



national network for immigrant and refugee rights

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NNIRR 100 Stories Project 2008 Chronology of Abuses

Produced by HURRICANE: Human Rights Immigrant Community Action Network

Guilty By Immigration Status

A Report on U.S. Violations of the Rights of
Immigrant Families, Workers, and Communities

Introduction

The stories documented in *Guilty by Immigration Status* highlight long-term concerns and problems with immigration services and enforcement, including but not limited to Department of Homeland Security's lack of accountability and oversight and relentless criminalization of status, fueled by the systematic violation of due process rights and other Constitutional protections.

These stories represent a small fraction of the problems, challenges, and conditions faced by immigrant and refugee members of our communities throughout the U.S. Their experiences are the face of brutal U.S. immigration laws, policies, practices, measures and strategies. The stories reflect the challenge of being confronted with the deeply seated normalization of violence and abuse and where only the most blatant abuses are reported, enforcing a resounding silence on the more pervasive and persistent conditions including lack of resources and rights, exploitation, discrimination and exclusion that are the root causes of rights violations and abuse.

Trends highlighted by stories

- [Immigration raids and enforcement operations](#)
- [Workplace abuses and labor rights violations](#)
- [Deportations separate families](#)
- [Detention abuses and deaths](#)
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ICE immigration raids & enforcement operations are used as a deliberate tool and strategy to intimidate and destabilize communities and often leave local and regional economies in shambles.

Los Angeles, CA-- ICE threaten to take children away during home raid (February 2008)

ICE agents raided the home of an immigrant mom and her two children, without presenting a court-issued warrant and demand that she contact her husband, threatening to take her children and send them to CPS if she did not get her husband to come home from work. ICE arrested and deported the woman's husband the same day to Tijuana, with no money and no place to stay, after he had been living and working in the U.S. for over 20 years. ICE agents placed the woman on house arrest and tightened the ankle bracelet so much that it cut off circulation from her leg and caused great injury to her ankle and tremendous pain in addition to the stigma and shame it imposed on her and the family. The seven-year-old daughter was so traumatized by the raid that she clutches to her mother's side whenever they leave the house to the store, to and from school, and often rushes her mom, afraid that ICE will come back and take her away.ⁱ

Ann Arbor, MI— ICE breaks into family's home, causing terror and panic (March 2008)

ICE raided the home of the Mendez family, tearing down doors and forcing the family to identify themselves. In a moment of terror and panic, Nicolas- a father of two- attempted to flee and was violently restrained by the neck and dragged to the laundry room. Terrified, his wife saw his knees were bleeding and he had a bruise on his face. When she tried to go near him to see that he was okay, ICE agents physically restrained her and denied her access to her husband. Fearing for her and their two young children's safety, she ran away from her own home and that was the last time she saw her husband. ICE arrested Nicolas, his father, sister, and sister-in-law without judicial warrants and initiated deportation proceedings to their native Honduras.ⁱⁱ

Flowood, MS-- ICE seize money during restaurant raid (March 28, 2008)

Local police collaborated with ICE agents and raided Stix, a Japanese cuisine restaurant, arresting nine workers. Seven of the workers were from Indonesia, one from Thailand, and the others from China. Two Indonesian women and a male Chinese student were released while the others were taken to a detention center in Louisiana to await their immigration hearing. Witnesses reported that agents left the restaurant with several bags of money they seized during the raid. U.S. Attorney's office refused to comment on the operation.ⁱⁱⁱ

Dallas, TX-- ICE raids 26 Latino night clubs, immediately deports more than half of all detained (March 29, 2008)

At around 11p.m, ICE agents and Dallas police raided 26 mostly Latino night clubs, restaurants, supermarkets, and pool halls and arrested 49 Latino immigrants who worked as security guards. ICE arrested one man with temporary protected status. 29 out of the 49 arrested signed their rights away by accepting a "voluntary return." The rest were transferred to a nearby immigrant detention center. Although ICE targeted security guards, restaurant patrons and staff reported that the ICE raids had a devastating effect and intimidated surrounding communities.^{iv}

New Jersey-- New Jersey residents sue ICE for rights violations during raids (April 3, 2008)

Ten New Jersey residents filed a lawsuit against ICE for violating their constitutional rights to privacy and due process. ICE agents entered their homes without their consent or a warrant and lied about their identity – claiming to be "police" – in order to gain access into the home. In some cases ICE forced their way in during immigration raids carried out between August 2006 and January 2008. The lawsuit denounces ICE practices as routine violations carried out under the enforcement operation called "Return to Sender."^v

Miami, FL-- ICE fugitive operations raid Miami homes, arrest over 300 (April 4, 2008)

For two weeks, ICE agents from the Miami Fugitive Operations Team raided homes in three counties and arrested 332 people, including 32 immigrants who did not have outstanding deportation orders or prior criminal record, solely for their immigration status. ICE placed 68 on house arrest because they were identified as sole caregivers of their families or because of medical concerns. Detainees face deportation to their home countries, including Angola, Brazil, Canada, Colombia, El Salvador, Guatemala, Honduras, Haiti, Mauritania, Mexico, Nicaragua, Peru, Surinam, Ukraine, and Venezuela.^{vi}

Leesburg, VA-- ICE tricks hotel workers, arrest 59, mostly women (April 8, 2008)

ICE officials raided the luxurious Lansdowne Resort and arrested 59 workers after subjecting up to 100 workers to interrogations. Most of the workers arrested were placed on house arrest pending immigration hearings. Six out of the 59 arrested were immediately deported. Executives collaborated fully with ICE throughout their investigation and were expecting them. ICE has not charged any of the resort's administrators.^{vii}

TX, FL, TN, AK, W.VA-- ICE raids Pilgrim's Pride poultry plants in five Southeast cities (April 16, 2008)

ICE carried out simultaneous raids on Pilgrim's Pride poultry processing plants in Texas, Florida, Tennessee, Arkansas, and West Virginia arresting 400 workers, charging only 91 with criminal violations such as use of a false social security number. Those facing criminal charges for using false social security numbers could face up to 5 years in prison and fines of up to \$250,000 if convicted. Alarming, in Chattanooga TN and Moorefield W.Va. all of the workers arrested had no prior criminal record or an order of deportation; all were arrested and detained on administrative immigration violations, meaning there were no warrants executed for their arrest. ICE said the raid was part of an ongoing probe into identity theft and other crimes. While most employees were arrested at the plants, others were arrested and picked up at their homes.^{viii}

San Francisco, CA-- ICE raids 11 restaurants the day after major immigrant rights mobilizations (May 2, 2008)

Dozens of armed ICE agents stormed into El Balazo restaurants in 11 different locations throughout the San Francisco Bay Area, arresting 63 workers. ICE agents locked the doors, keeping immigrant workers trapped inside, denying them access to lawyers who were outside waiting to represent them. While ICE obtained warrants to enter and search the restaurants, they did not have warrants for individual workers - agents searched workers' lockers, backpacks, wallets, and other personal items.^{ix}

Postville, IA-- ICE arrests Indigenous people in the raids against AgriProcessor's Inc, tearing communities apart (May 12, 2008)

Over 900 ICE armed agents raided Agriprocessor's Inc, the nation's largest kosher slaughterhouse and meat packing plant, arresting and detaining 390 immigrant workers, who were mostly Indigenous people from Guatemala and Mexico, many of them women with young children. 57 women and 12 underage youth were placed on house arrest and forced to wear electronic monitoring ankle bracelets. Many were directly turned over for deportation. Of the 390 arrested on administrative immigration violations, only five had a prior criminal record.^x

Nashville, TN-- Nashville Metro police collaborate with ICE in restaurant and home raids (June 19, 2008)

Officers from the Metro Nashville Police Department, Murfreesboro Police Department and the Tennessee Highway Patrol collaborated with ICE to arrest 50 workers in three Chinese food restaurants in Rutherford County and Nashville. ICE also went to search for people at their homes, spreading fear throughout several neighborhoods. The detainees were from Mexico, El Salvador, China, Guatemala, Malaysia, and Indonesia.^{xi}

Annapolis, MD-- Over 100 ICE and county police raid painting company and residences, including U.S. citizens and children (June 30, 2008)

75 heavily armed ICE agents, along with 50 county police officers, raided the company offices of Annapolis Painting Services, Inc and fifteen single-family homes, resulting in the arrest of 51 workers on administrative immigration violations. Agents seized five bank accounts, eleven vehicles and homes as part of a "criminal investigation" into the hiring and harboring of undocumented immigrant workers. However, the company's owners were not arrested. Families of detainees testified to the damage caused by ICE agents who raided their homes, including broken doors and furniture. Veronica Ramos sobbed and her three young children hid under their beds in fear as ICE agents handcuffed and arrested their father, Eduardo Delgado. In another home, ICE agents handcuffed a U.S. citizen and forced him to kneel in front of his four-year-old daughter, while they searched for two others who allegedly worked at the painting.^{xii}

Lake Tahoe, CA—Immigrants deported after nabbed in ICE home raids (June 30, 2008)

ICE fugitive operations teams arrested 42 people around the Lake Tahoe Basin, only half of whom had outstanding deportation orders. Less than fifteen days later, ICE had deported back to their countries of origin most of the people they had rounded up.^{xiii}

