

**Guilty Until Proven Innocent: Living in New Mexico's 100-Mile Zone
Case Summaries**

Agents profile and detain residents for unjustified questioning and searches at interior checkpoints (14 cases)

1) "Eugene"

In 2013, a Hispanic, U.S. citizen passed through the Border Patrol interior checkpoint between Columbus and Deming. The Border Patrol agent on duty did not ask him about his citizenship, but rather immediately asked him to open his trunk. "Can I get into your trunk?" The man refused to open his trunk. The agent said angrily, "Why won't you let me do my job?" The Border Patrol agent then asked him to pull over for secondary inspection. He refused to pull over. "I'm not going to secondary," he said. The Border Patrol agent then began to yell at him. A Border Patrol supervisor came over and told the agent to leave. The supervisor apologized to the man and told him how to make a complaint. He decided not to submit a complaint because he felt that the supervisor had sufficiently responded to the situation.

2) "Eugene"

In June or July of 2013, a Hispanic, U.S. citizen exercised his right to remain silent by refusing to answer questions and did not provide consent for Border Patrol agents to search his vehicle at the Border Patrol interior checkpoint on I-10 between Las Cruces and Deming, NM. One of the Border Patrol agents told him, "You're just a bad citizen." He asked for a complaint form and had to wait for 15 minutes for them to print him a form. He estimated that he has traveled to Las Cruces from Deming 14 times in the last year and was told to go to secondary 8 of those times. He also commented that "when they bring in the new agents I always get harassed."

3) "Guadalupe"

Multiple Hispanic family members were traveling from Las Cruces, NM to Hatch, NM on I-25 in the summer of 2012. They were on their way to pick up some furniture from friends in Hatch, NM. The father and son were together in a truck with a flatbed trailer, which was empty. Other family members followed in a van. When the truck pulled up to the Border Patrol Checkpoint at I-25, the Border Patrol agent on duty ask them to pull over to secondary, but did not explain the reason. When the van pulled up to the Border Patrol checkpoint, they explained that they were with the truck and the Border Patrol agent explained that they could pull over as well and wait for their family members in the truck. They waited at the checkpoint for about an hour because the CBP agents said they had to jump start the "X-ray van" because the battery had died. It was a very hot day. The agents on duty told the father and son that they should not put their hands in their pockets. The son commented that it felt "like we had already done something wrong." The Border Patrol agents looked in the vehicle and saw that the trailer was empty. Once they were able to start the "X-ray van" they scanned the trailer three times, despite the fact that the trailer was empty. The agents asked them if they knew the address of where they were going. They also asked who the truck and trailer belonged to. They did not conduct a search of the van. After they completed the search, the agents informed them that they were free to go.

4) "Marianne and Luis"

Mother: I get anxious when I go through checkpoints, especially since I'm treated differently when I'm with my son, who has a darker complexion. When I go through by myself, I'm often waved through. When he's sitting with me, they ask me questions, but only look at him. "[In the

border states] we're treated differently from other U.S. citizens and that doesn't seem fair."
"This is how they're growing up and that's what makes me mad."

Son: Also, his father is of Mexican descent. They go to Las Vegas frequently to visit family there. When he's with his white mom, they are rarely questioned, but "it's different" with his dad. It "feels faster when I'm with my mom."

5) "Aaron"

A Caucasian NMSU student and U.S. citizen has been pulled into secondary inspection approximately 10 times over the course of 4 years. He finds checkpoints intrusive and annoying. He comments that he is always asked questions like "do you do drugs?;" "do you have drugs in the car?;" and "Are you trafficking humans?" He's from "everywhere in New Mexico." His dad owned a farm in Hatch, so he travels through the checkpoint on I-25 fairly frequently. He grew up thinking about immigration and having relationships with the migrant workers who work on his dad's farm. He thinks that people are here working, doing jobs that other people [citizens] won't do.

6) "Alejandra"

A Hispanic Elementary Education major and sorority member at New Mexico State University was traveling in a car with her boyfriend, who is White, on I-25 heading north from Las Cruces, NM in the spring of 2013. When they got to the Border Patrol checkpoint between Las Cruces and Hatch, NM, the Border Patrol agent asked them if they were U.S. citizens, to which they both responded affirmatively. The Border Patrol agent then proceeded to ask the student, but not her boyfriend, about her citizenship status again. She states that he looked at her very closely and it seemed like he "almost got in the car." She felt intimidated by the experience. She now feels nervous that it will happen again and says, it "makes me not want to go up I-25." She sometimes travels with her sorority sisters and she is worried about what will happen, because she is often the only individual in the vehicle who is not White.

7) "Jan"

A White individual went through the Border Patrol checkpoint on I-10 between Las Cruces and Deming, NM on January 5, 2013 in the early afternoon. She was accompanied by her partner in her vehicle. Jan is a U.S. citizen and has a titanium hearing aid device implanted in the middle ear of her right ear. As she pulled up to the checkpoint and the officer asked her and her partner about their immigration status, she suddenly felt intense pain in her right ear. She continued on quickly after answering the officer's questions because she was in pain and wanted to go home. The pain continued for 2-3 days. However, she did not go to the doctor, because the pain subsided. She has had issues with scanning equipment at the airport in the past because of the effect it can have on the implant. If the device is moved by such equipment, she would have to have surgery to repair it. She is concerned that she was not given any warning before being subjected to scanning equipment. For some time after this incident, she was taking long detours between Deming, NM and Silver City, NM to see her partner, who lives in Deming, to avoid the checkpoints. It is also more difficult and expensive for her to access medical care, as she has to travel to Albuquerque, NM, now instead of Las Cruces. She used to travel to Las Palomas, Mexico, for dental care, but is now afraid to travel there. She and her partner have moved to another region to avoid Border Patrol Checkpoints altogether.

