

18 Stowaways Sent to Prison With U.S. Aid

The New York Times

May 21, 1994, Saturday, Late Edition - Final

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Distribution: Metropolitan Desk;

Section: Section 1; ; Section 1; Page 23; Column 5; Metropolitan Desk; Second Front; Column 5; ; Second Front

Length: 897 words

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Dateline: NEWARK, May 20

Body

Eighteen Romanian stowaways, who were being held in chains at a hotel here by a shipping company, have been moved to a county prison in Pennsylvania, after the Immigration and Naturalization Service intervened.

Immigration officials emphasized that their role in the case, which they termed "extraordinary," did not represent a change in Federal policy. That policy requires transportation companies to detain foreign stowaways, who arrive on their ships and planes, until their legal proceedings are finished. The Government does not monitor such detention, prompting concerns among advocates for immigrants over the potential for abuse.

The officials said they decided to assist the Romanians -- most of whom came to Boston last month by hiding themselves in huge metal cargo containers loaded onto a 43,000-ton freighter in France -- because the ship's owner, Sea-Land Service Inc., could not find a place for them.

Government Found Space

"All we did was act as the agent in locating the space and authorizing the county facility to take the detainees," said Richard L. Kenney, a spokesman for the Immigration and Naturalization Service in Washington. "It's a response to a specific problem that Sea-Land wrote us about."

Some advocates for immigrants' rights maintain that all stowaways should be handled in this way: the Government should take custody of them or arrange for them to be sent to local jails, and the transportation company should be billed for the cost. But Mr. Kenney said such a proposal was not feasible because the nation's prisons were extremely overcrowded.

"It would create a tremendous logistic problem," he said. "We would have to be identifying space all over the place for whoever comes in. This is an extraordinary circumstance. Is it going to work equally well in other circumstances? I don't know if you can say that."

He said that without revising the law, it would also be difficult for his agency to write regulations governing how stowaways should be treated in custody. There are no rules now, and the private companies are often so worried about incurring fines and liability if stowaways escape that they guard them closely. Congress may hold hearings on this issue this summer.

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The Government forces shipping companies and airlines to take responsibility for stowaways to insure that the companies do everything possible to prevent them. The Romanians were kept in leg shackles in hotels near Newark International Airport for more than a month, during which time they were rarely allowed to leave their rooms. Three of them did escape through a bathroom window at one of the hotels, and Sea-Land was fined \$9,000.

Christopher L. Koch, senior vice president at Sea-Land, one the largest shipping companies in the world, said the company was asked to remove the Romanians from the Howard Johnson Plaza Hotel earlier this week because of news reports about their detainment. No other hotels would take them, he said.

Prison Space Located

The Immigration and Naturalization Service then found room for them at the Snyder County prison in Selinsgrove, Pa., where the United States Marshal Service often rents space for its detainees. On Thursday, the Romanians -- 17 men and one woman -- were moved to the prison, where they will stay until their requests for political asylum are completed, Mr. Koch said.

He said the prison will cost Sea-Land about \$60 a day per person, or a total of about \$7,500 a week, far less than the \$30,000 to \$60,000 a week the company was paying to detain the stowaways in hotels under the watch of a private security service.

"There was so much attention and controversy about them," Mr. Koch said. "We would prefer not to be in the business of being charged with the detention responsibilities."

He said the transferring of the Romanians to the prison in central Pennsylvania would not impede their legal proceedings. Of the 18 stowaways, 17 have had their requests for political asylum rejected and are reportedly appealing. He said the appeals process involves only a review of records, so the stowaways do not need to be in Newark, where they were brought last month to be near Sea-Land's headquarters.

Concerns for Safety

But Frank Schorn, a lawyer at the New York Association of New Americans, a nonprofit agency for immigrants, said the move would hinder his ability to help two of the stowaways. He added that while he was relieved that the Romanians were no longer in shackles, he was still anxious about their safety.

"I don't know what the conditions are in the facility, but I am concerned that anyone who has a legitimate application for asylum should be mixed in with the criminal population," he said.

He said that even though the Romanians were out of the hotel, the legal basis for holding them had not changed.

Sea-Land has not allowed reporters to interview the Romanians, but an interpreter who talked to them earlier this week said they were unhappy and scared that they would be in detention for many months.

"They have big hopes that their situation is going to be settled, that they will be accepted," he said, speaking on condition of anonymity. "When they were in their hotel room, they saw the Twin Towers, but they kept asking me where the Statue of Liberty was. For every immigrant to this country, that is the sign that they have arrived."

Classification

Language: ENGLISH

Subject: IMMIGRATION (92%); CITIZENSHIP (90%); US FEDERAL GOVERNMENT (90%); IMMIGRATION LAW

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(90%); CORRECTIONS (89%); **PRISONS** (89%); POLITICAL DETAINEES (78%); LITIGATION (78%); PUBLIC POLICY (76%); FINES & PENALTIES (76%)

Company: SEA-LAND SERVICE INC (84%); IMMIGRATION AND NATURALIZATION SERVICE; SEA-LAND SERVICE INC SEA-LAND SERVICE INC (84%); SEA-LAND SERVICE INC SEA-LAND SERVICE INC (84%); IMMIGRATION & NATURALIZATION SERVICE (93%); IMMIGRATION & NATURALIZATION SERVICE (93%)

Organization: IMMIGRATION & NATURALIZATION SERVICE (93%); IMMIGRATION & NATURALIZATION SERVICE (93%); IMMIGRATION AND NATURALIZATION SERVICE; SEA-LAND SERVICE INC IMMIGRATION & NATURALIZATION SERVICE (93%); SEA-LAND SERVICE INC IMMIGRATION & NATURALIZATION SERVICE (93%); IMMIGRATION & NATURALIZATION SERVICE (93%)

Industry: HOTELS & MOTELS (89%); MARINE SHIPPING (89%); AIRLINES (76%); AIRPORTS (76%)

Geographic: NEWARK, NJ, USA (77%); PENNSYLVANIA, USA (79%); **UNITED STATES** (79%); FRANCE (56%)

Load-Date: May 21, 1994

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