

An indictment of our treatment of undocumented children, a reckoning with our culpability for the dangers they are fleeing, and a damning confrontation between the ideals of the American dream and the reality of American racism and fear, *Tell Me How It Ends* is required reading for anyone concerned with human rights, human dignity, and our most fundamental responsibilities to each other. Luiselli's encounter with asylum seekers demands we see these children. What we do next is up to us.

“In the warrens of New York City’s federal immigration court, an adolescent boy from Honduras confronts a thoroughly confused immigration bureaucracy with the help of his translator, who is the author of this book. He is just one of thousands of immigrant children longing for permanence in this country, but we get to see him up close. With Valeria Luiselli as our guide, we navigate the corridors of a system that tries and fails to reconcile America’s long-standing welcome of the poor, the terrorized, and the adventurous with its current fear and mistrust of immigrants. In the frightening year of 2017 this is a most necessary book, and a unique one, from a writer whose clear-eyed intelligence and marvelous literary imagination make every one of her narratives a compelling read.”

—Alma Guillermoprieto



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Valeria Luiselli

Tell Me How It Ends

# TELL ME HOW IT ENDS

AN ESSAY IN  
FORTY  
QUESTIONS

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# VALERIA LUISELLI

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COURT

*I started working as an interpreter in the New York immigration court in March 2015.* I convinced my nineteen-year-old niece to come with me, at least for the first day. She had just moved to New York, was living with us, and was waiting for her college application results. Her life was—as it should be for anyone at that point—a wild and beautiful mess.

On our first day of work, my niece and I took the subway downtown in the early morning and walked to the big, ominous building at 26 Federal Plaza. The security procedures to enter the building are a little like the ones at an airport: you have to show your passport; take off your jackets, scarves, and shoes; deposit your bags on an inspection belt; and go through a metal detector monitored by police.

Inside, the building branches vertically and horizontally into hallways, offices, windows, courtrooms, and waiting rooms. There are few signs and few people you can ask for assistance or directions, so it's easy to get lost. The building's labyrinthine architecture is, in a way, a replica of the U.S. immigration system. And, as in

any labyrinth, some find their way out and some don't. Those who don't might remain there forever, invisible specters who go up and down elevators and wander the hallways, imprisoned in circular nightmares.

A lawyer from the AILA whom I had contacted by phone a few months earlier met us on the ground floor of the building. She led us to the eleventh floor, and there she introduced us to two lawyers from The Door—a Manhattan-based nonprofit that provides kids and teenagers with services ranging from legal assistance to counseling to English and hip-hop classes—with whom we would be working that day and over the following months.

After the official introductions, the lawyers from The Door asked us to wait for a while in the little room adjacent to the one where the interviews are conducted. We had arrived too early; they hadn't finished planning the agenda for the day, and no children had shown up yet. I picked a chair in the waiting room, and my niece went to peek into the screening room where the lawyers were preparing, through the door left ajar. She promptly returned to report—with pride and enthusiasm in keeping with her age—that all the staff members from The Door were young women. I responded with a stoic nod, perhaps in an effort to display more fortitude and aplomb than I have, to appear neither moved by her comment nor frightened by what awaited us on the other side of the door.

Soon after, the lawyers let us into the screening room, where they outlined the procedure we would follow. The plan on that first day was for each of us to shadow a lawyer, learning how to use the intake questionnaire and how to conduct the interviews. Once we were familiar with the process, we would interview the children directly, without a lawyer. But so many children showed up that morning that the lawyers decided to hand us packets with copies of the intake questionnaire, and trust that we'd do the job well on our own. We had no idea what we were doing; no idea of the depth and magnitude of what we were dealing with.

Between the summer of 2014 and the first months of 2015, when my niece and I began working in court, constant coverage of the children's crisis had slowly made the general picture a little clearer for everyone who followed the news.

