

Detaining Asylum Seekers Is Illegal Prodigality

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Body

To the Editor:

Your April 13 news account of toughened security measures at the immigration jail in New York City has a perverse twist. The immigration authorities are reported to be spending more than \$600,000 to enhance security at the facility; at the same time they pursue a very expensive policy of detention of asylum seekers who have no suggestions of criminality in their backgrounds.

For example, the immigration jail in New York currently holds two Ghanaians who fled their homeland, one after a politically motivated arrest and the other barely escaping such treatment; a Cuban opponent of Fidel Castro; an Ethiopian activist, who was arrested and tortured, and eight Afghans who had supported the mujahadeen resistance fighters.

This is but a sample. Many others with similar stories are being detained in New York. All are applying for political asylum, and none are suspected of any criminal activity. Many will remain imprisoned for the year or more it takes to resolve their cases. They are incarcerated because they were forced to flee without having obtained a valid passport from the authorities in their home countries - a typical scenario for refugees.

Yet the detention policy is very expensive. It costs \$22,396.40 to detain an asylum seeker for one year in New York. The annual expenditure in New York is probably well over \$1 million.

Why do the authorities detain refugees who can show that they do not pose a threat to the community and can post a bond to guarantee that they will appear for hearings? The answer is deterrence to asylum seekers. We think such a measure is illegal as incompatible with our refugee law, which establishes a right to apply for asylum. The detention policy penalizes those who avail themselves of that right. But beyond the legality and humanitarian considerations, such a policy is fiscally unwise. The public interest is also being abused.

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Lawyers Committee for Human Rights

New York, April 20, 1987

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