

Victims of 'La Bestia,' Mexico's notorious migrant train, learn to walk again



EDGARD GARRIDO/REUTERS

Twelve hours after he scrambled atop a boxcar on a freight train that hurtled through Mexico toward the US border, Roni Osorio could no longer fight sleep. The train lurched, and with nothing to grip onto, he rolled, fell and was sucked under its churning wheels.

Nearly a year later, Osorio, 22, a migrant who once farmed beans and coffee in Honduras, has learned to walk again, with a new prosthetic limb where his left leg was ground off by "La Bestia," or The Death Train, so named for the risks posed by travelling on it, Reuters reported.

The train, which transports sugar and grains to cement and minerals, has helped legions of north-bound Central Americans flee extortionists, kidnappers, and more recently, migration agents and police who swarm highways and board buses.

But many, in their quest for safer lives, have fallen to their deaths or suffered grievous injuries as they careen around bends and through tunnels in remote or cartel-controlled expanses, with dozens perched on slippery roofs or hanging from handles between cars.

Since 2011 a special Red Cross pro-

gram, which moved in June to a strategic midpoint of the train line, has attended to 411 mutilated migrants, most of whom lost limbs, giving the few who were found in time a fresh lease on life.

Now, with more Central Americans stowed away on board the trains amid a Mexican crackdown on bus and walking routes, the Red Cross program is busier than ever.

Specialists have been treating five to eight new patients with amputated limbs a month this year, up from three to four a month last year, said Luis Saucedo, a doctor specialized in medical rehabilitation in the Guanajuato Rehabilitation Center.

"This rise in accidents is because of the militarization of immigration policy," said Ignacio Ramirez, director of the Abba migrant shelter in nearby Celaya, referring to stepped-up Mexican enforcement, under pressure from the Trump administration.

US President Donald Trump had threatened to impose tariffs here on Mexican goods if the country did not commit to doing more to curtail a surge in US-bound migrants.

Ferromex, which operates the freight

train, said it coordinates with National Migration Institute, a government agency, to protect "migrants who use the freight train as a means of transport, for which it is not intended."

The company, a unit of conglomerate Grupo Mexico, said it regularly talks with the Rail Transport Regulatory Agency "to collaborate on prevention."

Makeshift tourniquet

Ramirez said he had learned, from migrants in his shelter, of two young men who had lost limbs after riding the freight train in the past week alone.

Accordingly, he said he was in talks to design a dedicated resting place for amputees, with bathrooms and bedrooms adjusted for their needs.

Among those already at his shelter, Luis Estuardo, 21, an accountant, had resorted to boarding the train after escaping migration agents who had pulled him and his brother off a bus as they were crossing from one southern Mexican state to the next, he said.

"It was my first time," Estuardo said, of his Bestia journey. Others tried to pull

him aboard as the train picked up speed, but he fell, and his left leg was shredded.

Waiting by the side of the tracks, he fashioned a makeshift tourniquet to stem the bleeding, he said. Then, everything turned white.

Five hours later, local authorities found him.

Estuardo expressed gratitude to the Red Cross for being able to sleep again, despite phantom cramps.

"I feel like a sculpture," he said on Monday, gripping a walker, as Gibran Guzman, the program's Munich-trained prosthetic technician, gently wrapped a plaster-soaked bandage around his amputated thigh.

Every individual's prosthetic is unique, said Guzman, holding up the mold with which to design Estuardo's new calf, and a knee with a suspension device.

Affecting the poorest

Central American migrants are fleeing extreme poverty and grave dangers at home. But it is the poorest of the poor who are forced to take the train, said Red Cross regional spokesman Alberto Cabezas.

He could not say what proportion of La Bestia's victims the program managed to treat, adding, "Migration is a very invisible phenomenon."

Lack of money led Honduran former soldier Alan Abarca, 49, to skip the bus and board the train to reach the United States, months after getting deported, and he lost his left leg for it.

On Monday, he hopped between hula hoops on his remaining right leg to regain balance and strength. Afterwards, he pulled his stump out of its sock, revealing a mosaic of pink and white skin, still too raw for the prosthetic.

Abarca said he had tried and failed to maintain his family in the impoverished Honduran city of Choloma.

During a lifetime of odd jobs, his favorite was being a roofer, readily clambering up five stories.

Now, he asked, choked with emotion, "What can I do?"

Besides his wife and daughter, he had yet to inform other relatives about the accident, concerned that when word reaches his mother, her weak heart may fail.

"Only when I can walk again" will he tell everyone, he said, with a twinkle in his eye.