8) "Joaquin"

In the winter of 2011, Joaquin was traveling on US 70 between Las Cruces and Alamogordo, NM. When he arrived at the Border Patrol interior Checkpoint on US 70, a Border Patrol agent asked him if he is a US citizen, to which he replied "yes." The Border Patrol agent then asked where he was going, where he was coming from, if he was driving his own vehicle, and what he was doing in Las Cruces. He thinks that the agent asked other questions, as well, but he does not remember what they were. He responded to the questions that he was asked. A Border Patrol agent then brought a dog out and, after the dog alerted, asked him to pull over to the secondary inspection area. He was asked to get out of his car. Approximately four agents searched his vehicle and used dogs to conduct the search. The Border Patrol agents tore up the steering wheel and other parts of the car, including some of the panels, in the process of searching the vehicle. After the agents finished the search, they allowed him to return to his vehicle and he saw the damage. Nothing was found in the vehicle to justify the search. About a week later he filed a complaint with the El Paso Sector of CBP. After several months, he received a response saying that CBP would not compensate him for the damage to his vehicle.

9) "Daniela"

A Hispanic woman traveled through the Border Patrol interior checkpoint on I-25 between Las Cruces and Hatch, NM on May 16, 2014. The Border Patrol agent on duty asked her if she was a U.S. citizen. She provided her Legal Permanent Resident card. The Border Patrol agent then asked her where she lives, what her address is, and then asked her questions about her neighborhood (seemingly to determine whether she was lying about her address). She explained what area she lived in and then the Border Patrol agent let her proceed on her way. She comments that some officials are more aggressive than others when questioning her at that Border Patrol checkpoint. She frequently travels to Las Cruces to buy groceries and Border Patrol agents sometimes ask her why she got her groceries in Las Cruces (there are no large grocery stores in Hatch).

10) "Nancy"

In the summer of 2013, a White woman was traveling from Las Cruces to White Sands National Monument, NM, and passed through the Border Patrol interior checkpoint on Highway 70. Her friend from China, who was in the car with her, forgot his work permit, and he was detained for some time while they confirmed that he was permitted to be in the U.S. While she was waiting with her friend in secondary, the woman noticed that the vast majority of people who were asked to proceed to secondary inspection were of Asian descent.

11) "Vicente"

An elderly Hispanic man was traveling alone west of El Paso and passed through the checkpoint on Montana Ave. (Hwy 180). The agent on duty asked him a lot of questions about the "chiles" that he was transporting in his truck. A dog alerted and Border Patrol conducted a search of his vehicle and found a bottle of medication in his vehicle. The medication had been prescribed by a doctor and was properly labeled. The agent told him that he could not bring that medication through the checkpoint. The agent took the medication into a room and reviewed it for approximately 30 minutes. He then returned the medicine to him and let him go on his way.

12) "Isaac"

A Hispanic U.S. citizen man and resident of El Paso, Texas who travels through Border Patrol checkpoints in southern New Mexico and west Texas frequently for his small business selling motorcycles estimates that he is pulled into secondary inspection about 50 percent of the time he passes through Border Patrol checkpoints, which results in him being detained every other week. He also estimates that he is asked questions that do not pertain to his citizenship about 80 percent of the time he passes through these checkpoints. He is asked questions such as: "Where are you going?" and "What is your address?" Agents have also asked to look at e-mails on his phone to confirm the address that he is traveling to pick up motorcycles. Border Patrol agents always ask for permission to search his vehicle before doing so, and he always consents. However, the agents never explain the reason for the search. Sometimes they use dogs to search his vehicle and get it very dirty. They also look through his belongings and leave them disorganized.

13) "Elena"

Between 2010 and 2012, a young Hispanic woman would travel through Border Patrol checkpoints almost daily on I-25 between Las Cruces and Hatch in southern New Mexico because her parents lived in Hatch and she went to school in Las Cruces. She was asked to pull over for secondary inspection once or twice a week. Border Patrol agents would first ask about her citizenship and then ask other questions: Where are you going? Who are you visiting? Why? Border Patrol agents often asked to look in her trunk. Her trunk did not open automatically and required a key to unlock it. Border Patrol agents often asked her to give them her key to unlock the trunk. Once she got a new vehicle, she noticed that she was not searched as often.

14) "Michelle"

On July 21, 2014, a Hispanic woman was driving between Las Cruces and Truth or Consequences, NM, on highway 85 and passed through a Border Patrol interior checkpoint. A Border Patrol agent with the last name Rodriguez asked her: "Where are you going?" and "What are you doing?" He then asked if she'd ever been arrested and she replied that she had. The agent then started to bang on her tires with a baton. He then asked her if he could "run the dog" and she said yes. Another agent name A.C. then came over and used a tool to search her gas tank. He also lifted up the hood of the car. She asked them what they were doing and an agent said, "it's procedure." She told them that she had a court appointment at 1 pm and she was in a hurry. She told the agents that she was going to take notes about what was happening because she did not appreciate being held up for so long. The agents then both gave her their names. She then asked if she could go, and Agent Rodriguez told her she could. She was detained for about 45 minutes.

