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The Normalization of Detention Centers in the United States

By

Laura Beth Mulligan

Submitted in partial fulfillment
of the requirements for
Honors in the Department of Latin American & Caribbean Studies

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ABSTRACT

MULLIGAN, LAURA BETH The Normalization of Detention Centers in the United States

ADVISOR: [Elena McGrath]

Since the beginning of 2022, 19,948 immigrants have been detained in the United States. Mistreatment of Latin American immigrants occurring across the 215 detention centers located in the United States has grown completely out of control in the more recent years. The U.S. detention system is one that is motivated by racism and superiority complexes of one race over another, leading to Latin American immigrants being treated as less than human.

This Senior Thesis explores what a detention center is, the presence of detention centers in the United States, the power structure of ICE and other employees, with personal stories and accounts of detainees to provide legitimate proof to claims of mistreatment and human rights violations. The analysis of detention centers in the United States is essential in order for U.S. citizens to understand what is truly happening within these institutions. Once armed with this knowledge, changes can be made to ensure that these Latin American immigrants go from prisoners back to functioning humans among society.

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CHAPTER 1: What is a Detention Center?

Detention centers are not unique to just the United States, however, they are an ever-growing problem that seems to be able to slip through the gaze of U.S. citizens. The United States constantly poses itself to the world as this great power that will stop problems in other countries relating to inequality and threats to human rights. Detention centers create the exact situations that the U.S. government aims to stop in other countries right here in the U.S. Even though the United States is home to a democracy that claims all people are created equal, the U.S., both government and citizens, continues to mistreat Latin American immigrants without genuine repercussion for those inflicting the damage. It is extremely important for us, as U.S. citizens, to recognize that detention centers located in the United States are inhumane institutions that harm Latin American immigrants in the U.S. Although the media and politicians see immigration from Mexico as a problem there seems to be a widespread consensus in the media, as well as in general, to not talk about detention centers and the extreme mistreatment that occurs within the walls of these centers.

There is a typical vilification of Latin Americans throughout the United States media that portrays immigrants coming from Mexico in a very negative light. At the same time, however, this focus on Mexico as a gateway often leads U.S. media to group all Latin American immigrants under the category of Mexican. This takes away the individuality of each immigrant and forces all Latin Americans into one racially stigmatized category. The goal of this paper is to show the reader what a detention center is and how they came to be in the United States, as well as give voice to Latin American immigrants who have suffered in these institutions. I will also explore the theoretical, political, and historical background of detention centers combined with

personal experiences, straightforward data, and activist movements. This will allow my paper to establish a clear and developed understanding for the reader to take away and reflect on as a citizen of the country in which these specific detention centers are found. By the end of this paper, it should be obvious to the reader that detention centers are harmful institutions that need to be reevaluated in terms of their purpose within the United States.

My research revolves around detention centers located close to or along the Mexican American border and their effects on the overall population of Latin American immigrants, both directly and indirectly. Not all migrants crossing the southern border are Latin American and not all Latin Americans crossing the border are Mexican. However, my focus is on Latin Americans because much of the political/media anxiety in the United States is about Latin American migrants. Latin Americans have become the idealized ‘imaginary immigrant’ for people that are in favor of detention; unlike other migrant groups that are viewed as more suitable, meaning non-BIPOC immigrants, Latin American immigrants are seen as a potential threat to society. These detention centers hold Latin American immigrants, where they are forced to await their fate to either be sent back to their home country or be granted asylum in the United States. Asylum is the protection granted by a nation to someone who has left their native country as a political refugee. Not every border crosser is seeking asylum, however, they are able to try for asylum once on the mainland. The common goal amongst all border crossers is to find a new and better life in the United States, with each individual having their own personal motivations. There are other detention centers located along the border between Canada and the United States designated to hold noncitizens, however, more than half of the yearly detained are Latin American immigrants in facilities along the southern border. In the past, the United States has had other detention centers, such as Ellis Island, as a method to hold immigrants during the

process of them gaining citizenship. However, the detention centers located on the Mexican American border carry out an entirely different treatment of immigrants. As the number of immigrants coming from Latin America steadily increased, both illegally and legally, the U.S. government looked for a detention solution for holding immigrants while they awaited trial. These trials typically determined whether or not the immigrant on trial would be sent back to their home country. Detention centers are meant to hold actual human beings, therefore one would assume that these facilities are equipped to provide for detainees. However, there is a clear lack of care for detainees, leading to extreme mistreatment and human rights violations that occur.

