

The Secret

The laws were clear. They weren't going to be changed because of one man's fancy rhetoric or his desperate use of *argumentum ad misericordiam*. Mr. Richardson, clean shaven, with sparkling blue eyes, and a veteran of many cases, could do nothing except apologize. He couldn't believe the outcome. He thought for sure the panel would've considered the special circumstances, the boy's success. The teen was an example of what could be achieved in the United States with hard work.

"I'm sorry, Mr. Hernandez," Richardson said on his cell phone. "They just didn't see it our way."

"Well," Martin, the boy's father, said. "What now?"

The Hernandez's didn't move to Carlsbad because of the perfect weather or majestic sunsets. Being able to take strolls along the cliffs, watch surfers below, or shop at the Village, hadn't factored into their decision. They settled in the Carlsbad Barrio because it was close to Mexico. Maria Hernandez and her eleven-month-old son, Brayan, had left Tijuana in November of '94, a month after Martin. The two bedroom apartment near Jefferson Elementary marked their beginning, humble like that of most immigrants, but promising.

Maria stayed indoors with Brayan for six months after their arrival, unnerved by the experience she endured crossing the border. She recalled that day and played it out like a movie scene, tormenting herself by inserting a tragic outcome. She hid with her son in a makeshift hiding place added onto a '94 Ford Bronco.

"Please hurry," Maria said to the Coyote driver, crammed below the cabin with Brayan wedged between her breasts.

Brayan had slept quietly most of the way, but was roused a few vehicles from the inspection booth. The sounds of the border, old engines rattling, impatient drivers honking, the yells of destitute vendors holding up cheap trinkets and food, were at fault.

"Almost there," the Coyote said.

Before the Bronco got to the line, Brayan began crying uncontrollably.

"¡Calle ese niño!" or "Shut that kid up!" the callous man said.

Please, please hurry, Maria said to herself desperately, worried she'd asphyxiate her son. She smothered Brayan's mouth with her chest. The fear of getting caught by Immigration was intense, causing Maria to temporarily lose her mind and put the life of her child at stake. Maria suffered from postpartum depression. Motherly instincts kicked-in after the Coyote's shout, urging her to keep the child alive. Once in U.S. territory, she felt at equilibrium for the first time.

On the day his wife and son left Mexico, Martin had waited nervously in Carlsbad. He'd gone ahead of them to find a place to live. He paced anxiously back and forth at the apartment, biting his nails, wondering if they crossed successfully. The Coyote's phone call came later in the evening, bringing great news.

Thanks to her older brother, Jose, Maria soon got a job at an Oceanside Taco Bell. She'd not heard of a Chalupa or a Burrito Supreme, but she liked how the food tasted. She was petite, standing only five-foot-four inches tall. She put on a few extra pounds and had to wear the Taco Bell polo size medium, due to the added weight. The net she wore to cover her curly brown hair irritated her skin.

Despite initially being uninterested in her son, Maria had come to love Brayan. She understood postpartum depression now, and loving Brayan gave her confidence that she could bond with another infant. Stephanie came two years later, born at Tri-City in Oceanside—an American citizen.

Martin was brave and hard-working. He was the voice of the family, a risk-taker, and he made tough decisions. He was passive, but became active when his family needed him to lead. Providing for his family was his number one priority. His beige skin had become bronze from a constant routine of picking avocados, oranges, and tangerines out at the groves in Fallbrook. Like Maria, he believed education was the key to a better life.

Much to his parents' delight, Brayan loved school.

"He's so smart, Mr. and Mrs. Hernandez," Brayan's third grade language teacher said. "His English is better than most of the students in the class."

By 6th grade, Brayan had exited the English Language Development program. By 8th grade, his foreign accent had disappeared. Aside from excelling in the classroom, Brayan was gifted athletically. He'd earned the starting point-guard spot on the basketball team. Making the yearbook as "Most Likely to Succeed," was his most cherished middle school accomplishment.

Brayan wanted to understand the hardships his parents faced before immigrating to the U.S. They told him about Tijuana, the shops on Calle Revolución, the beaches, the poverty and crime. He tried picturing their stories, but without seeing Tijuana firsthand, he couldn't relate.

"Mom, can I go to Tijuana with Uncle Jose and Aunt Julia this summer?" Brayan asked, prior to starting high school.

