

## **Webinar on Immigration in the United States**

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### **The Seven Deadly Sins of Trump & Co's Immigration Agenda** Another shameful period in our nation's history? Or a quiet genocide against global refugees?

Hi everyone, and welcome to the webinar. My name is Sarah Towle, and I'm going to talk to you today about the subject of my coming book. It concerns the overlooked humanitarian crisis that continues to unfold along the US Southern border and in detention centers all across the country as a result of the Trump administration's cruel and illegal immigration agenda.

The book is titled THE FIRST SOLUTION in honor of the late, great Toni Morrison who wrote in her 1995 Essay, called "Racism & Fascism":

*"Let us be reminded that before there is a final solution, there must be a first solution, a second one, even a third. The move toward a final solution is not a jump. It takes one step, then another, then another."*

Sub-titled TALES OF HUMANITY AND HEROISM FROM TRUMP'S MANUFACTURED BORDER CRISIS, the book also celebrates the first responders who've been flying the

tattered flag of American values these past four years, waiting for the rest of us to join them in condemnation of Trump & Co's crimes against humanity — *or is it genocide?* — that target people whose only offense is to seek safe haven in the Land of the Free.

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Trump & Co's strategy is multi-pronged, and the violence they are committing is about so much more than kids in cages — as if that horror wasn't already enough.

Now, I say the crisis was Manufactured by Trump. Joe Biden has said it was Created by Trump. On that we agree. But what needs to be said is this:

Trump & Co have leaned on laws and an infrastructure that preceded them and which sadly enabled them to apply their particular brand of amorality and to twist immigration in the US to inhumane and nefarious ends.

It's the other side of the Black Lives Matter movement: a system with equally white nationalist motives and foundations, that intersects with systemic racism at the world's biggest prison-industrial complex.

Trump & Co's multi-pronged immigration agenda can be summed up by Seven Deadly Sins, which weave together and include:

- Denial of Asylum in violation of international law
- Death of Due Process under US law
- Destruction of Families

- Disappearance under both the Migrant “Protection” Protocol and
- indefinite Detentions in for-profit prisons and “shelters,” which lead most often to
- Deportations, often to death but certainly to the same dangers asylum seekers originally fled, and of course the
- Dollar-based wheeling and dealing that keeps the whole system spinning.

For example, have you ever heard of Omni Air? It’s a charter airlines based in Tulsa, OK, which Trump & Co recently awarded \$67M. They took that money from the CARES Act stimulus package, which was intended to provide fast and direct economic assistance for American workers and families and small businesses who are suffering from the economic fallout of Trump & Co’s failed coronavirus response.

Omni Air is a contractor for the Immigration and Customs Enforcement agency — or ICE — which recently executed the clandestine expulsion of 57 Cameroonian and 28 Congolese asylum seekers in a multi-governmental collaboration. The Cameroonians had fled a genocidal civil war. Many had not yet reached the legal conclusion of their asylum claims.

The flight was therefore a gross violation of international human rights conventions as well as US asylum laws. And the money that paid for it — while meant for the tens of thousands of American families who are out of work and unable to afford to feed their

children, who spend hours each day in food bank lines and face potential eviction from their homes — went to line the pockets of Trump’s fat-cat friends.

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Now I’m going to level with you, I never truly understood the dehumanizing mechanics of the US immigration system until I went to the Tex/Mex border in January 2020 to see for myself what was going on.

For most of us, the immigration “system” exists out of view. It’s an out-of-sight out-of-mind thing. Right?

That changed when Trump & Co started publicly ripping babies out of the arms of terrified parents. When we all saw the images of kids in cages and heard their despondent cries, we *all* woke up.

But cages have been there since the Carter Administration, and families have been separated as far back as the first Bush — hell, as far back as the beginning of our nation. Deterrence was a Clinton-era concept, as was mass incarceration. And Obama wasn’t called the deporter-in-chief for nothing.

Trump & Co’s manufactured border crisis was built on all of that and more.

But what makes their immigration agenda stand apart is the cruelty. Cruelty was, and is, their point. That and their express intent to kill the right to asylum in the US and to end

due process under US and international law — all to deter people from coming, especially if you're black, especially if you're brown, and especially if you're poor. Family separations were just one of the *many* crimes against humanity perpetrated by Trump & Co, and that wasn't even the beginning...

