN SAID—

THEY TREATED US LIKE
ANIMALS.

NO—

—WORSE THAN
ANIMALS.

ANOTHER WOMAN RELATED
IN DETAIL THE SEXUAL INNUENDO
INJECTED INTO HER INITIAL
INTERROGATION.

EVERY WOMAN WE SPOKE
WITH— AND WE HEARD THE
SAME FROM OTHER LEAD
WORKERS— DESCRIBED
DEGRADING AND INHUMAN
CONDITIONS IN THE HIERERAS





HEARINGS CONDUCTED
BY TELEPHONE

THE JUDGE IS
ON TV
BROADCAST
FROM DENVER,
COLORADO.

ALTHOUGH CAMERAS ARE PROHIBITED
IN THE DETENTION FACILITY, HERE
ARE PAINTINGS FROM HEARINGS
CONDUCTED BY TELEPHONE IN ARTESIA
WITH IMMIGRATION JUDGES AND
PROSECUTORS IN DENVER.

ONE OF THE MANY CHILDREN SUFFERING
FROM COUGHS, FEVER AND DIARRHEA LIES
DOWN DURING A HEARING.

CRS
NOVEMBER 17 2009

HIS MOTHER HAD A POSITIVE CREDIBLE
FEAR DETERMINATION —

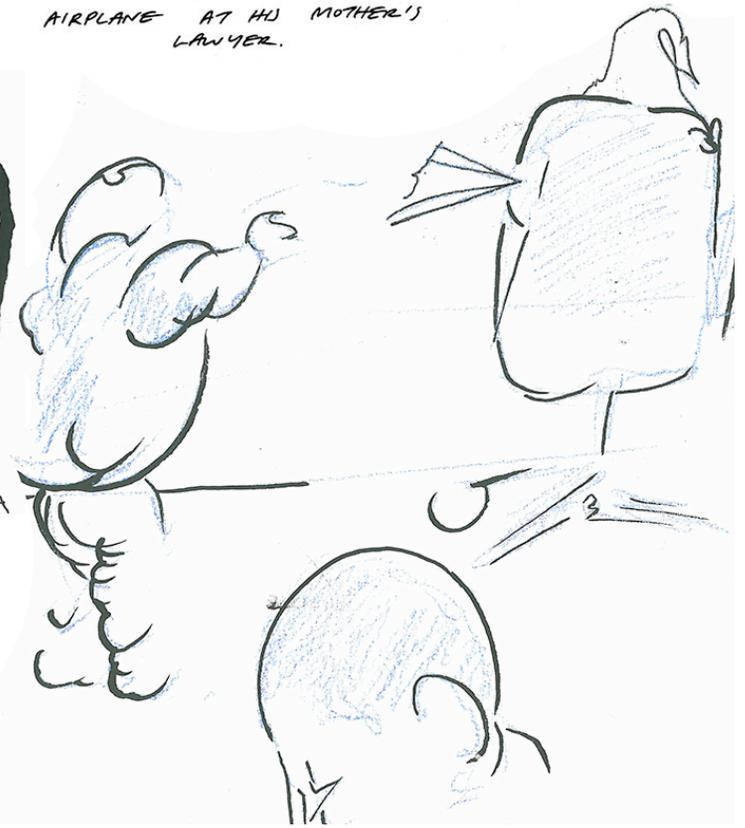
— BUT COULD NOT PAY THE BOND.



IN THIS PAINTING, THE JUXTAPOSITION
OF SERIOUS LAW AND DAYCARE FOR
CHILDREN IS PORTRAYED.

2014

WHILE THE HEARING IS UNDERWAY,
A LITTLE BOY THROWS A PAPER
AIRPLANE AT HIS MOTHER'S
LAWYER.



HERE, A WOMAN REPRESENTED
BY AN OFF-SITE ATTORNEY—

—NOT PART OF THE PRO BONO PROJECT—

—HEARS THAT HER APPEAL OF
A NEGATIVE CREDIBLE FEAR
DETERMINATION HAS BEEN
DENIED BY A JUDGE ON
TELEVISION.

ORIS 2014



WITH THE EXCEPTIONS OF
A PROJECT VOLUNTEER AND
A GUARD, THE WOMAN IS
ALONE IN THE ROOM.



SEE WHAT SIDE OF
THE FENCE I'M ON
AND WHAT SIDE
YOU'RE ON.

MA'AM CALM DOWN!
CALM DOWN! THERE'S
NO NEED TO YELL.

