FLORENCE
IMMIGRANT
& REFUGEE
RIGHTS PROJECT

LETTERS TO A DETAINEE:

Immigration Detention in Arizona

Compiled by Laura Belous and Melissa Mundt October 2010

Contributors

This project was developed by the project coordinators and the Florence Immigrant and Refugee Rights Project and was made possible by funding from the Arizona Humanities Council.

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This project is funded as part of the We the People initiative of the National Endowment for the Humanities. Any views, findings, conclusions or recommendations expressed in this pubication do not necessarily reflect those of the Arizona Humanities Council or the National Endowment for the Humanities.

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FLORENCE IMMIGRANT & REFUGEE RIGHTS PROJECT

Letters to a Detainee:
Immigration Detention in Arizona

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INTRODUCTION: What is Detention?

by Melissa Mundt

In the chilly, cinder block visitation booth at the Florence Service Processing Center, an elderly man originally from Russia described immigration detention as a black hole. "I've lived in this country for 25 years," he explained, "and I never even knew these places existed. I never knew I could get caught up here and I definitely have no idea how to get out."

Unlike a criminal charge, the violation of an immigration statute is a civil offense. Nevertheless, the Department of Homeland Security detains about 380,000 people each year for immigration violations. Detainees are held at 350 facilities across the United States. Arizona's adult detention facilities are in Eloy and Florence, while minors are housed in Phoenix. On any given day, about 3,000 people are detained in Arizona. This number excludes people in Border Patrol custody, those who are being transported between facilities, or deported at the border. Although many of those detentions are short, some can stretch as long as years.

Most detention centers also house immigration courts where detainees can apply for legal relief from deportation. However, there is no public defender system in immigration court, and about 90% of detainees go unrepresented because they lack the resources to hire an immigration attorney.

Each day, about 3,000 people are detained in Arizona.

WHAT IS DETENTION?

Immigration and Customs Enforcement (ICE) is charged with investigating and enforcing immigration law. ICE is bureau of the Department of Homeland Security (DHS).

The Executive Office for Immigration Review (EOIR), a branch of the Department of Justice, is the office charged with adjudicating immigration cases. The Board of Immigration Appeals (BIA) hears appeals from the EOIR's Immigration Judge decisions.

United States Citizenship and Immigration Services (USCIS) is a DHS bureau that processes immigrant visa petitions, naturalization petitions and asylum and refugee applications.

Detained immigrants are held in federal detention centers, private prison or shelter facilities, or state or county facilities while EOIR Immigration Judges, USCIS staff, or ICE officers determine whether they have a legal right to stay in the United States.

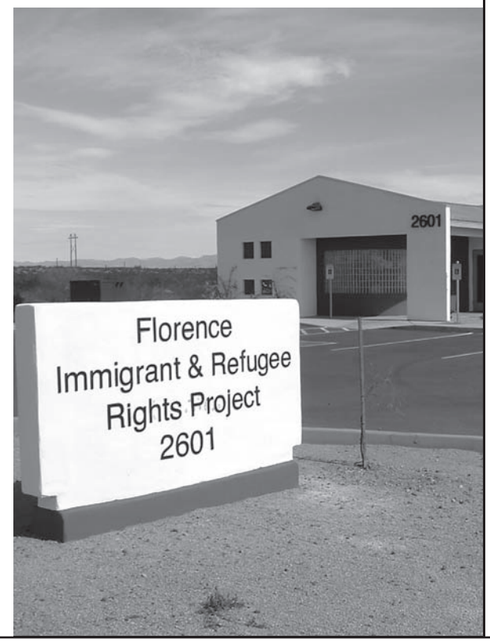
Detention Watch Network http://www.detentionwatchnetwork.org/aboutdetention

The Florence Immigrant and Refugee Rights Project provides free legal services to detained immigrants in Arizona. Although the Florence Project focuses on legal issues, it is impossible to ignore the compelling personal stories of the clients that the Project serves. This documentary project, funded by the Arizona Humanities Council, brings these experiences to light through audio interviews posted at www.detentionstories.org, this booklet, and several panel discussions held during the fall of 2010.

FLORENCE IMMIGRANT & REFUGEE RIGHTS PROJECT

We are grateful to the Florence Project staff and Arizona Humanities Council for making this project possible. We also thank our expert scholars and all panel participants who have generously contributed their time and insight. Above all, we thank the interviewees, all former detainees in Arizona, for their testimonies, letters and art. Many names have been changed and other identifying personal information omitted in order to protect their privacy.

This booklet is not an analysis of detention policy, but rather a documentary story project. By no means does this project offer a comprehensive picture of the diversity of experiences. We encourage you to seek more information posted at detentionstories.org and refer to the reports and organizations listed at the conclusion of this booklet.



This project, Letters to a Detainee, seeks to bear witness and bring hope.

IMMIGRATION DETENTION FACTS & FIGURES

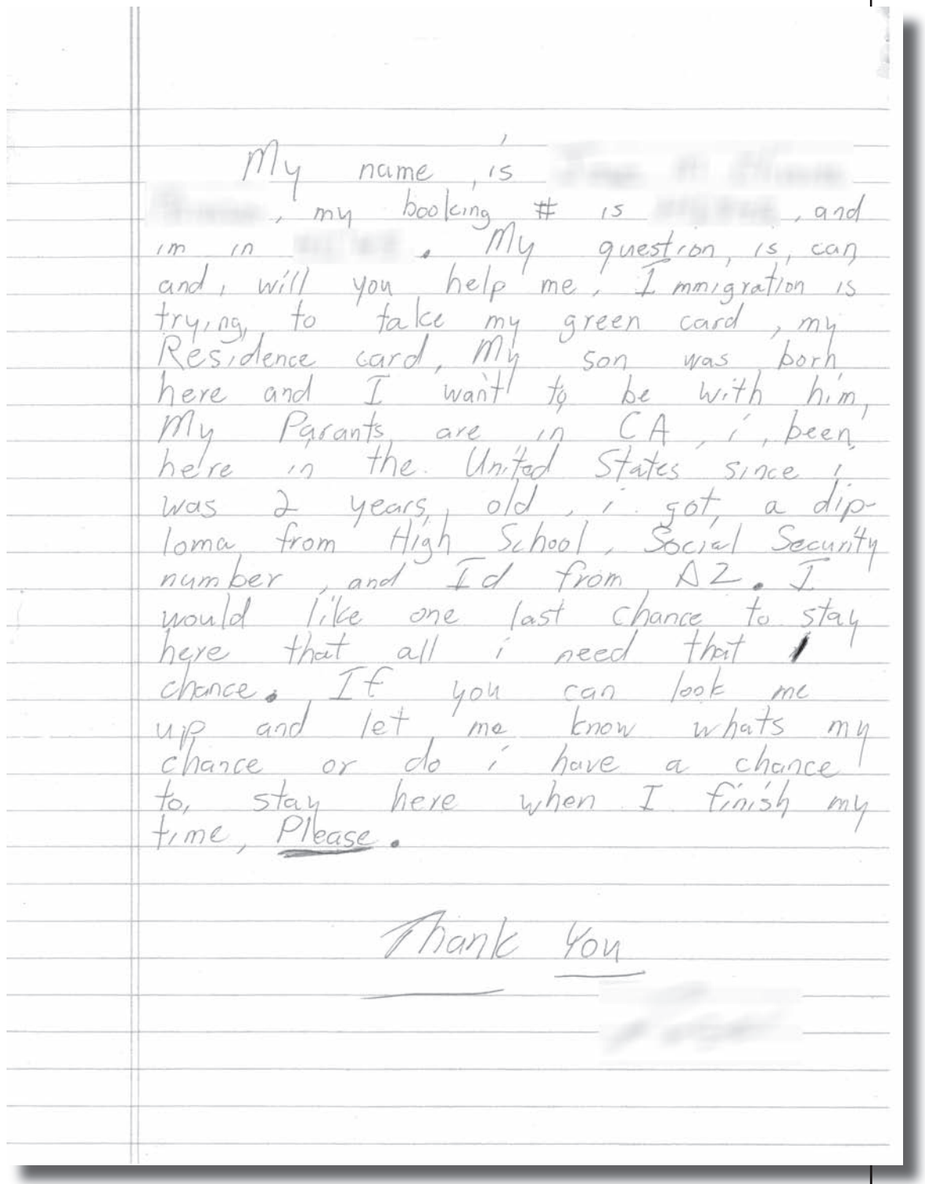
- **During the 2009 fiscal year, DHS brought 391,829 cases to remove individuals from the United States.**
- **39% of immigrants whose cases were completed in immigration courts had legal representation. Only about 10% of detained immigrants had counsel in court.**
- **50% of the 2009 immigration cases completed in court involved detained immigrants.**
- **The average cost of detaining an immigrant is approximately $122 per person, per day. Alternatives to detention, which generally include a combination of reporting and electronic monitoring, are 90% cheaper. These alternatives to detention still yield an estimated 93% appearance rate before the immigration courts.**
- **Since 2005, ICE has increased the number of detention beds by 78%.**
- **ICE reports that 113 people have died while in immigration custody since 2003.**

Facts and Figures from US Department of Justice, Executive Office for Immigration Review, FY 2009 Statistical Year Book

List of Detainee Deaths Oct 2003-July 27, 2010 available at ICE website, ice.gov

Detention Watch Network http://www.detentionwatchnetwork.org/aboutdetention

Letter from a Detainee



My name is [redacted], my booking # is [redacted], and im in [redacted]. My question, is, can and, will you help me, Immigration is trying to take my green card, my Residence card, My son was born here and I want to be with him, My Parants are in CA, i, been here in the United States since i was 2 years old, i got a diploma from High School, Social Security number and Id from AZ. I would like one last chance to stay here that all i need that 1 chance. If you can look me up and let me know whats my chance or do i have a chance to stay here when I finish my time, Please.

