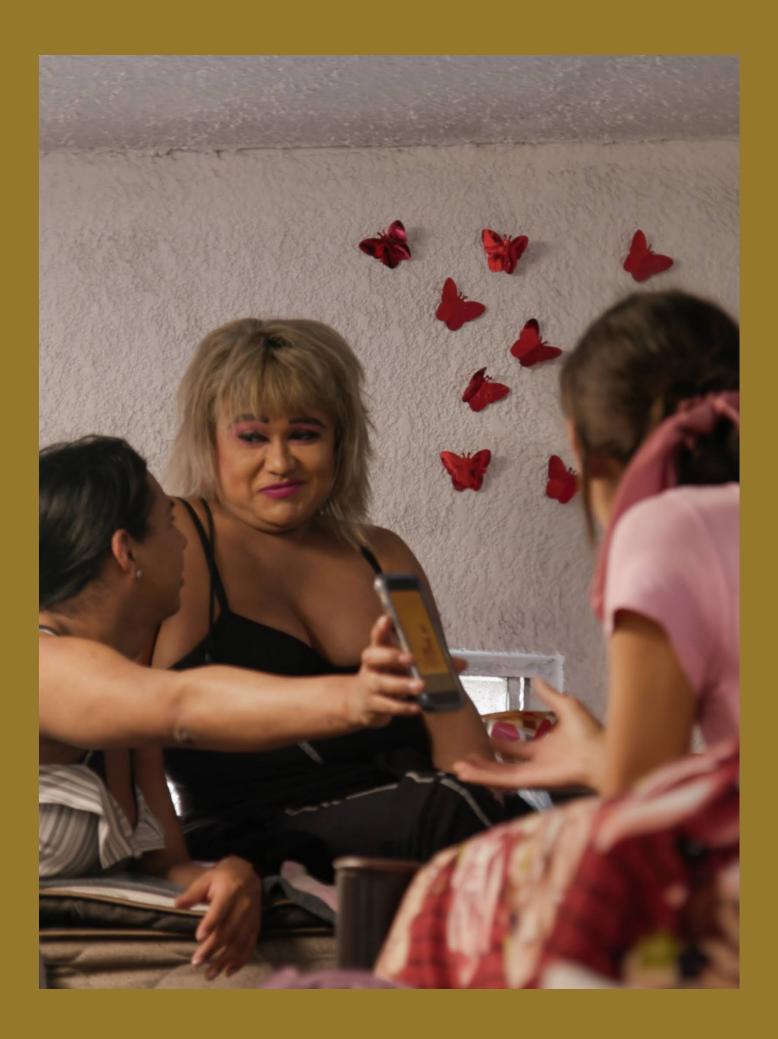
# JARDINES

A FILM BY ALFREDO TORRES





**DISCUSSION GUIDE** 





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# Film Summary



*Jardines* is an intimate portrait of the experiences and trajectories unique to displaced Queer folks as they flee violence and persecution in their home countries. The film introduces us to people from all over the world as they contemplate the uncertainty of a future in the United States at a time when asylum legislation and LGBTQ+ rights are under legal duress.

# Using This Guide

This guide is an invitation to dialogue. It is based on a belief in the power of human connection and designed for people who want to use *Jardines* to engage family, friends, classmates, colleagues, and communities. In contrast to initiatives that foster debates in which participants try to convince others that they are right, this document envisions conversations undertaken in a spirit of openness in which people try to understand one another and expand their thinking by sharing viewpoints and listening actively.

The discussion prompts are intentionally crafted to help a wide range of audiences think more deeply about the issues in the film. Rather than attempting to address them all, choose one or two that best meet your needs and interests. And be sure to leave time to consider taking action. Planning next steps can help people leave the room feeling energized and optimistic, even in instances when conversations have been difficult.

For more detailed event planning and facilitation tips, visit <a href="https://communitynetwork.amdoc.org/">https://communitynetwork.amdoc.org/</a>.

## HELPFUL CONCEPTS, DEFINITION, AND LANGUAGE FOR FRAMING

NOTE: Understanding that participants in your conversation will arrive with differing degrees of knowledge and experience with regards to the topics *Jardines* invites you to explore, it is helpful to review common concepts and arrive at a shared understanding ahead of your discussion. This will help ensure the safety of all participants and work to support the community agreements you have established.