This thesis explores the following questions: How do detention centers work? What kind of human rights abuses occur within? How are these detention centers still operating if the inhumane treatment and conditions are public knowledge? If there is physical evidence exposing detention center conditions, why is there not more outrage and calls for change across the country? Do American citizens only care about mistreatment of humans if it directly affects themselves? As we shall see, not even the basic levels of human rights and human security that these people should be granted under the U.S. law, are being met in detention centers. What may seem like some sort of solution for the 'immigrant problem' is essentially just a farce to cover for the deep-seeded racism within the United States that allows for such harsh mistreatment of Latin American immigrants. The purpose of my thesis is to bring to the direct attention of U.S. citizens that detention centers exist in the United States and are horrible in terms of the mistreatment of Latin American immigrants. To know that these institutions exist in this country and are getting funds to stay open is disgusting and something that should absolutely be spotlighted, dissected, and ultimately disbanded. I am arguing that detention centers should be completely removed

from existence; even if this is a big task to take on and not realistic to expect immediate change, I want anyone that reads this paper to be moved to the point of wanting to see real change happen.

What is a Detention Center?

The fact of the matter is that many people know the words ‘detention center,’ but do not actually recognize what may go on within the confines of these centers. This could be out of ignorance, purposeful lack of knowledge, racism, or whatever other ‘justification’ people may use to ignore how terrible detention centers are. To understand what goes on inside of a detention center, it is imperative to define the physical space. By definition, a detention center is an institution where people are held for short periods, in particular undocumented immigrants, refugees, people awaiting trial or sentence, or young offenders. Detention centers are not a recent phenomenon, but due to the political climate of the United States in the past 20 years, or even the past 10 years, detention centers have seen a massive growth in numbers, of both physical facilities and detainees.

While detention centers are places of confinement, they are not jails or prisons; they are also not concentration camps, such as those that were implemented during WWII. The purpose in defining and separating these three terms is because they are all very similar in that they are confining spaces, but each holds a separate group of people for separate reasons and carries out matters in different ways. Jails are defined as a place for the confinement of people accused or convicted of a crime; prisons are defined as a building in which people are legally held as a punishment for a crime they have committed or while awaiting trial. The obvious difference here is that jails and prisons are designed to hold people who have been accused of or have been deemed guilty of committing a crime through a trial process, whereas detention centers hold, for the majority, people accused of no other offense than crossing a border; who were only

attempting to find themselves a better life within the United States. Prisons are meant more to rehabilitate and reprimand criminals, as “depriving criminals of their freedom is a way of making them pay a debt to society for their crimes.”¹ While criminals in prisons are guilty, as a society, we still consider criminals to have certain rights. Detainees are not given even the most basic rights, such as consistent meals or hygienic conditions. On top of this, immigration offenses are civil not criminal, technically. In criminal cases, defendants have a right to an attorney. In civil cases, there is no constitutional protection, so people can face detention without any due process or legal representation, further separating detention from prison. This mentality of depriving criminals of their freedom is a lot like what happens in detention centers, as they are purposefully designed to mistreat immigrants so horribly to the point of never wanting to attempt crossing the border again.

Mass imprisonment is another way of referring to the concept of mass incarceration, which by definition is the significant increase in the number of people incarcerated in the United States in the more recent years. David W. Garland’s *Mass Imprisonment: Social Causes and Consequences* explores mass imprisonment and its development within the United States. Garland notes developments that transformed into reasoning for mass imprisonment in the United States that were appealing to U.S. citizens. These were “determine sentence structures; the war against drugs; mandatory sentencing; the truth in sentencing; the emergence of private corrections; the political events and calculations that made everyone tough on crime -- these developments built upon one another and produced the flow of prisoners into custody.”² By going tough on crime and drugs, the war on drugs gave explicit reasons that subsequently proved to citizens that mass imprisonment was meant to be for their safety and nothing more. The main