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It's hard to remember anything before COVID let alone June 2015, when Trump came down the escalator of his New York Tower, declaring that all Mexicans immigrants were rapists and criminals. It seems so long ago, but the madness continued when he insisted that Mexico would build him a big, beautiful wall. The icing on his cake, however, was when he brought in avowed White Nationalist, Stephen Miller, to be his immigration Tzar.

ICE was given new marching orders to hunt down, detain, and deport undocumented immigrants. This resulted in the first example of destruction of families under Trump & Co.

Now, Obama did this, too. But he targeted undocumented residents with criminal records. Trump & Co targeted everyone: jay-walkers, those with parking violations, maybe a busted turning light. They allowed ICE to raid homes, churches, elementary school bus lines, you name it, without warning and without warrants.

Those actions have ruined the lives of untold numbers of people who were once living, working, contributing, paying taxes, and bringing up children in the US.

The point was to instill fear — that’s state-sponsored terror — among communities of undocumented immigrants in the hopes that they would “go back where they came from” all on their own. And the fact is, the offensive never stopped, even when the deadly coronavirus pandemic caught the US in its grips.

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Then came the destruction of migrant families, separated at the border, which finally made news in April 2018, but which was quietly piloted in El Paso from April-December 2017. And which led to the separation of over 1,000 families, including 61 children under the age of 2.

We now know that everyone in the room where *that* decision happened put up his or her hand in agreement. We also now know that 545 kids kidnapped by Uncle Sam still mourn the parents they may never see again, because Trump & Co made no provision for putting families back together again once they ripped them apart.

But the world didn’t really clock what Trump & Co were up to until April 6, 2018. That’s when Attorney General Jeff Sessions announced “zero tolerance” for illegal entry. With that he criminalized immigration — until then a first-time offense was a misdemeanor.

But US law assumes that criminals can't be trusted with their kids. So by criminalizing immigration, Trump & Co created a legal rationale for taking the children.

More than 3,000 kids were taken by the US government and trafficked into "shelters" before the practice of family separation supposedly ended by executive order on June 20, 2018. But the practice never really stopped. Separations have continued in all kinds of ways. Trump & Co just got better at covering it up.

*But before I go into that, let's talk about how immigration worked before these dark times...*

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There are international conventions, to which the US is a signatory, that provide protections for people fleeing danger. Among them, the principle of *non-refoulement*, which states that one cannot be sent to danger — anywhere — and which provides the basis for US asylum law, codified as the notion of Credible Fear.

Under US law, a person who demonstrates a credible fear of persecution due to race, religion, nationality, political opinion, or membership in a particular social group — like our English-speaking Cameroonians who are currently targets of genocide back home — cannot be subject to deportation until their asylum cases are processed.

Now, everyone who enters into the US comes into contact with the Department of Homeland Security agency known as Customs & Border Protection. If you're coming by

air, you will have seen the blue-uniformed officers. If by sea, the officers are wearing brown. And if by land, you will interface with green-uniformed officers, known as the US Border Patrol. No matter the color of their uniform, CBP agents are expected to offer all immigrants a Credible Fear Interview, whether you request asylum or not.

Before Trump & Co, if you were found to have a credible fear of return, you were released to a sponsor — often a family member, so family units were reunited and/or allowed to remain intact. A sponsor is someone who agrees to take responsibility for you, to feed, clothe, and shelter you, and to get you to your asylum hearings on time. Asylum claims were adjudicated at your local jurisdiction and you were responsible for securing your own legal representation. The process took place at minimal expense to the US taxpayer. And studies proved it worked as much as 98% of the time.

Of course, Trump said it didn't — just one of his many, many lies — he even states that folks that show up for their hearings are “idiots.”

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Right out of the box, Trump & Co were fixated on ending this practice. So, going back to April 2018, while we were all busy protesting family separations, Attorney General Jeff Sessions was busy re-writing the definition of what constitutes credible fear. As part of zero tolerance he rolled back two asylum protections: domestic abuse and gang violence.



That would affect 90% of arrivals to the US Southern border, nearly all of whom are running from the Northern Triangle countries of Guatemala, El Salvador, and Honduras, where endemic corruption and US-backed military training and support have bred cultures of impunity for decades, and where gang violence and domestic abuse are rampant.

Also from June 2018, Trump & Co put into place a system called “metering” — a kind of take-a-number-and-wait-in-line system you might meet at a busy deli counter. That forced non-Mexican asylum seekers to wait in Mexico until Border Patrol could fit them in for a Credible Fear Interview.

