



ST. MARY'S
UNIVERSITY

Digital Commons at St. Mary's University

Faculty Articles

School of Law Faculty Scholarship

2015

Convergence: A Meeting Responds to Cries of Desperation

David Bristol

St. Mary's University School of Law

Lee J. Teran

lteran@stmarytx.edu

Gretchen Haynes

Follow this and additional works at: <https://commons.stmarytx.edu/facarticles>



Part of the [Immigration Law Commons](#)

Recommended Citation

David Bristol, Lee Teran, and Gretchen Haynes, *Convergence: A Meeting Responds to Cries of Desperation*, *Friends J.* Oct. 2015 at 21.

This Article is brought to you for free and open access by the School of Law Faculty Scholarship at Digital Commons at St. Mary's University. It has been accepted for inclusion in Faculty Articles by an authorized administrator of Digital Commons at St. Mary's University. For more information, please contact sfowler@stmarytx.edu, egoode@stmarytx.edu.



Photo courtesy of RALPH

CONVERGENCE

A Meeting Responds to Cries of Desperation

DAVID BRISTOL, LEE TERAN, AND GRETCHEN HAYNES

In a Central American country, a policeman gets into a gunfight with members of a drug gang and kills two. The repercussions are swift and far reaching. His wife and two children are targeted by gang members with threats of torture and death. Unable to get any protection from his own police department, the officer and his family sell all their belongings and flee to join their family in the United States.

After an arduous journey, the family reaches the Texas border. Once across, they are immediately taken into

David Bristol, Lee Teran, and Gretchen Haynes are all active in Friends Meeting of San Antonio (Tex.) and have been involved, in one way or another, in the meeting's ministry to help immigrant families fleeing violence in Central America. Their collaboration on this article has been spiritual work.

custody by Border Patrol, and they tell their story. Rather than a welcome, the father is separated and sent to a detention center in Florida. The mother and children are kept on the border and placed in the infamous *hieleras* (ice boxes), freezing cold detention cells, for three days. Their jackets are taken away. The floor and walls of the room are frigid. Blankets are paper thin. The food is sparse. They huddle together for warmth. The mother is given an

ONCE YOU HEAR THE STORIES

and experience the fear and desperation of these immigrant families, you can't turn away.

opportunity to return to her country. When she declines, she and the children are sent to the former prison in Karnes City, Texas, a for-profit private prison now designated for families.

The U.S. message is clear: tell others who might be fleeing persecution at home that nothing but cold rooms and harsh treatment awaits them in the United States.

At the same time, Carol Balliet, clerk of Friends Meeting of San Antonio in Texas (FMSA), is attending the 2014 Friends General Conference Gathering in California, Pennsylvania. She is participating in a week-long workshop called Action Matters, led by George Lakey. She is learning about four roles relating to social change: Helper, Advocate, Rebel, and Organizer. Back in San Antonio, she gives two forums on this subject. Members and attenders digest the principles.

While on a flight to New York, Tessa Martinez Pollack, an attender at FMSA, sees two children on the airplane who

this type of wailing as not crying due to missing someone but the more desperate sound of a child who has been severely traumatized.

When Tessa reports her experience at the rise of meeting for worship, the meeting quickly responds. The abstract lessons of George Lakey converge with the real-life trauma in our own backyard. In a series of sessions of exploration, we see the different layers of activism that our meeting can be involved with. We recognize that however enthusiastic we might be, we cannot make a dent in this crisis alone. So we seek to network.

We reach out to RAICES (Refugee and Immigration Center for Education and Legal Services), and we talk to Lee Teran, an attender of FMSA and director of the Immigration and Human Rights Clinic at St. Mary's University School of Law; both answer many questions for us in our sessions. Friends begin to organize and become part of an informal coalition with RAICES and other local



Photo on the left is part of a collection by three San Antonio Express-News photographers that were named finalists for the 2015 Pulitzer Prize in the category of feature photography.



are being accompanied by a woman who is obviously not their mother. At the airport she hears a wailing so painful that she fixes on the children racing toward their waiting parents. Tessa speaks to the woman and learns that the children are unaccompanied minors fleeing violence in Central America and were held in detention in Texas until they could be reunited with their parents. Gary Whiting, a psychologist and a member of FMSA, describes

SOMETIMES

it's a matter of money for bonds that can make the difference between misery in detention and a fair chance to gain asylum. Sometimes it is simply offering deep listening to horror stories.

efforts working on these immigration issues. More than once it is pointed out that this action feels natural for us as we already have Friends in our meeting who can deeply inform us about these immigration issues. Lee and her students have been working on immigration cases for years. FMSA member Val Liveoak lives most of the year in Central America working with Friends Peace Teams and the Alternatives to Violence Project.