Border Patrol agents harass and profile residents during roving patrols (10 cases)

1) "Lucas"

In 2013, a Hispanic man was walking down a central street in Columbus, NM, to get to the bank. An unmarked vehicle drove by him, pulled over, and asked him if he was an American citizen. The man in the vehicle was wearing a green shirt, but was in an unmarked vehicle. The man walking down the street asked him why he wanted to know. The agent responded, "'cause I'm asking." The man in the vehicle then identified himself as Border Patrol. The man walking down the street refused to answer his questions and the Border Patrol agent drove away. He comments that "it was a little shocking" and mentioned that he was concerned because "what if

it's just some random person." He said every law enforcement official should identify themselves immediately as Border Patrol, police officers, etc.

2) "Sara"

A motel owner, whose business is located within 10 miles of the U.S.-Mexico border, reported that Border Patrol and ICE come to her motel often. The last time they came was in March of 2014. On that occasion, two ICE agents in plainclothes asked her if anyone from Mexico had come in and if they looked suspicious.

On other occasions in the past, officials have asked who has rented specific rooms, have asked for names of renters, or asked for a list of all her guests. They have also shown her pictures of people and asked if she recognizes them. This has happened since she became owner of the motel 9 years ago. She estimates that over the past few years, Border Patrol or ICE has come to her motel at least once a month, but sometimes several times a week.

On many occasions, Border Patrol agents have come and started knocking on doors for the motel rooms without asking her permission or informing her. On multiple occasions Border Patrol agents have knocked on every door, asked her guests questions, and, in some cases, arrested them.

On one occasion, Border Patrol asked her who was staying in room #4 because they found tracks from the border to that room.

On another occasion after ICE agents conducted several arrests at her hotel, one of the agents threatened that if they arrested anyone else at her motel, they would start an investigation on her. They also asked her for her name and ID.

About 4 months ago, she saw two women get picked up by Border Patrol in the parking lot of her motel as she was returning from running an errand. She thinks that they were planning on renting a room at her hotel before Border Patrol arrived.

She has some concerns about her safety if she is seen as collaborating closely with ICE or Border Patrol because she travels to Mexico frequently to visit family and is worried she could be targeted. "People know me... it's nerve-wracking."

She also commented, "Every time I see them [Border Patrol] I get shaking."

3) "Sara"

In 2014, a woman saw a Border Patrol vehicle driving at a fast speed run into a car at the intersection of Hwy 9 and Hwy 11 in Columbus. She called the police to report the accident and found out that it had not been reported previously. This made her assume that Border Patrol had not reported the accident and the individual whose car was hit did not report it out of fear.

4) "Victoria"

A Hispanic woman, 24, estimates that she is pulled over by Border Patrol at least once a week on her way to work at a farm in Hatch, NM. She works as an administrative assistant for the farm and travels from Columbus to Hatch, NM, to get to work. She is always pulled over on Highway 9. On several occasions, the same Border Patrol agents have pulled her over. She recognizes them. The agents generally ask her where she's coming from, where she's going,

where she was born, and where she lives, and look in the windows of her truck. They have not ever conducted a search of her vehicle. One of the times that she was pulled over, she asked why they keep pulling her over so often. The agent told her that they had been told that her vehicle was used to transport illegal substances or people. She said that she feels like they are harassing her.

In March 2014, two Border Patrol vehicles and two ICE vehicles surrounded her house and walked onto her property. They asked her where she was born and to show ID. She asked one of the ICE agents why they keep stopping her so much and explained that Border Patrol pulls her over all the time. She said that one of the ICE agents was surprised to hear that and it seemed that Border Patrol had not given him that information. For several weeks, in April and May of 2014, Border Patrol was driving by her house (seemingly to observe them) almost daily. Her mother is at home during the day and sees Border Patrol agents passing her house in their vehicles approximately every day. They still drive by frequently, but not quite as much.

5) "Cynthia"

A Hispanic high school student, who is a U.S. citizen, was pulled over by a Border Patrol agent in 2011. The Border Patrol agent did not explain the reason for the stop. The Border Patrol agent ask her for her driver's license, which she showed to him. He then asked her to get out of the car and open the trunk. She had just picked up some clothing donations for a friend and had several bags of clothing in her trunk. The Border Patrol agent asked her questions for about 20 minutes, including questions about the bags in her trunk. He then told her that she could go.

6) "Christine"

Christine is White and has been followed by Border Patrol agents for between 1 and 30 miles at a time when driving between Columbus, NM, and El Paso, TX, on approximately six separate occasions between 2011 and 2014. The agents follow closely with bright lights making it difficult for her to see while driving at night. This has always occurred in a remote area with no cell phone service. She eventually knows that it is Border Patrol agents because, after following her for some distance, they pass her and she is able to see their vehicle.

7) "Benjamin"

In 2012, a Hispanic individual was driving from New Mexico to Arizona with his wife and child when he was pulled over by Border Patrol between Animus, NM, and the Arizona border. The Border Patrol agent said that he vehicle matched the description of a vehicle they were looking for. He told the agent that he was driving a Hyundai Elantra, a common vehicle. The Border Patrol agent asked him where they were going and where they were from. He doesn't remember if the agent asked him about his citizenship. The Border Patrol agent asked him to open his trunk several times and he refused. Eventually, he agreed to open the trunk. The agent looked in his trunk very briefly and then closed it. His father-in-law who was driving in the car in front of them then got out of the car and came over to talk to the Border Patrol agent. He thinks that the agent recognized him because he is a rancher who lives in the area. The Border Patrol agent then told them that they were free to go. They were detained for about 15 minutes.

