

EXHIBIT A

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FEATURE

How a Crackdown on MS-13 Caught Up Innocent High School Students

The Trump administration went after gang members — and instead destroyed the American dreams of immigrant teenagers around the country.

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When Alex walked into school on June 14, 2017, it felt as if summer had already started. He didn't have regular classes, just a standardized math test in the late morning. The other immigrant students in the bilingual program at Huntington High were crowded in a hallway comparing their plans for the break — most already had jobs lined up — and promising to stay in touch.

Classmates came up to greet him. At 19, Alex was older than many of the other sophomores. He enrolled as a freshman when he arrived in Suffolk County on Long Island from Honduras a year and a half before. He felt good in the school from the start. A shy teenager who preferred video games and watching soccer on TV to playing it on the field, he had always been an outsider, slow to make friends. But all the immigrants in the bilingual program were outsiders, so he fit in, and he was popular for the first time in his life. In Honduras, it had felt as if teachers were preparing students to work in the fields, like everyone else. Here, in Huntington, they were always telling him that with a good education, he could do anything he wanted. The halls were decorated with inspirational posters of Latino students attending college and completing ambitious projects mixed in with images of a scowling blue devil with horns, the school's mascot.

While the other students laughed and shouted in the hall, Alex (his middle name) went to his desk. He was nervous about the Regents math test. He loved all his classes but algebra. In language arts, he was learning to write essays and reading historical fiction about young people who immigrated to the United States in decades past, and he was hoping to get an A. But in algebra, he was falling behind. Now he struggled through questions that required him to

calculate the diminishing earnings of a carnival-booth owner and reverse-engineer parabolas. He was relieved when the teacher called pencils down. He was sure he had gotten a lot of answers wrong, but he had two more years to pass the test before graduation.

Alex sometimes lingered in the halls, but today he wanted to leave as soon as possible. A month before, he got in trouble in school for the first time, for doodling in math class. He was shocked and confused when the principal accused him of drawing gang signs and suspended him for three days. His parents assured him it was just a small setback and would be forgotten over the summer, but still, Alex was worried. Although he was in the United States legally, seeking asylum from gang persecution, his status was tenuous. The government can revoke the provisional freedom it gives to minors seeking asylum if they do something to indicate they are a danger to the community. So he had been careful to stay away from anyone who might be connected with gangs, and he had never come in contact with the police, aside from a brief chat in the cafeteria with the officer assigned to the school.

Alex rode his bike the 10 minutes home. He liked to look at the big houses as he pedaled, with their lush lawns that his father and other immigrant landscapers kept immaculate. He crossed a set of train tracks that divided the older, more affluent part of Huntington from the newer part where many immigrant families lived. Alex usually rode home with a neighbor, but his friend had recently stopped going to school because he did not feel safe there. A few weeks earlier, a classmate was arrested by United States Immigration and Customs Enforcement and never came back to school. He seemed like a rule-follower, but the rumor was that he had been accused of being in the street gang MS-13. Soon after, another student was detained on his way to church. Alex figured there must be something he didn't know about them — maybe they really had done bad things. He had heard about gang killings in some other Suffolk County towns, but it all felt very far away. In a year and a half at Huntington High, he never even saw a shoving match in the halls.

He unlatched the gate to the building where his family lived and left his bike unlocked on the lawn as he always did. Then he changed into a pair of gym shorts and settled in to enjoy a rare afternoon alone in the three-room basement apartment, with the TV, PlayStation and fridge full of food all to himself. His brother, who was a year younger, was still at school, and his parents were at work. If he had turned on the news, he might have learned about an initiative in New York, announced that day, called Operation Matador; ICE was partnering with police departments and officers in schools to target and detain Latino immigrants suspected of gang ties. Instead, Alex sprawled out in his room and texted a girl he had a crush on. "How did the exam go for you??" he wrote, following up with heart emojis. Then he heard a soft knock. He emerged from his bedroom and, through a window in the door, saw a group of men wearing bulletproof vests.



Alex in custody at an ICE office building in Manhattan in September 2017.
Demetrius Freeman for ProPublica

He ran back into his room and lay on the bed, holding his breath. He hoped the men would go away if they thought no one was home, but a half-hour passed, and he could still hear their muffled voices and steps. He told himself there was no reason to be afraid — his immigration case was moving forward, and he hadn't committed any crime. So he put on flip-flops and went outside. One of the men asked his name and told him they had a warrant for his arrest. He was too stunned to protest as they cuffed his hands behind his back, loaded him into an S.U.V. and drove off, with a second car in front and a third behind. A neighbor watched between the curtains as the convoy disappeared. She called his parents. They rushed home and found his keys, wallet and cellphone laid out neatly on the kitchen table.

In April 2017, two months before Alex was apprehended, Attorney General Jeff Sessions went to Suffolk County and outlined the Trump administration's strategy for defeating MS-13. The key, he said, lay in increasing border enforcement — and driving the gang out of schools. "To parents out there, know this," he said. "We will not surrender our schools to these gangs. We will not allow them to prey on our children in the hallways."

Sessions's visit was part of a continuing rhetorical war that President Trump began on the campaign trail and continued in his early months in the White House. Trump invoked the image of MS-13 gang members "infesting" the country, with unnamed towns begging to be "liberated," to argue for restricting immigration and tightening the rules on asylum.

MS-13 was founded in Los Angeles in the 1980s by Salvadoran immigrants fleeing civil war. During a wave of deportations in the 1990s, it spread back to El Salvador and Honduras, helping to make them two of the most violent countries in the world. The gang's symbols include devil horns and the country calling codes of El Salvador and Honduras (503 and 504). In the United States, MS-13 has an estimated 10,000 members — a number that has remained stable for more than a decade. They are a mix of immigrant and American-born Latinos, based primarily in a handful of suburbs with high concentrations of Central American immigrants outside Washington, Boston, Houston, Los Angeles and New York. MS-13 accounts for less than 1 percent of the country's gang members and a similarly small share of gang murders.

