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Students and Professors Fight for Families at Karnes Detention Center

Author: Guest Blogger on 03/14/2016



Two weeks ago, six law students from the University of Houston Law Center's Immigration Clinic visited Karnes Detention Center. The students were Kate Chapman (3L), Ivonne Escobar (2L), Hellieth Pedroza Guzman (2L), Nekka Morah (2L), Medjine Desrosiers-Douyon (LLM), Mathilda El Hachem (LLM). Supervising the students were the immigration clinic professors, myself, Geoffrey A. Hoffman, clinical associate professor and director of the clinic, and Janet Beck, visiting clinical assistant professor. In addition, Professor Ann Webb from the Graduate School of Social Work at UH assisted us, as well as her students. Over the course of three days, the students saw more than 35 families, helping them with a range of issues, including credible fear interview (CFI) preparation,

immigration judge (IJ) reviews, and in some cases helping with declarations to support possible requests for reconsideration (RFRs) after negative CFIs and/or an IJ review. The visit was organized by Janet Beck and set up by RAICES, one of the CARA Family Detention Pro Bono Project partners based in San Antonio, and the law firm of Akin Gump, who have done great work coordinating efforts to meet the legal needs of these women.

Below is a reflection from one of our students, Kate Chapman (3L), who shares her experiences helping women and children at the detention center:

I think of the women in the detention facility today, their children, and the precariousness of their lives before they crossed the *frontera*. Pay the *renta* or be killed. Join the gang or run. Look but don't tell. Work but give your money to the *pandillas*. Go to school, but for what? Run a business, but why if the gangs take all your profits? Ambition is pointless; there is nowhere to go to escape the violence. There is no power that can protect you. Mothers send their children to school until they can't anymore. Police are no help and cannot protect the mothers or their children from gang violence.

One of the women we saw told us a local business owner refused to pay the gangs. She found his body on a bridge. Maybe she deserved to be safe here, but she is having trouble proving she is a refugee. Her child is, too. She and her nine-year-old daughter may be sent back, not because they aren't afraid, but because they can't articulate their case within the limited categories of our laws. Do their fears rise to the level of persecution? The violence she will face, the threats and near misses to come, don't fit into the categories in our immigration laws. She is unwelcome. While our judges and the Board of Immigration Appeals decide what persecution is, what it means and how it gets people in or keeps them out, she is living it. She doesn't want a hand-out; she will work hard if allowed to stay here. She just wants to make a living without violence.

There is a baseline of humanity that transcends education, language and nationality. We heard about the "*hieleras*" (cold rooms) and "*perreras*" (dog cages). The women know they were mistreated and it was wrong, but they endured. It is not worth mentioning to us unsolicited. We ask them and they say it was very cold. I want to apologize. I am so sorry we did that to you. We as Americans. Because we as a country should help those who need it, and we are not.

I do not know how to convey that I am here in protest of this building's very existence. It stands in opposition to what I believe is just. And I remember the morning when the reception guard didn't process our visitation documents and we waited. I criticized and judged the willful incompetence and red tape, the spectacle of pretending we weren't pre-cleared to enter. I thought we weren't treated like we deserved; my earlier arrogance has transformed and become a maddening powerlessness. The women would do anything to wait as short a length of time as we did to enter. Obstacles for us are obstacles for her. I care less about mine. Give me inconvenience if she can have her humanity.

The most basic human need is connection, I think. It takes a thousand forms. But in the small room today, it should have been touch. The woman cried recounting her sister's kidnapping and then her many attempts at rescuing her, encounters with the kidnappers, the military police, and ultimately bringing about the arrest of members of a prostitution and trafficking ring. She needed to be comforted. I am in training to be her lawyer. But she needs a human being, not just a lawyer. Children watch parents who have known trauma and the children become the parents without even knowing it. The roles switch. Mothers need mothers, too. (This woman's mother was killed by gangs; she died on the operating table at the hospital three years ago.) The person tasked with listening and consoling is simply the nearest, not the oldest. The daughter knows they came here to prevent her from being trafficked into prostitution or killed as retribution.

The next day I meet with the woman's 15-year-old daughter. She says she is here because she fears being kidnapped and forced into prostitution like her aunt. When her mother starts talking, she cries without making a sound. From the top of her head, twisting around her scalp and down her back is the most beautiful French braid. When her mother cries, talking about the number of times they tried to move to avoid the traffickers, she looks down.

Do the women know before they leave that a huge number of them will be raped on the journey north? That they will be diverted, lied to, extorted and beaten? That gangs have co-opted the ordinary locals in Guatemala and Mexico and pay them to lure migrants off the known route? That in attempting to avoid yet another payment at a checkpoint or the police, they will veer into a clearing where they will be forced to work, robbed or killed? So the women and children here, at Karnes, are the lucky ones—because they survived.

I see a woman younger than me with two toddlers, one still breastfeeding. Their mother has watched the violence in her town creep closer. From the murder of an uncle to the beating of another relative by the gangs at her door, then several weeks ago, two other neighbors were murdered. She heard them die on the street by her house. The first neighbor was shot twice. The second was shot three times. The boys are sick; sniffing and coughing from the *hueleras*. Unlike almost all the children I've ever known, though, they stay quiet, eerily quiet. They know how to act invisible for long periods of time.

None of us who were there will ever forget what we saw, felt, and experienced. None of us should. We urge every single person to work toward ending the inhumanity of family detention and do their part to end the fear in the eyes of children, to end the worry in the hearts of mothers, and to end the unnecessary trauma inflicted on these families. #EndFamilyDetention.

Written by Geoffrey A. Hoffman, AILA Member and CARA Volunteer and Kate Chapman, CARA Volunteer

How can you help?

If you are an AILA member, law student, paralegal, or translator, who wants to volunteer at a family detention center, please go to the CARA Family Detention Pro Bono Project page – we could really use your help.

If you would like to donate funds please see the American Immigration Council's page dedicated to the fundraising effort.

To watch videos of the volunteers sharing their experiences, go to this playlist on AILA National's YouTube page. To see all the blog posts about this issue select Family Detention as the category on the right side of this page.