8) "Jimena"

Hispanic woman who lives in Columbus, NM, was on her way to work on or about May 29, 2014. She was driving her vehicle with a friend and her two daughters as passengers. Her brother

often walks to work and asked her to pick him up if she saw him along the way. She saw her brother and pulled over to pick him up. A Border Patrol vehicle that had been driving in front of her then turned around and stopped her and her brother. Her brother asked the Border Patrol agent to let her go on her way so that she would not be late for work. She and her daughters are U.S. citizens and, even though U.S. citizens are not required to carry proof of citizenship while in the United States, she had her passport and her daughter's birth certificates ready to produce if necessary. The Border Patrol agent asked her where she works and how many children she has. The agent also asked her questions about her brother.

The agent asked her brother for his Social Security Number and asked where he was born. Her brother provided a U.S. passport. They were detained for approximately 30 minutes. Her brother has been stopped by Border Patrol while walking down the street before. She thinks he is often stopped "because he has very dark skin."

9) "Ricardo"

In September of 2012, a Hispanic U.S. citizen had just arrived from California and was staying in Deming, NM, with his brother and father. He went with his brother to a store to buy sodas and, while walking in a parking lot, was stopped by an unmarked white van. Five young agents in plainclothes jumped out of the car with guns drawn. They identified themselves with badges as Border Patrol agents. The agents proceeded to search and question the brothers, asking for identification and looking in their backpacks. The brothers also had to empty their pockets. They asked where the brothers were from and if they were citizens. After 15-20 minutes, the brothers were told that they were free to go. The individual says that this experience has made him never want to go to Deming again because he is scared.

10) "Martin"

On November 6, 2013, a Hispanic man was driving with his employer to Deming from Silver City, NM. Three Border Patrol vehicles pulled their car over and five agents came over to their car. They did not explain the reason for the stop, and asked him for his papers. As he is undocumented, he was arrested. He waited for 3 hours in the hot sun with no water as they waited for a ride for his employer because his employer was too old to drive. He was then taken to the Truth or Consequences Border Patrol station where he waited for 5 hours, answering questions about why he entered the United States and for how long he's been here. He was not given any water or food and he did not get a phone call. Then he went to the Border Patrol station in Las Cruces for 3 hours, then into ICE custody in El Paso, TX, for 2 days. He was given food and water twice a day while in El Paso. In Truth or Consequences and Las Cruces, the stations were very cold and he had to rest on the floor. In El Paso, he had a bed and there were better temperatures. When he was being transferred from Las Cruces to El Paso, Border Patrol agents yelled at him and called him a gangster. He spent a month in Otero County Detention Center and is now awaiting a court date.

Against policy, agents monitor clinics, schools and stop ambulances (9 cases)

1. "Ken"

About 2 years ago, two individuals were arrested for transporting undocumented individuals in a Columbus Fire Department vehicle. The Fire Department promptly fired both individuals after this was discovered and both faced criminal charges and time in prison.

On several occasions over the last year, Border Patrol has followed Columbus Fire Department ambulances to the hospital in Deming. In general, the central dispatch office calls the Border Patrol interior checkpoint north of Columbus, NM, to inform them that they have dispatched an ambulance from the Columbus Fire Department. However, at times when they receive a call that doesn't go through central dispatch, they do not call the Border Patrol checkpoint to inform them. It is on these occasions that Border Patrol generally follows the ambulance.

Upon arrival at the emergency room in Deming, Border Patrol agents have asked to search the ambulance. The fire department staff members have not allowed them to search the interior of the ambulance, but have allowed Border Patrol to search the exterior of the vehicle with a dog.

On one occasion, Border Patrol began asking whether they could search the ambulance when a fire department staff member was taking a patient into the hospital and was "backing up to the door with the patient still on the gurney."

On at least one occasion, Border Patrol agents have asked to go into patients' rooms, presumably to determine whether someone was admitted to the hospital.

On one occasion, the fire department staff member asked if they could search the vehicle in another location, such as the parking lot, rather than right in front of the emergency room, and a Border Patrol agent responded, "we'll do it any place and any time we want."

On another occasion during the last year, a fire department staff member took the vehicle to Deming for a routine inspection. Border Patrol pulled him over and searched the inside of the ambulance. They did not use dogs for this search.

The Fire Chief has met with Agent LeBlanc, the Agent in Charge in Deming, along with the Mayor of Columbus on 2 or 3 occasions. He has not received any response to the concerns he has communicated in these meetings.

2. "Paola"

In January of 2014, a woman's 7-year-old son came home from school and told her that Border Patrol agents stopped the students on his elementary school bus after they got off the school bus by the port of entry in Columbus, NM, and searched all of their backpacks with a dog. The mother and her son live in Las Palomas, Mexico, but they are both U.S. citizens and her son attends school in Columbus, NM. Her son's school bus drops him and other students who live in Las Palomas off in a parking lot next to the port of entry, but not on federal property, and the students walk across the bridge to go home. Border Patrol agents stopped every student as they were walking from the parking lot to the port of entry. There were five buses of children searched.