For about two decades, MS-13 has had a presence on Long Island, where in recent years its membership in Suffolk and Nassau Counties has numbered about 900, according to local police departments. That's less than one-fifth of Long Island's gang members, who also include Bloods and Crips. The gang is more active in Suffolk County, mostly in Brentwood and the adjoining district Central Islip, which are heavily Latino, and where MS-13 members have periodically taken part in brutal killings. In 2003, in Central Islip, members beat and stabbed to death a young man who they thought was a rival and stuffed his body in a drain pipe. Also in Central Islip, the gang shot a toddler and his mother in 2010 and left their bodies in a patch of woods.

In the last few years, Long Island's MS-13 members and victims have gotten younger. In 2016, MS-13 gang members murdered five Latino Brentwood High students with bats and machetes. In 2017, the gang killed three more local Latino students and left their macheted bodies in a park in Central Islip. Some two dozen young men from Brentwood and Central Islip were eventually charged with the murders. A few were as young as 16.

President Trump took office at the peak of this local wave of violence and announced that he was making the gang a federal law-enforcement priority. Trump has "taken the handcuffs off of law-enforcement officers," Thomas Homan, who served as the acting director of ICE from January 2017 to June 2018, said in July 2017. Many agents wanted to arrest and deport suspected MS-13 members under President Obama. But they were constrained by an Obama-administration policy that required ICE agents to focus on undocumented immigrants who had committed serious crimes.

The sort of criminal investigations into MS-13 that the Obama administration favored take time and on-the-ground work. Immigration agents spend months mapping out networks and gathering evidence using informants and wiretaps. Under the new Trump mandate, ICE opted for a shortcut. Gang affiliation on its own is not a crime, but it can be grounds to detain undocumented immigrants or people legally seeking asylum. ICE began using what are called "administrative arrests" to pursue known gang members and "gang associates," who had no criminal records but who, ICE argued, were dangers to the community. To identify them, ICE agents met with police commissioners around the country and asked them to pass on names from databases that they used to track people they believed were involved with gangs.

In May 2017, the New York ICE office created Operation Matador to promote information-sharing between police departments and ICE, and to allow immigration agents to go after suspected gang members who had not been charged with crimes. Nationally, some departments have been wary of cooperating with ICE, for fear of scaring away undocumented immigrants who might help in criminal investigations. Philadelphia sealed its gang database from ICE, and Portland, Ore., eliminated its database entirely. But in New York, departments in places like Suffolk County — which Trump carried in 2016 — were eager to sign up and began flagging supposed gang members for immigration detention.

Under Operation Matador, ICE has arrested 816 people suspected of gang affiliation. About 170, like Alex, came to New York legally as unaccompanied minors, some of whom were also seeking asylum, and several dozen were still minors when they were detained. Roughly a dozen students from Huntington High alone were rounded up. But the evidence behind many of these arrests was unreliable. Police databases are notoriously inconsistent and opaque. People aren't told if they are listed in a database, and if they don't actually belong to a gang, it's virtually impossible to prove it and have their names removed.

The local police officers who contribute names to the database rarely speak Spanish and lack training in the intricacies of transnational criminal organizations like MS-13. To become an MS-13 member, recruits have to commit a serious act of violence — like assaulting a rival gang member — and endure a group beating. But there is no process to become a “gang associate” — a classification used only by law enforcement. ICE designates people as gang associates if they meet two out of eight criteria, which include frequenting a known gang hangout (which can be a bus stop or a park), wearing gang colors and displaying symbols.

One of the best places for tracking potential gang associates is school. But schools are prohibited by privacy laws from sharing anything beyond the most basic information about students. With Operation Matador, ICE found a way around these protections, by relying on police officers posted inside schools, known as school resource officers. They collect tips and disciplinary information from teachers and administrators and can legally share it with their departments, which can in turn pass it on to immigration agents. Without any legal changes, schools have become the start of a law-enforcement chain that lets ICE agents on transnational-crime task forces peer into hallways and backpacks without ever entering the property.

Alex grew up in a tiny village in the highlands of Honduras, with no restaurants, banks or even consistent running water. His father, Victor, worked in the fields but was known in the village as a striver. He built his own house when he was 18 to persuade Alex's mother, Marina, to marry him. She was one of the most educated women in the village, having been sent by her family to complete high school in a nearby town.

Victor left for the United States in 2010, when Alex was 11, and managed to sneak across the border. He settled in Huntington because he had heard from a Honduran friend who was living there that it was a safe area with a good high school. To imagine where his father was living,

Alex watched American sitcoms and a reality-TV show about a family running a pawnshop. His father sent back money for food, clothes and school supplies. But the money made the family a target for MS-13 and its rival gang, Barrio 18. Gang members mugged Alex's mother twice and killed two of his cousins. They shot his uncle dead and broke all his teeth and smashed each of his fingers. A group of gang members robbed Alex and then harassed him every time he went to the local three-room high school.



Alex's Huntington High T-shirt, featuring the school's mascot, a blue devil. Devil horns are considered an MS-13 symbol. Natalie Keyssar for The New York Times

In 2015, after Alex turned 17, Victor decided it was time to get his son out of danger. He saved and borrowed \$4,000 to hire a coyote to bring Alex to the United States-Mexico border. On Dec. 29, 2015, Alex crossed a bridge to a checkpoint and told United States border agents that he feared for his life back home. As an unaccompanied minor, he qualified to stay in the country while his case was processed, which could take years. He was allowed to travel to his father on Long Island. It was his first time on a plane, and he spent the flight glued to the window. When he landed, Victor took him to the basement apartment he was renting in Huntington. It was smaller and darker than the house he built in Honduras, but he had painted the walls a bright yellow to make it feel cheery.

Located on Long Island's northeast shore, known as the Gold Coast, a half-hour drive from where most of the MS-13 violence has occurred, Huntington is an affluent town with one of the lowest crime rates in the state. The downtown has brick sidewalks, old-fashioned street lamps

and an art-house movie theater. Retirees play music on the sidewalks. People dress up to stroll past stores that include a tea bar selling matcha lattes for \$6.25 a cup, a two-floor used-book store and a gluten-free bakery.

Alex didn't consider waiting for the new school year to enroll in Huntington High. "Of course I started classes right away — that's the point of being here," he told me in one of many conversations over the phone and in person during the last year and a half. "I've always felt happy in school."

