

# OPERATION STREAMLINE



I WANT TO EXPRESS THAT DURING  
THE DEPORTATION PROCESS THE HANDCUFFS  
WERE WAY TO TIGHT AND UNCOMFORTABLE.  
MY WRIST HURT AND ANKLES HAD  
MARKS. COMING FROM ICG HOLD.  
WE WAS FORCED TO SPEND WAY TO MUCH  
TIME IN COLD TEMPERATURE AND FORCE  
TO SLEEP ON THE FLOOR. WE WASN'T  
PROVIDED WITH BLANKETS OR PERSONAL  
HYGIENE SUPPLIES.

SINCERLY,

ALAN FARIAS  
URUAPAN, MICHOACAN.



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## WHAT IS OPERATION STREAMLINE?

Operation Streamline, a joint initiative of the Department of Homeland Security (DHS) and Department of Justice in the United States, was started in 2005 and is a program that exists in designated cities along the U.S. Mexico border. Operation Streamline is a part of “zero tolerance” immigration policy and rests on the rapid prosecution of detained migrants, so that a migrant who is apprehended over the weekend can be seen in court on Monday morning and be deported by that afternoon. This model is a part of Immigration Customs and Enforcement’s (ICE) “prevention through deterrence” border policy.

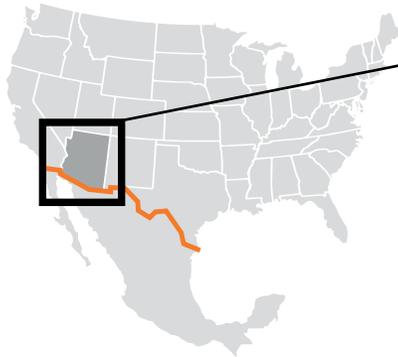
First time offenders are deported immediately, and repeat offenders face incremental increases in detention time correlated to the number of crossings.

**This border policy is made possible because migrants are prosecuted in groups, sometimes shackled and paraded approximately seventy at a time into a courtroom, their deportations ordered in a matter of minutes.**

## BACKGROUND

Operation Streamline was launched first in Del Rio, Texas in 2005 and was expanded to other border regions shortly thereafter, including Tucson, Arizona in January 2008. Operation Streamline proceedings are held continuously and without interruption out of the Tucson Federal Courthouse.

Migrants who are prosecuted in the Tucson Streamline courtroom are apprehended by Border Patrol in the surrounding areas including **Sasabe, Douglas, Nogales, Lukeville, Arivaca, Naco, and Sahuarita, Arizona.** Tucson is a cornerstone of Operation Streamline and plays a key role in the expansion of the criminalization of the immigration legal system.



## ABOUT THIS GUIDE

Two researchers (Genevieve Negrón-Gonzales & Daniela Domínguez) conducted this research over the course of one week in October 2019. The researchers spent 2 days conducting observations at the Federal Courthouse in Tucson, Arizona and 3 days conducting 34 interviews at the Kino Border Initiative Comedor in Nogales, Sonora, Mexico.

The following findings emerged from the interview data and that are relevant to the advocacy work of the Kino Border Initiative in the Tucson/Nogales region.

Kino Border Initiative provided letters of migrants that have gone through Operation Streamline, describing the ongoing shackling practices and experiences during detention.

# THE MIGRANT JOURNEY

## Economic difficulty at home sends migrants abroad

Unsurprisingly, a major impetus for migration is economic hardship at home. Nearly all those interviewed post-deportation via Operation Streamline reported economic instability or poverty as a significant factor in their decisions to migrate. Most reported having plans to send money back home to family who were left behind (often a spouse and children, though sometime extended family units as well.) Hector shares his modest goals, saying, "I just want to build a small, humble home for my family in Mexico." Pedro draws connections between the abuse migrants face in the US and during migration to the simple goals they have, saying "We come looking for work and they just want to punish us." Though not a surprise, the prevalence of economic hardship as a key motivating factor in migration underscores the significant reasons that migrants come to work in order to support their families who live in poverty.