Rape investigation

Rémy Heitz, the chief Paris prosecutor, announced that he is opening an investigation into the rape of minors and a series of other charges linked to the Jeffrey Epstein case, the Guardian wrote.

Four black men were freed from death row; Republicans put them back

One prosecutor called the defendant in a murder case a "big black bull" in front of an all-white jury.

Another prosecutor, taking notes on prospective jurors, described a black juror who drank as a "black wine," while describing a white juror who drank as "drinks — country boy — OK," The New York Times reported.

In a third case, a prospective black juror was struck from the jury of a black murder defendant after reporting that he heard two white jurors say that the defendant, who had been captured by police in the woods, "should have never made it out of the woods."

These cases have two things in common. They happened in North Carolina, which has long had one of the most racially biased criminal-justice systems in the United States. And they involve people who are now back on death row after their death sentences were thrown out and replaced with life in prison sentences because of racial discrimination by their prosecutors during their trials.

How they wound up there, without a new trial or any additional hearing, is the subject of a lawsuit that will be argued before the North Carolina Supreme Court next week. Ten years ago, the state, then led by Democrats, passed the Racial Justice Act to address persistent racial disparities in capital sentencing. It worked — but four years later, a newly elected Republican legislature and governor repealed the law, and the state is now trying to execute the people who briefly benefited from it.

To understand why this is such an egregious violation of the Constitution, consider some background. Prosecutors have been keeping black people off juries forever, on the assumption that all-white juries will be more likely to convict black defendants. Normally, prosecutors and defense attorneys must give a valid reason for striking a potential juror — and race is not a valid reason. But each side is also given a small number of so-called peremptory challenges, allowing them to remove prospective jurors without having to explain why. By using their peremptory challenges, prosecutors have been able to strike black jurors with impunity.

The practice was so insidious that the United States Supreme Court banned it in 1986, in a case called Batson v. Kentucky. The court in Batson held that when prosecutors intentionally exclude black jurors because of their race, they aren't only hurting the defendant's chances at a fair trial; they are "undermining public confidence in the fairness of our system of justice."

After the Batson decision, prosecutors didn't stop striking black jurors because of their race — they just got better at masking their reasons. Especially in places like North Carolina, this wasn't the behavior of a few bad apples. It was standard operating procedure. A document distributed to North Carolina prosecutors in training listed 10 categories of apparently race-neutral explanations for striking a juror, in case a judge should ask. The categories included "inappropriate dress," "physical appearance," "attitude" and "body language." If the racial subtext wasn't clear, the document was titled "Batson Justifications: Articulating Juror Negatives."

Sometimes a prosecutor gets sloppy. Earlier this summer, the United States Supreme Court overturned by a vote of 7 to 2 the murder conviction of a Mississippi man whose prosecutor tried him six times, and finally got him sentenced to death, using all but one of his peremptory challenges against black jurors. But most prosecutors avoid detection, either because they are more careful to cover their tracks or the courts reviewing their actions are not as vigilant.

That's why North Carolina lawmakers in 2009 passed the Racial Justice Act, after a string of exonerations of black men on death row who had faced all-white or nearly all-white juries. One of the first laws of its kind, it allowed a death-row inmate to have his or her sentence reduced to life by presenting statistical evidence of a pattern of racial discrimination by prosecutors.

In North Carolina, showing that pattern was easy. A study by researchers at the Michigan State University College of Law looked at jury selection in 173 North Carolina death-penalty trials over 20 years and found that black jurors were struck at twice the rate of whites. In a state that is more than one-third nonwhite, roughly half of the state's current death-row population was convicted by all-white juries or juries with only one black juror.

More than 130 condemned men and women brought claims under the Racial Justice Act. In 2012 the first plaintiff, a death-row inmate named Marcus Robinson, won his case. Three more cases followed, all with the same result: The court found not only a pattern of racial discrimination by prosecutors, but also that they had purposefully discriminated in each of the cases. All four inmates were resentenced to life without parole.

But even as the new law was exposing the scope of racial discrimination by North Carolina prosecutors, the state's Republican legislature was trying to wipe it off the books. In 2011, lawmakers passed a bill gutting the Racial Justice Act, but it was vetoed by the Democratic governor, Beverly Perdue. When Ms. Perdue was replaced in 2013 by Pat McCrory, a Republican, the now-unified government wasted no time in dumping the law.

With the racial-justice act out of the picture, the state appealed the re-sentencings in the four cases that had been decided under it, and in 2015, the North Carolina Supreme Court sent the cases back for further review, because the state had not been given enough time to respond to the Michigan State study on biased juror strikes.

