

## I. INTRODUCTION

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In 2009, after an extensive record of abuses and deaths

of immigrants in its custody, Immigration and Customs Enforcement (ICE) announced ambitious reform plans and promised a “truly civil” immigration detention system. Yet, more than three years later, ICE continues to subcontract the detention of individuals to county jails and private detention centers where they suffer sexual assault, substandard medical care, lack of due process and abysmal conditions. Among those detained are lawful permanent residents, asylum seekers, crime victims, and survivors of domestic violence and human trafficking – many of them with U.S. citizen relatives and deep ties to local communities. ICE has consistently shown that it is incapable of protecting the basic human rights of immigrants under its care.

Since 2005, ICE has used the Pinal County Jail in Florence, Arizona to detain immigrants facing deportation from the U.S. The facility is located in a remote rural town, one hour and 15 minutes from Phoenix, AZ, the closest major city. The total jail capacity is 1,540 with the majority of the beds used for those in county custody and 625 beds contracted



to ICE to detain adult men in civil immigration custody. Over the past year, the population of immigrants in ICE custody has lingered around 400 people. This report takes most of its information from a 2011 report by the ACLU of Arizona, *In Their Own Words: Enduring Abuse in Arizona Immigration Detention Centers* and subsequent visits and documentation over the course of the past year.

Detained individuals, their families and advocates have consistently expressed serious frustrations with the use of a county jail to confine people for civil immigration proceed-

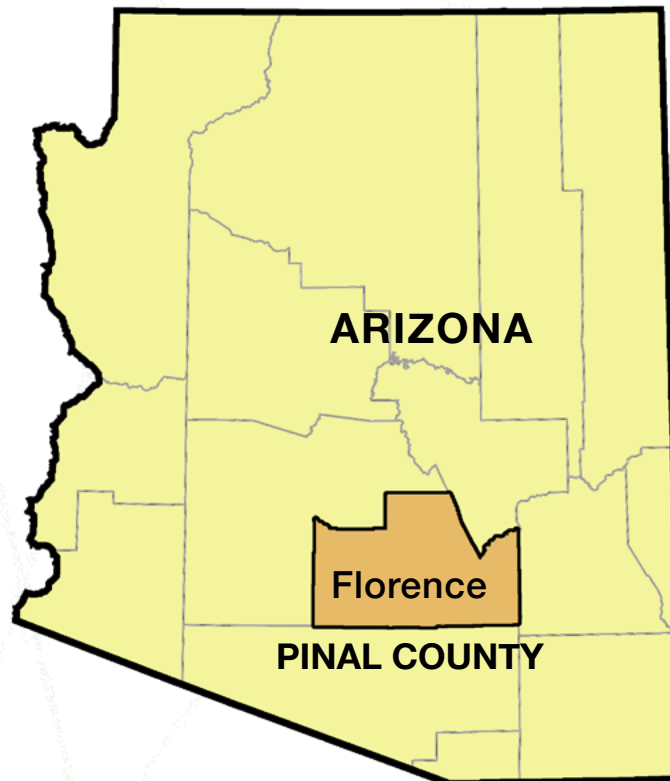


ings. While ICE officials and the agency’s detention standards describe immigration detention as non-punitive, conditions at the Pinal County Jail (PCJ) can only be described as extreme and for the purpose of exacting punishment. Advocates have several areas of special concern at PCJ: reported abusive treatment toward immigrants, denial of outdoor recreation, denial of contact visits with family, inadequate sanitation and hygiene, insufficient medical and mental health care, and limited access to counsel.

Locally, detained people, families and communities continue to organize to demand that ICE end its contract with the jail. Through vigils and letter writing campaigns, communities across Arizona provide support to those held at Pinal County Jail. Inside the jail, brave people share their stories with the world outside through letters, petitions and interviews, detailing painful and dehumanizing experiences hoping that their words will ultimately result in no other immigrant being detained at the Pinal County Jail.