## **The difficulty of crossing and gratitude to be alive are very present in this post-deportation moment**

Many of those interviewed were seen in court in the previous 24 hours and deported even more recently than that; some walked directly from the deportation bus into the comedor. The trauma associated with crossing and their subsequent deportation is fresh in their bodies and clearly seen on their faces. As such, a common theme in the interviews is the difficulty of crossing and the trauma associated with that experience. When asked about the experience of crossing, many respond the way that Hector did, saying simply, "Well, I made it out alive. I was lucky to leave the desert alive." Many described the adverse experiences of crossing in this historical moment; the dangers of the crossing, and having survived that experience. Gratitude to be alive is clearly present for these migrants, after the profound struggles of crossing, and the dehumanization of the apprehension and courtroom prosecution process.

me gustaria me trataran mejor con mas humanidad x  
Respeto

Hugo Araujo

"I would like us to be treated better, with more humanity and respect" - Hugo Araujo

## **Migrants deported under Streamline face impossible choices**

The experience of facing “impossible choices” came up repeatedly during the interviews. The set-up of the Operation Streamline court proceeding underscores this reality. The choices these migrants are faced with are not choices at all. First, their options are to remain in their country of origin and watch their family struggle under the weight of poverty and violence, or risk their lives by attempting to cross the border. Then, when apprehended and during their consultation with a lawyer from the Streamline Court, they learn that their choices are either to plead guilty and be deported immediately or try to fight what attorneys report to be an impossible case that inevitably results in deportation. Tomas shares, “The process is set up as if there are choices but really there are none.” Being a migrant in this system is marked by impossible choices and no good options.”

***“The lawyer told me, look they know you did this, so you have two choices. You don’t plead guilty, they detain you for 4 or 5 months, and then they send you back. There was no reason to fight it. The choice was clear to me that it made the most sense to plead guilty.” -Hector***

**Most migrants are attempting to reunite with their families.  
Many lived in the United States previously.**

(Re)unification with family is a prevalent theme. Some migrants are attempting to join family members in the United States who would help them find work, such as a cousin who has worked for years in agricultural work in the Midwest. Others are attempting to join family who live in the United States, such as Carlos who is trying to make his way to his daughter who lives in Phoenix. Still others have previously lived in the United States and are attempting to get back to the lives that they were extracted from when they were deported. Several of these stories will be profiled in the next section.



## DEPORTATION THROUGH OPERATION STREAMLINE

### **Migrants deported through Streamline report understanding of the process & interactions with lawyers are positive, though constrained**

Asking those deported if they understood everything about the rather complicated courtroom process and procedure is complicated in the space of a brief interview because it is difficult to objectively assess their reported levels of understanding. Thus, the data on this point requires qualification. However, it is important to state that the vast majority of people interviewed report that they mostly understood the court process, though there were specific moments in the courtroom in which their understanding was limited. Hector says, "Yes, I understood everything." Much of this understanding they attribute to their lawyers. However, the general consensus on interactions with lawyers is that they are competent, but constrained. Luis explains, "They offer you the lawyer because they want to give the impression that they are helping you. I understood everything fine. But really, they are just pretending you have options. Both are terrible choices. The lawyer does not help at all. If they were really there to help, they would help you figure out how to plead your case but that is not what they are doing there." Noel says that everything was fine in his experience with his lawyer, but that he felt that his attorney was not really there to truly fight for him. "And, isn't that what a lawyer is supposed to do, fight for you? There is no fight in these lawyers – they just bring you a deal that you are obligated to take. If you don't want it, you are worse off. What kind of choice is that?"

