

## **Border Crackdown Has El Paso Caught in Middle**

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### **Body**

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Leaders of this sunny desert city peppered Homeland Security Secretary Michael Chertoff during a recent visit with complaints about trade-crimping **border**-crossing delays, unwanted calls to enlist local police in enforcing immigration laws and recent deaths of immigrants at the hands of U.S. **Border** Patrol agents.

"Second-guessers and hindsighters," Chertoff retorted, defending such agents against critics who he said "have no idea how difficult it is here at the **border**."

But to many in **El Paso**, it is Washington's understanding of what it means to be on the **border** that is increasingly in question. As the political stalemate continues on how to revamp immigration laws, the Bush administration has taken aggressive new measures to tighten **border** security and deal more harshly with illegal immigrants.

And that has **El Paso**, just a stone's throw across the Rio Grande from the Mexican boomtown of Ciudad Juarez, feeling even more **caught** in the **middle**. "Most people in Washington really don't understand life on the **border**," said **El Paso** Mayor John Cook. "They don't understand our philosophy here that the **border** joins us together, it doesn't separate us."

Although many residents here are as staunchly opposed to illegal immigration as those elsewhere in the country, **El Paso**'s deep ties to its sister city across the river generally make most of them leery of calls to wall off the 2,000-mile frontier with Mexico and of **crackdowns** that might complicate **border** crossings and harm a mutually beneficial way of life.

As the largest U.S. city on the **border**, **El Paso** has long had a front-row seat to the complexities and trade-offs of the nation's immigration laws. Founded by the Spanish before the English settlement of Jamestown and Plymouth, and with claims to creating both the margarita and Thanksgiving, **El Paso**-Juarez is an easygoing but hardworking region that has grown into a "borderplex" of 2 million residents.

## Border Crackdown Has El Paso Caught in Middle

Now North America's fourth-largest manufacturing hub -- after Los Angeles, Chicago and Dallas-Fort Worth -- **El Paso** and Juarez's surrounding state of Chihuahua have 270,000 manufacturing jobs, three times as many as Detroit, in 400 maquiladoras, or duty-free factories, economic development officials said. About 78 percent of residents are Hispanic, and 25 percent are foreign-born. Families send breadwinners across the bridge daily to work, and children to study.

But that deep web of connections between the two cities has been tested in recent weeks -- not only by the anxieties of the unresolved political debate over how to rewrite immigration laws, but also by the complicated daily reality of Washington's new effort to crack down on those violating existing laws. Many local officials interviewed recently expressed little enthusiasm for the increased security measures, and civil liberties groups and Mexican authorities have said that the harsher enforcement approach might have contributed to recent fatal **Border** Patrol shootings here.

On Aug. 8, a **Border** Patrol agent shot and killed a suspected smuggler who allegedly threatened him with a rock and bolt cutters at a **border** fence just east of downtown. The death of Jose Alejandro Ortiz Castillo, 23, was the fifth fatal **Border** Patrol shooting this year and the third in **El Paso** since June. Before this year, the last such local shooting happened in 2004.

The same day, U.S. authorities reported the deaths of two immigrants in custody, including that of a pregnant woman who died of a blood clot Aug. 7 at a U.S. Immigration and Customs Enforcement detention center in **El Paso**. Rosa Isela Contreras-Dominguez, 36, a legal U.S. resident and convicted marijuana smuggler, was the sixth ICE detainee to die this year, out of a detention population that has tripled over five years to more than 283,000.

Mexico's foreign affairs secretary condemned what he called an "excessive use of force" in the shooting of Ortiz, and the state prosecutor in Chihuahua began a homicide investigation.

"When there is an isolated event, you might understand it," said Fernando Garcia, executive director of the **Border** Network for Human Rights in **El Paso**. "But when you have two or three . . . then that becomes symptomatic that something is not right."

Advocates for immigrants here are asking whether agents have been given permission to shoot first and ask questions later, and whether the increase in the number of **Border** Patrol agents and the detention of more immigrants have overwhelmed the government's ability to train and oversee officers. If so, there could be "a very disturbing trend starting," said Kathleen Walker, an **El Paso** lawyer serving as national president of the American Immigration Lawyers Association.

ICE spokeswoman Kelly Nantel said that detention officials have acted appropriately and that detention deaths this year are running far below the 29 fatalities reported in 2004, 15 in 2005 and 16 in 2006. U.S. **Border** Patrol spokesman Doug Mosier said that Ortiz had been **caught** crossing the **border** 28 times since 1999 and that Mexican police said he had a criminal history related to narcotics and immigrant smuggling.