Thank You

[redacted]

"My son was born here and I want to be with him."

The Road to Detention

by Lindsay Marshall

Lindsay Marshall, Esq., is the Executive Director of the Florence Immigrant & Refugee Rights Project.

Writing a reflection piece about my work in detention is not easy. First, there is the practical issue of having very little time or space to do any meaningful reflection. The work of the Florence Project is an all-encompassing roller coaster train barreling down the tracks; a never ending cycle of work. The detention system is massive and unpredictable, and there are new challenges each day.

But, time constraints aside, the real obstacle to reflection is my reluctance to really conceptualize the frustration, discontent, alienation and cynicism that is growing inside me in response to the injustices people are facing in this system. And perhaps to accept the impact it has on me personally. Most of the time it is easier just to plug along with my head down knowing I'm doing something to try to tip the balance toward the little guy.

I'm humbled by our clients' ability to singularly focus on the possible light at the end of their tunnel – release, a legal victory, hugging a loved one – and withstand the deprivation of liberty and all its costs to get there. I often wonder what I would do in that situation and if I could be patient and focused enough to keep fighting my case. I'm not sure I would have what it takes. What this story project has revealed, though, is that people are experiencing much more than just the challenge of their legal case and frustration with not being free. What would it be like to be indefinitely locked up and deprived of freedom of movement, far from family, friends, and the things that make up your home and sense of community? What would you think about, how would you pass the time and keep your sanity, and what new relationships would you form? In our work, we never have the time or access to really ask these questions and listen to the answers. And probably many don't want to share them (who am I to ask?) and want to just forget their ordeal and reclaim every hour, day, week, or year they spent detained while life went on outside. For those who do want to share, the privilege to listen and learn is ours.

I've learned a lot about myself and our immigration system in the four years I've spent working at the Florence Project. I'm no expert in law or policy and have no solutions to "the immigration debate." Frankly, I'm glad that I'm not charged with coming up with solutions. But I do think this kind of listening is something we need more of. By listening to the human experience of others, we can see the speaker as a person--not a label or a scapegoat for a complex problem. By listening to firsthand experiences of how our government treats immigrants, we may be more inclined to hold this system more accountable. And we may even learn something about ourselves through our reactions - or lack thereof - to their stories. I think any opportunity to put aside politics, rhetoric, walls, and fear and make way for human connection can only result in better things.

There is a sign that greets drivers passing near the Florence and Eloy detention centers that says "Detention Center: Do Not Stop For Hitchhikers." Presumably a public safety measure to protect an inadvertent driver from picking up a dangerous escapee, the sign nonetheless has a profound - if illogical - effect on me when I pass it and take the time to look. It tells me to be afraid and keep my doors locked to remain safe in the cocoon of my car. It reminds me that prisons have walls and fences, but those walls are not insurmountable and we can never fully protect ourselves from dangerous others. And it tells me to never slow down and let my guard down to a stranger.

All these concerns are valid in the world we currently live in, especially for a single woman driving on an isolated road. But I hope that one day, we can recognize the messages behind the sign and examine them more openly as a community.

"By listening to the human experience of others we will undoubtedly see the speaker more holistically and be less likely to label and scapegoat in reaction to complex problems."

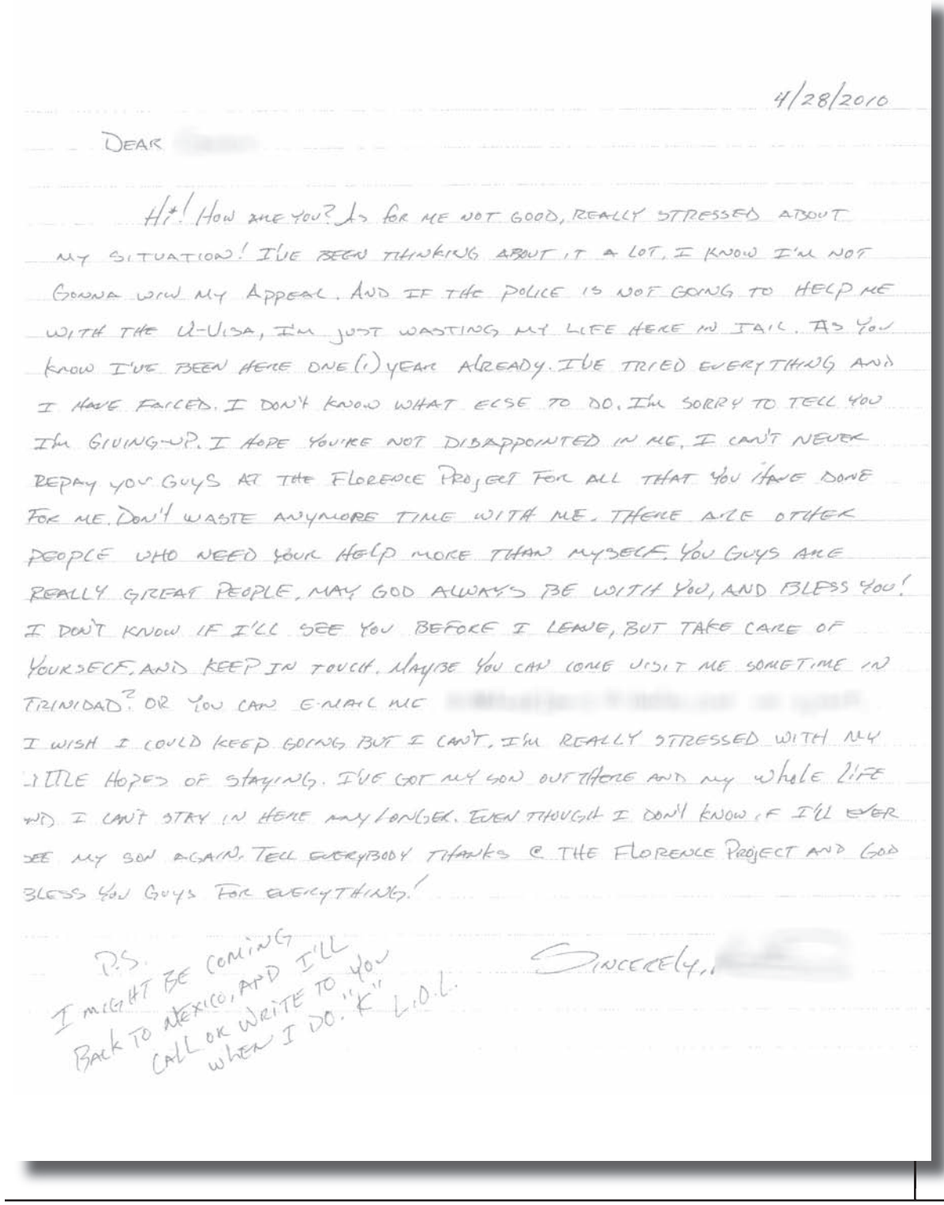


" For those who do want to share, the privilege to listen and learn is ours. "

Artwork from a Detainee



Letter from a Detainee



4/28/2010

Dear [redacted]

Hi! How are you? Is for me not good, really stressed about my situation! I've been thinking about it a lot, I know I'm not gonna win my Appeal. And if the police is not going to help me with the U-Visa, I'm just wasting my life here in jail. As you know I've been here one (1) year already. I've tried everything and I have failed. I don't know what else to do. I'm sorry to tell you I'm giving-up. I hope you're not disappointed in me, I can't never repay you guys at the Florence Project for all that you have done for me. Don't waste anymore time with me. There are other people who need your help more than myself. You guys are really great people, may God always be with you, and bless you! I don't know if I'll see you before I leave, but take care of yourself, and keep in touch. Maybe you can come visit me sometime in Trinidad? Or you can e-mail me [redacted]
I wish I could keep going but I can't, I'm really stressed with my little hopes of staying. I've got my son out there and my whole life and I can't stay in here any longer. Even though I don't know if I'll ever see my son again. Tell everybody thanks @ the Florence Project and God bless you guys for everything!

P.S. I might be coming back to Mexico, and I'll call or write to you when I do. "K" L.O.L.

Sincerely, [redacted]

"I've tried everything and I have failed. I don't know what else to do. I'm sorry to tell you I'm giving-up."

LIVING IN DETENTION:
When Two Weeks Become Two Years

Christmas in Detention
by Christina L. Powers

Christina L. Powers is a former staff attorney with the Florence Immigrant and Refugee Rights Project.

One of the detention centers I regularly visit has wreaths hung on the front security doors. These blue metal doors are the only gaps in a field of barbed wire. They buzz when you open them and slam shut behind you to remind you that yes, you really are locked inside now, and you can only leave if the guards permit you to. You're at their mercy. But, hey, wreaths! Nice ones! Aren't you armed with Christmas cheer now!

I sat outside that cheerily bedecked detention center while I told a five year old that neither Santa, nor God, nor any of the other deities in a child's pantheon could bring his daddy home for Christmas. Daddy will be spending his fourth Christmas in immigration detention, a sentence 400 percent longer than any he served for a criminal conviction.