## Gender:

The attitudes, feelings, and behaviors that a given culture associates with a person's biological sex.

# Gender binary:

A system in which gender is constructed into two strict categories of male or female. Gender identity is expected to align with the sex assigned at birth and gender expressions and roles fit traditional expectations.

## Gender Identity:

A person's private sense of and experience with being a boy or man, girl or woman; a blend of both or neither; or a gender that may or may not correspond to the individual's biological sex. Gender identity is personal and is not visible to others and can be the same or different from their sex assigned at birth.

# Gender Normative:

Behaviors, representations, and ways of being that are compatible with, or aligned to, an established cultural expectation of gender identities.

# Gender Nonconformity:

A term referring to people whose behaviors, representations, and ways of being that are incompatible with, or reject, traditional social and cultural expectations of gender identities. Essentially, this term refers to people whose gender expression does not fit neatly into rigid categories of what gender is supposed to mean and what is expected from people of different genders.

## Genderaueer

Genderqueer people typically reject notions of static categories of gender and embrace a fluidity of gender identity and often, though not always, sexual orientation. People who identify as "genderqueer" may see themselves as being both male and female, neither male nor female or as falling completely outside these categories.

### Sex:

The public classification of people as "male or female" at birth, based on bodily/ anatomical characteristics such as chromosomes, hormones, internal

reproductive organs, and genitalia.

# Gender Performance/Gender Expression:

External manifestations of gender, expressed through one's name, pronouns, clothing, haircut, behavior, voice, or body characteristics. Society identifies these cues as masculine and feminine, although what is considered masculine and feminine changes over time and varies by culture. Typically, transgender people seek to make their gender expressions align with their gender identities, rather than the sex they were assigned at birth.

### Gender Non-conformina:

This is a term used to describe people whose gender expression is different from conventional expectations of masculinity and femininity. Not all gender non-conforming people identify as transgender, nor are all transgender people gender non-conforming.

# Cisgender:

A term used by some to describe people who are not transgender. "Cis-" is a Latin prefix meaning "on the same side as," and is therefore an antonym of "trans-." A more widely understood way to describe people who are not transgender is simply to say non-transgender people.

# Non-binary:

An adjective describing a person who does not identify exclusively as a man or a woman. Nonbinary people may identify as being both a man and a woman, somewhere in between, or as falling completely outside these categories. While many also identify as transgender, not all non-binary people do. Non-binary can also be used as an umbrella term encompassing identities such as agender, bigender, genderqueer or gender-fluid.

### Queer:

A term often used to express a spectrum of identities and orientations that do not abide by traditional or mainstream expectations of gender and sexuality.

# Sex assigned at birth:

The sex, male, female or intersex, that a doctor or midwife uses to describe a child at birth based on their external anatomy.

## Sexual Orientation:

Describes an individual's enduring, inherent, and immutable physical, romantic, and/or emotional attraction to another person. Gender identity and sexual orientation are not the same. Transgender people may be straight, lesbian, gay, or bisexual. For example, a person who transitions from male to female and is attracted solely to men would identify as a straight woman. (Note: an individuals' sexual orientation exists independently from their gender identity.)

# Transgender:

An umbrella term for people whose gender identity and/or gender expression differs from what is typically associated with the sex they were assigned at birth. People under the transgender umbrella may describe themselves using one or more of a wide variety of terms—including transgender. Some of those terms are defined below. Use the descriptive term preferred by the person. Many transgender people are prescribed hormones by their doctors to bring their bodies into alignment with their gender identities. Some undergo surgery as well. But not all transgender people can or will take those steps, and a transgender identity is not dependent upon physical appearance or medical procedures.

# Transitioning:

A series of processes that some transgender people may undergo in order to live more fully as their true gender. This typically includes social transition, such as changing name and pronouns, medical transition, which may include hormone therapy or gender affirming surgeries, and legal transition, which may include changing legal name and sex on government identity documents. Transgender people may choose to undergo some, all or none of these processes.

