

A group of advocates, community organizers, legal service providers, faith groups and individuals ... have identified these ten prisons and jails as facilities that are among the worst where immigrants are detained by the U.S. government.

The acute and chronic human right violations detailed in this series of reports exemplify the entrenched crisis of immigration detention in the United States today. A group of advocates, community organizers, legal service providers, faith groups and individuals personally impacted by detention, who together have deep experience and understanding of the detention and deportation system in the U.S., have identified these ten prisons and jails as facilities that are among the worst where immigrants are detained by the U.S. government. However, there is no facility among the approximately 250 in operation at the time of publication where Immigration and Customs Enforcement (ICE) reliably protects those inside from physical and sexual abuse, assures basic medical care, provides adequate nutrition and exercise, and allows sufficient access to the outside world so that immigrants can prepare their legal cases and preserve their families.

ICE currently incarcerates more than 400,000 immigrants every year in 33,400 prison and jail beds. Immigrants in ICE custody are technically in civil detention, meaning that they are locked up to ensure that they show up for their hearings and comply with the court's decision, not because of any crime. While no person should have to suffer the hardships of incarceration as it is practiced in the U.S., those who are in prisons and jails serving time for criminal convictions have legal protections that immigrants do not—for example the right to a lawyer and to a speedy trial. The major-



Photo: Hannah Rapple



ity of people in immigration detention do not have the right to a bond. This means that people can spend months and sometimes years locked up while they work to prove that they have the right to stay in the U.S., without ever having the chance to ask a judge to let them remain with their families while their cases are ongoing. Harsh deportation policies also mean that there are more and more points of entry in the immigration enforcement pipeline sending a record number of people into detention.

The conditions inside ICE prisons, combined with the unfairness of the laws and policies that put people there in the first place, violate human dignity and cause incredible suffering.

Illustrative examples from the ten reports include:

- ▶ Roberto Medina-Martinez, a 39-year-old immigrant, died at Stewart Detention Center in Georgia in March 2009 of a treatable heart infection. An investigation conducted following his death revealed that the nursing staff failed to refer Mr. Medina for timely medical treatment and the facility physician failed to follow internal oversight procedures.
- ▶ A man with serious emotional health problems in the Houston Processing

Center in Texas was placed in solitary confinement for months at a time, a practice which the UN Special Rapporteur on Torture has deemed torture.

