

PERSECUTED IN U.S. IMMIGRATION DETENTION:

A NATIONAL REPORT ON ABUSE MOTIVATED BY HATE



**FREEDOM
FOR IMMIGRANTS**

“Shut your black ass up. You don’t deserve nothing. You belong at the back of that cage.”

- Warden to M.C. at the West Texas Detention Facility in Sierra Blanca, TX

“[Go] look in the mirror to see King Kong.”

- Officer to A.B. at Bristol County House of Corrections, North Dartmouth, MA

“No one will believe baboon complaints.”

- Officer to A.B. at Bristol County House of Corrections, North Dartmouth, MA

“He should be used to this kind of prejudice.”

- GEO guard to a gay man, P.K., at the Adelanto Detention Facility in Adelanto, CA

THESE ARE JUST A FEW EXAMPLES OF THE HATEFUL LANGUAGE U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) OFFICERS AND CONTRACTED IMMIGRANT PRISON GUARDS HAVE DIRECTED TOWARD PEOPLE IN U.S. IMMIGRATION DETENTION.

Often this language is accompanied by physical abuse, sexual harassment, or denial of access to resources.

Freedom for Immigrants (formerly CIVIC), a national nonprofit that visits and monitors immigrant prisons and jails, has been documenting abuse in U.S. immigration detention since 2012. This report is the first national study on abuse motivated by hate and bias in U.S. immigration detention.

Since January 20, 2017, when Donald Trump became the President of the United States, Freedom for Immigrants has documented **at least 800 complaints of abuse motivated by hate or bias in 34 immigration detention jails and prisons.** These complaints were collected through visits and other forms of direct communication with people in U.S. immigration detention. The affected individuals come from 62 countries speaking 22 languages. The majority of complaints came from men (71.01 percent), while 28.4 percent from women.

Less than 1 percent of people who reported incidents of hate or bias to us identified as transgender, gender non-conforming, or genderqueer. While the majority of people who reported these incidents represent a cisgender and heterosexual demographic, we do not believe this is representative of the impact of hate and bias in immigration detention on transgender, gender non-conforming, or genderqueer people. Therefore, we do not present this report as comprehensive analysis of incidents of hate and bias in immigration detention.

Some of these documented incidents of abuse are clearly motivated by hate, such as when an officer called someone a “dog” and told them to “go fetch your food” at the Theo Lacy Facility in Orange, California.

Other times, the motivation for the abuse may be less explicit, but people in immigration detention understand that it is a result of a system designed to imprison and dehumanize them because of their race, nationality, ethnicity, religion, sexual orientation, gender identity, or disability. For example, Nancy Mayer, a lesbian woman previously detained at the West County Detention Facility in Richmond, California, informed Freedom for Immigrants that she felt “persecuted” on account of her sexual orientation, noting that she had been placed in a part of the facility segregated from the other women.

While Freedom for Immigrants has witnessed a rise in abuse motivated by hate and bias in U.S. immigration detention under the Trump administration, the Obama administration also perpetrated abuse motivated by hate and bias. Freedom for Immigrants filed a Freedom of Information Act (FOIA) request with the Department of Homeland Security (DHS) for incident of and responses to complaints or grievances related to “hate crimes” or incidents motivated by prejudice in ICE-contracted immigrant prisons and jails from fiscal year 2010 through July 19, 2017. On October 19, 2017, we received a response with a total of only 86 reported complaints in this nearly seven-year period, indicating that DHS is clearly not properly categorizing or tracking abuse motivated by hate and bias.

As an organization that works directly with individuals detained across the country, we have seen how people in immigration detention suffer as a result. In this report, we explore 49 stories of abuse in U.S. immigration detention motivated by hate, gathered through visits, phone calls, and letter-writing with people in immigration detention as well as through reported complaints we obtained from DHS.

We hope this report will be the beginning of a conversation among advocates, legislators, and officials within this administration to prevent incidents of hate and bias in U.S. immigration detention.

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HISTORY OF ABUSE MOTIVATED BY HATE OR BIAS

**“These aren’t people.
These are animals,”
President Donald Trump**

declared during an immigration roundtable with California Sheriffs in May 2018, later backtracking and claiming he was referring only to those immigrants with histories of gang interactions.

This is one more example in an extensive series of incidents where the 45th President of the United States has spoken about immigrants in racially-charged terms. He did, after all, announce his candidacy for president in 2015, by calling Mexican immigrants “drug dealers,” “criminals,” and “rapists.” In June 2017, Trump said 15,000 recent immigrants from Haiti “all have AIDS” and that 40,000 Nigerians, once seeing the United States, would never “go back to their huts” in Africa. In January 2018, Trump complained about

immigrants from Haiti, El Salvador and some parts of Africa, describing them as “shithole countries.” This hateful language mirrors the abuses we’ve been documenting in U.S. immigration detention.

