

Groups helping immigrants survive face legal penalties

Death tolls rise in desert as government cracks down on efforts to provide aid

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STREET NEWS SERVICE

Arivaca, Ariz. —

Humanitarian aid groups trying to avert migrant deaths on the U.S.-Mexico border are facing increased roadblocks in their mission. The hazards are not connected to a spike in drug cartels' violence, but rather restrictions from the federal government.

Transporting a migrant in despair to a hospital could mean a volunteer is charged with human smuggling. A simple act of kindness like leaving water in the desert can be subject to penalties as well.

"We're being intimidated and criminalized as humanitarians," said Walt Staton, a 27-year-old volunteer with No More Deaths, a humanitarian aid group.

Staton knows this firsthand. He was convicted on Jun. 3 by a 12-person jury of "knowingly littering" for leaving unopened water jugs on the Buenos Aires National Wildlife Refuge southwest of Tucson, Arizona.

Arizona, the main gateway for undocumented migration into the U.S., is ground zero to a human rights crisis, according to border activists. In the summer, triple-digit temperatures in the remote Sonoran desert have caused a deadly toll.

Over the past decade, it is estimated that at least 5,000 men, women and children have lost their lives attempting to cross the U.S.-Mexico border.

No More Deaths (NMD) has been providing help in the form of water and food to migrants. This June, for the sixth consecutive year, they set up a campsite 24 kms from the border with volunteers from all over the country.

Water can be a lifesaver in some of the most remote areas of the treacherous Sonoran desert, explained Steve Jonston, 64, a volunteer with NMD.

Daily, volunteers set up hundreds of gallon-sized water containers at drop points in some of the most heavily transited migrant trails. Once the jugs have been used, they recycle them.

By the time some of the migrants find them, they have spent from three to four days lost in the desert, Jonston said.

"To ticket Walt Staton for littering would be to ticket an ambulance for speeding," he told IPS.

But not everybody agrees on the approach.

"There's other ways it can be done," said Michael Hawkes, elected director and manager of the Buenos Aires Refuge. "Just leaving the jugs there is like leaving trash, it is like a McDonald's happy meal in front of your yard, it is trash."

Hawkes said garbage left by migrants during their trek has been a challenge for preserving the 117,000 acres refuge. He believes Border Patrol beacons, which allow migrants to call for rescue, are more effective than putting water.

The refuge currently allows for at least two water stations set up in the area by another volunteer group. But Jonston argues that's not nearly enough.

During the summer, temperatures reach up to 115 F (45 C) in the desert. Drinking as much as a gallon of water per hour might be necessary to survive, said Mario Escalante, a spokesperson for the Tucson Border Patrol.

"Most of the people attempting to cross don't have a clue where they're. They've never been here before," said Escalante.

Smugglers lie to migrants, giving them the false hope that they'll find water in the desert, he said. It's not uncommon for them to abandon migrants to their own luck, he added.

Camila Chigo, 24, was barely conscious when the Border Patrol found her on a side road. The migrant from Chiapas, Mexico, was lost and alone for four days and later spent three days hospitalized for heatstroke.

"I almost died," said Chigo, who spoke with IPS in a migrant shelter after being deported to Nogales, Sonora. Her arms revealed scars and scratches from the desert vegetation.

Humanitarian activists claim that the increased fortification of the border through the construction of a fence and deployment of manpower is to blame for stories like Chigo's.

"The border has been built in the most intentional way to use the desert as a deterrent, as a weapon that has cost thousands of lives," said Staton.

And extreme heat is not the only threat to their lives. As the business of human smuggling is getting more lucrative, migrants are often subject to kidnappings and women are exposed to sexual abuse and rape by border bandits.

Yet the Border Patrol in Tucson cites a decrease in the number of arrests this fiscal year — which began in October 2008 — as a sign of success of the border strategy.

Apprehensions are down from 235,800 in 2008 to 164,600 in 2009.

The death toll on the 262 miles of the Tucson border has increased from 79 fatalities in 2008 to 83 this year.

"The migrant death rate is going up. It's not necessarily the total number of deaths, it's the ratio of the number of people that are crossing and dying," said Rev. Robin Hoover, president of Humane Borders, a humanitarian group that provides water in the desert at 102 water stations.

Hoover claims increased enforcement is pushing people into more desolate areas, making it harder to reach them with aid. One of these main points is the Tohono O'odham nation land.

Mike Wilson, a Native American who has been leaving water tanks in the reservation, said that recently, tribal police officers told him to take them down.

"I respectfully declined," said Wilson, only to find out later that somebody had taken them away. Now he's substituting them with gallon jugs.



Humanitarian aid volunteers claim things have gotten more difficult in the last four years.

In 2005, volunteers Shanti Sellz and Daniel Strauss were accused of human smuggling after attempting to transport a group of injured migrants to the hospital. The charges against them were later dropped. Their case was the catalyst for launching a campaign to bring awareness called "Humanitarian aid is not a Crime."

Staton's is not the first case to go to court for littering charges.

In 2008, Dan Millis another NMD volunteer found the body of a 14-year-old girl from El Salvador in the desert. Motivated by the tragedy, two days later Millis was leaving water jugs around the migrant trails where he found her and was ticketed by the U.S. Fish and Wildlife Service. He refused to pay the 175-dollar fine and fought the littering misdemeanor charge on the grounds that humanitarian aid is not a crime.

The U.S. federal attorney's office would not comment on Staton's case since his sentencing is pending for Aug. 4. He could face one year in jail or up to 10,000 dollars in fines.

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Walt Staton, a volunteer with No More Deaths, was convicted for "knowingly littering" a national refuge by leaving water bottles for border crossers.

(NICK OZA/IPS)



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