There, in Mexican border towns from Matamoros to Tijuana, they fell prey to the same gang violence they fled. And with the two most common credible fears now yanked, and legal representation by US attorneys nearly impossible to secure from Mexico, fewer and fewer people stood a chance at finding due process under US law.

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What about the other 10%? Like my friend Steven Tendo, a Ugandan human rights and voting rights activist who was detained and tortured by government agents for his work. Two of his fingers were cut off and his skin burned with melted plastic. His uncle was killed, then his brother was killed, before he decided to flee for his life. He made the arduous, dangerous, and expensive journey to the US, passing through several countries

before arriving in Mexico, where he was imprisoned for two months in an underground bunker and denied his diabetes medication.

Once freed, he walked up to a legal US port of entry and requested asylum. “They invited me in,” he tells me. They gave him a chair.

But instead of providing a safe haven for this person who clearly had experienced unthinkable traumas, who would be killed on arrival if returned home, and who had a sponsor waiting for him — in Montana — Trump & Co locked Steven up. As of this recording, he has been detained for almost two years in a for-profit detention center where he is discriminated against because of his dark skin, and where he is denied basic hygiene, like soap and masks, *even during a global pandemic*. What’s more, his diabetes has been so badly managed, he is now almost completely blind.

Maintaining that releasing asylum seekers to sponsors doesn’t work, Trump & Co instead keep them locked up in jail, at great expense to the US taxpayer, until their cases are adjudicated. But obtaining legal representation while in prison, when you’re cut off from the rest of the world, is an impossible feat, especially when Trump & Co took an ax to the immigration court system.

What indefinite detention is *really* designed to do is to wear you down so that you *beg* to be deported.

And as with extortionist deportations that rob from the CARES Act to support private charter airlines, the indefinite detention of asylum seekers not only denies many innocent people due process under the law, it enables for-profit prison contractors to get rich off their misery.

Seventy percent of ICE detention centers are run by private companies. The richest among them: Geo Group and Core Civic.

### **Who and what is Customs & Border Protection?**

In the US post 9/11 Law & Order response to terrorism, the Bush Administration created the Department of Homeland Security. It includes three agencies:

- Border Patrol, whose jurisdiction includes the 100-mile perimeter of the entire country;
- ICE, which patrols the interior of the country, places CBP isn't supposed to go; and
- US Citizenship & Immigration Service, for folks already inside both borders and the bureaucratic process to documentation.

DHS was given a bottomless pit of money to militarize the border in the early 2000s, leading to an unprecedented expansion of Border Patrol agents, who were added with minimal training to a law enforcement culture with deeply racist foundations that considers all refugees guilty before proven innocent, even children.

As Steven Tendo states, “They treat us like we’re terrorists.” Which makes the good point that CBP is not a humanitarian organization. It’s a security apparatus. And one symbolic of a myopic strategy that did not account for global and hemispheric migration in the era of climate change.

Through Customs & Border Protection, the US has for too long been bringing a proverbial hammer down on what is largely a humanitarian issue.

And the Border Patrol, aka the Green Monster? That has been used by Trump & Co to patrol the streets of Portland and DC and other places where peaceful citizens protest law enforcement brutality per their First Amendment right.

**What happens when families are found to be entering the US illegally, through the desert or the river?**

They are first taken for processing by CBP. These are the infamous cages, where the lights never turn off, and the temperature is set to a constant frigid cold, and where 100 people share a toilet, and where no one is given more than a mylar sheet to wrap themselves up in.

Under Trump & Co, they are all considered criminals. And under Bush-era anti-trafficking law, if an adult traveling with a child cannot prove the parent-child relationship, the kid is taken away.

Now, it's important to note that "family" according to the US worldview is only a biological parent and child. So if a granny arrives with a child she raised because mom and dad were lost to the gangs, she's shit out of luck. The child gets taken away.

If the parent *can* prove family relationship, he or she is offered a Sophie's Choice: Either stay together, as a family, but in prison; or let your kids go, losing all rights to them, and maybe never seeing them again.

If they elect to stay together they are remanded to one of three ICE family detention facilities. Now, yes, these were built during the Obama administration. They were only ever meant to be temporary, and even then families remained inside for too long. But they did eventually get out. Under Trump & Co, family detention has also become indefinite.

