

US activist who sheltered migrants found not guilty in second trial

By Aaron Murch
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A federal jury in Tucson, Arizona has found Scott Warren, of the humanitarian organization No More Deaths, not guilty of aiding “illegal” immigrants. The verdict was announced after less than two hours of deliberation.

This is after a previous jury was unable to reach a verdict five months ago, in the first attempt at prosecuting Warren for the crime of providing water and aid to migrants making the dangerous and treacherous journey across the US-Mexico border. “The government failed in its attempt to criminalize basic human kindness,” Warren told reporters.

In January 2018, federal agents staked out a “safe house” known as “The Barn” that Warren was operating near the border. Agents witnessed two migrant men enter and receive food water and shelter. Soon after, Warren was arrested for this supposed crime.

Federal prosecutors argued that by providing aid and a safe house Warren and his organization are complicit in illegal immigration activity. This verdict, and the outpouring of support Warren has received from his community and across the country, shows that the vast majority of Americans disagree with the government on this issue. When polled, the majority of respondents agree that providing humanitarian aid is not a crime.

Warren’s legal team argued in defense of the democratic and social right for workers to come to the aid of other workers. By providing food, water and shelter, his lawyers argued, Warren is committing no crime. When asked what the verdict means, Warren’s attorney, Greg Kuykendall, told reporters, “They decided that humanitarian aid is not always a crime the way the government wanted it to be,” he said. “Instead, they decided that humanitarian aid is virtually never a crime.”

No More Deaths, the humanitarian organization Warren works with, is known in the community for setting up aid stations around the border crossing areas and leaving water for the migrants. Its aim is to prevent migrants from dying of thirst, as hundreds have in recent years. A representative of the organization, Paige Corich-Kleim, stressed to the WWS that what Warren did is a normal and humane act and was not meant to be political.

However, the Trump administration’s aggressive prosecution of migrants and immigration means that those who stand in solidarity with migrants have come under attack as well. “What Scott did is actually pretty normal around here, people across the political spectrum have been giving water to people, they don’t want them to die,” Corich-Kleim said. “What this verdict shows is that providing aid to others is never a crime. Hopefully this inspires others to help out those who are in need.”

US Attorney Michael Bailey, however, stressed to reporters that prosecutions like this will continue. “Although we’re disappointed in the verdict, it won’t deter us from continuing to prosecute all the entry and reentry cases that we have, as well as all the harboring and smuggling cases and trafficking that we have,” he said. “We won’t distinguish between whether someone is harboring or trafficking for money or whether they’re doing it out of a misguided sense of social justice or belief in open borders.”

Despite the unpopularity of these policies, evidenced by this case and by recent events across the country where coworkers and neighbors have protected migrant workers from federal ICE agents, the Trump administration is determined to carry out its vendetta against migrants attempting to cross the border. To combat these attacks, workers on both sides of the

border must form independent organizations of struggle to defend the democratic rights of workers to live and work in the country of their choosing.

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