The president’s vile rhetoric encourages U.S. Immigration and Customs (ICE) officers and immigrant prison guards to respond to immigrants in their custody with the same type of hateful behavior. According to an unnamed ICE agent interviewed by *The New Yorker* last year, the increase in ethnocentric attitudes of ICE agents adds up “to contempt that I’ve never seen so rampant towards the aliens.”¹

This increase in contempt can be seen in the types of abuses that we hear about in immigration detention, such as the following incident at the Bristol County House of Corrections in North Dartmouth, MA. An officer told C.R. (pseudonym), a man in ICE detention, that he would “bet for him in a fight against another detainee.” C.R. refused to engage in gladiator-style fights for the betting pleasure of this officer and tried to

file a complaint. The officer then told him, “No one will believe baboon complaints.” From then on, C.R. was subjected to retaliation and further humiliation. He was denied hygiene products and his food was thrown away, while officers continued to refer to him as a “baboon” and “gorilla” and encouraged others to “rattle his cage.”

History has taught us about how governments around the world have used language as a tool of dehumanization in order to try to manipulate societies into believing that certain groups of people are inferior and deserving of abuse.

Through the corruption and normalization of certain words, leaders have tried to justify mass persecution, incarceration and murder. Settler colonialists referred to indigenous people throughout the Americas as

“savages.” The Nazis labeled Jewish people “vermin.” In Rwanda, the Tutsis were called “cockroaches” by the Hutus. In these historical examples, the subsequent step in the process of dehumanization of these targeted peoples was to call for and attempt an “extermination.”

There are countless examples of purposeful and hateful dehumanization in United States history.

The use of the n-word and other demeaning language toward people of African descent was perpetuated in an attempt to justify the continuation of slavery. The immigration of Asian peoples, particularly Chinese laborers, in the late 19th century became known as the “yellow peril.” Consequently, the U.S. passed the Chinese Exclusion Act of 1882, the first law in the country’s history to ban an entire group of people based on race. The same state-sponsored xenophobia carried over to the mid-20th century when the U.S. locked up individuals of Japanese descent in internment camps as a result of Executive Order 9066. Even something as simple as shortening the word “Japanese” was turned into a slur. In our current bureaucratic language, the use of the word “alien” to describe non-immigrated individuals reinforces the false notion that certain people don’t belong here.

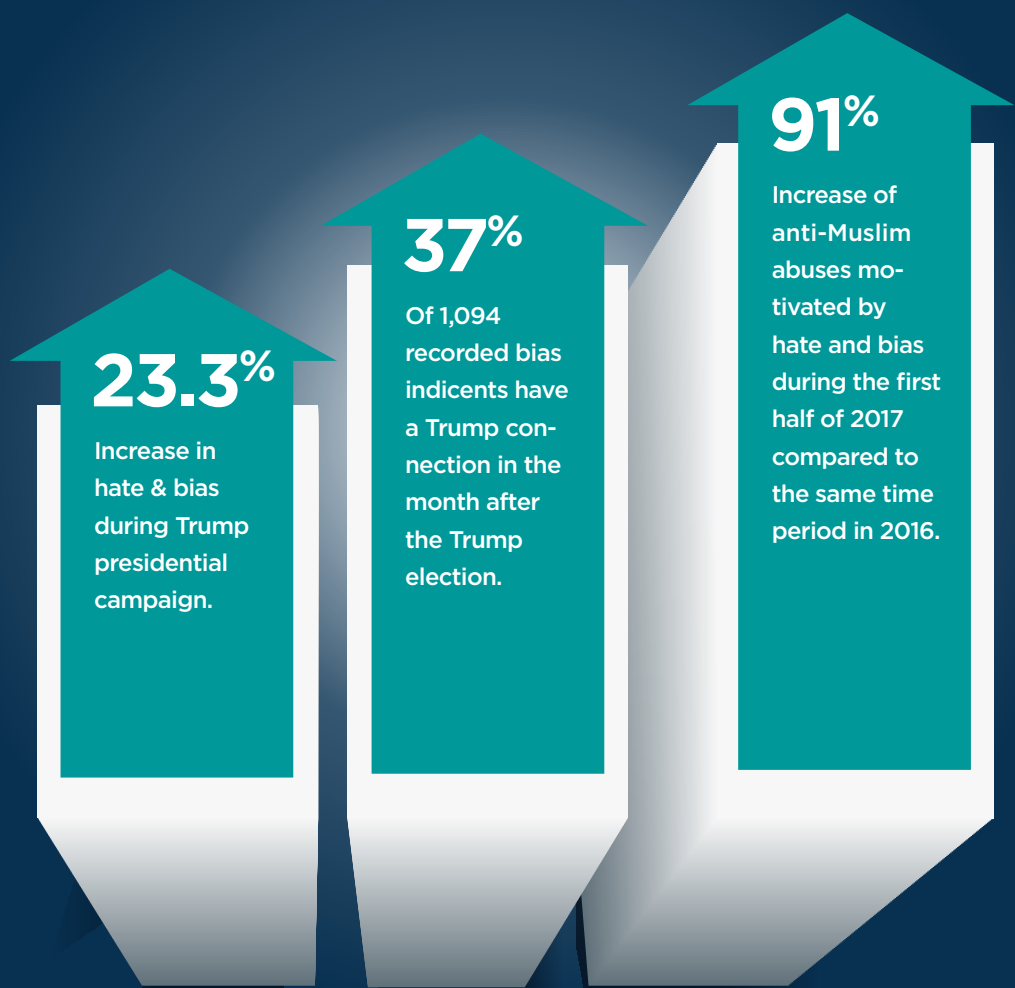
Dehumanizing words go hand in hand with dehumanizing policies. What happened to C.R. is just one example of a systemic pattern of racist verbal and physical abuse inflicted on people in the U.S. immigration detention

