

America's internal "gulag"-the imprisonment of immigrants in the US

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A network of prison facilities in which detainees are held indefinitely without charges, denied access to attorneys and family, terrorized by dogs, and subjected to abuse tantamount to torture, as well as sexual humiliation. This description applies not just to Guantánamo, Abu Ghraib and Bagram Air Base, but also to another "gulag" of jails and detention facilities strung across the United States in which tens of thousands of immigrant workers are being held by US Immigration and Customs Enforcement (ICE).

While the "global war on terrorism" is used to justify unlawful detention and torture abroad, it has likewise served to sanction the brutal treatment of immigrants at home.

ICE, a branch of the Homeland Security Department, deported a record 198,000 detainees in 2004. On any given day last year, an average of 22,814 immigrants languished in jails across the country, nearly four times the number held in 1994. The ICE contracts out the detentions to county jails. Often housed alongside violent criminals, these detainees face verbal abuse, overcrowding, and denial of medical attention, as well as physical beatings, solitary confinement and the psychological torture of not knowing if they will ever be released.

Some of these immigrants have been in jail for years without any ruling on when they might be either freed or deported.

A June 4 article in the *New York Times* highlighted the case of Keyse G. Jama, a Somali refugee arrested in 1999 on a minor assault charge. He was sentenced to a year in jail, but almost six years later, he is still imprisoned. After his sentence was completed, he was ordered deported to war-torn Somalia, but was turned away by local officials there.

According to the *Times*, data from the Department of Homeland Security shows "1,225 immigrants from more than 100 countries in long-term detention, like Mr. Jama, as of March."

Many of the immigrants facing long-term detention have committed no crime at all. Madani Ba, a Mali immigrant denied political asylum, was recently released from Passaic County jail in Paterson, New Jersey, after having been detained for more than a year.

He left Mali in 1990 after a military coup installed a new regime. He was harassed and prevented from finding employment since he was former member of the military prior to the coup. He arrived in the US legally with a three-month visa and applied for political asylum. The hearing did not come until 1998, when he was denied asylum and ordered deported. He appealed this ruling, but failed again. According to the *New Jersey Herald News*, "When a final ruling on his case resulted in a deportation order, immigration authorities came to his Manhattan apartment at 6 a.m., roused him from sleep, handcuffed him, and took him to Passaic County Jail."

While in jail, he was denied dental care and was unable to eat his food properly. He was also diabetic, but was deprived of his medication for as long as three months. His blood sugar was high and he complained that his feet were numb. When he went on a seven-day hunger strike, vowing to continue until he died, he was thrown into solitary confinement and had

his glasses taken away so he could not see. By this point, he had been in jail for 11 months, far past the 6-month legal limit the government can hold detainees. In addition, he lost his job and could no longer send money to his wife and children in Mali.

The Malian government would not accept his return, and he was finally freed. He now must check in monthly with immigration authorities until they find a way to deport him.

The *Virginia Pilot* recently reported the case of Bitbila Yonko, a man from the Ivory Coast detained for more than 28 months at Hampton Roads Regional Jail in Portsmouth, Virginia. His father had been a military officer loyal to President Henri Konan Bedie before he was deposed by a military coup. In November 2000, he and his father had their car rammed by soldiers, and his father was killed. He was arrested, beaten and whipped, receiving multiple scars. He escaped from the Ivory Coast, living in Cameroon for a few years before coming to the United States.

Upon arrival, he was detained and has remained in jail ever since. Because he lacks any official identification, he has been denied political asylum and barred from leaving the jail. Meanwhile, the Ivory Coast will not accept him if he is deported. The *Virginia Pilot* quoted Ernestine Fobbs, a spokeswoman for U.S. Customs and Immigration Enforcement: "We do not know who he is.... We can't let them out on the streets if we don't know who they are." The government assumes the immigrant detainees are guilty until they are proven innocent.

Abuse within the detention facilities is rampant. Federal lockups such as the Metropolitan Detention Center (MDC) in Brooklyn, New York, and a prison in Oakdale, Louisiana, as well as local jails such as the Passaic County Jail in Paterson, New Jersey, and the Hudson County Correctional Center in Kearny, New Jersey, have earned fearsome reputations for violence by guards and other abuse. Despite numerous media exposures, no prison guards or officials have faced criminal prosecution. Only a few have received "administrative discipline."