The child bawled. His mom hugged him and whispered endearments to him in her native language, although the son is a bilingual U.S. citizen. But then she had to send the son away to play under an ailing tree, because I needed to interrogate her about horrors she and her husband faced in their home country. Part of the joy of litigating an asylum claim is that you have to grill everyone involved until they have post-traumatic stress disorder from reliving their experiences. But if I'm not ruthless, the judges and government attorneys will confuse and humiliate my client and his wife, and then call them liars. A little of that will happen anyway, regardless of preparation.

Then, all those questions for nothing; despite my calls and faxes and emails, government attorneys confused the date of this hearing and were granted a continuance. It's been four years since my client was detained and got lost in the shuffle of paperwork at the Department of Homeland Security, and now Daddy will be detained until Leap Year Day. That was the first available date the immigration judge had because the docket is so clogged. I doubt that my client will be released that day even if we win. The government can always appeal, which will add months to his detention even if we ultimately prevail.

Some immigrants who come to court refuse to fight their case during the holiday season. Friday, December 21st was the last day of court before Christmas. One of the judges stacked his docket with bond hearings on the 21st, so that if people were very lucky and very organized, they could leave detention before the 25th. Of course, since bonds can't be paid on the weekends or federal holidays, the families would have to be very quick. The hearings were at 1pm, the office stopped taking bond funds by 4pm, and this particular detention center was fifteen miles from any bank. The families would have to be very quick indeed.

I had two bond hearings that Friday. The first was for a man who has an IQ of 68. He fell off a cliff in his native country when he was 8 years old, and was in a coma for years after that. The judge approved a $3000 bond, which was amazing. But his brother needed a week to raise the money, so he won't be getting out just yet. He doesn't quite believe me when I tell him that. Since he hasn't been able to talk to his brother directly, he simply assumes I am wrong. "But it will be Christmas soon! I can't be here on Christmas!"

My other bond client has the most community support I've ever seen. She is an active church member. Twenty-three people from her church wrote letters of character for her. Even more impressive, fifteen of these people showed up, including the client's stepdad, who was wearing minister garb and carrying my client's 15 month year old son. Even the usually aggressive government attorney was impressed. We got the $2000 bond I had asked for. Of course, the legion of supporters paid within minutes after the hearing, so the client could be released that night.

Before the hearing, my client's stepdad asked me if I believed in miracles. I lied. I said yes. Afterwards he hugged me and said that the bond hearing was a proof that Christmas miracles do happen. What I wanted to say was that that was no miracle, that was the power of a client backed by an army of supporters. But I didn't think that was polite to say, so I just nodded. Then stepdad told me that he had been a detainee at the same facility just a few years ago. "But you're a citizen," I exclaimed. "Now I am," he replied, "God is great!"



"...despite my calls and faxes and emails, government attorneys confused the date of this hearing and were granted a continuance. It's been four years since my client was detained..."

Artwork from a Detainee



ARMANDO'S STORY: Eloy's Picasso

I felt really powerless. There were four or five guys for just me! Really big! They put me in a room with a lot of guys. "Sign now, and you're out of here!" The majority signed. What else can you do if you don't know how to read or write, especially not in English.

The first thing they did when we got to Eloy is they put you in the reception area. I was assigned to the Bravo section. Bravo 314. Second floor. "You there, you here, don't cause any problems!"

You have all the time in the world to think. What are you going to do tomorrow, or the day after? Some guys become really negative. They don't think of the positive. "Come on! Let's go to church!" I'd say. Whatever religion, it doesn't matter. It just gets them out of the rut they're in.

When you're stuck inside, locked up, your artistic side comes out. You're an artist, Picasso! You've got all the time in the world! I'd draw, or design animals out of soap. You've got to mix it in your hands, then carve it with a spoon. It's like making a tortilla!

You make them to sell or trade--for soup, cookies, a stamp, a piece of paper for writing. We didn't have anything when we arrived. Little by little, you make friends. So when new guys arrived without anything, we'd say, "Here's soap, a spoon, have some cookies. Take my toothpaste. I've only got one tooth, so it's no use to me!"

I'm lucky because I'm happy. I don't get bitter easily like other people. "Come on, guys," I'd say, let's go!"

"What else can you do if you don't know how to read or write, especially not in English."



Armando and his wife after his release.

ALEXIS' STORY: From the Diamondbacks to Detention

"Almost everyone gets let go from the team, and hardly anyone goes home."



I'm from Panama and I used to play baseball professionally. I played baseball since I was really little, and one day a scout noticed me and asked me if I wanted to have a try-out. They sent me to a school in the Dominican Republic, and if you do well there, they'll send you to the United States.

Things in the Dominican Republic were hard. When I came here, it was something different. Hotels. Not a room with 50 guys, bothering you, with a terrible heat. Here, we had two guys to a room and air conditioning. It was a lot more comfortable.

There are different leagues...rookie, Double A, Triple A, the Big Leagues. It's incredibly easy work--just exercise, that's all. Making money just exercising your body. They let me go because I hurt my arm. They operated, but it didn't work out well and rehabilitation took years. It still hurts. And I didn't have anyone here. It was hard. I slept in the car. I met a guy in a higher league who helped me out. I met a lot of other Latino players through him. Almost everyone gets let go from the team, and hardly anyone goes home.

I went to visit my sister in Green Valley and the Border Patrol stopped me. They asked me for papers, but I didn't have them. They sent me to Florence and spent the night there. They try to trick you into signing a deportation order. They tell you that they're there to help, but all they want you to do is sign. They were rude.

"They try to trick you into signing a deportation order. They tell you that they're there to help, but all they want you to do is sign. "

I worried most about how long I'd have to spend there. I read the Bible a lot. I learned to play chess. I liked it a lot--you have to think. I played all the time until I learned and won. There wasn't a baseball diamond, but we played basketball. Guys would say, "You throw hard!" and I'd tell them about where I came from. It distracted me a lot, but the time I spent there was very hard. It matures you, a lot.

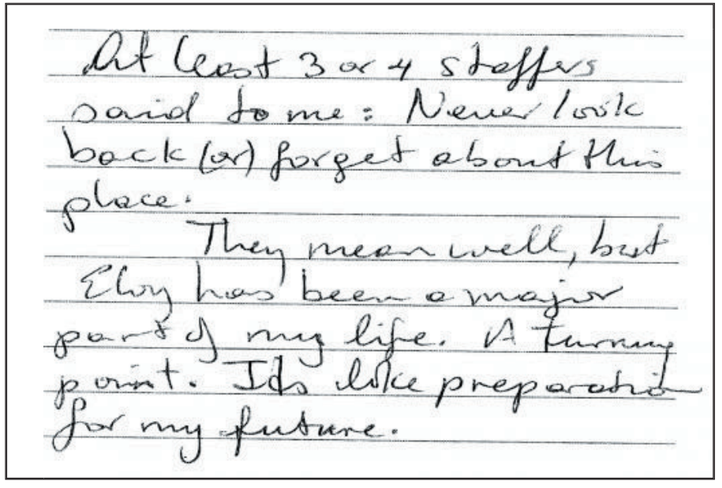


MICHAEL'S STORY: Sorting the pieces in solitary

I spent five months in a room the size of a bathroom, alone. I used my time to read and write and meditate. I came across some interesting books. I read Donald Trump's "The Art of the Deal." I read John Grisham. I read "I Claudius" about emperors in Rome.

I did a puzzle, a 1000-piece puzzle. It was kinda cool to be able to do that. I did an analogy where I thought, I've got to make a plan for my life. Because at first, I didn't really have a plan. I sorted out the pieces--the sky, the river, the mountains. It helped me sort myself out, too.

I wrote letters to friends. That's something that every detainee looks forward to. The situation can easily get you down--the possibility of being deported, the humiliation of everything. It's like the Christian story of the 40 days and 40 nights in the wilderness. And so you have to reprogram your mind and look at the positive. One of the comments that I've been getting since I got out is "you look good." I don't know what that means. But I feel like I understand where I am better. I'm more determined to set goals and achieve them. I'm trying to focus on the positive.



At least 3 or 4 staffers
said to me: Never look
back (or) forget about this
place.
They mean well, but
Ehry has been a major
part of my life. A turning
point. Its like preparation
for my future.

An excerpt from Michael's journal

"I did a puzzle... I sorted out the pieces--the sky, the river, the mountains. It helped me sort myself out, too."

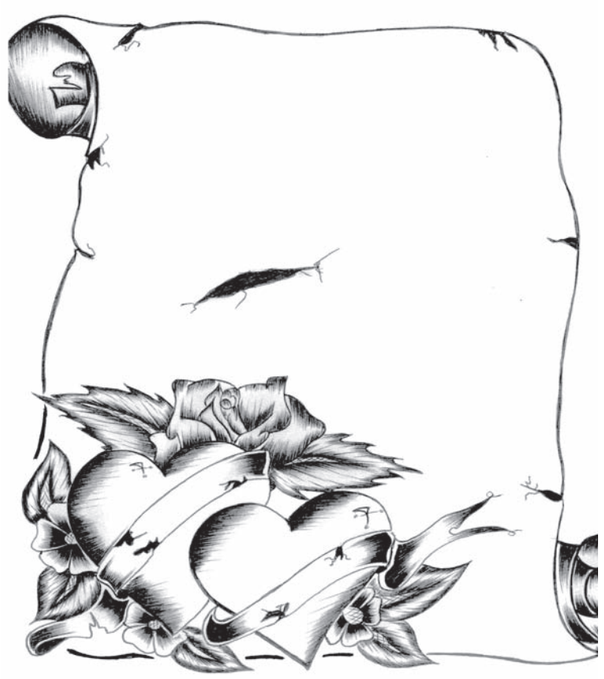
HIGINIO'S STORY: Hidden Love Notes

I told him, "I'm not a dangerous person. I don't know why you put me in these clothes."

