**ABUSE AND LACK OF ACCOUNTABILITY AT THE U.S-MEXICO BORDER**

***New Report Recommends Key Reforms for U.S. Border Agencies***

*Border Patrol has the right to apprehend someone, but in the proper way, not wrongfully. Many people are afraid of the Border Patrol. Thanks be to God- He gave me the strength to endure and overcome what they [Border Patrol] did to me…*

**“Marco Antonio” who filed a complaint after Border Patrol hit him and ran over his leg on a four-wheeler**

**FOR IMMEDIATE RELEASE**

**Washington D.C and Nogales, Arizona, August 2, 2023  -** A new report, *Abuses at the U.S.- Mexico Border: How To Address Failures and Protect Rights* by two organizations with years of experience documenting cases at the U.S.- Mexico border, the Washington Office on Latin America (WOLA) ([link to WOLA database](https://borderoversight.org/)) and the Kino Border Initiative (KBI) ([link to KBI studies](https://www.kinoborderinitiative.org/abuse-documentation/)), finds that U.S. Customs and Border Protection (CBP) and its Border Patrol (BP) agency have a persistent problem of violating human rights without accountability.

While many, if not most CBP officers and Border Patrol agents follow best practices, the study shows frequent and severe alleged abuses. Existing investigations and disciplinary actions do not bring justice for victims and are not credible enough to change abusive behavior.

“We have documented a shocking pattern, including cases of misuse of lethal force, intimidation, sexual harassment, and falsifying documents,” said WOLA’s Adam Isacson. “The lack of accountability is so widespread that it helps cement in place a culture that enables human rights violations. The abuses keep coming because impunity is so likely.”

Investigations are sometimes initiated within the U.S. government, but many abuses would not come to light without the work of outside actors like journalists, whistleblowers, human rights defenders, and the victims themselves. Moreover, the accountability process is bewildering, opaque and slow-moving. Cases commonly lead nowhere, leaving victims without justice and undermining the credibility of the U.S. Department of Homeland Security (DHS).

One “outside actor” that works vigorously to seek accountability is KBI, based in Nogales. In 2022, KBI (which has helped migrants use the DHS accountability process since 2015) received 615 reports of abuse by U.S. authorities, experienced by 10 percent of new arrivals. This study specifically tracks the outcome of 78 complaints KBI filed on behalf of migrants between 2020 -2022, finding that 95 percent  led  to no proper investigation or disciplinary action and only one percent of these cases were referred for an unspecified disciplinary action. This is consistent with internal government reports that indicate that 70 percent of complaints are not investigated.

“It is hard to tell someone who has just experienced an abuse by Border Patrol that they should file a complaint, only to explain to them that in the vast majority of cases, we never hear anything back and agencies take no accountability action, “said KBI’s Zoe Martens. “First, a migrant person experiences this abuse, and then the detailed testimony they gave explaining the mistreatment disappears into an opaque web of accountability offices and their databases.”

Drawing on vast first-hand experience, conversations with advocates and officials in the field, and in-depth analysis of existing literature, the researchers identify frequent “failure points” in the maze of overlapping accountability agencies within DHS.

The report provides more than 40 detailed recommendations on how to improve the accountability process within DHS, including reforms to the process for complaints, investigations, and discipline, more energetic congressional oversight, and reforms to the CBP and Border Patrol organizational culture.

The authors conclude: “We believe that it is possible to enact common-sense reforms that stop cruelty and align border governance with democratic values, even at a time when larger national debates on border and immigration policy are polarized.”

*The* [***Kino Border Initiative***](https://www.kinoborderinitiative.org/) *(KBI) is a bi-national organization located in Nogales, Arizona and Nogales, Sonora, Mexico. KBI provides humanitarian aid to migrants in Nogales, Sonora and engages in education and advocacy on both sides of the border with a vision of promoting humane, just, and workable migration.*

[***WOLA***](https://www.wola.org/)*is a leading research and advocacy organization advancing human rights in the Americas. We envision a future where public policies protect human rights and recognize human dignity, and where justice overcomes violence. WOLA tackles problems that transcend borders and demand cross-border solutions. We create strategic partnerships with courageous people making social change—advocacy organizations, academics, religious and business leaders, artists, and government officials. Together, we advocate for more just societies in the Americas.*

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