The Brooklyn MDC is known to be particularly brutal. The *New York Times* and the *Daily News* carried reports earlier this year that detainees were slammed against the wall and had their arms, wrists, and fingers twisted and bent. Another common practice was to step on the detainees' leg restraints. At the same time, the detainees were threatened and verbally abused. A report by the Office of the Inspector General of the Department of Justice wrote, "According to detainees, the verbal abuse included taunts such as 'Bin Laden Junior' or threats such as 'you're going to die here.'" Some Muslim detainees were denied any visitation rights for up to 90 days for praying.

Some of the abuses were caught on the jail's surveillance tapes. The *Daily News* reported, "Inspector General Glenn Fine, whose staff reviewed 380 MDC videotapes, reported in 2003 that 'These tapes substantiated many of the detainees' allegations.' Furthermore, the officers were not just a few bad apples but 'a significant percentage of those who had regular contact with the detainees,' Fine wrote last March."

Wael Kishk told the *Daily News* that guards beat him on that he complained to a judge about his mistreatment. Kishk said he was stripped, thrown from his wheelchair on to the ground, and stomped on by a number of guards. "There were three of them—with their leader, four," he told the newspaper. "They took all my clothes off and turned me on my stomach. Then, the leader put his foot on the back of my neck and told me, 'All of this is so you will stop playing games,' " a reference to his statements to the court.

Several detainees at the Manhattan Correctional Center (MCC) have filed a lawsuit over similar abuses. Osama Awadallah, Yazeed Al-Salmi, and Mohdar Abdullah charge that MCC guards subjected them to freezing temperatures and beatings. In addition, they claim they were strip-searched and subjected to sexual taunts in front of female guards. All three were picked up in the aftermath of 9/11, and none of them were charged with having any connection to the attacks. Al-Salmi and Abdullah have already been deported, while Awadallah is accused of lying to authorities during the 9/11 investigation.

National Public Radio interviewed a Passaic, New Jersey detainee named Hemnauth Mohabir, a native of Guyana. He was caught with \$5 worth of marijuana. Convinced to plead guilty, he paid a \$250 fine and served eight days in jail as his criminal sentence. Expecting to be released, he was turned over to immigration authorities because he now had a criminal record. He was detained in Passaic County Jail for nearly two years before being deported to his home country. He testified that guards taunted and beat the detainees and terrorized them with dogs. His account was corroborated by prison medical records, which showed that at least two prisoners were sent to the hospital for dog bites.

The New Jersey Civil Rights Defense Committee, a group that monitors the detention centers, published a statement by a Cuban detainee in Passaic. The unnamed detainee wrote, "...[the guard] came back, this time through the front door of the dorm...accompanied by nine other officers and a German shepherd K-9 dog. All ten men, once I was taken out of the dorm and into the hallway, commenced to hit me, slapping me in the face, pulling me by the beard, punching and kicking me, then finally the dog was unleashed and clamped down on my left forearm for what seemed an eternity. I was taken to the Barnert Hospital ER for treatment. When I came back, I was thrown in confinement for thirty days, with a mattress on the floor. I was taken out three times a day into the hallway for roll call and...with the Sgt.'s permission and consent an officer squeezed my arm, slapped and humiliated me for days repeated. Medication was prescribed but somehow I never got it for the first two weeks."

Jeanette Gabrielle of the New Jersey Civil Liberties Defense Committee (NJCRDC) spoke to the *World Socialist Web Site* about the Passaic and Hudson detention facilities. She said that a major incident of abuse occurs there about every other week.

"The units where detainees are held are constantly overcrowded, and the conditions dirty," she said. "In some cases, overcrowding got to the point where some were sleeping on containers on the floor."

"The county jails are not capable of holding people long-term. Detainees are regularly denied medical care, including diabetes medication, and drugs for AIDS and other illnesses. Some medications need to be taken with food, but they are not given to them along with food. Some detainees require surgery that they are denied. One schizophrenic was tied to a bed."

Detainees have conducted multiple hunger strikes to protest their mistreatment. According to the NJCRDC, about 60 detainees went on hunger strike last week at the Passaic jail to protest the violent beating of two detainees.

According to the group, a jail official delivering mail got into a verbal argument with a Vietnamese detainee, Nguyen Vu. When Vu asked her not to disrespect him, she sent in four guards who began to beat him, hit his head into the bars, and suspend him from his handcuffs. This was done

the plain sight of other detainees. A Chinese detainee immediately called for a hunger strike, and was beaten as well. The two of them were sent to solitary confinement and denied medical care. The rest of the detainees wrote and signed a letter that they had witnessed the abuse, and went on a hunger strike

Detainees at the jail have repeatedly conducted hunger strikes since 2002. Heq Sung Soo, a 50-year-old Korean immigrant detained in the jail hanged himself on February 16, 2005. "Prior to his successful suicide...", the NJCRDC reported on its web site, "he had attempted suicide on two other occasions while detained at Passaic." The day before, a Dominican detainee attempted suicide, but lived after other immigrants found him hanging and unconscious.