IT'S A MAN'S WORLD

AN UNSETTLING ASPECT OF ARTESIA
IS THE DOMINANT MALE CULTURE
OVERSEEING THE DETENTION OF
TRAUMATIZED WOMEN—

—WHO ARE OFTEN VICTIMS OF
DOMESTIC VIOLENCE AND
SEXUAL ABUSE.

ALTHOUGH MANY TRY TO BE HUMANE,
THERE ARE SOME ASPECTS OF KEEPING
ORDER THAT INEVITABLY EXACERBATE
THE WOMEN'S SITUATION.

YONA ASKED TO SEE THE
219s FOR A MOTHER
AND CHILD THAT WERE
BEING TRANSPORTED
BY VAN.

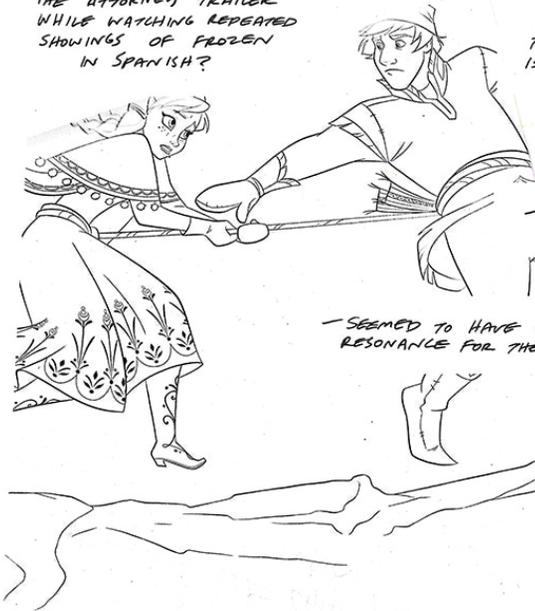
YOU GUYS ARE
A LOT WACKER
THAN I!

L76 23
DWS

IN THIS PAINTING ONE OF THE GUARDS—
PROBABLY HUMOROUSLY—SIGNIFIED HIS
DOMINANCE BY REPEATEDLY COMMANDING
A LEGAL WORKER NOT TO ARGUE WITH
HIM WHEN SHE WAS SAYING NOTHING.

FROZEN

WHAT IN THE WORLD WERE
THE CHILDREN THINKING IN
THE ATTORNEY TRAILER
WHILE WATCHING REPEATED
SHOWINGS OF FROZEN
IN SPANISH?



THE STORY OF A PRINCESS
ISOLATED IN AN ICE PALACE—

—ARTESIA WAS THE CHILDREN'S
FIRST EXPERIENCE OF SNOW
AND 10 DEGREE TEMPERATURES—

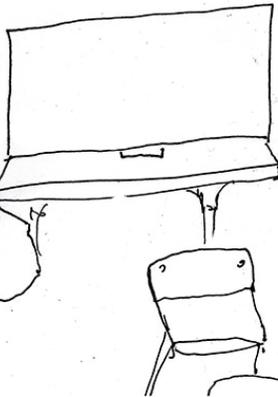
—WHO WITH THE HELP OF HER
SISTER FINDS FREEDOM—

—SEEMED TO HAVE A SPECIAL
RESONANCE FOR THE CHILDREN.

THE ROUSING SONG WITH A LYRIC
TRANSLATED "LIBRE SOY"—

—"I AM FREE"—

—WAS ESPECIALLY POPULAR.



THE LITTLE GIRL SINGING
HER HEART OUT TO THAT
SONG WHILE DRAWING
PROVIDES AN ENDURING
IMAGE OF THE RESILIENCE
OF CHILDREN EVEN IN THE
FACE OF PROLONGED DETENTION.



A UNITED STATES CITIZEN
DETAINED IN ARTESIA

ONE OF THE CHECK-IN APPOINTMENTS
WAS FOR A MOTHER FROM MEXICO
THAT INCLUDED A NOTATION THAT HER
MOTHER WAS A UNITED STATES CITIZEN.

AN ALERT PROJECT VOLUNTEER KNEW
THAT THE CLIENT COULD HAVE
DERIVATIVE US CITIZENSHIP.