**II. FACILITY OVERVIEW**

- ▶ **Location:** 971 N. Jason Lopez Circle, Building B, Florence, Arizona 85132, an hour and 15 minutes from Phoenix, AZ, the closest major city
- ▶ **Population:** 1,540 beds (625 beds contracted to ICE)
- ▶ **Opening Date:** 1995
- ▶ **Standards:** Operates under 2000 National Detention Standards
- ▶ **Legal Orientation Program:** Yes
- ▶ **Nearest ICE Field Office:** Phoenix Field Office, 2035 N. Central Avenue, Phoenix, AZ 85004
- ▶ **Contractor:** Pinal County through an Inter-Governmental Services Agreement with ICE



### III. CONCERNS

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#### ABUSIVE TREATMENT

The culture and conditions at PCJ can only be described as punitive despite the fact that the immigrants held there are not serving criminal sentences but rather are undergoing administrative immigration proceedings. Indeed, the harsh conditions experienced by immigrants detained at PCJ are indistinguishable from those faced by people housed in other units of the jail.

In correspondence and interviews, immigrants emphasized the punitive environment at the jail. They report that facility staff regularly use punitive tactics like placing them on “lock-down,” searching cells and issuing disciplinary write-ups for minor issues such as not making a bed, not moving quickly enough, or saving a piece of fruit from their meal to eat later in the day. These write-ups sometimes result in placement in segregation and/or the loss of the few privileges given, such as access to purchase items at the commissary or telephone time. Some of the most disturbing reports from immigrants held at PCJ include detention officers threatening that even the most minor disciplinary write-ups will be reported to the immigration court and will negatively affect their legal defense. When faced with these real or perceived consequences, many immigrants report that they choose not to file grievances.

During interviews, several people described the general abusiveness, hostility, and lack of professionalism by guards at PCJ. One person explained that a guard told him, “If you don’t fucking like it go back to your country.” Another man told us that a guard commented, “What do you expect? You’re in Pinal County.”

Another man detained at PCJ wrote, “We also wish to denounce the inhumane and degrading treatment which we are given in this jail. The majority of sheriffs who take care of us treat us with contempt...Here in PCJ, they treat us by yelling at us and threaten to lock us all day in our cells, as if it were not enough to already be deprived of our liberty.”<sup>1</sup>

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A man detained at PCJ

Pinal County Jail is one of five detention facilities that ICE uses to detain immigrants in Arizona. Its reputation as having the most punitive conditions reaches far and wide among the detained population in Arizona. Alarming, several immigrants in other Arizona facilities indicated that guards commonly threaten them with transfer to PCJ if they file grievances, complain, or make requests that are deemed unreasonable by guards. In fact, it is ICE’s policy that immigrants with higher security classifications – which can be elevated based on behavior in detention – be held at PCJ because of the strict and punitive conditions compared with other Arizona facilities.

#### DENIAL OF RECREATION AND FREEDOM OF MOVEMENT

People who are detained at PCJ have no access to the outdoors, in some cases for months and even years. The exercise area in each pod is one room with a covered ceiling and concrete walls and floors. There is a metal grate window on one wall in each room but, according to reports, the openings do not permit sunlight to enter the lower-level exercise rooms. Sunlight enters the upper-level exercise rooms for approximately one hour



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per day. These concrete rooms are not “outdoors” in any meaningful sense of the word.

People detained at the jail have also noted that exercise areas are too crowded and access to the area is often unavailable because programming, such as Bible study classes and the Legal Orientation Program, are held in the exercise areas, rather than separate classrooms. Detained individuals cannot easily walk or run distances in the exercise space available at PCJ; these limitations have especially adverse impacts on those with heart conditions or other health problems requiring cardiovascular exercise.

