



A Culture Of Cruelty

Lateral Repatriation Factsheet

An abusive Border Patrol strategy that violates migrants' rights & costs U.S. tax-payers money

What is lateral repatriation?

When undocumented migrants are bused along the border (and sometimes even far within the United States) before being repatriated, this is lateral repatriation. For example, a migrant apprehended in the desert outside of Douglas, Arizona might be taken from Douglas to Tucson for processing, and then all the way to San Diego before being repatriated or deported to Tijuana, Mexico.

So, what's the big deal? Why is lateral repatriation a problem?

Many humanitarian organizations believe that lateral repatriation is a form of cruel and unusual punishment, and therefore a violation of migrants' human rights. Very often, families are separated and sent to cities far away from each other. They are never told where to find their loved ones, and humanitarian organizations often have to go through the Mexican Consulate to get information about family members.

Migrants are very vulnerable, both in Mexico and the U.S. In Mexico, criminal organizations extort and kidnap migrants. The dangers are different in each city – some cities are relatively safe. It is inhumane to send vulnerable migrants to cities that are significantly more dangerous than the cities where they crossed. Migrants are also more likely to have some kind of contact (a family friend, cousin, or acquaintance) in the city they crossed from. People are not being repatriated to the calmer towns of Naco and Agua Prieta, Sonora, but rather to more dangerous (especially for migrants) places like Matamoros, Nogales and Tijuana.

And, of course, this program costs U.S. tax-payers untold amounts of money. There is no transparency of how much the program costs, or accountability to force DHS to prove it even achieves its goals.

What does the government say about lateral repatriation? How can they do this?

Lateral repatriation is officially called the Alien Transfer Exit Program (ATEP). There is very little public information available – try Googling it sometime! The Government Accountability Office released a report in 2010 criticizing several DHS programs for lack of public accountability. The report mentioned ATEP, in the context of other programs that do not have any measurement mechanisms in place. DHS largely dismissed such concerns, saying of performance measures that it "did not believe such action was appropriate," according to the GAO.



An example of lateral deportation in action. Teo (pseudonym) was apprehended in Naco, Arizona, and held in Tucson, Florence, Yuma, Otero NM, and Del Rio TX before being repatriated.

Moreover, the GAO called into question the little data Customs and Border Protection (CBP, the parent organization of the Border Patrol) itself has been collecting. After asking for information on how many people had been processed through ATEP, the GAO said, “CBP provided us with conflicting data.... We determined that the numbers were unreliable....”

So how much exactly is this costing?

Because there is so little information available, it is impossible to know the exact price of the program. CBP contracts G4S (formerly Wackenhut), a British corporation, for the actual bus transportation. Border Patrol also incurs costs in detaining migrants that would otherwise not be in custody.

Well, what’s the answer? What should the government do?

The most obvious answer is to *permanently end* ATEP. Undocumented immigration across the southwest border is down, and it is not due to lateral repatriation – it’s the economy, stupid! At the very least, CBP needs to accept that performance measures are, in fact, appropriate and thoroughly study the program’s effectiveness. Before repatriating

“CBP has not established performance measures for ATEP and Operation Streamline to assess progress toward achieving program goals. According to CBP officials, while they have not established ATEP performance measures for the entire southwest border, measures are in place at the Border Patrol sector level based upon reappraisals. However, they acknowledged that because these measures are not assessing performance for the entire southwest border, the full effect of ATEP is unknown.” – *Alien Smuggling* GAO report

anyone, Border Patrol *must* study the safety of the city where they plan to repatriate the person. A good first step would be to look at the State Department’s list of travel advisories. Families must not be separated. Often, family members traveling together are not a nuclear family, but rather cousins, nephews, and aunts. There must be a more effective way for family members to contact each other, especially in cases where one person is detained longer (for example, one cousin has already been deported and will be held for more time).

US State Department travel warnings on the border
Tijuana, Baja California
Nogales, Sonora
Ciudad Juárez, Chihuahua
Piedras Negras, Coahuila
Ciudad Acuña, Coahuila
Nuevo Laredo and the entire state of Tamaulipas

What can I do to get this changed?

Call your Senators and Representatives in Congress! The more that they hear concern about the militarization on the border, the better. It is likely that most members of Congress have not heard of ATEP. For those that are not swayed by the importance of the safety of migrants, talk about the fiscal implications. Fiscal conservatism is all the rage in Congress now. Even Rick Perry opposes ATEP. Check out house.gov/representatives/ or senate.gov/senators/ for a directory which you can search by state or ZIP code.

Another action is being taken by the Southern Border Communities Coalition, which is drafting a letter to send to the DHS Office of Civil Rights and Civil Liberties. To learn more about this project, or sign on, email Phil Kennedy at mrc@fronteradecristo.org.

Where can I check the references?

Government Accountability Office. *Alien Smuggling: DHS Needs to Better Leverage Investigative Resources and Measure Program Performance along the Southwest Border*. May 2010. <http://www.gao.gov/new.items/d10328.pdf> .

Janet Napolitano. Testimony before the Senate Committee on Homeland Security and Governmental Affairs: “Securing the Border: Progress at the Federal Level.” 4 May 2010. http://www.dhs.gov/ynews/testimony/testimony_1304459606805.shtm.