system. This type of abuse motivated by hate and bias has been on the rise under the Trump administration, but the federal government is not adequately tracking or combating it.



This xenophobic illustration was published in the “The San Francisco Illustrated Wasp” in an effort to dehumanize Chinese immigrants. Image can be found in “The History of the Nineteenth Century in Caricature” via Internet Archive Book Images.

THE RISE OF INCIDENTS OF HATE IN THE UNITED STATES



Outside of the criminal incarceration and immigration detention systems, there has been a documented increase in incidents of hate and bias in the United States.

Generally, these incidents of hate and bias are motivated by perceived race, nationality, ethnicity, religion, sexual orientation, gender identity, or disability, and frequently involve violence.

During the presidential campaign, there was a 23.3 percent increase in incidents of hate and bias, according to the Center for the Study of Hate & Extremism at California State University, San Bernardino. ² In the month following the election of Donald Trump, the Southern Poverty Law Center recorded 1,094 bias incidents, and about 37 percent of those incidents had a Trump connection, such as a reference to his campaign slogan. ³ Incidents motivated by

hate and bias against immigrants have also spiked, exemplified by the string of murders of South Asian immigrants in early 2018 where the alleged killers first shouted, “get out of my country” or “go back to your country.” According to the Council on American-Islamic Relations (CAIR), there has been a 91 percent increase in anti-Muslim abuses motivated by hate and bias during the first half of 2017 compared to the same time period in 2016. ⁴

In June 2017, the Congressional Black Caucus called on the Trump administration to invest in prosecuting abuses motivated by hate and bias. ⁵ So far, the administration has not moved to address this issue in any substantive way. In California, specifically, there was an 11.2 percent increase in abuses motivated by hate and bias from 2015 to 2016, according to an FBI report released last year. More than half of those involved bias based on race, ethnicity or national origin. ⁶

Despite this rise in incidents of hate and bias, law enforcement agencies are not adequately tracking it.

Under a federal law passed in 1990, the FBI is required to track crimes in which there was “manifest evidence of prejudice” against protected groups. Thousands of law enforcement agencies opt not to participate in the FBI’s hate crime program at all. Of the agencies that do, the “percentage of agencies reporting zero hate crimes has grown from 73 percent in 1991 to 88 percent in 2016.” ⁷ The FBI will not disclose which agencies have

opted out of the program, but at least 120 federal agencies are not providing the FBI with its data. ⁸



STORIES OF ABUSE IN U.S. IMMIGRATION DETENTION MOTIVATED BY HATE

I. Abuses Motivated by Hate and Bias Toward Perceived Race, Ethnicity, or Nationality

These first 20 examples of abuse motivated by hate are due to discrimination on the basis of race, ethnicity, or nationality.

Although not mutually exclusive, these have been grouped together to better understand how prejudice based on racial profiling, country of origin, or ethnicity is systemic in immigration detentions across the United States. It is also important to note that, because everyone in ICE custody is detained on the basis of their immigration status, people in detention are more likely to suffer abuses motivated by hate and bias based on the aforementioned categories.

Reports of physical, emotional and verbal abuse motivated by racial hate and bias:

- 01:** An individual was thrown to the floor by ICE guards while they made racist remarks about “his kind in the facility.”
- El Paso Processing Center, an ICE prison in El Paso, TX
- 02:** A group of people reported that their food was thrown on the floor every time GEO guards heard them speaking in Spanish.
- Brooks County Detention Center, a GEO prison in Falfurrias, TX
- 03:** Another group of people reported being the subject of excessive use of force and being racially profiled and questioned about their immigration status by the



jail's officers.

- Wake County Jail, a county jail in Raleigh, NC

04: One man believed he was forced to work because he is Latino; he said the guards made him feel "worthless."

