

JONATHAN RYAN

5. MOBILIZING A COMMUNITY

We must look in the mirror as a nation and remember who we are and who we want to be. As I say to people: Do you know why it's so expensive to be the beacon of hope and liberty in the world? Because it is very much worth it!
(Ryan, J. 2014 before Congress)

Live Speech delivered by Jonathan Ryan at the LIRS (Lutheran Immigrant and Refugee Services) Convening in Tuscon, AZ on September 3, 2014:

I would like to begin by thanking LIRS for bringing us all together during this unique time to consider how we will respond to what is now the challenge of our time. The Refugee and Immigrants Center for Education and Legal Services, or RAICES, has been serving vulnerable populations of refugees and victims of torture since 1986. It is during these times of perceived crisis that we experience firsthand what our community and our country are all about. We also get to see what it means for those people around the world who long for the freedom and liberty that we so routinely take for granted. I am honored to be given this time to share with you what we have learned in Texas over the past few months.

Our mission at RAICES is to protect refugees. In furtherance of this mission, we assist unaccompanied children to navigate the complicated immigration court system and to better understand their rights and responsibilities within that process. Starting on June 9th of this past summer (2014), we began providing know your rights presentations and individual legal screenings to the nearly 1,200 children that were detained at the Lackland Air Force Base in San Antonio, Texas.

We completed more than 2,000 intakes with these children, and after careful and thorough peer review we determined that more than 63 percent have strong claims for asylum or other forms of humanitarian protection under our current immigration laws.

RAICES' has many years of experience and we have more than a 98 percent success rate in cases we assigned to *pro bono* representatives using this selection criteria. Thus, our legal findings are supported by literally hundreds of positive adjudications on behalf of our unaccompanied minor clients.

The children we served at Lackland and in the more than 1,100 other shelter beds in San Antonio and Corpus Christi are fleeing unspeakable violence. The

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vast majority of them are from the northern triangle countries of El Salvador, Honduras and Guatemala. Our interviews have confirmed that a majority of them are victims of sexual assault, trafficking, gang intimidation, persecution and even government-sponsored torture.

Our staff and our volunteers have met with girls as young as 12 years old who have fled their countries to escape sexual exploitation. The phenomenon that is occurring in these countries can literally be described as a war against children in which young boys as old as 8 or 9 are given food toys and money to transport drugs and as they get older it turns into intimidation and death threats against them and their families, used to force them to join these organizations in what is now a new, normalized criminal violence that is rampant and widespread across these countries, and also in Mexico.

These children and their families who have faced such violence and difficult conditions have made a conscious decision to undertake a life-threatening and dangerous journey because they understand that to stay is to die. A woman in Honduras was recently interviewed about why she had allowed her daughter to travel alone from Honduras to the United States. In her response, this mother stated, "I would rather find out that my daughter died trying to get to freedom than to see her shot dead on my front doorstep."

Just as the number of unaccompanied children crossing the border has ticked down, we have been faced with a new challenge, one that we thought had been defeated years ago: family detention.

I am holding in my hands today a document that I received from the Department of Homeland Security last week. Our government is now filing this evidence packet right here in every single case where the attorney or family request an immigration judge set an immigration bond so that a mother and her children can be released from detention.

On these pages, senior members of our Department of Homeland Security sign declarations stating that the presence of women and children on our border is a threat to our national security.

This is a crisis, and this is a threat to our national security. The threat to our national security is that the most powerful country in history of this world, the country that liberated itself from colonial domination, the country that freed Europe from the Nazis, that held back the Soviet Union, that was attacked and said, "Let's roll," is now declaring that women and children seeking our protection are a threat to our national security.

This is a crisis of confidence that begs us dust to dust off a proud, old American saying, one that has been evoked in times of real existential threats to our way of life: the only thing we have to fear, is fear itself.

How we respond to this current humanitarian need, in which families and children are fleeing in every direction in search of protection, speaks to the moral character of our nation. The decisions we make now have the potential to bolster our human rights record or, in fact, undermine our ability to hold other actors and nations accountable for their human rights records.

