

## **A Humanitarian Crisis at the Border: New Estimates of Deaths Among Unauthorized Immigrants**

by

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For almost a decade now, there has been an unprecedented increase in the number of deaths each year among unauthorized border-crossers in the deserts and mountains of southern Arizona. Various academic and government studies have estimated that over 1,000 bodies of men, women, and children have been found in this inhospitable terrain bordering Mexico. Experts, including the U.S. Government Accountability Office (GAO), now explain this crisis as a direct consequence of U.S. immigration-control policies instituted in the mid-1990s.<sup>1</sup>

The Binational Migration Institute (BMI) of the University of Arizona's Mexican American Studies and Research Center (MASRC) has undertaken a unique and scientifically rigorous study of all unauthorized border-crosser (UBC) deaths examined by the Pima County Medical Examiner's Office (PCMEO) from 1990-2005.<sup>2</sup> Because the PCMEO has handled approximately 90 percent of all of the UBC recovered bodies in the U.S. Border Patrol's Tucson Sector, an analysis of such deaths serves as both an accurate reflection of the major characteristics of all known UBC deaths that have occurred in this sector since 1990.

A reliable analysis of known UBC deaths in the Tucson Sector is important for many reasons. Most important, however, is the fact that, according to available figures produced by the U.S. government and the academic community, a comparison of the totals of such deaths for each of the nine Border Patrol sectors along the U.S.-Mexico border shows that the Tucson Sector has been the site of the vast majority of known UBC deaths in the new millennium. The results of the BMI study, which are confirmed by comparable research, show that there has been a dramatic increase in the number of UBC recovered bodies in the Tucson Sector from 1990 to 2005, thereby creating a major public health and humanitarian crisis in the deserts of Arizona. Moreover, official Border Patrol statistics on UBC deaths significantly undercount the actual number of deaths.

### **The "Funnel Effect"**

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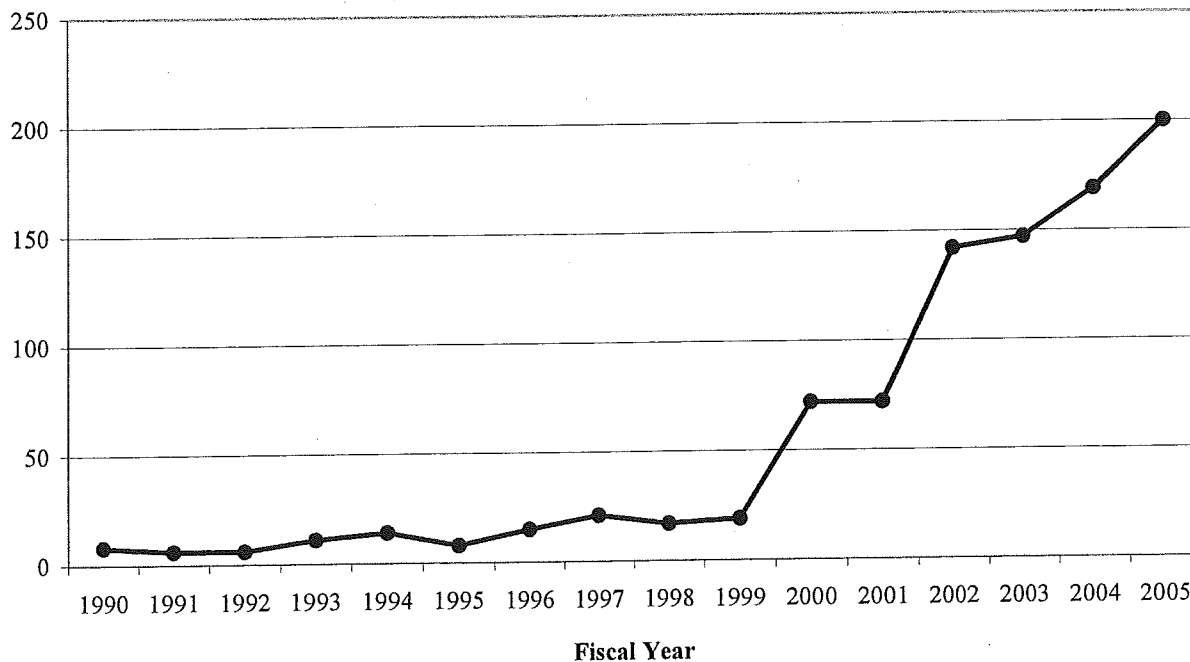
<sup>1</sup> U.S. Government Accountability Office, *Illegal Immigration: Border-Crossing Deaths Have Doubled Since 1995; Border Patrol's Efforts to Prevent Deaths Have Not Been Fully Evaluated* (GAO-06-770), August 2006, p. 7-9; Douglas S. Massey, Jorge Durand & Nolan J. Malone, *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration*. New York, NY: Russell Sage Foundation, 2002, Chapter 6.