## **Mixed results on how being deported through Streamline impacts decisions to attempt to cross again**

The question of if, and to what extent, being deported through Operation Streamline makes a difference in migrants' plans to attempt to cross again received mixed results. Most migrants interviewed were unsure of their future plans, for example one interviewee states, "I am not sure of next steps. There is no decision that feels like a good decision." Some migrants report that they need to get back to the United States no matter how many attempts it takes, and will keep trying regardless of the risks (and the understanding that each future apprehension means more and more jail time). Others report that after this first attempt, they do not plan to try again though it seems that it is not the experience of being deported through Operation Streamline that has caused this decision, but rather the traumatic experience of surviving in the desert and their subsequent detention. Hector says he plans to return to Chiapas, "I cannot leave my family again." When asked what he will do back home given that his family's financial situation has not changed, he shrugs and says "I'll have to figure it out. I was lucky to leave the desert alive." Josue, when asked why he will not try again, says "I feel grateful to be alive."

## **The mass nature of the courtroom process did not bother them. For many, it brought comfort**

One of the most striking aspects about observing the processes of an Operation Streamline courtroom is the mass nature of the hearings. The expediency that Operation Streamline is lauded for by its proponents requires migrants to be processed in the courtroom in groups; migrants answer questions by going down the line and even register

their “guilty” pleas one after another in a “roll call” manner. Handcuffed and sometimes shackled together, the mass nature of the proceedings is startling. What we found, however, in talking to migrants deported through Operation Streamline, is that the mass nature actually provided camaraderie and collective support to some while navigating the process. Hector, for example, made a connection with two other men through the process of being detained. They did not know each other before, and did not meet while attempting to cross – they met in detention once apprehended. When asked about the mass nature of the court proceedings, Hector says “I felt better that we went in together.” This sentiment was repeated by several interviewed.

## **The speed of prosecution is welcomed to avoid the “Gasto de Tiempo” in detention**

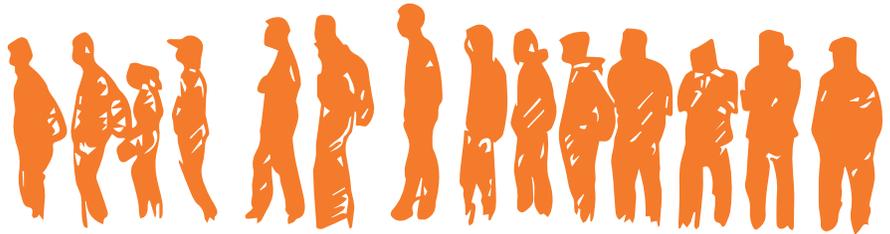
Though the speed with which the deportations are ordered is callous to the observer, several deported migrants point to the fast speed of the proceedings as being less detrimental for them. In a conversation with a group of 5 men outside the comedor, they agree that while the process feels brusque when you are a part of it, the fact that they were apprehended and then deported quickly allows them to avoid “el gasto de tiempo” in detention. Especially when we heard about the inhumane conditions in detention, it is clear that concerns around detention are related to the loss of time and being in a place that adds to their complex trauma. For some migrants, who are resolute in their decision to cross, the speed of the Operation Streamline proceedings mean that they can move ahead with their plans to cross again more quickly. Carlos says explicitly that he appreciated the speed of the court proceeding “so that I can keep trying.”

## DETENTION

### **Few Complaints about guards/officials in detention, many complaints about conditions**

When asked about their time in detention (for those who have been in detention various times, we specified that we were asking about the most recent time), few people interviewed had complaints about the guards/officials they interacted with while in detention. Two people mentioned interactions with guards/officials they perceived as racist, though most did not have much to say. Hector shares, “[they were] not mean for the most part,” Miguel says with a shrug “they treated me well,” and Luis commented on the treatment he received as related to the proportion of guards who appeared to be Latino. “Son puros paisanos,” he says. The experience of being in detention, however, was clearly traumatic for many. When asked about being in detention, Monica says “It gave me an incredible scare.” Mirella witnessed a suicide attempt while in detention, and commented specifically on the number of elderly detainees who were not in good health “I mean, why do they even have them in here? It is terrible.”

