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Frustrated, overtaxed Border Patrol agents have this to say

Agents say migrants are more tense and short-tempered after being detained for long periods in overcrowded conditions in Border Patrol holding centers, and many agents have concerns about their own safety.

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El PASO - Border Patrol supervisors were so overwhelmed by the number of immigrants taken into custody along the Southwest border this spring they resorted to an unorthodox way to accelerate their release: They gave agents pre-checked and pre-signed medical forms that cleared unauthorized immigrants and asylum seekers for travel.

The forms appear to have allowed the Border Patrol to bypass required medical checkups of migrants on their way to join sponsors in different parts of the country, including Dallas.

Carlos Favela, executive vice president of National Border Patrol Council Local 1929, which represents more than 1,400 agents, said it's unclear how many immigrants received such forms as they were distributed for at least four weeks. He also said he didn't know how many of the 11 stations in the El Paso Border Patrol sector used them before the practice stopped in mid-June following complaints by the union.

The Border Patrol chief for the El Paso sector, Aaron Hull, said Thursday that he could not comment specifically on the use of the medical forms because, "I'm not sure that was brought to my attention."

"I do know that sometimes agents, just to speed processing, we apply shortcuts," but he stressed that the agency is "always looking for ways to do things efficiently without compromising any of the quality that we do."

But Border Patrol agents say the use of the pre-filled medical forms and the decision to blow the whistle on the practice illustrate a widening divide between agents and supervisors.

Agents, who signed up for law enforcement on the border, say the crisis has almost overnight forced them to become baby sitters and detention officers, without any additional training. They say migrants are more tense and short-tempered after long detentions in overcrowded holding centers -- a situation that has many agents concerned about their own safety.

"This is an impossible mission," said Favela, adding that the union decided to be more vocal to help the public better understand the challenges facing agents. "We can't win with this situation. We're being set up for failure."

The rift between Border Patrol agents and management comes amid the recent exposure of squalid conditions at Border Patrol holding facilities, including the one in Clint and the El Paso del Norte Processing Center. Agents say it is not unusual for two or three of them to supervise 200 to 300 migrants at a time.

Since December, five migrant children and one teen died in U.S. custody, mostly in Texas and New Mexico.

The agents are also struggling with the public backlash from news accounts of hateful, racist postings by some Border Patrol workers belonging to a private Facebook group. And there is a growing feeling among some workers that overtaxed agents are being ignored by an administration in Washington that is pursuing a sweeping immigration crackdown underscored by President Donald Trump's desire for a border wall.

Agents report that crowded conditions at some holding facilities are so bad and stench so strong that agents shower and change out of their uniforms before going home. Many complain of low morale, echoing one of several negative findings in an inspector general's report in May.

About the challenges of overcrowding, squalid conditions, Hull said, “We’re not afraid to address this challenge. But when we say that we need resources, we need staffing, we need facilities, it’s because we need them.”

He said he appreciates the recent \$4.6 billion Congress approved to help address the issues faced by agents.

Rank-and-file agents

To get a more complete picture of conditions confronting the Border Patrol, *The Dallas Morning News* interviewed seven current agents, the majority in the El Paso sector. Most spoke on the condition that their names not be published for fear of losing their jobs. They were not authorized to speak publicly.

Many said they feel the agency in charge of securing the nation’s border is at a breaking point, caught in the grips of partisan fighting between the White House and the Democrat-controlled House. Some say poor planning by management has hurt their operations on the ground.

The vast majority of agents joined the Border Patrol to do just that by providing security along the nearly 2,000-mile southwestern frontier with Mexico, and by manning checkpoints.

These days, one agent said, “our primary duty has become our secondary duty” after taking care of the thousands of immigrants who cross every month, most seeking asylum. He worries that when he’s busy going to Sam’s Club to buy “Oreos, Cheerio, Famous Amos cookies, White Castle hamburgers ... baby food, feminine products” for immigrants in the strained holding cells, even more illicit drugs than normal are transported across the border undetected.

Hull said he’s aware of similar concerns from his agents.

“No one’s going to say they’re happy about that, but I give the agents credit as professionals for working through this and doing it with dignity and continuing to do the kind of things that brings them positive recognition,” he said.