<sup>2</sup> Raquel Rubio-Goldsmith, M. Melissa McCormick, Daniel Martinez & Inez Magdalena Duarte, *The "Funnel Effect" and Recovered Bodies of Unauthorized Migrants Processed by the Pima County Office of the Medical Examiner, 1990-2005 (Report Submitted to the Pima County Board of Supervisors)*. Tucson, AZ: Binational Migration Institute, Mexican American Studies and Research Center, University of Arizona, October 2006.

In the mid-1990s, the U.S. government implemented a “prevention through deterrence” approach to immigration control that has resulted in the militarization of the border and a quintupling of border-enforcement expenditures. While, by every possible measure, not resulting in an overall decrease in the number of unauthorized migrants crossing into the United States, increased border barriers, fortified checkpoints, high-tech forms of surveillance, and thousands more Border Patrol agents stationed along the southwest border have closed off major urban points of unauthorized migration in Texas and California and funneled hundreds of thousands of unauthorized migrants through southern Arizona’s remote and notoriously inhospitable deserts and mountains.<sup>3</sup>

The BMI study was designed specifically to measure this “funnel effect” created by U.S. immigration-control policies. The BMI study found that there has been an exponential increase in the number of UBC recovered bodies handled by the PCMEO from 1990 to 2005 {Figure 1}. Over this period of time, the PCMEO has examined 927 UBC recovered bodies, which, according to the U.S. Government Accountability Office (GAO), account for at least 78 percent of the unprecedented increase in known UBC deaths along the entire southwest border of the United States from 1990-2003.<sup>4</sup>

**Figure 1: Bodies of Undocumented Border Crossers Examined by PCMEO, FY 1990-2005**



Source: PCMEO.

BMI’s findings unambiguously confirm previous evidence that U.S. border-enforcement policies did create the “funnel effect” and that it is indeed the primary structural cause of death for thousands of unauthorized men, women, and children from Mexico, Central America, and

<sup>3</sup> Douglas S. Massey, *et al.*, 2002, Chapter 6; Wayne A. Cornelius, “Controlling ‘Unwanted’ Immigration: Lessons from the United States, 1993-2004,” *Journal of Ethnic and Migration Studies* 31(4), July 2005: 775-794.

<sup>4</sup> U.S. Government Accountability Office, August 2006, p. 17.

South America who have tried to enter the United States. During the “pre-funnel effect” years (1990-1999), the PCMEO handled, on average, approximately 14 UBC recovered bodies per year. In stark contrast, during the “funnel effect” years (2000-2005), on average, 160 UBC recovered bodies were sent to the PCMEO each year. Over 80 percent of the UBC individuals handled by the PCMEO have been under the age of 40, and there is a discernable, upward trend in the number of dead youth under the age of 18. There also has been a statistically significant decrease in the number of UBC recovered bodies from northern Mexico and a significant increase in the number of such decedents from central and southern Mexico.

## **A Humanitarian Crisis**

The rising number of UBC deaths along the U.S.-Mexico border coinciding with intensified militarization and fortification of the border has long been decried by national and international human rights and humanitarian-aid groups, among others. In the summer of 2006, then-Senate Majority Leader Bill Frist (R-TN) referred to it as a “humanitarian crisis.”<sup>5</sup> Researchers at the Centers for Disease Control and Prevention (CDC) have concluded that it is “emerging as a major public health issue.”<sup>6</sup>

