Mexican and Central American Immigrant Rights: Local Justice Struggles in a Global City

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February 2015
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Mexican and Central American Immigrant Rights: Local Justice Struggles in a Global City

Mexican and Central American immigrants in the city of Houston engage in diverse struggles for the defense of human rights. In public events ranging from marches to vigils, protests, and town hall meetings, among others, they organize for immigration reform, family unity, and an end to immigrant detentions and deportations. Yet they also organize to demand access to social services, the defense of worker rights, and equality broadly defined. These rights impact not only immigrants, but other excluded groups in the city including those living in poverty, Latina/os, and African Americans, among others.

At the current moment, strong anti-immigrant and racist political efforts exist in Houston and in many other regions of the nation in response to an increase in the number of Mexican and Central American youth entering the nation. Media accounts describing the influx of youth in the idiom of a natural disaster, with terms such as “flood,” “stream,” and “tide” that underscore the view of these immigrants as a problem rather than as actors with a legitimate place in U.S. society. This anti-immigrant and often racist rhetoric was evident in recent hearings of the City Council of League City, a suburb of Houston, which concluded with passage of an ordinance to deny shelter for undocumented immigrants from the federal government. The ordinance passed with six votes in favor and two opposed; one Council member who voted against it noted that the city did not have the legal authority to trump federal law. This suburban ordinance is but one of many examples of immigrants being viewed as a problem for cities. At the hearings, League City residents spoke of how these children in negative terms—as a drain on social services, as carriers
of infectious disease that would contaminate the region, as criminals and potential terrorists bringing violence, and as unassimilated outsiders who threaten American values.

Cities are sites both of great inequality and of struggles for rights that challenge such inequalities. Global cities are highly stratified sites which require both high-level, well paid professionals and low-paid service sector workers, employed as domestic workers, in food industry, and as janitors (Sassen 1991). At the same time, neoliberal economic policies in Mexico, Central America and other regions have displaced urban workers and farmers who seek in immigration a strategy to support themselves and their families. Yet, even as recent immigrants in low-wage jobs in Houston are excluded from many spaces and social services, they organize to demand inclusion. Anthropologist James Holston observes that cities are “strategic arenas for the development of citizenship,” where forces of globalization are evident in daily life” (2007: 22). Diverse groups come together in political movements and “develop new sources of rights and agendas of citizenship concerning the very conditions of city life” (2007: 23).

This article focuses on the ways that immigrants in Houston are mobilizing to resist oppression and to work to improve their own lives, and in doing so, they join those who historically have been pushing to better the living conditions of all vulnerable groups in the city. A number of scholars challenge the concept of assimilation as a possible or even desirable outcome for immigrant groups. Assimilation for racialized groups, including Central American and Mexican migrants, is greatly limited by structural inequalities and the criminalization of immigrants at the federal, state, and local level (Cacho 2012, Menjivar and Abrego 2012). Menjivar and Abrego (2012) point to the “legal violence” created by laws punishing undocumented migrants and its negative impact on work, family, and school. Lisa Marie Cacho
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(2012) notes that “Americanization” and “assimilation” are often referenced as a “cure” for the “disability” of immigrant culture. Racism and anti-immigrant policies are closely intertwined as immigrants and racial minorities are denied rights and not accepted as legitimate members of the nation. Given this exclusion, rather than positing assimilation to dominant norms as a positive immigrant outcome, immigrants challenge mainstream norms in order to “make democracy matter” (Brodkin 2007).

This article focuses on three arenas in which immigrants demand respect for human rights in Houston: health care, worker rights, and prison rights/deportations.⁠¹ It emphasizes the agency of immigrants – especially unauthorized or undocumented immigrants -- in challenging exclusionary policies and demanding a voice in the city. Rather than directly addressing these racist responses to immigrants, such as those expressed in the passage of the League City Council Ordinance, this article reframes the issue. It explores how activists and organizations are pushing to make the city more inclusive for immigrants and other groups. Border scholars and anthropologists point to “counter-hegemonic and empowering narratives” that challenge mainstream immigration stories in research with immigrants and Chicana/os, (Karen Brodkin 2007: 57; see also KarenMary Davalos 1998 and Aida Hurtado 2003). Particularly relevant to the case of Houston are the ways immigrant struggles challenge racism, poverty, and other forms of structural violence rather than trying to assimilate to the structures that exclude them.

Data for this article comes from long-term participant observation with immigrant rights activists and organizations in Houston from 2009 to the present. This includes observation of public hearings, presentations, marches, protests, press conferences, vigils, and other events in the city.⁠² Long-term observation is coupled with structured interviews with nine activists about their perspectives on and engagement in human rights struggles in the city of Houston. Interview
questions centered on their involvement in immigrant struggles, the actions and issues addressed by the groups they work with, connections between organization, and the populations with which they work. Print and social media reports produced by the organizations and newspaper articles provide a broader context for the organizations and actions in the city.

**Mexican and Central American Immigrants Challenging Inequalities in Houston**

“It is incredible that in a city with so much wealth and oil, there is at the same time so much poverty, abuse, and impunity A city that brags about being one of the most advanced in the country, grows and advances economically on the backs of migrants to come to build, consume, work, and of victims of persecution, humiliation, and discrimination.” Martha Ojeda, Fe y Justicia.