¹ “Purpose of Prisons.” *Stop the Crime*. <http://www.stoptheaca.org/purpose.html>

² Garland, David. *Mass Imprisonment: Social Causes and Change*. SAGE Publications: London, 2001, 10.

difference between mass imprisonment and mass detention is that mass imprisonment is that detainees are detained before it is determined if they broke the law or not. Crossing the border without proper paperwork is not a violent crime, but rather a civil offense and people are being deprived of basic human rights because of failing to file the correct paperwork. People in prisons have more rights and better conditions, even though they have committed worse offenses. In this country, we think of ourselves as having punishment fitting for the crime. It is clear, however, that this is not the case, since detainees are stripped of their rights and everything that makes them human, but violent criminals are not. Even though detention centers are not prisons, detainment increased alongside mass incarceration as the war on drugs and terrorism became bigger priorities of the U.S. government.

A camp is a place where large numbers of people, especially political prisoners or members of persecuted minorities, are deliberately imprisoned in a relatively small area with inadequate facilities, sometimes to provide forced labor or to await mass execution. George Agamben, an Italian philosopher known for his work investigating the concept of the state of exception, wrote a piece titled "What is a camp?," in which he delved into a deeper understanding of a camp and the way in which they function. Agamben lays out exactly what a camp is and examples of camps that have been implemented in the world previously. Detention centers are an extension of the idea of a camp, where rule of law is suspended and there is more of an 'anything goes' mentality developed. The approach that he takes informs my own explanation of detention centers and the lack of legality within them. By looking at Agamben's theory of what a camp is, it is easier to recognize the threat posed by detention centers. One important difference is that detention centers are not meant to hold groups being forced into labor

or awaiting possible execution. By including Agamben's theory, I am arguing that detention centers are on a path to become as horrible as a camp is.

The most prominent example of a camp is that of the Holocaust. In that case, human rights were completely suspended, conditions were beyond terrible and inhumane, and the motivation behind these camps was 'racially' motivated, as the Nazis viewed themselves as the superior race. One of the most striking aspects of the Holocaust is that the German citizens living near the concentration camps claim to have known nothing about what was occurring.

Connecting this extreme example to what is going on in detention centers in the United States today, many U.S. citizens ignore the growing human rights problem that are detention centers and only recognize them as something that does not directly affect them. Detention centers are absolutely racially motivated and the conditions in which immigrants are forced to live are inhumane. The potential harm that comes with the expansion of detention centers is not one that can be overlooked. They may not have been created as a space where execution was a possible outcome such as in a camp, but detention centers in the U.S. have seen deaths of immigrants from improper conditions and lack of caring for the lives of those forced into detention. When an institution such as a detention center becomes so harmful to the point of death, it is concerning to see their continued use within this country. The detention center is, in some ways, on a sliding scale whose possible outcome is a death camp; it opens that space of possibility. As detention centers continue to mirror the lawlessness of camps, it becomes less about being a space to hold people before their time of detention and more about being a space where these people are held and ignored; purposefully forgotten about and neglected to enforce the ideology that the U.S. will not offer refuge, that they should return home willingly. It is essentially painting in detainees' minds that they do not deserve rights or better than the bare minimum provided in

detention centers. The closer a detention center gets to being more than just an extension of a camp, the more endangered the lives of immigrant detainees are.

Agamben states that “the camp is the place in which the most absolute *conditio inhumana* ever to appear on Earth was realized: this is ultimately all that counts for the victims as well as for posterity.”³ Like camps, detention centers were not born out of ordinary law; rather they were born out of a state of exception and martial law. A state of exception “is essentially a temporary suspension of the state of law.”⁴ While detention centers are not explicitly camps in nature, they uphold the same ideals when it comes to the suspension of typical state law. There is little to nothing lawful about detention centers, where people are stuffed into cramped quarters and stripped of their rights, forced to live in improper food and hygiene conditions. The most telling line from Agamben’s paper in regards to the purpose of this paper was this: “the camp becomes a new hidden regulator of the inscription of life when there is something that no longer functions in the traditional mechanisms used to regulate this inscription.”⁵ What Agamben is pointing out here is that the camp becomes accepted into society, whether purposefully or not, in order to make sure there is a continued function within said society. Even if it is not the traditional mechanism, it is still accepted by citizens because it is put in place under the guise of benefiting them and their safety, even if it harms others. Detention centers have become implemented into U.S. society as a means of ‘handling’ the ‘immigrant problem’ that is believed to exist. Their normalization in the United States is not a secret, but it feels as though they are hidden to the public eye because not enough people acknowledge detention centers for how horrible and inhumane they are.

