

# Guide for the Mexican Migrant

*Distributed by the Mexican Ministry of Foreign Relations*

## INTRODUCTION

Esteemed Countryman:

The purpose of this guide is to provide you with practical advice that may prove useful to you in case you have made the difficult decision to search for employment opportunities outside of your country.

The sure way to enter another country is by getting your passport from the Ministry of Foreign Affairs, and the visa, which you may apply for at the embassy or consulate of the country you wish to travel to.

However, in practice we see many Mexicans who try to cross the Northern Border without the necessary documents, through high risk zones that involve grave dangers, particularly in desert areas or rivers with strong, and not always obvious, currents.

Reading this guide will make you aware of some basic questions about the legal consequences of your stay in the United States of America without the appropriate migratory documents, as well as about the rights you have in that country, once you are there, independent of your migratory status.

Keep in mind always that there exist legal mechanisms to enter the United States of America legally.

In any case, if you encounter problems or run into difficulties, remember that Mexico has 45 consulates in that country whose locations you can find listed in this publication.

Familiarize yourself with the closest consulate and make use of it.

## DANGERS IN CROSSING HIGH RISK ZONES

To cross the river can be very risky, above all if you cross alone and at night.

Heavy clothing increases in weight when wet and this makes swimming and floating difficult.

If you cross by desert, try to walk at times when the heat will not be too intense.

Highways and population centers are far apart, which means you will spend several days looking for roads, and you will not be able to carry foodstuffs or water for long periods of time. Also, you can get lost.

Salt water helps keep liquids in your body. Although you may feel more thirsty if you drink salt water, the risk of dehydration is much less.

The symptoms of dehydration are:

- Little or no sweat.
- Dryness in the eyes and in the mouth.
- Headache.
- Tiredness and excessive exhaustion.
- Difficulty in walking and thinking.
- Hallucinations and visions.

If you get lost, guide yourself by lightposts, train tracks, or dirt roads.

### **BEWARE OF HUMAN TRAFFICKERS (COYOTES, POLLEROS)**

They can deceive you with assurances of crossing in a few hours through the mountains and deserts. This is simply not so!

They can risk your life taking you across rivers, drainage canals, desert areas, train tracks, or highways. This has caused the death of hundreds of persons.

If you decide to hire people traffickers to cross the border, consider the following precautions:

Do not let them out of your sight. Remember that they are the only ones who know the lay of the land, and therefore the only ones who can get you out of that place.

Do not trust those who offer to take you to “the other side” and ask you to drive a car or to take or carry a package for them. Normally, those packages contain drugs or other prohibited substances. For this reason, many people have ended up in jail.

If you transport other persons, you can be confused with a human trafficker, and they can accuse you of the crime of trafficking or auto theft.

Do not entrust your minor children to strangers who offer to take them across to the United States.

## DO NOT USE FALSE DOCUMENTS

DO NOT USE FALSE DOCUMENTS OR THOSE THAT DO NOT BELONG TO YOU, NOR DECLARE A FALSE NATIONALITY.

If you try to cross with false documents or those of another person, take into account the following:

To use false documents or those of another person is a federal crime in the United States, for which you can be tried in a criminal proceeding and end up in jail; likewise if you use a false name or say that you are a citizen of the United States when you are not one.

Do not lie to officials of the United States at ports and points of entry.

## IF YOU ARE ARRESTED

Do not resist arrest.

Do not assault or insult officials.

Do not throw rocks or objects at officials or at patrols since this is considered a provocation by those officials.

If they believe themselves to be under attack, it is likely that they will use force to arrest you.

Raise your hands slowly so that they see you are not armed.

Do not have in your hands any object that could be considered a weapon such as spotlights, screwdrivers, pocket knives, knives, or rocks.

Do not run or try to escape.

Do not hide in dangerous places.

Do not cross high-speed highways.

It is better to be arrested for a few hours and repatriated to Mexico than to get lost in the desert.

**IF THEY ARREST YOU, YOU HAVE RIGHTS!**

Give your real name.

If you are a minor accompanied by an adult, tell the authorities so they do not separate you.

Your rights are:

To know where you are.

To ask that they allow you to contact a representative of the closest Mexican consulate for assistance.

Not to make statements or to sign documents, above all if they are in English, without the advise of a defense lawyer or Mexican consular representative.

To receive medical attention if you are injured or in delicate health.

To be respected in your person and to receive dignified treatment without regard to your migratory status.

To have safe transport.

To have food and water whenever you need it.

You are not obligated to state your migratory status at the time of arrest.

You have the right not to be beaten or insulted.

Not to be held incommunicado.

In case they take away your things, ask for a receipt so that you can claim them upon release.

It is important that you inform your lawyer or Mexican consular representative who visits you of any infringement of these rights. Also inform the closest office of the Ministry of Foreign Affairs in Mexico.

If you want more information and you live in Texas or the city of Acuña, Coahuila, tune in to “La Poderosa” (The Powerful) at 1570 AM.

## IN CASE OF ARREST

If you are sentenced for a crime or you are jailed and facing a criminal proceeding, you have the following rights:

Not to be discriminated against by the police, the courts, or prison officials.

To receive visits by Mexican consular personnel and members of your family.

To receive legal representation without conditions and obstacles.

If you are facing a criminal proceeding and you have not yet been sentenced, ask your lawyer or consular representative about pleading guilty.

Do not declare yourself guilty without first consulting your lawyer about the chances of winning your case.

It is important that you know the laws of the state where you live and work since the laws in each one are different. Consider the following advice:

If you drink, do not drive, since if you do not have documents, you can be arrested and deported.

If a legal resident is convicted more than twice for drinking under the influence, he can be deported.

Do not drive without a drivers license.

Respect traffic laws and use your seatbelt.

Do not drive without insurance and do not agree to drive a stranger’s car.

Do not let strangers into your car.

If when driving, you commit a traffic infraction and you are stopped by the police, place your hands on the steering wheel and do not get out of the car until the officer requests that you do so.

Avoid calling attention to yourself while you normalize your stay or process your documents to live in the United States.

The best way is not to change your routine of going from your job to your home.

Avoid noisy parties. The neighbors can get annoyed and call the police, and you can be arrested.

Avoid getting involved in fights.

If you go to a bar or night club, and a fight starts, leave, since in the confusion you could be arrested even though you have done anything.

Avoid family or domestic violence. As in Mexico, it is a crime in the United States.

Domestic violence is not only physical, but it also includes threats, screaming, and ill-treatment.

If you are accused of domestic violence against your children, spouse, or some other person who lives with you, you could go to jail. In addition, the Child Protective Service could take away your children.

Do not carry firearms, knives, or other dangerous objects.

Keep in mind that many Mexicans are dead or in prison for that.

If the police enter your house or apartment, do not resist. However, ask for a proper warrant. It is better to cooperate and to seek to communicate with the closest Mexican consulate.

## CONSULATES

The Ministry of Foreign Affairs has 45 consular offices in the Interior and on the Southern Border of the United States of America whose function is to

help you. Remember, if you have been arrested or are serving a prison term, you have the right to communicate with the closest Mexican Consulate.

Always carry your Consular Protection Guide.

Stay close to the Consulate.

Stay close to Mexico.

It is your home, Countryman!

MINISTRY OF FOREIGN AFFAIRS General Directorate of Protection and  
Consular Affairs