Deadly crash in southern Texas kills ten migrants

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A van overloaded with migrants crashed south of Encino, Texas, approximately an hour north of the US-Mexico border late Wednesday afternoon, killing ten people on the spot and leaving twenty others seriously injured. According to a statement released by Texas Highway Patrol, the crash occurred when the Ford van's driver tried to make a turn and fatally hit a metal utility pole.

Brooks County Sheriff Urbino Martinez claimed that the accident happened because the vehicle was "top-heavy and tipped over when the driver lost control on a curve." The statements from various authorities highlighted the fact that 29 of the 30 passengers were undocumented migrants.

While authorities have declared that the van was not being pursued, the first to respond to the crash were members of BORTAC, short for Border Patrol Tactical Unit, a special operations unit within Customs and Border Protection comparable to military special forces. In addition to operating in border areas, BORTAC agents were deployed by President Donald Trump to suppress protests against police violence in Portland, Oregon, in July 2020.

This is not the first, or even the worst, crash involving undocumented migrants in recent months. In early March, thirteen people including the driver died when a SUV packed with at least 25 undocumented migrants collided with a semi-truck near the US-Mexico border in California. The same month, eight migrants were killed when a pickup truck crashed into another truck in southwestern Texas after a 50-mile police chase.

In June 2020, several people were killed when a car attempted to flee Border Patrol vehicles giving chase in El Paso, Texas. Prior to that, in 2019 a police chase in rural south Texas resulted in six deaths and five people charged with migrant smuggling. In July 2012, in one of the worst border-related crashes of the last decade, a Ford pickup crammed with more than twenty undocumented adults and children struck two trees, killing 15 people, including an 8-year-old girl, in Texas.

Car crashes in the border area are not uncommon and usually have been the result of vehicles trying to flee the Border Patrol. In this case, statements from Highway Patrol, the County Sheriff's office and Texas Department of Public Safety made it a point to reiterate that they had not been giving chase and that this was a "single-vehicle crash" that resulted from the driver losing control of an overcrowded vehicle that was not designed to hold more than 15 people. At a technical level, that might be true. It, however, still evades the question of why such situations seem to unfold with frightening frequency.

The immediate context for the Texas crash is the Executive Order issued by Gov. Greg Abbott last week. Abbott, a Republican, issued the order to insist that "no person, other than a federal, state, or local law-enforcement official, shall provide ground transportation to a group of migrants who have been detained by CBP [Customs and Border Protection]." The order also directed the Texas Department of Public Safety to stop any vehicle that they believe could be transporting migrants. In effect, the order gave a free rein to precisely the kind of chases that result in deadly crashes.

As Felicia Rangel-Samponaro, the founder and director of the Sidewalk School for Asylum Seekers, told the *New York Times*, the order "scared off" licensed drivers who transported migrants in the Rio Grande Valley, leaving them to make their own arrangements, which were even more dangerous.

There has been a dramatic increase in the number of

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migrants trying to enter the United States from the southwestern border in the past few months. CBP places the number of migrants encountered in June at 188,829. Many of the encounters are happening along the border in Texas, with the Rio Grande Valley area seeing the largest numbers.

This has been seized on by various Republican officials in Texas as an opportunity to paint their state as being imperiled by hordes of migrants. On Wednesday, McAllen Mayor Javier Villalobos, a Republican, posted a message on Facebook blaming the Biden administration for releasing "1,800 migrants a day, 15% of whom test positive for COVID" and causing "substantial problems to the great city of McAllen."

Governor Abbott reiterated this claim while defending his Executive Order: "As the Governor of Texas, I have a responsibility to protect the people of Texas—a responsibility that grows more urgent by the day while the Biden Administration sits on the sidelines… Until President Biden and his Administration do their jobs to enforce the laws of our nation and protect Americans, the State of Texas will continue to step up to protect our communities and uphold the rule of law."

This picture of a pro-immigrant Biden administration, however, bears no resemblance to reality. The Biden administration has turned away the majority of migrants coming to the border using the cover of a policy called Title 42, which was initiated by the Trump administration. Title 42 allows CBP officials to expel migrants under the guise of preventing the spread of COVID-19 in holding facilities. But, even this has been seen as insufficiently rigorous within the Biden administration for turning away immigrants.

Earlier this week, the Department of Homeland Security (DHS) reinstated a policy that allows immigration authorities to target migrant families that do not fall under Title 42 and send them back without a hearing. Announcing the reinstatement last week, the department issued a statement declaring: "The expedited removal process is a lawful means to securely manage our border, and it is a step toward our broader aim to realize safe and orderly immigration processing… By placing into expedited removal families who cannot be expelled under Title 42, we are making clear that those who do not qualify to remain in the United States will be promptly removed."

The first flights deporting families began a week ago, and sent migrants back to Honduras, El Salvador and Guatemala. DHS announced that 73 individuals have been placed on these flights, noting righteously that these flights sent the message that crossing between a port of entry or avoiding inspection at ports of entry "is the wrong way to come to the United States." Given that successive US administrations have restricted asylum laws, tightened the screws on refugees and made it virtually impossible for desperate migrants fleeing violence, wars and poverty—caused in large measure by US policies in the region over decades—to find legal recourse, one wonders what the "right way" to come to the United States looks like.

As Dylan Corbett, the founding director of the Hope Border Institute in El Paso, told the *New York Times*, "People who make the journey and choose this know they are putting their lives in danger… but they don't have many options."

The usual response of the US government to tragic accidents such as the one that happened on Wednesday in Texas has largely taken the form of bemoaning the evils of human trafficking and a ramping up of militarized border policing.

After the California crash in March, acting US Attorney Randy Grossman claimed: "Cramming dozens of people into eight-passenger vehicles and driving recklessly to avoid detection shows an utter disregard for human life… We will find and prosecute smugglers who use these methods and cause such tragic and avoidable deaths." The irony of a representative of the Biden administration, which has overseen not just the continuation of inhumane anti-immigrant policies, but also the "tragic and avoidable" deaths of several hundred thousand during this pandemic, making such statements cannot be lost on the reader.

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