When I went to Eloy--April 2, 2008--they took me in an airplane to Arizona.

It was my first time on an airplane. They told me that I would be there for 2 weeks, and those 2 weeks extended into 13 months. When I got off the plane, they put us straight on the bus and took us straight to Eloy. They said ok, it's time to take a shower and put these clothes on you.

They gave me a blue color shirt and socks, and I'm the only blue one in 60 people! I asked the guard, why are you putting me in blue? Everyone else has green and khaki. "You want to know why?" The guard asked. "It's because you're a dangerous person." What do you mean, I asked. "The green guys are like chihuahuas. You're like a pitbull." I told him, "I'm not a dangerous person. I don't know why you put me in these clothes."



Once I got out of Eloy, I ran into a guy here in California who was detained with me. He said, "Why don't you come and visit me? I'm cooking barbeque." So that's what I did last Sunday. We were talking about Eloy. He said, "You're out, you've got your green card. That's great. You're lucky."

But the funny thing is that there was this woman at the barbeque that was also in Eloy. I told my friend, "I've seen her before." He said, "Yeah, we met there." "How is that possible?" I asked. He told me that they saw each other around Eloy. The ladies went out in the yard around 8:00 a.m. We went out around 3:00 p.m. So they would hide notes, letters, in the yard for each other, under the dirt. When the lady got out, my friend had her number. They started dating. I couldn't believe it.

Letter from a Detainee

FORMA PARA PREGUNTA DEL DETENIDO

Bureau of Immigration and Custom Enforcement
Eloy Detention Center
Eloy, Arizona

A.I

To: Florence Project

NOMBRE DEL DETENIDO: [redacted] **A #:** [redacted]

SU PAIS: México **FECHA DE PREGUNTA:** 10-4-09

NUMERO DEL DORMITORIO [redacted] **ECHA EN CAMPO:** 4-12-09

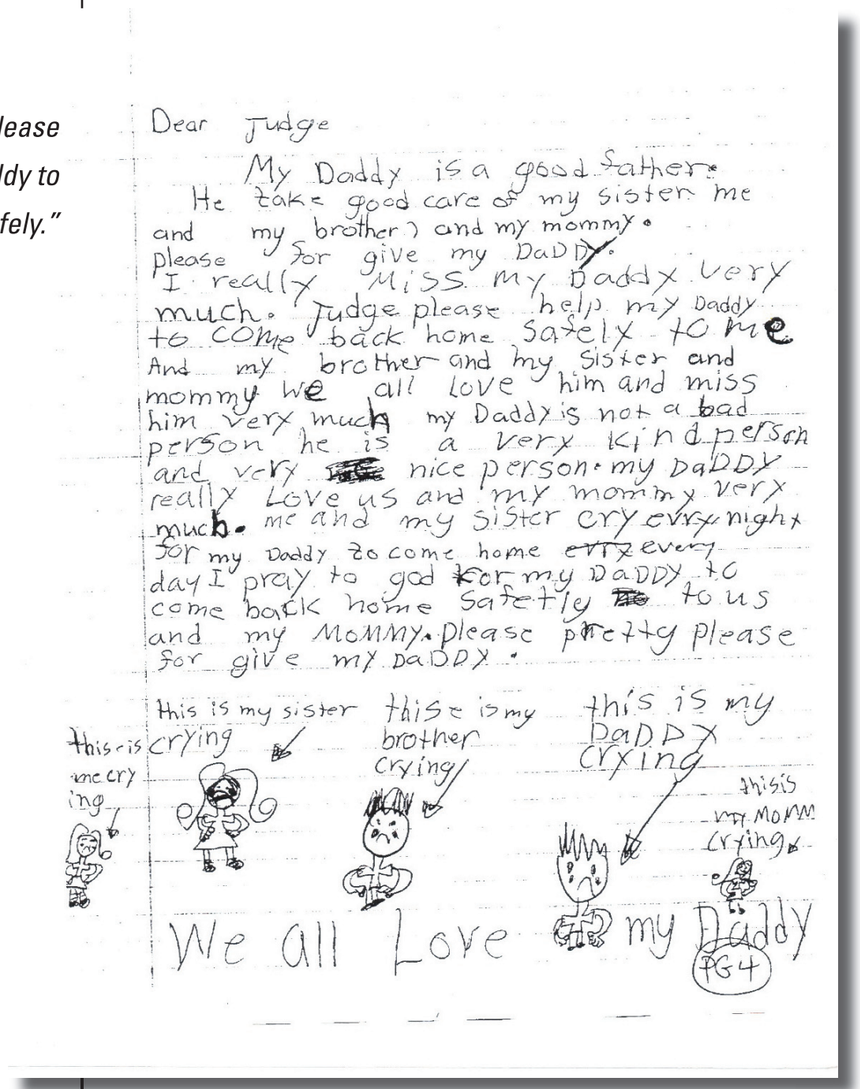
SU PREGUNTA: I want to go to México.
I dint give the aplicatión of Removal
I want to sind the Valuntary.
Tanks Miss, Cristina Powers and
Miss Argentina for every ting.
Tanks To U.S.A. for every ting.
God Bles the U.S.A if the U.S.A Need
help on every thing Im Ready T. K. Im a good
Person.

FIRMA DE EL DETENIDO: [redacted]

"God Bless the U.S.A. if the U.S.A. need help on everything Im ready. I'm a good person."

Letter from the child of a Detainee

"Judge, please help my Daddy to back home safely."

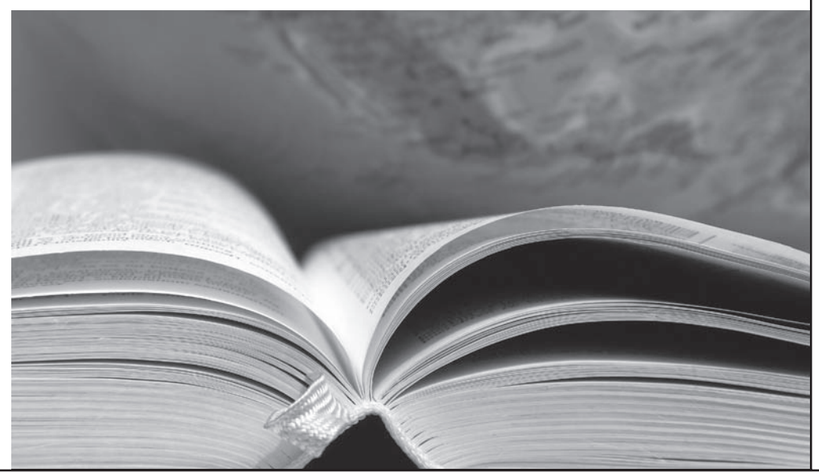


GEORGE'S STORY: Passing the Time



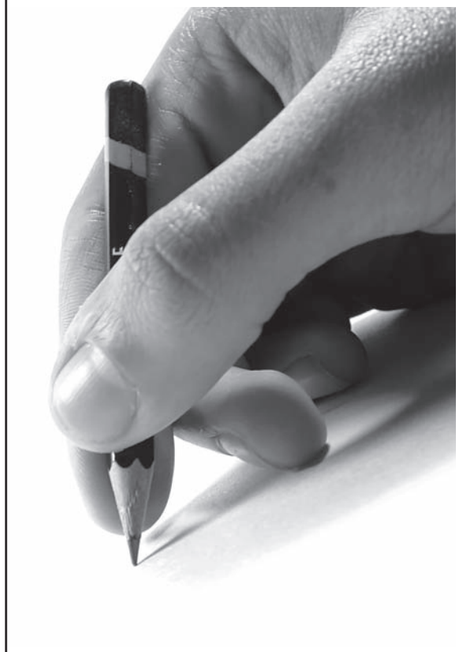
I had friends that sent me books, that's how I read. I read Mexican poets and a book called 'The Economic Hit Man.' I read 'Guns, Germs and Steel.' It had the whole history of civilization. I read all the religious books--the Book of Mormon, the Koran, the Bible. I didn't waste my time there. I read a lot there. The books got me interested in politics, in what's going on in the world. I was really into the Presidential debates. I was a political nerd. We'd discuss it. I was the only Obama supporter--everyone else thought that Hillary Clinton was going to get the nomination!

We didn't have fights. In Eloy, there was this sense of camaraderie because everyone was fighting their case. We never really had the problems that you think of in a prison.



"The books got me interested in politics, in what's going on in the world."

GABBY'S STORY: New Love



I'm from Hermosillo, Sonora. I've been in the US since 1989. All my life I've been a lesbian and all my life I've been struggling to get ahead, to be accepted, to get past the mistreatment and rejection I experienced in Mexico. My family never accepted me and they threw me out of the house. A family that I knew took me in and helped me come to the US.

Ever since I've been in ICE custody a lot of the officers have been very rude. When I was detained, I just had on my work clothes, I work in construction. And they thought it was so funny, they dragged me around like a toy, laughing at me, calling me derogatory names, asking why I was dressed like that.