Norristown, PENN-- ICE with collusion of janitorial company entraps immigrant workers (June 31, 2008)

Managers at ABM Janitorial Services collaborated with ICE to trick and turn over 42 employees into the hands of immigration police. The workers received an official letter on company letterhead about a mandatory meeting on policy procedure, where they would also receive their paychecks. Jasmine Zavala, mother of two, reported that ABM staff left the room and armed ICE agents entered, releasing only the white employees, and ordered the immigrant workers to remain silent while they proceeded with searches of their personal belongings and conducted several pat-downs. The workers, most of whom are women with dependent children and families, were held at the site from 4:30 p.m. till 10:00 pm, including those who were released on "humanitarian" grounds.^{xiv}

Providence, RI—ICE raids workplace despite ongoing labor dispute (July 15, 2008)

ICE agents kidnapped 31 workers, who worked for a cleaning contractor as janitors in Rhode Island courthouses. The contractor had been in a fight with members of a labor advocacy group for refusing to pay wages to their workers. Then, ICE showed up to arrest the workers. The community came together in full force to protest the illegal ICE raids terrorizing their families and neighbors – over 100 people, mostly youth, blocked the ICE vans transporting the workers to immigration detention facilities outside of Providence. <http://www.abc6.com/news/25490039.html> (accessed July 15, 2008).^{xv}

Greeley, CO-- Two years later, ICE Swift raid still haunts families (September 2008)

Erasma Zunun Lopez and her family continue to suffer from the effects of the ICE raid at the Swift plant two years ago. Since the ICE raid, justice has been postponed for at least 32 immigrant families like hers who live in a legal limbo while they wait for their court hearing with an immigration judge. Unable to work to help support her family, they struggle to make ends meet with her husband's night shift job waxing floors at the local Wal-Mart for \$11.50 an hour. Lopez is still haunted by recurring nightmares and no longer takes her eight grandchildren to the nearby park, fearing to be separated from them.^{xvi}

Greenville, SC— ICE raids poultry plant, arrest over 300 workers on administrative charges (October 7, 2008)

Over 400 ICE agents stormed into Columbia Farm's, a poultry plant, and arrested nearly one quarter of the total workforce, most on administrative charges- their only crime is their immigration status. Among those arrested were pregnant women, underage youth (as young as 15), and single mothers with young children or ailing loved ones. One elderly Guatemalan woman, 68 years old, was detained because she couldn't prove her legal status; ICE released her later that day.

Over half of the 379 people arrested were pressured or forced to sign 'stipulated removal' orders and were deported within a few days of the raid.^{xvii}

Oberlin, OH-- ICE raids harass immigrant workers, arrests them without warrants (October 30, 2008)

ICE unlawfully arrested three men on their way to work, without an arrest warrant. These unlawful arrests rocked the local immigrant community that was still devastated and traumatized after previous ICE raids and arrests of nearly 60 workers in July at Casa Fiesta restaurants, a popular Mexican food chain in eight different neighborhoods.^{xviii}

ICE enforcement operations reinforce rampant workplace abuses and labor violations against immigrant workers.

Washington, DC-- Domestic worker severely exploited, held in forced labor (January 28, 2008)

Elizabeth Jackson was sentenced to three years of imprisonment for exploiting and holding in forced labor a Filipina woman she brought to the United States as a domestic worker. When the woman arrived, Jackson confiscated her passport and forced her to work 16 hours a day, seven days a week. Jackson threatened the woman with legal action and deportation if she ever left the house. Jackson's husband was sentenced to community service and a \$5,000 fine for housing the victim in the couple's home for several months.^{xix}

New Orleans, LA—Company threatens workers with deportation for reporting abuses (March 7, 2008)

The New Orleans-based company, Signal International, brought in hundreds of workers from India on H2-B visas to work in their shipyards and forced them into servitude and inhumane living conditions. The workers, who came to the U.S in late 2006 and early 2007, filed a federal lawsuit against Signal for luring them to work at the shipyards after the company management promised them permanent U.S. residency. The workers were forced into involuntary servitude and subjected to live in overcrowded labor camps. Furthermore, they did not receive green cards, which was their main reason for coming. Two workers reported that Signal threatened to deport them after they spoke out about the inhumane conditions at the company's labor camp.^{xx}

Atherton, CA-- Household exploits and holds LPR in domestic servitude (March 13, 2008)

69 year old live-in housekeeper named Vilma Serralta from San Mateo, CA filed a federal lawsuit against a Silicon Valley couple that made her work 14 hour work days, 6 days a week without pay or breaks. Vilma was paid a wage of around one thousand dollars a month by Sakhawat and Roomy Khan to take care of their 9,000 square foot grand estate and to baby-sit their 7-year-old daughter. Ms. Serralta was allowed one day off every two weeks. The Khans subjected her to abusive treatment, including verbal abuse and insults. In addition, the Khans never informed Ms. Serralta of her rights, as required by law. Although Ms. Serralta has been living and working in the U.S. as a legal permanent resident for over twenty years, she faced severe discrimination and maltreatment for being an immigrant worker. Vilma came to the U.S. in the 1980's fleeing the civil war and violence in El Salvador, and worked as a domestic worker to support her family that remained in El Salvador.^{xxi}

Houston, TX-- ICE raids Shipley Donuts plant less than a year after lawsuit alleging workplace abuses (April 16, 2008)

ICE agents conducted an early morning raid at Shipley's Donuts plant and arrested some 30 immigrant workers, suspected of working without authorization. In an overwhelming display of force, ICE agents along with Harris County Sheriff's deputies arrived in 50 vehicles, with a helicopter hovering over the

plant, and surrounded the plant's perimeter. Shipley management cooperated fully with ICE during the investigation. Less than a year earlier, a settlement was reached in federal court from a discrimination lawsuit filed by 15 workers against Shipley's, seeking damages for enduring daily slurs such as "wetback" and "mojado" while working at the company's warehouse. ICE claims the "investigation" was initiated after receiving information that undocumented workers were employed at the facility.^{xxii}

Houston, TX-- **ICE raids warehouse and arrests workers, including women and children, who had been subjected to exploitative working conditions (June 25, 2008)**

An army of 200 immigration officials raided Action Rags USA plant at 7 a.m. arresting some 160 workers, who sorted used clothes and rags for export. The warehouse was cluttered and the workers were working in stifling heat; it was already 92 degrees when law enforcement stormed the warehouse that morning. Authorities said it was one of the largest immigration raids in Houston in the past 18 months, arresting workers who were mainly from Central America. 70% of all the workers arrested were women, eight were pregnant and two were minors. At least 16 workers were eventually released from unlawful arrest after proving they were authorized to work in the United States.^{xxiii}

Grand Island, NE-- **Muslim workers mistreated by company staff, denied religious freedom (September 2008)**

500 Muslim workers from JBS Swift & Co. plant protested against the violation of their freedom to worship, during the most significant time for them – Ramadan. Male plant supervisors went as far as to kick the feet of workers who attempted to pray at work and followed some women in the bathroom telling them they were taking too long. The workers walked over a mile from the plant to Grand Island City Hall, demanding their right to religious freedom.^{xxiv}

Manchester, TN-- **Indigenous women face deportation after organizing against abuses at work (October 2008)**

SPLC filed a lawsuit against the Durrett Cheese Sales company for violating the rights of a dozen indigenous women working at the factory last year after they organized a work stoppage to demand back-wages owed to them by their employer. A supervisor at the factory called the Coffee County Sheriff's department and then reported the women to ICE, accusing them of being undocumented. Police arrested the workers on trespassing charges and then issued "immigration detainers" to hold them until ICE agents picked them up and took them to the Elizabeth Detention Center in Nashville where they were all interrogated. The women, mostly Mixteca-speaking Indigenous women and main breadwinners for their families, went weeks without pay and endured an abusive work environment before organizing for their rights.^{xxv}

San Jose, CA-- **Home Depot managers use SSA "no-match" letters to layoff immigrant workers, cutoff health coverage (November 18th, 2008)**

Jorge Nateras, a 7-year employee with Home Depot, was laid off for "No proof of work eligibility" after receiving a memo from a Home Depot Human Resources representative asking him to re-submit his work eligibility documents due to a "no-match" letter from the Social Security Administration (SSA). Jorge repeatedly requested to see his personnel file and was denied access. Twelve days after eight immigrant rights and legal advocacy groups sent a letter to the Human Resources Managers on his behalf, requesting he receive a copy of the SSA letter in question and access to his personnel file, he was laid off. Prior to this conflict, starting in June 2008, Mr. Nateras' wife was receiving intensive treatment for breast cancer – covered by his health care plan with Home Depot. She is now left with no health insurance and no treatment. Home Depot also threatened another employee, Raul Reynaga, with layoff after receiving the same memo regarding a "no-match" letter from the SSA.^{xxvi}

Deportations separate and devastate families, traumatize communities and violate due process rights.