If the kids are taken away, they are labeled "unaccompanied," even if the parent is known, and placed into the custody of the Office of Refugee Resettlement, which is housed under a completely different bureaucracy, Health and Human Services, and which is shrouded in secrecy.

So, yes, family separations continue. They did not end on the 20th of June 2018.

## **What happens to the kids?**

Under the Flores Settlement Agreement, which was finally decided in 1997 after winding its way through the courts for more than a decade, kids must be released from processing centers within three days — which is already too long in those places. Then they must be released from detention centers in no more than 20 days. And they must be released to a parent, if one can be found; another relative, if a parent is not available; a sponsor, if there's no other relative; a foster family; or, finally, a “shelter” licensed to care for kids.

Now Trump & Co hate the FSA and they tried to dismantle it, also in 2018 — it was a very busy year. But they did not succeed. So they hacked a work-around: They built two of the biggest temporary incarceration centers the US has ever known. One, way off the beaten track in the desert of Texas near Tornillo; and the other in Homestead, Florida, on an old military base.

They proceeded to use kids held there as bait. By subjecting not just a child's sponsor but everyone in a sponsors' household to background checks, they found more undocumented residents. They passed that information to ICE, who raided and cleared out the homes. So, when sponsors figured out what was going on, they stopped agreeing to background checks. Which meant the kids languished in these “shelters,” oftentimes for months.

Meanwhile, there was a huge profit motive for keeping kids incarcerated. Homestead, for example, on whose board sits General John Kelly — you remember him: the first Secretary of Homeland Security under Trump, and the first member of Trump & Co to go on the record in 2017, saying that indeed, yes, the administration was considering family separations — Homestead charged the US taxpayer \$775 per day per child.

**And what about the families who choose to enter the US legally, as asylum seekers?**

Under Trump & Co, instead of being released to sponsors after processing by CBP, they are disappeared into Mexico.

Remember that from June 2018, metering sent you back to Mexico to wait for your turn to be processed, slowing arrivals into the US. By January 2019, Metering had evolved in the Migrant “Protection” Protocol, which is a completely Orwellian term because the victims of MPP are provided no protection at all. Not by the US. Not by Mexico. Not by the UN.

For over two years, it has been up to the heroes and humanitarians and their generous beating hearts right there on the ground to help asylum seekers take care of their basic needs. These are the people who stepped up to bring dignity and justice to Trump & Co’s victims, and who inspired me to write *THE FIRST SOLUTION*. All of them will tell you that a more correct interpretation of MPP is Migrant *Persecution* Protocol.

Now, while it started in January 2019 over in San Diego, it didn't reach Brownsville, on the easternmost end of the US-Mexico Border, until July 2019. It couldn't be implemented until the construction of a highly protected complex of circus-like Big Top Tents. These were Trump & Co's immigration courts, that is at least, until the border closed to COVID-19 and asylum hearings were stopped altogether.

I attended hearings at these immigration courts in January, so I'm here to tell you: It's a Kafka-esque kangaroo court that costs the US taxpayers millions to rob asylum seekers of legal due process. Few have representation, and all those who passed through suffered an average of five hearings, over the course of 8–10 months, in front of “judges” — actually DOJ appointees — who were beamed in by video-conferencing and who were subject to very strict quotas.

How strict? In 2019, only 11 out of every 10,000 kangaroo court cases were successful.

Refugees under MPP have no choice but to stay nearby to get to their hearings on time. So they are living in tents and in shelters in some of the most dangerous places on Earth, in Cartel-controlled cities where they suffer the same threats they ran from: extortion, robbery, kidnapping, rape, murder.

In Matamoros, where I went, refugees are made to feel that there is hope, that if they just stick it out long enough, they'll get into the US. But the system is set up to fail them.



So they are living long term in tents made for weekend camping, subject to extreme heat and extreme cold, venomous snakes, ravenous mosquitoes, hurricanes, organized crime, you name it.

If it weren't for Team Brownsville, they'd have no food. If it weren't for the Angry Tias, they'd have no tents. If it weren't for Global Response Management, they'd have no medical care. If it weren't for the Resource Center Matamoros, they'd have no toilets or hand-washing stations. And if it weren't for Lawyers for Good Government and Jodi Goodwin, they'd have no legal aid.

This is Trump & Co's true Wall: a bureaucratic bastion built to keep Asylum Seekers out while they systematically kill the right to asylum in the US in violation of international law. And where the majority of Americans can't see them.

