

Immigrant Life and Dignity...Contained

Contrary to popular belief, immigrants experience lesser crime, arrest, and incarceration rates, compared to the American native-born population. While this may be the case, detention centers are institutions that perpetuate unnecessary fear and submission, inhibiting pathways for immigrant residence in the United States. These innocent people, who have limited opportunities, are being persecuted due to the government's uncertainty of whether or not they cause national harm. Furthermore, in the book, "Urban Transformation of the Developing World," Many developing-country policy-makers... have frequently acted on such concerns with aggressive tactics aiming to expel slum residents and repel rural-to-urban migrants." (Montgomery). Mark R. Montgomery, an urban population researcher and economic professor at Stony Brook University, explains that many national organizations have displaced foreigners, when they could provide better policies towards legal entry and residence. Such controversy evokes the question: "When, if ever, is detaining immigrants in substandard conditions, regardless of status, justifiable?" An analysis of immigrant detention centers through the social, legal, and moral lenses show that the best way to prevent the injustice of immigrant detainment is to implement moral human-rights alternatives for those awaiting court proceedings. Doing so will effectively reduce the need for detention centers while encouraging accurate claims and safe, legal entry.

The Problem of Immigrant Detention Centers

To further recognize the mistreatment of immigrants, it is important to interpret the meaning of immigration status. According to the National Latino Network, an organization striving to eliminate domestic violence and promote healthy relationships in Latino communities,

"immigration status refers to the way in which a person is present in the United States." This status applies to U.S. citizens, refugees, undocumented persons, and legal permanent residents alike. The social lens analyzes the cultural impact that has affected immigrants coming into the U.S. and experiencing detainment. It also highlights attitudes from the current U.S. administration that disapprove immigration, whether lawful or unlawful. The legal lens analyzes the inefficiency of immigration court processes, and how they could improve. The moral lens analyzes how the government should address the well-being and health of suffering immigrants and offer human-rights alternatives during court hearings. Given the situation, the moral lens offers the most plausible solution because implementing safe alternatives to detention will create a great impact on how people treat and manage immigrant populations.

The Social Lens' Considerations

From the cultural perspective, immigrant detainment draws the line between citizens and outsiders, who suffer from detention policies in remote facilities. This gives America a bad reputation as a country that has a moral obligation to protect immigrant lives. Aside from detention, some people cannot empathize but rather discriminate and ignore immigrants who are harmed by the system. According to The Guardian, President Trump's daughter, Ivanka Trump, tweeted a photo with her son, captioned "My <3 #Sunday Morning." Although unrelated to immigrant detainment, the photo is a great contrast to immigrant children being separated from families at the border. Therefore, Ivanka Trump's Twitter post is very tone-deaf, only prolonging ignorant attitudes towards immigrant detainees. Due to her wealthy and fortunate upbringing, she cannot relate with the hardships of detainees. Likewise, U.S. Attorney General Jeff Sessions used Romans 13, a Biblical passage, to justify child separation at the border. He is defending Trump's

policy of family separation that in his vision “protects the weak and lawful.” This puts a Biblical passage out of context, since Sessions uses this statement in order to further enforce Trump’s zero-tolerance policies, which offer intense and unnecessary prosecution. They do not align with a human-rights, human-centered approach by drawing the line between harming outsiders and protecting citizens.

The Legal Lens’ Considerations

From a legal standpoint, asylum is an immigration status granted to immigrant refugees in the U.S. who fear persecution due to race, religion, nationality, or political views from their home countries. Being detained harms legal representation and chances to be granted asylum for asylum seekers. “From 2010 to 2013, Homeland Security granted parole to asylum seekers in American districts 89% of the time. Since Trump took office, the suit alleges that number decreased to 4%” (Gomez). Alan Gomez, a USA Today immigration reporter, shows that the U.S. legal court system has significantly decreased its asylum quotas, in the midst of people escaping from strife. Narrowing the pathway for legal asylees is an option that is carried out before the government resorts to detainment. “U.S. Immigration and Customs Enforcement arrests... jumped more than 75% from 2016 to 2017” (Miami Time News). This article asserts that even if America’s safety is reinforced, ICE continued to increasingly discriminate and arrest immigrants when President Trump entered the Oval Office in January 2017. “Because international human rights standards relating to immigration detention don’t differ greatly from U.S. law... the United States interprets the rights to liberty and due process in line with international human rights law regardless of... full application of those rights to immigration detention” (Gilman). Denise Gilman, director of the immigration clinic at the University of

Texas Law School, brings to mind that while the U.S. follows its own legal principles and international human rights, it does not necessarily apply those practices in immigrant detention centers.

The Moral Lens' Considerations

Considering the moral angle, the influx of immigrants allows for the violation of moral rights, dignity, freedom of choice, and self-determination. “The impact of detention on asylum seekers causes psychological harm, limits access to legal representation, and makes them more likely to abandon their claims” (Noferi). Mark Noferi, an enforcement fellow in the American Immigration Council, demonstrates not only detaining immigrants harms them psychologically, but also lessens their chances of expressing their concerns and receiving asylum. “About 50,000 unaccompanied immigrant children were caught on the southwest border during the last fiscal year, according to U.S. Customs and Border Protection” (Associated Press). Given that these are children, law enforcement often places them in detention centers, where “The top complaints are medical issues, malnutrition, and prolonged detention” (Freedom for Immigrants). While the detainment centers could allow for families to be together, they often place orphans in locations where they are alone and cannot comprehend their detainment sentence or status.