Moreover, long periods of detention at PCJ mean that those detained there face extended deprivation of access to fresh air or natural light. Information provided by ICE in the spring of 2012 reveals that at any given time, approximately 200 people at PCJ—roughly half of the total population—have been detained at PCJ for 8 weeks or more. In addition, information provided during interviews with individuals detained at the jail identified at least a dozen people who had been detained at PCJ for more than one year. Because this figure reflects evidence gathered anecdotally and through a limited number of interviews, the actual number of people who have been held at PCJ for more than one year is certainly much greater.

Any contention that the exercise areas at PCJ are “outdoors”, is based entirely on the fact that the rooms, which otherwise

are enclosed by concrete, include a single mesh grate that admits air from the outside. ICE itself acknowledges in its own Detention Standards that an enclosed room with a single mesh opening is not an “outdoor” exercise area. The National Detention Standards (NDS) contained in the 2000 Operation Manual issued by the Immigration & Naturalization Service (later reorganized as ICE) apply to PCJ. These standards provide that mere access to limited sunlight does not constitute outdoor exercise: “Every effort shall be made to place a detainee in a facility that provides outdoor recreation. If a facility does not have an outdoor area, a large recreation room with exercise equipment and access to sunlight will be provided. (This does not meet the requirement for outdoor recreation).”<sup>2</sup> Both the 2000 NDS to which PCJ is subject as well as the 2011 ICE Performance- Based National Detention Standards (PBNDS) provide immigrants the ability to seek transfers to facilities that offer outdoor exercise if they are detained long-term. Nonetheless, and despite assurances by ICE officials to the contrary, transfer requests by long-term PCJ immigrants have been delayed or arbitrarily denied, and multiple immigrants we spoke to were unaware that they had the option to request transfers.

### **DENIAL OF CONTACT VISITS WITH FAMILY**

Individuals detained at PCJ have virtually no opportunity to see their loved ones face-to-face. Rather, visits at PCJ occur exclusively by video link. Family members travel to the

facility, often from long distances, to sit in front of video screens at a central visiting area within the jail, while their detained loved one sits in a separate video booth located just outside the cellblocks.

There are major technical and logistical problems with this set-up. Many people complain that the images on the screens are fuzzy or blurred. Others state that their families often travel



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long distances and at great expense only to be turned away or limited to a 30-minute video visit, making the experience emotionally unbearable for most families.

While ICE officials have asserted that individual requests for face-to-face visits are routinely granted, immigrants held at PCJ uniformly contradicted this claim and provided examples of rejected requests. Some stated they were unaware that they could even request a face-to-face visit with family. According to people held at PCJ, face-to-face visits with family members occur only on the rare occasions when they are transported to the neighboring Florence Detention Center for appearances in immigration court. Those who have cases pending on appeal, however, may not go to court for many months or many years as was the case with many of the men we interviewed.

In a letter written to advocates in August 2009, women who were detained at PCJ summarized grievances from over 30 other individuals. Among the complaints was not being allowed contact visits with family.<sup>3</sup> “Here at PCJ,” one immigrant wrote, “the only way to have a visit with our families is by way of a televised screen and a telephone [...] which makes our stay here more depressing and affects us psychologically, since in circumstances such as these (being denied our liberty) we need all the support of our families. As if that were not enough, some of the detained have been far removed from their cities of residence, which makes family visits impossible [...]”

Many of the people detained in Arizona have support networks throughout the U.S. and, given the remote location of PCJ, families and friends travel hundreds of miles to visit their loved one, often at great expense. It cannot be overstated how important these visits are; for people fighting their cases, there is great uncertainty in the immigration process and fear while one is in detention. Visits from family and friends provide essential emotional support and guidance.

In addition, phone rates for PCJ are exorbitant. One man held at PCJ for two years said that calls two to three minutes long could cost as much as \$10. A 20 minute call to

places outside Arizona could cost as much as \$75. And any international call was at minimum \$35.