One of the most critical issues for these immigrant mothers and their children is proving that they should be granted the opportunity to apply for asylum in the United States because they have "credible fear" for their lives if they return to their own country. As a psychologist, Gary Whiting becomes involved by doing psychological evaluations of mothers and children at the Karnes County Civil Detention Center to support the families with their asylum claims.

An ad hoc committee led by David Bristol invites guest speakers to help us become even better informed about the plight of these families and the injustices they are suffering. We become part of the wider community that is awakening San Antonio and South Texas to this crisis of social injustice, and we begin to learn how to better serve and help the desperate strangers among us.

We have now joined a growing Interfaith Welcome Coalition (IWC) that includes Mennonites, Lutherans, Presbyterians, Unitarians, Methodists, and Catholics. As part of this coalition, we have attended rallies and peace vigils held at the detention centers. With Friends in our meeting who speak Spanish, we regularly visit families in detention; this is part of a program of "compassionate companionship" run by the Lutherans. We have organized letter-writing campaigns to inform politicians in public office of the suffering of these families.

We supported a Kids for Kids Productions public theater performance which raised \$10,000 for the RAICES Family Detention Bond Fund for the immigrant families (see box on p. 24). Our meeting set aside \$7,000 in its 2015 budget to contribute to the bond fund and held a fair at which we raised over \$1,000. Individuals also give to a bond holding fund and to a smaller fund to support those who have been released and are traveling to meet family and friends living in the United States.

With the assistance of the Mennonites, we arrange temporary housing for families that have been released from detention. FMSA members regularly volunteer with IWC and provide families with backpacks, travel funds, and rides to the bus station.

The dedicated work of RAICES, pro bono lawyers, IWC volunteers, and a number of brave mothers in detention has raised public awareness. During Holy Week, about 78 mothers in Karnes City conducted a hunger strike to protest conditions at the detention center. U.S. Immigration and Customs Enforcement (ICE) responded by restricting several mothers and their children in solitary confinement. In May, 1,000 individuals demonstrated in front of the Dilley, Texas detention center, and in June, a delegation of Congressional leaders toured both

The Central American Problem

In 2014, up to 60,000 people from the Central American countries of Honduras, El Salvador, and Guatemala fled north to escape a growing climate of violence, including murder, rape, extortion, and assaults perpetrated by gangs, some local law enforcement agents, and corrupt government officials. Honduras ranks first as the most murderous country in the world, followed by El Salvador and Guatemala. Women and children are the most frequent victims.

The response by the Obama administration was swift and harsh. Vice President Biden, ignoring conventional standards of treatment of refugees guaranteed under international and U.S. law, declared at the White House on June 20, 2014, "None of these children or women bringing children will be eligible under the existing law in the United States of America." The administration established expedited procedures for detention and processing of the Central American refugees with the goal of deporting them within a month.

The women and their children who are arrested near the Texas border are met with an automatic deportation order (expedited removal) which will be enforced unless the detainee can establish a "credible fear" of persecution and apply for asylum. Even though many demonstrate eligibility to apply for asylum, the administration determined they are a "national security" risk and set a policy of no bail bond. Mothers and toddlers became subject of detention policies established by Attorney General John Ashcroft immediately following September 11, 2001.

In response to the plight of families fleeing Central America, the Obama administration established large detention centers in isolated areas of South Texas, an action which dramatically limits access to legal representation and ignores the outcry for a human rights response to the influx of refugees. The Karnes City Detention Center, an hour south of San Antonio, holds up to 500 women and children, and is expected to expand to house over 1,000. The new detention center in Dilley, Texas, even more isolated than Karnes City, can hold up to 2,400 individuals. Both are owned and operated by GEO Group and Corrections Corporation of America, respectively. The government calls them "Family Residential Centers."

The detained families were immediately met with a critical shortage of lawyers able to assist them. Lawyers, social workers, and other volunteers have responded, many taking off a week or longer from their regular jobs to provide assistance. Three Texas law school immigration clinics at the University of Texas, the University of Houston, and St. Mary's University joined with RAICES, several major law firms, and the American Immigration Lawyers Association (AILA) to provide free legal services to families in detention at Karnes City and Dilley. FMSA and IWC offer free housing for the lawyers and law students traveling to South Texas.

facilities at Karnes City and Dilley.

Also this summer, in California, lawyers for the detained families at Karnes City and Dilley filed a motion to enforce the settlement in the case *Flores v. Johnson, et al.* and argued that ICE policy violated a provision that children detained by the federal government must be held under the least restrictive conditions. On July 24, District Judge Dolly Gee agreed with the families and ordered ICE to release detained children and their mothers. However, ICE may appeal. The government appears determined to maintain its policy of detaining Central American mothers and children and refuses to shut down the detention centers at Karnes City and Dilley.