At the Wackenhut Detention Center in Queens, New York, a corporate-run facility, dozens of detainees staged a hunger strike in August 2003, protesting inedible food, the lack of health care, and their indefinite detention. Some of the detainees and asylum seekers had been held as long as six years awaiting deportation.

In 1997, the last year in which figures were reported, the Immigration and Naturalization Service (the predecessor of ICE) paid local jails an average of \$58.00 a day for each detainee they locked up. The *Virginia Pilot* put the figure at \$75.00 a day for Hampton Roads facility, while the *New York Times* cited a figure of \$81.11.

For the federal government, farming out immigrants to county jails is a cost-cutting device, while for the counties, it is a profitable enterprise. A recent article in the New Jersey *Star Ledger* noted, "It looks like easy money. Hudson County raised \$10.4 million last year. Middlesex picked up \$5 million. And Bergen County got \$4 million."

"A growing number of counties across the nation are renting space in their jails to the US government to house foreigners arrested for immigration violations. The 'revenue population,' as one official called the detainees, can help counties defray the cost of running jails and even lower property taxes."

Some localities were able to cut local taxes completely as a result of the revenues brought in by using their jails to detain immigrants. In its contracts with local jails, the ICE made no attempt to set standards ensuring the humane treatment of the detainees, leaving it to the county jailers to do as they pleased.

County jails, designed to hold those who are arrested and awaiting court appearances, are not equipped to handle prisoners for long-term periods. Many detainees are placed alongside violent criminals. Many do not speak English, and there is no translator present in these local prisons.

The far-reaching changes in US immigration policy that set the stage for these abuses occurred well before September 11, 2001, and the subsequent "global war on terror." In 1996, then-Democratic President Bill Clinton signed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIR), immediately following the Oklahoma City terrorist bombing. Although an extreme right-wing native-born American citizen carried out the attack, Congress jumped on the opportunity to institute draconian changes to immigration policy.

As a result, total annual deportations increased from about 51,000 in 1995 to 70,000 in 1996, 114,000 in 1997, 173,000 in 1998, and peaked at almost 186,000 in the year 2000, more than tripling in six years. Over the next two years, the total fell to 148,000 in 2002. In 2004, the total reached a new high of about 198,000. Non-criminal deportations, which account for the bulk of these proceedings, increased fivefold between 1995 and 2000. Criminal deportations more than doubled.

According to a 2003 Amnesty International report, unaccompanied child detainees in the United States doubled from 2,375 to 5,385 between 1997 and 2002. These children are often housed alongside criminal offenders. Most of the facilities that housed these children said they use solitary confinement to discipline them.

Before the IIRIR, legal residents could only be deported if they

committed a felony punishable by five years in prison. Under the IIRIR, a legal resident can be deported for a wide range of minor offenses, including shoplifting, tax evasion and vandalism.

The largest category of criminal deportations are drug-related, accounting for 41 percent, followed by immigration violations, accounting for 16 percent. The IIRIR also instituted mandatory detentions for such minor offences, where before they could go before a judge and ask for leniency.

After the September 11 attacks, the Immigration and Naturalization Services (INS) aided the FBI in an “investigation” that involved raids aimed at rounding up a list of 6,000 immigrants from Muslim countries who had overstayed their visas, named “Operation Compliance.”

From December 2001 to early in 2003, 1,139 of the listed people were arrested, but none of them were linked in any way to terrorism. Nonetheless, they were branded as “September 11 detainees” by the INS and were held indefinitely without charges in various locations, denied access to legal counsel and families for months. Some of those who finally did manage to secure counsel were transferred from jail to jail, without any notice to their attorneys or their families. In early 2003, Operation Compliance shifted its focus to netting Latin American detainees who likewise had no connection to the September 11 attacks.

None of these policies have anything to do with protecting the American people from terrorism. The real intent is to exploit September 11 to increase the police-state powers of the government and centralize control in the executive branch.

The torture of prisoners in Abu Ghraib, Guantánamo Bay, and other overseas prisons is not merely an aberration created by war. The new international system of concentration camps established as a facet of the “war on terror” reproduces longstanding brutal practices of the prison system inside the United States itself. The indifference and hostility of the American ruling elite to basic democratic rights and international law knows no borders.



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