Asked if he would sign up again for the Border Patrol, the agent, whose sibling is also a veteran agent, paused and said, “Probably not. This is not what I signed up for.” He added that given the growing backlash he “doesn’t wear the uniform in public anymore.

“We want the American people to know that we’re trying hard,” he said. “But we need help from the president, the Democrats, Republicans. We need everyone to be on the same page.”

A second agent, who has been with the Border Patrol for almost a decade, likened his duties to that of an “Uber driver,” saying he was required to fetch supplies from local supermarkets and pharmacies.

A third agent who says he “bleeds green” given his loyalty to the agency, said: “We’re gonna do our job because that’s what we’re here to do, but it doesn’t mean that if it’s not right we’re just going to be quiet about it. We need to make it better, and we need to do it to the best of our ability.”

But the agent, the father of a toddler, added: “It’s an injustice what they’ve done to the agents, let alone the aliens ... When you look down you see these little baby girls, little baby boys. They have no clue where they’re at or what’s going on. You can, just by looking at them as a parent, [know] they

haven't probably been changed in 24 hours. When was their last meal? Who knows... That's hurtful on your psyche as a human. You want to give and make that better, but you can't."

The discovery of the Facebook group of agents, first reported by ProPublica, signals bigger frustrations, he said. Several agents noted the views there do not represent the feelings of all Border Patrol agents.

"I have a family, my wife who's my rock and I'm able to vent every night to," said the agent. "Some of these guys have no one but social media. Everyone is frustrated, and this can get dangerous for the migrants and for us."

There's also a psychological toll.

The third agent calls it the "desensitization" of agents. He recalled "standing outside in the sun with Mylar blankets for shade because, oh, nobody ever thought these people are going to be standing on pavement in the sun. It's hot, the desert. How are we going to care for them?" he asked. One migrant fainted in front of the agents.

"These are human lives," said the agent, who described what he would say to his supervisors. "You guys know this is wrong. You guys know we need to make a change, and we need to adjust right now."

Favela, a father of four, said "it's hard" to visit holding facilities like the one in Clint because "you can see your own kids in there. ... These aren't conditions to keep big kids in. Just the fact that you don't have windows. ..."

He said it is especially hard to see messages scrawled on cots by departing children, passed on for incoming kids.

"They write in Spanish," he said. "Some are really well-versed, like little poets." Messages like, "Hang in there. Stay tough. This jail is only temporary." Or, "I pray for you. You'll be OK. You'll be out soon."

Overcrowding and safety

Agents are also concerned about overcrowding and their own safety, especially in all-male holding facilities, some crowded with as many as 700 men, where migrants are kept far past the normal 72-hour limit.

Once migrants cross the border and are taken into custody, agents try to verify each person's identity, put them through national and international criminal background checks, and put those seeking asylum through a credible-fear interview that determines whether they may have a legitimate case.

All migrants undergo "initial medical screenings," said Hull. "We don't want to keep an unaccompanied alien child or any other alien in our custody one second longer than they have to be."

The process usually takes days, but when the Border Patrol is overwhelmed with dozens or even hundreds of arrivals, it can take weeks.

On processing migrants, Hull said, "We have to get them processed: We have to do things as quickly as we can but thoroughly."

But long stays in Border Patrol facilities, agents say, result in a prisonlike environment taking root in some places, complete with “cell, or tent leaders” as detainees form ganglike groups based on their nationality.

Most are Central Americans, but the migrants in the El Paso area include Brazilians, Cubans and Venezuelans. Many Cubans also have military training and are highly organized, causing agents to be especially wary around them after an incident in which one shoved an agent to the floor.

“They’re also making shanks out of toothbrushes,” Favela said.

Many of the agents’ stories reinforce an inspector general’s report, which stated in May that “overcrowding and prolonged detention represent an immediate risk to the health and safety not just of the detainees, but also ... agents and officers” of the Department of Homeland Security, which includes the Border Patrol.

“Overcrowding is bad news for everyone,” said Hull.

“We’re not happy about the influx, not being able to provide the care, not being able to transfer them over as soon as we can, of not having enough people to work the line or work the checkpoints,” Hull said.

The inspector general’s report noted that management at the site -- one of the five facilities in the El Paso sector -- said “there is a high incidence of illness among their staff.” It said management also “raised concerns about employee morale and that conditions were elevating anxiety and affecting employees’ personal lives.” Many agents, the report said, had “accelerated their retirement dates, while others were considering alternative employment opportunities.”

