



American Friends
Service Committee



FOR IMMEDIATE RELEASE

August 15, 2008

U.S. Border Patrol Should Stop Using Lethal Force Against Rock-Throwers, Say Human Rights Groups

Call for Congressional Investigations into Disproportionate Use of Force Incidents

SAN DIEGO – After another incident involving U.S. Border Patrol agents shooting people alleged to be throwing rocks, the ACLU of San Diego & Imperial Counties, the American Friends Service Committee’s U.S./Mexico Border Program, and the San Diego Immigrant Rights Consortium are calling on Congress to investigate the matter and seek to end this practice.

“This overwhelmingly disproportionate use of force tarnishes the reputation of our law enforcement agencies,” said Kevin Keenan, executive director of the San Diego ACLU. “Simply put, it is not acceptable to use lethal force when confronted with rock throwers in these border protection situations.”

The latest incident occurred on August 11, 2008, when a Border Patrol agent shot Edgar Israel Ortega, whom agents allege was throwing rocks at them from Mexico onto the U.S. side of the border.

In December 2005, an autopsy revealed that a Border Patrol agent shot a man in the back who was running back across the border, because, a police press release at the time said, the man had scooped up rocks and cocked his arm to throw them at the agent. Before any investigation of that incident had been conducted, the Border Patrol’s spokesperson justified the shooting, saying, “If I was put in the same shoes as this agent, that’s exactly what we’d have to do.”

“With massive new influxes of Border Patrol agents along the U.S./Mexico border, Congress must determine the facts of this most recent incident and give agents clear guidelines on how to engage authorities on the Mexican side to deescalate the tensions on this troubled region,” said Pedro Rios, director of AFSC’s US/Mexico Border Program. “Using lethal force against someone accused of throwing stones should not be U.S. policy.”

The organizations are also asking that there be independent oversight of federal law enforcement agencies and some transparency to the investigation of these cases. The current system allows investigating agencies and prosecutors to never reveal what really happened and whether the use of force was justified.

“We need our government’s actions to be transparent,” said Estela de los Rios, Chair of the San Diego Immigrant Rights Consortium. “There shouldn’t be lone rangers out there, making up the law as they go along, and then getting an official pass because it would embarrass an agent or agency.”

The human rights organizations sent formal letters requesting that Senator Edward Kennedy, Chair of the Immigration, Refugees, and Border Security Subcommittee, and Representative Zoe Lofgren, Chair of the Immigration, Citizenship, Refugees, Border Security, and International Law Subcommittee, fully investigate the Border Patrol’s practice of shooting rock throwers.

###