3. "Marianne and Luis"

March 11, 2014, Marianne was picking up her son outside Centennial High School in Las Cruces, NM. She saw Border Patrol SUV in the parking lot where you drive up to pick up your kids. The car was just sitting there. "It really creeped me out... it looked like the perfect place to take license plates or something." She didn't know what they were doing there or why.

4. "Marianne and Luis"

In Dec. 2013, a young Hispanic high school student left football practice and saw three Border Patrol vans in the back parking lot of Centennial High School, talking to students. In January or February of 2014, he saw Border Patrol agents talking to staff members and security guards. He doesn't know why.

5. "Adrian"

An individual, who lived near Apodaca Park in Las Cruces, NM, until March of 2014 saw Border Patrol vehicles slowly patrolling the streets adjacent to the Loma Heights Elementary School on Madrid Ave. in Las Cruces. He saw this happening several times a week for the span of several months prior to March 2014.

6. "Maria Fernanda"

A resident of Doña Ana, NM, has seen Border Patrol vehicles parked outside the Ben Archer Clinic in Doña Ana once or twice a week for several months prior to July 2014. She reports that several of her friends have been afraid to attend their doctor's appointments at the clinic because of this.

7. "Daniel"

In March 2014, an Emergency Medical Technician arrived at Mimbres Memorial Hospital in Deming, NM, when, after following the ambulance he was working in, Border Patrol agents followed him and volunteers working with him as they carried the patient into the hospital. Agents followed them into the patient's room. He has previously heard Border Patrol agents ask nursing staff at the hospital to inform them when an individual transported in the ambulance is discharged from the hospital.

A Border Patrol agent told him that if they don't get a call from central dispatch before the ambulance goes through the Border Patrol checkpoint on Hwy 11 between Columbus and Deming, NM, that they have orders to pull over the ambulance. He directed his staff to not stop driving in order to avoid putting at risk the health of patients, who are often in critical condition.

8. "Bill" and "Ken"

In the morning of May 30, 2014, the Columbus Fire Department sent an ambulance to respond to a call west of Columbus. When they picked up the individual, the fire department staff called central dispatch and notified them. Border Patrol pulled the ambulance over en route to the hospital in Deming, on Highway 11. The ambulance had its lights and siren on at the time and was transporting a patient in critical condition on an EKG monitor. Border Patrol agents told the ambulance driver that they were not advised of any north bound ambulance coming from Columbus. Border Patrol agents looked at the patient inside the ambulance. Border Patrol agents detained them for 7 minutes. The fire department staff person on duty reported that this delay created a real risk of a heart attack for the patient.

9. "Daniel"

On July 21, 2014, Columbus Fire Department staff members were dispatched to the port of entry in Columbus, NM, for an obstetrics patient who was seizing and in critical condition. The CBP official told the woman to go to a hospital in Mexico. She then went to Centro Salud in Las Palomas, Mexico, and the staff there told her that they could not treat her there. She then seized and fell down, and someone helped her get back to the port of entry. At that point, CBP

did permit her to be transported to the hospital in Deming, NM. When the EMT got to the hospital in Deming, he saw a Border Patrol vehicle outside the hospital.

Officers intimidate and abuse lawful travelers at ports of entry (12 cases)

1) “Paola”

In February of 2014, a woman was driving south through the port of entry in Columbus, NM. As she approached the port of entry in the southbound lane, the CBP official next to the lane made a hand signal towards her that she did not understand. She pulled forward slowly. The CBP official made rude comments and asked her repeatedly, “didn’t you see the stop sign?” She did not respond to him and started to write down his name and what time it was. When he saw her doing this, the CBP official rudely asked her if she wanted a supervisor (“So I guess you want a supervisor then?”). She told him that she did want to speak to a supervisor.

The official then reported some kind of “code” number that justified conducting a search. He asked her to pull over. She got out of the car, and he asserted that he hadn’t told her to get out of her car. She got back in, and just after that he said, “Okay, now get out of your car.” Then the supervisor arrived with about 10 other officials. The officials searched her vehicle three times and ran the back-scatter van next to her vehicle three times. She then spoke to the supervisor. The supervisor explained to her that “the nicest person could be a terrorist” to explain why they had searched her vehicle. She told the supervisor the agent was very rude to her. As she was explaining what had happened to the supervisor, the official who had been rude to her started yelling at the supervisor that she was lying. He yelled, “I’ve been here for 2 years and I’ve never seen you. All you are saying are lies.” She pointed out that he did not even speak respectfully to his supervisor, and so she did not think that he could be expected to treat individuals with respect.

She notes that there have been more problems since approximately November of last year since they started doing southbound checks all the time and they brought on a lot of new staff to handle the southbound checks. “There are new kids there and they’re really, I think, ignorant. They ask one question after another... so many questions that are too personal and even when you answer they still aren’t satisfied.”

2) “Paola”

On February 20, 2014, a U.S. citizen woman who lives in Mexico took her daughter to an orthodontist appointment in El Paso, TX. She then drove to Columbus to enter Mexico through the Columbus port of entry. When she got to the port of entry, a CBP official asked her lots of questions about why she had gone to El Paso for the appointment. The official also asked her “why do you live in Mexico and Columbus”. She has addresses in Las Palomas, Mexico, and Columbus, NM, because she has family in both places. The official then asked her daughter to show him her teeth.

