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For Immediate Release:

Biden Admin Seizes South Texas Family’s Property for Border Wall
Cavazos Family of Mission, TX is Devastated, Calls for President for Revestment

McAllen, TX -- Yesterday a federal judge in McAllen, TX handed down a court order granting the U.S. government’s request to forcibly seize possession of the Cavazos family’s property for the border wall. On Jan 20, 2021, the President issued a Proclamation that the government would stop all construction to complete a 60-day review of whether land needed to be taken for the border wall at all. The court order comes 23 days after the Biden administration should have made that decision.

In response to the Biden administration seizing their property, Baudilia Cavazos said “We are utterly devastated. We thought President Joe Biden would protect us. Now we’ve lost our land. We don’t even know what comes next.”

The Cavazos family land is the target of one of 140 active cases that have continued under the Biden Administration. At least 114 of these cases have progressed since the President’s proclamation pause deadline on March 21, 2021. While the Presidential Proclamation appears to have temporarily stopped border wall construction, Department of Justice attorneys continue to take possession of land through eminent domain lawsuits against landowners.

In response to the taking, TCRP attorney for the family Ricky Garza said, “Yesterday, we witnessed a betrayal of the Biden Administration’s commitment to end construction of the border wall. In federal court, the President’s pause on border wall construction is meaningless without immediate action from the DOJ to dismiss these cases.”

“What we find most outrageous is the Department of Justice’s decision to aggressively pursue Texas families’ land through these cases despite the President’s commitment of not another foot. Taking land from border communities is still a DOJ priority in border wall cases, even in cases where there is no danger, urgent need, or ongoing construction on the tract in question,” said TCRP attorney Carolyn O’ Connor.
Just before the Biden administration took office, organizations across the Southwest border led national actions to urge the administration to immediately cancel the border wall contracts on day one, out of fear land seizures would continue into Biden’s Presidency. Then, weeks into the administration, activists sent a letter to the President and key members of the cabinet urging several actions, among them activists called on the administration to immediately dismiss all border wall cases.

Laura Peña, director of TCRPs Racial and Economic Justice Department, called on the President for immediate action, saying "What we’re seeing in court is completely contrary to the spirit and the plain language of the Presidential Proclamation. Throughout the pandemic, the painful final days of Trump’s presidency, and even into President Biden’s term, our border team has gone to bat to protect the rights of landowners like the Cavazos family. The President must immediately revest the land to our clients, instruct the Attorney General to issue a directive to all U.S. Attorneys in the Southwest to dismiss pending border wall cases, and offer meaningful consultations with impacted communities, especially historically disenfranchised groups and indigenous groups."

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For more information on the legal options to resolve border wall lawsuits, see this review by TCRP Senior Attorney Karla Vargas and staff attorney Ricky Garza.

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About Texas Civil Rights Project
The Texas Civil Rights Project is boldly serving the movement for equality and justice in and out of the courts. We use our tools of litigation and legal advocacy to protect and advance the civil rights of everyone in Texas, and we partner with communities across the state to serve the rising movement for social justice. We undertake our work with a vision of a Texas in which all communities can thrive with dignity, justice and without fear.