I met Shayna in Pinal County Jail (PCJ) when I was in immigration custody. I met her there and there I fell in love with her. They changed us around and then we were in the same section and from the first time I saw her I was like "Wow! Who is this girl?" I started writing her little letters, little notes, cheesy things. I won her over that way!

"All my life I've been a lesbian...My family never accepted me and they threw me out of the house."

I was in PCJ for 7 months. At first it was OK, but when they figured out Shayna and I were in a relationship they began to treat me very badly. For every little thing they'd threaten me with solitary. They separated us and would tease me, not let me go to Commissary or Property. When you're detained you are more vulnerable. They humiliate us, they want to see us down, they yell at us. When they give us food it's like they're throwing it to dogs. We aren't dogs, we're people! And we're not even there for a crime, just for immigration and they treat us that way!

All I wanted was to get out and help Shayna get out. I just wanted us to be together. I had a bond but my family had refused to pay it. In my heart I can understand and respect why people get forced into prostitution. When you get that desperate and that down to the wire, I can understand. Even though I've only ever known the love of a woman, I said, "What else can I do? What if there was a guy who could get me out of this desperate situation. If there was some little old man that I could help, oh well, I would do it." I didn't know what to do, if I got deported, I'd never see my love again.

I knew there were other girls who'd gotten out that way and I started asking around a bit. There was a Honduran girl who knew someone. She gave me the phone number. I didn't get through to anyone until it was time for my last court. I told the guy, "Tomorrow is my court, it is my last one, if I don't pay my bond they'll deport me." He said, "I'll come get you right now." I didn't know him and I was pretty scared. When the guard said, "Hey you, you're getting out of here." I couldn't believe it. In that moment I felt really sad, really happy but really sad. I asked if I could have one minute to say goodbye to Shayna. They said no.

I got dressed back in my work clothes I was detained in and went out. Poor guy he was expecting a little woman, pretty, curious. He had a really nice car and looked me over like he didn't know what to think.

We went towards Las Vegas and he started thinking, "This chick isn't any good for business." I wasn't what he expected. And finally he says, "Do you have anywhere to go in Las Vegas?" He was rejecting me but I was so happy! It's so great that he didn't like me! We started talking more casually after that. He asked where my husband was and I told him my wife was back there still detained. He said, "Why didn't you tell me you were a lesbian? We could have avoided this long trip!" He even drove me back to my home in Casa Grande.

"I didn't know what to do, if I got deported, I'd never see my love again."



LETTERS TO A MOTHER:
Families in Detention

The Challenges Faced by Women in Detention:
An Overview

Nina Rabin, Esq., is the Co-Director of the University of Arizona College of Law Immigration Clinic.

Those who wind up there, it is like a scar, a mark, that you're not going to erase, you're never going to erase. The person that winds up there... it's a serious nightmare. Now I'm outside and I still can't sleep. I have to convince myself that this is over, that I'm over it, I'm outside, but it's really hard, remembering what you lived through inside.

These are the words a woman used to describe her time in Eloy Detention Center in 2008. Prior to her detention, this woman had lived in this country for over two decades without papers, working in various janitorial and factory jobs and raising three U.S. citizen daughters. Several years ago, she married a U.S. citizen husband who ended up being severely emotionally and physically abusive. In the course of her flight from him, she used a false social security number to apply for a $200 loan. She was arrested and spent a brief time in jail for the misdemeanor, and then went on to spend the next 13 months in detention while her deportation proceedings were underway.

Her story demonstrates many of the particular ways in which detention impacts women. In 2008, I researched a report on the conditions of detention for immigrant women in detention, "Unseen Prisoners: A Report on Women in Immigration Detention Facilities in Arizona." The following is a brief overview of four key concerns that came through in my interviews with women detainees, attorneys, and other social service providers about the distinctive challenges women detainees face.

"Those who wind up there, it is like a scar, a mark, that you're not going to erase"

1. FAMILY SEPARATION

Separation from family was far and away the thing that the women I interviewed said was the hardest aspect of detention. The majority of women were primary caregivers of young U.S. citizen children. Many were separated from their families by hundreds or thousands of miles, because the majority of women detained in Arizona are transferred in from all across the country. In my small study alone, I interviewed women from California, New Jersey, Florida, and New York.

Separation from one's children is hard for anyone, but it is particularly excruciating for women whose children are placed in the custody of the state. These women struggle to determine even the physical whereabouts of their children, and in some cases, face the possibility of losing their parental rights, simply because they are in detention and unable to participate in the child custody proceedings.

All too often, women are in detention as a result of domestic violence. In some cases, like that of the woman quoted above, a victim of domestic violence is driven to a criminal act that triggers her deportation proceedings. In other cases, an abuser reports his spouse to ICE in an act of retribution for her attempts to escape the relationship. When a victim of domestic violence is detained, it is not uncommon to find her children at risk of return to the abusive spouse. Meanwhile, the mother remains detained, unable to participate in child custody arrangements and fearful of the potential violence her children may endure.

One attorney I interviewed described the toll family separation places on detained women as follows:

What makes working with women particularly difficult, I think, is the fact that . . . they have the responsibility of their children who are left outside. Just worrying about them and wanting to be with them becomes their number one objective. Sometimes they are willing to forego forms of relief just to get deported so they can get out . . . and be able to be with their children. . . .Their needs are so different from men. All they want



These women ...face the possibility of losing their parental rights, simply because they are in detention and unable to participate in the child custody proceedings.

is their children. So it's very hard to work with them because they don't want to . . . hear "you have to be here four months fighting your case." They just say, "You know, I don't care about my case; I care about my kids."

2. SEVERE PENAL CONDITIONS

After family separation, the issue that women I interviewed wanted to talk about the most was their frustration with being treated like criminals, despite the fact that they were not serving time for any crime. Detention facilities are indistinguishable from prisons or jails, and in many cases, they double as both a detention facility and a penal institution.

In one of the facilities I studied, women detainees were mixed with federal marshal service inmates, which was a recipe for stress, intimidation, and potential violence. A prison setting is a difficult environment for anyone, but imagine the shock for many of the women who are in detention after a recent attempt to cross the border from Central America. They are not acculturated to U.S. society, let alone a prison culture.

The women also find themselves subjected to strip searches in several facilities, and in one facility these searches were conducted in groups. Again, this would be a difficult experience for anyone but is particularly traumatizing for someone from a culture with different expectations of modesty.

The women reported that they were also routinely transported in shackles, even asylum-seekers caught at the border, as was the case for one of the women I interviewed. Here is a brief quote from another former detainee, describing her transport from California to Arizona.

"...Being expedited from California to Arizona was the worst experience I've ever had. We were all shackled down and sitting on this airplane. They didn't let us go to the restroom, we were stuck on the plane just sitting there, shackled. They didn't let us use the restroom, they didn't feed us at all, and we couldn't get up until the next morning. It was just really tiring, you know? By the time I got to Eloy, I was in tears and I was like, "I can't believe this!"

3. ACCESS TO THE OUTSIDE WORLD

The isolation of these facilities cannot be overstated. Both Eloy and Florence, the two towns where detention facilities in Arizona are located, are in remote areas of the desert over an hour from any major metropolitan area. Detainees have no right to a government appointed attorney in their deportation proceedings, and the vast majority of detainees do not have money to afford to hire an attorney. So their ability to access legal materials and place phone calls to their consulates and other potential sources of support is critical. The facilities show little sensitivity to the needs of people who are representing themselves (pro se, without attorneys). They routinely refuse to make photocopies, provide notary services, or provide legal materials in languages other than English.

Phones are truly a lifeline given the isolation of the facilities. Detainees described being unable to place calls to their loved ones for weeks or even months at a time because of the exorbitant phone rates. The woman who described being shackled above was unable to reach her family for several weeks after she was abruptly transferred from California to Arizona because she simply lacked the money to place the call.

4. PROSECUTORIAL DISCRETION

The government's aggressive use of detention is one of the keys to addressing all these issues. The sole purpose of detention is to ensure that people do not abscond during their deportation proceedings. Yet the vast majority of women I interviewed posed no security threat or flight risk. Many had strong potential claims for relief from deportation, and far from being a flight risk, they were counting the days until their next court hearing, where they hoped they could get their legal status resolved so they could return to their U.S. citizen family members.

But in case after case, ICE aggressively fights to detain these women – including pregnant women, breastfeeding mothers, and people with serious medical conditions. One of the simplest ways of addressing so many of the concerns I've outlined would be to simply not detain so many people.

Since the release of the "Unseen Prisoners" report (available at http://sirow.arizona.edu/files/UnseenPrisoners.pdf), ICE has announced its intention to make the detention system "truly civil." It has appointed new personnel to address concerns about detention conditions, shut down some facilities, and made more of an effort to reach out



Detention facilities are indistinguishable from prisons or jails...

...the vast majority of detainees do not have money to afford to hire an attorney.

to advocacy groups. Most recently here in Arizona, ICE has shifted all the women to Eloy, removing them from facilities that lacked outdoor recreational space, refused to provide family members with contact visits, and intermixed immigration detainees with inmates in the criminal justice system.

While these changes are welcomed, they don't address the underlying, fundamental question of why the government continues to detain so many people, despite the clear evidence of the destruction it wreaks on their health, their lives, and their families. Through my work with the Immigration Clinic at the University of Arizona, I continue to meet with women and learn of cases. Their stories make it clear to me that very little has changed since the release of the "Unseen Prisoners" report.