It is conservatively estimated that the bodies of roughly 3,000 unauthorized border crossers were recovered on U.S. soil from 1995-2004.<sup>7</sup> Wayne Cornelius, a leading scholar of immigration issues at the University of California, San Diego, describes the body count in these terms: “To put this death toll in perspective, the fortified US border with Mexico has been more than 10 times deadlier to migrants from Mexico during the past nine years than the Berlin Wall was to East Germans throughout its 28-year existence.”<sup>8</sup> And there is no indication that the massive amount of suffering and death along the U.S.-Mexico border will come to an end any time soon. According to the GAO, for instance, there were more deaths along the border in the first 9 months of 2006 (291) than in the first 9 months of 2005 (241).<sup>9</sup>

Primarily due to methodological limitations, however, previous research does not provide a fine-grained portrayal of such deaths in Arizona or elsewhere. Furthermore, other studies were not specifically designed to test the assumed structural correlation between the “funnel effect” created by U.S. immigration-control policies and the increase in known migrant deaths in Arizona. No previous research focuses on the UBC recovered bodies processed by the overburdened PCMEO, which is conservatively estimated to have handled more than 90 percent of all the recovered bodies of unauthorized border crossers in the Border Patrol’s Tucson Sector, the site of the vast majority of such known deaths since 1995.<sup>10</sup>

## **Border Deaths are Undercounted**

<sup>5</sup> Eric Swedlund, “Frist urging formal ways to gauge migrant deaths,” *Arizona Daily Star*, March 30, 2006.

<sup>6</sup> Sanjeeb Sapkota, *et al.*, “Unauthorized border crossings and migrant deaths: Arizona, New Mexico, and El Paso, Texas, 2002-2003,” *American Journal of Public Health* 96(7), July 2006: 1282.

<sup>7</sup> Wayne A. Cornelius, July 2005, p784.

<sup>8</sup> *ibid.*, p. 783.

<sup>9</sup> U.S. Government Accountability Office, August 2006, p. 16.

<sup>10</sup> According to BMI’s analysis of PCMEO UBC autopsy reports for 2005, for instance, 93% (201) of all known UBC recovered bodies in the Tucson Sector for that year (216) were processed by the PCMEO.

Of all the published counts of UBC recovered bodies across the U.S.-Mexico border, official U.S. Border Patrol figures are the least inclusive, resulting in the smallest reported totals year after year. A GAO comparison of yearly totals from 2002-2005 produced by PCMEO and the Border Patrol for all known UBC deaths occurring in Pima County reveals serious discrepancies. In the GAO's estimation, the Border Patrol undercounted known deaths in 2002 by 44 (32 percent), in 2003 by 56 (43 percent), and in 2004 by 46 (35.4 percent). In 2005, when the Border Patrol started to more fully integrate PCMEO data, they only undercounted the total of known UBC deaths in Pima County by 1, according to the GAO.<sup>11</sup> However, the GAO's finding for 2005 is questionable. A review of medical-examiner records by the *Arizona Daily Star*, for instance, produced an estimate of UBC deaths for all of Arizona in 2005 (221) that was significantly higher than the Border Patrol's total count for the state (172).<sup>12</sup>

The inaccuracy of Border Patrol figures appears to be primarily a consequence of a very narrow set of criteria for classifying a death as a UBC death. In general, a death is included in the Border Patrol count only if it: 1) occurs during the furtherance of an illegal entry; 2) occurs within the Border Safety Initiative (BSI) "target zone" (which includes 45 counties on or near the U.S.-Mexico border—or 9 of the 20 Border Patrol sectors); and 3) occurs outside of the BSI "target zone," but the Border Patrol was directly involved in the case.

Each of these criteria necessarily results in an undercount of known UBC deaths. First, determining when a UBC has reached his or her destination and is no longer in furtherance of an illegal entry can be very difficult to ascertain. It can actually take some unauthorized migrants many months and many stopovers in various places before they reach their final destinations. Some even take on short-term employment in one location as, for instance, agricultural workers before settling in another location. This limitation also excludes unauthorized migrants who reside in the United States, but who still, on occasion, travel back and forth across the U.S.-Mexico border for various reasons.