“Morale is in the gutter,” the report said.

Asked about morale, Hull said:

“I credit the agents for their morale being as good as it is. No one’s happy about this situation here in El Paso from me starting on down. But it’s the reality of what everyone is facing.”

But Favela points to the pre-signed medical forms as a glaring example of bottled-up frustration and mistrust between management and agents.

He said an agent in the Las Cruces, N.M., Border Patrol station brought a copy of the form to the union’s attention and explained that the Border Patrol supervisor had a stack of forms piled up on a desk, already signed and marked for medical clearances. The form, a copy of which was obtained by *The News*, was dated May 9, 2019, at the peak of the surge of migrants.

It indicated that the newly arrived migrant required no medication and that the “subject is cleared for travel.” Favela said he notified the sector about the form in person and via email and urged them to “stop immediately.”

“You can see, I guess, the frustration of trying to get the people through as fast as possible, and that may have triggered this, but it’s still not right,” Favela said, adding that he doesn’t believe there was “malice” behind the practice, just overwhelmed management. “This puts the immigrants and agents at risk. And also communities at risk.”

The political question

Border Patrol agents know the huge influx of mostly Central American immigrants is a real crisis. But most blame politics for making that crisis, and their jobs, far worse.

They say that by focusing on building a border wall, the Trump administration has overlooked the most vital element ensuring a secure border: agency personnel, some of whom are beset by low morale, many eager for early retirement even as the Border Patrol fights a high attrition rate.

“The wall is pointless,” said the agent who worries about increased drug smuggling. “Do you want the wall or do you want more agents? I’ll take more agents because we don’t need the wall.”

He noted that right now, migrants are “walking up and saying, ‘We’re here.’ They’re not jumping a wall. They’re not jumping fences. They’re not running from us. They’re turning themselves in, so what would a wall do?”

“Everything you see today that is broken is a consequence of what we’re seeing in politics,” said Victor Manjarrez, Jr., who served as Border Patrol sector chief in both El Paso and Tuscon between 2007 and 2011. Now he is associate director for the Center for Law and Human Behavior at the University of Texas at El Paso. “Politics has a big impact on the agents,” he added.

Hull insists the agency is apolitical: “We are focused on protecting the border, protecting the people of the United States, doing our jobs professionally and humanely. To us, this is not a political or emotional conversation. It’s a border security conversation. We do the best we can to stay out of that.”

With the flow of migrants falling by as much as 28% along the border in June - 51% in the El Paso sector alone - Favela hopes the agency can take a step back, learn from past mistakes and focus on planning for the next crisis.

In the El Paso sector, apprehensions declined dramatically, from 38,630 in May to 18,878 in June, a fall that Hull credits to interagency cooperation and stepped-up efforts by Mexico. Under a tariff threat by Trump, Mexico posted some 21,000 national guardsmen on its southern and northern borders to “rescue” migrants and keep them in Mexico or return them to Central America.

Despite the lull, Hull said, “We’re accessing the path forward. We’re not declaring victory.”

Favela and other agents predict the downward trend won’t last. The summer heat will cool off and smugglers will adjust to new tactics implemented by the U.S. and Mexican governments, including the Mexican national guard and the Trump administration’s unilateral attempt to force migrants to apply for asylum in countries south of the United States.

It is too early to see any effect of the policy on the border. The migrants are still arriving, and the Border Patrol is detaining them.

“Call it a mini-vacation, but this ain’t over,” said the agent who has been with the Border Patrol for almost a decade.

Favela and other union members say they have been sounding the alarm within the agency for nearly a year and their concerns about conditions “have fallen on deaf ears.”

Hull, the El Paso sector chief, concedes that the situation is “challenging for agents. Agents are tough or they wouldn’t and couldn’t do this job. The reality is they swore an oath to protect the constitution of the United States to enforce the laws passed by Congress.”

But going forward, Favela said, he hopes the agency stays “neutral in politics. It serves the agents better, and it serves the mission better.”

Is the political noise destroying the Border Patrol?

“It’s not helping I’ll tell you that,” he responded.

Alfredo Corchado reported in collaboration with Angela Korcherga of the Albuquerque Journal.