Providence, RI-- ICE deports New Year baby's father, and traumatizes roommate who commits suicide (January 4, 2008)

ICE arrested Mynor Montufar, after gaining local media attention for being the father of the first baby of the year born in Rhode Island. Montufar, who now faces deportation to his native Guatemala, was forced to leave his newborn child and girlfriend behind. The five ICE agents that raided the home of Montufar arrested two people, but did not enter one of the bedrooms, which remained locked. Later that day, Montufar's roommate, 24-year-old David De La Roca, also undocumented, was found dead -- committing suicide by hanging himself from a belt that was screwed to the window frame.^{xxvii}

Arizona-- Prison officials turn U.S. citizen over to ICE for deportation (January 25, 2008)

Colorado jail officials turned over a U.S. citizen, Thomas Warziniack, to ICE after arresting him on minor drug charges. Mr. Warziniack was detained for several weeks at the Eloy Detention Center after ICE refused to believe his claims to US citizenship, even after he presented a birth certificate in court. During the deportation hearing with an immigration judge, federal officials requested a week to verify the authenticity of Warziniack's birth record, which delayed his release even further. Rather than take responsibility for the violation of his constitutional rights, ICE claims the "burden of proof" falls on the person to prove U.S. citizenship and that while these "mix-ups" happen, they are extremely rare.^{xxviii}

Los Angeles, CA-- Judge makes unprecedented decision to deport immigrant, accused of "failure to appear" (February 15, 2008)

Immigration Judge Pamela Ann Rymer ruled harshly against Juan Perez, proceeding with a "removal in absentia" order for "failure to appear" in court. Juan Perez arrived late to his hearing for asylum in Court due to his car overheating in the midst of rush hour traffic. Perez abandoned the vehicle and took a bus to the courthouse, arriving before the Judge left the bench. The case was reopened because although Perez was late for his hearing, he arrived while the immigration judge was still on the bench. Another Judge opined that it did not make sense to accuse Mr. Perez of 'failure to appear in court' when this ruling has never been held for anyone who arrives while the Judge remains on the bench. There is no precedent for this. The Board of Immigration Appeals overruled the deportation order after Perez appealed their initial decision to uphold the Judge's decision, eventually citing that Perez did not fail to appear and that such judgment would lead to harsh results and affirmed that he made a good faith attempt to appear in court.^{xxix}

Miami, FL-- ICE targets and arrests family of student activist (March 4, 2007)

Student and immigrants rights activist Gaby Pacheco and her family face deportation after three ICE agents with Miami-Dade police entered their home at dawn on July 26, 2006 in retaliation for advocating for immigrant students' rights. The agents were looking for someone with the same last name, but who did not reside there. Despite this, the officers questioned the family, detained them, and inquired about the activities of Gaby Pacheco. Gaby had been very involved in advocating for immigrant students' rights, supporting passage of the DREAM Act. During detention, one ICE officer asked Gaby's sister, whom they mistook for Gaby, "Why are you coming out on TV and saying those things?" The ICE officers also told her that they had Gaby's activism to thank for their detention. The family filed case against ICE contending that they were targeted due to Gaby's activism and leadership in efforts to legalize immigrant students who were brought here by their parents.^{xxx}

Los Angeles, CA-- **ICE deports father for deportation order never received (March 9, 2008)**

ICE jailed Henry Fuentes in the Willacy County detention center, located in South Texas, for two months before deporting him to his native El Salvador. ICE raided his home accusing him of having ignored a deportation order, which he never received. Fuentes told the ICE officials he had moved and never received the notice. Although he had temporary protected status for many years, on January 10, 2008, ICE arrested him for being in the country without authorization. Fuentes boarded a plane in Harlingen, Texas, along with 115 other people who were being deported to Central America. Fuentes was forced to leave his wife and two US citizen children behind and lost the financial stability that had allowed him to send money to his parents and two children in El Salvador. In 2007 alone, nearly 72,000 immigrants were deported on DHS contracted planes, compared to 50,000 from a year before.^{xxxix}

Princeton, NJ-- **ICE deports father of special needs child after living in U.S. for 17 years (March 14, 2008)**

After being arrested by ICE, Javier Quij and his oldest son face deportation to Guatemala. ICE arrested them at their home on an outstanding deportation order. Graciela and Javier, who fled Guatemala 17 years ago, are concerned about the well-being of their U.S. citizen daughter who has special needs and requires special medical care and constant attention.^{xxxix}

Richmond, CA-- **ICE arrests and transfers church leader to remote facility (March 29, 2008)**

Francisco Perez, active church leader at St. Cornelius Church, faces deportation after being arrested during an ICE sweep at a Target store where he worked. ICE arrested and then questioned him in San Francisco and then removed him to Eloy Detention Center in Arizona without notifying his family. He was the primary breadwinner for his family. Now his wife, who works a part-time job for minimum wage, struggles to pay the bills and put food on the table for their two young children one three years and the other six months old.^{xxxix}

Los Angeles County, CA-- **ICE arrests workers in factory raids, deports 11 people without access to the courts or legal counsel (April 1, 2008)**

ICE arrested 44 workers in Torrance, CA at the distribution warehouses of electronic companies Samsung, Frontier, and Imperial. That same night, ICE denied and violated the constitutional and due process rights of 11 Mexican workers who ICE deported immediately. Workers report that ICE agents used racial profiling and only checked the documents of workers who "looked" Latino. Nemesio Hernandez, a Salvadorian worker with Temporary Protected Status (TPS), was unlawfully arrested and when he tried explaining his situation to ICE, they threw him violently to the floor, handcuffed, and jailed him for several hours. The next day the ICE raids continued at a factory in the city of Wilmington, where 25 armed ICE agents detained ten immigrant workers, mainly women.^{xxxix}

West Toledo, OH-- **ICE goes after elderly Pakistani family for overstaying visa after 22 years (April 29, 2008)**

ICE arrested an elderly Pakistani couple at their home and jailed them on a deportation order that dates from 1987 although the couple had made multiple attempts to renew their visas. Waheed Hashmi, who has been recovering from prostate cancer, and his wife Nusrat Hashmi, who has diabetes, spent nine days in a Cleveland jail and now face deportation and separation from their three U.S. citizen children.^{xxxix}

Fresno, CA-- **High school valedictorian faces deportation after ICE denies family asylum (June 2008)**

ICE has placed seventeen-year-old Arthur Mkoian and his family into deportation proceedings and are scheduled to be removed to Armenia just days after Arthur's high school graduation, where he will be honored as Valedictorian. Arthur's family came to the United States from Armenia on a tourist visa and overstayed. However, in 1992 they applied for asylum and waited for many years for a resolution until they were finally denied by an immigration judge. In April, ICE agents raided the Mkoian's house and

arrested Mr. Ruben Mkoian, the father. He was held in a federal detention center in Arizona until Senator Dianne Feinstein introduced a Senate bill that allowed a stay of deportation for Arthur and his family. Even though Mr. Mkoian had been released from the federal detention center, he was not able to see his son graduate, walk the stage and take his title as Valedictorian.^{xxxvi}

Postville, IA-- **ICE detains man without warrant; arrest him on "tip" (June 23, 2008)**

A month after the devastating ICE raid on the meatpacking plant, and without probable cause, ICE agents in plainclothes detained Eduardo Ixen on a busy street corner in Postville; Ixen now faces deportation. ICE claims that Ixen's arrest was based on a "tip" and has charged Ixen with being in the country illegally, but it is unclear whether officers had actually obtained a warrant for his arrest. Two other ICE arrests were reported since the ICE raid at the Agriprocessors kosher meatpacking plant on May 12th.^{xxxvii}

Arizona/ Nogales-- **ICE deportations separate family, force migrants to risk their lives to reunite with families (September 2008)**

Roberto Reyes was deported to his native Honduras after being arrested for drunk driving by local police. Roberto had been working for five years in a restaurant in Miami and was forcibly separated from his two young daughters and wife. Roberto tried to cross back into the U.S. through the Arizona desert, but was caught by Border Patrol and deported again to Nogales. "I walked for six days, but I didn't make it across. There are a lot more border guards, and it costs a lot more to cross than in the past. And the risk is you could die in the desert." Roberto was homeless and sleeping on the streets in Nogales, hoping to find work so he can buy a bus ticket back to Honduras.^{xxxviii}

San Diego, CA-- **ICE deports U.S. citizen, denies entry at U.S.-Mexico border twice for being Latino (September 2, 2008)**

U.S. Border Patrol agents illegally deported Guillermo Olivares, a U.S. citizen, a second time on the day his father died. Guillermo tried to enter the U.S. through Tijuana legally, but U.S. federal agents at the border refused him entry even after he presented a certified copy of his U.S. birth certificate. After border agents denied Mr. Olivares entry a third time, he demanded to see a judge, and they jailed him at the Otay Mesa Immigration Detention Facility in San Diego. He was released later that day only after an ACLU attorney insisted to ICE that Mr. Olivares is indeed a U.S. citizen, and presented supporting documents.^{xxxix}

Washington State-- **Woman denied re-entry to be with her children and family (September 24, 2008)**

