

White House defends imprisonment of immigrant children

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The Obama Administration last week appealed a federal court ruling requiring the release of immigrant children detained in so-called family detention facilities. The July 25 ruling by Judge Dolly M. Gee of the Federal District Court for the Central District of California found that the administration's policy of detaining immigrant children over the past year violated the law.

Gee gave the Justice Department until August 6 to present arguments to justify their holding of hundreds of children in "family units" at three privately run detention centers in Texas and Pennsylvania. In her ruling, Gee noted the "widespread deplorable conditions" at each facility, which "failed to meet even the minimal standard" of requirements for housing child detainees.

These "deplorable conditions" included the prisonlike practice of locking doors, keeping lights on for 24 hours a day, and inhumane temperature levels, Judge Gee argued.

Brushing aside their "humanitarian" pretenses, the Justice Department put forward the spurious argument that Gee's decision would send the message to foreign families considering emigration that the US is now a safe haven for immigrants.

"Specifically, the proposed remedies could heighten the risk of another surge in illegal migration across our Southwest border by Central American families, including by incentivizing adults to bring children with them on their dangerous journey as a means to avoid detention and gain access to the interior of the United States," Deputy Assistant Attorney General Benjamin C. Mizer argued Thursday.

This same line of argumentation was employed by Secretary of Homeland Security Jeh Johnson in a similar case that arose in February, when Washington,

DC federal district judge James Boasberg issued an injunction barring Immigration and Customs Enforcement (ICE) from detaining women and children as a means of deterring other migrants. At the time, Boasberg argued that the "current policy of considering deterrence is likely unlawful," and "causes irreparable harm to mothers and children seeking asylum."

The Justice Department also claims Thursday that it has drastically ameliorated conditions at the family detention centers. Mizer wrote, "The bottom line is that the court's order is addressing a factual context that no longer exists (even assuming it did) and that does not apply to anyone currently housed at a family facility."

These claims have no factual grounding, and seek to cover up widespread civil rights violations at the three family detention centers.

The organization Human Rights First recently spent a week interviewing detainees at the newly built facility in Dilley, Texas, where 1,202 women and children are currently being held. "The mothers and children held at these facilities face an array of obstacles, from a lack of access to counsel to the day-to-day trauma of detention. Medical and mental health experts report that detention damages the mental health of children, causing depression, posttraumatic stress disorder, and suicidal behavior," they reported.

Mothers told Human Rights First that guards at the facility disrupt their family's sleep each night by entering their room, shining flashlights and pulling blankets off faces to "count" each person.

At a congressional forum last month, Olivia López, a former employee at the Karnes County Residential Center, described the inhumane and unethical practices at the detention center, emphasizing its insufficient mental and medical care facilities. López testified that "What is happening there is tantamount to torture."

Last October, a group of mothers being held at the Karnes City facility, which had recently been converted into a family detention center, filed a federal complaint against at least three of the facility's employees for allegations of sexual abuse and harassment. The women, whose children were also detained at the facility, claimed that they were forcibly removed from their cells at night and raped by their guards and other staff members. They accused the guards of fondling and groping them in front of other detainees, including children, and promising money and legal assistance in exchange for sexual favors.

At least five thousand children and mothers have been held in family detention centers since June 2014, while more than half of the children held in fiscal year 2014 were very young, from newborns to 6-year-olds. As of April 25, 2015, almost one-third of all family detainees have spent more than two months in detention, with some held for nearly an entire year.

An estimated 87.9 percent of women and children held at the family detention centers passed credible fear screening interviews earlier this year, according to US Citizenship and Immigration Services Asylum Division of the Department of Homeland Security.

When represented by pro bono attorneys through the American Immigration Lawyers Association (AILA), roughly 77 percent of detainees have been determined by US immigration judges to be "refugees" entitled to asylum or other protection. However, a mere 20 percent are able to acquire legal counsel due to innumerable hurdles, including heightened screening procedures, rushed asylum hearings, and isolation from major metropolitan areas where pro bono resources are more available.

Last year, amid the media furor over an influx of unaccompanied child immigrants across the US border with Mexico, the Obama administration rushed funding for the construction of the Dilley, Texas facility, owned by Corrections Corporation of America (CCA)—the world's largest private prison company. The newly opened facility in Dilley is the largest family detention center in the US, able to hold 2,400 people.

The Obama administration sought to provide emergency funding of \$879 million to construct space for an additional 6,300 beds at the facility, a move ultimately rejected by Congress. Human Rights First estimates that the Dilley facility alone will cost the US

government over \$260 million each year, with most of the funds going directly to CCA.

More than half of all detained immigrants in the US are kept in facilities run by for-profit prison corporations, which routinely "lease" inmates' labor to corporations for as little as 17 cents an hour.

In 2013, the latest year for which data is available, the Obama administration deported 438,421 people, the highest number of annual deportations in US history. Before completing his sixth year in office, Obama had already overseen more deportations than any other president, and over four times the number under Clinton.



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