

Crisis Management at the U.S. Border: Review of a Sexual Harassment Case

Rolando M. Villalobos

USA

Email: visa@stanford.edu

Tags

Crisis-Management; International Student and Scholar Services; Management and Operations; University/Higher Education

Setting

The International Center at a private, nonprofit, research-intensive university is responsible for advising over five thousand international students, scholars, and their families, as well as helping them to obtain and maintain legal status. The Center strives to enable the international community to receive the maximum academic, cultural and personal benefit from their stays in the U.S.

Case

An international student came to the Center early Monday morning and told a front desk staff member that an officer was going to contact her about her documentation. She began to cry as she spoke about her encounter from the past weekend at the port of entry. She explained that the immigration officer insisted that she meet with him at her apartment to review her documents. She became more upset as she clearly knew this was not proper behavior on the part of the officer. She explained that the officer stated that she would receive a phone call from an immigration officer and that she should answer the call. When she asked him what would happen if she could not answer the call, he stated that she could be sent back to her home country. He also told the student to promise to answer the call. The officer specifically mentioned that he had to review her passport and I-20 to check her record. In fact, just one hour before the student came to the Center, she received the call from the CBP officer stating that he had to review her passport and I-20 to access her record.

CSIE cases are offered as professional development for readers and are not meant to focus on specific individuals or organizations. Names and other identifying details within the cases have been changed. In some instances, cases may have been amalgamated. Article reuse guidelines: <https://creativecommons.org/licenses/by-nc/4.0/>

She asked the officer if he could tell her what was missing. He said it was confidential and because of security issues he could not reveal what was missing. He then stated that he would come down to collect her passport and I-20 and return them two days later.

She asked him if she could just tell him over the phone, and he responded that it would be information she could not understand and needed to meet with her at her apartment. She suggested meeting him at the airport, and he stated he did not want to do this at the airport because other people are not supposed to know about this. He then said he would give her a call later before arriving.

When she told him she did not want to be without her passport, he suggested that he could still come to her apartment and view the documents and record the information that he needed. Again, she told him that she felt uncomfortable meeting him alone in her apartment and suggested a common area like the lounge in her dorm.

He persisted in stating that he preferred meeting in her room in private because what he was doing could jeopardize his reputation. At the time of entry (at the airport), he was supposed to put her in another room to verify information that would take several hours since the officers in that room have to call the school to verify information.

He repeated several times not to tell anyone, that he was doing her a favor, and asked her to promise not to tell anyone. The officer stated again he would meet her the following day at her dorm room and would call before arriving.

The student mentioned that she had to attend a workshop at the International Center, and then he suggested that he could meet her after he got out of his shift around two a.m. She told him she could not meet him at that time but could meet him in the afternoon.

The Center told the student she should not meet with him alone and arranged for the Associate Director to be with her. Instead of meeting at her apartment (as the officer had insisted), the meeting was scheduled at the Graduate Student Center common area.

When the officer arrived, a staff member from the Center approached him, asked to see his badge, and asked him why he was trying to talk to the student. He became agitated and demanded to know who she was. When she insisted on seeing his badge, he fled the building running.

Due to concerns for reprisal and harassment from the officer, staff from the Center assisted the student in obtaining a new phone number because she had been harassed. The store manager then waived the fee for changing the phone number, and she obtained a new number the same day.

Later that afternoon, the Center contacted the Residence Dean for assistance in finding a new dorm room, and by late afternoon, one of the Residence Deans and a staff member from the Center loaded up their cars with her belongings and moved the student to a new apartment. The Residence Dean then checked in regularly with the student to see how she was doing. The Center contacted her boyfriend, who then flew five hours to be with her, as well as the Department of Public Safety and the Title IX office to let them know about the incident.

On the day she moved to the new apartment, the Center also changed her address and contact information in the SEVIS database to a fictitious phone and address with the approval of the Chief Customs and Border Protection (CBP) official. The same CBP Chief talked to the student to assure her that she would be safe, that

CSIE cases are offered as professional development for readers and are not meant to focus on specific individuals or organizations. Names and other identifying details within the cases have been changed. In some instances, cases may have been amalgamated.

Article reuse guidelines: <https://creativecommons.org/licenses/by-nc/4.0/>

the officer would not have access to any information on her, and that he had dealt with him. The Center also received a phone call from another Chief CBP official who assured the Center that he took this matter very seriously, and there would be further follow up on this case. The following day, the Center was contacted by the DHS Office of the Inspector General – Investigations to request from the student a sworn statement about her horrible experience. Since she was too distraught to write the statement herself, the Center took the statement from her and faxed it to the investigating officer. That same week, the Center had another meeting with an officer who identified himself as a Special Agent with the Office of Inspector General, DHS, who took a sworn statement from Center staff. He, too, reassured the Center that that CBP official had been dealt with.

Discussion Questions

As you consider this case, discuss:

- What laws, rules, or ethics might have been violated by the officer's behavior?
- Who should an international student be able to approach regarding sensitive issues like sexual harassment and sexual violence? How should staff in International Student and Scholar Services (ISSS) be trained?
- How can orientation or other programs raise student awareness of safety issues, sexual harassment, and assault response for international students?
- What kind of crisis management protocols should be in place within an ISSS office to protect student privacy and safety? Which departments on campus should the ISSS office coordinate with?