Asked about the shooting in **El Paso**, Chertoff said that it is under investigation but added that increased violence is a sign that smugglers are becoming desperate and that enforcement efforts are succeeding. The **Border** Patrol reported 753 assaults against officers between October and July, up 18 percent from the same period a year ago.

But amid the security **crackdown**, city officials said the construction of security facilities and the time-consuming screening of containers, shippers and passengers have only worsened hours-long traffic jams at **border** checkpoints. A DHS requirement that by 2009 those crossing the **border** by land must show passports or similar identification documents is expected to further stall traffic.

"Every major auto manufacturer in the world gets the parts to their cars manufactured in Juarez or Chihuahua, from the wire harness in the dash to the lights in the overhead, the headlights, stereo system, you name it. Just about every component is manufactured here," said Richard Dayoub, president of the **El Paso** Chamber of Commerce.

## Border Crackdown Has El Paso Caught in Middle

"If we take it to a point where the application of these laws in order to more secure our borders slows down commerce from Mexico into the U.S. . . . we'll all feel it throughout our economy," he said.

El Paso area law enforcement officials are divided about the role that local authorities should play in helping overstretched federal agents.

Although they say they take seriously the obligation to fight drug smugglers, human traffickers and criminals who prey on immigrants, El Paso's police chief, Richard Wiles, and the El Paso County sheriff, Lee Samaniego -- like many in the United States -- disagree about whether police should divert scarce resources to track down immigration violators.

"I'm a law enforcement officer. I think people need to follow the rules and the laws," said Wiles, 46, a spokesman for the Major Cities Chiefs Association, whose members lead 63 U.S. police departments. But, he added, "the federal government is responsible to control the borders, to control immigration, and so it needs to step up to the plate and fulfill its responsibility that it's neglected for years and years."

Wiles said city leaders fear that police enforcement of immigration laws will discourage crime victims and witnesses from coming forward and will expose taxpayers to greater legal liability if inadequately trained police officers violate the civil rights of legal U.S. residents.

Samaniego, 70, the dean of a group of 27 county sheriffs along the border from California to Texas, disagrees. Since 2005, he has championed Operation Linebacker, a \$10 million, state-funded effort that in his 1,054-square-mile county has paid about 10 deputies to support Border Patrol officers.

"There are no advocates for regular citizens who live in fear, who are prisoners on their own farms and ranches because of an insecure border," said Samaniego's chief deputy, Jimmy Apodaca, who added that a third of the 45,000 people arrested on state crimes and booked into the county jail in 2004 were illegal immigrants.

Still, Samaniego retreated last year, halting the use of vehicle checkpoints and the practice of referring illegal immigrants accused of no crimes directly to Border Patrol agents. The changes came after the American Civil Liberties Union filed suit, saying citizens' rights were violated, and after 3,000 residents signed a petition calling for the sheriff to resign.

During his two-day trip to El Paso last week, Chertoff acknowledged that he is pushing a new way to get things done at the border, while insisting that he knows that a "one-size-fits-all blanket approach" will not work. "Piling on security by just putting a lot more things on the border" won't resolve the situation unless the United States also cuts down demand for illegal workers in the interior and creates a legal channel of temporary workers, he said.

"We don't want to destroy the border in order to save it," he added.

Still, Chertoff said, steps that will cause unhappiness or serious economic consequences are needed to reestablish Washington's credibility after decades of inaction. Doing nothing about enforcement, he said, "is the approach that bred cynicism" among the American public.

"I recognize we have a situation where we allowed circumstances to develop over 30 years -- frankly with the complicity of the American people, who have been complacent," Chertoff said. Now, he said, "we have to do something about it."

News researchers Aruna Jain and Bob Lyford contributed to this report.

## Graphic

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## Border Crackdown Has El Paso Caught in Middle

IMAGE; By Victor Calzada -- **El Paso** Times Via Associated Press; Sgt. Tony Briscoe of the Texas National Guard repairs a fence along the Rio Grande. Officials in **El Paso** are worried that the city's economic ties to Mexico will be cut.

IMAGE; By Victor Calzada -- **El Paso** Times Via Associated Press; A fence lies east of downtown **El Paso**, where leaders say policymakers in Washington do not understand the city's many cross-**border** connections.

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