This much, at least, became clear. Most children came from Guatemala, El Salvador, and Honduras—the three countries that make up the Northern Triangle—and practically all of them were fleeing gang violence. Although the flow of youths migrating alone to the United States from these territories had been observed for years, there had been a considerable and sudden increase in the numbers. From October 2013 to the moment the crisis was declared in June 2014, the

total number of child migrants detained at the border approached 80,000. This sudden increase set off alarms in the United States and provoked the declaration of the crisis. (Later, in the summer of 2015, it became known that between April 2014 and August 2015, more than 102,000 unaccompanied children had been detained at the border.)

The room where screenings are conducted in the New York immigration court feels improvised, like a small refugee camp occupied temporarily by local organizations and the children they screen tirelessly, every day. The space resembles a church: a rectangle, vast and austere, furnished only with benches lined up one after another. At its front, a wooden balustrade with a little door in the center cordons off an area with two large mahogany tables at which the children, lawyers, and interpreters sit for the interviews. Crayons and pads of paper are set out at the ends of the tables to entertain the younger children. During each interview, the child's relatives sit on the benches on the other side of the balustrade and wait, like spectators in a silent mass. It's against protocol for relatives to join the children during the interviews, since their presence could influence the answers they give. Against the walls of the room, instead of the statues of saints or paintings that would decorate a church, are moveable chalkboards on which

lawyers and interpreters make notes and children draw and scribble while they wait their turn.

We didn't quite grasp the bigger picture during our first hours in court conducting screenings. Blindly, we simply followed all the questions on the intake questionnaire, one by one, and translated the answers. What we were really doing there that morning was providing backup for organizations dealing with an emergency. Not the emergency at the border, detonated with the surge of arrivals, but the quieter, more bureaucratic, legal emergency created by the federal government's decision to create a priority juvenile docket in response to that surge.

Before the immigration crisis was declared in the summer of 2014, minors seeking immigration relief were given approximately twelve months to find a lawyer to represent their case before their first court hearing. But when the crisis was declared and Obama's administration created the priority juvenile docket, that window was reduced to twenty-one days. In real and practical terms, what the creation of that priority docket meant was that the cases involving unaccompanied minors from Central America were grouped together and moved to the top of the list of pending cases in immigration court. Being moved to the top of a list, in this context, was the least desirable thing—at least from the point of view of the children involved. Basically, the priority juvenile docket

implied that deportation proceedings against them were accelerated by 94 percent, and that both they and the organizations that normally provided legal representation now had much less time to build a defense.

Nonprofit organizations around the country reacted immediately when they heard about the priority juvenile docket. In New York, for example, as early as August 2014, some organizations got together and decided to form an emergency coalition, called the Immigrant Children Advocates' Relief Effort (ICARE). There were seven organizations in that coalition—the Legal Aid Society, The Door, Catholic Charities, Central American Legal Assistance, Make the Road New York, Safe Passage, and Kids in Need of Defense—and together they joined efforts to figure out a way to respond quickly and well to the docket. It was they who put together the questions on the intake questionnaire that my niece and I, along with other volunteers, would be using while we conducted our interviews.

Ever since the priority docket was created, children are being (and will continue to be) deported in much greater numbers and at a much faster rate. Many children, though they should be given an equal right to due process, are being deported before they can even find lawyers who will take on their cases. What child can find a lawyer in twenty-one days? And though nonprofits

reacted quickly and worked together to create a screening questionnaire that would channel children's cases as quickly as possible to legal representatives, they are understaffed and working against a ticking clock. How can a handful of organizations come up with a good plan to defend all those cases, given such little time?

The priority juvenile docket, in sum, was the government's coldest, cruelest possible answer to the arrival of refugee children. Ethically, that answer was more than questionable. In legal terms, it was a kind of backdoor escape route to avoid dealing with an impending reality suddenly knocking at the country's front doors.

During a short break that first morning, my niece pointed out a chalkboard pushed up against one of the walls in the screening room. On it someone had made a list of words, divided into four categories. We reviewed it together.

Border: coyote, migration police, icebox, shelter

Court: The Door & other organizations, lawyers

Home: family, guardians

Community: ???