I am so proud of my staff and volunteers for their tireless and often thankless efforts over the course of this summer. We know first-hand that by affording these children proper screening for trafficking and persecution, as well as the opportunity to be represented by counsel and receive fair and full consideration of their asylum applications could well mean the difference between life and death.

At RAICES we were faced with a choice, early this summer, when the government opened its Emergency Reception Center at Lackland Air Force Base. We knew that we had the knowledge, experience and ability to provide the civil legal aid response was so desperately needed there. However, our government was very clear no federal funding would be provided to support our services at the base.

I was reminded in our comparatively small predicament of my friend, and former client, Kevin Merida. Kevin is from Guatemala and left his home five years ago. When Kevin learned his life was in immediate danger, he left his home with no money, no plan and without even telling his mother goodbye.

Kevin joined up with companions along his journey. Together, they shared what little they had or could find and they looked out for each other. They even rode on top of a freight train called “The Beast,” because of the limbs that it has mangled and the lives that it has taken. He was robbed; he had to pay bribes to members of the police to avoid deportation; and he was constantly in jeopardy of falling into the hands of traffickers and organized criminal syndicates such as the Zetas.

Kevin left his home because he knew that staying put was not an option. Kevin found safety by joining others with whom he shared a common experience and common goals, because he knew he could not make it alone. Kevin jumped onto The Beast because he knew that without taking a risk, he could not move forward.

Today, Kevin is a US Legal Permanent Resident, graduated from high school with honors in English and speaks in public with fellow former unaccompanied children about his own experience. And, I am proud to say, in October of this year, Kevin will become a proud member of the US Marine Corps.

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Kevin accomplished all of this because he was able to access a *pro bono* civil legal aid attorney at RAICES who helped him to prepare his immigration case. As Kevin himself says, he could not have won his case alone and, had he been sent back to Guatemala, today he would probably be dead.

But just like the group he traveled with cross Mexico, we, like Kevin, know inaction is not an option. Like the generation of men and women who fought in World War II – a generation we now know as “The Greatest Generation,” who saw and who understood the genocide and mass murder of people just because of who they are is a harm to all of humanity that can never be tolerated. We know through our work with asylum seekers, refugees and others who have suffered extreme violence and abuse, once lost, the lighthouse of freedom and democracy may never again be lit. So, we work hard to keep its light shining for us, for our children and for the entire world.

We gather together here from different parts of the world and represent many different disciplines. But we all share fundamental beliefs, principles and goals: the sanctity of life, the dignity of the individual and the right of all people to self-determination and security in their persons. These ideals unite us, they inspire us and they remind us the daily chores of our work tap into the very marrow of this nation’s greatest legacy, as enshrined in our Declaration of Independence, our Constitution and the refugee and asylum laws I so proudly practice. To accomplish our goal, we too, need one another.

Something we learned this summer when analyzing our own data is indigenous, Guatemalan girls – though individually some of the most vulnerable people – in fact had experienced safer journeys compared with their Honduran El Salvadoran counterparts. We believe this is due to the linguistic, social and cultural bonds shared by these indigenous children who travel together in intact groups from beginning all the way to the end.

Finally, and without a doubt most importantly, we must not allow fear to guide our actions, and we must be willing to take risks. As you engage in this topic, I want to challenge each of you to hold on to this image: a young girl, running alongside of The Beast, reaching out, trying to grasp on. Will she slip? Will she hold on? Will someone lend her hand and pull her up? She doesn’t know, but still she runs until she reaches her goal, because she has no other option than to move forward on her path.

We, as advocates, are just like this girl. We are all here with one foot on the ground and a hand on The Beast. We know we cannot go backwards. We know we must rely on one another to get through this. We know we must have at least as much courage and be as willing to take risks like the clients we serve have all done.

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This summer, my agency, RAICES, faced a very uncertain future. There were days when I thought we were on the verge of closing, or simply at the point of falling apart. But we stuck together, we held on and we made it. This far.

Today, I stand before you from on top of The Beast, and I am seeking your help to continue my journey. I am here, extending my hand and inviting you to also take a leap of faith and to join us. Together, we will all find America. Thank you.



Figure 1. Courtesy of RAICES-San Antonio, Texas 2014