My hope is that through stories such as those in this project, people will come to question the decision to detain in the first place, and insist that ICE reconsider its priorities. We cannot continue to operate with the assumption that effective enforcement necessarily involves the widespread use of detention, particularly when it comes to vulnerable populations including primary caregivers, asylum-seekers, and victims of domestic violence.

ICE aggressively fights to detain these women – including pregnant women, breastfeeding mothers, and people with serious medical conditions.

Artwork from a Detainee



MARIA'S STORY: Fighting for my Family



Maria after her release

It was a case of mistaken identity. They gave me someone else's A-number, identification number. She was a temporary resident and had to be deported. They sent me to Florence. I was there for five months because of a mistaken identity.

It was frustrating because the government said I was this person, and they just wanted me to accept it. But they couldn't prove I was her! It was frustrating also because people who didn't speak the language were treated differently. A lot of them were deported--even though they had been here for 10 years, 15 years--because they couldn't speak the language. I believe that if I hadn't been able to speak the language, I would be in Mexico even though I've been here for 37 years. They try and trick you into signing a deportation order. They tell you it's something else, and have you sign it.

To go to sleep, we were locked down at 10:00 p.m. Thirteen people in a little room. Sometimes, there would be anxiety attacks. Or just having to go to the restroom, the toilet was in an open area in the corner. It was degrading and embarrassing. A pregnant woman was once assigned a top bunk. We had to fight to get her down. They'd come in and yell at us. Another time it was an old lady. And they'd really yell at us, and make her climb to the top.

Detention affected me because of my children. I had an open case with CPS. I was fighting for five of my kids. After my husband died, I didn't know how to take it. So I turned to drugs. It just started controlling me. CPS took my children away. When I said that going to Florence was a blessing, I meant that I was able to get clean. I found God again. My whole life changed. It was just an experience--I realized that there's a whole world out there and I was wasting my life on drugs. I thought, "All the drugs in the world didn't bring my husband back. He's still gone. I want to get back on track." I started going to classes, Bible study, AA meetings. I got stronger and stronger.

When I got out, I fought. I fought, but two months ago my parental rights were severed. They wanted me to be clean for a year. It's been a year and two months now, but they're not counting the five months I was in there. They said I could have easily used drugs there. So my kids will be adopted. But I'll keep fighting until the end. I'll go to the Supreme Court. And from this point, I'm going to keep going with my sobriety.

"I was there for five months because of a mistaken identity. "



Family photo of Maria and all her children



Maria after being released. Pictured here with some of some of her children.

"So my kids will be adopted. But I'll keep fighting until the end. I'll go to the Supreme Court. "

IN SEARCH OF SAFETY:
Refugees and Asylum Seekers in Detention

The U.S. Asylum System as a State of Exception

This article details some of the difficulties that asylum applicants face in immigration court. Asylum is a form of relief from deportation in which an applicant must prove that he has a well-founded fear of persecution in his home country on account of his race, religion, nationality, political opinion, or membership in a particular social group.

William Paul Simmons is an Associate Professor of Political Science and Director of the MA program in Social Justice and Human Rights at Arizona State University.

The U.S. asylum system, along with the U.S. immigration policy is broken. The sheer numbers of asylum-seekers along with concomitant budget cuts and neglect have taxed the system beyond the breaking point. Further, the conflation, in a post-9/11 world, of asylum seekers with immigrants (legal and illegal) and terrorists has thwarted any political will to reform the system. The U.S. government continues to give lip-service to its official policy of welcoming legitimate asylum-seekers, but the asylum system can most accurately be described as a state of exception where functionaries of the state fill the interstices of law by crafting their own law (Cf. Benjamin 1996). Instead of a welcoming environment, the every day the lives of countless marginalized immigrants are "ground to bits in the bureaucratic mill" (Benslimane v. Gonzales, 430 F.3d 828, 3rd Cir. 2005).

This state of exception is made clear in a massive 2007 study fittingly called "Refugee Roulette" (Ramji-Nogales et al., 2007). Approximately 35% of all applications for asylum heard by immigration judges are granted but there are vast disparities between different immigration courts and individual judges. The disparity in asylum grants is so stark that the random administrative selection of judges to hear a particular case appears to be the determining factor in whether a grant is received. Nationwide, some judges granted asylum in over 90% of their cases, while other judges granted asylum in less than 10%. The disparity is also striking between courts. Chinese asylum seekers had a 7% chance of being granted asylum if their case was heard in Atlanta, but their chance rose to 76% if their case was heard in the Orlando court. The authors of the study controlled for different types of cases by looking at disparities between judges in the same courts on cases from the same countries. In one court, one judge granted asylum to 94% of Chinese asylum seekers while another judge granted less than 10%. In another court one judge granted asylum to Albanian nationals at a rate 1820% more than another judge from the same court (Ramji-Nogales et al., 2007, 40)!

The U.S. asylum system is further broken by the failure to follow Constitutional due process guarantees as evidenced by the recent battle between immigration judges, the Board of Immigration Appeals, and circuit court judges.

For instance, in a case, later vacated and remanded by the Third Circuit (Cham v. Attorney General 445 F.3d 683, 3rd Cir. 2006), a remarkable exchange occurred between Ferlise and Abou Cham, a 27 year-old Gambian, who was the nephew of the former President. The former president's political party had been banned and several of Mr. Cham's relatives had been attacked or imprisoned—seven had previously been granted asylum in the U.S. Though Mr. Cham was provided a Wolof-English translator, the official language of the country is English and he would clearly be proficient to testify in English. It is important to note that The Gambia is a polyglot nation, with conversations frequently shifting seamlessly from one language to the next without any apparent cue to an outsider (author's observations from frequent trips to The Gambia). The ensuing confusion in the oral proceedings was exacerbated by the court assigning a translator from neighboring Senegal, where a different dialect of Wolof is spoken that is often intermingled with French. Further, Senegal and The Gambia are heavily Muslim with many words known mostly in Arabic. For example, neither Mr. Cham nor the translator knew the Wolof words for most months and dates, because they were mostly spoken in English, Arabic, or French. It must also be noted that the judge's credibility determination is a key component of any asylum decision and judges often look to the applicant's testimony on one or two factual points to determine credibility. When asked the date of his birth, Mr. Cham answered in English, but was reprimanded by Judge Ferlise:



In one court, one judge granted asylum to 94% of Chinese asylum seekers while another judge granted less than 10%.

"When it comes to counting, Your Honor, I am, I'm not very, very good at it in Wolof. I am better at counting in English..."

JUDGE: All right. Remember what I told you, Mr. Cham? Mr. Cham, these instructions are not really earth shattering. They're not that complicated. We are going to stay totally in the Wolof language, now. All right?

A. Okay.

Q. Just, just answer in the Wolof language. It's rather simple. All right. What's your full date of birth, sir?

A. 1979.

Q. All right. Did you not just tell me 1978?

A. '78. ...

JUDGE: Mr. Cham, the question is a rather basic question. When were you born? You said in English, 1978. You said to interpreter in the Wolof language, 1979, or at least that was interpreted as 1979. I just brought that to your attention. Now, we're back to 1978. When were you born, Mr. Cham? Give me your date of birth?

A. I, I cannot count it in Wolof. That's the reason why I'm a little confused.

Q. I want to know the date you were born, sir.

A. 1978.

Q. What date? Give me a month.

A. September. September 28.

Q. And, please -

A. I'm sorry, sir. I'm sorry.

Q. Would you, please, remain in the Wolof language. I don't know why you're doing this. I'm giving you instructions to speak only in Wolof and you keep intermingling English and Wolof.

A. When it comes to counting, Your Honor, I am, I'm not very, very good at it in Wolof. I am better at counting in English than I am in Wolof. I'm very sorry.

The interpreter tells Judge Ferlise that "they use the Arabic [names for the] month" and Judge Ferlise asks the interpreter if he knows the Arabic names – but the interpreters says "I know few of them. I don't know all of them. I use the French or the English" The hearing continues:

Q: Mr. Cham, do you have a problem following directions?

A: I'm sorry, sir. I'm sorry.

Q: Well, I'm, I'm tired. I'm sorry. And I'm tired of hearing you say I'm sorry. I don't want you speaking English."

Q. I don't want you speaking English. I gave you the opportunity and you flubbed the opportunity. You were tripping all over the words in English. Your English is not that good. I thought it was better. Now, instead of using your native language with the interpreter that I've provided at some cost to the Government, you want to impress me with your English. Stay in that Wolof language.

A. Okay, sir.

Q. You're just delaying everything here.

A. I'm sorry, sir. I'm sorry. I'm very sorry. Forgive me.

In his oral opinion, Judge Ferlise concluded: "there is no portion of the respondent's testimony that makes sense to this Court" and concluded that he had "fabricated his entire case in chief."

On appeal, Judge Barry of the Third Circuit concluded: "from the very beginning of the two-day hearing in this matter until the very end, Judge Ferlise continually abused an increasingly distraught petitioner, rendering him unable to coherently respond to Judge Ferlise's questions" (691). She concluded that this case "exemplifies the 'severe wound ... inflicted' when not a modicum of courtesy, of respect, or of any pretense of fairness is extended to a petitioner and the case he so valiantly attempted to present. Yet once again, under the 'bullying' nature of the immigration judge's questioning, a petitioner was ground to bits" (686).



Wolof is a language spoken in Senegal, The Gambia, and Mauritania, in West Africa.

The US asylum process is not only broken, it is a place where the voice of the Other is routinely cauterized. It is a state of exception. It is the converse of Judge Edwards' famous conclusion that in the American judicial system "it is the law—and not the personal politics of individual judges—that controls judicial decision making" (Ramji-Nogales et al., 2007, 4).