³ Agamben, George. *What is a Camp?*, 36.

⁴ Agamben, 38.

⁵ Agamben, 42.

Agamben's theory on camps helps us to understand detention centers in the United States, as they essentially hold the same purpose in society: an area where law is suspended and anything goes in terms of treatment and taking away rights. This is not at all by accident, but rather detention centers are designed and managed in a way that makes the suspension of law possible. Not only do detention centers in the U.S. have little to no real law that is upheld, but those within the centers are not trained to handle the situations and lives of the people being detained. Specifically speaking, "on the southern border, Customs and Border Protection (CBP) agents are poorly trained to respond to the humanitarian crisis produced by rampant violence throughout Central America, resulting in the return of many bona fide refugees to harm and the placement of many asylum seekers in summary removal processes that lack basic due process protections."⁶ There needs to be increased training to handle these situations if poor training is what is leading to detention centers and the complete mistreatment of immigrants; this is the same problem within the police, that they are not trained properly, but are sent to 'protect' people.

Lack of proper training stems from the fact that detention within these centers is supposed to be temporary; the state of exception is born typically out of crisis, which is why these facilities tend to be impermanent, insufficient, and have haphazard conditions. Even though detention centers are meant to be 'exceptional' in terms of the law, temporary status born out of crisis cannot excuse or justify anything that occurs within these institutions. Training is not the only problem faced within detention centers that has led them to become disorderly and detrimental; "Enforcement operations in the interior of the country, undertaken by U.S. Immigration and Customs Enforcement (ICE), rely on cooperation with state and local law

⁶ "Immigration Detention & Enforcement." *National Immigrant Justice Center*.
<https://immigrantjustice.org/issues/immigration-detention-enforcement>

enforcement agencies, creating fertile ground for racial profiling and mistrust of local police among immigrant communities.”⁷ Later in the paper, the topic of administration and agents within detention centers will be discussed, as they play important roles. For now, it is important to recognize just the base level of how severely screwed up the leadership and execution of detention centers are, leading them to become these overcrowded spaces where there is a lack of basic food and hygiene security, which is definitely done purposefully to deter future immigration.

As brought up already, it is important to recognize that while this paper is focusing on detention centers within the United States, it is not a topic only prevalent within the U.S. Understanding international laws and matters towards detention centers or the use of detention against immigrants is necessary to contrast with what is occurring in the United States. According to international law, “immigration detention is only meant to be used as a last resort and where it is necessary, reasonable, and proportionate to a legitimate government objective.”⁸ However, the harsh reality here in the U.S. is that the first resort for ICE or other immigration agents is in fact detention of Latin American immigrants. This goes hand in hand with the racist undertones that plague these types of agencies, as they regard Latin American immigrants as less than human, so their detention is a priority rather than proper treatment. This relates back to mass detention because detention is being used as a priority rather than a last case scenario. To give more context, the International Detention Coalition, a not-for-profit organization that undertakes advocacy and policy work on behalf of refugees, asylum seekers and migrants, states that “immigration detention is the deprivation of liberty for migration-related reasons.”⁹ International

⁷ “Immigration.”

⁸ “What is Immigration Detention?” International Detention Coalition.
<https://idcoalition.org/about/what-is-detention/>

⁹ “What.”

law considers deprivation of liberty a human rights violation, making what is happening in the United States in the form of detention centers a human rights violation. The use of unnecessary immigration detention is growing and does not seem to be slowing down, the U.S. being a prime example of this. The argument of this paper overall is that detention centers should be completely removed from society because of how detrimental they are, yet if they continue to be the first resort in immigration detention cases, then it will be harder to go against these agencies. With more information and personal accounts from within detention centers being learned by the public to further explain the problem, I hope to garner support in the call for change and the disbanding of detention centers in the United States.