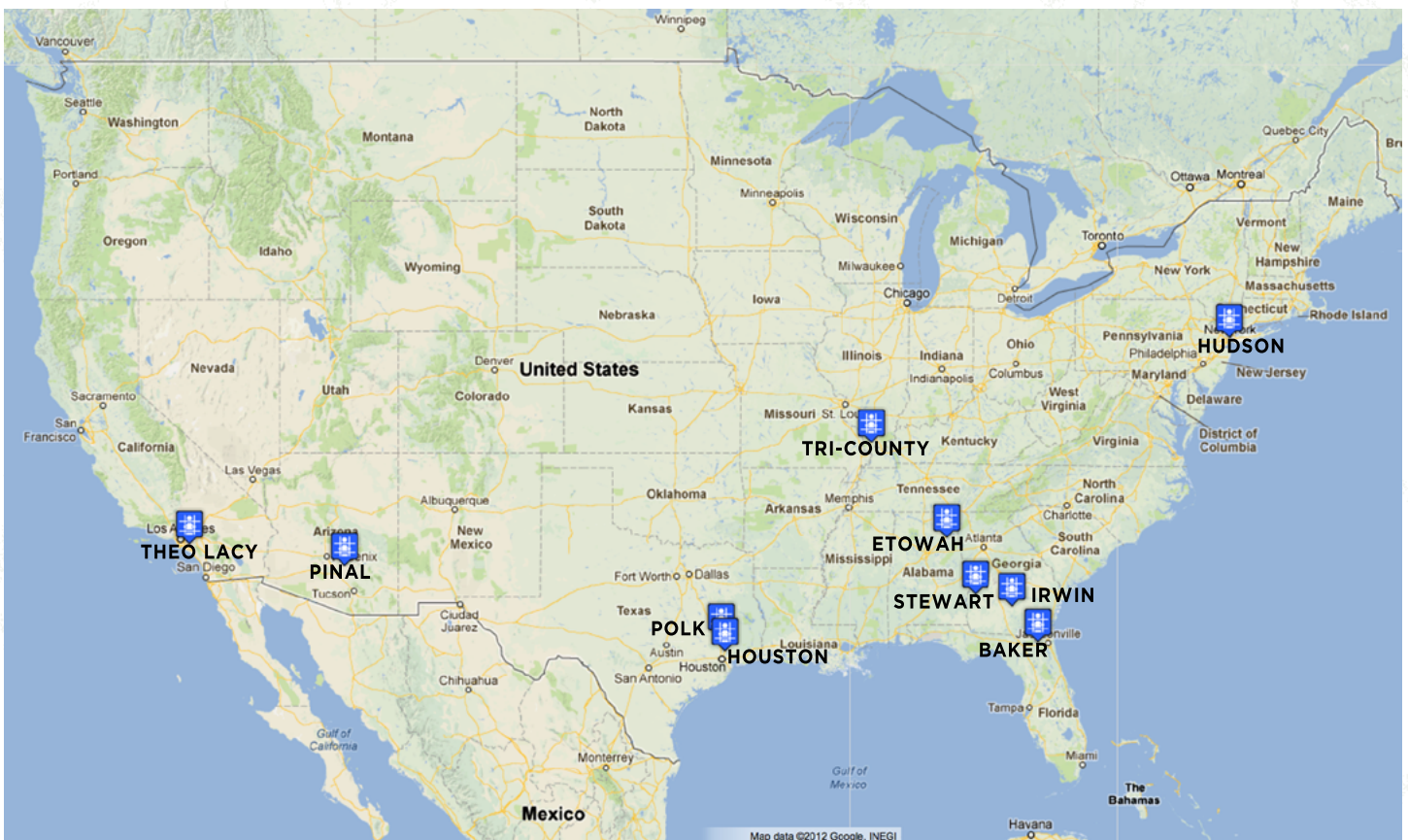
- ▶ At Hudson County Jail in New Jersey, an HIV positive woman was not receiving any medication until a local NGO intervened.
- ▶ Irwin County Detention Center in Georgia is more than three hours from Atlanta, making family and legal visits essentially impossible.

▶ Individuals at Tri-County Detention Center in Illinois report paying as much as \$2 a minute to speak with their families and lawyers, a problem that is prevalent at ICE facilities across the country.

▶ At Pinal County Jail in Arizona complaints regarding sanitation include receiving food on dirty trays, worms found in food, bugs and worms found in the faucets, receiving dirty laundry, and being overcrowded with ten other men in one cell and only one toilet.

DETENTION FACILITIES

<p>Etowah County Detention Center (AL)</p> <p>Pinal County Jail (AZ)</p> <p>Houston Processing Center (TX)</p> <p>Polk County Detention Facility (TX)</p> <p>Stewart Detention Center (GA)</p>	<p>Irwin County Detention Center (GA)</p> <p>Hudson County Jail (NJ)</p> <p>Theo Lacy Detention Center (CA)</p> <p>Tri-County Detention Center (IL)</p> <p>Baker County Jail (FL)</p>
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- ▶ At Baker (FL), Etowah (AL) and Pinal County (AZ) Jails, families are only able to visit with their loved ones in detention through video monitors after having driven hundreds of miles to see them.
- ▶ At Theo Lacy Detention Center(CA) and at Baker County (FL) and Hudson County (NJ) Jails, people reported being insulted, being cursed and laughed at, and having their clothes and other possessions thrown on the floor by corrections officers.
- ▶ At Polk County Jail (TX) one man was put in solitary confinement for thirty days for “misbehaving.” According to the man, facility staff forced him to sign papers agreeing to be segregated, even though he didn’t understand the forms presented to him in English.