- Stewart Detention Facility, a CCA/CoreCivic prison in Lumpkin, GA

In addition to physical abuse, people in immigration detention are also subject to bigoted remarks by prison and jail personnel:

05: One individual reported being called a "monkey" by a GEO guard before being taken to solitary confinement. Due to the prejudiced treatment that this person suffered, he believes that he was targeted for segregation due to his race.

- South Texas Detention Facility, a GEO prison in Pearsall, TX

06: Another individual reported that he was told by a guard that he would "bet for him in a fight against another detainee." He refused to fight another person in detention, and as a result, he was denied hygiene products and his food was thrown away; when he tried to complain, he was told that "no one will believe baboon complaints."

- Bristol County House of Corrections, a county jail in North Dartmouth, MA.

07: A man was told to "look in the mirror to see King Kong" by a guard.

- Pinal County Jail, a county jail in Florence, AZ

Racial discrimination in immigrant prisons and jails also takes the form of lack of access to language services and the prevention of people of color from filing grievances within the jails they are confined in:

08: An individual reported retaliations by Immigration Centers of America (ICA) guards after filing complaints. This same individual explained that supervisors do not allow Latino people in detention "to fully express their grievances."

- Farmville Detention Center, an ICA prison in Farmville, VA

09: A group of people filed a complaint, stating that they were not provided with interpreters and so were not informed of their rights in a language they could understand.

- Wake County Jail, a county jail in Raleigh, NC

Complaints denouncing incidents of hate or bias motivated by xenophobia are equally disturbing:

10: An individual suffered medical neglect as a result of the prison's medical staff stated dislike of "illegals [that] only come to the US to steal jobs from White people." This person was denied pain medication and an X-ray.

- Otay Detention Facility, a CCA/CoreCivic prison in San Diego, CA.

11: People from Mexico reported that they were grouped together and designated as part of a gang entirely based on their nationality, and unjustly punished by CCA/CoreCivic guards as a result.

- Otay Detention Facility, CCA/CoreCivic prison in San Diego, CA

12: A man reported that marriage applica-

The entire system is designed as a tool that perpetuates the subordination of people of color, and is itself a problematic and racist institution. One man in immigration detention at the Etowah County Detention Center, AL, explained in a letter to us:

"My case was denied over 9 months ago. And I have been detained here in Etowah County Detention Center for almost 6 months. The conditions are not very good. We spend a lot of time locked in our cells. We get no sun exposure because there is no yard here. The commissary is very expensive and I don't get to order that much because I have to call my family, and the calls are very, very expensive to make. My serious medical needs go unheard; it took me almost two years to finally be treated for my Hemorrhoids. I suffered a lot because of that. Also the Officers here are very rude and racist towards us, making derogatory comments about race. I'm suffering in here and what this immigration system is putting me through. I have no criminal records in this country nor in my country."

tions from people of African countries are repeatedly ignored.

- *Stewart Detention Center, a CCA/CoreCivic prison in Lumpkin, GA*

- 13:** A man from Russia reported being discriminated against based on his nationality, as he was denied law library access and was spoken to in Spanish by guards, despite him not speaking Spanish.

- *El Centro Service Processing Center, an ICE prison in El Centro, CA, which has since closed.*

Other nonprofits have documented similar incidents of hate and bias:

- 14:** In March 2018, Texas A&M University School of Law Immigrant Rights Clinic, Refugee and Immigrant Center for Education and Legal Services (RAICES), and University of Texas School of Law Immigration Clinic published a report on behalf of approximately 80 African immigrants who were held in ICE detention at the West Texas Detention Facility in Sierra Blanca, Texas.⁹ In addition to abuses such as physical and sexual assault, medical neglect, pepper spray, and solitary confinement, these approximately 80 men reported being subjected frequently to racial slurs:

- When one man asked for underwear and socks, a warden angrily responded, “Shut your black ass up. You don’t deserve nothing. You belong at the back of that cage.”
- Officers frequently called the men names like “monkey,” the “N” word,

“motherf*cking Africans,” and “animals.” One man reported being called a “terrorist.”

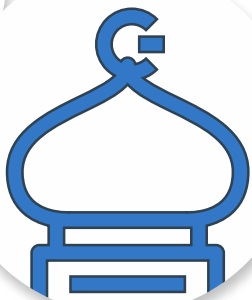
- 15:** According to lawyers for a group of 92 Somali men whom ICE tried to deport and then brought back to the U.S. because of logistical issues, guards physically and verbally abused the men during this time. The men said immigration agents called them the n-word and other racial slurs, in addition to denying them access to medical care, throwing them into solitary confinement and pepper-spraying them.”¹⁰
- 16:** Lawyers from the ACLU and other organizations declared in court filings that a group of Iraqi immigrants were subjected to name-calling, such as “Al Qaeda” and “ragheads,” and threats while in ICE custody. One detained man said that an ICE officer told him, “You Iraqis are the worst. We can’t stand you Iraqis.” Another man said in a sworn declaration that some of the Iraqi men were called “camel jockeys.” That same man said he confronted the guards, asking them “What kind of training do you guys get?” in reference to the hateful language, and one of the guards responded, “I got my training in Iraq.”¹¹
- 17:** Haitian immigrants detained at the Adelanto Detention Facility recounted that they were called “fucking blacks” and “Haitian trash” by the guards.¹²
- 18:** According to the Southern Poverty Law Center, at Baker County Detention Center in Florida, Stanley, a Haitian immi-

