



## P.O.V.'s "THE BALLAD OF ESEQUIEL HERNÁNDEZ"

By Kieran Fitzgerald

Tuesday, July 8, 2008 at 10 p.m. on PBS (Check local listings)

### Filmmaker's Statement

I was 17 years old in 1997 when a team of Marines shot and killed an innocent American citizen on the Texas-Mexico border. The young man who died that day, 18 year-old Esequiel Hernández Jr., was as much a part of my generation as the students killed by National Guard at Kent State were part of my parents', and yet I have no memory of the news coverage of his death, or discussions about it in class. The incident was reported sparingly and had been all but abandoned when it was decided that there would be no trial of the Marines involved, and no justice for the Hernandez family. To the world outside West Texas, the story of Esequiel Hernández was a fringe story, easily misconstrued and dismissed by politicians and pundits as an unfortunate accident. The facts of the case had never been laid bare for the public, and the name carried no weight in the national consciousness. When I first heard his story in the fall of 2004, seven years after his death, Esequiel Hernández was drifting into obscurity.

At the time, my brother Brendan and I were working on the feature film "The Three Burials of Melquiades," produced by our father, Michael Fitzgerald ("Wise Blood," "Under the Volcano," "The Pledge"). One of the principal sources of inspiration for the star and director of the film, Tommy Lee Jones, was the Hernández case. "The Three Burials" would be a fictional redress of the injustice, but as an aspiring director I wanted to contribute a second film, one that would retrieve the facts of the Hernández case and set them in the context of our current War on Terror. Though ground troops had been removed from the border following Esequiel's death, there was mounting pressure in Congress to send them back. Was it possible we could overlook the recent precedent of our misguided Drug War policy — one that resulted in the death of innocent civilian? This was the question that both unnerved and motivated me as I traveled across the country conducting interviews and gathering archival footage. It was the question that, in the summer of 2006, just as we started editing, the Bush administration answered by sending thousands of armed troops back to the border.

**The Ballad of Esequiel Hernández** attempts to embrace both sides of a distinctly American tragedy. It was my privilege to film with the Hernández family — some of the kindest, most gentle people I've ever encountered — and with three of the Marines involved in the 1997 shooting. For the Marines, this film was their first opportunity to begin wrestling with questions about their actions, their loyalties, and the nature of their service — questions they had each lived with in silence for over eight years. It is my hope that in this election year, as the country decides how best to balance protection with peace, their voices and the voices of the Hernández family will be given the careful consideration they deserve. If they were all victims of our failed policies I believe they can also be our guides in forging a new and better future for the border and the people who live on it. I am indebted to them, both as a filmmaker and as a citizen, and to everyone else who contributed to the film and believed in it along the way.

— Kieran Fitzgerald, Director