Noemi Valdovinos-Bartley, mother of two U.S. citizen children, was denied a hardship waiver during a scheduled interview at the U.S. consulate in Juarez, Mexico after waiting there from 2:30pm to 8pm. She was told her hardship waiver was denied due to lack of evidence of hardship although officials did not grant her an actual interview during her wait. Noemi's 13-year-old son, formerly a 4.0 student-athlete involved in several extra-curricular activities, now suffers from severe depression and anxiety and her two-year-old often cries uncontrollably. Noemi's mother-in-law, a U.S. Veteran, contacted Congressman Baird, Senator Cantwell and Senator Murray's office to plead for their assistance with the federal government on their behalf and urge them to re-consider the waiver decision, but to no avail. U.S. CIS indicated it will be another 12-18 months before they can review her case and grant her another interview with the US consulate.^{xi}

Washington, D.C.-- **After courts held up her DV asylum case for nine years, woman faces deportation (September 30, 2008)**

Rodi Alvarado Peña, a domestic violence survivor from Guatemala who was denied asylum, faces deportation after U.S. Attorney General Michael B. Mukasey cancelled a stay of deportation. Mukasey sent back the case to the Board of Immigration Appeals, hoping the case would set nationwide standards for determining when women who are victims of domestic violence in their home countries can win asylum. Rodi's case had been held up since January 2001, causing many other asylum claims of battered victims to

stall. Her lawyer Karen Musalo expressed concern over the appeals board's denial of asylum for Ms. Alvarado Peña.^{xii}

Walden, NY-- **Using excessive force and intimidation, ICE and U.S. Marshals arrest worker (October 28, 2008)**

Fifteen U.S. Marshall and ICE agents blockaded the street facing the mechanic shop where Rodolfo Caltenco, 59-years-old, worked. Caltenco was deported 11 days later after ICE falsely arrested him for allegedly ignoring a deportation order from 1988. Not aware that Mr. Caltenco was being processed and transferred to a federal detention center, his wife Ms. Caltenco and their three daughters filed a missing person report, devastated by the fear that they may never see him again. Mr. Caltenco, who had an application pending for adjustment of status through his wife, was denied legal counsel while in DHS/ICE custody. ICE transferred him to New Jersey and then to Texas, where they pressured him to sign a 'voluntary departure' form and quickly deported him. ICE deliberately transfers detainees away from their families and support networks, isolating them as a tactic to pressure into signing away their rights and expedite their deportation.^{xiii}

Sacramento, CA-- **ICE fugitive operations team raids home, deports mother and son (October 29, 2008)**

An ICE fugitive operations team raided the home of the Sarabia family, arresting Maria de Jesus and her son Oscar, a college-bound student headed for U.C. Davis. Less than 24 hours after being detained, ICE processed and deported the mother and son to Tijuana, Mexico, where they were literally dumped on the streets at 1:00 in the morning. While ICE arrested Maria under an old deportation order, Oscar was taken as "collateral." Mrs. Sarabia was unaware that she had a deportation order and never received a notice to appear. The family recounted that years before, an unscrupulous lawyer had deceived Ms. Sarabia and made her sign documents to submit what was a fraudulent political asylum application with U.S. CIS, which was eventually denied. With adequate legal advice, Mrs. Sarabia would have been able to adjust her status. The Sarabias, a mixed-status family, have been in the U.S. for over 15 years and have been badly hurt and struggle with the separation of their family.^{xiii}

Los Angeles, CA-- **Father of three faces deportation and separation from three children (October 30, 2008)**

ICE keeps trying to deport Eddie Mendiola, a father of three, despite a federal court's dismissal of illegal entry charges. Eddie, a legal permanent resident, was unlawfully deported in 2005 to Peru and returned to the U.S. to reunite with his wife and children. ICE is pursuing deportation on an old deportation order from 2004. Eddie was turned over to ICE in 2004 after he was convicted of a misdemeanor drug possession in California. Upon completing his sentence in Idaho, ICE transferred him to Colorado, where the 10th circuit court ruled him deportable based on his two convictions for drug possession. He is now being detained in the Santa Rita County Jail, pending deportation proceedings and remains separated from his wife and three children.^{xiv}

Reynosa, MX-- **ICE charges poultry worker with 'ID theft,' deports and separates him from his U.S. citizen children (November 2008)**

ICE deported 23-year-old Jose Garcia to Reynosa, Tamaulipas, in Mexico, after serving a six-month prison sentence for "identity theft" charges for using a social security number to work at Pilgrim's Pride chicken processing plant in Arkansas. He had been packing chickens at Pilgrim's Pride for three years, earning \$6.75 an hour. Jose came to the U.S. with his father when he was 13 years old. He leaves behind three U.S. citizen children, ages 3, 5, and 7, who live with his mother-in-law. His wife had died the year before in a car accident. Jose is staying at a shelter for migrants in Reynosa, while he seeks a way to re-unite with his family in the U.S.^{xiv}

Lumpkin, GA-- ICE force Honduran man to sign waiver and deport him (December 8, 2008)

Just days before a scheduled appointment with his attorney, Marvin Ventura was deported to his native Honduras after ICE agents at Stewart Detention Center threatened him and physically forced his fingerprint onto a form, waiving his right to a hearing before an immigration judge. ICE agents laughed at Marvin when he tried showing them his Motion to Re-Open issued by his deportation officer. Marvin was arrested for “unruly behavior” after a spat with his wife. Police held him at the county jail for over a month on an alleged ICE detainer and then transferred him to Stewart Detention Center, miles away from his wife and lawyer. Marvin leaves behind his U.S. citizen wife and entire community.^{xlvi}

The detention of persons solely for immigration status is at an all-time high. Immigrants are jailed in overcrowded detention facilities and suffer inhumane conditions, with inadequate or no medical care and little to no oversight or accountability for abuses perpetrated against detainees and their families.

North Bergen, NJ-- ICE wrongfully arrest and detain Salvadoran woman (January 29, 2008) ICE arrested and detained Maria Argueta, a Salvadoran woman, for 36 hours after ICE illegally entered and searched her home at pre-dawn hours. When asked about her immigration status, Maria attempted to explain to ICE agents that she is a legal permanent resident and showed them her TPS letter but they tossed it aside without even looking at it, assuring her she would not get a renewal this year. ICE agents humiliated and taunted her, singing songs in Spanish. ICE detained her for 24 hours without providing food and then released her 12 hours later without any explanation, apology, or acknowledgement of the trauma they caused her and her family. ICE did not return her passport or any of the jewelry that was confiscated during the ICE raid. ICE agents falsely identified themselves as “police” to gain entry.^{xlvii}

Van Nuys, CA-- ICE arrested and jailed U.S. citizens and LPRs during worksite raid (February 7, 2008)

ICE raided Global Micro Solutions Enterprise, arresting over 150 workers, including 130 US citizens and legal permanent residents, among them pregnant women. Workers were ordered to line up in two lines: those with documents and those without. Workers without documents were asked for their names and where they were from. They were then instructed to sign “voluntary departure” forms and were denied access to legal representation. Lawyers prepared to represent their clients were blocked by federal officials from accompanying workers to interviews. ACLU filed a lawsuit on behalf of the 130 Micro Solutions Enterprise workers who were either legal permanent residents or U.S. citizens, and who had been detained, handcuffed and arrested during the ICE raid.^{xlviii}

Mount Pleasant, TX-- ICE wrongfully detained U.S. citizens and LPRs after Pilgrim’s Pride raid (April 16, 2008)

Following the ICE worksite raids at Pilgrim’s Pride company, ICE agents arrested two U.S. citizens at their home, a 19-year-old who was still in her pajamas and an 18-year-old who ICE shackled at his ankles and handcuffed his wrists that were tied at his waist. Then, ten ICE agents entered the home of Jesus Garcia, a legal permanent resident, arrested him and accused him of using a false social security number; he was handcuffed and jailed despite showing them his green card.^{xlix}

Houston, TX-- ICE arrested and detained legal permanent residents in worksite raid (June 25, 2008)

200-armed ICE agents raided a factory where mostly women processed rags for industrial use under difficult conditions, arresting 160 workers, mostly Central American women. Among them, two were

underage and 60 were immediately identified as sole caregivers of young children, pregnant, or with medical conditions and were placed on house arrest, monitored with an electronic ankle bracelet. During the raid at Action Rags, Inc., ICE unlawfully detained and arrested 16 legal permanent residents. ICE eventually released them from custody after proving they were authorized to work in the U.S.ⁱ

San Juan Islands, WA-- **CBP agents conduct "checkpoints" on state ferries; question and detain passenger (September 2008)**

CBP officials arrested a man at a checkpoint after questioning him as he traveled on a ferry from the island to the mainland accompanying his elderly neighbor to the hospital. He now faces deportation after living and working in Washington State for nearly ten years; he has no prior criminal charges or an outstanding deportation order. CBP has set up a checkpoint on the Hood Canal Bridge, where they stop and question people based on racial profiling, aboard intrastate as well as international ferries entering from Canada. Community groups organized a rally and about 200 people protested the border checkpoints, which target people of color and immigrants aboard intrastate ferries.ⁱⁱ

New York, NY-- **Refugee women unjustly detained after trying to reunite with husbands (September 29, 2008)**