Huntington's Latino population has increased more than 70 percent in the last decade, making it one of the rare wealthy areas on Long Island that have a sizable population of recent immigrants. By the time Alex arrived, the high school was almost half Latino. The district runs a bilingual education program in which native English speakers learn alongside Spanish speakers, with instruction in both languages. The program has become so popular that English speakers are now put on a waiting list. A club pairs established immigrant students with recent arrivals to help ease the transition.

Huntington High administrators say there has never been any MS-13 presence at the school. Unlike a number of other Long Island high schools, Huntington High says nothing about gang activity on its website; instead it offers guidance on throwing snowballs ("dangerous") and keeping the hallways clear ("essential").

Alex was relieved to be away from the gangs in Honduras, and he soon stopped looking over his shoulder on the streets of Huntington. His parents had always told him that if he did well in school, he would have a good life. Now his teachers reinforced that message. He managed to finish his first semester with a B average. It was easy to imagine succeeding here. Once immigrant students learned enough English, they transferred into mainstream classes. There were asylum-seekers like him in the marching band, on the varsity soccer team and even in the student government.

But the threats and violence continued in Honduras, and that summer, Alex's mother and younger brother came to Long Island, also making asylum claims. His mother got a job cleaning office buildings, and when the new school year started in 2016, she saw the boys off at 6:30 each morning. After dinner, the whole family sat around the table and talked about their days. Some nights, Alex would connect his phone to the TV, and he and his brother would sit in folding chairs watching English tutorials on YouTube.

During his sophomore year, Alex learned to navigate the hallways, and he was tardy only once through the spring. He took home report cards that said he was "a pleasure to teach." And he had grown close to a group of friends in his homeroom who showed off their Central American pride by dressing in the colors of their home countries' flags. They tagged themselves in group Facebook photos with the telephone calling codes for their home countries — 503 for El Salvador, 502 for Guatemala and 504 for Honduras. Alex started wearing a bracelet with the blue

and white of the Honduran flag. When his parents had extra money, he asked for a T-shirt, sweatshirt or backpack emblazoned with Huntington High's name and its mascot, the blue devil with horns.

Alex knew that MS-13 claimed Nike Cortez shoes and blue bandannas, so he made sure to avoid them. In the spring of 2017, school security guards stopped him as he walked down the hall wearing bright blue sneakers that his mother picked out for him as a gift for accompanying her to an immigration appointment in Queens. They said the blue of the shoes was the color of MS-13. They also searched Alex's bag, on which he had written "504," and found that he had doodled the name of his Honduran hometown and a devil with horns. Without explaining why, the security guards photographed the drawings before giving Alex his books back. When Alex got home that day, he buried the shoes in a closet and didn't wear them again, even on weekends.

Shortly after, Alex was eating nachos with his friends in the lunchroom when the school police officer, Andrew Fiorillo, walked up to him. Fiorillo took Alex aside and asked in halting Spanish how he was doing in his classes. He said that if Alex heard anything in school, he could tell him. Then he walked Alex to class and left him at the door. Alex was confused about why Fiorillo talked to him, but he thought he seemed nice.

Fiorillo, known as Officer Drew at Huntington High, is in his 40s, tall with thinning hair and a friendly face. He has worked at the school for more than a decade and is widely beloved. The Police Department pays his salary (\$166,000 in 2017, including overtime). Fiorillo, who wears his full police uniform each day, told me that he sees himself more as a mentor than as a law-enforcement officer, and that he invites students to talk to him in private if they ever have a problem. Some kids run up to greet him in the halls, but immigrant students tend to keep their distance.

A few weeks later, on May 4, 2017, Alex was daydreaming as his algebra teacher introduced yet another indecipherable math operation. Without thinking, he began doodling in pencil on the school calculator he was using. When the bell rang, he handed it back in. That afternoon, security staff pulled Alex out of English class and took him to the office of Brenden Cusack, the principal. When Alex walked in, he saw the calculator on Cusack's desk. Through a translator, Cusack asked Alex if he had drawn the number 504 on the case, and Alex said he had. Then Cusack produced the security guard's photos of Alex's drawing of devil horns and told him that the doodles signified MS-13.

Alex told me he would never have written on a wall or desk in this American school, and he knew it was wrong to draw on the school-issued calculator, but he was surprised to be taken to the principal for something he saw as a form of fidgeting. He tried to defend himself; the devil was the school mascot, after all, and 504 was the Honduras country code. "For the police, it's a gang thing, but for us, it's about being proud of your country," he later told me. To Cusack, Alex's distinctions didn't seem to matter. The principal signed an incident report that said Alex had been caught in possession of "gang paraphernalia" and had been "defacing school property with

gang signs.” Alex says that Cusack told him that he would be suspended for three days and that the doodles would be reported to Officer Fiorillo. Though Cusack says that he wouldn’t have told a student about sharing information with law enforcement, Alex remembers him saying: “We’re working with police to clean up the school.”

Congress first provided funding to bring full-time police officers into schools after the 1999 Columbine shooting. The number of these resource officers has doubled in the last decade, according to the National Association of School Resource Officers. Some 80 percent of high schools with more than 1,000 students have them. Schools with large populations of black and Latino students are more likely to have a resource officer than schools that are majority white. After the school shooting this year in Parkland, Fla., President Trump called for police officers on every campus.



Alex’s redacted school ID. “If I hadn’t been detained, I would have finished school, learned English and gotten a good job,” he said. Natalie Keyssar for The New York Times

The position of school resource officer is a hybrid of conflicting roles: counselor, teacher and cop. “You have to have a person who can be caring and loving, but on the flip of a switch, turn into a law-enforcement warrior,” says Mac Hardy, a spokesman for the resource officers association. They greet kids each morning and comfort those having hard days, but they are also on constant alert for threats and illegal activity. The association recommends that members receive 40 hours of training, in part to counteract the stereotype of resource officers as more akin to crossing guards than real police officers.

Even as their ranks have grown, these officers have been criticized for contributing to what civil rights advocates call the school-to-prison pipeline. School administrators are allowed to talk openly with resource officers and often call them in to interview students directly. And the officers can — and do — notify their police superiors about what they learn. Studies by professors at the University of Tennessee and the University of Maryland show that when schools bring in resource officers, arrests for minor infractions tend to rise; federal school data shows that students of color bear the brunt of those school arrests. “This mix has been detrimental to black and Latino youth, frankly,” Bryan Joffe, director of education at the American Association of School Administrators, says. National school-administration groups have tried to balance these concerns against fears about school shootings by advising that resource officers concentrate on outside threats rather than student misbehavior. That recommendation has mostly gone unheeded.