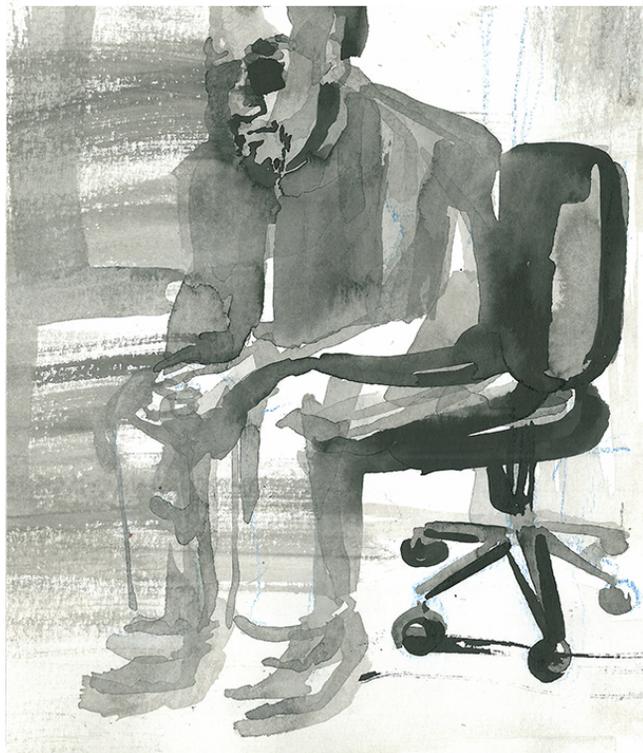
WE STARTED CALLING AND COLLECTING
DOCUMENTS AND WITNESSES TO
ESTABLISH THAT OUR CLIENT WAS A
UNITED STATES CITIZEN FROM BIRTH.



UNDER THE IMMIGRATION STATUTES,
OUR CLIENT—WHO HAD SPENT 6 DAYS
IN HUELAS AND 17 DAYS DETAINED
IN ARTESIA—WAS A U.S. CITIZEN!

ONE OF THE LAWYERS CONTACTED
IMMIGRATION AND CUSTOMS ENFORCEMENT
(ICE) TO SAY THAT THEY SHOULD
RELEASE OUR US CITIZEN CLIENT.

AT THE END OF THE DAY, WE LEFT
A CREDIBLE FEAR INTERVIEW TO
FIND A ROOM FULL OF ICE PERSONNEL.



AFTER OUR CLIENT PROVIDED A SWORN
STATEMENT OF THE INFORMATION WE
HAD, WE WERE TOLD THAT THEY WOULD
NEED TO SEND A MEMO TO WASHINGTON
AND THAT THE OFFICES WERE CLOSED.

OUR CLIENT WAS DIRECT— SHE WANTED
TO BE RELEASED AS SOON AS
POSSIBLE.

DRS 2014



DESPITE FURTHER PERSUASION BY ONE
OF THE ATTORNEYS, WE THOUGHT NO
RELEASE TONIGHT.

DRS 2014



THEN—ABOUT AN HOUR LATER—THE
PHONE RINGS AND WE ARE TOLD
SHE WILL BE RELEASED ON
PAROLE IN AN HOUR.

WE HAVE THE UNIQUE AND INEFFABLE
PLEASURE OF WALKING OUR CLIENT
OUT OF THE DETENTION FACILITY.

AS WE DROVE THROUGH THE GATES
THE MOTHER—WHO HAD BEEN COMPLETELY
STOIC AND STRONG FOR HER CHILD
THROUGHOUT—GOT ON THE PHONE WITH
HER PARENTS AND WAS FINALLY ABLE
TO JUST SOB WITH RELIEF AND
HAPPINESS.