Other problems are widespread. At all ten of the facilities, people reported waiting weeks or months for medical care; inadequate, and in some cases a total absence, of any outdoor recreation time or access to sunlight or fresh air; minimal and inedible food; the use of solitary confinement as punishment; and the extreme remoteness of many of the facilities from any urban area which makes access to legal services nearly impossible. Perhaps the most universal refrain of immigrants in ICE detention is the fear that complaining about their treatment or living conditions will pro-

voke retaliation by guards, or will negatively impact their immigration cases.

Of all the inhumane conditions in detention, the most serious is simply the condition of being locked up. Detention means that parents are taken from their children and shipped hundreds of miles away to prisons where visits are impossible. Immigrants who have lived in the U.S. almost their whole lives lose their jobs, their homes, and their livelihoods while locked up in an ICE jail trying to fight deportation to a country they don’t even remember, without even a lawyer to help guide them through the complicated morass of immigration law. Women and men, especially those who identify as LGBT, endure physical and sexual abuse by guards and staff as well as by other detained people. People of color, who constitute the majority of the detained population, endure racial slurs and discriminatory treatment by prison staff. Asylum seekers who come to the U.S. seeking protection from persecution are kept behind bars, denied the medical care they need to recover from physical and emotional trauma, and are subjected to more of the same misery that prompted them to flee their home countries in the first place.

In 2009, the Obama administration acknowledged these injustices and inefficiencies and promised to reform the immigration detention system. Three years later, as detailed in the ten reports from the field, communities



Photo: Hannah Rappleye

report no measurable improvement in conditions for those locked up. ICE continues to operate facilities that are not only cruel and inhumane but also do not meet its own detention standards. Furthermore, there are still no legal safeguards to prevent abuse in detention or independent monitoring of facilities, and ICE still does not rigorously enforce its own internal guidelines regarding the treatment of those in its custody.

Immigration detention is also extremely wasteful. According to ICE's own estimate, it costs about \$160 per day to hold someone in an ICE prison. Meanwhile, effective community based alternatives to detention cost as little as \$12 per day. At a time when the fiscal crisis and concerns about the impact

of mass incarceration on social health are prompting state governments to reduce their prison populations, the Obama administration should view the release of immigrants from civil detention as an easy way to decrease overall federal spending. In addition, ICE must stop outsourcing detention to county jails and private prison companies whose primary concern is profit. The big money of the detention business has attracted deep investment from the private prison industry, which runs about 50% of all immigration detention beds, and which lobbies extensively at the state and federal level on laws and policies pertaining to the detention of immigrants. Private prison companies should not be allowed to influence or profit from the incarceration of human beings.

RECOMMENDATIONS



- ▶ ICE should immediately close the ten facilities exposed by these reports.
- ▶ ICE should take immediate steps to remedy the problems identified in these reports at its remaining facilities, including elimination of the practice of solitary confinement, and improvements to medical care, nutrition, recreation, visitation, and access to legal services.
- ▶ ICE should use the considerable savings from no longer running these expensive prisons and jails to develop community-based programs that support people to appear for and participate meaningfully in their immigration hearings.



- ▶ The Obama administration should direct ICE to take steps to end all contracts with private prison corporations and county jails whose primary concern is profit and not care.
- ▶ President Obama must call for immediate reforms to protect the safety and human rights of those in immigration custody, including enforceable detention standards, and meaningful independent oversight of the Department of Homeland Security.
- ▶ Consistent with the nationwide push towards decarceration and the need to save taxpayer dollars, Congress should cut funding for immigration detention by half in FY2013.
- ▶ Congress should repeal all mandatory detention laws.

CONCLUSION

Some politicians and private prison companies would have us believe that immigration detention is a necessary evil. But just 15 years ago, immigration detention was rare, rather than the norm. It is not too late to turn back the clock. As the details of these reports show with terrible clarity, true reform cannot be achieved by making minor adjustments and upgrades. This is why today we call for the closure of at least the ten facilities highlighted in these reports, as a first step towards the broader overhaul of our nation's unjust immigration policies and practices.

To read the full list of reports, please go to detentionwatchnetwork.org/exposeandclose



Except where a publication is cited, the information reported here is based solely on claims made by detained individuals without independent corroboration.