With the introduction of initiatives like Operation Matador, school resource officers have played an increasingly important role in the detention of immigrant teenagers. They’ve helped the police collect intelligence in schools without technically violating the 1974 Family Educational Rights and Privacy Act (Ferpa), which bars schools from sharing student records with government agencies. In the past, if officers wanted to surveil or search students suspected of committing a crime, they had to ask for a warrant.

Across the country, ICE increasingly depends on information from resource officers to identify suspected gang members. But that intelligence is often unreliable. In March 2018 in Baltimore, ICE detained a 17-year-old after the school resource officer reported that the student was part of a group that threatened a classmate. The detention lasted six months. A federal immigration judge reviewed the decision for “clear error” and found that one had been made. In January 2018 in Houston, ICE detained a high schooler with a 3.4 G.P.A. after a school resource officer wrote him up for fighting with another student. The student went to the officer after the fight to explain that his classmate had been harassing him, but he was arrested and transferred to ICE custody; after a student walkout at the school, supported by some teachers, he was released in April.

This year, civil rights groups sued the Boston School Police, the city’s school district and its superintendent, Tommy Chang, over the way information is being shared with ICE. Chang stepped down the next day. (The case is pending.) Nevertheless, ICE recently detained several

Boston students, citing school incident reports. In one case, a teenager was attacked by a known gang member, and ICE used the incident to classify the victim as a gang member as well. In California, school resource officers added hundreds of names to a statewide police gang database shared with federal agencies, including ICE.

Michael A. Olivas, who teaches immigration and education law at the University of Houston, says schools are violating the intent of the Ferpa school-privacy law by reporting students to immigration authorities. “They’re trying to use the mechanism that is supposed to protect children,” Olivas says. “If they actually announced what they are doing, which is facilitating information to immigration authorities, they would likely face all kinds of sanctions.”

In Suffolk County, although resource officers have been in the schools for two decades, their roles are expanding. In 2017, the Police Department sent officers into Huntington High and other schools to train administrators and teachers to identify gang members. The presentations focused on items like plastic rosaries, blue bandannas, anything with horns and the numbers 504 and 503, written in notebooks or on hands. One slide, which was used in community presentations, featured a group of young men holding up the Salvadoran flag at a Central American pride parade.

Some police officers cautioned that these symbols could also mean a student was being pressured to join or just trying to look cool, and that symbols can have multiple meanings. The same way metalheads might draw a pentagram, or wannabe punks might draw the anarchy sign (a letter A inside a circle), some students might draw MS-13 symbols, unaware that adults could take those doodles as proof of membership. One law-enforcement officer told me about being called in by a Long Island school after a student drew the signs for both MS-13 and a rival Mexican gang in his notebook. The officer explained that a real gang member would not draw signs of a gang he wasn’t a member of — the drawings were not incriminating, just dumb. But not all officers were as clear about these nuances.

In Bellport and Brentwood, the towns that lost several students to MS-13 murders, the schools were particularly eager to help. Administrators held similar briefings for parents. Actions that once might not have even prompted a trip to the principal’s office now might lead to a long suspension. After a police training in 2017, an assistant principal at Bellport High School checked a 15-year-old student’s Facebook page and saw “503” superimposed on an image of the Salvadoran flag and on the hat of a video-game character. The assistant principal spoke to the school resource officer, who agreed that the image was related to MS-13. The administrator suspended the student for “disruptive incidents,” even though the student pointed out that the posts had been made in middle school and said they had simply stood for El Salvador. In May 2017, a 15-year-old special-education student at the same school was suspended for five months for wearing a Chicago Bulls shirt with the team’s logo, a bull with horns. School administrators began texting officers photos of drawings from students as young as fourth and fifth graders, according to a law-enforcement official who requested anonymity.

In Huntington, it wasn't just school staff who wanted to help. The head of security for Huntington's two public libraries began banning students who were suspended from school for gang activity, or who he had heard were gang members. After attending a police presentation in 2016, June Margolin, the president of Huntington Matters, a civic group, said she started seeing MS-13 indicators — like photos of boys making hand signs of horns, or large groups wearing blue and white — in the profile pages of residents trying to join her Facebook group. She began flagging those profiles to the Police Department's gang unit. The high school wrote a note home to parents saying that anything the police classified as gang-related was banned, but did not specify what those things were.

An English-as-a-second-language teacher at Central Islip High, who asked that she not be identified out of concern for her job, didn't join in the effort, even though MS-13 killed two of her students in 2016. "I get the feeling that the police and the government want to make it bigger than it is," she told me. "I think a lot of teachers were just not well equipped to make good judgment calls." One day she was working lunch duty when a school security guard told her he thought it was suspicious that a lot of the students were wearing the Salvadoran flag. "Thank God I was there, because I told him, 'Today is their Independence Day,'" she says. "He had no clue."

In neighboring Nassau County, where MS-13 killed nearly as many people as it did in Suffolk, the Police Department took a different approach to ICE's new focus on the gang. Police Commissioner Patrick Ryder says his school resource officers don't write up noncriminal incidents like doodles, and the department doesn't route information from schools to immigration enforcement. ICE made half as many arrests there last year as in Suffolk County. "How many kids do that because they're just knuckleheads?" Ryder says. "They make a mistake, they're adolescents."

When Alex was suspended in May 2017, his parents were angry with him, but they were also puzzled when he explained that the "gang paraphernalia" he'd been caught with were drawings of the school's mascot and the country code for Honduras. His mother, a practicing Catholic, said that she had never liked the two seven-foot-tall devil faces painted around the school's perfectly maintained football field. She thought schools should display the colors of the flag, or maybe an animal mascot. Alex's father gave him another lecture about the importance of doing well in school.

The school sent home a suspension notice in Spanish giving Alex's parents the option of meeting with the principal at 7:15 the next morning to contest the punishment. But it was too late for them to ask their bosses for time off, and they figured it would be fine. Alex had only one month of his sophomore year left and had never gotten in trouble before.