From the 1970s to the present, Latino immigration has altered the city of Houston. Until the 1930s, African American and Anglos comprised the vast majority of the city’s population. Beginning in the 1970s and continuing in the 1980s, the numbers of Latino immigrants in the city increased, as did the number Asian immigrants. Indeed, the number of Latino residents in Houston grew by 88 percent in the decade of the 1970s (Treviño 2006: 207). This immigration was due to the increased job openings in the city following the oil and gas boom. In the 1980s Central Americans from Guatemala and El Salvador fleeing the violence of civil wars immigrated to the city. Houston, alongside Los Angeles, received the majority of Mexican and Central American immigrants during this period.

The current Latino population of the Houston metropolitan area numbers more than 2 million, making up over 36% of the region’s population (Pew Research, Hispanic Trends Project 2014). Like other ethnic groups in the city, Latinos are diverse in terms of their class, race, education, and other factors. Indeed, the term Latino itself is contested, with some preferring the
term Mexican American, Chicano, or Hispanic. Historian Arnoldo De León points out that some
use the term Hispanic in an attempt to avoid negative stereotypes associated with the term
Mexican. Many of the middle and upper class Latinos who form part of the city’s business sector
prefer to identify themselves as Hispanic in order to differentiate themselves from first
generation immigrants, and see themselves as being economically and culturally superior to
more recent immigrants (De León 2001: 240).4

Most of the city’s Latinos are native born (1.2 million), with 834,000 foreign-born.
Houston’s largest group of Latin American immigrants is Mexican (70%), followed by
Salvadoran, Honduran, and Guatemalan immigrants. Together Mexican and Central American
immigrants make up the majority of the city’s foreign-born population. The foreign-born
population is also very diverse. On the one hand, it is all but impossible for working class
Mexicans and Central Americans to obtain a visa to enter the United States, and so they enter as
unauthorized immigrants and often find work in low-wage jobs. This population makes up the
majority of the foreign-born (Rodriguez 2000). On the other hand, a small but significant group
of wealthy Mexicans have relocated to Houston’s northern suburb, the Woodlands, to escape
drug violence in Mexico (Moreno 2011). This later group of immigrants has opened businesses
and has visas and work permits.

Latina/os in Texas and in the city of Houston have a long history of activism on issues
from educational equality, minority hiring, political representation and voting rights, the right to
speak Spanish on the job, and denouncing police abuses. Now a national organization, the
League of United Latin American Citizens (LULAC) was founded in Corpus Christi, Texas in
1929. Middle class Mexican Americans created the organization to fight against discrimination
and segregation. Likewise, Hector P. Garcia formed the American G.I. Forum with 700 Mexican
American veterans in 1948 in Corpus Christi, Texas to address a variety of veteran’s concerns. Both of these organizations had selective criteria for membership. LULAC limited its membership to U.S. citizenship and supported assimilation into dominant culture as a means of addressing discrimination.

Historian Guadalupe San Miguel labels this a Mexican Americanist identity, in contrast to a Chicano identity that developed in the late 1960s. San Miguel argues that the Mexican American Generation viewed itself as white and similar to Anglos, while “the Chicano Generation viewed itself as being different from Anglos. They were of indigenous – i.e., non-white—origins, extremely proud of their Mexican cultural heritage, and devoted to their working-class barrios” (San Miguel 2001: 200). For example, in Houston the Mexican American Education Council (MAEC) successfully challenged school desegregation in the city, through “direct action tactics such as marches, walkouts, confrontations, and civil disobedience” (San Miguel 2001: 199). They did so with a new identity as Chicanos viewing the earlier generation’s strategies as conventional and assimilationist. The MAEC embraced a Chicano ethic identity, insisting that they were “brown, not white,” with a distinct culture, language, and history of both exploitation and agency within the United States (San Miguel 2001: 201-202).

Structural issues, including immigration law, have greatly limited the possibilities for later generations to gain legal status and a variety of rights. In fact, recent laws have criminalized migrants and caused further exclusion and marginalization. The Immigration Reform and Control Act of 1986 allowed for some to legalize their migration status, but only if they could prove continuous residence in the U.S. since 1982. Those arriving later, including many fleeing wars in Central American and those who left Mexico after the 1982 financial crisis, were not included in this legalization.
6 Since 1986, no large scale immigration reform has been passed to allow significant numbers of unauthorized immigrants to regularize their status. Indeed, 1996 laws increasingly restricted the rights of immigrants, both authorized and unauthorized alike. In particular the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) made it more difficult for migrants to adjust their visas and allowed for deportation of legal residents. It also restricted access to social services for both unauthorized as well as authorized immigrants, cutting access to benefits such as food stamps and health insurance even for legal permanent residents. In addition, this law made many immigrants eligible for detention and deportation, by redefining a series of crimes as aggravated felonies, even if the crimes committed before the law was passed. As Lisa Marie Cacho states, “Unlike earlier immigration laws, and even unlike most criminal law at the federal and state levels, the IIRIRA did not make an effort to distinguish the dangerous from the desperate or the career criminal from the juvenile delinquent. After 1996, murder and tax evasion, aggravated assault and joy riding, drug-trafficking and petty shoplifting all became deportable crimes that rendered the convicted ineligible for an immigration hearing to argue against his or her mandatory and permanent removal” (2012: 94).