The words were written in Spanish. To me they read like an inscrutable haiku. I don't know what my niece made of the list, but she copied everything down in a little notebook. I wasn't carrying a notebook. Later

that morning, one of the lawyers explained that the list was there to help children recall the phases of their journey during the interview. She didn't say, but in some way, we understood that the words scribbled on the board were also a kind of scaffolding holding all of those broken stories together.

I recall every nuance of the first story I heard and translated in court. Perhaps only because it was the story of a boy I encountered again, a few months later, and have ever since kept in close contact with. Or perhaps because it's a story condensed in a very specific, material detail that has continued to haunt me: a piece of paper that the boy pulled from his pocket toward the end of his interview, the creases and edges worn. He unfolded it gently, slowly, treated it with the same careful precision a surgeon might have when making a decisive incision. He laid it in front of me on the table. As I skimmed through it, still unsure about what he was showing me, he explained that the document was a copy of a police report he'd filed more than a year and a half ago. The report stated, in three or four typewritten sentences, all in capital letters and with some grammatical mistakes, that the subject in question raised a complaint against gang members who waited for him outside of his high school every day, frequently followed him home, and began threatening to kill him. It ended with the vague

promise to "investigate" the situation. After showing it to me, he folded the document back up and put it in his pants pocket, rubbing his palm now and then against the denim, like he was activating a lucky charm.

When our first day of work in court was over, my niece and I took the A train back home. As our subway sped uptown, along dark tunnels, through stations, past ghostly strangers waiting on platforms, the image of that piece of paper came back to me, insistently, with the strange power of symbols. It was just a piece of paper, damp with sweat, eroded by friction, folded and tucked inside a boy's pocket. Originally, it had been a legal document, a complaint filed by a boy hoping to produce a change in his life. Now it was more of a historical document that disclosed the failure of the document's original purpose and also explained the boy's decision to leave that life. In a less obvious but equally material way, the document was also a road map of a migration, a testimony of the five thousand miles it traveled inside a boy's pocket, aboard trains, on foot, in trucks, across various national borders, all the way to an immigration court in a distant city, where it was finally unfolded, spread out on a mahogany table, and read out loud by a stranger who had to ask that boy: Why did you come to the United States?

News coverage of the immigration crisis eventually provided a general map, and more precise numbers about its

magnitude, but it did not clarify its deeper causes and consequences. It did not answer *why*. The very notion of this “immigration crisis” referred only to the sudden surge in arrivals of Central American children to the United States. From the beginning, the crisis was viewed as an institutional hindrance, a problem that Homeland Security was “suffering” and that Congress and immigration judges had to solve. Few narratives have made the effort to turn things around and understand the crisis from the point of view of the children involved. The political response to the crisis, therefore, has always centered on one question, which is more or less: What do we do with all these children now? Or, in blunter terms: How do we get rid of them or dissuade them from coming?

Questions nine, ten, and eleven on the intake questionnaire are: “How do you like where you’re living now?”; “Are you happy here?”; “Do you feel safe?” It’s hard to imagine that these children, considered a hindrance to institutions and unwanted intruders by a large part of the society to which they’ve just arrived, soon to face a judge and defend themselves against a removal order, indeed “like where they are living.” In the media and much of the official political discourse, the word “illegal” prevails over “undocumented” and the term “immigrant” over “refugee.” How would anyone who is stigmatized as an “illegal immigrant” feel “safe” and

“happy”? But the children usually respond yes to those three questions.

Working early-morning shifts in court and staying up late together many, many nights—watching good and bad documentaries, reading reports, discussing research papers and news articles—my niece and I slowly began to understand the crisis better, in its hemispheric proportions and historical roots. One of the questions that we dug into most consistently had to do with the gangs all the children talked about during court screenings: the Mara Salvatrucha 13 (MS-13) and the Barrio 18 (or Calle 18).