U.S. Court of Appeals upheld a District Judge's ruling to uphold criminal convictions against two refugee women, accused of using fraudulent documents to enter the U.S. and reunite with their husbands. Both women, who have legitimate claims to political asylum, were charged with aggravated felonies, jeopardizing their asylum cases. Linda Malenge from the Congo and Ramatulai Barry from Guinea were arrested and detained by U.S. Customs and Border Protection agents aboard trains headed into the U.S. from the Canadian border. The court's decision to prosecute the women with criminal convictions is in violation of Article 31(1) of the United Nations Protocol Relating to the Status of Refugees (January 31, 1967, 19 U.S.T 6223).ⁱⁱⁱ

DHS jails persons under inhumane detention conditions

San Antonio, TX-- **Teens report abuse by guards while in ICE custody (April 3, 2008)**

Eight teenage Latino immigrant detainees filed a lawsuit against the Abraxas Hector Garza Treatment Center, a federal detention center for unaccompanied minors, for physical and emotional/psychological abuse. They reported ICE prison guards beat them and subjected to other kinds of excessive force. Some of the ICE beatings were so severe that several boys had to seek medical attention and at least one boy was knocked unconscious. The lawsuit reports that the jail's administrators ignored detainees' complaints, and denied them access to their attorneys by unnecessarily transferring them to other facilities before scheduled lawyer meetings. The detention center is privately run by Cornell Companies, Inc under a contract with the US Office of Refugee Resettlement.ⁱⁱⁱⁱ

Lancaster, CA-- **Prison guards shoot tear gas at detainees protesting harsh conditions (April 22, 2008)**

ICE transferred dozens of immigrant detainees to an undisclosed facility a day after a riot broke out at the Mira Loma detention center. Deputies from the LA County Sheriff's department used tear gas to diffuse the riot. Two immigrants were taken to a nearby hospital for serious injuries, and at least thirty others suffered minor injuries. There were also reports of some being deported. Attorneys representing several detainees denounced the sudden transfer of their clients to remote facilities far away from their families and legal counsel.^{lv}

Eloy, AZ-- **Immigrant detainees get food poisoning at Eloy Detention Center (April 23, 2008)**

More than 80 detainees at the Eloy Detention Center in Arizona suffered from vomiting and diarrhea, due

to food poisoning from food they were served at the center. For months, jail guards and staff ignored detainees' complaints about the inadequate and substandard conditions at the facility, and ordered detainees working in the kitchen to serve detainees rotten food.^{lv}

Tacoma, WA-- **Women in ICE detention subjected to inhumane treatment (May 2008)**

Former detainee at Northwest Detention Center, a GEO Group-run facility housing immigrants, reports abusive conditions facing many women detained at the center, in particular those who are pregnant. ICE transported two women to a local hospital in shackles despite severe health complications in their pregnancy as a result of the harsh conditions at the detention center. ICE agents maintained them shackled at hands and feet even while the doctor at St. Joseph's Hospital examined them. ICE did not allow them any privacy and the women were forced to undress in the presence of the ICE agents. There were also other detainees with health problems such as diabetes, who were suffering at the hands of neglectful and abusive federal enforcement agents.^{lvi}

Atlanta, GA—**ICE officers brutally beat Egyptian man in detention and try to forcefully deport him (November 18, 2008)**

A few days after being transferred by ICE from a county jail in Alabama to the federal immigrant detention center in Atlanta, at least six ICE agents brutally beat Mr. Rebhy Abdel Malak, a father of three young children. The ICE agents tried to force him to sign away his rights so he could be deported. After the beating, ICE agents drove him to the Atlanta airport to put him on a plane to Egypt. The pilot refused to fly the plane with Rebhy on board after seeing his grave condition and demanded he get medical attention. Instead of taking Mr. Abdel Malak to the hospital, the ICE agents drove him back to Alabama. He eventually received medical treatment. ICE had jailed Mr. Abdel-Malak in 2007, who had been petitioning for asylum after fleeing Egypt for religious persecution, and remained in detention for over a year. Mr. Abdel-Malak entered the U.S. legally in 1999 with his wife and eldest child and immediately asked for asylum. He now has two U.S.-born children who face imminent separation from their father.^{lvii}

Deaths in DHS custody

Honolulu, HI-- **Two year old child dies in CBP custody at airport (February 8, 2008)**

Michael Tony, a two-year-old American Samoan baby died after U.S. Customs and Border Protection officials held up his mother and nurse allegedly for problems with a visa waiver that allowed her to travel to the U.S. to get special medical care for her baby. The mother and child were held at Honolulu International Airport in a locked room after a five-hour flight from American Samoa to get treatment for the baby's delicate heart condition. After 30 minutes of waiting in a room without ventilation, the baby began having difficulty breathing. When his mom went to open the door for air, she found it was locked. She and the baby's nurse began to scream for help. Instead of opening the door and providing assistance, ICE told them to "stay calm" and to "relax." Then five minutes later someone arrived to perform cardiopulmonary resuscitation and transported the child to a hospital, but it was too late. The baby had already died while in CBP custody.^{lviii}

Los Angeles, CA—**Man dies of cancer after ICE denied medical attention and treatment (February 16, 2008)**

Department of Homeland Security- Immigration and Customs Enforcement (ICE) denied Francisco Castañeda critical medical attention while in ICE detention. Mr. Castañeda died of cancer a year later, after doctors amputated his penis to try to stop the spread of cancer. Doctors first noticed a growth on Castañeda's penis in December 2005 and ordered further tests, which were never conducted while he was in detention pending deportation proceedings and seeking political asylum. Castañeda had already served his time for a prior drug conviction but was jailed in immigration detention center in San Diego and San Pedro after being tagged as an 'alien eligible for removal' under ICE's Criminal Alien Program, part of

Operation Endgame. Multiple lesions developed and Castañeda's pain worsened while he was in prison, but doctors and federal ICE officials turned down medical staff recommendations for a biopsy and surgery. When a doctor finally confirmed that Castañeda probably had cancer, rather than have him treated, ICE officials released him 11 days later; Castañeda underwent biopsy and amputation at a Los Angeles County hospital, but it was too late, the cancer had already spread.^{lix}

Middlesex, NJ—Elderly detainee dies after jail officials deny medical attention (March 2, 2008)

After jail officials denied him medical attention, 72-year-old Arturo Alvarez, a Cuban national detained at the Middlesex County Correctional Center, died suddenly from a heart attack. Over ninety detainees who witnessed his deteriorating condition and the jail staff's medical neglect, signed a petition demanding an immediate investigation into Mr. Alvarez's death and an end to the Middlesex County contract with ICE to house immigrant detainees in deportation proceedings.^{lx}

Miami, FL—Young Haitian man dies in ICE custody after denied medication (June 20, 2008)

Days before his 24th birthday and while in ICE custody at the Glades County Detention Center, Valery Joseph, a Haitian immigrant, died after suffering several seizures in his bunk. ICE officials ordered an autopsy of Joseph's body without even notifying his family of his death. The family reported that they suspected Valery Joseph was not receiving his medication while in detention. The Palm Beach County Sheriff's Office had transferred Joseph to ICE custody, where he had been jailed since May 2007. In fact, according to an immigration judge, Joseph may have been eligible for release; he had a hearing scheduled for July 3rd. Valery Joseph had been living in the US since he was eight years old.^{lxi}

Rhode Island—Vietnamese detainee dies in ICE custody after denied urgently needed medical care (August 6, 2008)

Hui Lui Ng, a Vietnamese man, died of cancer while in ICE custody after repeatedly being denied medical care by jail and ICE officials at the Donald W. Wyatt Detention Facility in Central Falls, RI, the Franklin County Jail in St. Albans, VT and the Jail & House of Corrections in Greenfield, MA. Mr. Ng began complaining of excruciating back pain in April 2008 and by mid-July could no longer stand or walk. Despite his worsening condition, ICE officials accused him of faking his condition, denied him a wheelchair and refused his pleas for an independent medical evaluation.

Mr. Ng, father of two U.S. citizen children, was arrested and detained at a green card interview with CIS on July 19, 2007, for a deportation order he never knew about.^{lxii}

For more detailed summary, see <http://www.nnirr.org/hurricane/HiuLuiNg.pdf>

Franklin County, KY-- Woman dies in federal detention 11 days after scheduled release (August 22, 2008)

Ana Romero, 44 years old, was found dead in her cell at the Franklin County Jail, while in ICE custody awaiting deportation. According to federal regulations, Ana Romero should have been released 11 days earlier and instead she was placed in solitary confinement just days before her death for refusing to eat rotten food. While state records indicated cause of death was "asphyxiation by hanging," Ana's family continues to demand a full investigation into the true cause of death, believing that it was highly unlikely that Ana would take her own life so close to her scheduled release date. During the time she was jailed, Ana lost 30 lbs and her health deteriorated severely. ICE arrested Ana in January after they raided her home, looking for another suspect. Ana was 44 years old, lived in Shelbyville, and cleaned homes for a living to support her ailing 92-year-old mother and two children who pursued university studies in El Salvador.^{lxiii}

Inter-agency and police collaboration in immigration control undermine community safety and make immigrants more vulnerable to abuse and exploitation.