3) “Helena”

On November 8, 2013, a White individual was returning from Las Palomas, Mexico, where she had bought several things to give to friends and family as Christmas gifts. When she arrived at the port of entry to enter Columbus, NM, a CBP official asked her about the things that she had bought and where she was going to send them. Officials then conducted a search of her vehicle and looked in the bags in her vehicle. A CBP official also asked her about a brochure she had in her car for a humanitarian aid group that she volunteers with.

The same individual crossed the port of entry again on November 11, 2013. Her vehicle was searched again. When the individual asked why she was being searched, an official explained to her that there was a problem with her passport. The individual asked to speak with a supervisor. She spoke with a supervisor named Gloria Lefeyre. Ms. Lefeyre suggested that she file a complaint and contact her Member of Congress. She wrote a letter to CBP on November 13. When she received a response, she was provided with a "redress control number."

After she crossed the port of entry on November 11, she noticed that CBP officials would look at her passport longer than usual. She decided to cross as a pedestrian rather than in her vehicle after that. She has to use the travel redress number every time she books air travel.

4) "Esmeralda"

A U.S. citizen Hispanic student often travels between Cd. Juarez, Mexico, and El Paso, TX, with her husband. In 2012, she and her husband were traveling north through a land port of entry in El Paso, TX. A CBP official asked her and her husband to pull over and get out of their vehicle. CBP officials asked them to sit down and face in the opposite direction of their vehicle, so they were unable to observe the search of their vehicle. According to the student, she had been asked to face away from her vehicle during a vehicle search at a port of entry in El Paso, TX multiple times prior to the incident in 2012.

5) "Victoria"

A 17-year-old Hispanic woman and U.S. citizen was crossing at the port of entry in Columbus, NM, in 2007 and was driving a vehicle alone. A CBP official told her to get out of her car and conducted a search of her vehicle. She was kept in a "little room with bars" for 6 hours. Her parents were not informed of her whereabouts. She was pregnant at the time and got a pretty bad cold as a result of the detention. She says, "Every time I pass through [the port of entry] they say my truck is suspicious but they never find anything."

6) Anonymous

In 2006, a Hispanic U.S. citizen traveled northbound through the port of entry in Columbus, NM. He was sent to secondary inspection. He was then put in a room where he waited for 3 hours. Officials asked him several questions regarding the contents of his vehicle. When he was told that he was free to go, he returned to his vehicle and saw that it was extremely damaged. Officials explained to him that a jack had fallen onto his vehicle. The driver's door, muffler and radio were damaged. He made a complaint with the supervisor. He was told to go and get an estimate of the cost to repair the damage. The estimated cost was more than \$1,000. When he returned with the estimate, he was informed that CBP would only pay about half of the estimated cost of the damages. The officials he spoke with informed him that the smaller amount should be enough to cover the cost of the repairs.

7) "David"

A Hispanic U.S. citizen was crossing the port of entry into Santa Teresa, NM in 2013. He had painted his truck one week earlier. He was asked to pull over for secondary inspection at the port of entry. CBP officials searched his vehicle and used a tool to remove plastic pieces of his truck to look for weapons or drugs. They did not find anything. While he was waiting, officials yelled at him and told him to take his hands out of his pockets, to not cross his arms, to take off his glasses, etc. When they put the plastic pieces back on his truck, they did not do it well.

When he began driving he noticed that they were not put on correctly and had to stop and fix it himself with his own tools. He states that his vehicle is often searched when he travels alone. However, he usually is not searched when he travels with family members, such as his grandfather.

8) "Deborah"

A White individual was driving her own vehicle through the port of entry in Columbus, NM, in February of 2014. Her wife was a passenger in the vehicle. She was asked to pull over and get out of the car so that the officials could conduct a search of her vehicle. One of the officials explained that it was a random search. A week prior to this incident, she was also asked to pull over for secondary inspection and officials conducted a search of her vehicle. On this occasion, it was difficult for her wife to get out of the car because she has medical issues that make it difficult for her to walk. She uses a walker. The individual took her wife to the bathroom at the port of entry. When she came back, her car was gone. The individual got angry and cursed at the official and called the official a "Nazi". One of the officials told her that they were going to arrest her, but she apologized and was not arrested. The officials explained that they would pull her car back around in 15 minutes. When her car was returned, it was not damaged.

9) "Adriana" and "Valeria"

In January of 2014, two Hispanic U.S. citizen sisters were driving in the same vehicle when they passed through the port of entry in Columbus, NM. Each of the sisters had one of their children in the car with them. The children were 3 and 4 years old. A CBP official asked them if the children were theirs. The official also asked them if they kidnapped the children or if someone gave the children to them. He also asked if it cost a lot to buy them. The sisters explained that they were their own children. The official also asked the children if they knew each other's names. Then the official asked "did it hurt when you had them?" The official then asked them to pull over for secondary inspection. The official dumped their purses out on a table in plain view of traffic at the port of entry. One of the sisters was embarrassed because she had tampons in her purse.

A month later in February 2014, one of the sisters was traveling through the same port of entry with her 12-year-old daughter. Her daughter was smiling, and the official asked her daughter, "why are you laughing?" several times. Her daughter was not laughing. Her daughter was not trying to be disrespectful and felt intimidated by the experience.