Artwork from a Detainee



Unadjusted Refugees

Kara Hartzler comments on the difficult situation for unadjusted refugees. She is currently the legal director of the Florence Immigrant & Refugee Rights Project in Arizona.

"Unadjusted refugees are a category of client that we have dealt with for a while--at least eight years or so. A refugee is a person who has suffered persecution in their home country based on their race, religion, nationality, political opinion, or particular social group. They've often gone through horrific experiences. The law says that once you enter the United States as a refugee, you have one year to acquire permanent residence. If you don't acquire your green card--or legal permanent resident status--technically, under an interpretation of law that has existed in Arizona, you can be picked up and put into detention while you're waiting for your permanent residence. I think a lot of times what happens is that when people come to the US, they're focused on getting settled and working. They don't realize that if they don't apply for status, they can get detained. It usually happens through some encounter with law enforcement--anywhere from a minor crime to a more serious crime."

ONE FAMILY'S STORY: ERIC & MELISSA



A letter from Eric to Melissa

Eric was detained for 6 months as an unadjusted refugee while his partner was pregnant with their first child. Melissa describes her fear and frustration during that time.

Melissa writes to immigration officials pleading their case:

"I had no idea he could be deported. They didn't figure out the situation [that he was an unadjusted refugee] until after they had detained him for over a month and a half. A deportation officer called me and told me that they made a mistake and they were going to try expedite the process. They were going to have him go to an interview in Phoenix. She didn't expedite it at all. She just slowed down the process. It was just really hard time. I was crying all the time, going to doctors appointments seeing the woman next to me with her husband and me being by myself, sleeping alone by myself at night, being pregnant not knowing if my baby's dad was gonna be deported back to Africa- a place where I'll never really be able to afford to travel to, a place that's not even good for him to be at, why would I even want to travel there?... I'm proud to be an American but I was just disappointed with the whole system that they have. I'm still behind on my bills trying to catch up cause of everything we had to go through. There should be a better process, a better way."

"I'm proud to be an American but I was just disappointed with the whole system that they have."

Linguistic and Cross-cultural Access

People who find themselves in immigration detention come from all over the world and are a diverse group culturally and linguistically. For those with limited English proficiency, navigating the detention and court system can be a difficult challenge.

Jaime Fatás Cabeza, Director of Translation and Interpretation Studies, Department of Spanish and Portuguese, University of Arizona

A litigant's right to be present, to understand the charges against him, and to be able to participate meaningfully in his defense are fundamental tenets of our legal system. For a litigant with limited English proficiency, (LEP) meaningful participation includes the right to be "linguistically present" in his hearing. Linguistic access belongs to a venerable lineage of basic rights, like habeas corpus or the right to free speech, implemented to prevent abuse and guarantee due process of law. For people

who can't communicate in English, there is no meaningful participation without linguistic access.

Immigration courts provide interpreters for court hearings that involve detainees with limited English proficiency. There, interpreters provide linguistic and cultural access by rendering information from a source language into a target language, thus ensuring that the judge and the litigant and all the participants are able to communicate accurately. This certainly is a step in the right direction, but in order to provide true equal access we must do better. Preparing an immigration case is a very complex and sometimes lengthy task, especially for detained litigants. We must strive to provide all immigrants, especially those in Eloy and Florence, with the linguistic resources that will help them maintain contact with their families, gather the necessary resources for legal proceedings, and actively participate in the proceedings.

Immigration law is so complex that some judges have compared it to the tax code. And, with the right to stay in the country on the line, immigration proceedings are often determinative of families' futures. Litigation involves extensive preparation and complex concepts and processes. In order to effectively prepare for a case, especially a fact-intensive application like asylum, detainees need to consult with their attorneys, doctors, community members, and record-keeping administrations in their native countries. For encounters like these, interpreters or translated materials are NOT provided. Additionally, over 90% of detainees appear without counsel in court. This means that it is incumbent upon them to prepare for their case from inside a detention facility with little access to the outside world and without access to resources in their language. Under these circumstances a relatively simple task like completing English-only immigration forms is impossible.

Advocating for oneself within the facility to get medical care or arrange a family visit can be equally challenging. As Maria, one of the women interviewed for this project, stated, "A lot of people didn't get the same treatment because they didn't speak the language... I believe if I didn't speak the language, I would've been in Mexico."

Navigating the system is also an almost impossible task for families and friends of the detainees with limited English proficiency. Without linguistic access, finding out if somebody a loved one has been detained, where she has been transported to, and how she may be able to be released require a Herculean effort. It may take weeks to locate a detainee... and by that time this happens it may be too late to do anything meaningful.

I believe that our Constitution requires that we give greater access to linguistic and cross-cultural resources outside the courtroom, especially in immigration detention centers. We need immigration forms in multiple languages; we need interpreters inside detention centers to help detainees converse with their lawyers, doctors, and social workers; we need translators to help detainees with documents and declarations. We need interpreters to help detainees communicate with detention center staff.

Lack of access to linguistic resources is not limited to immigration detention. There is an urgent need for services that provide accurate and complete cross-cultural communication in our society at large--in courts, hospitals, schools, social service agencies, businesses, etc.

We live in a global village. Multilingualism is the norm in most societies and globalization has increased cross-cultural contact tremendously. Our lack of cross-cultural access is unecessary because we really have the means to turn this situation around--if we only had the political will and minimal resources.

The United States and the Southwest have a rich heritage in cross-cultural and multilingual communication and resources; they are part of our history and diversity is increasing. In Arizona, almost 40% of the population is of Latino, Chicano or Hispanic origin. Many Native American Languages are spoken throughout the area. We have long standing refugee resettlement projects.

Many people are bilingual and bicultural or highly proficient in two

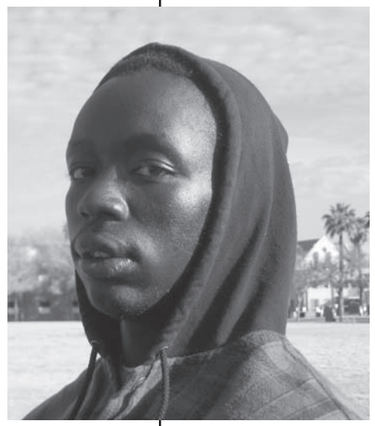


For encounters like these, interpreters or translated materials are NOT provided.

languages and well acquainted with their cultural traits. With the right training, these individuals could provide high-quality cross-cultural services. Existing, commonplace and inexpensive technology allows for the development and sharing of linguistic and cultural resources at low cost. Translations and cross-cultural audio and multimedia presentations could be posted on the Web so those interested parties could access them; low cost videoconferencing and telephone Internet based services could be developed using already existing institutional and educational resources. A "clearinghouse" approach could be implemented so resources created somewhere could be shared somewhere else, so individual institutions could have access to vast resources at low cost.

This could be a tremendous resource for any society, a source of understanding, progress and mutual respect, a model for other societies that we could export and profit from. It is about time that we recognize that we could and should be providing much better linguistic and cross-cultural access and start developing the ways and means to facilitate communication among people who speak different languages. We need to change the current status quo and reverse the isolationist trend. We need to improve equal access throughout. It is a moral obligation and it is within our reach. Instead of burying our heads in the sand and raising ever taller physical and cultural walls, let's build bridges instead. We owe it to the detainees in Eloy, Florence, and so many other detention centers, and to those among us with limited English proficiency. Because yesteryear we were them. Our future depends on it.

EMMANUEL'S STORY: I Wanted Freedom



You guys ever seen a U.N. Refugee camp? As an adult, it was a horrible place. But as a kid, it was one of the happiest times of my life. People have a way of surviving. My mom, she braided hair.

Everyone wanted to play soccer but we didn't have a ball. So we got a sock and put a lot of things in it and kicked it. We were out there in the dust, kicking like crazy.

We had school. And those teachers were strict! They'd have us stand on our chairs, and when you got the answer right you stepped down. The last one standing got whupped. Your hair had to be combed, your clothes clean when you went to school. I was a good foundation. But as a kid, you'd say, "Come on man!"

Every week, they'd post a list of who was going where. This guy was going to Australia, this guy to America. And if you went to America it was like you won the lottery! You're sitting with the top dogs! My mom looked at the list and said, "We're going to America." I was twelve. I didn't want to leave.

When I came to Arizona, I expected more friendliness. I still had my accent, and I got pushed around. I said, "I might be a foreigner, but where I come from I fight every day!" After that, my reputation was as a fighter. I ended up in the wrong group. I've been with that group until I got locked up.

I was in prison, in lockdown 23 hours a day. That's when I started reading. I loved "The Autobiography of Malcolm X," also "The Invisible Man." "Hannibal of Cartilage." "Gilgamche Khan." I tried to understand where my past was. How I reduced myself to one of the villains instead of one of the heroes.

I remember that I was sitting in my cell and I got a letter saying that I had an immigration hold on me. I was like, "Immigration? The only thing that I know is that I'm a foreigner." When it said that you've been found deportable, I was like, "To what country? I've spent more time in America than I have in my own country." And if I'm found deportable, where am I going to go? I've got no relatives anywhere.

I forget where it is, but it says that any decision will be finished in 4-6 months. I was like, "4-6 months? I've seen people in there 5 years!" Immigration has no time. So I never knew when my case would be finished.

