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Trans(formation) of a Movement

Roxsana Hernández, an immigrant transgender woman from Honduras, died in ICE detention earlier this year. LGBTI activists refuse to let her death be in vain.

On May 25, 2018, Roxsana Hernández, a trans woman from Honduras, died while in Immigration and Customs Enforcement (ICE) detention in Albuquerque, New Mexico, after being held there for two weeks. The news hit the transgender community hard. Yet it wasn't the first time a trans person had died this way. In 2007, Victoria Arellano, an undocumented transgender woman from Mexico, died in ICE custody too, due to medical neglect. Detention is not a safe place for any immigrant—several Hondurans have perished in immigrant detention this year alone—but least of all for transgender immigrants.

Transgender immigrants are often marginalized from the public debate and discourse on immigration, ignored by immigration reformers, and absent from proposals for comprehensive immigration reform. They garner little mention in mainstream efforts to draw attention to the plight of immigrants. Although they constitute a small minority of the overall detained migration population, transgender women face extreme violence and indignities in detention, and are highly policed, scrutinized, and disciplined in various contexts throughout their migration journeys. Their stories often shock the conscience but are also alarmingly and uniformly laced with brutality. Transgender immigrants are made virtually invisible, and when they are 'seen,' they often face homophobia and are derided, unwanted, and face discrimination from organizations who serve immigrants in general. For Roxsana Hernández, being trans and immigrant meant death.

The Case of Roxsana Hernández

Roxsana Hernández was from Comayagua, Honduras. She migrated in search of a better life and to help her family back home. According to Roxsana's

three sisters, in Honduras she faced a hard life, could not get a job because she was transgender, and when she walked down the street with them, passersby often heckled and jeered her. She and her sisters spent their days making tortillas and cooking beans to sell seven days a week from a shared one-bedroom apartment.

On July 7, 2018, over a month after her death, her family received Roxsana's lifeless body, in a cracked box, her body near decomposition. The Honduran government declined to provide burial costs or bereavement assistance to the family. The U.S. government, for its part, seemed eager to close the case, send the body back to Honduras, and be done with it.

Roxsana's family learned about her death over the phone, when an officer from the Honduran Foreign Relations office responsible for all migration matters called Roxsana's sister. The official explained the circumstances of her death, and then proceeded to disclose that she was HIV-positive and had a criminal record. For the family, it felt as if the call had to include a final indignity by exposing a personal privacy to justify what happened to her—they did not know Roxsana had been HIV-positive. The officer could not answer any of the other questions Roxsana's sisters had. Instead, he told them that to bring the body back they needed to go to the capital and bring photos of their dwellings to demonstrate poverty so that the government could cover the costs of the flight. In fact, it took many calls by local LGBTI groups to the government office as well as from U.S. translated groups to get the government to cover the costs to return Roxsana's body to her family. Nothing for Roxsana, in life or death, was easy.

Roxsana's case, including even her own family's lack of awareness about the hardships she faced in life, are a reminder of the overwhelming challenges



Roxsana Hernández (COURTESY OF TRANSGENDER LAW CENTER)

facing trans immigrants. Transnational concern about Roxsana's treatment in detention brought Isa Noyola, deputy director of the Transgender Law Center and also a member of Familia: Trans Queer Liberation Movement (TQLM), to Honduras to understand and draw attention to the conditions Honduran transgender women confront in their home country and why they are leaving in such massive numbers, particularly from Honduras. At the same time, Noyola's visit to Honduras was a critical opportunity for Roxsana's family to understand their sister's experience, the conditions at detention facilities, and the lives of transgender women in the United States. Dialogue with U.S.-based organizers and advocates created important opportunities for connection and understanding.

At the same time, this is an important story for organizers in the United States to comprehend. Roxsana's story of poverty and limited opportunity is not unique. Meetings with transgender-led groups in Honduras rendered equally grave data about the situation facing transgender people throughout the country: from the precarious social climate facing transgender women to societal and state-sanctioned violence; from police abuse and military harassment to weak social support and a lack of work and education. In San Pedro Sula, for instance, many are forced into *narcomenudeo* (small-scale selling or moving drugs through consumption of them) by gangs.

