

“We are not criminals”

ICE detainees in New Jersey stage hunger strike over coronavirus threat

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Nine US Immigration and Customs Enforcement (ICE) detainees at Bergen County Jail in Hackensack, New Jersey, have been on hunger strike for two weeks. The prisoners demand to be released from jail, where maintaining social distancing is difficult, so that they can await their deportation decisions at home, where their risk of coronavirus infection is significantly lower. This protest is the second hunger strike that prisoners at the jail have conducted this month.

Earlier this month, the ICE detainees who now are on hunger strike were transferred from Essex County Correctional Facility in Newark to Bergen County Jail. They received no advance notice of or explanation for this transfer. The hunger strikers say that in their section of Bergen County Jail, rats crawl around and medical personnel are indifferent to prisoners' concerns.

The law does not require imprisonment for immigrants charged with civil immigration violations. Furthermore, a federal injunction issued in April requires ICE to identify medically vulnerable detainees for release to protect them against the coronavirus. The hunger strikers are demanding that their cases be reviewed under this injunction. Given current law, and the possibility that some of the prisoners may have comorbid conditions, such as diabetes, which make them especially vulnerable to severe complications of coronavirus infection, ICE's continued detention of these immigrants must be seen as a deliberate attack on the working class.

“ICE has no reason to keep us in jail,” Carlos Gomez, one of the hunger strikers, told *Gothamist*. “We are not criminals.” Gomez came from Guatemala to the US about 20 years ago and worked as a chef at a restaurant

in Collingswood, New Jersey. He spent time in prison on charges of which he was acquitted. After his release, ICE detained him. The lack of food has made him dizzy, and drinking water nauseates him, said Gomez.

Approximately 200 people are being held in Bergen County Jail, which has a contract with ICE worth millions of dollars. The prison has recorded six coronavirus cases among ICE detainees since March but has no currently active cases, according to ICE. The first ICE detainee in the United States to test positive for the coronavirus was at the jail.

The hunger strike has aroused sympathy throughout northern New Jersey. Activist groups from cities such as Ridgewood, Teaneck and Wayne rallied outside the jail on Friday in support of the hunger strikers. This was the second demonstration in solidarity with the prisoners. On November 20, rabbis affiliated with T'ruah, a Jewish human rights organization, gathered at Bergen County Jail to protest the hunger strikers' detention. Rabbi Jonah Geffen, one of the protesters, tweeted, “Detainees are on hunger strike inside. Their suffering is on all of our hands.”

The hunger strikers appear to be following the example of Marcial Morales Garcia, who was imprisoned at Bergen County Jail earlier this month. Morales Garcia asked ICE to release him on the grounds that his diabetes and major depressive disorder increased his risk of serious complications should he become infected with the coronavirus. When ICE refused, he began a hunger strike. For nine days, most of which he spent in isolation, he took only juice and water. “I almost died,” Morales Garcia told *Gothamist*. “I was ready to die. I thought I was going to die. But thank God I didn't.” Only after he had endured this

prolonged ordeal did ICE release him with an ankle monitor. The agency did not give an official explanation for his release.

“ICE fully respects the rights of all people to voice their opinion without interference,” the agency said in a statement. “ICE does not retaliate in any way against hunger strikers. ICE explains the negative health effects of not eating to its detainees, and they are under close medical observation by ICE or contract medical providers. For their health and safety, ICE carefully monitors the food and water intake of those detainees identified as being on a hunger strike.”

The statement did not explain how the agency’s alleged concern for detainees’ health was consistent with its refusal to release Morales Garcia upon his initial request. Nor did ICE explain why it allowed Morales Garcia’s hunger strike to continue for nine days before it released him. Moreover, the agency’s putative benevolence has somehow allowed the current hunger strike to continue even longer than Morales Garcia’s.

This month’s hunger strikes at Bergen County Jail are not the first protests undertaken by ICE detainees this year. In March, immigrants at Essex County Correctional Facility waged a hunger strike to protest the filthy conditions in which they were being held. A surprise public inspection of the prison had found leaks and mold throughout detainee housing areas. Prisoners were served spoiled meat and bread pudding made from stale, moldy bread. The hunger strikers demanded to be released because of the risk of coronavirus infection at the facility.

Like Bergen and Essex Counties, Hudson County, New Jersey has a lucrative contract with ICE to detain workers accused of immigration violations. Despite universal public opposition, Democratic legislators voted on Tuesday to continue the county’s contract. The decision was the culmination of a 10-hour virtual public hearing that more than 150 people attended. Throughout the heated discussion, not a single member of the public voiced support for the contract with ICE.

Hudson County residents have loudly opposed ICE and organized against the contract for years. In 2018, public anger ultimately forced Democratic county executive Tom DeGise to announce a “path to exit” the contract by the end of 2020. This path has proved to be nothing more than a ruse intended to quiet opposition.

Citing a need for the revenue that the contract generates, the board of chosen freeholders voted 6–3 to continue it for 10 years. DeGise now has a free hand to negotiate the terms of the extension.

The deliberate detention of immigrants in unsanitary conditions during a global pandemic and the holding of asylum seekers, including children, in cages at the southern border are two aspects of the Trump administration’s war on immigrants. These measures are intended to divide workers from each other by stoking nationalism and xenophobia. Furthermore, attacks on immigrants’ rights—particularly at a time of mounting opposition to unemployment, police violence, social inequality, and the failure to contain the pandemic—are fundamentally an attack on the rights of the entire working class.

The experience of Hudson County, which is far from unique, illustrates the futility of appealing to the Democrats to uphold workers’ rights. No less than the Republicans, the Democrats are hostile to the working class. Both parties advocate only the interests of the financial and corporate aristocracy. Protecting public health, defending democracy, and establishing true equality will require the working class to take up the fight for socialism.



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