10) Anonymous

A man's lawful permanent resident card was damaged by a CBP official at a land port of entry in El Paso, TX, in approximately June of 2013. The CBP official bent the card and the metallic panel on the back of the card came off. The individual did not file a complaint with the agency. However, he had to save money for several months to be able to replace the card because the fees to replace it are more than \$400.

11) "Isabella"

In early June 2014, a 13-year-old Hispanic U.S. citizen girl crossed the port of entry in Columbus, NM, with her grandmother. A CBP official asked her for her name and age. She misunderstood the question when the official asked her age and incorrectly stated that she was 18. She then showed him her birth certificate to clarify her correct age. A male CBP official then took her in a room by herself. She was held in the room for 3 hours while four CBP officials (one woman and

three men) asked her questions. They asked her why she said she was 18 and asked her for her ID. She showed them her school ID for the school she attends in Deming, NM. Her grandmother was waiting separately at the port of entry while she was held in the room. CBP officials asked her for the girl's mother's phone number and called her to confirm the information that the girl had given them. Officials also took her fingerprints and did not explain why. She was very intimidated by the incident and is now afraid to travel to Las Palomas, Mexico, where she has family.

12) "Maria"

On May 26, 2014, a Hispanic woman was crossing the port of entry in Columbus, NM, as a passenger in her brother's car. When asked about her citizenship, she provided her Lawful Permanent Resident card. A CBP official asked her to get out of her car. He then pulled her out of the car. He did not explain what was happening. The official took her into a room and told her to sit down with two female officials. CBP officials told her to take off her shoes and did a pat down of her. She was handcuffed and she told the officials that they were hurting her when they did the pat down because her arms were handcuffed behind her back. When she told them they were hurting her, the officials told her to shut up. Officials then took her into another room and took her fingerprints, without explanation. She was detained for about an hour. An official then told her she was free to go without further explanation. She was very intimidated by this experience and reports that it affected her psychologically.

CBP officers deny entry to people seeking emergency medical care (4 cases)

1) "Bill"

In November of 2013, the Columbus Fire Department responded to a call routed through the central dispatch office in Deming from CBP requesting emergency services at the port of entry for a woman with diabetes. When the ambulance driver arrived at the port of entry, the CBP official on duty told the driver that they would not permit the woman to cross. The ambulance driver found out later from friends in Palomas, Mexico, that the woman went into a diabetic coma and died as a result of not being permitted to cross for emergency services. When asked why he thought this woman couldn't cross, he said "It's about who's on duty, their personalities," referring to CBP officers. "They see themselves as above reproach and above the law."

2) "Bill"

In May 2014, the Columbus Fire Department responded to a call routed through the central dispatch office in Deming from CBP requesting emergency services at the port of entry. When the ambulance driver arrived at the port of entry, a woman, who had come to the port of entry, with her husband, told the driver that she had experienced domestic violence. She told him this while a CBP official was taking her vitals and repeated it five times in front of CBP and the fire department staff. The ambulance driver then made a report to the Sheriff's department, because he is a mandatory reporter for domestic violence. The CBP official then got very upset that he had called the Sheriff's department and told the driver that the woman could not enter and that his services were no longer needed. The CBP official said that he needed to "follow the chain of command." The driver also saw the CBP official tell the woman to leave and saw her walk away with her husband.

3) “Ken”

In 2012, the Columbus Fire Department was responding to a medical emergency at the Port of Entry in Columbus. Usually, over the past few years, when a woman in labor has come to the port of entry to seek medical care, CBP has called the fire department to inform them that an OB patient is at the port of entry. In this case, someone who knew the woman in labor informed the Columbus Fire Department of the situation. When the ambulance arrived at the port of entry, the CBP official on duty would not let the woman enter the United States because she did not have a note from the clinic in Las Palomas, Mexico, saying that she required emergency medical treatment at the nearest hospital. The fire department representative later found out that the woman’s husband attempted to drive her to the hospital in Juarez, more than two hours away, and the baby died in the car on the way to the hospital. The fire department staff member involved filed a complaint with his Member of Congress. He received a call from one of their staff members telling him to drop the issue.

According to the Fire Department staff member who reported the incident, it was standard practice for some time for CBP to allow individuals with a note from the clinic in Las Palomas to cross into the United States to receive emergency medical treatment in Deming. However, more recently, this practice has stopped, and it seems to be up to the individual official’s discretion whether to allow an individual to enter to get emergency care services at the hospital in Deming. He estimates that he gets a call approximately every 2 or 3 months to provide emergency services to a woman in labor at the port of entry, who is in labor distress. These are legitimate cases of need for emergency services; not attending them places the women at risk. About the women that are not permitted to cross, he said, “It baffles me—why did [CBP] call us?”

4) “Daniel”

On July 21, 2014, Columbus Fire Department staff members were dispatched to the port of entry in Columbus, New Mexico, for an OB patient who was seizing and in critical condition. The CBP official told the woman to go to a hospital in Mexico. She then went to Centro Salud in Las Palomas, Mexico, and the staff there told her that they could not treat her there. She then seized and fell down, and someone helped her get back to the port of entry. At that point, CBP did permit her to be transported to the hospital in Deming, NM. When the EMT got to the hospital in Deming, he saw a Border Patrol vehicle outside the hospital.