grant, said that when he and others in his cell asked the guards to change the air conditioning, one of the guards slammed his head on the ground, while another grabbed his testicles and twisted them. Stanley said they called him a “porch monkey” while another guard said, “I’m tired of you fucking immigrants coming to my country thinking you can get what the fuck you want.” He was threatened not to report the incident, sent to solitary confinement and then transferred to another detention center.¹³

- 19:** When Carl, an immigrant detained at the Otero County Processing Center, realized he was not on the list for a meal tray, he approached an officer about it, according to an ACLU report. He said the officer called him a “n*gger” while threatening to poison his food. When Carl finally got his food, he said the same officer then told him, “Go ahead and eat your dog food n*gger.” In a separate incident, another man, Joel, said an officer told to him, “Shut the fuck up. Go sit your black ass down and beat the Congo drums.” When Joel went to report the incident, he was told by the higher level official, “You have no rights. You are immigrants.”¹⁴

II.

Abuses Motivated by Hate and Bias Toward Perceived Religion



Regardless of immigration status, everyone has a right to freely practice their religion.

However, that right is frequently taken away from people in immigration detention, especially those who belong to a marginalized religious community, who can face abuse motivated by religious hatred. These 11 examples highlights how religious freedom violations can appear in the form of verbal abuse, the denial of space and/or time to perform religious rituals, or the confiscation or denial of religious objects and texts.

Reports of verbal attacks and abuse of authority toward people who were targeted due to their faith:

01: An individual reported that officers would antagonize people in detention that practice Islam and make “jokes” about their Muslim religion.

- *Allegheny County Jail in Pittsburgh, PA*

02: Several individuals reported that officers at the jail are verbally abusive based on the religion practiced by people in detention.

- *Essex County Jail in Newark, NJ*

03: An individual reported that he was un-

justly prevented from saying his Friday prayers and that he was being mistreated because of his Muslim faith.

- *Pinal County Jail in Florence, AZ*

04: Four complaints state that people have been punished for freely exercising their religion. Such was the case of a person that was sent to solitary confinement for leaving his bunk to pray.

- *Kenosha County Jail in Kenosha, WI*

05: One Muslim woman reported that her poor medical treatment was a result of her wearing a hijab and practicing her faith.

- *LaSalle Detention Facility, a GEO prison, in Jena, LA*

06: One man explained how guards harrassed him for wearing a Rastacap, which is part of his religion; he also explained that he has been provided with dirty nail clippers, is only allowed a new set of clothes each week, and is forced to shower in spaces with mold on the walls and grime on the curtains, contributing to rashes.

- *Baker County Facility, a county jail in MacClenny, FL*

Discrimination based on religious affiliation in immigrant prisons and jails also manifested by confiscating or denying religious objects, texts, and access to proper meals:

07: GEO officers forced a woman to take off her hijab against her will in front of male officers and refused to return it until her husband formally complained.

- *Broward Transitional Center in Pompano Beach, FL*

08: A Muslim man was told he had to pay \$25 in order to bring an Imam to the jail where he was detained, despite the fact that there are spiritual leaders from other religions that give free services in English and Spanish at the same jail.

- *Pinal County Jail in Florence, AZ*

09: A man had to wait for weeks before he could receive a Koran, which was needed for him to engage in a religious ritual, and was given to him just a few hours before Ramadan. Moreover, when he finally received the religious text he was told that the “Koran is not a good thing” and that he should convert to Christianity. After he refused to convert, he was prevented from adequately praying for the remainder of Ramadan.

- *Stewart Detention Center, a CCA/CoreCivic jail in Lumpkin, GA*

10: One Muslim man who has been in immigration detention for 17 months has been refused access to halal and kosher meals. He also has never been allowed to attend a religious service while in detention. He also has suffered subpar medical care, causing him to lose sight in his right eye.

- *Adelanto Detention Facility, a GEO prison in Adelanto, CA*

11: During the month of Ramadan, which requires Muslims to abstain from food and water between sunrise and sunset to commemorate the first revelation of the Quran to Muhammad, men explained

that the prison did not make accommodations for them in the food service delivery.

