

Border Patrol agent detains two US citizens in Montana for speaking Spanish

By Alec Andersen
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Early Wednesday morning, a United States Border Patrol agent detained and questioned two US citizens for speaking Spanish as they were buying groceries at a gas station in Havre, Montana, a city of 10,000 located 35 miles south of the US-Canada border.

Shortly after midnight on May 16, Ana Suda and Mimi Hernandez were waiting in line to pay for milk and eggs when they were approached by a uniformed Border Patrol agent demanding to see their identification documents.

“We were just talking, and then I was going to pay. I looked up [and saw the agent], and then after that, he just requested my ID. I looked at him like, ‘Are you serious?’ He’s like, ‘Yeah, very serious,’” Suda told the *Washington Post*.

The agent then took the women outside for questioning, at which point Suda began filming the encounter. In the video posted to Facebook, Suda asked the agent why she and her friend were being targeted.

In a display of outright xenophobia and contempt for elementary democratic rights, the Border Patrol agent replied: “Ma’am, the reason I asked for your ID is because I came in here, and I saw that you guys are speaking Spanish, which is very unheard of up here.”

When asked whether the women were being racially profiled, the agent reaffirmed the lack of any legal basis for their detention, saying, “It has nothing to do with that. It’s the fact that it has to do with you guys speaking Spanish in the store, in a state where it’s predominantly English-speaking.”

After 35 to 40 minutes of questioning, the agent finally allowed the pair to leave. Suda later told the *Washington Post*, “I was so embarrassed... being outside in the gas station, and everybody’s looking at you like you’re doing something wrong. I don’t think speaking Spanish is something criminal, you know?”

My friend, she started crying. She didn’t stop crying in the truck. And I told her, we are not doing anything wrong.”

Both women are US citizens of Mexican heritage and both were born in the United States. Suda was born in El Paso, Texas, and was raised in Ciudad Juarez, Mexico; Hernandez was born in central California. Like 40.5 million others in the US, the women primarily speak Spanish at home and among Spanish-speaking friends, though they are also fluent in English.

While it primarily works in the immediate vicinity of the US borders with Canada and Mexico, the Border Patrol is authorized to operate up to 100 miles from the border. Within that area, agents have been given broad powers to detain, question, and arrest individuals if they have reasonable suspicion that a crime or immigration offense has been committed.

Suda told the *Washington Post* that she intends to take legal action against the Border Patrol over her detention. The American Civil Liberties Union (ACLU) also announced that it is looking into the incident.

In a tweet Monday, the ACLU wrote: “Speaking Spanish is not a valid reason for Border Patrol to question or detain you... The Constitution prohibits all law enforcement agencies, including @CBP, from racial profiling and arbitrary searches and detentions.”

The detention of Suda and Hernandez comes as President Donald Trump and his administration is actively encouraging right wing and fascistic elements, repeatedly referring to immigrants from Latin America as animals, rapists and smugglers.

Notably, the flagrantly illegal detention of US citizens for speaking Spanish is yet another episode in the Trump administration’s campaign of terror against

immigrant communities which has been met with a complicit silence by the Democratic Party, which is entirely focused on pressuring Trump over supposed Russian meddling in the 2016 election.

A Customs and Border Protection (CBP) spokesperson said in a statement that the agency was investigating the incident to ensure that the agent had acted in accordance with proper policies and procedures, adding unironically, “[CBP] agents and officers are committed to treating everyone with professionalism, dignity and respect while enforcing the laws of the United States.”

In reality, CBP has a long track record of disregarding basic democratic and human rights. In one of the most egregious examples in recent years, Border Patrol agent Lonnie Swartz was acquitted of murder charges in April over the 2012 cross-border shooting death of 16-year-old Mexican citizen Antonio Elena Rodriguez.

Swartz claimed his life was endangered by the boy throwing rocks at him from 20 feet below as the agent stood behind an elevated fence along the US-Mexican border. Swartz fired 16 shots into Rodriguez, eight of which hit him in the back during what the officer claimed was an attempted drug-smuggling operation.

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