# Tools for Understanding:

As you review these concepts and definitions, these two graphics from TSER, the Trans Student Educational Resources) can support your community in understanding and learning:

**The Gender Unicorn** 

**Gender Pronouns** 

# **Key Participants**

# La Madrina

Founder of Jardín de las Mariposas and Godmother to all residents who come through the shelter

# **Emerson Velazquez**

Resident of Jardin de las Mariposas shelter who answers intake calls

## **Yolanda Rocha**

Director of Jardin de las Mariposas shelter

# Jardín de las Mariposas Residents

Sami, Deibi, Chus, Byron, Sarah, Rosario, Denis, Joan, Angela, Jemenis, Adriana, Angelica, Keysi, Jeffrey, Pavel, Viacheslav, Alecia

# **Key Issues**

*Jardines* is an excellent tool for outreach and will be of special interest to people who want to explore the following topics:

- Queer Community and Chosen Family
- Asylum seekers' experiences
- The U.S./Mexico border: A decade of immigration policy
  - Title 42
  - Title 8
  - "Remain in Mexico" program
- Mutual Aid and community support
- Queer experiences in Central America
- Violence and persecution of immigrants and queers

# **Background Information**

# **Brief Summary of US Immigration Policy:**

Historically, the United States has positioned itself as a legal sanctuary for people the world over seeking refuge, economic opportunity, democracy, and freedom. According to The Refugee Act of 1980, the United States has a legal obligation to provide asylum to foreign nationals who meet the definition of "refugee," which is defined as "a person who is unable or unwilling to return to their home country, and cannot obtain protection in that country due to past persecution or a well-founded fear of being persecuted in the future 'on account of race, religion, nationality, membership in a particular social group, or political opinion." This is the definition codified in the United Nations 1951 Refugee Convention and the 1967 Protocol. As a signatory of both, the United States codified its obligation to refugees into its immigration laws with the Refugee Act of 1980. Legally, LGBTQIA+ refugees fall under the designation of those whose persecution stems from their "membership in a particular social group." However, the status of refugee is also considered a "discretionary" status, meaning individuals can be denied asylum even if they meet the definition of refugee as an individuals' status is at the discretion of the United States government.

The processes that determine who receives refugee status; who deserves sanctuary; how an application is submitted; whether it is considered; and what happens to a person in the process of migration, flight, and seeking a new home in a new land—are processes governed by the political oversight of those in charge at the Federal level. As of January 2025, under Federal Executive Orders, migrants are immediately turned away at the US border and no longer granted asylum hearings. Furthermore, Immigration and Customs Enforcement (ICE) has been granted expanded jurisdiction over what once were protected as "sensitive" areas, giving them the power to raid schools, churches, and hospitals. In addition to Federal Policy, antimmigrant political discourses that frame refugees in negative ways directly impact families, children, and individuals who find themselves in the literal and metaphorical borderlands, between homes, and often at their most vulnerable.

Jardines takes place in a particularly fraught time for US immigration policy amidst the 2017 presidential term of Donald Trump which made immigrants' lives more precarious. Yet, it is worth noting that contentious immigration policies date back further. In 2013, former President Barack Obama attempted a comprehensive immigration reform that sought to create pathways to citizenship and documented work, as well as expand the infrastructure of processing migrants at the border. The passage of the bill was blocked by House Republicans, largely for ideological reasons, as they saw no benefit to their party in allowing a Democratic President to address issues of border security. The vacuum that refusal created allowed the underfunded processes at the border to become the Republicans' chief issue in both 2016 and 2024. At the same time, it is important to note that former President Obama was widely criticized for deporting more immigrants than any other president before him, as well as reviving the practice of family detention at the border, which bequeathed President Trump an intact infrastructure for family detention. In his first term, then-President Trump expanded the practice of family detention

into a program of family separation, the forcible removal of children from their parents by the government. Following this government-sanctioned practice of family separation, a policy named specifically as a punitive policy of deterrence, there was little to no effort to reunite these families.