Ending the Injustice of Immigrant Detention Centers

Now that the injustice of immigrant detention centers has been inherent through the social, legal, and moral lenses, there are many viable solutions to address the harm of the system. The social solution offers ways to address immigrant awareness that is beneficial to immigrant presence. The legal lens offers ways to review institutions in order to standardize their facilities and treatment of detainees. The moral lens offers ways to protect the mental health of detainees

in order to give them access to fair, accurate legal representation. Overall, this lens offers the most plausible solution because implementing safe alternatives to detention will create a great impact on how organizations treat and manage immigrant populations in the future.

Social Solution: Immigrant Awareness

Offering immigrant awareness will increase the acceptance of immigration presence and residence in America. Therefore, spreading cultural awareness on immigrant status should be done by understanding the truth. "For more than a century, innumerable studies have confirmed two simple yet powerful truths... immigrants are less likely to commit serious crimes or be behind bars than the native-born, and high rates of immigration are associated with lower rates of violent crime and property crime" (American Immigration Council). The American Immigration Council, a Washington D.C.-based nonprofit that advocates for legal immigration, explains that recent immigrants are less likely to violate civil and property laws than native-born citizens. In this society, immigrants from war, poverty, and lack of opportunities in order to pursue better lives. They not only live in harmony, but also contribute to the social and technological fabric of the United States. According to Global Citizen, "Immigrants have brought blue jeans, Google, tacos, Apple, hip-hop, and many other things into the U.S. that are uncountable" (McCarthy). Not only do these innovations and influences add on to existing culture, but they define the ethos of American society and culture.

Despite the positive contributions of immigrants, "Students often hold preconceived notions about these groups, and introducing dislocated populations into these courses can offer students a more holistic perspective" (Hernandez). Jovan Hernandez, an assistant professor in clinical psychology at Metropolitan State University of Denver, says that even young citizens

can have misleading notions on immigrant demographics, due to a lack of educational classes to push fact-based perspectives. Through implemental educational classes and informative sessions, the public gains more education and knowledge about immigration policy and the benefits of outsiders.

As immigrant awareness will alleviate the stigma of immigration hardship, it also prove that immigrants should be allowed in a country that supports life, freedom, and personal ambitions. Despite good intentions, the social solution proves ineffective, since citizens might not exercise their rights into directly defending immigrant rights. The legal lens and the moral lens directly puts the solution into the government's hands, since more actions could be carried out from a political institution.

Legal Solution: Hiring More Immigration Court Judges

The legal lens considers that current policies do not support both immigrant and refugee status and that new practices should be proposed in place of old ones. For example, hiring more immigration court judges will decrease court backlog and ensure accurate case proceedings.

“There are more than 48,000 people being held in immigrant detention in more than 200 facilities in the United States” (Law). Victoria Law, an immigration journalist and author of books on female incarceration, explains that asylum seekers clog up the immigration jails. This means that more immigration judges must be appointed to adjudicate the trials of people who want a better future away from persecution . “The plan aims to establish more centralized authority over the system, which holds about 400,000 immigration detainees over the course of a year, and more direct oversight of detention centers that have come under fire for mistreatment of detainees and substandard — sometimes fatal — medical care” (Bernstein). Nina Bernstein, a

New York Times investigative reporter and author, underscores the vast scale of the problem by bringing to light their maltreatment, as indicated by limited health resources.

Overall, hiring more immigration judges will reduce court backlogs from detainment. This diminishes the sentence time for detainees and increases application duration for legal permanent status. On the other hand, the legal solution proves ineffective, since the government might not lobby for more court officials due to prioritizing criminal cases.

The Most Impactful Solution: Human-Rights Options

The most impactful solution of offering human-rights options reduces the violation of immigrant rights. According to Maya Rhodan, "Alternatives to detention make much more sense than detention" (Time Magazine). In this article, Katie Shepherd, the national advocate for the Immigration Justice Campaign, suggests that GPS and home-visit programs allows immigrants to avoid detainment while having legal representation. These programs are much more affordable, costing around \$4.5 per day compared to \$134 per day detaining a single adult.

Treating immigrants in detention centers with a higher regard to human dignity will enable them to have proper nutritional resources and decent living conditions. Government investment in high-quality detention programs, may seem to benefit outsiders more than the U.S. Now in Trump's Administration, costs will most likely contribute to a physical border over defending human rights. On the other hand, the moral solution proves effective, since this will at least reduce the violation of human rights in national immigrant detention centers. An analysis of immigrant detention centers through the social, legal, and moral lenses show that the best way to prevent the injustice of immigrant detainment is to implement moral human-rights alternatives

for those awaiting court proceedings. Doing so effectively reduces the need for detention centers while guaranteeing accurate claims and safe, legal pathways to immigration.

Conclusion

Although detention centers provide resting locations for immigrant before court processes and trials, they do not necessarily guarantee enough resources for detainees. These places, upholding American national security and protection, do not show concern for immigrants, regardless of their status. Therefore, these inhumane institutions do not advocate for better ways to handle foreign populations, again, making the social, legal, and moral issues more reasonable for solving the problems inherent in the current system. Overall, the best solution is the moral lens, as it offers more humane options that secure valid claims and legal pathways for immigrants, opposed to unnecessary detainment.

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