Because of their undocumented status, his parents couldn't take him.

"No," his mother said, "your uncle doesn't have room to take you."

Jose was like a bridge for the Hernandez's. "Maria can work at Taco Bell with Julia," Jose said to Martin, encouraging him to cross the border. "I know some people who work as ranch hands in Fallbrook. They may be able to get you a job."

"How am I supposed to know where you're from *if* I don't visit?" Brayan asked his mother.

"You will someday," she said, walking away. "Just not now."

Brayan was close to his Uncle Jose and Aunt Julia. Julia, a white, middle-aged woman, managed the Taco Bell where Brayan's mother worked. Jose, a lanky forty-year-old, was an electrician for San Diego Gas and Electric. Brayan enjoyed spending time with them, listening to his uncle brag about his past, watching his aunt shake her head in response. "Man, you should've seen what a little bad-ass I was in high school," he told Brayan. "The administration at Oceanside didn't know what to do with me."

"Brayan, Stephanie, come here," Maria said, pulling out the family photo album.

"Not the birthday pictures again, mom," Stephanie said, seeing her mother flipping pages. "We don't have time for this right now. School starts tomorrow."

"Is this at Lego Land?" Brayan asked, humoring his mother.

"Yes," Maria said, sighing. "How time flies."

At Carlsbad High School, Brayan thought of himself as a popular teen. He liked to fit in with all of the student groups: the jocks, skaters, surfers, nerds, and anyone who was friendly. His charisma helped him get along with all of his teachers. Though there were other Mexican-American students at Carlsbad, Brayan didn't associate with them. He didn't share anything in common with them. They listened to Latin music, and he preferred hip-hop. They spoke

Spanish often, and his was rusty. Mexican boys played soccer at lunch, and he hung out with his teammates instead.

Brayan, five-foot-eleven inches tall, joined the highly ranked water polo team as a tenth grader. He stood out from his white teammates in a Speedo because of his dark brown complexion. His teammates treated him without prejudice. What mattered to them was Brayan's performance in the pool. He was tenacious on defense and kept the Lancers' rivals from scoring.

Brayan wanted to be a credit to Mexican-Americans, not an affirmation of a stereotype. Noticing himself in class amongst a sea of white students motivated him to excel. By the time he was a junior, he'd amassed a 3.7 grade point average in mostly honors and Advanced Placement level courses. By the end of the year, Brayan was in the top 100 students of his graduating class.

"He has to know now," Martin said to his wife.

"No," Maria said, "let's wait a little longer. Just a couple more months."

Martin and Maria wanted to let Brayan know that he, like them, lived in the country illegally. Throughout the years they'd kept knowledge of his immigration status from him, hoping reform would happen. Their secret came out unintentionally, during the summer prior to Brayan's senior year. Brayan was filling out online college applications in his room.

"What!" Brayan said to his mother. "How's this possible?"

Maria remained silent, noticing her son's face slump.

"All these years and you guys didn't tell me? Why did I try so damn hard then?"

Brayan sat down. His torso hunched like a wilted stem. He stared at the carpet, stunned. He tried looking up, but couldn't. Tears formed in his eyes, and he was too embarrassed to let his mother see him cry. Martin walked in the room, looking for Maria.

"We're sorry son," his mother finally said, beginning to weep. "We wanted you to try in school and do the best you could."

Stephanie joined her family, hearing the commotion from the living room.

"What's wrong?" she asked.

"I'm an illegal and you're not," Brayan said. "*That's*, what's wrong!"

They didn't leave Brayan's room for hours, talking things out, consoling each other.

Senior year was a train wreck. Seeing no point to continue working hard, Brayan became apathetic and his grades dropped. His teachers would ask if he was okay. He'd shrug his shoulders. To his coach's surprise, he quit the water polo team. His teammates objected, pleading with him to stay on the team. Brayan ignored them. Outreach came from a school counselor: "Is Brayan okay, Mr. Hernandez?" Brayan had lost his grandfather whom he dearly loved. That was the first of many excuses his father used to cover for him.

At home, Brayan had a dejected spirit. He was a teen without a mother or father. He became deaf to their cries to stay motivated. To Brayan, Maria and Martin were betrayers, leeches who'd sucked the life out of him. "If only the Dream Act had passed," Maria said to her husband after another day of getting the silent treatment.