It came to a point where I thought, "Deport me. Whatever." America has taught me one thing: you can drop me anywhere in the world and I'll survive. I just wanted to get out. I wanted freedom.

After I got out, I felt like Maya Angelou, why does the caged bird sing? When I got out, I felt like I was flying. When I was incarcerated, I wrote a journal. When I think about it, I've lived on the American minority side, and the African side where nothing happens except destruction. I've lived on both sides, and I'm still trying to find myself.

"ever seen a U.N. Refugee camp? ...as a kid, it was one of the happiest times of my life."

COMING OF AGE IN DETENTION:
Unaccompanied Immigrant Children

In addition to working with detained adults, the Florence Project also provides representation for unaccompanied immigrant children. Many clients arrive in Phoenix after harrowing trips through Mexico and Central America. "There were some very sad stories--kids who were molested or abused," said Deborah Bergman, a former Florence Project Social Services Coordinator. "Kids who started working at 6, or who were kicked out of the house at 8. They were kids who had been let down by most of the adults in their life. Many were mistrustful when they arrived at the shelter. They didn't understand where they were or what was going on." Florence Project attorneys help clients apply for Special Immigrant Juvenile Status--a visa available for immigrants under 18 who have been abused, abandoned, or neglected by their parents.

ANIBAL'S STORY: Desert Crossing

"After [the robbery], we crossed the border with nothing. Absolutely nothing. "

We were about 25 meters from the United States border. Two robbers appeared with their faces covered and pistols. They took everything from us, one by one--dollars, pesos, everything. After, we crossed the border with nothing. Absolutely nothing. We ran, and finally came across a highway. We met our ride who was going to take us to a house in Phoenix. They put five of us in the trunk of a car, and made us crouch down so we couldn't be seen. We got to Phoenix, to a house with a hundred people in it. There was no air conditioning, and the heat was terrible. There was only one bathroom. There, they demanded the money. They told me, "Look, you've got to call your family and tell them to deposit $5000. If not, you're not leaving." Just then, the police arrived and knocked on the door. No one answered. They knocked louder. We hid. There was silence. They said, "Phoenix police, open the door!" People were crying, they said, "They're going to send me back. I owe $5000. How can I pay it?"

It felt like 50 police officers, and five helicopters buzzing overhead. There were five TV stations there reporting. They surrounded the house, with dogs, all sorts of police in black with pistols. They said, "This is the last time. If you don't open the door, we'll break it in." No one opened it. So they came in. Through the door, through the windows, a few from the roof. "Everyone, hands up!" they yelled.



I was the first one who went out. When I did, my whole body was covered in light. Dogs barking like they wanted to tear me up.

They took us out, one by one. After that, they asked who was running the house. But the guide had grabbed some scissors, ripped up his clothes and put on a dirty t-shirt so that he looked like the rest of us. He told us not to tell the police anything.

I asked people what to do--I was only 16. People told me, "Tell them that you're 21, and that you're from Mexico."

A guy arrived who spoke very good Spanish. He said, "Anyone who is under 18, come here. We can help you." I didn't go. They took two minors and they left. I went with the adults. They put me in handcuffs and they took me to the immigration office.



"Anyone who is under 18, come here. We can help you."

I didn't go.

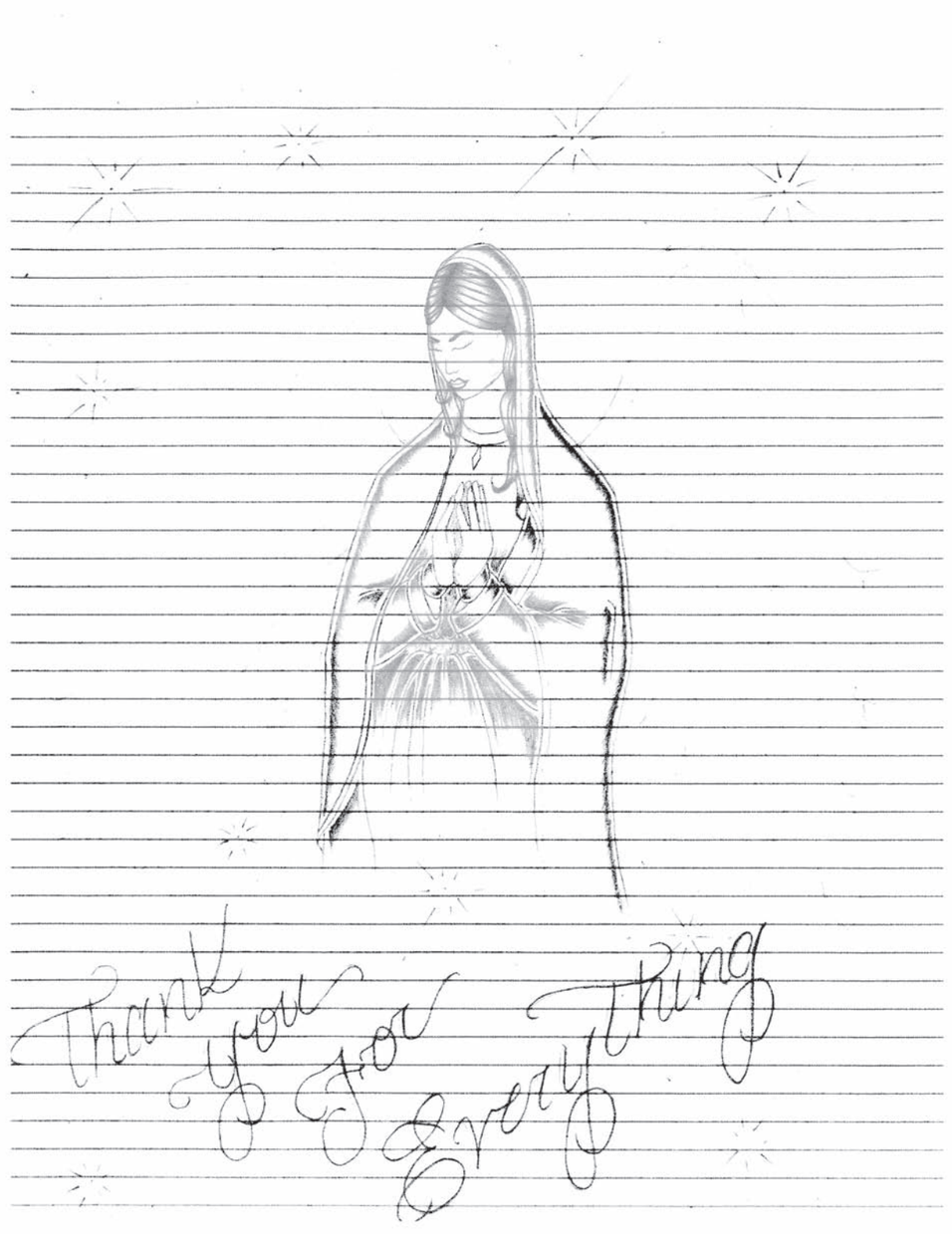
RESOURCES AND FURTHER READING

Resources and Know Your Rights materials for detainees and their families

- **Detention Watch Network:** know your rights and preparation materials, as well as articles and reports on national immigration detention issues. ***www.detentionwatchnetwork.org***
- **Families For Freedom: Deportation 101 information packet**. ***www.familiesforfreedom.org***
- **Florence Immigrant and Refugee Rights Project: self-help materials on deportation defense.** ***www.firrp.org***
- **Immigrant Legal Resource Center:** ***www.ilrc.org***
- **National Immigrant Law Center**: ***www.nilc.org***

Further Information

- **ACLU detention issues**. ***www.aclu.org***
- **ICE, Immigration and Customs Enforcement** site, information and detainee locater program. ***www.ice.gov***
- "Immigration Detention Overview and Recommendations," Dr. Dora Schriro, October 9, 2009. A report on immigration detention released by the Obama administration. ***www.ice.gov/doclib/091005_ice_detention_report-final.pdf***
- "Written Testimony for U.S. House of Representatives," Subcommittee on Immigration by Kara Hartzler February 2008. ***http://judiciary.house.gov/hearings/pdf/Hartzler080213.pdf***
- **Mental Illness in Detention** "Deportation by Default," Human Rights Watch and ACLU report released July 2010, focusing on mental illness in immigration detention. ***www.hrw.org/en/reports/2010/07/26/deportation-default***
- **Disabled Immigrants in Detention** "Disabled Immigration Detainees Face Deportation," New York Times, March 29, 2010, ***www.nytimes.com/2010/03/30/us/30immig.html***
- **Women in detention** "Unseen Prisoners: A Report on Women in Immigration Detention Facilities in Arizona," Nina Rabin, January 2009. ***http://sirow.arizona.edu/files/UnseenPrisoners.pdf***
- **Children** "Seeking Protection, Enduring Prosecution: Unaccompanied Children Detained on the US-Mexico Border," Florence Immigrant and Refugee Rights Project. ***www.firrp.org***
- **Due process** "Locked Up Far Away: The Transfer of Immigrants to Remote Detention Centers in the United States," Human Rights Watch December 2, 2009 ***www.hrw.org***



Artwork from a Detainee

Arizona Humanities Council
Sharing cultures. Enriching communities.

NATIONAL ENDOWMENT FOR THE HUMANITIES

This project is funded as part of the We the People initiative of the National Endowment for the Humanities. Any views, findings, conclusions or recommendations expressed in this pubication do not necessarily reflect those of the Arizona Humanities Council or the National Endowment for the Humanities.