Newark, NJ-- Filipina faces deportation after TSA officials report her to CBP to verify status (January 2008)

A Filipina woman faces deportation after TSA officials questioned and detained her at the Newark International Airport on her way to board a domestic flight to Chicago. When asked to show identification, she showed a valid passport from the Philippines. The TSA agent asked where her visa was in her passport and she replied it was in her other passport. She was detained at the airport, handcuffed, and taken in for 'secondary questioning.' Later, she received a Notice to Appear, which placed her in removal proceedings because she had overstayed her "visit" by several years.^{lxiv}

Fayetteville, AK-- County Sheriff locks up and forgets woman in holding cell for four days, without food, water or bathroom facilities (March 2008)

A Washington County Sheriff's officer in a northern Arkansas courthouse locked Adriana Torres-Flores in a tiny holding cell, forgot, and left her there with no food, water, or access to facilities for four days. Chief Deputy of the Washington County Sheriff's Department, Jay Cantrell, explained that the bailiff who locked her up "just flat forgot about her." Torres-Flores was to be transferred to the county jail after pleading not guilty during a hearing, since the new plea was contrary to the terms of her original release on bond. The cell measured 9 ft by 10 ft and is meant to hold prisoners for no more than an hour; it contained only a metal table with steel door and concrete walls. The bailiff who opened the cell door found Ms. Torres-Flores lying on the floor. Ms. Torres-Flores was taken to a hospital and treated to recover from the ordeal. The 38-year-old mother of three, who has been living in the U.S. for 19 years, was swept up in arrests at a local flea market on charges related to the sale of pirated DVD's and CD's.^{lxv}

Rogers, AK-- Local police use racial profiling to conduct immigration arrests (March 10, 2008)

Arkansas police are subjecting Latino and Latina immigrants to racial profiling and are conducting immigration raids. After Arkansas signed a 287(g) agreement with DHS, local and state police can now enforce federal immigration laws. Since January 2008, Washington County police have arrested more than 70 persons; Benton County Jail officials have also identified and processed over 100 immigrants for deportation. Speaking about police raids that have detained many undocumented and documented immigrants, Washington County Sheriff Tim Helder said, "Through these investigations, there's going to be collateral damage. If there's 19 people in there who could or could not be here illegally, they are going to be checked. Although those people who might not be conducting criminal activity, they are going to get slammed up in the middle of the investigation."^{lxvi}

Fremont, CA—Police arrest day laborers and turn them in to ICE (March 28, 2008)

The Fremont Police Department cited fifteen day laborers outside Home Depot and took thirteen of them to the nearby Santa Rita County Jail where they were reported to ICE officials. The workers were arrested and charged with loitering, and were deported within three weeks.^{lxvii}

Prescott, AZ-- County Sheriffs question participants at religious retreat about their status, turn them over to ICE (April 12, 2008)

During an early morning worship service at a retreat center, Yavapai County Sheriff deputies responded to a noise complaint and questioned church members about their immigration status. Then the Sheriffs called immigration officials, who detained nine church members, including the church pastor Manuel Maldonado.

The deputies asked the church members if they were in the country illegally after they presented Mexican ID cards when asked for identification. The Yavapai County Sheriffs handcuffed the nine men and drove them in vans to the Prescott jail, where they were handed over to ICE and taken to Phoenix for further processing. ICE jailed Reverend Maldonado for 17 days at a federal detention center in Florence, Arizona, until church members and allies raised the money to post a \$4,000 bond. He was the only one of the nine arrested who is fighting his deportation; seven were quickly deported to Mexico and one was released after ICE determined that he was a legal permanent resident.^{lxviii}

Austin, TX—Police arrest and report woman to ICE after she called police for help (May 2008)

ICE took custody of a mother who was being detained at the Travis County jail after she was arrested by Austin police for trying to defend herself from an abusive ex-husband who threatened to hit her and take away her children. Maria called the police after her ex-husband tried to strike her during an argument over the custody of their children. When the police arrived, they decided to arrest Maria because they found scratch marks on the man's neck and forearm, although he had twice before faced charges of assault and family violence. An ICE agent, who is permanently stationed at the Travis County jail, fingerprinted, photographed, and interviewed Maria as part of the 287(g) program, and reported her to ICE. Unaware of the ICE detainer, her family paid a \$2,000 bail. After ICE took custody of Maria, ICE set her bail bond at \$11,000. Her two U.S. citizen children, an eight-year-old daughter and a six-year-old autistic son, were forced to stay with their abusive father for two weeks until Maria's family got a bond hearing and raised the money to post bond. Because she was placed in ICE custody, she missed the family court date for custody of her children. The children were temporarily taken away from her but were returned to her while she fought the deportation in immigration court. Maria came to the US when she was thirteen, graduated from Austin High School, married, divorced and raised two children as a single mother while working full-time at a child care center. She now faces separation from her two young children.^{lxix}

SFO Airport-- SFO airport officials harass, detain, and deny entry to Taiwanese woman (July 15, 2008)

"I was kept in a Customs area for 24 hours, subjected to continuous abuse including both sexual and racial harassment, not allowed any outside contact or assistance, or sufficient food or water. I was threatened with indefinite imprisonment, and was finally forced under duress to return to Taiwan." Upon arrival to the US on a flight from Japan Airlines, a middle-aged Taiwanese woman was refused entry to the US by CBP agents who questioned her about her use of her B-1 visa and forced her to sign a voluntary withdrawal consent form. After confiscating all her personal items and closely scrutinizing the entries in her address book, CBP agents accused her of coming to the US to find a husband and seeking a job, making insulting, derogatory, and harassing remarks implying that the names represented sex partners. After being detained for hours and immense pressure and threats, the woman signed the form and was quickly flown back to Taiwan.^{lxx}

Nashville, TN--Police jails pregnant woman for driving without a license, shackle her en route to hospital and turn her over to ICE (July 3rd, 2008)

Berry Hill police arrested Ms. Juana Villegas, 9 months pregnant, after a routine traffic stop, and charged her with driving without a license. Two days later, Ms. Villegas went into labor and was taken to the hospital shackled by her hands and feet. At the hospital, Ms. Villegas was forced to deliver her baby while shackled at the ankles and in the presence of a sheriff's officer who stood guard in her hospital room. After delivering her baby, Ms. Villegas was taken back to jail, where jail guards refused to allow use of the breast pump, causing her breasts to become engorged causing her severe pain. For two days, Ms. Villegas was separated from her newborn infant baby. In court, Ms. Villegas pled guilty for driving without a license, was taken back to jail, and then transferred to ICE, which placed her on house arrest pending her deportation hearing.^{lxxi}

NNIRR interview with Ms. Villegas available at: <http://www.nnirr.org/hurricane/JVillegas.pdf>

Johnston County, NC-- **Local police target Latinos with police checkpoints and traffic stops (September 2008)**

Sheriff Steve Bizzell almost single-handedly transformed North Carolina into one of the most aggressive states toward enforcing immigration laws that violate the rights of immigrants. As the president of the North Carolina Sheriffs' Association, he urged the state's 100 sheriffs to work closely with federal immigration authorities to identify and deport unauthorized immigrants. Although he claims to only target "criminal aliens," the evidence has proven the lines are blurred between distinguishing who is deemed or suspected to be a criminal and who is not. As unauthorized immigration increased significantly in the past decade, violent crime has gone down, according to the State Bureau of Investigation. But Latino immigrants make up over one-third of those facing charges of drunk driving in the state. Police checkpoints and traffic stops relying on racial profiling are more to blame for the disproportionate criminalization of Latin@ immigrants than the actual 'criminality' of this population.^{lxxii}

Phoenix, AZ-- **287g makes migrants fearful to report crimes to police (September 13, 2008)**

"We need help. We need protection. But we don't know where to go."

– Andres Felipe, Guatemalan immigrant.

Octavio was brutally beaten by four men who attempted to rob him one night as he left his apartment on his way to a nearby store. The men punched him in the back of the head, driving his face into the concrete, leaving him with a split forehead, crushed lip and bruises covering his entire face. Then they stole the only \$140 he had. Octavio didn't want to prosecute or get involved with the police because he is afraid of being deported, due to police's active collaboration with ICE. Other Guatemalan residents in the Garfield neighborhood observed the attacks were becoming more frequent and more violent. At least 20 people from their apartment complex were robbed in the past six months.^{lxxiii}

San Bernardino, CA-- **Police arrest father in domestic dispute and turn him over to ICE for deportation (December 2008)**

A 45-year-old father of five U.S. citizen children was deported after police arrested him for a domestic dispute with his wife and turned him over to immigration authorities. He had been working as a painter in San Bernardino, but business slowed down and he was on the verge of losing his house. "I started arguing with my wife because of the bills and everything. That's when the neighbor called the cops on me." Police dropped all domestic violence charges, but handed him over to immigration and they deported him to Tijuana. After attempting to cross back into the U.S. through Tijuana, the Border Patrol bused him 500 miles east to Nogales, where he continues to try to reunite with his family in the U.S. "Its very hard right now, but you're gonna have to keep on trying if you want to be with your loved ones. Just keep on trying. No matter what. No matter what it takes." ICE deportations separate families, forcing migrants to take risky measures to reunite with their families.^{lxxiv}

