

# Border Patrol Checks Bus Boarders

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TAMPA - It's barely sunrise. The shadows under the passengers' eyelids show it.

"Morning, everybody," says a man in green, Jeremy Farner, standing between them and the moment they're longing for: getting off this Greyhound bus, packed 55 bodies full.

The travel-weary eyes open wider at Farner's next words, coming as they do in the middle of downtown Tampa: "U.S. Border Patrol. This is an immigration inspection."

Those words have been oft-repeated in buses arriving at or departing from Tampa's Greyhound station at 610 Polk St. in recent years. That was particularly so last year, when Border Patrol agents arrested 262 people on those buses, primarily for immigration violations.

Still, passengers are often taken aback when a port-of-entry-like immigration check takes place on a domestic bus ride.

"That kind of surprised me," said one closely questioned passenger, Tajinder Singh. The 23-year-old native of Punjab, India, is a Port Charlotte-based truck driver. He's often subjected to immigration checks when he hauls loads that originated in Mexico. "Usually, it's at truck stops or train stations near the border."

Farner gets that a lot from bus passengers he inspects: "The biggest question is, 'What border do you patrol? I don't get it.'"

Yet in many parts of the country, on Greyhound buses and Amtrak trains, it's happening more often. Mostly, it's about a nationwide manpower increase in Border Patrol in the post-Sept. 11 era.

Ramon Rivera, a Washington-based spokesman for Customs and Border Protection, said that when he became a Border Patrol agent 20 years ago, he was one of 5,000 agents, and transportation checks were most commonly done along the U.S.-Mexico border.

"Now we're over 16,000 agents, and by the end of the year we plan to be over 18,000 agents," Rivera said. "The things that Border Patrol agents couldn't do in Tampa or at the northern border were simply because we didn't have the manpower. Now that we have more agents, we can do those things everywhere, and for people on the northern border, it's something new to them."

The inspections have become so frequent in New York that the immigrant advocacy group Families for Freedom held protests at Greyhound and Amtrak stations there last month. Their demand: that the companies advise passengers upfront that they could face an immigration inspection.

"It's amazing that they find it necessary to provide notices that their bags could be inspected but nothing to indicate that a person could be inspected," said Joanne Macri, director of the New York State Defenders Association Immigration Defense Project and a frequent witness of the checks on bus and train trips.

"What's the problem with letting them know?"

Greyhound Lines spokesman Dustin Clark said it notifies customers that their bags may be inspected as part of its internal security policy.

"When an independent law enforcement agency comes in and is doing something, that's when we're under no obligation to inform someone of that," Clark said. "We cooperate with any law enforcement agency - whether it's federal, state or local - on a number of things. There are situations when it would actually impede law enforcement's progress" to notify passengers.

#### Minimal ID Required

Federal law grants Border Patrol and other immigration agents the power to question noncitizens or people thought to be noncitizens about their right to be in the United States. They don't need a warrant. They do need to be "within a reasonable distance from any external boundary of the United States" to board any boat, train, airplane, bus or other vehicle to question someone.

The Border Patrol operates in Florida because of its 2,000 miles of coastal boundaries.

Steve McDonald, agent in charge of the Tampa Border Patrol Station, said bus station checks always have been part of his office's mission due to the nearby seaports.

"There are issues occasionally with stowaways coming into the Tampa Bay area as well as absconding and deserting crewmen," McDonald said, noting his agents also sometimes question passengers coming off domestic flights. He said they rarely inspect Amtrak trains because they have more stringent ID checks than Greyhound.

"It is one way you can travel around the United States with showing minimal ID. What better way to travel around the country if you were a person who wanted to do us harm or if you're here illegally?"

The majority of arrests involve people caught in administrative violations that land them in a deportation hearing in immigration court. They came across the border illegally. They overstayed a tourist visa or a student visa.

Most are Mexicans. They make up 66 percent of the 372 arrests at the Tampa station since October 2005.

A handful faced criminal charges. Ten people were charged with crimes for returning to the United States after they were deported. Some had criminal pasts that included felonies, drug-related convictions and sex offenses, McDonald said. Two were U.S. citizens: one arrested on a violent felony warrant, one on misdemeanor drug possession.

The Border Patrol agents didn't arrest anyone from the bus that rolled into the Tampa station from Orlando at 6:55 a.m. April 23. Farner questioned everyone. Some told the Tribune they had also been questioned elsewhere: Marie Jerome, 41, of Houston, said Border Patrol agents boarded her bus the day before in Lake Charles, La.

It was quick for most, particularly citizens, whose only requirement was to tell him their birthplace.

"Tampa."

"Boston."

"Tennessee."

"Georgia."

Farner slowed at the sound of foreign birthplaces:

"Mexico."

"Jamaica."

"India."

He asked for immigration documents from noncitizens.

He spent time with Singh, the India native, at Row 12. It turned out he was a naturalized U.S. citizen.

At Row 22, Farner also lingered with Jose Antonio Zalueta, 25. The Clearwater restaurant worker was born in Guerrero, Mexico. Farner checked Zalueta's Social Security card, which he later said he could tell was not fake. Zalueta's Florida driver's license was issued in recent years - long after 1999, when the state law went into effect making driver's licenses available only to those with ID available to legal residents. So Farner let him go.

Zalueta later told a reporter he was surprised by the check.

"I didn't have my residency card with me," he said sheepishly. "I left it at home."

Antoine Telus in Row 26 wasn't so lucky. The native of Haiti lives in Fort Myers. His only photo IDs were from the Pembina Nation Little Shell Band, an obscure Native American tribe in North Dakota. The tribal IDs in recent years have been used in a South Florida immigration scam uncovered by a Miami TV station. WTVJ's series revealed that South Florida brokers were selling the IDs to immigrants, telling them that tribal membership enabled them to live and work legally in the United States.

It wasn't true. The tribe decried the scam on its Web site.

Telus' two Pembina Nation driver's licenses won him an extended visit outside the bus with Border Patrol agents. They questioned him. They eyed a weathered immigration form. They ran a criminal history check. They checked for warrants. They checked to see when he entered the United States. They checked out his immigration form - an application for an employment visa - and found it was valid and pending.

They let him go - in time to catch his connecting bus to Fort Myers.

'Glad You're Out Here'

The Border Patrol agents - McDonald, Farner and Rob Vadasz - are all veterans who came to Tampa after working the U.S.-Mexico border in California or Arizona. For the most part, they say the people they inspect at the Tampa Greyhound station don't seem to mind much.

"In San Diego, where I worked, when people waved at you, it's not always with five fingers," Vadasz said. "Here, it's totally different. They shake your hand."

Farner agreed: "A lot of times, they'll say, 'Wow, this is the first time I've ever seen this. Glad you're out here.'"

They're not at the Greyhound station every day. With five Border Patrol agents to cover a 12-county region, often they're parked along highways, looking for smugglers' pickups or vans overloaded by the weight of illegal immigrants in back.

Or they're driving around in their marked cars in Charlotte County. They want to make their presence known to a growing group of smugglers based there, who launch boats to smuggle people from Cuba.

So when they climb into a Greyhound bus, it's often a surprise.

"That was sort of a trip," said David McDonald, 55, who, when Farner approached his seat, announced his Georgia birthplace in a gravelly, early-morning drawl. "I guess they're doing their job. National security the way it is now, hell, it shouldn't surprise me none."

He lives in Bradenton now. He's a carpenter, a profession he acknowledged has faced lean times of late. That made him think of the competition he faces from undocumented immigrants.

He grinned as he waited for his connecting bus to Bradenton: "Maybe we need more security checks."