Although the terms “illegal,” “illegal alien,” and “undocumented” harshly divide those with legal permission to live and work in the United States from those who do not, in reality, the two groups are closely related. Those without papers face the possibility of deportation and detention, are denied the right to have an identification, lack access to many social services, and lack other rights. Yet, documented migrants lack many of these rights as well, especially with laws limiting their access to social services. In addition, many undocumented migrants have family members, including spouses or children, who are documented. Indeed, a study by the Urban Institute notes that a full 85 percent of immigrant families include people of different legal
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statuses (Fix and Zimmerman 1999, cited in Stephen 2007). Hence, the fear that a family member may be detained extends to a large number of migrants, documented or not. Given current racism and anti-immigrant sentiment in the U.S., all Mexicans, and sometimes all Latinos, are assumed to be undocumented and suffer discrimination, marginalization, and surveillance (Stephen 2007). The vulnerability of large numbers of recent Latino migrants, documented or not, is another danger of naturalizing the concept of “illegal.” It is for this reason that the paper focuses recent Latino migrants in Houston, including both documented and undocumented migrants. Many organizations in Houston work with migrants in diverse legal situations. However, from the outside, people commonly and falsely assume that all who are served by or active in the groups are undocumented migrants. It is precisely because of the criminalization of Latina/os and other minorities that the actions in support of immigrant rights have the potential to make the city more inclusive for all.

Health Care: United for Change

Saturday April 5, 2014 was a national action day to end deportations. In one of several Houston events, a vigil held at the Mennonite Church in northwest part of town, Noé Ramirez president of the Living Hope Wheelchair Association explained why he was present: “Ya estamos hartos de tanta injustica.” (“We are fed up already with so much injustice.”) He went on to add, “We want immigration reform now.” Ramirez spoke of the fear of detention and deportation, the ways that families are divided by such acts, and the need for migrants to be treated with equality. Ramirez, an immigrant from Mexico City, serves as president of Living Hope Wheelchair Association. In 1998, when he was biking to work in Houston, he was hit by a drunk driver who moved him from the road, fled the scene, and was never identified. Ramirez remains paraplegic as a result of this crime. The vigil brought together activists from the city and
members of a number of nongovernmental organizations promoting the defense of immigrant rights. This Houston event was connected to more than 80 events in the country organized by the National Day Labor Organizing Network (NDLON) to end deportations. The hashtag for the events “#2 Million2Many” refers to the two million people deported from the country under President Obama’s administration.

The central issue of the vigil was deportations, yet other key issues in the struggle for immigrant rights were voiced. A representative from Fe y Justicia Worker Center (Faith and Justice) spoke of the importance of worker rights and the need to denounce unjust labor practices, including wage theft, abuse, and unsafe work conditions. Also evident was the demand for health care. Members of Living Hope Wheelchair Association, Latino migrants with spinal cord injuries and the event organizer, came together to fight for medical care after Harris county cut off access to medical supplies for those who are non-Medicaid eligible. One organizer stated that in a true democracy, these organizations would not need to exist – migrants and others would not be denied medical supplies, health care, and labor rights.

The Houston metropolitan region is home to the largest medical center in the world, labeled the Texas Medical Center, with some of the nation’s best hospitals and physicians. Naming itself “an internationally recognized community of healing, learning and discovery,” the Medical Center includes 21 hospitals and receives over 7 million visits a year (http://www.texasmedicalcenter.org). Paradoxically, Houston is the major city with the second highest rate of uninsured residents in the United States, with over 24% lacking insurance. Unauthorized immigrants and those living in poverty face limited access to health care and, because of this, have organized to draw attention to the challenges they face.
Living Hope Wheelchair Association, a non-profit organization of Latino migrants with spinal cord injuries, is one of several groups in the city dedicated to improving access to health care. A group of Mexican migrants with spinal cord injuries founded Living Hope in 2006 in response to the Harris County Hospital District cutting off medical supplies to the non-Medicaid eligible population. This includes not only unauthorized immigrants, but also those on tourist visas, and legal permanent residents, who have a required five year waiting period to receive benefits. The group also includes legal permanent residents and U.S. citizens who receive Medicaid assistance, an insufficient form of support. The members overall live in poverty and are Latinos, who are excluded from the city on multiple levels.

Living Hope members hold car washes, raffles, dances, and other fundraisers to purchase medical supplies as an organization. Supplies are distributed to group members and to anyone else who needs them. Although Living Hope focuses on people with spinal cord injuries, the group also demands that the city respect the human rights of all residents with disabilities and that health care be available for all immigrants and native-born alike. As Raymundo Mendoza, the organization’s secretary explained about the group’s efforts to ensure that all have access to medical supplies: “We united by ourselves, to fight by our own means and buy the supplies, since [the county] didn’t give us anything. We united and bought what we needed for the group and so now we help everyone, the whole Houston community. People who have health insurance come here to ask us for help as well.” In addition, services such as accessible public transportation as well as accessible buildings, sidewalks, and wheelchair ramps, are essential for people with disabilities. Such changes carry the potential to transform the city by opening spaces for those with limited mobility due to poverty.
Access to health care and medical supplies can be a life and death matter for members of the organization. One man in Living Hope was injured from a shooting, and his kidneys are severely damaged requiring regular dialysis. Yet because of his lack of insurance he could only access dialysis when his potassium levels were at a dangerous level. He currently receives regular dialysis thanks in part to the work of Living Hope, but has severe damage to his body as a result of his having to wait for dialysis.