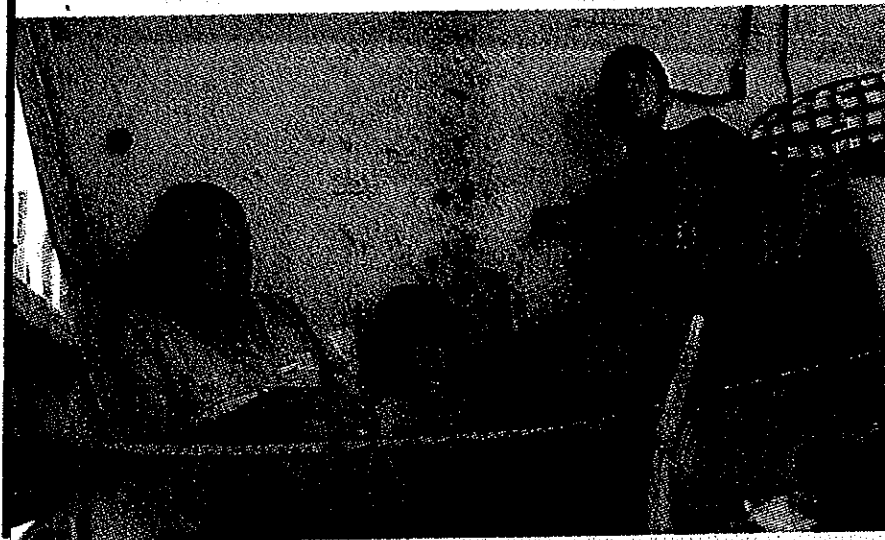
South Texas has now become the center of detention of mothers and children. This is a scheme developed by the U.S. government to isolate immigrants from the assistance of lawyers, doctors, and community help, and to expedite their return to the countries where they have suffered violent crimes, threats, and extortion. Our involvement with other faiths is multifaceted: first, to alleviate the immediate suffering of these mothers and their children, but beyond

this to challenge the policy of deportation without a process, and to close down the privately owned prisons that operate for profit, charging our government up to \$100 per person per day.

We are geographically the closest established Quaker meeting to the U.S.-Mexico border in South Texas. It has become clear to our meeting as a whole that we need to make a difference in what is becoming a huge humanitarian crisis in this country, often compared to the internment of Japanese American citizens during World War II. In an effort to win support for these policies, the U.S. administration claims these families are a threat to national security, and responds with Homeland Security funds and tactics.

Meanwhile at the Karnes City detention center, mothers and their children, with invaluable help from volunteer lawyers, are granted a bond—though set at \$10,000 an amount they could not provide. Through donations from family members, the RAICES bond fund, and a

Continued



Understanding the Bond Fund

Detained Central American mothers and their children must climb many hurdles in their arduous journey toward proving that they are entitled to apply for asylum in the United States. While they have the right to a hearing before an immigration judge, they may be ordered to pay high bail bonds to secure release from detention, even though they are acknowledged to meet the "credible fear" standard. They and their U.S. families and friends are often unable to meet the high cost of these bonds.

RAICES distributes money from its Family Detention Bond Fund to help families that have established a basis for immigration relief. RAICES will use the Bond Fund to make up the difference from what a family has raised, or in some cases to pay the entire bond. To date, RAICES has raised \$324,000 and helped 188 detained families obtain release from detention.

Anyone interested can donate through Friends Meeting of San Antonio, P.O. Box 6127, San Antonio, TX 78209; write "Bond Hold Fund" in the memo on the check. Individuals can also give directly to RAICES at raicestexas.org.

Leave
a **LEGACY**
that
nourishes
Quakerism.



**Ask us about ways
to make a lasting contribution
through your estate plans.**

Call Jane Heil, Development Manager, at **(800) 471-6863**

**FRIENDS
JOURNAL**

Convergence

continued from page 24

contribution from FMSA, they are finally released. The St. Mary's University law students purchase backpacks for the children and provide some basic needs and food for their bus trip to join family elsewhere in the United States. There they await the outcome of the father's bond hearing, and will move forward with their asylum hearing. They have been guaranteed excellent attorneys who will provide their long-term work pro bono.

As psychologist Gary Whiting has said, once you hear the stories and experience the fear and desperation of these immigrant families, you can't turn away. Sometimes it's a matter of money for bonds that can make the difference between misery in detention and a fair chance to gain asylum. Sometimes it is simply offering deep listening to horror stories.

Because of our group actions on this issue, we have become more alive and committed as a faith community than many of us have ever experienced before in our meetings. In many ways it has brought us together, and together we are stronger. We are also becoming more visible and connected to the wider community through this work.

Our meeting has been moved by the plight of others; their suffering and deliberate persecution by our government have urged us to act. We saw an immediate humanitarian need in our own backyard, and along with other faiths we are getting the word out to the wider community. We are choosing, as best we can, to live in our neighbor's shoes. We seek to understand the ways in which they suffer and to bring relief to this suffering by visitation and by letting the families know that others have heard their cries. We learn from the strength and courage of these people, and in the end we ourselves are changed. □