In both his runs for office, President-elect Trump campaigned with anti-immigrant rhetoric, and in his first term, he sought to find ways to effectively close the border, despite the United States' legal obligation to, at minimum, provide asylum. This included the establishment of his controversial "Remain in Mexico" program, which went against decades of immigration policy allowing asylum seekers to live in the United States. President Trump ended the practice of US hosting asylum seekers while their cases were being processed saying all asylum seekers had to remain in Mexico while their asylum cases were processed and the policy was reinstated at the start of 2025. In practice, as documented by Human Rights Watch, this program exposed asylum seekers to dangerous living conditions and violence, leaving them vulnerable to sexual assault, extortion, kidnapping, and beatings.

When the COVID-19 pandemic hit, Trump activated the Public Health Act of 1944, specifically Title 42, which allowed the US to close its borders to people or goods that could bring communicable diseases into the United States. Title 42 gave border patrol agents the right to immediately expel any migrant they suspected to have crossed illegally, regardless of documentation. Of note, Title 42 also lifted any penalization for repeated attempts at undocumented crossing, so that anyone expelled by the US could keep on trying to cross the border without later restrictions or punishments. The Biden administration kept Title 42 in place until May 2023, at which point it reverted to the long-standing Title 8 policy.

Title 8 allows migrants to apply for asylum once on US soil, but it also includes punishment for attempts to cross the border without documentation. If caught, migrants could be banned from re-entering the US for at least 5 years. Not only does this restrict migrants' ability to cross again, Title 8 threatens criminal charges and jail time to those who re-attempt. Under President Joe Biden, when Title 8 was reinstated, the administration modified it with new, stricter policies that sought to make it harder for refugees to qualify for asylum. Central to the implementation of Title 8 is the "credible fear" interview, during which asylum seekers must demonstrate that returning to their home country would expose them to persecution or torture. The benchmarks an asylum seeker must meet to "pass" the credible fear interview also shift depending on who is in power and border policy at the time. In 2023, the credible fear interview criteria were made more stringent, and many asylum officers complained that the criteria they were assigned were at basic odds with their roles. Other abuses included handcuffing asylees during their credible fear interviews and holding asylees, including children, in cold and overcrowded detention cells while waiting for their interviews. Some migrants described the process as so traumatizing to their children that they were considering giving up their asylum claims altogether, despite the dangers waiting for them in their home countries. The Biden administration also effectively closed the border, including to all asylum seekers, with their policy of shutting down applications as soon as the daily average of attempted crossings exceeds 2,500 over a 7 day period and only reopened once the daily average falls below 1500 for two consecutive weeks - a number that immigration rights activists say is impossible to reach.

As of 2025, no asylum seekers, migrants, or refugees on US soil will be given the right to petition for asylum.

# **Experience of LBQTIA+ migrants**

Many LGBQTIA+ migrants leave their home countries to escape violence, discrimination, and persecution which threaten their lives due to a lack of legal protections. More than half of LGBTQ folks seeking asylum in the US come from the Northern Triangle region of Central America.

It is common for Queer migrants, especially transwomen, to face explicit threats of violence. However, their journeys to the Mexico/U.S. border include many of the same threats and dangers they experience at home as a result of homophobia and transphobia. The ongoing policies that strand asylum seekers in Mexico while they wait for their asylum cases to be heard mean that these migrants are being held in very much the same climate of threat and intimidation, and often violence, that they were fleeing in the first place. While being detained on the US border, the threat of violence continues. According to the Georgetown Journal of International Affairs, "sexual and gender minorities are 97 times more likely to be assaulted and victimized within detention than other detainees." Despite the immigration court's 1990 and 2000 recognition of sexual orientation and gender identity as legitimate reasons for seeking asylum, border patrol agents and those working on behalf of the State to imprison those seeking safety still pose threats of violence to vulnerable queers seeking safety. Even within courts, judges often assess applicants' based on preconceived heteronormative and cisnormative notions of what they assume LGBTQIA+ people are meant to be, and the judges' perceptions (and oftentimes rulings) are rooted in these larger normative structures which deem some applicants as not "gay enough" to require support. As noted in *Jardines*, not all of the already stretched thin system of NGO shelters will accept openly LGBQTIA+ migrants, leaving them with even fewer options than their fellow migrants.

