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Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2010/01/15/solitary-deaths-in-immigrant-detention-centers/>

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by [Jean Casella and James Ridgeway](#) | January 15, 2010

If the lockdown units of U.S. prisons comprise a largely hidden world, perhaps most secretive of all are the nations immigrant detention centers, where noncitizens live for years in often horrendous conditions and sometimes die obscured from public scrutiny.

The *New York Times* and ACLU have begun to pull back the shroud of secrecy around these deaths, filing Freedom of Information Act requests to obtain thousands of pages of documents regarding the 107 people who have died in detention centers since the Immigration and Customs Enforcement agency (ICE) was created within the Department of Homeland Security in 2003. As Nina Bernstein describes it in [an article in last weeks Times](#):

As the [Obama] administration moves to increase oversight within the agency, the documents show how officials some still in key positions used their role as overseers to cover up evidence of mistreatment, deflect scrutiny by the news media or prepare exculpatory public statements after gathering facts that pointed to substandard care or abuse.

As one man lay dying of head injuries suffered in a New Jersey immigration jail in 2007, for example, a spokesman for the federal agency told The Times that he could learn nothing about the case from government authorities. In fact, the records show, the spokesman had alerted those officials to the reporters inquiry, and they conferred at length about sending the man back to Africa to avoid embarrassing publicity.

The man Bernstein describes was a 52-year-old tailor from Guinea named Boubacar Bah, and he, like several other immigrants who died in custody, was in solitary confinement. After suffering a skull fracture at the privately run Elizabeth Detention Center, Bah had been left in an isolation cell without treatment for more than 13 hours before an ambulance was called:

In the agency's confidential files was a jail video showing Mr. Bah face down in the medical unit, hands cuffed behind his back, just before medical personnel sent him to a disciplinary cell. The tape shows him crying out repeatedly in his native Fulani, Help, they are killing me! [The footage is included in [this video](#) put out by the *Times*.]

After Bah was finally sent to the hospital for emergency brain surgery, Bernstein writes, 10 agency managers in Washington and Newark conferred by telephone and e-mail about how to avoid the cost of his care and the likelihood of increased scrutiny and/or media exposure, according to a memo summarizing the discussion. Some of them wanted to send him man back to Guinea; others suggested the comatose mans expired work permit be renewed so that Medicaid could take over his care. Eventually, faced with paying \$10,000 a month for nursing home care, officials settled on a third course: humanitarian release to cousins in New York who had protested that they had no way to care for him. But days before the planned release, Mr. Bah died. Bernstein reports that the day after Bahs death, the head of the ICE office in Newark recommended in a memo that the agency take the unusual step of paying to send the body to Guinea for burial, to prevent his widow from showing up in the United States for a funeral and drawing news coverage.

Other immigrant deaths in solitary confinement were described by Tom Barry in a lengthy article in the December issue of the [Boston Review](#). He traveled to a mammoth West Texas detention center, also privately run, where the 2008 death of 32-year-old Jesus Manuel Galindo sparked a revolt. Before his death, Barry reports, Galindo had been in solitary confinement for nearly a month:

During that time, fellow inmates and his mother, who called the prison nearly every day, had warned authorities that Galindo needed daily medication for epilepsy and was suffering from severe seizures in the security housing unit, which the inmates call the hole. [They say they] repeatedly urged prison officials to give Galindo his medication and to get him out of the security housing unit (SHU) solitary confinement where he had been placed for medical observation in November after an emergency stay at an area hospital due to a severe seizure. [Galindo's mother] Graciela mailed the prison her sons medical records, but they sent them back, instructing her not to send them again.

The doctor said Jesus had an attitude problem because he was complaining about the lack of medical treatment that killed him three days later, [family lawyer Miguel] [Torres told a reporter](#). When they found him at 7 a.m., December 12, rigor mortis had set in, which meant he had been dead for three to five hours.

Galindos father broke down as he discussed the conditions in which his son was kept: We dont understand how there can be so little humanity there in the prison. Animals arent even treated as badly as they treated our son, keeping him locked up in the hole so sick and without any company. It was so cruel, and he died sick and afraid.

In fact, lockdown in the SHU was Reeves policy for all ailing inmates. The prison does not have an infirmary.

The same private company, PNA, that was contracted to provide health care in the Texas detention center was also the subject of a federal civil rights investigation at Santa Fe County Detention Center. Barry writes:

The investigation was sparked by the suicide of pre-trial inmate Tyson Johnson, who suffered from severe claustrophobia and other mental illnesses. In a story on the investigation, Suzan Garcia, Johnsons mother, explained that she had tried to contact the jail because she was concerned about her sons psychological condition. I called the jail and asked to speak to a doctor, but they said they didnt have a doctor, Garcia said. When I asked to speak to the warden, they just put me on hold and then the phone would disconnect.