Students arriving at Huntington High in December. Around a dozen of its immigrant students were detained. Natalie Keyssar for The New York Times

It is most likely that as Alex sat at home during his suspension, Officer Fiorillo received word of the doodling incident. While Fiorillo told me he didn't remember details about Alex's case, Huntington High has a policy of calling him in as soon as a staff member sees something that could be gang-related, according to a former principal, Carmela Leonardi, who retired in 2015. "The minute you see a gang sign, you need to intervene," she says. "First, we'd try to get Drew involved, and say, 'Have you seen this kid outside of the school talking to people?' Because sometimes you do that in your notebook because you're trying to seem cool, or because you're a little idiot."

Once Fiorillo knew about Alex's drawings, he would have had to fill out a form and send the information on to the department's criminal-intelligence unit. Although Suffolk County school resource officers are allowed to use their judgment about reporting infractions like marijuana possession or writing on school walls their 2017 handbook requires them to write up gang activity, no matter how trivial. School resource officers are not detectives, and they don't generally go further than passing on what they are told and observe themselves, according to Gerard Gigante, Suffolk County's chief of detectives.

Their reports read like notes jotted down after a short conversation, not accounts of an investigation. One report I was shown from Brentwood High said that an anonymous student told an officer that three classmates were "*chequeos*" for MS-13, the word the gang uses for low-

level potential recruits. The report doesn't comment on whether the officer found this information credible. At the county Police Department's central intelligence office, reports are entered into the gang database, even if the information is unconfirmed.

Fiorillo says it's important to him that students not be channeled into detention — “We can't arrest our way out of problems,” he told me — but at the same time, his first priority is to keep Huntington High safe. He sees his job as bridging the worlds inside and outside the school. “As a police department, we patrol many neighborhoods,” he told me. “As a school resource officer, all you're doing is patrolling a school. It's no different than in the streets, just a different sector.”

In the end, Alex got permission to go to school two of the three days he was suspended in order to take his exams. His classmates were surprised by his suspension. Dariana (her middle name), an undocumented immigrant who was one of the school's top students, was in Alex's world-history class sophomore year and knew that he always did the reading and paid attention. “I was like, Wow, he's here trying to learn, and he's suspended just for that?” she says. His classmate Rosa was also surprised. She knew him as the boy who always brought her snacks when she studied through lunch.

After the suspension, Alex no longer felt safe at school. Security staff began randomly searching his backpack and carefully flipping through his notebooks. “I was walking around really scared,” he said. He stopped wearing his Honduran sports jerseys and his bracelet with the colors of the flag. He avoided talking to anyone he didn't already know well. He and his two best friends decided it was safest to wear all black to school to avoid being tagged as gang members. But when they showed up in their matching outfits, the security guards said they couldn't dress like that because it looked as if they were trying to start a gang.

As the school year wound down in June, Alex and his friends began noticing that certain students were no longer coming to school. Girls started posting on Facebook about their boyfriends being detained, writing long essays with crying emojis. “It was person after person,” says a Huntington student named Osmin (his middle name), who was suspended for fighting on school grounds at the beginning of the 2016-17 year. “I was like, ‘If you do bad things, bad things will happen to you.’ And then ICE came for *me*.”

Despite all these warning signs, when the ICE agents came to Alex's house on June 14, 2017, he was shocked into silence. It was only when they were far from Huntington, passing through unfamiliar, rundown Long Island towns, that he was able to get out the words to ask why he was being arrested. Alex says the agent first asked him to guess, and then told him, “We received a report a while ago from the school that you were a gang member, and that's why.” Behind the tinted windows, his confusion resolved into fear for himself and his parents. “I felt so bad,” he says, “because I was thinking that my mom and dad were going to suffer.”

One of the first people in the Huntington school district to fully realize what was going on with the wave of detentions during the spring and summer of 2017 was Xavier Palacios. A graduate of Huntington's bilingual program and an immigration lawyer, Palacios was elected as the first Latino member of the Huntington School Board in 2012. He believed he was succeeding in helping to make the district a friendly place for immigrants, and then a Huntington High student who also happened to be his client was detained in Operation Matador. When Palacios finally obtained his client's detention memo, the paperwork ICE uses to justify calling someone a gang member, he couldn't believe it. The memo revealed that the student, who Palacios said had not belonged to a gang and had been on track to go to college, had been arrested for social-media images and writing the country code in a school notebook. "I got his immigration file, and I realized, wait a minute, this came from the school," Palacios says. "This is coming from Drew." He says he had always thought of him as a friend.

Palacios talked to Fiorillo about collecting information that was used to detain students. The school resource officer was cordial and heard Palacios out. Palacios recalls Fiorillo's saying, "I don't want to argue with you, I just want to move forward." When I asked Fiorillo if he had known that his information was shared with ICE, he demurred. "I can't speak to what they do, they being a federal government agency," he said. "I don't work with them." Testimony at an immigration hearing by another Suffolk County school resource officer, George Politis of Brentwood High, whose information collected in school was found in ICE memos, shed some light on the process. Asked what happened after he wrote a report, he said: "It's submitted, and then I don't know how it's disseminated from there. We enter it on a computer, and then it goes to whoever wants to read it within the department."

Palacios asked his client's teachers for letters of support. But the teachers refused, saying the administration wouldn't allow it. Alex's father and the parents of many of the other detained Huntington students also approached their children's teachers for letters and were also turned down. Cusack, the principal, told me he had been caught off guard by the requests and worried that having staff write about students to third parties would violate students' privacy rights.

Shortly after Alex was detained, his immigration lawyer spoke to Cusack and recorded the conversation. In the recording, Cusack sounds surprised that Alex was arrested based on a suspension. "We don't send anything to Immigration and Customs," Cusack says in the recording. Then he pauses and adds, "We do have a school resource officer here who works with us." Cusack told me that he had no idea that information from the school was being channeled to ICE. He said that he never believed any of the immigrant students he suspended were gang members, and that his goal with students who drew gang symbols was to warn them away from "presenting themselves as something they are not."