Second, the Border Patrol also omits known UBC deaths by restricting their count to cases occurring within the BSI "target zone" or those in which the Border Patrol has been directly involved. As a result, for example, many of the UBC bodies recovered by tribal officials on Tohono O'odham lands southwest of Tucson have not been counted by the Border Patrol. It has been estimated that almost two-thirds of Arizona's crossing fatalities in 2002 occurred within the boundaries of the Connecticut-sized reservation of the Tohono O'odham nation.<sup>13</sup>

Serious researchers who attempt to estimate the number of unauthorized border crossers who have died point out that the actual number of migrant deaths is, at present, unknowable. Most assume that there are actually far more deaths than have been discovered, especially given the relative invisibility and covert circumstances of deaths that occur in the remote, inhospitable

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<sup>11</sup> U.S. Government Accountability Office, August 2006, p. 14.

<sup>12</sup> Eric Swedlund, "Frist urging formal way to gauge migrant deaths," *Arizona Daily Star*, March 30, 2006.

<sup>13</sup> U.S. Commission on Civil Rights, August 23, 2002, Executive Summary of The Briefing Before the Arizona Advisory Committee to the U.S. Commission on Civil Rights. "Tragedy Along the Arizona-Mexico Border: Undocumented Immigrants Face the Desert," p. 7. Available at [www.usccr.gov](http://www.usccr.gov); Rozemberg, H. & S. Carroll, "45% of Crossing Deaths Occur Along Arizona Border," *Arizona Republic & Tucson Citizen* (azcentral.com), October 3, 2002.

areas. The Border Patrol, on the other hand, suggests that most UBC deaths ultimately are discovered. However, the Border Patrol's logic regarding this issue is problematic given the history of its own counts.

### **The BMI Study**

As a step towards improving the accuracy of available data on UBC deaths, BMI has undertaken an analysis of computerized and hardcopy autopsy reports recorded by the PCMEO. To the best of our knowledge, the BMI study is the first in-depth analysis of autopsy reports produced by a medical examiner's office over a long enough period of time (1990-2005) to allow a scientific assessment of how the nature and character of such deaths have changed since the implementation of prevention-through-deterrence border-enforcement policies in the mid-1990s.

BMI classified a decedent as a UBC if a convincing combination of some or all of the following criteria had been established by various authorities: lacked a U.S. Social Security number, lacked a permanent U.S. place of residence, Hispanic ethnicity, foreign-born, foreign nationality, foreign residency, foreign next-of-kin, died while in transit from Mexico to a destination in the United States, body located in a well-known migrant corridor or found with or reported by other UBCs, lacked a lawful U.S. immigration status, and possessed personal effects or documents typical of UBCs (e.g., water jugs, U.S. or foreign currency, hygiene products, extra clothing, phone cards, phone numbers or addresses of contacts in a foreign country, a backpack).

### **Research and Reform**

Until research along the lines of the BMI study is conducted elsewhere along the U.S.-Mexico border, our knowledge of the full impact of the "funnel effect" will be incomplete. Moreover, available statistics will continue to significantly underestimate the number of fatalities correlated with U.S. immigration-control practices along the border. The Border Patrol in particular needs to expand its criteria for classifying UBC recovered bodies. The current criteria exclude many known deaths along the border as well as in the U.S. interior.

Unauthorized migration into the United States is the result of many factors (e.g., modern-day forces of globalization, economic disparities, binational economic arrangements between the United States and Mexico such as NAFTA, and the long, complicated historical relationship between these two adjacent nations). Nonetheless, U.S. immigration-control policies clearly play a significant role in determining the places where unauthorized border crossers attempt to enter the country. According to Border Patrol statistics, for instance, in 1991, prior to the start of prevention-through-deterrence immigration-control operations, only 1 out of every 19 Border Patrol apprehensions occurred in the Tucson Sector. By 2004, in contrast, Tucson accounted for 1 out of every 2.36 apprehensions.<sup>14</sup>

The best chance of reducing the number of unauthorized border-crossers entering the United States does not lie with misconceived border-control measures. Years of worth of research now makes it perfectly clear that the underlying logic of the current border-enforcement

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<sup>14</sup> TRAC Immigration Project. 2006. "Southern Border Apprehensions vs. Staffing"; Rotstein, A. "More border crossers use Sasabe corridor," Arizona Daily Star, March 11, 2006.

system is to eventually scare off would-be unauthorized border crossers via seemingly predictable, if not acceptable, levels of injury, suffering, and death for those who dare try. Rather, the solution is comprehensive immigration reform rooted in an honest assessment of the role of migrant labor in the United States as well as the forces of globalization in North America, Central America, and South America.