Brayan's depression morphed into aggression. He developed a short fuse with his sister. Everything she did annoyed him. "Aren't you going to do anything?" Stephanie asked her parents, frustrated. Brayan had pushed her across the living room. But there was no response from either Martin or Maria.

Jealousy was another manifestation of Brayan's anger. "You don't even have good grades!" he said to Stephanie one evening. School had been the way he'd channeled his energy.

With his education in peril, Stephanie's American citizenship had become Brayan's focus. He hated that she was eligible to go to college without restrictions. "But you can still go to college, son," Martin said. "We can afford to pay for you to go to Junior College!" California's AB 540 made it possible for undocumented students to register for junior college, without needing to report to INS. Brayan could even qualify for in-state tuition. But he couldn't proceed past junior college. Without the help of Federal Student Aid, his parents couldn't afford his schooling. Only legal residents and citizens like his sister qualified for federal loans.

The summer after Brayan graduated from high school, Maria was given Immigration advice at Taco Bell. Carlsbad was full of vacationers. The visiting Mexican-American couple from San Antonio was trying to be helpful. They overheard the conversation Maria was having with a co-worker. The woman, a mother, volunteered a suggestion.

"You should hire an immigration lawyer. I bet they can convince INS to give him a green card...Did you say he's been in the country all his life?"

Maria and Martin met with Mr. Richardson soon after. "Oh yes," he said to them, "I've handled many cases like this. I'm positive I can get Brayan his residency." Mr. Richardson worked from home. The Hernandez's had come across his ad in the North County PennySaver. They wanted their son back. They wanted him to realize his dream and graduate from college. They spent all the money they'd saved on the lawyer. If they'd done a thorough check, instead of taking a leap of faith, they would've discovered a history of poor performance.

"They said we hadn't proved his legal status," Richardson said outside the San Diego Field Offices in his best Spanish, gringo accent.

"What do you mean by 'we,' Richardson," Martin said.

"Sir," Richardson said, "I told them you and Maria live in Tijuana, that Brayan and Stephanie live with their uncle in Carlsbad, and that Stephanie needs her big brother. Just like we had talked about."

"And what about your assurances, sir?" Martin asked. "You told us we had a good chance."

"And you did! They set a deportation date for six months from now—"

"What!" Martin said, becoming pale.

"What did he say?" Maria asked, seeing her husband's reaction.

What have we done? Martin thought. He and Maria were ruined. They had no money for an appeal. Now their beloved son was registered with the INS and scheduled for a deportation. What could he say to his wife?

"Put Brayan on the phone please, Richardson," Martin said. Martin looked at his wife with a calm expression on his face.

"He doesn't want to speak with you, sir," Richardson said. "I tried passing the phone to him many times."

Martin couldn't blame his son for not wanting to talk. Brayan wasn't an ungrateful child.

"He told me to tell you something else, sir," Richardson said. "He's not coming home. He's going to go stay with his uncle."

Maria and Martin could put their minds at ease, knowing they'd tried their best to help Brayan. The secret they'd kept for many years no longer consumed them. Brayan would return to Tijuana in six months, and they'd go with him. Maria and Martin were grateful that Brayan

had received a quality education. He'd learned to speak English and knew enough Spanish to get by in Mexico. He wouldn't have a problem getting a job anywhere in Baja.

Rosarito Beach Hotel several years later:

An American family drags their luggage through the "Bienvenidos" archway and into the lobby. Slowing them down on their way to the desk is the lobby's glamour, colorful Spanish tiles, a large central stairway, and a glowing chandelier.

"Hello," the woman said, as her husband pulls bags and two toddlers closer to her.

"How may I help you?" the man at the desk asks.

"Oh," she said, "we have a reservation for four, under Johnson."

The man smiles at the woman, looks at the entire family with a quick glance—a clutter of khaki shorts, beach sandals, and cotton tank tops.

"Will there be anything else I can help you with today, folks?" the man asks, a few keystrokes and a signature later.

"No, I believe were fine," she said. "Thank-you, *Bray-yan*."

"You're welcome," he said, smiling insincerely.

"Well, actually," she said, with an innocent look on her pasty, sun-blocked face, "there is one thing. Where did you learn English? You speak it *so* well."

"It doesn't matter," Brayan said with a look of disgust.