We read, read some more, discussed, and tried to make sense of all of it. Both gangs originated in Los Angeles in the 1980s, a time when the Bloods, Crips, Nazi Low Riders, and Aryan Brotherhood, among many others, were already well established in the United States. The original Barrio 18 members were second-generation Hispanics who grew up in L.A. gang culture. The MS-13 was originally a small coalition of immigrants from El Salvador who had sought exile in the U.S. during the long and ruthless Salvadoran Civil War (1979–1992), in which the military-led government relentlessly massacred left-wing opposition groups. We looked more deeply into the war and the struggle between the left-wing guerrilla group Farabundo Martí National Liberation Front and the military government. The primary ally of that

government, we discover (and should have predicted), was the United States. The Carter administration and, perhaps more actively, the Reagan administration funded and provided military resources to the government that massacred so many and led many others to exile. Around one-fifth of the population of El Salvador fled. Many of those who sought exile ended up as political refugees in the United States—around three hundred thousand of them in Los Angeles. The whole story is an absurd, circular nightmare.

Later on, in the 1990s, anti-immigration policies and programs in the U.S. led to massive deportations of Central Americans. Among them were thousands of MS-13 members—those perhaps quite understandably unwanted in the country. But the policies backfired: gang deportations became more of a metastasis than an eradication. Now the gang has become a kind of transnational army, with more than seventy thousand members spread across the United States, Mexico, and the Northern Triangle.

The whole thing is a mess, a puzzle impossible to piece together using common sense and logic. But this much is clear: until all the governments involved—the American, Mexican, Salvadoran, Honduran, and Guatemalan governments, at least—acknowledge their shared accountability in the roots and causes of the children's exodus, solutions to the crisis will be impossible.

Questions twelve and thirteen address some kind of concern for accountability in U.S. territory. Not the government's possible accountability for political crimes, of course—those are always robed in a cloak of invisibility or impunity, especially if they are committed abroad, and especially if “abroad” is a tiny little country in the Hispanic Americas. Rather, the questions address a concern for accountability for crimes committed on U.S. soil, in which a migrant's cooperation with the government might be generously rewarded: “Have your parents or siblings been the victim of a crime since they came to the U.S.?” and “Was it reported to the police?”

Victims of certain crimes committed in the United States, as immigration law has it, may be eligible for a form of relief known as the U visa. If granted, the U visa is a path to lawful permanent residency for both the victims and their families (i.e., the highly coveted family green card). Eligibility, however, hinges on the victim's successful cooperation with the government in the persecution of the crime in question. The subtext of this is somewhat cynical and the terms of the barter a little unequal: We'll give you a visa for the “substantial mental and physical abuse” that you may have suffered as a result of a crime committed against you . . . *but*. Before we do, you have to agree to assisting law enforcement and government officials in the investigation and persecution of the crime.

For victims of some crimes, real and horrible crimes, permission to stay in American territory is probably insufficient recompense. But it's better than nothing. It's certainly better than the right to a mass grave in Tamaulipas or Veracruz, for instance—the most common “permanent residence” granted to Central American migrants who travel across Mexico.

Most children arrive looking for their parents, who came to the United States years before. If not their parents, they seek refuge with relatives who have kept in close enough contact to still be reachable, relatives who may have been sending them money for years and who perhaps helped finance or plan their trip. These same relatives are the ones who usually receive the children if they're able to cross the border without being deported, and once they have the children in custody, they can declare themselves legal guardians.

The next questions open a window into how the migration of children is reorganizing and redefining the traditional family structure.

Fourteen, fifteen, and sixteen are about the child's relationship with family members who stayed behind: “Do you still have any family members that live in your home country?”; “Are you in touch with anyone in your home country?”; “Who/how often?” The family tree of migrant families is always split into two trunks: those

who leave and those who stay. The ones who usually stay behind are the youngest and the eldest, though children as young as one or two, and some even younger who traveled in the arms of slightly older siblings or cousins, have shown up in court. The ones who leave are usually the oldest children and the teenagers, following the adult relatives who went before.