Several members of the organization were injured from construction work, in particular from roofing jobs. These can be labeled “structured accidents”–as contractors earn a profit at the expense of worker’s health (Kovic 2014). One example of a Living Hope member who was injured in construction is Elías, one of the first officers of the group who served as treasurer for several years. His story, like that of many others in the group, began with growing up in poverty in Mexico. “I grew up in Hidalgo, Mexico on a small ranch. There were around 200 people who lived in Hidalgo and today there are around 1000. I have seven siblings. My father died when I was one or two years old. I stayed with my mother planting [the fields]. I went to school until the sixth grade. When I was fifteen years old, I went to Mexico City to work. I worked in a factory that processed food. After working in the factory, I worked with a truck driver who transported clothes. I lived in Mexico City for six years and visited home every two weeks. I always sent money back home to my mother.”

He learned from some of his compañeros (friends, literally companions) in Hidalgo that you could earn much more money in the United States than in Mexico and decided to migrate. It took several trips to cross—he was stopped by migration officials several times at the border –but he finally reached Houston. Initially, it was very difficult to find work in the city of Houston and he waited on street corners, along with 30 to 50 other jornaleros [day laborers], in hopes of being
picked up for the day. As a jornalero, he worked in “la yarda” – cutting lawns and landscaping, and in construction. After several months he found more permanent work remodeling homes. When asked about the difficulties he faced early on as a migrant, Elías mentioned the lack of work and low pay—although he acknowledging earning much more than he had in Mexico-- but also missing his mother and other family.

Eventually, he began work as a carpenter, earning $250 for a six-day week, and his pay grew year by year. After four years working for others, he began to work on his own framing houses, windows, and doors. The accident happened when he was on the second floor of a house, putting up a two-by-four. He said he was going to go downstairs and it had rained that day. The frame suddenly fell along with Elías. He was left paraplegic. One of the biggest frustrations of his injury is that he is no longer able to send any money to his family in Mexico. Yet also frustrating is the way he and others are treated in U.S. society. As he puts it, “most people don’t know that we exist and don’t know that we have necessities. People don’t see us.”

Living Hope activists, like other activists in Houston, made a powerful transition that Francisco Arguelles names from “case to cause.” Initially, each individual struggled with his/her own case of injury and survival of physical trauma, depression, and social isolation. In time, and in part through joining Living Hope, individual cases became part of a larger cause in defense of rights for immigrants and people with disabilities. Living Hope members join especially with immigrant rights organizations in the city of Houston and with regional and national spinal cord organizations. They not only participate in protests for immigrant rights but commonly lead marches demonstrating that in spite of obstacles people continue to move forward and send the powerful message that in struggles for immigrant rights no one will be left behind. From case to cause carries a second meaning; it points to the root causes of the spinal cord injuries. As Latino
immigrant workers, many of whom were engaged in construction, they are less likely to work in safe conditions and more likely to suffer workplace injuries. Indeed construction work is the most dangerous occupation in Texas, with these workers being 4.5 times more likely to be killed in workplace injuries than the average worker (Workers Defense Project of Texas 2013).

Regarding access to health care, Living Hope activists have joined others in the state of Texas to demand that Governor Perry support Medicaid expansion for those living in poverty, people with disabilities, the elderly, and other vulnerable groups in the state. Raymundo Mendoza, who was injured at the workplace, pointed to inequalities in the health care system. “While Governor Perry is very comfortable, it is easy for him to say that he doesn’t need federal funds to help poor people. I don’t have a job, every month I am in need of something, I have to decide between medicine and my house payment. If it wasn’t for the help of Living Hope Wheelchair Association, I wouldn’t survive.” They participate in the group Health Care for All-Texas, a grassroots organization that views health care as a human right. According to a study by the Center on Budget and Policy Priorities, nearly half a million Houston adults would qualify for Medicaid under the expansion. The actions of Living Hope simultaneously illustrate the consequences of the denial of benefits to certain groups and the potential for creating alliances across difference in making demands on the state.

Worker Rights: Wage Theft in the Petro-Metro

While the Houston metropolitan area ranks first nationally in its record of creating jobs, workers face significant difficulties since they lack many protections guaranteed in other states (Dugan 2014). Texas is the only state that does not require mandatory workers compensation, and Texas businesses are not required to provide even unpaid holidays, sick days, breaks, or vacations under federal or state labor law (Kovic and HIWJ 2010). Low wage workers,
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immigrant and non-immigrant alike, aside from struggling to make a living and support families, disproportionately experience workplace abuses, wage theft, and injury on the job. In Houston, a number of organizations support the efforts of low wage workers for labor rights. For example, the Service Employees International Union (SEIU) supported janitors in the city who demanded a pay raise in 2006 and in 2012, as well as an effort by fast food workers to earn $15 an hour. Large numbers of the janitors of the city are immigrant workers. The Restaurant Opportunities Center United of Houston supports the rights and organizing efforts of workers in the city’s restaurant industry.

