

Jim and Marsha Benshoof are winter residents in Tucson and have visited Rincon UCC regularly for the past two winters. They are interested in the immigration issues facing our country and recently attended an Operation Streamline court session. Their observations and impressions of this are included in this report. In addition, here are two links that provide more information about Operation Streamline. One is a fact sheet written by the Samaritans/No More Deaths. The other is a MSNBC news report. Operation Streamline

Summary of experiences by Marsha and Jim Benshoof from attending the court session
in Tucson on April 6, 2015

Jim and I have been making an effort to become more familiar with the issues surrounding the complex immigration problems in our country. As part of this process, we have done some reading; organized a three part educational series for our church in Minnesota; attended a program to learn about the current immigration laws and possible legislative changes; and watched the documentary "Which Way Home," which focuses on the unaccompanied minors who are crossing the borders. As part of our learning process, we decided to attend a session of the Operation Streamline court proceedings on April 6, 2015.

Operation Streamline began in 2005 to establish zero tolerance zones along the US/Mexican border. Migrants face criminal prosecution for entering the country illegally. As the court session began, there were approximately 70-75 men and 4-5 women seated in the courtroom facing prosecution for "illegal entry or re-entry." Also present were approximately 10-12 attorneys. The migrants were called up to the front of the courtroom in groups of eight and their attorneys stood with them. Most of the migrants were wearing headsets for translation to Spanish. The migrants were handcuffed with their wrists shackled to their waists. In addition, they wore ankle shackles and chains.

One by one, the presiding judge, Magistrate Judge Bernardo Velasco, asked them if they were agreeing to waive their right to a jury trial and to plead guilty to illegal entry or re-entry. Most answered in Spanish and all did plead guilty. Then they were immediately sentenced for a range of detention time ranging from 30-180 days. After sentencing each individual, the judge moved to the next person. When the group of eight had completed this process, they were directed by federal marshals to exit the courtroom. The judge would then call up the next group of eight and the process started again. The group of migrants included about 10 from Guatemala and the rest were from Mexico.

The attorneys spoke occasionally to state the migrant's preference to be detained in a facility at another location, probably nearer to family. Some locations mentioned included San Jose, California, Texas, and Illinois. One attorney spoke up saying that her client had just now informed her that he had reason to request asylum in the US.

When the entire group of migrants had pled guilty, were sentenced, and removed from the courtroom, Judge Velasco came to speak to those of us observing the proceedings. There were two other couples there—one from Tucson who described themselves as "flaming liberals," and another couple from Green Valley who are active in the Samaritan group. We learned from the judge that the length of the sentences varied among the migrants due to how many times they had tried to enter the US previously. The judge stated that this entire group had all tried to enter the US in the past at least once. The judge told us that they serve their sentence and then are sometimes forced to wait until a chartered plane is available to take them to their country. He said that is what would happen to the people from Guatemala.

When asked what is the purpose of the jail sentence—is it an attempt to deter people from crossing the border?—the judge said that is the purpose. However, the judge believes that people will continue to try to enter the US as long as they are so impoverished that they aren't able to feed their families. He also stated that many of the migrants present today have families in the US. The judge told us that the migrants were able to meet with their attorneys for a short time the morning of the court proceedings.

My Impressions and Reactions

As I reflect upon this observation experience, my overwhelming observation is of the “brokenness” that I witnessed. The migrants appeared dejected, demeaned, and resigned. The attorneys only had a few minutes to do their best to understand each client they represented and speak to them about the court proceeding. The entire immigration process of the United States is broken. My spirit felt broken while I watched the court process. There are unanswered questions for Jim and I surrounding the border/immigration issues--Why not a more open border? Why can't there be Mexican citizens who come to the US to work and help their families out of their desperate poverty? Why were these migrants in chains when their only “crime” was to cross our border?

Pastor Delle asked me what is the “good news” that begs to be shared here? That’s a very difficult question to answer. Should hope rise from brokenness? I saw only glimmers of hope but I will try to describe them. The perseverance of one of the observers to attempt to meet the eye of each migrant and provide acknowledgement of he or she as a person, not just a detainee, as he or she left the courtroom. The ability of the judge to communicate his belief to us that the desperation of poverty is what drives the migrants to continue to attempt to cross the border. The interest of six people to be a witness to the proceedings.

One outcome of our observation of Operation Streamline, is that Jim and I are more determined than ever to continue to support organizations that try to address the root causes of poverty so that people don't have a desperate need to make the hazardous trip to the United States. Two examples are Common Hope, which works in Guatemala to increase the high school graduation rates to increase earning potential and help break the cycle of poverty. Another organization is ProMex Group, which provides micro lending to entrepreneurs in Nogales, Mexico to help achieve a successful business and better financial stability.

Marsha Benshoof

Operation Streamline Fact Sheet: http://forms.nomoredeaths.org/wp-content/uploads/2014/10/nmd_fact_sheet_operation_streamline.pdf

MSNBC article <http://www.msnbc.com/msnbc/operation-streamline-immigration-nightmare-arizona-courts>