Seventeen and eighteen refer to family members who might act as sponsors, or the people under whose care the children might now live: “Do you have any other close family members who live in the U.S.?”; “Immigration status?” The immigration status of family members is almost always “undocumented.” This, of course, means that presenting themselves in court in the company of a sponsor exposes other members of their family to a system that they have been dodging, sometimes for decades. This guilt weighs on some children noticeably. Many ask during their interviews if their guardians will now be at risk for deportation. The new situation creates tensions and complications within families. Sponsors have to give all their details when the children are screened, from their names to their exact addresses. They suddenly find themselves in a position of utter vulnerability. And yet thousands of children and their sponsors have presented themselves in court since the surge began. The states with the highest number of children released to sponsors since the crisis was declared are Texas (over

10,000 children), California (almost 9,000 children), and New York (over 8,000 children).

Nineteen, twenty, and twenty-one, on the other hand, refer to the family members the child lived with before arriving in the United States: “Who did you live with in your home country?”; “Did you ever live with anyone else?”; “How did you get along with the people with whom you lived?” The children’s answers vary, and it’s almost always necessary to reformulate the questions and ask them again, because upon entering the country many prefer not to speak of the familial situations they are fleeing, either to avoid the pain and humiliation they entail or out of loyalty. But in many answers, it can be inferred that “the people with whom you lived” are precisely the reason the child was driven out of his or her home and community in the first place.

And finally, question number twenty-two addresses the very nucleus of a family unit: “Did you stay in touch with your parents?” Most children give the same answer:

No.

No, they say, they did not keep in touch and have no idea where their parents are. Others didn’t keep in touch for years but then were, suddenly, living with them again: familial reunification of absolute strangers.

As the months go by I interview dozens of children. The stories they tell me bleed into each other, get

confused with one another, shuffle and mix. Maybe it’s because, though each story is different, they all come together easily, pieces of a larger puzzle. Each child comes from a different place, a separate life, a distinct set of experiences, but their stories usually follow the same predictable, fucked-up plot.

Which goes more or less as follows: Children leave their homes with a coyote. They cross Mexico in the hands of this coyote, riding La Bestia. They try not to fall into the hands of rapists, corrupt policemen, murderous soldiers, and drug gangs who might enslave them in poppy or marijuana fields, if they don’t shoot them in the head and mass-bury them. If something goes wrong, and something happens to a child, the coyote is not held accountable. In fact, no one is ever held accountable. The children who make it all the way to the U.S. border turn themselves in to Border Patrol officers and are formally detained. (Often by officers who say things like “Speak English! Now you’re in America!”) They are then placed in the icebox. And, later, in a temporary shelter. There they must start looking for their parents—if they have parents—or for relatives who will sponsor them. Later, they are sent to wherever their sponsor lives. And finally, they have to appear in court, where they can defend themselves against deportation—if they have a lawyer.

There is one exception, however, one little twist to the part of the plot where children are formally detained by Border Patrol officers. The exception is: being Mexican. Mexican children detained by Border Patrol can be deported back immediately. They don't have to be given temporary shelter, are not allowed to attempt contact with parents or relatives in the U.S., and are certainly not granted a right to a formal hearing in court where they could defend themselves, legally, against a deportation order.

If a Border Patrol officer, upon detaining and screening a Mexican child, determines that this child (1) is not a victim of a severe form of trafficking in persons, (2) is not at risk of trafficking upon return, (3) does not have a "credible fear" of persecution, and (4) is able to make an independent decision about returning, then the officer is entitled to deport the child. A Border Patrol officer can base a decision to deport a Mexican child on any evidence—no matter how substantial or insubstantial—and is not required to document a rationale behind it.

The procedure by which Mexican children are deported in this way is called "voluntary return." And, as unbelievable as it may seem, voluntary return is the most common verdict. Other than a handful of lucky exceptions, all Mexican children are deported under this procedure. This—irrational, if not completely

absurd—practice is legally backed by an amendment to the Trafficking Victims Protection Reauthorization Act, which was signed by President G. W. Bush in 2008. The amendment states that children from countries that share borders with the U.S. can be deported without formal immigration proceedings. That is, if a child comes from either Mexico or Canada, he or she is immediately "deportable"—a "removable alien." This amendment was Bush's last gift to American immigration law in his vast legacy of chingaderas, in urban Mexican slang, or nasty-shitty policies, in approximate English translation.