CANDLELIGHT VIGIL



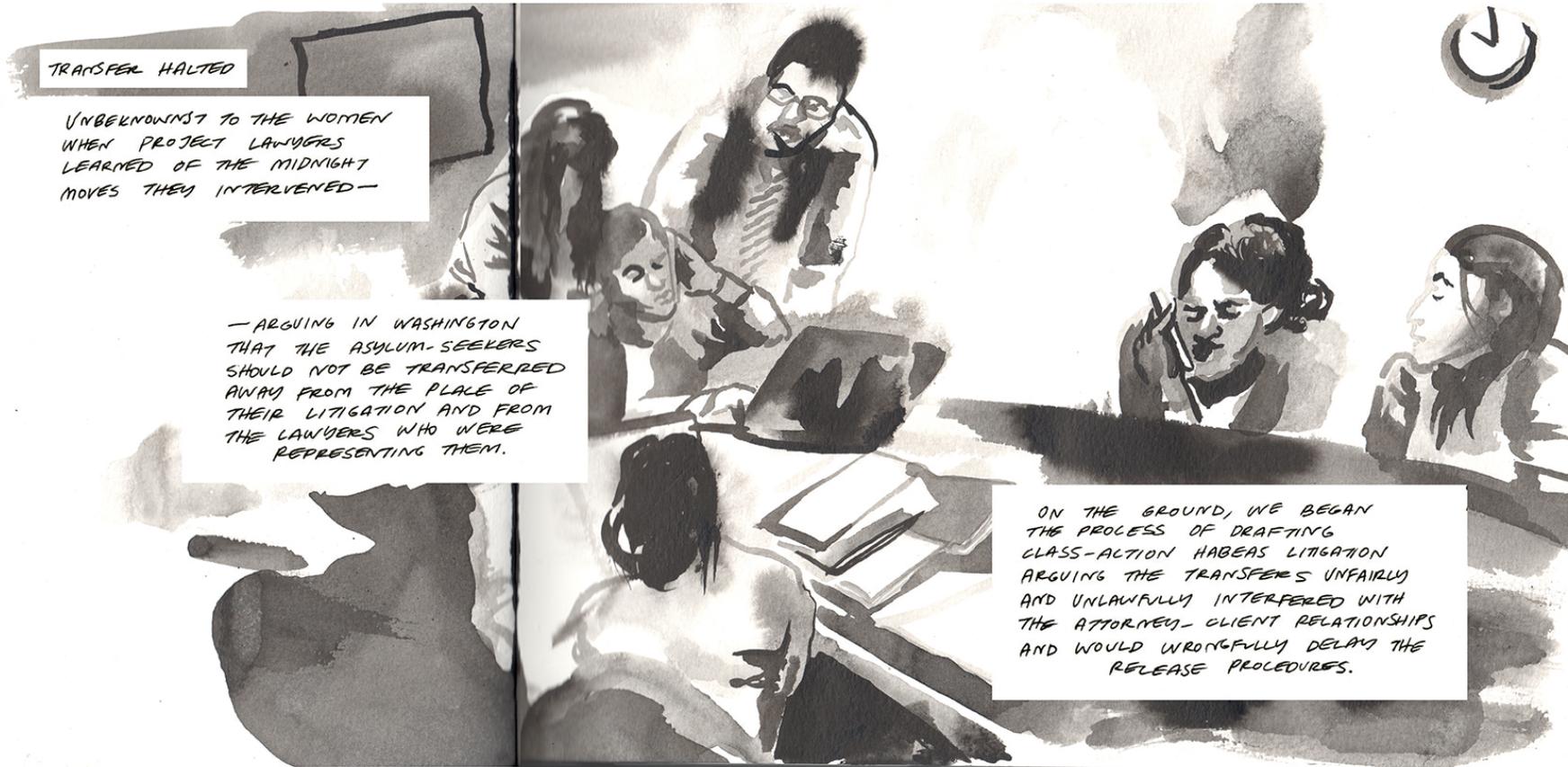
THE SAME NIGHT AS OUR CLIENT
WALKED OUT, ABOUT 80 LOCAL
SUPPORTERS HELD A VIGIL OF
SOLIDARITY WITH THE MOTHERS
AND THEIR CHILDREN AT THE
GATE OF THE DETENTION
FACILITY.

THEY WERE HERDED INTO
A ROOM WHERE THEIR
IDENTIFICATION BRACELETS
WERE CUT OFF AND THEIR
ID CARDS PLACED
IN FILE FOLDERS.



THEN THEY WAITED THROUGH
THE NIGHT IN THE FREEZING
ROOM — UNCERTAIN WHAT
WOULD HAPPEN NEXT.

CRJ 2015



TRANSFER HALTED

UNBEKNOWNST TO THE WOMEN
WHEN PROJECT LAWYERS
LEARNED OF THE MIDNIGHT
MOVES THEY INTERVENED—

—ARGUING IN WASHINGTON
THAT THE ASYLUM-SEEKERS
SHOULD NOT BE TRANSFERRED
AWAY FROM THE PLACE OF
THEIR LITIGATION AND FROM
THE LAWYERS WHO WERE
REPRESENTING THEM.

ON THE GROUND, WE BEGAN
THE PROCESS OF DRAFTING
CLASS-ACTION HABEAS LITIGATION
ARGUING THE TRANSFERS UNFAIRLY
AND UNLAWFULLY INTERFERED WITH
THE ATTORNEY-CLIENT RELATIONSHIPS
AND WOULD WRONGFULLY DELAY THE
RELEASE PROCEDURES.



ON NOVEMBER 19TH, 2014, THE GOVERNMENT
ANNOUNCED THAT ARTESIA WOULD BE CLOSED
BY THE END OF DECEMBER.

BUT THAT IS NOT THE END
OF THE STORY.

THE GOVERNMENT ALSO ANNOUNCED
THAT FAMILY DETENTION WILL CONTINUE—

—WITH SOME ARTESIA DETAINEES TRANSFERRED
TO KARENS, TEXAS—

—AND OTHER NEW DETAINEES HELD IN
A DETENTION FACILITY IN DILLEY, TEXAS,
TO BE RUN BY THE CORRECTIONS
CORPORATION OF AMERICA.