The treatment in detention as it relates to food and illness was a prevalent theme. Luis says “they gave us very little liquid, just enough to barely take away your thirst.” He subsequently said “the food made me feel very sick.” Adan was hospitalized during detention because he experienced complete numbness in his legs and started vomiting. He spent 3 days in the hospital after the doctors decided that he needed to stay (they gave him electrolytes for severe dehydration) in spite of the guards pressuring the doctors to release him. He explains, “I was very scared.”



## INDIVIDUAL PROFILES/STORIES

While the stories of each migrant who comes through the comedor deserve attention, there are a few stories we would like to highlight as they particularly illuminate the inhumanity of Operation Streamline.

### **Gerardo**

Gerardo is originally from Hidalgo, Mexico but has lived in Mesa, Arizona for the past 18 years where he is raising his children, ages 9, 11, and 13. Gerardo received a deportation order – he is not clear how this happened, who turned him in, or how attention was called to his status. Gerardo, a man who strives to live honestly, did not want to defy the order. He decided to leave the U.S. on his own (in his mind, this would mean he was in compliance with the order) and then return as soon as possible. Gerardo had crossed without authorization once before, and though he was older now, he assumed the crossing would be similar from the one 18 years prior. Instead, the journey was grueling and dangerous, and he was apprehended when attempting to jump over the border wall. Gerardo is concerned about his family's future given the hardship associated with crossing and says the only other option would be to move the entire family to Mexico. However, his wife now works with authorization in the United States and he does not want to interfere with her dream. He worries how his children would fare in Mexico; they speak Spanish but cannot write it and have never learned it in school. What pains Gerardo more than anything is being separated from his children. "I have never been away from them" he tells us. The difficulty of this separation is visible on his face. He tears up, unsure of when he will see his children again, and how their lives may be changed by his deportation. He tells me that he can cope with his own sadness, but he knows his children need him to be home.

### **Mirella**

Mirella is a 51-year old-woman from Nayarit, and sitting in the comedor she is clearly the oldest woman in the room. She was apprehended trying to make her way to Los Angeles, California where her sister lives. Mirella's husband was disabled in an accident – he lost a hand, a foot, and an eye. Adding to this hardship, her 31-year-old daughter has cancer. She tells me that she has never tried to cross the border before, but between her husband and her daughter, she now has medical

debt that she cannot afford and felt that coming to Los Angeles for work was her only option to pay the debt. Mirella applied for a U.S. visa twice and was denied. Sitting in the comedor, she shared a large file folder with an impressive amount of paperwork including photocopies of her sister's U.S. Passport and a notarized letter from her sister in Spanish and English, which explains that she has a job waiting for her and that her sister is willing to take financial responsibility for her. Due to confusion and possibly an error due to a misunderstanding, Mirella was in detention for 45 days. She is not sure how the confusion happened, but it appears officials thought she was trying to declare asylum. Despite her family's pressing financial hardship, Mirella plans to return to Nayarit. She will not attempt to cross again. This may be associated with the traumatic events she experienced during her migration journey and during detention. Her mother-in-law was caring for her husband and daughter while she has been away, but she suddenly died when Mirella was held in detention. This was the final straw in a series of traumatic events, and Mirella has decided to go back home to care for her family members.

## **Adan**

Adan had been living in Ohio for the past 4 years, working construction, when he was pulled over for a traffic violation. His wife and daughter are in Nayarit, and all but a very small amount of his salary went directly to them. He explains that they live in poverty in Mexico and cannot meet their basic needs. His daughter is 15, and he worries for her future. Once he was deported as a result of the traffic stop, he attempted to cross again because returning to his steady job in Ohio is the only option he has to ensure his family can survive financially and have their basic needs met. Adan understands that now, having been deported twice, each time he is apprehended the jail time will increase. He has no choice, he tells me, because his family's survival depends on his successful crossing. He will try again, so he can get back to work.