

US: New revelations on immigrant detainee abuse

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A Freedom of Information Act lawsuit filed by the American Civil Liberties Union has succeeded in revealing additional details of the inhumane and shameful conditions facing undocumented immigrants who are detained in US jails pending deportation.

The federal Immigration and Customs Enforcement agency (ICE) announced last week that it was adding 10 previously unrecorded deaths of detainees to the list of people who have died in ICE custody since 2003. The total number is now 104.

The agency says it would conduct a review “to ensure the integrity of ICE’s records on detainee deaths.” Behind this bureaucratic language is a chaotic but nonetheless brutal system of indifference and mistreatment.

An August 21 report by Nina Bernstein in the *New York Times* highlights the gruesome case of Felix Franklin Rodriguez-Torres, an Ecuadorean worker who was 36 when he died in immigration custody in January 2007.

Rodriguez, with family in the United States, apparently overstayed a visitor’s visa that he obtained in 1998. He was arrested in New York eight years later, in 2006, and was held at the Rikers Island jail for five months on petty theft charges. After serving this sentence, he was transferred in November of that year to an immigration prison in Eloy, Arizona, that is run by the privately owned Corrections Corporation of America (CCA).

“By mid-December, a fellow detainee told the man’s relatives, Mr. Rodriguez lay pleading for medical help on the floor of his cell, unable to move,” Bernstein reports.

Rodriguez was already gravely ill, but the authorities had apparently taken no notice. His sister, Janneth

Montesdeoca, who lives in Queens, New York, said she noticed on her last visit to Rikers Island that her brother’s head seemed swollen. The *Times* account reports that physicians say this was most likely a sign of the rapidly spreading testicular cancer that would claim his life only a few months later.

Testicular cancer tends to spread very rapidly, but it also is “a very treatable cancer in the vast majority of cases,” in the words of a New York physician quoted by the *Times*. The case of Lance Armstrong is perhaps the most well-known example of this medical fact.

Rodriguez was not to get any treatment to speak of, much less the life-saving therapy that is now standard in the field. A report later showed that most medical staff had left the Arizona facility that fall, but the federal authorities continued to send detainees there, including Rodriguez. The Ecuadorean immigrant received no thorough medical exam when he arrived. When he spoke to his family several weeks later, on December 18, he complained about his health and said he had seen a doctor many times. His family was told by his deportation officer that he was fine, but on December 27 he was transferred to the Maricopa Medical Center in Phoenix with a mass in his neck that had “tripled in size.” He died in the Phoenix hospital three weeks later.

Just weeks before Rodriguez’s death, the ICE had itself complained about medical care at the Eloy prison, where the CCA was raking in record profits based on federal payments. “Medical care in this facility does not meet ICE standards,” said a report issued after the suicide of a 32-year-old Guatemalan detainee on September 29, 2006. Another report was issued when a 27-year-old Colombian died after a brain seizure that was “unwitnessed.” The authorities continued to use the Arizona facility, however.

The case of Felix Franklin Rodriguez-Torres has perhaps drawn some additional attention because his parents and sister are legal residents in the US and have spoken loudly and passionately about the issues involved in this case. His father, Felix Rodriguez, works as a deliveryman and lives in New York. “I understand a prisoner shouldn’t be on a golden bed, but a prisoner is a human being,” the father told the *Times*. “He at least deserves respect when he is so sick he can’t even eat.”

Rodriguez-Torres’s mother explained that she was only able to reach her son’s bedside before he died because a nurse had lent him her cellphone, against the regulations. The deportation officer would not tell the family where he had been hospitalized. Speaking of the nurse, the mother said, “If it wasn’t for her, I wouldn’t have known if my son was dead or alive.... I never want another immigrant to feel this pain. Not knowing what to do, his suffering and no way of getting him help.”

The case of Felix Rodriguez-Torres is by no means an aberration in a US immigration detention system characterized by brutality and neglect. While the mistreatment is not confined to any one sector, the private jail contractors who have cashed in on the long-standing law and order anti-immigrant campaigns and the consequent overload of the prison system have a vested interest in cutting costs and denying detainees their basic human rights.

The Corrections Corporation of America, established about 25 years ago, is the largest and most notorious of these outfits. Two more detainees, a 41-year-old Iraqi and a 52-year-old Ghanaian, died at the Eloy prison in 2008. The CCA currently runs more than 60 prisons in the US, housing tens of thousands of inmates. About 5 percent of the more than 2 million prisoners in the US are confined in privately owned facilities.

The Obama administration has claimed it plans to reform the immigrant detention system. While the president has on occasion suggested he wants to do something about the most egregious examples of abusive treatment, there is no sign of any change, nor should any be expected. Homeland Security Secretary Janet Napolitano, the former governor of Arizona who worked closely with the notorious Phoenix sheriff Joseph Arpaio, recently announced plans for apprehending more immigrants, and the federal government continues to use private prison operators

like the Corrections Corporation of America.



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