

Volunteers Report on Treatment of Immigration Detainees

The New York Times

April 29, 2010 Thursday, Late Edition - Final

Copyright 2010 The New York Times Company

Section: Section A; Column 0; Metropolitan Desk; Pg. 26

Length: 1051 words

Byline: By NINA BERNSTEIN

Body

It is the routine violations that have been most shocking to the small bands of suburban **volunteers** who visit **immigration detainees** in New Jersey jails.

Things like visits cut short after 15 minutes, following two-hour waits outside in the rain. Transfers from jail to jail that isolate **detainees** for months, even when **volunteers** are asking to see them. And the pillows -- only five pillows for more than 100 **detainees**, who had devised a seniority system to share them.

The shortage of pillows really got to Daniel Cummings, a high school teacher who began visiting the Middlesex County Adult Correctional Institute last spring as part of a local group formed after the death of a 72-year-old **detainee** there.

"To me, that was such a basic issue," Mr. Cummings said Wednesday of the pillow shortage, contrasting the everyday injustices he sees as a jail visitor with the Obama administration's promise to transform the **immigration** detention system into "truly civil" detention. "Like, let's treat these people as humans."

The voices of citizen **volunteers** like Mr. Cummings, 26, fill a new **report** that points to harsh conditions and arbitrary visiting restrictions imposed by a half-dozen New Jersey jails where **Immigration** and Customs Enforcement holds thousands of noncitizens each year while it tries to deport them.

Many of the restrictions could be changed immediately, the **report** contends. It is to be released on Thursday by the American Friends Service Committee, the New York University Immigrant Rights Clinic and New Jersey Advocates for Immigrant **Detainees**, a coalition of religious and advocacy groups.

The **report** also describes how **volunteer** visitors have been trying to fill the gap in accountability: advocating for a seriously ill **detainee** denied his heart medication for weeks, foiling what it called the cover-up of one guard's abuse and persuading jailers to supply the pillows required under detention standards.

But the pillow victory was short-lived. When the Middlesex County Freeholders dropped the county's contract with **Immigration** and Customs Enforcement last fall, all the **detainees** in its jail were transferred. Many ended up at the Essex County Correctional Facility in Newark, where they have neither pillows nor access to visits from the **volunteers**, the **report** said.

Officials at **Immigration** and Customs Enforcement said Wednesday evening that they had not seen the **report**, but pointed to measures and plans to increase oversight and address **detainee** mistreatment.

"This administration is committed to **immigration** detention reform and has taken important steps to fundamentally change the detention system," Brian P. Hale, a spokesman, said in an e-mail message.

Volunteers Report on Treatment of Immigration Detainees

Volunteers were unable to reach most of the transferred detainees because of restrictive visiting rules that change from jail to jail, said Karin Wilkinson, the leader of Middlesex First Friends, the group that Mr. Cummings joined. It enlisted two law students in the N.Y.U. rights clinic, Ruben Loyo and Carolyn Corrado, whose efforts were also stymied for months. But what the students learned in the process led them to write the report.

"In theory, I knew a lot about detention," said Mr. Loyo, 24, who worked on a detention-reform bill last summer as a Congressional intern. "But the reality -- I really didn't know the reality of immigration detention."

Among the most distressing situations, Mr. Loyo said, was that of Angela Joseph, a New Yorker who for three years had devoted hours each week to get 15-minute visits with her brother Warren Joseph at the Hudson County jail, where there are no weekend visits and weekday visits end at 6:15 p.m.

Mr. Joseph, a Trinidadian-American, a decorated veteran of the Persian Gulf war who had served eight years in the Army and suffered from depression and post-traumatic stress syndrome, eventually won his fight against deportation. A federal court ruled that his conviction for carrying a gun across state lines was not an aggravated felony under immigration law. But after three years of unnecessary detention, Mr. Loyo said, the victory was bittersweet.

The citizen volunteers, who have stepped up their efforts to penetrate the jails, are mostly drawn from churches and synagogues, said Gregory Sullivan, 78, a retired banker, who leads First Friends, one of the oldest groups.

Others are motivated by political activism. "These are just ordinary citizens of New York and New Jersey that we bring in," he said.

Most of the restraints imposed on immigration detainees by jails are the rules set for their criminal-justice population, he said.

"In their haste to dump detainees in the county jails because it's convenient and cheap," Mr. Sullivan said, Immigration and Customs Enforcement "overlooked the discrepancies with the standards ICE itself has proclaimed."

Mr. Sullivan's group is beginning to expand its visits from the Elizabeth Detention Center to the Hudson County Correctional Institute, in Kearny. But the Essex County and Bergen County jails have rebuffed efforts to institute a sign-up sheet for detainees to request visits, he said. At the Monmouth County Correctional Institute, Ms. Wilkinson's group has been unable to set up regular visits like those it arranged in Middlesex.

Even a brief outside presence is meaningful to those locked away far from relatives; 84 percent of them have no lawyer, and none have any way to know when they will be freed, Ms. Wilkinson said.

In one case that Ms. Wilkinson followed, an African man fighting to stay in the United States because of fear of persecution at home was abruptly transferred to the Essex jail on the same day that an immigration judge ruled in his case. Two weeks passed before he learned that the judge had ruled against him, leaving him only 15 days, instead of 30, to file an appeal.

"He was so upset that his court papers hadn't come, he wrote me a six-page letter," Ms. Wilkinson said. "He wrote, 'It's unjust justice.'"

Two weeks ago, she was able to visit him at Essex, a huge jail topped by concertina wire. But that entailed standing in line for more than two hours, she said, for less than 20 minutes' conversation through a plexiglass barrier.

"You wait outside," she said. "Men, women, children in the rain."

Graphic

PHOTO: Gregory Sullivan and Lorna Henkel, who visit immigration detainees, at the Hudson County jail.
(PHOTOGRAPH BY SUZANNE DECHILLO/THE NEW YORK TIMES)

Classification

Language: ENGLISH

Publication-Type: Newspaper

Subject: IMMIGRATION (92%); POLITICAL DETAINEES (92%); CORRECTIONS (90%); PRISONS (90%); IMMIGRANT DETENTION CENTERS (90%); VOLUNTEERS (89%); DEPORTATION (78%); CITIZENSHIP (78%); CORRECTIONS WORKERS (78%); PUBLIC CONTRACTING (70%); PRIMARY & SECONDARY SCHOOL TEACHERS (55%); RELIGION (50%)

Organization: AMERICAN FRIENDS SERVICE COMMITTEE (54%)

Geographic: NEWARK, NJ, USA (58%); NEW JERSEY, USA (93%)

Load-Date: April 29, 2010

End of Document