## INADEQUATE SANITATION AND HYGIENE

People detained at the jail describe poor sanitation and a lack of access to hygiene items. Complaints regarding sanitation include receiving food on dirty trays, worms found in food, bugs and worms found in the faucets, and failure to provide enough cleaning supplies for people to keep the living areas sanitary themselves. Others complained that they often received dirty laundry or torn and tattered sheets, or that laundry was often missing during laundry exchange. Some men told us about being overcrowded with ten other men in one cell with only one toilet. Several people reported being forced to clean housing units under threat of lockdown.

While people detained at the jail receive minimal amounts of hygiene items on a weekly basis (including soap, toothpaste, and toilet paper), the small quantities provided often

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A woman detained at PCJ



*Moreover, people with significant mental health issues who are detained at PCJ are routinely held in segregation and experience a sharp decline in their mental state and symptoms due to the conditions of their confinement.*



run out, and some officers refuse requests for additional supplies. For example, once a week, individuals receive a packet of toothpaste labeled “Maximum Security.” These tiny packets, which resemble a ketchup or mustard packet, do not provide a sufficient quantity of toothpaste for adequate dental hygiene. While they may buy additional hygiene items from the commissary, many people detained at the jail cannot afford to do so and some even stated that commissary items including hygiene products are often confiscated during almost daily cell searches.

### **INSUFFICIENT MEDICAL AND MENTAL HEALTH CARE**

Immigrants at PCJ routinely report they are denied access to prompt and effective medical care. People with more serious medical conditions have suffered complications when under the care of the medical personnel at PCJ including allergic reactions to medications, seizures, infections, and other complications. People report that requests for medical assistance are routinely delayed and arbitrarily denied. Moreover, people with significant mental health issues who are detained at PCJ are routinely held in segregation and

experience a sharp decline in their mental state and symptoms due to the conditions of their confinement.

### **INADEQUATE LEGAL SERVICES**

Immigrants at PCJ appear before the Florence immigration court at the ICE Florence Detention Center one mile away. They receive free legal assistance through the national Legal Orientation Program (LOP), provided by The Florence Project at PCJ each week. This LOP is recognized as one of the most challenging and limited of all detention sites given the physical space and restrictions at PCJ. The LOP takes place in the recreation units with immigrants sitting on the floor. Because the recreation units are not climate controlled many immigrants can be waiting to discuss their legal case in a setting that is over 110 degrees in the summer and near freezing in the winter. Those who are pursuing relief in immigration court without a lawyer report systemic problems with sending and receiving mail from the court in time to meet deadlines, making telephone calls, making photocopies of documents for court, and access to writing instruments like pens to complete applications.



## IV. RECOMMENDATIONS



ICE should terminate its contract with Pinal County and cease housing immigrants at the facility. The facility has had consistent problems with medical and mental health care, lack of outdoor recreation, mistreatment by guards and insufficient visitation policies. No one should be held under these circumstances.

While taking steps towards contract termination, ICE must immediately:

- ▶ Build outdoor recreation space;
- ▶ Comply with the 2012 ICE Performance Based National Detention Standards.

Pinal County Jail currently operates under the 2000 National Detention Standards;

- ▶ Make in-person (preferably contact) visitation standard practice;
- ▶ Provide better training for corrections officers on how to interact with an immigrant population;
- ▶ More oversight to ensure that medical complaints are taken seriously and persons are given timely and proper treatment;
- ▶ Provide adequate space for legal orientation and provide efficient resources for immigrants representing themselves in court.

This report is part of a series about conditions at ten prisons and jails where immigrants are detained by ICE. To read the other reports and the Executive Summary of overall concerns and recommendations, please go to [detentionwatchnetwork.org/exposeandclose](http://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.*

### ENDNOTES

- <sup>1</sup> Correspondence with ACLU-AZ, August, 2009.
- <sup>2</sup> INS 2000 Detention Standard: Recreation § III.A.1 (emphasis added).
- <sup>3</sup> In the winter of 2009, ICE moved all of the women from Pinal County Jail to CADC in Florence and EDC in Eloy. As of the writing of this report, there are no women detained at PCJ.

