

US Border Patrol murders Mexican teenager

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In the second killing of a Mexican citizen by the US Border Patrol in less than two weeks, an agent shot and killed a 15-year-old youth Monday evening at the El Paso, Texas-Ciudad Juárez crossing.

Sergio Adrián Hernández Güereka, who had just graduated from Juárez Junior High School, was shot in the head on the Mexican side of the Rio Grande River.

US authorities on Tuesday claimed Hernández was part of a group of Mexican nationals who had tried to illegally cross into the US. After two of them were detained, US authorities claim, Hernández and others surrounded a border agent and pelted him with rocks before the agent fired in self-defense.

Eyewitnesses, including a US citizen crossing over the Paso del Norte Bridge at the time, refuted these claims, saying Hernández had not thrown any rocks and that the agent shot the teen in the head while his hands were up in the air.

The young boy is the latest victim of the militarization of the border, which has escalated under the current administration. President Obama recently ordered the deployment of another 1,200 National Guard troops to the US-Mexico border. Mexico's Foreign Relations Department said the number of Mexicans killed or wounded by US immigration authorities rose from five in 2008 to 12 in 2009 to 17 so far this year, in a little more than five months.

Anastasio Hernández Rojas, a Mexican immigrant construction worker and father of five, died in a San Diego hospital May 31 after a brutal beating and tasing by US Border Patrol agents at the San Ysidro crossing between San Diego and Tijuana. The San Diego medical examiner's office ruled the death of the 42-year-old worker a homicide. (See: "Mexican immigrant beaten to death by US Border Patrol")

Following Monday's shooting, a spokesman for the Chihuahua state attorney general's office said a spent .40-caliber shell casing was found near the teenager's

body on the Mexican side of the river. This raises the question of whether the US agent illegally crossed into Mexico to fire the fatal shot, which would open him to a possible Mexican homicide prosecution.

An unnamed US official who spoke with the Associated Press claimed video evidence showed the border agent had not crossed the border. Instead, he went so far as to claim that the video showed Mexican law enforcement officers walking across to the US side, "picking up an undetermined object and returning to Mexico near the area where the boy's body was," according to the AP account of the interview.

Eyewitnesses at the scene described the cold-blooded murder of the teen.

Bobbie McDow, a 53-year-old US citizen, said she witnessed the shooting while walking across the Paso del Norte Bridge around 6:30 p.m. According to the *El Paso Times* she said she stopped to look down and to view a group of young men try to cross the border. US agents arrived and detained two men, while the others crossed the nearly dry riverbed back into Mexico.

McDow said she saw one young man—not Hernández—make a throwing motion before the agent opened fire. "At first, I didn't think anyone was hit. I thought he missed," she said. "As I was looking down there I saw something lying by the Black Bridge. Then I realized the body was not moving and I got very upset." McDow said she called 911 in El Paso. "I never expected it to escalate like that. I never saw that coming, that there would be a shooting over this. I'm not saying they (the teens) did the right thing, but kids are kids. It's like a little game of cat and mouse."

McDow's husband, Raul Flores, told the *Wall Street Journal* that he saw Hernández emerge from behind a pillar on the Mexican side of the border with his hands up before the agent shot him.

The FBI acknowledged that the unnamed border agent fired several shots. A Border Patrol spokesman

said no agents were hurt. Other agents defended the brutality, saying that “rocking” posed a deadly danger to border agents. T.J. Bonner, president of the National Border Patrol Council, said agents are not trained to fire into the air, because that could result in a stray bullet that injures an unintended target. “They have a split second to decide what to do,” Bonner told the *El Paso Times*. “There’s an old adage in law enforcement, that it’s better to be tried by 12 than to be carried by six.”

Relatives and friends of the slain youth denounced the murder at a vigil late Tuesday at the family’s two-room house on an unpaved street just outside of Ciudad Juarez, the AP reported. “Damn them! Damn them!” said, Rosario Hernández, sister of the dead teenager.

She told Associated Press Television News that her brother was playing with several friends and did not plan to cross the border. “They say that they started firing from over there and suddenly hit him in the head,” she said.

His father, Jesus Hernández, said the youth was just hanging out on the river and was not part of a group that tried to cross into the US. “They killed my little boy and the only thing I ask is for the law” to be applied.

Referring to the fact that border agents enjoy virtual immunity for such crimes, the teenager’s mother, Maria Guadalupe Güereka, said, “May God forgive them because I know nothing will happen” to them. She added that her son never got in trouble, was the youngest of five children who played on two soccer teams and just finished secondary school with high grades.

Maria said her son had gone to eat with his brother, who handles luggage at a border customs office. While there, he met up with a group of friends and they decided to hang out by the river, she said. “That was his mistake, to have gone to the river,” she said in an interview with Mexico’s Milenio TV. “That’s why they killed him.”

With anger against the brutal killing growing on both sides of the border, Mexican officials responded with their usual words of condemnation and indignation, while reaffirming their commitment to jointly police the border with the US government.

Mexican President Felipe Calderon said Tuesday his government “will use all resources available to protect

the rights of Mexican migrants.” The government, he said, “reiterates its rejection to the disproportionate use of force on the part on US authorities on the border with Mexico.”

The governor of Chihuahua on Tuesday condemned the killing and charged that the death was due to the “xenophobic and racist conduct derived from the approval of the anti-immigrant law S.B. 1070 in Arizona.”

The US State Department issued a perfunctory statement Tuesday that it regretted the loss of life and that the slaying was under investigation. The FBI is leading the investigation because it has jurisdiction “for any assault on federal officers.”

Immigrant rights groups in the US denounced the brutal killing. Fernando Garcia, the executive director of the El Paso immigrant rights group Border Network for Human Rights, said, “It is clear to us that Border Patrol agents do not use restraint. We’re talking about a kid here.”

“We see a lot of rookie agents, because we are massively enforcing the border,” Garcia added. “There are now 20,000 Border Patrol agents, and they are not being trained well to respect the lives of people.”

Garcia said, “We are holding the Obama administration accountable,” and charged that his policies were “exacerbating” the violent reality on the border.



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