Victims' options limited

To find help, they must beat fear of abusers, deportation

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Staff Writers

María is still running. She changes Dallas-area apartments every few months. She shuttles her four kids between school districts. She hides in the shadows to escape the man who has tried to control her for the past decade.

Forced into prostitution as a 12-year-old by her own mother, María was hurt by strangers and people she loved in Mexico. The knife scars on her back and shoulder narrate years of abusive relationships. That abuse continued when María came to the U.S. illegally in the mid-1990s.

Like Yolanda Méndez Torres, María (not her real name), now 30, was forced to live a life of secrecy, fear and uncertainty. But for undocumented children and teenagers, that life can be especially challenging, with worries about deportation, language barriers and preconceived notions about justice.

"They don't know their rights. They don't speak English. So it may be more difficult for them to find help," said Yolanda Eisenstein, legal director of the Human Rights Initiative in Dallas, which aids abuse victims.

In Latin America, where there are more than 190 million children, the rate of violence against kids is among the highest in the world, according to the U.N. secretary general's recently published Study on Violence Against Children. The study reports that throughout Latin America, more than 6 million children annually suffer severe abuse, and more than 80,000 die as a result of domestic violence. Sexual abuse of children is the least reported form of abuse. Eight out of 10 cases involve a father, husband or other relative.

Julia Alanen, director of the international division of the National Center for Missing and Exploited Children, said the international caseload of these young victims has grown from 1,000 open cases in January 2005 to 1,800 open cases this month. About 40 percent involve Mexico.

"Within the U.S., a lot of parents are undocumented, and they're fearful that if they contact any authority, they risk being deported," she said.

Sometimes these types of crimes go unpunished or are not penalized to the fullest extent in a child's native country. That, too, can deter a victim from seeking help. Depending on the state in Mexico, those convicted of rape could receive four to 20 years in prison, experts said. But that doesn't mean they will serve the entire sentence.

"The system is very corrupt," said Esther Chávez Cano, founder and director of Casa Amiga, a crisis center for women in Juárez, Mexico. "We try to convince victims to denounce the perpetrator, but we also tell them that there's a chance he won't be detained."

In Mexico, 21 minors were raped every day between 1997 and 2003, or nearly one per hour, according to a Child Rights Watch report published by UNICEF in Mexico. However, many rape cases are not reported. In Latin America, 2 million children are sexually exploited each year, most of them girls, according to the Inter-American Children's Institute, a children's rights group.

Juan José Salgado, former acting consul general of Mexico, who wrote a letter to the Dallas County district attorney's office regarding domestic abuse, said he's aware of the problem in Mexico, one he attributes to a lack of education.

Rural and poorer areas of the country, "where parents think daughters shouldn't go to school and where some mothers say they have to obey their husband," are especially susceptible, he said.

"We do see some change, but it's going slow," he said. "The change is happening in the middle class."

In more recent years, the country has launched radio and TV campaigns about the violence against women. In this country, a new Spanish-language radio campaign telling women here to seek help began airing in September on Spanish-language radio stations.

María's husband eventually was arrested, imprisoned and then deported. But he returned to the U.S. and, she believes, is looking for her. She's now living in North Texas, has her green card and is looking for work.

"I want to fly," she said. "I want to fly and never come back."

Paul S. Zoltan, a Dallas immigration lawyer, said these kinds of cases are getting more attention.

"Once upon a time, domestic violence lived and thrived in the shadow of social stigma," he said. "Nowadays, you have a people, regardless of any social stigma, who have a justifiable fear of authorities who would otherwise protect them.

"What is worse, the devil she knows — the abuse of an uncle — or face deportation and destiny?"

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José Antonio Martínez Méndez, 6, plays with his sister, Perla Yaneth Martínez Méndez, 4, at home in La Barra del Potrero, Mexico.

Girl's home situation raises suspicion

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talking, but it's not true.

Yolanda cries and leaves. They never speak about it again.

Yolanda's grandmother, however, can't shake her suspicions.

In early June 2000, she walks down the highway, around a curve to Efigenia's house and finds Yolanda in the kitchen. She says she doesn't want people talking about her granddaughter the way they are around the village.

Did he grab you? Tell me, what did he do to you? You can confide in me. I'm going to press charges against him because this isn't right for him to be abusing you.

No, it's not true. It's just a rumor. It's not true.

She cannot tell, but her eyes again betray her.

Why are you crying?

It's that I don't want to hear you say that he is abusing me.

The grandmother leaves unconvinced. She finds Yolanda's father and convinces him to come with her to file a judicial complaint at the Agencia del Ministerio Público in Pochutla, a 30-minute bus ride away. If they file a complaint, authorities can open an investigation, get a doctor to examine Yolanda for signs of rape, and interview Juan. Yolanda will be safe and can move into Juana Alonzo's home down the road, the grandmother thinks.

On June 6, she and Artemio enter the agency housed in a spartan building with dirty white walls, naked light bulbs and shelves that bulge with crusty manila files of rapes and murders and robberies.

In a large book with lined pages, the accusation is handwritten.

Privacion ilegal de la Libertad.

Illegal privation of freedom, or being kept as a de facto slave.

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Juan knows. He has caught wind of the grandmother's plans.

He tells his family that they are leaving. Within days, the family flees the village, taking only what they can carry — leaving furniture and Daisy behind. They travel by bus along the winding highway to Oaxaca City, more than six hours away. Yolanda's grandmother comes for her but finds only an empty house.