According to the Justice Departments findings and associated reports, Johnson had asked to see a psychologist, but the 580-inmate jail did not have one. Johnson was placed in solitary confinement, and managed to hang himself from a sprinkler head in his windowless cell.

Barry, an analyst with the Center for International Policy who spent more than a year investigating detention centers on the U.S.-Mexico border, concludes:

These immigration prisons constitute the new face of imprisonment in America: the speculative public-private prison, publicly owned by local governments, privately operated by corporations, publicly financed by tax-exempt bonds, and located in depressed communities. Because they rely on project revenue instead of tax revenue, these prisons do not need voter approval. Instead they are marketed by prison consultants to municipal and county governments as economic-development tools promising job creation and new revenue without new taxes.

Such places can exist, Barry believes, because of societys attitudes not only toward immigrants, but toward prisoners in general. The prison is treated as a waste dump, he writes, similarly placed on the communitys edge, where property values are low and there are no neighbors. The prisoners themselves are societys refuse, its discards, outcasts, and outsiders who have lost their membership rights in the human community.

The Obama White House has said it intends to investigate and reform conditions at immigrant detention centers, particularly with regard to health care. To lead the health care overhaul, Nina Bernstein reports in her [New York Times](#) piece, the administration has rehired Nina Dozoretz, described as a longtime manager in the agencys Division of Immigration Health Services who had won an award for cutting detainee health care costs. Later she was vice president of the Nakamoto Group, a company hired by the Bush administration to monitor detention. Dozoretz was also one of the 10 ICE officials who conferred over what they should do about the dying Boubacar Bah. According to Bernstein, when she was asked about the conference call (for which there is substantial documentation), Ms. Dozoretz said: How many years ago was that? I dont recall all the specifics if indeed there was a call.'

Readers interested in this story might want to visit a new web site called [ACCESS DENIED](#), which was founded by members of the Society of Medical Anthropologists, with a specific focus on undocumented migrants and health care.

James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, Blood in the Face. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book Hell Is a Very Small Place: Voices from Solitary Confinement. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets @solitarywatch.

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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@Dalila Mahdawi Have you seen this play or documentary film?

The quote by Hussein al Mawla says a lot about the need for your work there.

Screenwriter Reginald Rose first penned the script for Twelve Angry Men in 1954.

Set in a hot, stuffy New York courthouse, the play focuses claustrophobically on a jury deliberating the fate of an 18-year-old accused of patricide. At first, all the jurors save one stalwart dissenter are certain of the defendants guilt; heavy debate ensues, perceptions shift, and finally the jury pulls an about-face and agrees to acquit the boy of murder, laying bare the fragile contingencies of justice.

Now, from the bowels of Lebanon's largest prison, Rose's play has emerged in what is perhaps its grittiest and most striking adaptation. Directed by Zeina Daccache and performed by 45 Roumieh Prison inmates, the work has been renamed Twelve Angry Lebanese.

Twelve Angry Lebanese is a rugged theatrical collage. Daccache uses Rose's text as a narrative scaffold, adding personal monologue, sketch comedy in drag, live original music and even a hip-hop dance break a veritable cellblock tango.

Roumieh Prison houses more than 4,000 criminals (four times its intended capacity). Designed by Pierre El Khoury in the early 1960s, the severe, hexagonal prison mainly elicits a crushing sense of fatalism.

The inmates composed and scripted these scenes; one cast member, formerly illiterate, learned to read and to write through the creative process.

The performance is not about 12 Lebanese but rather about 12 convicts: Iraqi, Palestinian, Bangladeshi, Lebanese, Syrian and Nigerian in a Lebanese prison.

Hussein al Mawla, an inmate from Bangladesh, and Rateb al Jibawi, a Lebanese prisoner convicted of sexual assault, deliver the most riveting moments. Speaking in thickly accented Arabic, Mawla lashes out against the racial prejudices that plague Lebanon and Arab society more broadly. This prison is like a castle, he shouts. Outside these walls, I'm a servant. Inside these walls, I'm a servant.

Husky and grainy-voiced, al Jibawi reveals the misery of his homeless childhood and confesses his dread of leaving Roumieh: Another prison waits for me outside one without walls. The scenes are disarmingly free of self-pity or overwrought anger. Daccache has prioritised candid acting, messy but sincere: the characters are human first, inmates second, criminals third. Despite the fact that they have never before taken the stage, these angry men unleash emotional as well as ethical truths, a double-edged enlightenment.

<http://www.thenational.ae/article/20090227/REVIEW/409607859/1008>

An excellent and important sum up of the dark underworld migrants so often have to live in. I myself often cover the treatment of migrant workers in Lebanon, where at least one woman dies every week because of abuse or suicide. Two weeks ago, I saw the body of a 28-year-old Filipina worker, Theresa Seda, lie of the road for two hours after she'd jumped from the seventh floor. It appears she was being abused by her employer, but because she's a migrant, we'll probably never find out what really happened to her. Thanks for the post.

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