Arlington, VA-- **Police arrest Guatemalan man and turn him over to ICE for deportation (December 2008)**

A father of three U.S. citizen children faces deportation after local police arrested him for drinking in public. His wife and children, including a newborn baby, are struggling for survival without the rights and benefits of legal residents. The man is from Guatemala and his wife is from El Salvador.^{lxxv}

Washtenaw County, MI-- **Local police arrest, detain, turn man over to ICE for deportation (December 11, 2008)**

ICE deported Alejandro Nava-Bolaños to Mexico after illegally detaining him for two months, without allowing him access to his bank account and denying him contact with his family. Washtenaw County Sheriff's officers arrested Nava-Bolaños in a local park and confiscated his vehicle, charging him with driving without a license. The sheriff's report stated the reason for arrest was "never acquired." Local police detained Nava-Bolaños at Washtenaw County jail for one full week and illegally held him over the

48-hour grace period on an alleged "ICE detainer." ICE transferred him three times within a week without notifying his family or lawyer, first to Detroit then to Calhoun County detention facility.^{lxxvi}

Grand Island, NE-- **Local police collaborate with ICE and deport youth to "home country" she left when she was four yrs old (December 29, 2008)**

ICE deported 18-year-old Heylin to Guatemala, leaving her alone and without money in a place she has not been since she was four years old. Heylin's family was issued a deportation order after swindled by an unscrupulous lawyer who took their money and gave them bad legal advice. Her parents returned to Guatemala, but she stayed behind to finish high school and marry her fiancé. On Thanksgiving Day, Heylin crashed her car after panicking when she saw a police squad car headed in her direction with their lights on. Police took her to jail and transferred her to a detention center in Louisiana, where soon after she was put on a plane and deported to Guatemala. Heylin was only four years old when her family brought her to the U.S. from Guatemala and she grew up in Nebraska.^{lxxvii}

Gretna, LA-- **Mall security harass Muslim women over hijab (February 22, 2008)**

A security guard at Oakwood Mall approached a 54-year-old Muslim woman and her daughter-in-law demanding that they remove their hijab (religiously-mandated headscarf). The women were leaving the food court when the security guard approached them giving them two options: remove their headscarf or leave the mall. He did not offer any explanation for his demand. The guard escorted both women out of the mall, and called for back-up, in what was a long, humiliating procession through the entire mall enduring the stares of other shoppers. When two more guards arrived at the scene, they merely confirmed the first guard's ejection order, offering no assistance to the women.^{lxxviii, lxxix}

The U.S.' unrelenting militarization of immigration and border control cause migrant deaths and deliberately violate the rights of Indigenous people, workers, migrants and communities of color at the border.

New York, NY-- **Immigration racially profiling Amtrak and Greyhound passengers in upstate NY (April 2008)**

Federal immigration agents are stopping, questioning, and arresting people aboard Amtrak trains and Greyhound buses traveling from NY to upstate New York. Immigration agents questioned families about their immigration status, arrested and held them at the Amtrak station. Amtrak and Greyhound officials state that they are merely accommodating law enforcement's request to come on board and claim that is the extent of their collaboration. Regardless, the practice of taking money from immigrant families who travel using their services and then placing them at risk by allowing federal immigration officials to harass and question them based on racial profiling is violating the rights of their passengers. Families for Freedom, along with African Service Committee, May 1st Coalition, NY Immigration Coalition and the NYSDA Immigrant Defense Project demonstrated their opposition to Amtrak and Greyhound's collaboration with CBP and ICE at a march from Penn Station to Port Authority & rally on April 2nd.^{lxxx}

San Diego, CA-- **Immigration checkpoints target people leaving the US (April 30, 2008)**

Over a half an hour period U.S. Customs and Border Protection officers pulled over every bus and van heading for the Mexico border. U.S. Customs agents have developed a checkpoint operation to target immigrants leaving the U.S., specifically looking to arrest undocumented immigrants leaving the United States. Customs and Border Protection usually release statistics on apprehensions, but are not disclosing details about this checkpoint operation and also refuse to disclose how long it has been in practice.^{lxxxi}

Arizona-- **Migrants forced to cross through most desolate regions; several deaths in desert heat (June 17-18, 2008)**

Three people – two men and a woman- died on Tohono O’odham land as they attempted to cross the border into the U.S. One man, 21-years-old from Mexico, was found under a tree south of Federal Route 20 just a couple of hours after he died. The body of another man, who had been missing for 24 hours, was found near the village of Pisinimo, west of Sells. The deceased man’s brother, a 32-years-old from Mexico, along with another person, 19-years-old helped BorStar agents during the search. Another woman, 20-years-old from Veracruz died at an Arizona hospital after border agents found her with a group of four people in distress near the village of Vamori, 10 miles north of the border. Border agents also arrested 20 migrants who survived crossing the border from Mexico near the Vamori village; later a husband and wife from Puebla were found by border agents and taken to a hospital for treatment in Sells.^{lxxxii}

Arizona border-- Rather than offering humanitarian relief, Border Patrol arrests ailing migrant (June 17, 2008)

Border Patrol agents arrested a 19-year-old migrant after he went to them for help finding his brother who was dehydrated and left behind in the desert.^{lxxxiii}

Tucson, AZ-- Cause of death: U.S. border control and militarization (June 19-22, 2008)

The bodies of six people were found in the southern Arizona desert by US Border Patrol agents in the span of four days. They include two youth, a 19-year-old woman from Mexico City, and an 18-year-old young man from San Cristobal in Chiapas. Three of the bodies were found on Tohono O’odham lands, which are heavily militarized by US Border Patrol and other federal agencies to apprehend migrants crossing into the U.S.^{lxxxiv}

Tucson, AZ-- Five people die attempting to cross Arizona desert (June 27, 2008)

The bodies of five people were found in the Arizona desert within three days by the US Border Patrol. The body of a 30-year-old man from Mexico City was found southeast of Sierra Vista, about seven miles north of the US-Mexico border. The body of another man from Mexico was found near Topawa, and the body of a 17-year-old girl from Chiapas was found about 10 miles east of Sells. Temperatures in the southern Arizona desert, which have reached and exceeded 100 degrees for 14 straight days, along with the ongoing intensification of border militarization results in the deaths of hundreds of migrants each year.^{lxxxv}

San Clemente, CA-- Border Patrol pepper-spray and mistreat man, dies in federal custody (July 8, 2008)

Tomas Sanchez-Orzuna died in federal custody at the San Clemente Border Patrol station after Border Patrol agents pepper-sprayed him for being allegedly "combative" during arrest near Max Berg Plaza Park. Agents took him to the checkpoint station and conducted an immigration inspection, interviewed and fingerprinted Tomas, who was arrested for "suspicious behavior." Tomas had been living and working as a busboy in San Clemente for three years, to pay a \$2500 debt to a smuggler. As of August 22nd the cause of his death was still under investigation. U.S. government officials neglected to return phone calls from Tomas’s family to provide any additional information.^{lxxxvi}

Cochise County, AZ-- Two migrants’ bodies found in Sonoran desert (August 2008)

Border Patrol agents found the remains of a young woman on August 9th at 8pm between Bisbee and Douglas during a chase after a group of migrants who had crossed the border into the U.S. On August 10th in mid-afternoon, another man’s body was found by two hikers on High Lonesome Road northeast of Bisbee, AZ. 14 migrants have been found dead in Cochise County between January and August 2008.^{lxxxvii}

San Diego, CA-- Border Patrol agent shoots and wounds migrant (August 12, 2008)

A Border Patrol agent shot and wounded a migrant for allegedly throwing rocks at the agent near the U.S.-Mexico border near San Ysidro. The agents first fired pepper balls to disperse the group of migrants, but one agent fired his gun and a bullet hit a man, who fled back into Mexico where he was treated at a

hospital and later arrested by Mexican authorities.^{lxxxviii}

Arizona--Alarming rate of decomposed migrants' bodies found in Arizona (September 7, 2008)

The remains of an unidentified migrant's body were found on Forest Service Road 183 off Mount Hopkins Road and taken to the Pima County Medical Examiner's office in Tucson. Two days later, Border Patrol agents found the skeletal remains of another person 7 miles south of Arivaca Road at milepost 16.5, also with no identification. Since the beginning of the year, ten migrants' bodies have been found in Santa Cruz County.^{lxxxix}

Tijuana corridor-- Youth brutally killed, body dismembered and dumped on U.S. side of border (October 2nd, 2008)

Josue Baltazar Tellez Palacios, the 18-year-old son of a Richmond mom was brutally killed, his body mutilated and found on the US side of the US-Mexico border near the Tijuana corridor. Eight bodies were found stripped down to their undergarments, feet and tongues removed. When Josue's uncle went to pick up the body at the morgue in Tijuana, he was cruelly ridiculed and told that his nephew got his tongue chopped off because he had probably said or done something inappropriate. They held Josue's body there, refusing to allow his family to see it until they showed proof of authorization to take the body. When the uncle took the paperwork to be able to take his nephew's son for a proper burial he realized they had not even taken the care to freeze him, clothe him or wash him; his body had been completely neglected for five days before he was handed over to the family. He was turned over to the family completely nude and in a black bag. Josue had been living for several years with his mother and two brothers in Richmond, CA and had just married a month before he was killed. His wife, mother and two brothers, 16 and 20 are devastated by the loss, and demand an investigation of the case.^{xc}