Cusack's confusion about what information would be conveyed to ICE may have been partly a consequence of not having a formal agreement with the Police Department. The Department of Justice and the National Association of School Resource Officers recommend that police

departments and school districts create formal agreements to make sure everyone understands how information will be shared. In Suffolk County, there are no such agreements in place.

Palacios says he doesn't think Fiorillo or Cusack was out to get immigrant students, but he thought they had an exaggerated worry about the gang. "The fear was that we were going to get hit with a big push of MS-13 in our school district," he says. That summer, he asked for a series of private meetings with school administrators and demanded that they do more to support detained students, including allowing teachers to write letters. It is hard to prove that a student is not part of a gang. "I can't say, 'I'd like to get a letter from the leader of the MS-13 to say this kid is not a gang member,'" he told me. So a teacher's letter of support is crucial.

Huntington High School Public Space Incident Report

Student's Last Name [REDACTED] First Name [REDACTED] ID # _____ Grade _____
 Date 5/4/17 Submitted by G. Smith Period/Time 9

Check the box, describe the behavior and exactly what happened, and why the student's behavior warrants an incident report:

In hallway without a pass or permission

In hallway after 2nd bell

Hallway

Cafeteria

Library

School grounds

Auditorium

School bus

Field trip away from school

Possessions

Dress code and appearance

Gang Activity,
 Defacing school property
 w. th gang signs. Poss. of
 Multiple gang paraphernalia.

A redacted copy of the incident report that ultimately led to Alex's deportation.
 Natalie Keyssar for The New York Times

In August, the A.C.L.U. brought a class-action suit on behalf of dozens of minors rounded up in ICE gang operations all over the country, demanding that they be given hearings to challenge the evidence against them. The group included the student Palacios represented and a handful of other students from Huntington High; Alex had just turned 19 when he was arrested, so he didn't qualify for the suit. Many of the minors had been sent to a high-security detention center for children in Virginia, where some were strapped to chairs with their heads covered or held naked in dark rooms. A 15-year-old Huntington student, George (his middle name), tried to kill himself twice, once by hanging himself and once by slitting his wrist.

After a few weeks, the Virginia staff decided that the facility was too restrictive for the well-behaved Long Island teenagers. That summer, the director of a California detention center asked to see ICE's evidence that the detainees were gang members. When ICE wasn't forthcoming, he refused to hold them, and starting in August 2017, they were sent to a group home run by ICE in upstate New York called Children's Village.

In November 2017, a federal judge ruled that ICE would have to hold individual hearings and present evidence that each minor was a danger to the community. The lead case involved a Brentwood High student, Noel (his middle name), who ICE said was dangerous because he had been seen with suspected MS-13 members and had written the number "503" in a school notebook. ICE labeled Noel a "gang member" when he was detained, then downgraded him to a "probable member" and finally, on the day of his hearing, settled on calling him a person identified by a school resource officer as "associated" with the gang. In an immigration courthouse in Lower Manhattan, Judge Aviva Poczter ordered Noel's immediate release, noting that 503 is a country code. "I think this is slim, slim evidence on which to base the continuing detention of an unaccompanied child," Poczter said.

In other hearings, ICE presented evidence pulled from the Suffolk Police Department's gang database. Again and again, judges found that the material — a student cited for a gang tattoo who didn't have a tattoo; a photo of a group of suspected gang members that did not include the student in question — was far too weak or inaccurate to detain the students. In the cases involving Huntington students, the "Huntington High resource officer" kept coming up. In one case, he reported that one student was "found to be in possession of MS-13 drawings in his school work." In another, he reported that a student had written "MS-13" on his arm. Ultimately, 30 of the 32 teenagers in the A.C.L.U. lawsuit were freed, including Palacios' client, who returned to school. But of the hundreds of people administratively detained in Operation Matador, most were not minors, and they were fighting losing battles to be allowed to challenge, or even see, the evidence against them.

It took Alex's parents days to find him. He had been taken to a jail in New Jersey that was being used as an immigration detention center and housed other Long Island students, including some from his high school. It was less than two hours from Huntington, but for his parents it might as well have been across the country: If they tried to visit, they could be detained. Alex wouldn't let his parents take the risk. And he felt sure ICE would release him before the start of his junior year. If everyone always told him that doing well in school was so important, how could officials prevent him from going to class?

When the first week of school came and went and he remained in jail, he fell into despair. "I don't know how much longer they'll keep me in here, or what my life will be like when I get out," he told me in a visiting room in September 2017. He wore a bunched orange jumpsuit and canvas

slip-ons that his big toe had worn a hole through; his fingernails were long and ragged because he couldn't find nail clippers. "The most important thing is to finish high school. But I don't know if the principal will let me back in."

Many of the Operation Matador detainees had been moved to the same maximum-security unit, which was about the size of the Huntington High cafeteria. The detainees spent most of their time staring out the windows at sooty buildings and industrial lots or watching soccer games and soap operas on TV. Alex was rarely able to take the classes that the jail offered, because criminal inmates were given priority. "Even when I get out of here, how will my mind be?" Alex asked his parents in one of his nightly calls. In another he told his mother about jumping out of the way when a fight broke out in the ward, and narrowly avoiding getting blood on his shoes. He was nervous about his current cellmate, who he thought was an MS-13 member and a drug addict. He could hear the other boy muttering and pacing at night and was terrified to go to sleep locked up alone with him.

To get out of detention, Alex would need a hearing. But it was held up by a jurisdictional issue: Should he be considered an unaccompanied minor, as he was when he first requested asylum, or an adult, which he was now? While this issue was disputed, ICE declined to provide any evidence to justify classifying him as an active member of MS-13. At the same time, the government had expedited his asylum case in light of his new designation as a danger to the community. He and his lawyer scrambled to get his documents in order.

Around Thanksgiving, a Huntington High School bilingual-education administrator contacted Alex's father to say the school was now willing to provide a letter of support for Alex. Victor wondered if the administration might be working with ICE to set a trap for him, but nevertheless he walked the two miles to the school. He and Marina had been saving for a car, but now they had spent all that money on legal fees. In the bright administrative offices, the principal, Cusack, handed over a letter written by Alex's language-arts teacher and told Victor that he understood his plight, because he, too, had children.