The Fe y Justicia Worker Center of Houston is focused on working with immigrant workers, although it serves all low wage workers. Founded in 2006, Fe y Justicia Worker Center, formerly Houston Interfaith Worker Justice (HIWJ), is a non-profit, member-based organization with the mission of providing “a safe space for low-wage workers to learn about their rights in the workplace and organize to improve working conditions on the job” (http://www.houstonworkers.org/). Fe y Justicia is similar to a variety of immigrant worker organizations in the U.S. which do not necessarily focus on unionization but on self-organization and empowerment (Brodkin 2007). Fe y Justicia focuses on wage theft, which occurs whenever employers do not pay workers what they are owed for their labor. Despite the fact that undocumented workers have the same basic labor rights as all other workers, immigrants are much more likely to experience wage theft and other workplace abuses. Workers report that they weight the consequences of denouncing abuses because they may be fired, detained, or deported. Employers frequently cite workers’ immigration status (or assumed immigration status) as an excuse for not paying earned wages, and sometimes threaten to call immigration if workers
proceed with their wage claims. Fe y Justicia has documented millions of dollars of wage theft in the city and has recovered a significant proportion of these wages for workers.

For unauthorized migrants who reach the United States, one of the most striking ways in which they subsidize the economy is through low-wage and even un-paid labor. Not only does their low wage work subsidize the economy but their wages are stolen. Long-term immigrant rights activist Maria Jimenez observes, “If the intentional deprivation of a worker's due wages for work performed is allowed to happen over and over again with little or no consequence to the employer, we as a society are sanctioning the illegal transfer of wealth and the systemic exploitation of vulnerable populations” (Houston Interfaith Worker Justice and Kovic 2009: 11). Washing dishes, cooking in restaurants, caring for children, cleaning homes, building roads, or performing multiple jobs as day laborers, immigrant and others receive low pay and few, if any, benefits such as health insurance. Employers rob workers through wage theft, which takes place when they are not paid at all, are paid for only some of their work, are not paid overtime, or are paid less than minimum wage, among other practices. Houston Fe y Justicia has documented a total of 3.3 million dollars in stolen wages from 2007-2012 and has recovered over $700,000 of lost wages through its efforts with workers. The sum of $3.3 million represents only a small fraction of the total for the city since it only includes wages from workers who contacted Fe y Justicia with the time and resources to visit the center to present their cases.

The wage theft cases involve hundreds of workers, including a Honduran woman, who worked in a restaurant where she was paid $380 for a 68-hour work-week. She was owed at least $157 in wages and overtime each week. She observed: “What happened to me, that they didn’t pay me overtime, happens to a lot of Hispanics. They didn’t pay me per hour, but per day... So with that they ended up robbing me and exploiting my work. Since 2000 I’ve been working for
restaurants and well, they always pay me what they want because since I am a single mother, they know I take the job out of necessity” (HIWJ and Kovic 2009: 3). A Mexican worker owed $5,000 from a building service company, similarly reflected on the way employers take advantage of “necessity.” “Many people don’t have jobs and need work. So people end up not caring who they work for, just that they are working to eat. So that is a problem because they don’t know whether or not they are going to get paid” (HIWJ and Kovic 2009:6).

Mitzi Paola, who now works at Fe y Justicia, first arrived at the Center to present her own case of wage theft that took place when she was working in a Houston restaurant. “It’s incredible because you say you never think that will happen in a first world country. [You ask,] ‘How is it possible that this can happen to me in the U.S.’ It’s very frustrating because you say to yourself, ‘What was my mistake? Going to work?’” She narrates that when she first arrived at the Center she thought her problem was unique. But after listening to the over 40 workers who were presenting similar complaints, and learning that just as many came each time to these bi-monthly meetings, she saw wage theft as a shared and structural concern. She noted the ways that the work moves beyond the individual cases, “We’re not just here for us,” but that the Center is helping people to organize broadly in order to improve worker rights.

The issue of wage theft, like that of access to health care, is one that has a broad impact beyond immigrant communities. It is not only unauthorized immigrant workers, but low-wage workers in general, who are particularly vulnerable to wage theft. “Broken Laws, Unprotected Workers,” a survey of low wage workers in New York, Los Angeles, and Chicago revealed that 68 percent had experienced some form of workplace abuse in the past workweek (Burnhardt, Milkman, Theodore 2008). The survey included 4,000 workers, immigrant and non-immigrant, and found that one fourth had not been paid the full minimum wage in their past workweek.
full 60% of this group had been underpaid by more than $1 an hour. Inequalities based on race, gender, and immigration status all contribute to worker abuse. “Broken Laws, Unprotected Workers” documented that foreign-born Latinos were the most likely to have wage violations and that women were more likely to experience violations than men. African Americans were almost three times as likely as white to experience a wage violence.

The Houston City Council unanimously passed a wage theft ordinance in November of 2013 barring city permits and licenses for employers convicted of wage theft in great part because of Fe y Justicia’s two-year organizing effort. Due to significant opposition from some city council members, the final wage theft ordinance was not as strong as the original version. One observer at the hearings noted that term worker, let alone laborer, was not used. Instead, city council members used the term employee as a “business friendly” term. Nonetheless, Fe y Justicia views the law as an important step in preventing wage theft in the city and it came through years of organizing in the city. The wage theft ordinance applies to all Houston workers, immigrant and non-immigrant alike. As such, it holds the promise to protect worker rights in the city, especially benefiting African American, Latina/o, and women workers.

