

In Their Own Words

Enduring abuse in Arizona immigration detention centers

As the federal government continues its reliance on immigration detention, more and more people, including thousands in Arizona, are forced to endure injustices and inhumane treatment.

Through contracts with private corporations and local county jails, U.S. Immigration and Customs Enforcement (ICE) detains 3,000 immigrants on any given day in Arizona – a 58 percent increase over the past six years. These men, women and children represent 10 percent of the country's detained

immigrant population.



ACLU

Executive Summary

To put a human face on the issue of immigration detention, the ACLU of Arizona conducted 115 face-to-face interviews with people detained in Eloy and Florence, Arizona, corresponded with detainees, interviewed family members, and reviewed hundreds of government records, including more than 500 detainee grievances. What emerges are the stories of people who have suffered systemic civil and human rights abuses related to inhumane conditions and inadequate legal protections, especially in these five areas:

Increased detentions resulting from local immigration enforcement > The federal government's reliance on local law enforcement to identify and detain suspected non-citizens has led to an increase in non-violent, low-risk persons being funneled through Arizona's immigration detention system.

Inhumane conditions at Pinal County Jail > Pinal County Jail has received "deficient" ratings in 2007, 2008 and 2009, yet ICE continues to contract with the county for detention beds. Detention officers frequently place ICE detainees on lockdown for minor infractions, including not making a bed, not moving quickly enough, or saving a piece of fruit to eat later in the day.

Denial of grievances and lack of accountability > ICE Detention Standards are not fully implemented in detention facilities across the country. These standards are self-monitoring and non-legally enforceable. At the privately-contracted Eloy Detention Center, one of the largest ICE facilities in the country, accountability is a constant problem for detainees.

Abusive treatment of vulnerable populations > Vulnerable populations in detention have unique needs and are at a higher risk for sexual assault and physical abuse. The ACLU of Arizona documented five cases involving transgender or gay detainees who were sexually assaulted or treated in an abusive manner.

Deficient medical and mental health care > The standards for medical care are governed by the ICE Detention Standards, which vary in their application from facility to facility, even within the 22-mile area of the Arizona ICE facilities.

The United States recently affirmed its obligation to "ensure the human rights of all immigrants, documented and undocumented alike." However, with over 400,000 people expected to be detained by federal immigration authorities this year, our government must remedy major deficiencies immediately by:

- Terminating contracts with Arizona facilities that pose a risk to the safety and well-being of immigrants in ICE custody;
- Reducing the number of people subjected to detention in Arizona by utilizing more cost-effective, community-based alternatives to detention; and
- Ensuring conditions in Arizona detention facilities comport with basic human rights and needs.

To download a full copy of the ACLU of Arizona's report or for more information about immigration detention, please visit www.acluaz.org/detention-report-2011.

Case examples of people who have been detained in ICE detention in Arizona:



Francisco

Francisco spent 14 months in ICE custody at the Eloy Detention Center on a minor drug possession offense for which he spent 10 days in county jail. Francisco has lived in Phoenix since he was a young child, where he also attended grade school and high school. His mother and stepfather are legal residents and his two young sisters are U.S. citizens. He also has a 4-year-old U.S. citizen daughter. Francisco's stepfather filed a family petition on his behalf when he was a minor, which was pending at the time of Francisco's arrest. Current immigration laws require mandatory detention, even of people who have very old or minor convictions like Francisco. In these cases, immigration judges are not allowed to consider family, work or community

ties to decide whether one should be released on bail to continue his case outside of detention. Separated from his family for more than a year and faced with the possibility of deportation to a place where he has no support, Francisco and his family endured uncertainty and significant hardships. His case was eventually granted by the immigration judge and today he is a legal resident.



Tanya

Tanya is a transgender woman who has lived in Tucson, Arizona for almost 20 years. Her family members are U.S. citizens and lawful residents, and reside in Arizona. She was detained by ICE at the Eloy Detention Center for seven months. In custody, Tanya was held in a men's housing unit and isolated in the

Special Housing Unit (SHU) for approximately six weeks. She experienced multiple incidents of harassment and abuse relating to her gender identity. After reporting an incident involving detention center staff, she was sent to SHU for approximately ten days. Tanya was told they were investigating her case but was not provided documentation or interviewed about her placement in isolation.

Tanya was also threatened by a male detainee who tried to force her to engage in oral sex. When she reported this to an officer, she was sent to SHU and does not think that the detainee who threatened her was disciplined in any way.

Tanya also experienced verbal and mental abuse by detention officers who constantly harassed her for wearing her hair in a ponytail or cuffing her pant legs. They repeatedly threatened her with isolation. While she was detained, Tanya suffered depression and anxiety. She is now out of detention and in the process of applying for asylum.

Case examples of people who have been detained by ICE in Arizona:

Joe

Joe is South African and a legal resident of the U.S. He came to America when he was 12 years old with his mother, father, and two siblings. Joe was detained for over three months at the Pinal County Jail after being arrested by ICE at the probation office in Phoenix, where he was on the verge of completing two years of probation for a minor drug offense. While detained at PCJ, he witnessed verbal abuse and harassment by jail officials. "They treat us like county inmates," he says. "There's a lot of yelling, a lot of searches. They confiscated my books and refused to return them." Eventually, Joe was granted a humanitarian waiver allowing him to remain in the U.S. with his wife and family.



Leticia

Leticia is the mother of two U.S. citizen children and has lived in Phoenix, Arizona for 20 years. Originally from Guatemala, Leticia was detained in Florence and then Eloy for 21 months. She has never been arrested or convicted of any crime. When asked about her situation, she says, "The law of ICE is so unfair to people. I am a single mother, working, honest, fighting here in this jail for months, separated from my children, fighting for my case. This law, which separates many families, closes the door to fixing our immigration status, destroys the lives and futures of our children who are citizens and are paying the consequences of this great cruelty." Despite her clean record and family ties, ICE continued to detain her in deplorable and inhumane conditions for more than one

year. She was not allowed to have contact visits with her children, did not have outdoor recreation, and suffered depression and anxiety.



Héctor

Héctor has lived in Tucson, Arizona since he was 5 years old, when he was adopted by U.S. citizen relatives. He graduated from high school and earned a bachelor's degree in political science from the University of Arizona. In the summer of 2010, Héctor was stopped by local police for a traffic violation. He was fingerprinted, identified as a non-U.S. citizen, and transferred to ICE custody. He didn't spend any time in jail for a criminal offense, yet was detained for five months at the Florence Correctional Center. Héctor was recently granted legal residency.