

San Diego immigrant mother released from detention, father remains in custody

Our reporters

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On Friday, Rosenda Perez, an immigrant mother of four children from San Diego, was released on \$15,000 bail from the Otay Mesa Detention Center run by the for-profit CoreCivic, formerly known as Corrections Corporation of America.

Perez had been separated from her family for almost a month since she and her husband were arrested by California Border Patrol on May 23. Her husband, Francisco Duarte, remains imprisoned in the Otay Mesa jail, while representatives of the family told media outside the facility that they are appealing his case.

The Duarte family would have been another statistic in the Trump administration's war on immigrants had it not been for the efforts of the children, including the oldest, 19-year-old Francisco Jr., to post their story on social media where it has been followed around the world.

A GoFundMe account was set up to help pay living expenses for the family, since Francisco Jr. was the only one left to care for his three younger siblings. The page raised more than \$70,000 in the first week, mostly small donations from neighbors, friends, activists, teachers and anonymous contributors.

The couple had lived in the US for over 20 years running an ice cream business in National City, adjacent to the US-Mexico border. The Border Patrol was later forced to admit that neither has a criminal record and had not been charged with any crime, other than being undocumented immigrants.

At Friday's bail hearing, members of the media, including a reporting team from the *World Socialist Web Site*, were not allowed to take any cameras or recording devices onto the property of the Otay Mesa Detention facility, where an estimated 3,800 souls in the custody of ICE and US Marshals languish under the hot desert sun.

The jail is run by the re-branded for-profit private contractor Correction Corporation of America, or as it is now known CoreCivic. The widow of a Mexican man

who died from medical neglect at the same facility is now suing the federal government and CoreCivic for ignoring his pleas for help. He died from complications of pneumonia, despite being in their care for weeks.

Due to such bad publicity the company decided to rebrand itself as CoreCivic, and now with the Trump administration in office, business is booming. Since inauguration day, 41,000 people have been arrested for immigration status by federal agents, an increase of 40 percent since the same period a year ago. Of this group, one quarter did not have a prior criminal record. This represents a doubling of noncriminals arrested by agents since last year.

Whereas the Obama administration was equally heartless to immigrant families (the number of detained immigrants is less than its height in 2014), for electoral purposes Obama decided to lessen the attacks on immigrants in time for the 2016 elections. With Trump now in office, the gloves are off, and immigrant families like the Duartes, with deep ties in the community and many with US citizen children, are considered fair game once again.

To describe the Otay Mesa Detention Facility as Orwellian is an understatement. Located only a few miles from the US-Mexico border, it is surrounded by an electrified fence and razor wire. The WSWS reporters were not even allowed to take notes of the proceedings. A guard constantly drove around the parking lot staring down reporters.

The bail hearing itself had an unmistakably authoritarian and anti-democratic feel to it as well. The mother and father were not allowed to make any eye contact with or physical gestures toward their children, from whom they have been separated for the better part of a month.

Not everyone was allowed into the court chamber, in order to make room on the benches for the next batch of

d detainees and government agents. The entire proceedings had an intensely rushed character, with the judge constantly invoking time limits for the defense.

Francisco and Rosenda were dehumanized and referred to as “illegal aliens” throughout the hearing. The government attorney constantly interrupted the defense and accused the parents of running a human smuggling operation, even going so low as to accuse the Duartes of exploiting immigrants in their ice cream cart business and charging them half of their pay for rent.

These accusations were based on the single testimony of “an unnamed individual” from an unrelated case. The history of modern jurisprudence, where an individual is “presumed innocent, until proven guilty,” was turned on its head. The Duarte parents had to prove they were *not* human smugglers and were *not* exploiting their friends and neighbors. The right to face one’s accusers was entirely dispensed with as well.

The “hearing” had a definite political logic: to present a semblance of legality while deporting as many people as humanly possible. One can only imagine the suffering and injustice taking place out of sight within the jail walls.

Bail was granted to Rosenda at an exorbitant \$15,000. Francisco was determined by the judge to be a “flight risk” and remains imprisoned. The children, who had planned to make statements in their parents’ defense, were denied the opportunity by the judge who did not find it relevant to the case.

Ruben Salzar (no relation to the late journalist), made a brief statement to reporters after the hearing vowing to continue the fight to release Francisco as well: “We must continue to fight, immigrant rights are human rights.” Benjamin Prado, another representative of the family, questioned the Border Patrol accusations of human smuggling, saying, “We feel that it’s a method to slander a family that’s hard-working.”



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