Literature Review

There are plenty of resources out there that already have spoken on the topic of detention centers in the United States and how they lead to extremely inhumane treatment of Latin American immigrants. Not only are there numerous articles and reports, but there are books focusing on the experiences of Latin American immigrants and how their journey to the U.S. began and ended. The following authors help to understand the systems that underpin detention centers, which include borders, citizenship laws, Migra and later ICE, as well as the criminalization of immigrants in the media. These authors have written about immigration, racist violence, and exclusion, but only Manuel Hernandez and Moore have written on detention explicitly. My project brings together theory, history, and immigrant voices in order to develop a concrete understanding of detention centers and how harmful they are as part of U.S. society.

Kelly Lytle Hernandez's *Migra!: A History of the U.S. Border Patrol* focuses on the development of the U.S. Border Patrol in terms of shaping race in the United States. Hernandez looks at the role in enforcing laws and combating unauthorized immigration along the southern

border that Border Patrol had once it was created. What immediately jumps out about her work is that she opens with talking about Superman, an icon that everyone knows who he is, and how he is technically an ‘illegal alien’ by definition. Her book essentially speaks on “a story of how an American icon lost his illegality and how Mexicans emerged as the ‘iconic illegal aliens’” to citizens of the United States.¹⁰ *Migra!* takes an approach that focuses on the group of Border Patrol and its development into something that promotes racism towards specifically Mexican immigrants. This is an important viewpoint that Hernandez takes, as it is calling out a government-funded group and the “U.S. immigration law enforcement as a state of violence in community life.”¹¹ What Lytle Hernandez focuses on is critical to understanding the racist ideals developed across the United States towards Latin American immigrants, however, she does not directly talk about the history of detention centers as spaces. There is an obvious and direct connection between detention centers along the southern border and Border Patrol.

Understanding the history of Migra is important because they are the group responsible for bringing immigrants into detention. The information found in this book forces the recognition that Border Patrol is a harmful organization that does not care about the validation of human rights when it comes to Latin American immigrants. In my administration and agents section, I explain the power structure of detention centers and how it further harms the existence of Latin American immigrants.

In *No One is Illegal*, Mike Davis attempts to debunk any incorrect and racially motivated ideas presented by right wing groups that are clearly anti-immigrant. There are plenty of stereotypes and myths about Latin American immigrants that are widespread across the U.S.; the Trump administration fed into these when Trump himself at one of his campaign rallies called

¹⁰ Hernandez, Kelly Lytle. *Migra!: A History of the U.S. Border Patrol*. London: University of California Press, 2010, 17.

¹¹ Hernandez, *Migra!*, 17.

Mexicans ‘rapists and criminals.’¹² In *No One is Illegal*, Davis does a great job of creating a human aspect to the immigration ‘problem’ that has developed by giving personal accounts of immigrants who have made the daring journey. There is an entire section titled ‘The War on Immigrants,’ with chapters that focus on immigration policy, immigration double standards, and militarizing the border. In the opening of the book, Davis brings up the more recent side of the border and immigration through the Trump administration. Davis argues that “Latino race-baiting and immigrant-bashing has become a ritualized practice on the conservative circuit and a political get-rich-quick scheme for opportunists seeking traction in the polls through inflammatory incitement.”¹³ The racial scapegoating that occurs within the United States towards Latin American immigrants fuels in part why detention centers continue to operate. Overall, Mike Davis uses *No One is Illegal* to portray the stories of immigrants without focusing specifically on one area. I build on this in the chapter on activism and political responses to detention.