Though there have been reforms to the penal code in Honduras to acknowledge discrimination against LGBTI people, cases against them hardly ever get prosecuted or see justice. In fact, the impunity rate for

violence against women and femicides in Honduras is 95 percent. According to CATTRACHAS, from 2009 to 2018, there have been 97 murders of transgender women, and 44 of those murdered were sex workers. Trans-led groups such *Colectivo Unidad Color Rosa*, *Cozumel Trans*, and *Asociacion Feminista Trans* (AFET) are working to address the lack of adequate funding for needed services and organizing. Yet even members and leaders of established LGBTI organizations are increasingly being forced to leave Honduras themselves to seek a new future north or risk being killed in Honduras.

Violence in Detention

Towards the end of August, Familia: TQLM organizers (including the first author, Jennicet Gutiérrez) visited transgender women held in detention at the Cibola County Correctional Facility in New Mexico, owned by CoreCivic, one of the country's largest private prison companies. The prison is categorized as medium security, but is in fact heavily guarded, with barbed wire, fully-equipped guards, and surveillance cameras throughout. To get to the visiting area, you go through a major security door and wait while detainees are brought out. Then another door opens so you can enter to visit the detainees. Each of the trans prisoners wears a name badge with an identification number that clearly does not match their gender identity and expression. This inhumane practice is a tacit way to dehumanize trans people and justify their inhumane detention.

Transgender women held in this facility come primarily from Honduras, Guatemala, El Salvador, and Mexico. Familia: TQLM organizers spoke with two transgender women there, who detailed the abuses they have faced both on the migrant trail as well as inside the detention center. They are given a uniform and forced to wear boxers, although they are used to and most comfortable wearing women's underwear. Their bodies are noticeably fragile. The food they are served is poor quality and lacks nutritional value.

According to a report by Human Rights Watch and Familia: TQLM and the Transgender Law Center, "*Do You See How Much I'm Suffering Here?*" *Abuse against Transgender Women in U.S. Immigration Detention*, there are approximately 65 trans people in detention any given day. Seventy percent of the trans people in detention surveyed were afraid of being abused due to their sexual orientation or gender identity. Twenty-eight women interviewed for the report said they had

been held in solitary confinement at some point while in detention, several for more than 15 days. The same report noted that immigration officials are not trained to conduct credible fear evaluations to determine asylum cases, or given resources to understand the conditions trans people face in their home countries.

It is very difficult for those being held in immigrant detention to navigate an unfamiliar system. The language barrier makes it at times impossible for them to understand their rights. They do not know how long they will remain in detention due to lack of legal representation, lack of clarity about how the system works, and ever-changing policies imposed from the federal government. For undocumented trans women, these challenges are compounded.

Rising Up for Trans Rights

Despite these myriad challenges, activists are fighting back to ensure that Roxsana did not die in vain. Her legacy is materialized in the connections across borders between transgender organizers in the U.S., Mexico and Honduras. This intersection of lives and work is emerging and has the potential to be transformative. After Roxsana's death in May, LGBTI Latinx community members mobilized and held rallies and events across the nation in early June. There were rallies demanding #JusticiaParaRoxsana #JusticeForRoxsana in New York, Atlanta, San Francisco, Chicago, Philadelphia, Houston,

Sacramento, Tucson, Albuquerque, Phoenix, Los Angeles, Mexico City, and Tijuana. This unprecedented response gives us hope. It provides a glimpse of what is possible when organizations center and uplift the voices of people directly affected.

In this way and others, transgender immigrants are attempting to organize around various issues on both sides on the border(s) and to challenge transphobic and anti-immigrant policies that are killing them. They want the world to know that although the road to justice is long, they are still here, and they deserve a chance to thrive. Immigration justice is one step. **■**

Jennicet Gutiérrez, best known for shedding light on the plight of transgender women in immigration detention centers through her organization Familia: TQLM (Trans Queer Liberation Movement), is a transgender activist from Mexico who resides in Los Angeles. Twitter: @JennicetG

(Note: Gutiérrez is also a source in the following article)

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