# Chosen Family and the strength of Queer Kinship

LGBQTIA+ communities have a long history of making families along lines of alternative kinship structures. Chosen family relations sought to expand normative notions of care, beyond the nuclear or biological family and towards others with common life experiences. Often born of need, as so many Queer individuals face rejection and exclusion from their families of origin, these networks of care have long provided solidarity, as well as emotional and material support. *Jardines* illuminates the beauty of chosen family networks and practices of care. For example, within Jardin de las Mariposas, La Madrina is the godmother for those in the shelter, the transwomen know each other as sisters, and every one offers structural and emotional support to one another. In countless moments, the residents shop, cook and eat together; they pitch in to clean and maintain the physical space; they hold parties and celebrations together; they speak of their shared losses and comfort each other; they do each other's hair and makeup, and negotiate sleeping arrangements. In the microcosm of the shelter, a brief respite is created, a moment of "home" and family to people who left behind both and are facing unknown dangers and challenges in their attempts to migrate to the United States.

These models of intimacy, care, and support - though not honored through legal or State recognition - provide essential life-sustaining, day-to-day, frameworks of community. This was especially evident amidst the AIDS crisis in the US during the 1980s and 90s. The demographics most impacted, gay men and trans women, found that it was their communities and friends who cared for them and provided dignity-infused end-of-life care, including funerals and memorials celebrating the brilliant lives of the many who were lost. Informed by Black Panthers and gay liberation movements in the 1970s, it was individuals who came to fill in gaps created by systems of healthcare and fought for Big Pharma and the government to pay attention to the marginalized communities who were needlessly

dying. These types of alternative modes of kinship lay a foundation for care to become the basis for a better society and more accountable and consistent communities and we owe these models to many who have been historically marginalized.

# **NGO shelter & support systems**

Along both the US and Mexican sides of the border, the majority of the care and logistical support provided for migrants comes from the world of NGOs (non-governmental organizations). These NGOs establish and operate shelters for migrants waiting to be processed or who have recently been allowed into the United States. As named in *Jardines*, some of these shelters are operated by religious organizations and do not provide shelter or other services to openly LGBQTIA+ people. While extensive, the NGO shelter system is only able to provide support and/or housing to a small percentage of the migrants attempting to enter the United States.

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# **DISCUSSION PROMPTS**

### **OPENING EXERCISE**

Before beginning your discussion, first invite participants to jot down or draw any images or moments that are staying with them. Allow 2-3 minutes.

Next, please invite participants to note their feelings (as opposed to thoughts or questions).

Once these exercises are complete, before beginning the discussion, lead the group through the creation of Community Agreements. If you're unfamiliar with a model of Community Agreements, this is a helpful example. Especially for a group of people who do not know each other in advance, it can be helpful to pass out an example of a community agreement, answer any questions about what they are, and then gather one agreement per person in a go-around. In the end, be sure to garner consensus on the listed agreements, but be mindful of time! Yes, make sure all understand and can agree to the agreements, but don't let the debate over the agreements take over the allotted discussion time.

# STARTING THE CONVERSATION

Immediately after the film, you may want to give people a few quiet moments to reflect on what they have seen. You could pose a general question (examples below) and give people some time to themselves to jot down or think about their answers before opening the discussion. Alternatively, you could ask participants to share their thoughts with a partner before starting a group discussion.

- What feelings emerged for you as you were watching this film?
- Was anything unfamiliar? Was anything familiar? What and in what ways?
- Were there any particular moments from the film that are staying with you? Why do you think that is?
- Were there any relationships that surprised you or stuck with you?

# Every migrant has a story.

- Did any specific participant in the film catch your attention? Who was it, and what about their life experiences drew you to them?
- What surprised you in this film? What moments shifted a previously held idea about migrants or migration?
- What is something you learned about one of the participants' lives that will stay with you?
- Did any of the participants have a story or experience that you related to? If so, in what ways?
- Did any of the participants inspire you? If so, in what ways?

# **Making Family**

- Why do you think the film is titled "Jardines," which in English means, "gardens"?
- In what ways can having a supportive family of origin be viewed as a privilege?