Yolanda has never been across those hills and has never seen a city. They arrive by day in the valley where the city of more than 250,000 people sits surrounded by the Sierra Madre del Sur mountains.

The home of Yolanda's maternal grandmother, Juana Alonzo Pedro, is in La Barra, a town of fewer than 100 homes. Nearby sits the adobe home where Yolanda's mother died in 1994, when the girl was 7 years old.

They show up at the metal door of Juan's brother, Eucebio García Aguilar, on a dusty street called Calle Monterrey in a Third-World neighborhood called Ejido Santa María.

Surprised by his visitors, Eucebio welcomes them in and offers the kitchen as a place to sleep. Juan tells him they plan to live and work in Oaxaca. He does not share that Yolanda is his woman.

Within weeks, however, Eucebio's wife, Epifanía, finds out about the girl and tells her husband.

It's true, Juan says when confronted by his brother.

But she's too young.

What's wrong with that?

Eucebio was a boy when he watched his dad hit his mom. When he married — he was 17 and she was 15 — he told his wife he would never treat her like that. He knows of a village over the hills where young girls are sold to older men. He wants better for his children.

Leave it alone, Juan tells him when pressed.

You're an adult. You're the oldest. You should be the one to set the example for all of us.

I can't set the example, so why don't you do it?

Most, however, don't share the suspicions of their new neighbors.

Down the street, a *coyote*'s mother looks out her convenience store with the Coca-Cola sign out front. She sees Juan and Yolanda walking some days. She thinks they are father and daughter.

It is not until much later that she and her son, the immigrant smuggler, will find out otherwise.

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In 1543, after the Spanish conquest of Oaxaca, locals found a box abandoned near a rock outcropping, legend tells. They opened it, and the image of a virgin appeared. The Virgin of Solitude. She would become Oaxaca's patron saint.

The ground became righteous space. By 1690, the Catholic Church finished building a temple on the land with an imposing array of domes and bells and rough hewn stone, with virgins and saints and skulls carved into the façade.

On some Sundays, Juan takes the family here. The meaning is not lost on Yolanda, surrounded by images of martyred suffering inside — faded oil paintings of Christ on the cross, angels in perpetual peace, and a bearded God in a blood red robe looking down at the Virgin from above. On the ceiling, a Latin inscription reads:

O all you who pass by this way, look and see if there is any sorrow like my sorrow. Yolanda prays. The sanctuary fills with the rhythmic chants of priests and the tolling of bells and the singing of the flock.

God, why won't you kill him? He's hurting me so much. Why don't you kill him if he's hurting a child?

She then asks for forgiveness. She believes in God and knows you cannot pray for him to murder. Still, she doesn't understand.

God, why do you let this animal inside your house?

A man prays in Santa Iglesia Catedral in Oaxaca, Mexico. On some Sundays, Juan took his family to church in the city. Yolanda didn't understand why God allowed her abuse, and she prayed for forgiveness for wanting Juan dead.

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Coming Monday: On the trail of tears to America.

A note about sources

To tell this series, *The Dallas Morning News* traveled more than 5,000 miles by road from La Barra del Potrero, Mexico, to Oaxaca City, the Sonoran Desert, Arizona, North Carolina, Tennessee, Georgia and Texas.

The series is based on interviews with more than 80 people over seven months, as well as on Mexican and American government documents, trial records and reporter observations.

Descriptions of events have been corroborated by more than one person or are based on information contained in documents. Places and people are represented as they would have existed at the time described.

Dialogue is presented in italics as observed by those who took part in or directly witnessed the conversations described.

Chapter 1 is based on interviews with Yolanda Méndez Torres, Juan García Aguilar, Bertín García López, Juana Alonzo Pedro, Jacinta Aguilar Borques, Simona Aguilar Torres, Gabriela Méndez Torres, Artemio Méndez Martínez, Juan Carlos García López, Eucebio García Aguilar, and the family of a coyote in Oaxaca.

In court testimony and documents, Yolanda recalled that she was 9 when she was first raped. But a timeline of her early life, based on interviews and other documents, indicates the rape occurred in 1998, when Yolanda was 11.

Details from the aftermath of the initial rape come largely from Yolanda's memory and court documents.

Juan confirms the first time they had sex was by the river, but declines to provide details or acknowledge the beating of his wife. His abuse of Efigenia, however, was confirmed by two members of his family and members of Yolanda's family, as well as court documents. Efigenia's full name is being withheld because she is a potential abuse victim still living in fear.

Additional information comes from reporter observation, Mexican government documents, a review of criminal logs in Pochutla, Mexico, U.S. court documents, U.N. data and the National Center for Missing and Exploited Children.

About this series

In rural Mexico, Yolanda Méndez Torres lived in a society where sexual violence against girls often goes unreported and unpunished. In America, she joined legions of undocumented abuse victims who have little hope of finding justice. This narrative series chronicles Yolanda's crossing between the two worlds.

Today, Chapter 1: "God, why won't you kill him?"
Monday, Chapter 2: A girl in the desert
Tuesday, Chapter 3: A shadow in America
Wednesday, Chapter 4: "Love or something"
Thursday, Chapter 5: An unlikely angel
Friday, Chapter 6: A slight voice rises
Sunday, Chapter 7: American dreams