More than 60,000 people were disappeared into Mexico under MPP in 2019 alone.

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This is where things stood when I arrived in Brownsville, TX in January 2020. I had intended to bear witness all along the Tex/Mex border but confronted with a humanitarian crisis bigger than I could ever have imagined, I decided to stay and offer my help.

While there the Witness Movement came to town to launch a vigil to #EndMPP and #RestoreAsylum, and I had the honor of joining their effort.

Little did we know that the next Trump & Co atrocity was about to unfold.

In late January, while most Americans were only beginning to perceive the threat of a global pandemic, Trump & Co were busy arm-twisting “safe” third country agreements out of all nations to the south — symbolic of the administration’s priorities.

Safe third country agreements state that if you haven’t asked for, and been denied, asylum in the first country you passed through on your way to the US, then you are ineligible to apply, and you are fast-tracked for deportation.

It’s ridiculous, of course, because organized crime syndicates, like MS-13 — they don’t observe international boundaries. So if you’ve fled gang violence in Honduras, Guatemala and Mexico will be no safer.

But this allowed Trump & Co to do away with asylum in the US and eliminate due process under international law.

The deportations began the day I left Brownsville. And then came Stephen Miller’s wildest wet dream ever... COVID-19.

While Trump was decrying it as a “hoax” everywhere else, Trump & Co used it in the name of “public health,” imposing a highly questionable CDC order — Title 42 — to close the border to asylum seekers all together. That was in March.

This shut out many of the humanitarians. It trapped victims of MPP in most dangerous places on Earth, indefinitely. It trapped detainees in ICE prisons all over the US, and it must be said: ICE has the discretion to release them, but won't it. It's trapped kids still waiting to be reunited with their families. And it's subjected new arrivals, over 150,000 as of this recording, to be secreted away into Hilton hotels, then rapidly expelled, including over 9,000 children under 18, with no due process of any kind, and in violation of the Flores Settlement Agreement.

As of today, there have been over 3,700 ICE Air flights this year, including more than 700 deportations to dozens of countries in the midst of a global pandemic. These deportations have cost US taxpayers an estimated \$11,000 — \$35,000 per detainee. There's no testing, no tracking of any kind — just temperature taking — meaning that Trump & Co, after screaming that migrants and asylum seekers were bringing diseases into the US, are themselves likely spreading the coronavirus throughout the developing world, which has little infrastructure to deal with it.

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Trump & Co have frozen new green card applications; they've barred most categories of family and employment-based immigration; they've taxed asylum applicants and implemented a wealth test to create more barriers to the poor; they've slowed processing of hundreds of thousands of potential 2020 voters; they've curbed Temporary Protected Status; and they've stepped up deportations at an unprecedented rate — the week of October 12th clocked the highest number yet.

Trump & Co have remade the US immigration system by end-running Congress and largely sidestepping the courts. Through more than 400 executive actions, they have sealed off the US Southern border and slashed legal immigration. They have leveraged a sprawling, dysfunctional post-9/11 security infrastructure to achieve an immigration agenda built on racist and dehumanizing motivations.

They've created an invisible wall by limiting foreign aid to Central American nations to nothing more than law enforcement, transforming Mexican and Guatemalan forces into henchmen for the US. Indeed, the members of an October 2020 migrant caravan, originating in Honduras, were rounded up and deported before they even made it into Mexico...and into the US news.

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The humanitarian crisis manufactured, or created, by Trump & Co impacts us all: It calls into question American values; it negates the symbolism attached to the Statue of Liberty.

Trump may be the first president to openly turn his back on the American myth of our being a land of immigrants. It may be the only honest thing he's ever done.

And when we are finally able to stop and breathe again, when we are able to count up all the lives Trump & Co have destroyed, and all deaths they've caused, we will be called upon to decide:

- Is this simply another shameful period in our nation's history?
- Or has this multi-pronged immigration agenda of Seven Deadly Sins resulted in multiple crimes against humanity?
- Or are Trump & Co committing a quiet genocide against global refugees with our tax dollars and in our names?

That's what I'm aiming to figure out in THE FIRST SOLUTION.

**THE FIRST SOLUTION: Tales of Humanity and Heroism from Trump's Manufactured Border Crisis, is rolling out on Medium as fast as I can write it because the issues it covers are Just. That. Urgent. [Click here](#) to find all episodes published to date.**