Fe y Justicia has several projects engaging specific groups of low wage workers. One such project is La Colmena (The Beehive), which serves to organize housecleaners, nannies, and caregivers in Houston. The domestic workers selected the name of the group to show the power of a group of people coming together for a common cause, as they state: “We work in close collaboration, we build homes with love, our work is as sweet and sacred as honey, and when we are under attack, we sting!” Because domestic work is done in homes behind closed doors, it is made invisible by a society that chooses not to see it, and this makes it easier to be undervalued and underpaid. The women of La Colmena work to better the conditions of all domestic workers.
Domestic workers are excluded from Federal protections of the Fair Labor Standards Act which means that their employers are not legally required to pay them overtime, sick pay, or vacation. Racism is at center of this exclusion. When the National Labor Relations Act was passed in 1935, domestic workers and farmworkers, were excluded from the protection. At that time, the majority of these workers were African American. Legal scholar Juan Perea (2012:98) observes that “exploitation and vulnerability of these workers is no accident”—the law was put in place to exclude blacks from “the new deal, to preserve quasi-plantation style agriculture in the still segregated south.” This exclusion from protection continues to the present. Racism creates the context in which domestic workers face oppression but so do inequalities based on gender and nationality. A 2012 survey of domestic workers carried out in California found that the vast majority were Latinas, many of them immigrant women (Burnham and Theodore 2012). Other findings include the fact that domestic workers commonly experience verbal and physical abuse on the job, sexual assault, and threats. They are rarely, if ever, paid overtime, and often earn less than minimum wage.

As a member of the National Domestic Workers Alliance (NDWA), Houston Fe y Justicia promotes initiatives for protecting the labor rights of domestic workers. The NDWA has some 10,000 worker members in 18 states. Two members of Fe y Justicia, Consuelo Martinez and Martha Ojeda, serve on the NWDA Board of Directors and Fe y Justicia participates in many of the campaigns and actions of NDWA including an all-women’s vigil and fast for International Women’s Day, March 8, 2014 in Houston.

Women of La Colmena began to write their own stories and poetry, and in 2014 published the bilingual booklet “Todos Somos Una!” (We Women, One Woman!). Their stories detail the difficulties of domestic work and the discrimination they experience as well as their
vision for a better future for themselves and for all domestic workers. Kirina Girón from Guatemalan notes that she left her home country to provide a better life for their children, who are “the engine driving my life and the reason for everything” (2014: 43). She ends her story noting that she joined La Colmena “to be able to fight together to achieve advances to get decent wages and above all Dignity and Respect. . . . We recognize that unity makes strength. We are sisters in the struggle, we organize ourselves for the common good, we show leadership, we motivate other women to be in the struggle for a better future, we have the power to change what we want, we negotiate our work and we learn from the stories of all women” (2014: 43-45).

Martha Ojeda, Campaign Organizer of Fe y Justicia, noted that she is inspired by the “protagonists of change” the domestic workers and undocumented workers “who give their hearts and are already part of this country,” even if they are not fully accepted. These workers make-up the “engine” of Fe y Justicia.

Fe y Justicia also supports the right to health and joins efforts to stop deportations, two example of the connections between immigrant right groups and issues in the city. In particular, Fe y Justicia supports workers who are victims of accidents on the job, and as noted, without mandatory workers compensation in the state of Texas, the injured struggle to access health care and compensation. Martha Ojeda told of one man was severely injured, losing his ability to speak and hear on one side of his face, after he was hit by his boss. After this, he was simply fired. Domestic workers as a group commonly lack health care coverage and sick time. Day laborers and other low wage workers are vulnerability to accidents and injuries. Indeed, Fe y Justicia has a program to train construction works in safety issues. The organization has also joined efforts of other organizations to protest detentions and deportations of immigrant workers. In one action, members visited a detention center and brought a cake to a group of 15-years olds
for a quincenera whose parents were detained, both to support the teens and to bring attention to the ways detentions separate families.

**Detention and Deportation**

At a national level, immigration enforcement has intensified through a dramatic increase in detentions and deportations, with a record of 400,000 people deported by the Obama administration in the fiscal year 2012. While Houston traditionally has not been extremely aggressive toward undocumented migrants due in part to lobby of business interests, as well as to community agency and a growing Latino political class, recent enforcement in the city has resulted in deportations and increased fear of detention.

In 2008 Harris County enacted 287(g), a program requiring law enforcement agencies to work directly with the Department of Homeland Security to enforce immigration law. Immigrant rights organizations including *Alianza Mexicana* and Houston United (an coalition of immigrant rights groups), among others, challenge policies such as 287g, noting that many immigrants are stopped for minor crimes, such as driving without a license, and are detained when police find that they are undocumented. Statistics from the U.S. Sentencing Commission for the fiscal year 2011 reveal that immigration cases are the fastest growing segment of federal crimes, with the majority (83%) involving re-entering or remaining in the U.S. without legal authority. Because of changes in immigration law, Latinos now make up nearly half of all sentenced for federal felonies. Activists have spoken out against 287g in a variety of settings in Houston. On April 10, 2014, activists gathered at St. Patrick’s Church in northern Houston at a public meeting with Harris County Sheriff Adrian Garcia and regional director of Immigration and Customs Enforcement (ICE) David Jennings. As individuals and members of organizations took the microphone, they spoke of the deportation of the family members, countering the arguments of
ICE that only those who had committed violent crimes were deported. For example, Maria Antonia Garcia spoke of her daughter Selene Cortés, who had been awarded several university scholarships but was deported to Mexico after being detained on a bus to Louisiana. One positive outcome of the meeting from the point of view of the activists is that Sheriff Garcia agreed to accept a Consular identification as valid for prison visits, allowing immigrants who lack a state identification to visit family members who are detained.

