

The Day After Title 42: Calmer than Expected

On May 12, the day after Title 42 was lifted, USCRI Policy Analyst Aaron Nodjomian-Escajeda visited El Paso, TX and traveled along the U.S.-Mexico border, observing the conditions there. In the lead up to the end of Title 42, there was a perception from the administration and the news that the number of people coming from South and Central America to the United States would increase significantly. However, as Nodjomian-Escajeda observed, this was not the case.

"For all the talk of chaos erupting at the border once Title 42 lifted, the border was pretty calm," said Nodjomian-Escajeda.

On the highway along the border, signs read "watch for unexpected pedestrians." Presumably, these warnings were intended to alert drivers of migrants who might be crossing from Mexico. Customs and Border Protection (CBP), El Paso police, Texas state troopers, Texas Sheriffs, and military vehicles were posted along or near the border, apparently part of efforts to address anticipated increases in people crossing.



Even the El Paso airport had implemented policy changes in anticipation. There were signs reading, "only ticketed passengers allowed inside," posted in parts of the airport which have previously been open to the public. Other changes include limiting how long people can wait at the airport to no more than four hours, whereas in the past, some migrants waiting for flights were allowed to wait up to 48 hours.

Nodjomian-Escajeda met with Patrick Giuliani, a policy analyst from [Hope Border Institute](#), a community organization working on migration issues in El Paso and Ciudad Juarez, in an area right outside [Sacred Heart Church](#), located in the heart of downtown El Paso about 200 meters from the Santa Fe St. port of entry (POE). Sacred Heart is on the frontlines of welcoming and hosting migrants and asylum seekers who cross from Mexico. The nearby street had been closed off from cars and trash bins and porta potties had been set up to establish more sanitary conditions. What once was the site of hundreds of migrants was now a ghost town of reporters, law enforcement, and sanitation workers.



In an alley that joined the street, some migrants with Red Cross blankets and whatever few possessions they had still lingered. According to a staff member from Sacred Heart's shelter, the closed off street and alley hosted more than 1,200 people the previous week. And on the morning of May 12, there were only 114. Giuliani stated that there was a drastic drop over the past two days. The Department of Homeland Security (DHS) said they would have U.S. Immigration and Customs Enforcement (ICE)-like raids and encouraged people to turn themselves in. According to Giuliani and the Sacred Heart staff member, between 500 to 1,000 people were processed in the past two days. As a result, many people were deported, and others received a Notice to Appear (NTA)¹.

Giuliani and Nodjomian-Escajeda met a Venezuelan migrant that most recently came from Lima, Peru. He stated that the journey to get to the border took him a year. He had crossed the border and was processed prior to Title 42 ending. He stated that he received an NTA in Chicago and was currently trying to find a way to get there. His court appearance is scheduled for 6 months in the future. He originally approached Giuliani to ask if he had a Zelle account to transfer money to and is currently sleeping in the nearby alleyway. The migrant also asked if there was any food available because he was hungry. Fortunately, it was noon and a truck arrived at the entrance of the blocked street to distribute food and water in plastic bags to the migrants who were there. While Giuliani was speaking with this young man, a middle-aged migrant who received an NTA, asked Nodjomian-Escajeda where he could find a bus to Denver.

¹ An NTA is a document that instructs an individual to appear before an immigration judge.

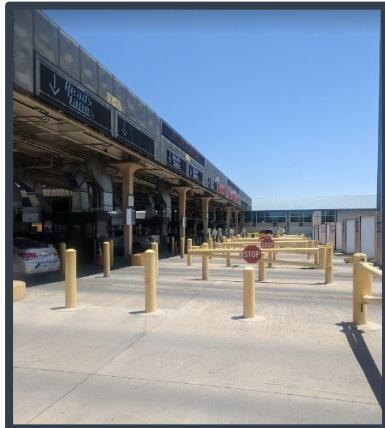


There is a lot of confusion among migrants and asylum seekers as well as advocates about what is coming next. The Sacred Heart staff member stated that most migrants and asylum seekers are not going to understand the nuances of the transit ban and what makes them ineligible for asylum. He expects another increase in migrants to come as people become accustomed to the new rule and that there are still thousands of people in Juarez waiting for protection. Giuliani said that people aren't too sure what to do. Know Your Rights (KYR) flyers were posted in English near the church as well as information about sanctuary spaces in Spanish. Giuliani said that recently, police had gone with CBP into one of these safe spaces without a warrant. He also said that people periodically hand out KYR information in Spanish. However, with all the new policy changes, short timelines for implementation, and new legal cases impacting the recent policies, people are not sure how to advise migrants. One such concern was a recent [ruling](#) made by a federal district judge in Florida that limits the administration's authority to use parole if migrants and asylum seekers are not detained. Giuliani said that processing someone who is paroled takes about 30 minutes but to process individuals without it can take up to two hours. This raises concerns about increased backlogs because detention centers in the region are at capacity.

During his trip, Nodjomian-Escajeda was also able to visit one of Sacred Heart's shelters where approximately 12 to 15 families with young children were currently staying. Typically, shelter space is reserved for families or single mothers leaving single adults to sleep outside in the alley or on the street. This shelter's capacity is about 120 individuals. The Sacred Heart staff member said that when temperatures were below freezing, they housed more than 175 people inside. Sacred Heart also has another established shelter and was opening a third shelter that night located near Ft. Bliss.

Nodjomian-Escajeda was also able to visit four ports of entry (POE) while in El Paso: the Santa Fe St. bridge, the bridge of the Americas, the Cordova international bridge, and the Zaragoza bridge. At all four of the POEs, operations appeared to be business as usual.





Rather than attempting to cross after Title 42 ended, as was predicted by the administration and law enforcement, it appears that people sought to enter before Title 42 was lifted and the [asylum ban](#) took effect. On Thursday, May 11, the day before Nodjomian-Escajeda's visit, there were thousands of migrants waiting to cross at the Zaragoza bridge before the end of Title 42 and the start of the asylum ban. At the same POE on May 12, there were no lines of migrants along the fence. Moreover, on a call early Friday, a colleague said that about 2,000 people tried to cross the border the previous day, before 11:59 pm ET when the asylum ban would take effect. As of Friday, these individuals were stuck between the river, which is technically the international border and the fence located on the U.S. side. She also stated that very few people had attempted to cross after the asylum ban started. This was echoed by the Sacred Heart staff member and Giuliani. There was not the "surge" of migrants and open borders that many people reported and even wanted to further anti-immigrant rhetoric. However, it remains to be seen if these pushback policies will in fact work as the administration intended.