- *Stewart Detention Facility, a CCA/CoreCivic prison in Lumpkin, GA*



Freedom for Immigrants has documented a number of hateful incidents at Adelanto Detention Facility in Southern California, one of the largest adult-only immigrant prisons in the country, which is operated by GEO Group.

III.

Abuses Motivated by Hate and Bias Toward Perceived Sexual Orientation



Complaints of discrimination resulting from sexual-orientation bias in immigration detention have resulted in a litany of abuses, including the following:

- being called homophobic slurs;
- being placed in administrative or disciplinary segregation;
- not being allowed to receive visits from partners or see them after court appearances;
- experiencing harassment by immigrant prison and jail officers after being visited by partners;
- abusive treatment & discrimination in communal areas such as dining rooms;
- denial of issuance of grievance forms and destruction of ones that are submitted;
- inappropriate & frequent searches, including strip searches, in unhygienic places such as restrooms;
- denial of access to law libraries; and being locked down in their cells.

For the countless individuals who have experienced persecution due to sexual orientation and who are now seeking asylum as a result, these abuses can trigger memories of torture suffered in their home countries. For example, Nancy Mayer, was detained at the West County Detention Facility in California in November 2017, when she wrote to us about how she was targeted by the guards for being a lesbian:

“They segregated me because I help my community (immigrants) and I’m an open lesbian so they said I’m the leader and also they said I have a relationship with another ICE inmate so they put me in workers room which is in the other site pod. I’m really upset because they don’t have any proof they said we can move you to any room without notice. I don’t know what to do about it. I’m despair because our coive is not listen. All this makes me sick. I’m watching a psychiatrist. I have nightmares. I feel pesued by them (deputies). I know they watching me all the time. People tell me it no me. My friends tell me how they treat me different.”

These additional four stories also highlight the inhumanity of discriminatory treatment based on sexual orientation:

01: An individual reported that as a result of their sexual orientation they had been placed in solitary confinement at the prison. Disturbingly, this practice does not appear to be limited to one immigrant jail or prison.

- Florence Detention Center, a CCA/CoreCivic prison in Florence, AZ

02: On January 3, 2013, an individual who is openly homosexual and transgender detained at Adelanto reported being moved to the “sex offender room,” where he was similarly a target of violence and discrimination. He was told by an officer there that “he should be used to this kind of prejudice” due to his sexual orientation. This complaint was closed with no further action taken.

- Adelanto Detention Facility, a GEO prison in Adelanto, CA

03: An individual reported not being let out of his cell and being forced to take a shower in front of male officers as a result of his sexual orientation. In addition, officers would not let him speak with other people due to his sexual orientation. The individual even experienced hateful language in his interactions with the medical staff, who told him that God did not love him because of his sexual orientation. According to DHS, they are still monitoring this complaint, although it was filed in 2014 at an immigrant prison that is no longer operational; this gives us pause about whether DHS is actually properly

monitoring complaints and updating its own system accordingly.

- Mira Loma Detention Center in Los Angeles, CA, which has since closed.

04: An individual reported that a supervisory correctional officer had inappropriately disclosed information about him to staff and other people in detention. The individual believed that the inappropriate disclosure was done on purpose because of his sexual orientation. After the disclosure, he was isolated and discriminated against by both other people in detention and staff, and officers questioned anyone who tried to speak with him. This complaint is still open, despite the fact that the prison closed in 2014.

- El Centro Service Processing Center in El Centro, CA

IV.

Abuses Motivated by Hate and Bias Toward Perceived Gender Identity



Complaints of discrimination resulting from perceived gender identity bias in immigration detention have resulted in a litany of abuses, including the following:

- Officers “playing games” to try to “figure out” their gender;
- Sexual assault;
- Physical abuse;
- Denial of personal hygiene products needed;
- Denial of access to medical services including hormone therapy;
- Forceful searches causing injury;
- Strip searches conducted by members of the opposite gender;
- Death threats that are unaddressed by staff;
- Denial of access to communal areas such as recreation rooms; and
- Transphobic slurs such as “he-she.”

These five stories underscore how people, many of whom were fleeing persecution in their home countries and seeking refuge in the United States, suffer abuses in immigration detention because of their gender identity:

O1: An individual reported being abused and mistreated because she is transgender. Her previous complaints had been destroyed by a CCA/CoreCivic guard, which had been witnessed by counselors, but they refused to support her when she made a follow up complaint. The individual also reported being taken out of her cell by a group of guards early in the morning who harassed her and mocked her attempts to denounce the abuses and mistreatment that she had experienced. These guards then grabbed and destroyed all of her paperwork, including legal papers and her asylum application, and threw her to the floor with force. Afterwards, she spent months in segregation. This complaint was lodged with DHS, but DHS referred it with no further action taken.