These groups have taken a variety of actions and have joined coalitions to stop detentions and deportations. One important event to draw attention to the poor conditions of prisons in Texas as well as the overall criminalization and detention of immigrants was a protest at a prison in Livingston, Texas, 75 miles from the center of Houston. On December 8, 2012 a group of activists from Houston filled a bus and traveled to the Polk County Secure Adult Facility where they met with a second bus of people from Austin. On the way, activist Dave Kalloor of Liberating Immigrant Families Together (LIFT) discussed the conditions of the Polk County detention center, one of the ten worst immigrant detention facilities in the nation according to research coordinated by Detention Watch Network. The Polk County facility has over 1,000 beds and holds male immigrants, including legal permanent residents, asylum seekers, some of whom are victims of crime, among others. The Community Education Center (CEC), a for-profit and private contractor, operates the Polk County Prison, receiving $56 per prisoner per day from Immigration Custom and Enforcement. According to its webpage, CEC “is a leading provider of reentry treatment and education services for adult correctional populations throughout the United States.” It operates facilities in 18 states, including twelve in Texas. CEC is just one of many for-profit prison companies in the U.S. and nearly half of the 400,000 immigrants incarcerated each year are held in privately owned prisons.
Kalloor summarized parts of Detention Watch Network report about the detention centers in the country. Volunteers from Grassroots Leadership in Austin carried out research for the Polk County report; they spoke with dozens of detained men at the facility and conducted interviews with interviews of the warden and staff. Some of the primary concerns about the prison conditions include the lack of adequate medical care; the facility has no physician and the men commonly wait three to four days, or longer, for medical attention. Solitary confinement for 15 to 30 days was commonly reported, and given the remote location of the prison, visits from family members and loved ones were rare. Other concerns include the lack of adequate, nutritious food and an inhumane schedule, with meals served at 4:30 a.m., 11 a.m., and 4:30 pm. Some men are employed by CEC to work in the kitchen, laundry, barbershop, or cleaning. They are paid one dollar a day, their labor classified as “voluntary employment.” Given the lack of food, some use their meager wages to purchase food in the overpriced commissary.

When the bus reached the detention facility and joined the Austin group, together the one hundred protestors carried signs, chanted slogans, and marched in a small space by the side of the road outside the detention center. Representatives from the various groups, including Houston Unido, Alianza Mexicana, Texas Criminal Justice Coalition, Texans United for Families, among others, spoke about immigrant rights in the context of the increased incarceration of immigrants and people of color. Several people who had been detained shared their experiences. One man who recently been released from the facility reported that he had been paid only a dollar a day for working in the prison and that he had been mistreated by several guards. Yet, he also paused to thank those who had treated him well while he was there. A woman whose husband had spent three years in prison and was about to be deported spoke of the hardships that he had suffered while detained and of the difficulties she and her children
faced without her husband. The protesters noted that the most serious human rights violation is the fact that migrants are detained in the first place, often when their only “crime” is crossing the border without papers. The organizations visited the detention center six months later the Saturday before Father’s Day to draw attention to the ways the detention of immigrants separates families.

More recently, Manuel Martinez, was one of a number of detainees at the Joe Corley Detention Center in Conroe, Texas who went on a hunger strike to protest his detention. This facility is run by GEO, another for-profit prison companies in the U.S. Martinez was deported to Mexico on April 3, 2014, the morning of his 50th birthday. He had lived in the U.S. since he was 8 years old. Organizations in the city carried out a series of events, including the vigil described in the previous section on health care, to attempt to stop the deportations of the hunger strikers and also in support of improved prison conditions. Martinez’s wife Ernestina Hernandez and his daughter Melanny Martinez testified at congressional briefings and also joined a protest at the White House in Washington, D.C. demanding an end to deportations and better conditions at detention centers. Ernestina Hernandez joined a hunger strike in D.C. for ten days to make visible the suffering of families separated by deportation policies. In an open letter to Sasha Obama, Melanny writes, “God gave us a voice and now it’s time to use it because we have rights to be with the ones we love and there is no law that provides us to stay away from our family” (notonemoredeportation.com).

Immigrant youth in Houston and in Texas have engaged in a number of actions to demand an end to deportations. The Texas Undocumented Youth Alliance carries the slogan “undocumented, unafraid.” The group’s acronym, La Tuya, is a play on words that also means “your Mama.” This group of youth activists differs from some of the DREAMERS, youth who
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qualify for Obama’s Deferred Action for Childhood Arrivals (DACA), coming to the US with their parents before they were 16 years old, are in school or the military, and meet a series of other requirements. La Tuya along with many other dreamer organizations push the cause – of an end to deportations – instead of (and at times, at the expense of) their own individual cases. They point out that DACA, like the proposed legislation of the “Dream Act,” provides legal status for themselves but not for their parents. Activists of La Tuya have turned themselves over to ICE to be arrested in order to infiltrate immigrant detention centers to collect information on detainees and to draw attention to the issue of deportation. Several groups of youth have “self-deported” to Mexico – at great risk to themselves – and then attempted to cross back at the US-Mexico border. One such group, the Dream 9 is composed of long-time U.S. residents of the National Immigrant Youth Alliance (NIYA, the national umbrella organization of La TUYA). Following the Dream 9 are the Dream 30, a group of activists who attempted to enter the country at a Laredo checkpoint in September 2013 and applied for humanitarian visas. The majority of the Dream 30 were sent to an El Paso facility for detention. One of the youth, Houston resident Edgar Torres, was eventually released.

