

Testimony of
Mr. Edwin Larios Munoz

February 28, 2002

My name is Edwin Larios Munoz. I am 15 years old and in eight grade at Thornapple Kellogg Middle School in Middleville, Michigan. I live with my foster parents. I enjoy math and soccer and want to be an FBI agent when I grow up.

I am a refugee here in the United States. I was born in San Pedro Sula, Honduras.

I could not stay in my country because of the abuse I lived with for years. After my father died when I was four, my mother abandoned me. I ultimately ended up living with a cousin. For over seven years, from when I was 7 to when I was 13, my cousin forced me to work on the streets and give him the money. When I didn't earn enough money, he punished me, beating me with a noose, car tools and other objects, leaving scars on my body, like the knees, legs and arms. I did not report it to the authorities because my cousin threatened to throw me out onto the street. I also did not know how to report him and did not think the police would protect a child like me. I did not want to live on the streets because I had heard that the authorities and gangs kill children living in the streets. I had no other choice but to look for safety, and a real family, in the United States. I had heard wonderful things about the United States and how children were better treated here.

On or around March, 2000, I left Honduras with about 100 lempira, around \$15. I had to walk and beg for rides and work for food and housing the whole way through Honduras, Guatemala and Mexico. I finally arrived in Tijuana in August, 2000.

After crossing the border by San Ysidro, California, however, my problems with immigration began. On August 19, 2000, the U.S. Border Patrol officers in green uniform arrested me and took me away in handcuffs. They held me four days locked up and alone in a cell. They gave me very little and bad food and did not let me outdoors. They did not explain anything to me about what was happening that I could understand. I did not get to make any phone call or speak with a lawyer. I felt very sick to my stomach and head because of the food and because I was locked up all day.

I was then taken in shackles to South West Key, a place in San Diego for immigrant children paid

for by INS. I could not wear regular clothes but had to wear their uniform with flip-flops. They had some classes and recreation outside. I never saw a counselor or social worker to talk about my problems in Honduras. The other boys from other countries there picked on me because I was smaller and from Honduras. When I complained to them about the boys' treatment, South West Key officials told me to ignore it. They did not tell the boys to stop.

After two weeks at South West Key, an immigration officer arrived. He took me away in shackles but did not explain where and why.

I was brought to San Diego Juvenile Hall, a jail for juvenile criminals. This was the

worst place I have ever been in life. When I arrived, they forced me to wear a prison

uniform with flip-flops. They then locked me in a cell by myself without windows. They

told me that they had to isolate me because I looked very young and that they needed to

verify my age. I spent three entire days in the cell, sad and afraid.

When they finally released me from the cell, I was placed in another cell with a

United States citizen boy who had serious problems with the law. He was not as bad as the

other boys in the jail who were in for murder, weapons, violence or theft.

I spent around six months in this jail. I was locked in the cell around 18 hours a day

Since we were only allowed out for a few hours a day for classes. We also had outdoor

exercises twice a day for twenty minutes in a fenced-in area. Every time we walked we had

to walk silently with our hands crossed to avoid punishment.

The officers did not know why I or other children picked up by INS were being

held there. They treated us the same as the others, as criminals. They were mean and

aggressive and used a lot of bad words. They sometimes hit me with their sticks and

shoved me and other boys when they thought that we were not following their orders.

Many of the other boys were violent, frequently looking for a fight. Whenever there

was a fight, the officers would order all of us into a cover, crouching position and often

used pepper-spray. Sometimes the pepper-spray would hit children like me who had

nothing to do with the incident. I was sprayed twice and it made my eyes sting and I was

afraid that I'd go blind.

I lost weight and was usually sick at this jail since I could not eat the horrible food and the jail constantly smelled like urine. I frequently had nightmares at the jail that the guards and other boys were going to kill me. I cried a lot in the cell wondering why everything was turning out so bad for me in the United States and if I would ever be free.

After around six weeks in detention, I was taken in hand and leg shackles to the immigration court. At my first court, there were many adult criminals in the courtroom.

I was scared and afraid that I would be deported. The Judge asked me what I wanted to do in my case and I told him I needed to find a family to live with in the United States.

He said he'd give me another date and help me find a lawyer to represent me.

Several weeks later, I returned to court, again in shackles. There was a nice, free lawyer for me, Manuel Sanchez, who was willing to represent me. Together, we prepared my case for asylum and the Judge granted me asylum in January, 2001.

It was hard to prepare my case in the jail even with my attorney Manny. I could not call him for free, and every time he visited, they made me take off all my clothes to search my body. This embarrassed me. I also did not like going to court since, even though I'd get to see the full outdoors, every court trip meant wearing shackles, even at my final hearing when I was able to tell the Judge my whole story.

There was no way I could win my case without an attorney or Manny- I did not even know that asylum existed before Manny and I could not fill out all those papers in English and did not know what to do in court.

There was no one to complain to about the jail since I could not trust the jail officials and never saw an INS officer. INS only came to take me to court in shackles.

I once complained to the Judge about how horrible the jail was to see if I could go back to South West Key. The Judge said that he could not do anything for me, only INS could.

The INS attorney did not say or do anything to help me get out of this jail.

After winning my asylum, I was brought back to the jail again in shackles. I stayed in the jail another month and a half, wondering why if I won this asylum, I was still in jail. Would I ever be free?

Finally, they arranged for me to go with Bethany Homes to a foster family in Michigan. I was transported out again in shackles. I asked the INS officer why do I need shackles. He told me to prevent my escape. Why would I want to escape if I won my asylum? Your asylum, he said, that's just a piece of paper we can rip up, put you in jail and send you back to your country.

It took a while for me to feel at home in Michigan. I still have horrible memories over what I went through with INS and at the San Diego jail. I saw many children like me who gave up fighting their immigration cases and accepting deportation because they hated the jail and did not have lawyers like Manny to help them.

I am happy that there are now people like you who care to help children like me with their problems with INS. I'd like to see that they treat children better so that no child has to go through what I went through with INS. Thank you for listening to me.