- Otay Detention Facility, a CCA/CoreCivic prison in San Diego, CA

02: An individual reported being the subject of abuse by officers and other people jailed at the prison because of their gender identity. After their lawyer filed complaints, the individual was placed in segregation and was denied phone and attorney access. This complaint was lodged with DHS, but DHS closed it with no action taken.

- Northwest Detention Center, a GEO prison in Tacoma, WA

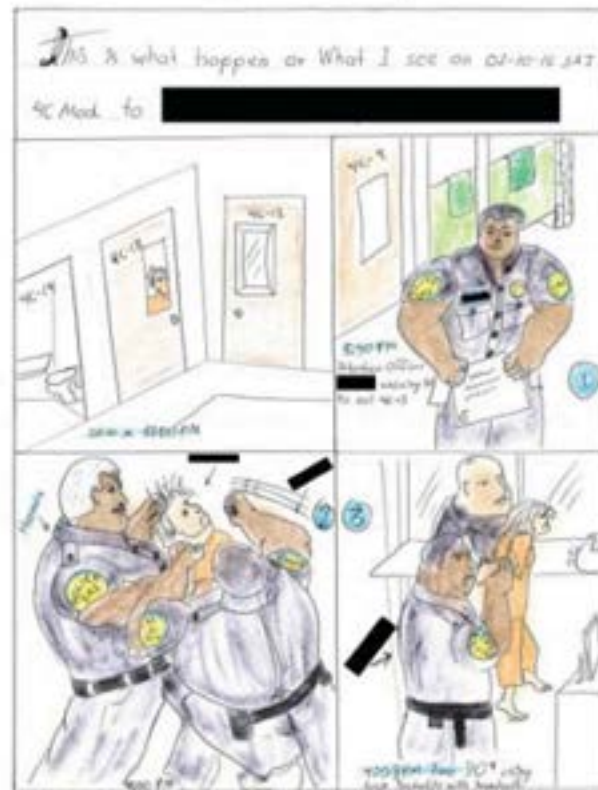
03: An individual reported being housed with gay individuals instead of transgender individuals, as they wished, because they did not have long hair. This complaint was lodged with DHS, but data shows that the complaint was simply closed.

- Santa Ana City Jail in Santa Ana, CA, which no longer contracts with ICE.

04: Barbra Perez, who was brought to the U.S. from Cuba when she was four years old, was locked up in a men's immigrant prison earlier this year. Other people incarcerated in the prison made obscene gestures at her and the guards called her the "it," rather than protecting her. She has since been released, and she now lives in a small town just outside Nashville where she says no one has ever questioned her gender. She's just another woman.¹⁵

05: Gretta Soto Moreno, a trans woman, created the drawings to the right while in immigration detention at the Eloy Detention Facility, a GEO Group immigrant prison, in Arizona and the Santa Ana City Jail, an immigrant jail in California that has since closed. Gretta remembers male officers strip searching her and physically

abusing other trans women, while calling them "he-she" and "it."



V.

Abuses Motivated by Hate and Bias Toward Perceived Disability



One woman at the Adelanto Detention Facility, CA, wrote to us about this humiliation she faces every day due to her mental health:

“Also I want make my personal case against GEO, because I receive here enough mental and physical harm, threates from lieutenant, neglect from medical staff and officers, pressing every day humiliare, insult, and shouts at me.”

Some immigrant prisons and jails have been found to be out of compliance with the Americans with Disabilities Act (ADA).

For example, after ICE terminated its contract with the Santa Ana City Jail in California because the city had declared itself a “sanctuary city,” the city hired an independent consultant, Vanir, to help determine the future of the jail. Vanir found that the jail was not in compliance with the ADA.¹⁶

Solitary confinement, also known as administrative segregation, is often used as a tool to punish people with perceived disabilities. For example, at the Stewart Detention Facility in Lumpkin, GA, one man reported that he was thrown into solitary confinement because he experiences night terrors and makes a “great deal of noise” because of his mental health. Another man at the Baker County Sheriff’s Office, was placed in solitary confinement after requesting a visit with a doctor multiple times to address his mental and physical health. For at least three days, he was not given a change of clothes or soap to wash himself. And a woman at the West County

Detention Facility in Richmond, California, was put in solitary confinement for refusing to take her medication.

Another individual detained at the Farmville Detention Center in Farmville, VA, reported being called “crazy” and “mentally retarded.” After filing a complaint with DHS, the complaint was simply closed.

At the Yuba County Jail, one woman wrote to us: “I don’t get the right medical attention. I’m locked up, segregated. Some of the officers here are very abusive, my mental and physical disabilities has increased, I also don’t understand how I get this type of treatment, it’s cruel, inhumane, degrading, I’m without physical activities. I’m mistreated, afflicted, confused, grieved, defiled, overwhelmed, persecuted, I have no strength, I’m crushed continually. I feel myself in darkness.”

