

A Week at the Port Isabel Detention Center

As part of a nationwide effort by the legal community to provide pro bono legal representation to the parents and children at the southern border, a team of attorneys detail a week at Port Isabel.

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The Department of Homeland Security's Port Isabel Detention Center near Brownsville, Texas, looks like a prison, surrounded by barbed wire and guards, and it smells like a hospital, sterilized by disinfectant. Inside the waiting room, there are signs posted in English and Spanish reminding visitors, "Do Not Leave Children Unattended."

Under normal circumstances, these signs likely would have gone unnoticed. But at Port Isabel, where the government houses hundreds of immigrant parents who have been separated from their children, they were impossible to ignore.

As part of a nationwide effort by the legal community to provide meaningful pro bono legal representation to the parents and children caught up in the current crisis at the southern border, our team of attorneys spent the Fourth of July week at Port Isabel, meeting with 14 parents from Guatemala, Honduras and El Salvador. We spent hours in closet-sized meeting rooms surrounded by detained parents waiting patiently to meet with case officers and other government agents. Many of these parents already faced critical immigration proceedings, often without an attorney to help explain their rights and advocate on their behalf.

Our immigration system is complex and difficult even for attorneys to navigate. Without legal help, these brave families face long odds—even though many of them are fleeing persecution that could give rise to claims for asylum. The vast majority of detained parents speak no English and have no experience with our legal system. Some cannot



A U.S. Border Patrol truck enters the Port Isabel Detention Center, which holds detainees of the U.S. Immigration and Customs Enforcement, in June, in Los Fresnos, Texas.

write, and others cannot read. Layered on top of all of this, of course, is the stress of family separation. Under these unique circumstances, effectively pleading their cases without legal representation is nearly impossible. As such, our primary goals upon first meeting with these individuals (many of whom would become our clients) were to explain their legal rights, assist with family reunification efforts and help them pursue asylum claims. It is critical for the legal community to continue mobilizing to provide this support.

During our time at Port Isabel, these parents educated us about their lives before they came to the United States. We learned firsthand about the escalating dangers that drove them to the United States—including rampant gang violence, persistent domestic violence, death threats and ineffective local policing—all of which are verified by

news reports regarding their home countries. We often found ourselves playing the role of counselor in another way, consoling parents as they broke down in tears. And, although we assured these parents that we would do everything possible to help reunite them with their children, we could not answer their most important questions: “When will I see my child? How? Why have they done this to me?” These heartbreaking pleas impressed upon all of us the fact that these parents had one singular focus: reuniting with their children. Many of the parents at Port Isabel have been separated from their children for a month or more. Some were separated from their child in the middle of the night while sleeping next to them. Others were repeatedly promised by officials that they would see their child again soon, only to have their hopes later dashed after being transferred to adult-only detention centers without their children. Some of the parents have been afforded the opportunity to speak with their children by phone, but often these calls only heighten the anxiety and pain of separation—for both parent and child. Many we met with were visibly distraught and fatigued. Several parents we met with could barely bring themselves to eat. Trapped in detention and disconnected from the world outside, a woman we’ll call Elma realized during our first meeting with her that her son’s birthday was the next day and immediately broke down crying. She told us that she hoped someone would sing “Happy Birthday” to him.

In these extreme circumstances, it becomes impossible to properly evaluate the parents’ asylum claims—especially if the parents have not received meaningful legal counsel. Wracked with anxiety and grief about their children, the last thing these parents are able to do is focus on navigating the complexity of their own legal claims. A woman we’ll call Marta, who went two weeks without any contact with her young son, provides a stark example: After weeks of no contact, she finally scheduled a call with him. Only seconds into the call, Marta was forced to hang up and was taken into the interview that would effectively dictate her future

and the future of her young son, based largely on her ability to represent herself in such agonizing circumstances. Preoccupied with worry for her son, she struggled to focus on important details of the persecution she suffered in her home country. The interviewer failed to find credible fear of persecution if she returned to her home country. Absent a successful (and difficult) appeal to an immigration judge, Marta and her son will be deported.

We heard many parents describe additional pressure applied on them by case officers who encouraged them to “voluntarily” sign deportation orders. Some were told that they would be deported, regardless of whether they signed the papers, and still others were told that signing the form would help them reunify the parents with their children. Those who knew to ask for a judge to review their case were sometimes prohibited from speaking by the judge themselves during the hearings they requested. And, despite the relatively low threshold for initiating an asylum claim, we did not meet with a single separated parent who passed the initial interview required to pursue asylum.

Every day in the waiting room, we met other attorneys who traveled to Texas to represent the parents detained at Port Isabel. We are honored to work alongside our fellow lawyers at other law firms and legal aid organizations, such as the Texas Civil Rights Project, ProBar, KIND, RAICES and others, who are committed to standing up for these vulnerable families. Lawyers are in a unique position to help. We cannot undo the damage that already has been done—the sleepless nights, the missed birthdays, the uncertainty and the trauma inflicted on these families. But we can, and will, do everything in our power to lift the voices of these brave men and women. This feeling of camaraderie and purpose was captured most aptly by one young mother who had been separated from her 6-year-old daughter. As she put it: “Our experiences together at Port Isabel made us all family.”

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