- In what ways can the concept of "family" be understood as a privilege?
- When facing a difficult situation, which communities would you turn to for support?
- How are care and support expressed between people in the film? What does this reveal about their relationships and the ways they provide care?
- What does "family" look like in the context of this film, and how does it challenge traditional ideas of family structures?
- In what ways did this film reshape your understanding of "family?"
- In what ways did this film teach out about what practices of care can look like and ways they can look different?

# **Rights of Asylum Seekers**

- When migrants flee danger and violence, what kinds of protections and support do you believe they should inherently receive?
- How might these rights address the unique needs of asylum seekers, particularly those who face additional risks due to their gender identity, sexual orientation, or expression?
- In what ways can nations respond to these intersecting forms of violence and ensure systems of care that do not reinforce heteronormativity or cisnormativity?

# Safe havens?

- In what ways can the United States serve as a safe haven for Queer migrants, particularly those from Central America?
- How does the country create—or fail to create—spaces where Queer individuals can safely live and thrive?
- How does the film depict moments of safety for Queer migrants? What conditions or actions contribute to these moments, and what do they reveal about the broader systems of care or harm?
- Where do moments of joy emerge in the film? How are these moments created, and what significance do they hold within the context of the migrants' experiences?

# CLOSING QUESTION/ ACTIVITY

### **OPTIONAL**

At the end of your discussion, to help people synthesize what they've experienced and move the focus from dialogue to action steps, you may want to choose one of these questions.

- How would you like to see the United States treat migrants moving forward? (Dream big! Don't be afraid to be "unrealistic.")
- What do you think you can do today to support migrants, especially Queer migrants in your communities?
- If you could tell your state representative one thing about immigration in your state, what would it be?

### **TAKING ACTION**

Here are some suggestions for getting involved in local communities and addressing the issues expressed in the film:

- Support Local Shelters: Is there a shelter in your community that serves migrants? These organizations often welcome volunteers to read to children, organize donations, cook, clean, and more. Visit your state's government website or contact local nonprofits to learn more.
- Focus on Queer Migrants: Queer migrants frequently face additional layers of discrimination and hardship. Consider prioritizing material or financial donations to organizations that explicitly support LGBTQIA+ individuals.
- Advocate for Inclusive Education: Many school boards and districts
  are banning books that include LGBTQIA+ stories. Research
  whether this is happening in your district and consider contacting
  your school board to express your opposition to book bans and
  advocate for curricula that promote awareness and understanding
  of LGBTQIA+ issues and experiences.
- Learn and Share: Education is a powerful first step. Explore
  resources that deepen your understanding of LGBTQIA+ language,
  identities, and issues. Sharing links to educational platforms
  or organizations that provide this information can help foster
  understanding and support for LGBTQIA+ individuals in your
  community.

# Resources

## **American Immigration Council**

Non-profit that provides extensive background information on immigration law and statistics, as well as seeks to develop equitable, just, and welcoming immigration policy.

## **Border Butterflies Project**

A collaborative, transnational initiative led by the Transgender Law Center (TLC), Familia Trans Queer Liberation Movement, and other partners, aims to address the unique challenges faced by LGBQTIA+ migrants.

## **Raices**

A national organization with roots in Texas that seeks to provide legal and other support services to migrants.

### **Transgender Law Center**

The largest, national trans-led advocacy organization; a partner in the Border Butterflies Project.

# Teaching for Change | Queer Central America

A list of resources, books, and films to learn more about LGBTQIA+ life in Central America.

# Credits & Acknowledgments

# This guide was written in collaboration with Jade Sanchez-Ventura

Jade Sanchez-Ventura is a writer and radical educator. She works in memoir and her personal essays have been published across an array of online literary journals, and in print with Slice Magazine and Seal Press. Her work has been featured on Bitch Media's Popaganda podcast and been awarded the Slice Literary Conference "Bridging the Gap" award; a Disquiet Literary conference fellowship; and a Hertog fellowship. She is a regular contributor to MUTHA Magazine, which champions a fiery re-imagining of parenting. As an educator, she is very good at being continually wowed by her students and their words on the page. She believes a commitment to racial equity and social justice is essential to the practice of teaching. She has spent the last decade studying and implementing this pedagogical approach to education with the Brooklyn Free School, an urban democratic free school in New York City.

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