VI. Recommendations & Conclusions

Freedom for Immigrants' mission is to bring about a world without immigration detention. Short of abolishing immigration detention in the United States, Freedom for Immigrants urges the following:

- **The United States** should pass a moratorium on all immigration detention expansion and construction; Congress should cut funds for ICE, Customs & Border Protection (CBP), and Border Patrol in the appropriations bill; Invest in programs, such as community-based alternatives to detention, that prioritize the health and wellbeing of communities of color and low-income people;
- **DHS's Office of the Inspector General** should be given the power and resources to investigate all complaints of abuse in immigration detention, particularly abuse motivated by hate or bias;
- **Every state attorney general** should be given the power and resources to monitor immigrant prisons and jails in their state for all forms of abuse, similar to the way in which the California Attorney General has been monitoring all private and public immigrant prisons and jails since mid-2017;
- **Any ICE officer** or contracted facility guard or staff member who has a substantiated complaint lodged against him or her about abuse or language motivated by hate or bias should be fired; and
- **DHS should ensure that the agency** is participating in the FBI's hate crime program and disclosing its data to the FBI and to the public.

Until the United States implements the above recommendations, the United States is clearly unable or unwilling to protect asylum seekers and other migrants from abuse and persecution motivated by hate.

¹ Jonathan Blitzer. "A Veteran ICE Agent, Disillusioned with the Trump Era, Speaks Out." *New Yorker*. July 24, 2017. <https://www.newyorker.com/news/news-desk/a-veteran-ice-agent-disillusioned-with-the-trump-era-speaks-out>.

² Center for the Study of Hate & Extremism at California State University, San Bernardino. *Hate Crime Analysis & Forecast* for 2016/2017. https://csbs.csusb.edu/sites/csusb_csbs/files/Final%20Hate%20Crime%2017%20Status%20Report%20pdf.pdf

³ Southern Poverty Law Center. "Hate Crimes: Explained." April 15, 2018. <https://www.splcenter.org/20180415/hate-crimes-explained>.

⁴ Council on American-Islamic Relations. "CAIR Report Shows 2017 on Track to Becoming One of Worst Years Ever for Anti-Muslim Hate Crimes." July 17, 2017. <https://www.cair.com/press-center/press-releases/14476-cair-report-shows-2017-on-track-to-becoming-one-of-worst-years-ever-for-anti-muslim-hate-crimes.html>.

⁵ Letter dated June 7, 2017, from Cedric Richmond, Congressional Black Caucus chair to Attorney General

Sessions and Acting Director McCabe. https://cbc.house.gov/uploadedfiles/hate_crimes_letter_to_sessions_kelly_and_mccabe.pdf

⁶ Sarah Ravani. "FBI: Hate crimes jump 11.2 percent in California." *San Francisco Chronicle*. November 13, 2017. <https://www.sfgate.com/bayarea/article/FBI-Hate-crimes-jump-11-percent-in-California-12354451.php>.

⁷ <https://www.propublica.org/article/why-america-fails-at-gathering-hate-crime-statistics>

⁸ <https://www.propublica.org/article/more-100-federal-agencies-fail-report-hate-crimes-fbi-national-database>

⁹ Texas A&M University School of Law Immigrant Rights Clinic, Refugee and Immigrant Center for Education and Legal Services (RAICES), and University of Texas School of Law Immigration Clinic. "I was treated like an animal: Abuses Against African Detainees at the West Texas Detention Facility." March 22, 2018. <https://law.utexas.edu/wp-content/uploads/sites/11/2018/03/2018-03-IC-WTDF-Report.pdf>

¹⁰ Somali "Slave Ship" ICE Detainees Say Florida Guards Are Abusing Them, Ask Congress for Help

¹¹ Iraqi detainees say they are being racially insulted,

denied their rights, available at <https://www.freep.com/story/news/2017/08/31/iraqi-detainees-say-they-being-racially-insulted-denied-their-rights/622677001/>

¹² Black Life in Adelanto, available at <https://boomcalifornia.com/2017/12/25/black-life-in-adelanto/>

¹³ Shadow Prisons: Immigrant Detention in the South, available at <https://www.splcenter.org/20161121/shadow-prisons-immigrant-detention-south>

¹⁴ ACLU New Mexico report: Outsourcing Responsibility

¹⁵ <http://interactive.fusion.net/trans/>

¹⁶ Voice of OC. "Santa Ana Reverses Plans to Downsize Jail, After New Plan is Said to Save Money and Jobs." August 3, 2017. <https://voiceofoc.org/2017/08/santa-ana-reverses-plans-to-downsize-jail-after-new-plan-is-said-to-save-money-and-jobs>

¹⁷ Immigration Impact. "Canadian Lawsuit Challenges the United States' Designation as a Safe Country for Asylum Seekers." April 20, 2018. <http://immigrationimpact.com/2018/04/20/canadian-lawsuit-united-states-safe-country-asylum-seekers>