Collaboration between local law enforcement agencies and Border Patrol (5 cases)

1) “Eduardo”

In November or December of 2013 at around 7 pm on a Friday night, a Hispanic college student was riding in a car going north on I-25 between Las Cruces and Hatch, NM. His brother was driving, and another brother was a passenger in the vehicle. A New Mexico State Police officer pulled him over near the Radium Springs exit on Interstate 25. The officer asked the driver if he knew why he had pulled him over. The driver told him that he did not know. The officer told him that the reason for the stop was that his brake light was out. The officer asked him for his driver's license and proof of insurance, which he provided. The officer then went back to his vehicle. The three brothers waited in the vehicle for approximately 30 to 40 minutes. Then a Border Patrol agent arrived and stood on the other side of the car from the police officer and began asking the brothers questions. The Border Patrol agent asked them about their citizenship status, where they were going, and if they had anything in his vehicle. The Border Patrol agent also asked them for identification. The driver provided his residency card. His

brother, the college student, provided his U.S. passport. The other brother was school age. The Border Patrol agent asked him what school he went to and what grade he was in. He provided his school ID. The Border Patrol agent asked them questions for approximately 10 to 15 minutes. The agent then told them that they were "good to go." The police officer gave the driver a ticket and told him to mail it in.

2) "Olivia"

In 2011, a Hispanic woman was dropped off at her car in a parking lot by her friend in Columbus, NM. As she was getting out of her friend's car to get into her own car a Border Patrol agent arrived. Then a Luna County Sheriff's deputy arrived. The deputy asked her friend for his passport. The Border Patrol agent also asked her for her passport. She provided a lawful permanent resident (LPR) card. The Sheriff's deputy told her friend that he could go. Border Patrol took approximately an hour to review her LPR card and then told her she was free to go.

3) "Alma"

A man drove to visit a friend in Vado, NM, in 2009. A law enforcement official pulled her over because he had a broken windshield. The officer asked for his license and registration and then asked where he was born. A Border Patrol agent arrived about 5 minutes later and detained him. He eventually signed a voluntary departure and was deported to Mexico. His daughter is now (in 2014) 4-years-old and it is difficult for his wife, Alma, and child to visit him frequently in Mexico.

4) "Isaac"

A Hispanic U.S. citizen man was parked on the side of the road in Mesilla, NM, in 2012, when a Sheriff's deputy came up and started to ask him questions. He asked for his ID and proof of insurance. He had an Arizona ID and Texas license plates at the time. The Sheriff's deputy went back to his vehicle with his ID. Several minutes later, a Border Patrol agent pulled up and asked him and the passenger with them about their citizenship, and asked them for ID. They were detained for about 15 minutes, and then they were told they were free to go. He comments, it makes me "feel targeted and profiled."

5) "Michelle"

In 2011, a Doña Ana County Sheriff's deputy named A.C. pulled a Hispanic woman over near Los Arboles trailer park on Doña Ana Road in Las Cruces, NM. She was asked for a license and registration and since she didn't have a driver's license she showed a Texas state ID. The Sheriff's deputy told her that he did not believe that she was who she said she was. The Sheriff's deputy patted her down five times in the course of 6 hours. He also searched her vehicle. When he was patting her down, she told him that she wanted a female officer to pat her down and he told her to shut up. He said that he had reason to believe that she had "something". She saw the Sheriff's deputy make several calls and after being detained for about 2 hours, Border Patrol agents showed up. The Border Patrol agents looked at her I.D. and then laughed, supposedly because it was clear who she was and that she had permission to be in the country. The Sheriff's deputy then took her to the police station and asked her more questions. She was then released after having been detained for about 6 hours total.

Border Patrol abuse and inhumane treatment in short term custody (1 case)

1) "Fabiola"

In March of 2014, a Hispanic U.S. citizen woman was arrested by Border Patrol at her boyfriend's house because he was involved in a smuggling operation. She was brought to a Border Patrol facility in Deming where she was held for a day and a half. She was held in 3 or 4 cells during that time, always by herself. She did not have a bed and slept instead on a cement bench. She had to sleep with an old unwashed blanket that had been sitting in the cell for a month (an agent mentioned this to her.) She was given a rotten burrito, which she refused to eat. An agent then gave her a granola bar, which was also rotten. She was only offered food once. She saw Border Patrol agents refuse to give other people food and water. The water in the sink she was expected to drink from was brown. She had access to a bathroom, but it was not private. It was very cold and she was only wearing a tank top. A Border Patrol agent threw her sweater in a storage room and she never got it back. When a Border Patrol agent asked her to give him her sweater, he told her that if she didn't give it to him he would make the temperature colder. She was unable to shower and did not receive soap or toothpaste. She saw Border Patrol agents physically push men into their cells. At one point, when she was talking to her boyfriend, an agent said you're "not fucking little kids no more" and "quit your shit." She commented that she thought she was treated much better than the undocumented individuals held at the facility.

Racial profiling complaint against state police (1 case)

1) "Fernando"

In early 2013, an individual was pulled over by NM State Police in Deming, NM. The officer explained to him that he stopped him because he was not wearing a seat belt. However, the individual said he was wearing a seat belt. He thinks that he was pulled over because of how he looks. The individual is Hispanic. The officer explained to him that he had the option to pay a fine or go to court. He decided to go to court because he felt that the stop was unjustified. When he appeared in court, the officer insisted that he had a witness to support that the individual was not wearing a seat belt. Since the individual did not have a witness in his favor, the judge ordered him to pay the relevant fines.