Shortly after, state officials disregarded the state Supreme Court's order and returned the four plaintiffs to death row without a court holding hearings or considering new evidence or arguments. The state still has not provided any explanation for the racial discrepancy in juror strikes, arguing only that the repeal of the law means the plaintiffs go back to death row.

In the state Supreme Court next week, the four plaintiffs, including Mr. Robinson, will make numerous constitutional arguments, but they all boil down to the same issue: State lawmakers passed a law to find racial bias in their justice system. They found it. Rather than build on that success, new lawmakers repealed the law and re-punished the people who had benefited from it. These four plaintiffs aren't bringing claims of innocence; they are arguing that they deserve the same constitutional protections as anyone else, including against double jeopardy.

This situation is a travesty not only for the four people involved, but for everyone in North Carolina, which had taken an important step toward addressing persistent racial discrimination in its justice system, only to turn back the clock once Republicans took power.

Tourism hotspot Barcelona alarmed by crime surge

A surge in muggings and burglaries in Barcelona, mainly targeting tourists, has sparked alarm in Spain's second-largest city, leading local residents to form their own crime-fighting patrols.

The US consulate in Barcelona on Wednesday warned its nationals of "an increase in violent crime in the city" and urged them not to "display signs of wealth such as wearing expensive jewelry or watches," AFP reported.

The alert came just days after Afghanistan's ambassador to Spain was lightly injured in a group mugging to steal his watch in the city center, and a 91-year-old French woman was hospitalized after thieves yanked her necklace, causing her to fall.

Barcelona, a European tourist hotspot, has recorded eight murders since July, an unusually high number for the Mediterranean seaside city, and in June a visiting South Korean public servant died from injuries she suffered during a mugging.

The city's hotel association has warned that Barcelona's reputation could be "seriously harmed."

Albert Batlle, Barcelona's deputy mayor in charge of security, acknowledged there was a "security crisis" but called for a "calm and responsible analysis" of the problem.

Thefts and violent robberies in Barcelona, a city of 1.6 million residents, jumped by 28 percent between 2016 and 2018, according to police figures.

The trend has continued in 2019 with a 31 percent rise in violent robberies during the first half of the year.



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But the total number of violent crimes — homicides and bodily injuries — fell during this period and the murder rate in Barcelona is lower than in other European cities such as London, Berlin and Brussels.

'Tourism draws pickpockets'

"Barcelona continues to be a very safe city," said Sonia Andolz, an expert on security policies, adding the rise in crime "was not enough to justify the alarm that is being generated."

The boom in tourism the city experienced since it hosted the 1992 Summer Olympics is partly to blame, Andolz said.

"Tourism always draws pickpockets," she said.

The number of tourists who stayed

at a hotel in Barcelona soared from 1.7 million in 1990 to 8.8 million in 2017, according to municipal figures. Millions more arrive on cruise ships or stay in holiday flats.

Nearly 60 percent of all burglaries and robberies are concentrated in the two most visited neighborhoods — the Ciutat Vella, the densely populated district at the city's heart, and the Eixample, a tree-lined district that is home to most of Barcelona's famous monuments such as the Sagrada Família Basilica.

Gustavo Equia, who owns an Argentinian empanada shop in Ciutat Vella that was held up three times in a single night recently, complains that the neighborhood has been "left in the hands of God."

"There are more and more problems, many thefts, stabbings," he added.

Many blame Barcelona's left-wing mayor Ada Colau, accusing her of being too lenient since she came to power in 2015.

Citizen patrols

City Hall recently boosted its crime-fighting budget and the regional government has deployed more officers to the city, including anti-riot units.

But according to police, only one in 10 people arrested for violent robberies in 2018 and 2019 went to prison.

In response, some locals have organized "citizen patrols" to fight crime.

Carrying signs in different languages they tour the city and metro stations, warning of pickpockets.

When they spot a suspected thief they blow whistles and shout "leave pickpocket!" until the person goes away.

"You see so much insecurity, so much anxiety, that you say: 'Either we do something to save Barcelona or it will turn into a South American city,'" said Eliana Guerrero, a member of one of the patrols who is originally from Colombia.

"This didn't happen before. There were robberies, but not the violence we have today," added Guerrero, a real estate agent who unsuccessfully tried to become a police officer.

City officials and experts are concerned.

"Taking justice into your own hands is not the solution. A citizen without training, without a uniform and without any controls can never play this role," said Andolz.