In some cases, Houston immigrant rights groups have formed alliances with organizations in the African American community recognizing common struggles against racism in the criminal justice system. The Caravan for Peace with Justice and Dignity, in which Mexican activists traveled from Tijuana to San Diego, California and to 26 more U.S. cities, including Washington D.C., is one example. Mexican caravan participants spent two days in Houston in August 2012 and met with local activists. In a series of public events, the Caravan participants and Houston activists worked together to demonstrate the negative impact of the war on drugs on minority and poor communities in the United States and in Mexico. Hope Sanford,
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who participated in organizing the Houston events, spoke of the connections that exist between those working in defense of immigrant rights and those resisting mass incarceration in the United States, noting that Latinos and African Americans do not want to see their youth, in particular, imprisoned for years. At a town hall meeting held as part of the Caravan in the city, African Americans spoke of the devastating impact of incarceration on their family members while Mexicans and Mexican immigrants who live in Houston spoke of the devastating violence caused by Mexico’s war on drugs. A video clip of Michelle Alexander speaking on her book *The New Jim Crow* was screened at the event. Alexander addresses the inequalities and racism in the criminal justice system, noting that felons lose many rights including the right to vote, educational opportunities, and the right to food stamps, and other public benefits.

**Concluding Notes**

*Politics may well be the art of the possible, but social movements are the force that expands the range of what is possible. Karen Brodkin 2007: 6.*

The exclusion of minority groups and their struggles to resist repressive policies and institutions have historic roots in the city of Houston. For decades African Americans in the city have challenged segregation, racism, low wages, and inequities in the criminal justice system (see for example, Cole 1997). Recent Latina/o immigrants in the city join these on-going struggles to demand rights, at times making strategic alliances with other groups. A concrete challenge Latina/o organizations face is that of maintaining and strengthening such alliances while they continue to respond to the constant struggles for day-to-day survival.

In writing of one group of Guatemalan migrants in Houston, Nestor Rodriguez uses the term “autonomous migration” to name the ways the community “implemented a strategy of undocumented international migration to help ease its passage through a period of profound
economic stress” (1995). The term autonomous migration challenges the view of undocumented migrants as disorganized and unorganized in showing their responses to historic events and political and economic policies. It also serves as a reminder of the agency of migrants in making decisions about how to survive. Houston immigrant activism around issues of health care, worker rights, and criminal justice is not only about community survival, it is also about expanding the range of what is possible (to paraphrase Karen Brodkin). The successes of the groups, most visibly the passage of the city’s wage theft ordinance, promises to protect all workers, but especially low wage workers who are disproportionately female and minority, immigrant and non-immigrant alike. Yet the vision and demands of groups such as Living Hope Wheelchair Association for health care and medical supplies for all and for greater accessibility in transportation and public spaces push to make Houston a more equitable city.

Houston is now the most diverse city in the nation with no single ethnic/racial group making up fifty percent of the population. More than one in four people in the city were born in another country. Latinos make up the largest single minority group in the city. Yet Houston continues to be a profoundly unequal city. It has one of the highest rates of uninsured residents alongside a huge medical center, limited labor protections for workers alongside great wealth, and low wages for janitors and domestic workers who clean high rise office buildings and care for children and households of highly paid executives. Low wages and wage theft are two powerful examples of how wealth in the city is generated at the expense of the working poor, immigrant and on-immigrant. Yet, in spite of the suffering in their individual cases and the systemic barriers they face, activists and the organizations they have built have found a way to link case and cause to try to make Houston a more equitable city.
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1 These are three of the most visible arenas in which immigrants engage in rights struggles. There are many other arenas around which immigrants mobilize including housing and environmental justice.

2 Some key events include the May Day march and rally held in the city every year for immigrant and worker rights, community forums on immigration, two visits to Polk County Detention Center where activists demanded better conditions for the immigrant detainees and protested the criminalization of migrants, and vigils to protest immigrant detention, deportation, and migrant deaths along the border.

3 Hagan’s 1994 *Deciding to Be Legal* documents the impact of IRCA on Houston’s Guatemala immigrant community as well as the community’s connections to the homeland.

4 De Leon notes that Houston ranked fourth nationally in the number of Hispanic-owned businesses in the 1990s.

5 There are a number of academic histories of the Chicano and Latino movements in Texas. Ignacio Garcia (1989) documents the history of La Raza Unida Party, which had an important presence in Houston. Historian Robert Treviño (2006) documents the ways Chicanos in Houston during the Civil Rights era pushed the Catholic Church for greater representation, including more Mexican American bishops, and to respond to their social concerns.

6 In the context of the Cold War, the United States supported military governments in both Guatemala and El Salvador which carried out mass human rights abuse. The vast majority of applications for political asylum from these nations were denied by the U.S. government.

7 In writing of the activism of the Mothers of the Plaza de Mayo in Argentina, Marguerite Guzman Bouvard describes a transition from “I” to “we.” She notes that the mothers seeking to locate their sons and daughters who were “disappeared” in the context of the Dirty War of the 1970s and 1980s, initially focused on their own individual case. In time they worked for the broader cause of bringing justice and democracy to Argentina as a nation and to ending impunity.