THE SAME LEGAL WORK WILL NEED
TO ADDRESS THE SAME ISSUES
IN NEW LOCATIONS.

WHAT CAN YOU DO?

THE PRO BONO PROJECT NEEDS YOUR HELP

IF YOU ARE A LAWYER AND CAN VOLUNTEER,
CONTACT THE AMERICAN IMMIGRATION LAWYERS
ASSOCIATION TO SCHEDULE TIME IN TEXAS
DETENTION FACILITIES.

IF YOU WANT TO SUPPORT REFUGEE
MOTHERS AND THEIR CHILDREN
TRANSITIONING INTO COMMUNITIES
AFTER FAMILY DETENTION, SEND
DONATIONS TO RESTAURANDO VIDAS
AN ORGANIZATION CREATED WITH
WOMEN INCARCERATED IN ARTESIA.

OKS 2014



WHAT NEEDS TO CHANGE

IMMIGRATION LAW AND REFORM IS COMPLICATED AND OFTEN AROUSES PASSIONS ON ALL SIDES OF THE ISSUES. THERE ARE A FEW SIMPLE THINGS MOST PEOPLE SHOULD BE ABLE TO AGREE ON—

- WHEN MOTHERS AND CHILDREN ARE REFUGEES, "WELERA" SHOULD NOT BE PART OF THEIR VOCABULARY —
- ALL DETAINEES AND ESPECIALLY CHILDREN SHOULD BE PROVIDED SAFE AND COMFORTABLE SHELTER WHILE THEIR ASYLUM APPLICATIONS ARE BEING DECIDED.

- ONLY AN ASYLUM OFFICER HAS DETERMINED THAT A MOTHER HAS CREDIBLE FEAR OF RETURNING TO HER HOME COUNTRY, THE FAMILY SHOULD BE RELEASED ON CONDITIONS RATHER THAN DETAINED THROUGHOUT PROLONGED BOND PROCEDURES —

- THE GOVERNMENT SHOULD NOT INTERFERE BUT SHOULD ENCOURAGE LEGAL REPRESENTATION FOR REFUGEE FAMILIES.

CS 2014





THE LAST POINT WAS BROUGHT HOME ON OUR LAST SATURDAY AT THE FACILITY.

WE WERE TAKING STATEMENTS FROM THE WOMEN WHO HAD ALMOST BEEN TRANSFERRED IN THE MIDDLE OF THE NIGHT.

THE FIRST THING ONE WEeping WOMAN DID— AFTER GATHERING HER CHILD AND THEIR BELONGINGS— WAS WRITE A LETTER TO HER ATTORNEY ASKING HER CONTINUED HELP AND THAT SHE NOT DROP HER CASE.

CHILD HAS NO IDEA WHAT IS HE SPINS THE

ANOTHER WOMAN PUT ALL HER FEAR ABOUT MOVING AWAY IN TERMS OF LOSING THE LAWYERS SHE TRUSTED.

WHILE WE KNEW IN OUR HEADS THAT GOVERNMENT INTERFERENCE WITH ATTORNEY-CLIENT RELATIONSHIPS WAS WRONG, THE WOMEN MADE IT REAL—

— THE MOTHERS FELT THEY WERE IN A DANGEROUS AND LAW-FREE ZONE, AND THE ATTORNEYS WHO WERE FIGHTING FOR THEM PROVIDED THEM WITH A LIFELINE AND HOPE.



CHILDREN SHOULD NOT BE
IN WHAT AMOUNTS TO JAIL.

WHEN NOT VOLUNTEERING FOR THE PRO BONO PROJECT, STEVE SADY WORKS AS A FEDERAL PUBLIC DEFENDER IN PORTLAND, OREGON, WHERE HE HAS BEEN REPRESENTING THE INDIGENT ACCUSED IN FEDERAL COURTS FOR OVER THIRTY YEARS.

MARTHA CARTER-BLASKE, WHO VOLUNTEERED HER INTERPRETATION SERVICES FOR THIS PROJECT, IS A STAFF INTERPRETER FOR THE PORTLAND FEDERAL PUBLIC DEFENDER OFFICE.

CLIO REESE SADY IS AN ARTIST BASED IN SAN FRANCISCO COLLABORATING WITH PHOTOGRAPHER DANA ULLMAN TO DOCUMENT WOMEN IN DETENTION. TO SEE THEIR WORK VISIT <https://insidewitnss.wordpress.com>

