

Statement on Border Patrol Racial Profiling of U.S. Citizens on Montana Border



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HELENA, Mont. — On Wednesday, two Montana residents and U.S. citizens were detained and interrogated by a Border Patrol agent after he heard them speaking Spanish in a Havre gas station. The agent stated: "The reason I asked you for your ID is because I came in here, and I saw that you guys are speaking Spanish, which is very unheard of up here."

Caitlin Borgmann, executive director of the American Civil Liberties Union of Montana, issued the following statement:

"Speaking Spanish is not grounds to question or detain anyone. English has never been the only language spoken in Montana, and people have the right to speak Spanish whenever and wherever they choose without being harassed and detained.

Border Patrol leadership must immediately and clearly condemn demanding papers from anyone for speaking Spanish. The Constitution and the Department of Homeland Security's own nondiscrimination policy prohibit racial profiling like this. Customs and Border Protection, the largest law enforcement agency in the country, must fix the defects in its practices that led an agent to act so egregiously.

Racial profiling is illegal. People of color in Montana have been harassed and victimized by racial profiling throughout the state's history.

This blatant use of racial profiling by Border Patrol exemplifies the Trump administration's draconian immigration policies that violate the rights protecting us all. The Constitution prohibits all law enforcement agencies, including Border Patrol, from racial profiling and arbitrary searches and detentions.

We are grateful that Ana Suda has chosen to speak out against this atrocious and illegal behavior, and that she recorded the incident. We also recognize that many profiling victims cannot do so, as they fear for their family, jobs, physical safety, and status in this country. The ACLU of Montana is working with Ms. Suda to explore her options in response to this incident, and we emphasize how important it is for individuals to know their rights in the border zone.

The ACLU of Montana will continue to keep a close watch on the Border Patrol's actions and remains dedicated to ensuring that constitutional rights are not trampled because of a person's race, color, ethnicity, language, or other protected characteristics."

This release is available on the ACLU of Montana website and in [Spanish](#).