The letter said Alex had progressed from beginner to advanced in two years and had always been well behaved. "He is soft-spoken, polite and compliant with classroom procedures," his teacher wrote. "I personally believe that this young man can have a bright future if we encourage him and guide him to make the right choices in life." Cusack walked Victor to the school door. "Let me know if we can do anything more," he said. Outside, Victor turned to look back at the blue devil painted on the front of the school building that had once gleamed with the promise of his son's success.

When Victor told Alex that other Huntington High students detained in Operation Matador had been released, Alex assumed that he would have his detention hearing soon and be released as well. In December 2017, while he was waiting, Alex was called to his asylum hearing in a federal immigration court in New York City. According to a transcript, the government lawyer asked him exclusively about his school suspension, his being labeled a gang member and the meaning

of the number 504. Judge Lauren F. Weintraub interrupted Alex's testimony about whether he would be safe in Honduras to ask whether he had tattoos (he didn't). Asylum hearings sometimes stretch for weeks or months, but after less than an hour with Alex, the judge ordered him deported. When he got back to his cell, he lay on his bed and cried.

His immigration lawyer explained that Alex could appeal the asylum denial several times, which would give him time to fight his detention. He appealed once and was rejected again in June 2018. He knew that he would be released if he accepted deportation. But he would never have a chance to contest the supposed gang evidence against him or use the teacher's letter of support. Each time Alex called home, his father pleaded with him to keep fighting, saying it would tear the family apart if he left.

But Alex had now been in detention for more than a year. He rarely got out of bed until lunchtime and didn't even have access to a yard. Being locked away on a ward felt like being dead, with the world moving on without him. In his year there, six inmates and detainees had died, including three suicides. When the government sent Alex paperwork asking him to accept the deportation, he signed.

His father was devastated when Alex told him, but his mother felt her son was unraveling in detention. She even wanted to give up her own asylum claim and go back to Honduras with him, but Victor insisted on keeping the rest of the family together.



Alex's mother, Marina; his father, Victor; and his younger brother in December in their backyard in Huntington, N.Y. Natalie Keyssar for The New York Times

They planned to go to the jail on July 7, 2018, to say goodbye. Alex called them four times the day before and once that morning, asking them not to come because seeing them sad would only make him feel worse. But it was unthinkable for them to let him leave without seeing him, possibly for the last time.

At the security desk, Marina showed a new state ID she had recently received. Victor presented his Honduran passport, worried every moment that the staff might ask about his legal status. They sat on opposite ends of a bench in the waiting room. “And if he gets sick?” Marina asked Victor. “Who is going to take care of him?” Victor didn’t answer.

Victor went into the windowless visiting room first. Alex had grown more than an inch since he had been arrested, but he had become so pale and thin that he looked younger to his father. Alex told Victor that he had done everything a father could do, and he shouldn’t feel bad. Victor’s shoulders slumped as he began to cry. “Don’t be sad,” Alex said. “I’ll finally be free.”

He spent his 15 minutes with his mother trying to reassure her that he would be fine and would call her every day. She rose to leave. “I know we’ll see each other again,” she said. “I just don’t know when. But I know we will.” She made it out the door and then leaned against the white cinder-block wall, sobbing and mopping her face with a paper towel.

The teenagers who were freed by the A.C.L.U. lawsuit have found it impossible to return to their old lives. Some of them have had their green-card applications denied on the basis of the same gang claims that federal judges did not find credible. Some never returned to school for fear of being targeted by either MS-13 or school staff.

Noel, the lead plaintiff, switched to home schooling because he was afraid Brentwood High would hand him over to ICE again. Osmin was released and returned to Huntington High in January 2018, and has had several run-ins with security staff. This November, he says, one security staff member mimed making a phone call and said to him, “You fight again, I’ll call the police, and beep beep beep, you’ll be gone.” He doesn’t use social media anymore and sits alone at school so he can’t be accused of having gang friends. He said that the students “don’t talk about the people who were deported. We don’t say their names, because the school is always watching us.” (The Huntington Union Free School District declined to answer a series of questions, citing student-privacy issues.)

George, the Huntington High student who tried to kill himself twice in detention, publicly denounced MS-13 after he returned to school. When gang members then began threatening his life, he went to the principal, Cusack, with Irma Solis, the director of the Suffolk County New York Civil Liberties Union. Cusack called in Officer Fiorillo. According to Solis, Fiorillo seemed friendly at first and asked for the names of the people threatening George. When George was too scared to tell him, Solis said, Fiorillo’s manner changed. He lifted a chair and slammed it down, then jabbed a finger in George’s face, saying he didn’t believe him. Officer Fiorillo explained, she said, that he had already called his colleagues in the gang unit, and George

needed to go to the precinct station. “It was like a switch flipped,” Solis said. “He said, ‘I’m here to help,’ and then he went into this interrogation mode.” (The Suffolk County Police Department said that Officer Fiorillo “did not feel as though he was intimidating but just trying to help.”) George recently dropped out of school and moved away.

Palacios said the student he is representing has now been denied a visa because of the gang accusations. Palacios is appealing the decision with the help of letters from Huntington High teachers, but he fears it’s too late. “I couldn’t get the stigma off of him,” he said. “That scarlet letter sits on these kids’ files forever. When that happens at the immigration level, it’s fatal.” Cusack said he has implemented implicit-bias training for school staff and has tried to make returning students feel safe. Cusack said he does not pretend to be perfect but has tried to comfort the detained students as they have returned. “I listened to their stories and shed tears with them,” he said. “I tried as best as I could to welcome them back and to share my sincere feeling that this is their school, that this is where they belong.”

But across Long Island, immigrant students who get in trouble for minor offenses still risk the same chain of overreactions that led to Alex’s deportation. In August 2018, the school district for Bellport High banned students from drawing devil horns and the numbers 503 and 504, or posting them on their private social-media pages. By December, the A.C.L.U. identified about 20 new minors around the country arrested by ICE on shaky gang claims, and it sued to force ICE to reveal the total number of minors who have been detained. ICE now says Operation Matador will be permanent on Long Island. This fall, the initiative won an annual award from the Department of Homeland Security for best new ICE program.