Tucson, AZ-- Woman drowns in canal after police chase (October 26, 2008)

An immigrant woman drowned in a canal near Gilbert after a police chase near the border. Alia Maisonet from the Gila River Indian Community said a van filled with 17 people drove into the desert before everyone got out and scattered as they attempted to flee the police. The woman's body was pulled from the canal and was pronounced dead at the scene; another woman was airlifted to a local hospital. Authorities had to drain the canal to search for a third person who may have drowned. Immigration agents found nine people in the desert near the San Tan Mountains, took them into federal custody, while another five people were arrested near the van. Gila River police said they began following the van "because it looked suspicious."^{xc1}

Arivaca, AZ-- Boy's body found after fatal shooting target migrants (December 7, 2008)

A 15-year-old was killed in an ambush by a group of armed men against a group of seven migrants as they crossed the U.S.-Mexico border into Arizona, near Arivaca. Another man was shot three times but managed to flee; he was later flown to Tucson for medical treatment. Two young men who were deported and jailed in Mexico were released to help Border Patrol agents find the missing boy's body, which was found under a tree over a month and a half later.^{xc2}

Local, county and state xenophobic and anti-immigrant legislative, policy proposals and ordinances across the country fueled a climate that has condoned hate violence against immigrants.

Mount Vernon, OH-- Four white youth tie noose around Latino, threaten to hang him (May 30, 2008)

A mob of four Ohio teens violently attacked Robert Cantu, 16 years old, knocked him to the ground and hung a noose around his neck. They dragged him through a parking lot, shouting racial slurs including

“spic” and told him to “go back to Mexico.” The teens threatened to hang Robert at a nearby park, but Robert’s friend and two passer-bys intervened and were able to free Robert. Robert’s family did not immediately report the incident to the police due to Robert’s mistrust of the police arising from an incident just months earlier. A year later, only one of the teens identified in the incident was tried and sentenced to only 10 days in jail by presiding judge James Ronk despite prosecutor’s recommendation of 30 days in jail. In January 2008, Robert was the victim of a beating during which he was called ethnic slurs. Even though there was videotaped evidence of the beating, and it was reported the same day, prosecutors did not file charges against the assailant until nearly three months later.^{xciii} Read about the community’s response to the incident [here](#).

New York, NY-- **Sikh youth brutally beaten, patka violently yanked off (June 2008)**

Jagmohan, a junior at a New York City high school, was harassed and brutally beaten by a fellow student in a violent hate attack resulting in a fractured orbital bone and several injuries to his head and neck. His patka was also ripped off violently during the attack. Prior to the attack, Jagmohan faced daily harassment and humiliation- his patka was often pulled off, his beard regularly yanked, and his speech patterns were mocked by students. As a result, Jagmohan learned little at school for two years as he endured violence and taunting.^{xciv}

Shennandoah, PA-- **Mexican immigrant beaten to death by white mob (July 14, 2008)**

Luis Ramirez died after being brutally beaten by six white youth as he walked his sister home after spending the day with friends. The youth, three of whom are football players at the town's high school, were drunk and began verbally abusing Ramirez and his sister, screaming anti-Mexican racial epithets. When Ramirez's friends arrived at the scene, they saw one of the white youth kicking Luis in the head, which left him in a coma which he never awoke from. The 25-year-old father of two US citizen children had been living in Shennandoah for six years, working at factories and in the strawberry and cherry fields to provide for his family. His fiancé, a white woman who grew up in the town, said that Ramirez was often called derogatory names including "dirty Mexican" and told to return to his homeland. "People in this town are very racist toward Hispanic people. They think right away if you're Mexican, you're illegal, and you're no good." Since the Ramirez case, several Latino families have come forward to talk to the Mayor about incidents they have experienced.^{xcv}

Suffolk County, NY-- **Ecuadorian man beaten and stabbed, perceived to be Mexican by white mob (November 2008)**

Marcelo Lucero, 37-year-old Ecuadorian man, was brutally beaten and stabbed to death by a mob of seven white teens who set out that night to “go find some Mexicans” in the small village of Patchogue near the commuter railroad station. After media exposure of the widespread anti-Latino and anti-immigrant climate in Suffolk County, several more people came forward to report racially motivated attacks. Marcelo had been living and working in the U.S. for 16 years and regularly sent money to Ecuador to support his elderly mother, a cancer survivor. Due to severely strict immigration laws, Marcelo had not been able to see his mother for 14 years.^{xcvi}

Brooklyn, NY-- **Ecuadorian man beaten to death in anti-immigrant, anti-gay hate crime (December 2008)**

Two brothers, Jose and Romel Sucuzhanay, were brutally attacked as they walked home arm-in-arm after a church party at 3:30am. Three men jumped out of their car, shouting anti-Latino and anti-gay vulgarisms and broke a bottle over Jose’s head. Romel was able to flee and attempted to call the police, while the three men beat Jose with an aluminum baseball bat, and kicked him as he lay on the floor. Jose died of severe skull fractures and extensive brain damage. Owner of a small real estate agency, had been living and working in the U.S. for over a decade to support his family in the U.S. and in Ecuador.^{xcvii}

Sexual abuse against women

Queens, NY-- Woman faces deportation after sexual assault by immigration agent (January 2008) A Colombian woman was sexually assaulted by a US CIS officer who demanded oral sex from her in exchange for helping process her pending green card application. The woman was afraid he would retaliate against her or her family and reluctantly agreed, but when she tried to leave the car, Baichu forced her to give him oral sex. After reporting sexual assault to the authorities, she still faces deportation, separation from her US citizen husband, and extreme hardship as a result.^{xcviii}

Arizona-- Young indigenous women deported after being gang raped by armed smugglers (May 8, 2008)

Two Guatemalan women ages 18 and 28 were raped by an armed group of drug smugglers while they were walking through the desert near the US-Mexico border. It is the third report of violence against women on the desert trails in the span of one week. Both women were released from the hospital and set up for formal deportation proceedings. There are hundreds more such cases of beatings and sexual assaults that occur near the border that go unreported by migrants.^{xcix}

Tampa, FL-- Man pretends to be police, threatens deportation, demands sex from pregnant woman (July 5, 2008)

A man dressed in a fake police uniform drove up to the residence of an immigrant family, pretending to be police, and threatened a pregnant woman with taking her children away if she did not accompany him to the station for 'immigration violations.' After driving a few blocks, the man told the woman he would not take her into custody if she had sex with him. He then began to fondle the woman, who was seven months pregnant. She pleaded with him to take her back home so she could "clean up" before sex. There, her family wrote down his license plates and reported him to police, who promptly initiated an investigation. Police investigators believe there may be other victims who have not come forward.^c

Fort Lauderdale, FL-- Former ICE agent sexually assaulted immigrant detainee last Sept-- sentenced to prison (July 10, 2008)

Former ICE agent, Wilfredo Vazquez, was sentenced to 87 months in prison, as part of a plea agreement, for sexually assaulting a Jamaican woman who was an immigration detainee in his custody last September. The woman agreed to the plea terms because it meant she would not have to testify at trial and wrote to the judge that Vazquez had "single-handedly destroyed" her life.^{ci}

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^{xcv} *Associated Press*, "Immigrant beaten to death in Pennsylvania," July 18, 2008. <http://www.msnbc.msn.com/id/25739051/>

^{xcvi} *The New York Times*, "A Killing in a Town Where Latinos Sense Hate," by Kirk Semple, November 13, 2008. <http://www.nytimes.com/2008/11/14/nyregion/14immigrant.html>

See New York Times series of articles related to the killing of Marcelo Lucero:

http://topics.nytimes.com/topics/reference/timestopics/people/l/marcelo_lucero/index.html?offset=15&s=newest

^{xcvii} *The New York Times*, "Attack on Ecuadorean Brothers Investigated as Hate Crime," by Robert D. McFadden, December 8, 2008. <http://www.nytimes.com/2008/12/09/nyregion/09assault.html>

^{xcviii} *New York Times*, "An Agent, a Green Card, and a Demand for Sex," by Nina Bernstein, March 21, 2008. [FINAL 100 Stories Chronology of Abuses 9.30.09.dochttp://www.cnn.com/2008/CRIME/03/21/immigration.officer/index.html](http://www.cnn.com/2008/CRIME/03/21/immigration.officer/index.html)

^{xcix} *Arizona Daily Star*, "Two Illegal Immigrants Raped By Armed Smugglers," by Brady McCombs, May 9, 2008.

^c *St. Petersburg Times*, "Fake cop threatening deportation demands sex from pregnant woman, Tampa police say," by Abbie Vansickle and Casey Cora, July 16, 2008. <http://www.tcpalm.com/news/2008/jul/16/fake-cop-threatening-deportation-demands-sex-pregn/>

^d *Immigration News Briefs 11(16)*, "ICE agent sentenced for sexual assault," July 13, 2008. <http://immigrationnewsbriefs.blogspot.com>.