On July 24, 2018, Alex landed in San Pedro Sula, Honduras. His parents had decided that he couldn’t go back to his hometown because he would be a target for the police and MS-13, who might find out that he was deported for gang activity. Instead, he would live with an aunt in La Libertad, a mountain town of pastel pink and green houses interspersed with mango and coconut trees on sloping streets. His aunt Olga found him a room in a boardinghouse a block from a narrow plaza with a faded white-and-gold colonial church. The room had a concrete floor and a toilet and sink in the corner, just like Alex’s cell in the detention center. His aunt had furnished a mirror, but Alex turned it to the wall.

Alex dimly remembered his aunt from childhood Christmases. She remembered him as a lively and brilliant child, but now he seemed absent and distracted. “So much time alone, it’s like he’s forgotten how to talk,” she told me in November. Before, he could sit and concentrate for hours. Now he struggled even to read newspapers, and his hands were always in motion, fidgeting with his ears or his sleeves.

Alex was scared to go outside. When he left his room, the first thing he saw was “MS-13” spray painted on the wall across the street. Old men with shotguns guarded small stores, young men with MS-13 tattoos on their faces and necks demanded money and a man had just been shot to

death at a festival at the plaza.

After a month, he fell into a routine of sleeping late, watching TV, then eating lunch by himself at the town's one sit-down restaurant. He spent his afternoons sitting on the edge of the plaza's empty planters and dried-out fountains, swinging his legs and texting with friends on Long Island, who were all out of school for the summer. Sometimes he watched Long Island TV news on his phone. He put off going back to his room until the black grackle birds began to shriek, signaling that the sun was setting and the thugs would soon come out. In the evenings, he watched more TV and continued chatting with people in the United States until it was time to go to sleep. He called his parents every night. They offered to send him the clothes and shoes he had left in Huntington, but he wasn't ready to admit he might never return to New York. He still had his phone set to East Coast time.

When the school year started again, Alex began to feel desperate. His friends were all back in classes now. Some were applying to college. He began to think about trying to sneak back into the United States. He knew that he couldn't go back to Huntington High, but he figured he could at least earn enough working with Victor to take private English lessons. Alex broached the subject with his father. Victor had been feeling unbearably guilty, as if the whole family had crossed a bridge and left Alex on the other side. He agreed to help. Victor and Marina borrowed thousands of dollars and moved with Alex's brother into two rented rooms in Huntington. Toward the end of September, Victor called to say he had found a coyote.



Alex in La Libertad, Honduras, in November. He moved there instead of his hometown, where the police or MS-13 might have targeted him, but La Libertad wasn't safe, either.
Natalie Keyssar for The New York Times

On Sept. 24, 2018, Alex set off for the United States-Mexico border. The coyote led a group of seven into the Texas desert for a five-day trek. They drank rainwater from puddles to cool down during the day and shivered in the sand at night. One night, the group was waiting to be picked up on a highway when a United States Border Patrol truck came into sight. The group turned back into the desert and ran stumbling for hours. Eventually they stopped to rest, and Alex fell asleep. He awoke to feel a German shepherd sniffing him.

Under Trump's zero-tolerance policy, Alex was charged with illegal entry, a misdemeanor that carries up to a six-month prison sentence. But a federal judge agreed to release him if he pleaded guilty and accepted immediate deportation. Alex now had a criminal record as well as a 20-year ban, meaning he would be 40 before he could apply for a visa.

By mid-November, Alex was back in his concrete room in La Libertad. He felt ashamed of himself and sad for his parents. "All the things they sacrificed, all the worry that they've had, it's all my fault," he said. "If I hadn't been detained, I would have finished school, learned English and gotten a good job." He spent his first afternoon back in La Libertad sitting in the plaza, staring at the olive green mountains that rose on every side. The deal his father made with the coyote included two more chances to try to cross the border. But failing again could mean two years in prison and a lifetime ban on getting a visa.

Staying in Honduras wasn't safe, either. His first weekend back, Alex scrambled up volcanic boulders for 20 minutes to a popular lookout point on the edge of a cliff. Two men soon came climbing over the rocks. They wore beanies pulled low over their eyes in the heat, and even on the uneven boulders, they walked with an unmistakable swagger. The one in front had three dots tattooed on his face, signifying the three places he was willing to go for his gang — prison, the hospital or the morgue. Alex lowered his head and quickly climbed down, terrified.

The next day, Alex walked 20 minutes outside town to a school on top of a steep hill, looping his thumbs behind the straps of his JanSport backpack the way he used to do in the halls of Huntington High. The school was closed for a long break, but a security guard in neatly pressed slacks let him in. The guard, Macario Zavala, gave Alex a tour, starting with the coffee plantation the school kept to teach students how to work in the fields. The coffee season was about to begin, and red coffee berries shined in clumps against the dark bushes. The guard told Alex that many students managed to work in the fields and go to school at the same time. "You can earn 70 *lempira* a day cutting coffee during the season," Zavala said.

"But that's like \$3," Alex said. "You can't even buy a shirt with that." In the United States, he earned \$90 a day doing landscaping with his father.

Zavala showed Alex the rest of the campus, a set of buildings without windows or chalkboards set amid banana trees. Alex looked inside a classroom. The walls and desks, and even the teacher's table, were covered with crosshatched doodles. Someone had written out 18 in Roman

numerals on the wall. It looked like a sign for the gang Barrio 18. Alex asked if there were thugs in the school, but Zavala shook his head. “The kids do that sometimes, but they’re just being dumb,” he said. “There are no gang members here, just people trying out pretending.”

Alex stopped to examine a list of people who had failed their courses that was posted on a wall. One of the classes was English. He had thought that to keep learning English, he would have to take a bus two hours to the nearest city. “I think I’d like to enroll here,” Alex said to the guard. “It’s really nice. I think it would be good to study here, if I’m not too old.”

The guard told Alex that he was welcome anytime, and there were even older students. But he didn’t know what good it would do. “The education here doesn’t get you anything — this country is full of doctors and engineers who work as taxi drivers,” Zavala said. “That’s why my family went to the U.S.” He told Alex that he had graduated from university himself, with a degree in education, and felt lucky to have this job. The other school guard had a degree in agriculture. “You study, and for what?” he said. “But a person has to do something.” Alex nodded. He shoved his thumbs through the straps of his backpacks, thanked the guard and headed back down the hill to the plaza, to check in with New York.

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