“Pursuant to Deportation: Latin American Immigrants” by David Manuel Hernandez explores the topic of Latino immigrant detention in the United States through its historical continuance and expansion. Hernandez argues that

“As a critical enforcement practice within the history of racialization and criminalization of nonwhite immigrants in the US, noncitizen detention pursuant to the deportation of immigrants has been utilized throughout the 20th century at the nexus of national crises, xenophobia, and racism.”¹⁴

In the post-9/11 United States, there was an increased fear of immigrants nationwide that the government capitalized on and used to justify going after immigrants of any race. Even though

¹² Phillips, Amber. “‘They’re Rapists.’ President Trump’s Campaign Launch Speech Two Years Later, Annotated.” *The Washington Post*. June 16, 2017. <https://www.washingtonpost.com/news/the-fix/wp/2017/06/16/theyre-rapists-presidents-trump-campaign-launch-speech-two-years-later-annotated/>

¹³ Davis, Mike. *No One is Illegal*, Haymarket Books: Chicago, 2018, vii.

¹⁴ Manuel Hernandez, David. “Pursuant to Deportation: Latinos and Immigrant Detention”, *Lat Stud* 6, 35–63 (2008), abstract.

9/11 was not about Latinos or Latin American immigrants, it gave the U.S. government leeway to detain any race of immigrants. Manuel Hernandez speaks on the ‘War on Terror’ and how homeland security efforts became a main focus of the United States. One really telling point that I plan to expand more on in my thesis is that “On the surface, many aspects of immigrant detention indeed appeared to be new and catalyzed by 9/11.”¹⁵ There is an intense focus on the effects of 9/11 on immigrant detention; this important background information to why detention centers have taken on such a role within the United States. Detention centers were not created solely by 9/11, but built on a history as shown by Lytle Hernandez through *Migra!*. As Manuel Hernandez shows, “immigrant detention threatens millions of Latino families and their communities is cause for alarm and further study, especially the relationship between the detention processes and other forms of structural and cultural inequality affecting Latino citizens and noncitizens.”¹⁶ Not just noncitizens are affected by detention in the United States, which is a common misconception; there are many cases when a U.S. citizen is wrongfully detained that need to be put on display and acknowledged. Manuel Hernandez helped me explore the history of immigrant detention within the United States.

Impossible Subjects: Illegal Aliens and the Making of Modern America follows Mae Ngai’s research on the origins of the concept of illegal immigration in the United States. Within this book, Ngai addresses issues relating to immigration by focusing specifically on “the historical origins of the ‘illegal alien’ in American law and society and the emergence of illegal immigration as the central problem in U.S. immigration policy in the twentieth century.”¹⁷

Terminology such as ‘illegal alien’ has been used to racially target and dehumanize all immigrants, but specifically Latin American immigrants have taken the most hits. To add to this,

¹⁵ Manuel Hernandez, abstract.

¹⁶ Manuel Hernandez, abstract.

¹⁷ Ngai, Mae. *Impossible Subjects*, Princeton University Press, 2004, 3.

Ngai notes that “the actual and imagined association of Mexicans with illegal immigration was part of an emergent Mexican ‘race problem,’ which also witnessed the application of Jim Crow segregation laws to Mexicans in the Southwest, especially in Texas, and, at the federal level, the creation of ‘Mexican’ as a separate racial category in the census.”¹⁸ Ngai’s work is extremely helpful in supporting my argument that the detention of Latin American immigrants is racially motivated.

John Moore’s article titled “An Immigrant’s Dream, Detained” focuses specifically on the Adelanto Detention Facility located in California. Out of all of the sources I have discussed so far in this literature review, this is the first one that has solely focused on detention centers. According to the article, Adelanto Detention Facility “opened at a time when the United States has been deporting immigrants -- both those here illegally and those with legal residency -- in record numbers.”¹⁹ What is really telling about this quote is that the status of illegality versus legality does not play a role in detention or risk of deportation when it comes to Latin American immigrants. The article goes on to give details relating to Adelanto Detention Facility as well as referencing other detention centers, ICE, and specific statistics in regards to immigration numbers. I build on the research of “An Immigrant’s Dream, Detained,” by placing California in the context of detention in other border and non border states as well.

Each of these scholars helps understand a component of the system that sustains and enables detention centers: racially motivated laws, criminalization of immigrants in the media, the use of political crises to increase detention and deportation, Border Patrol, and the history of deportation all sustain the industry of detention centers as such. In order to teach anyone who reads my thesis about the reality of the lives of Latin American immigrants who find themselves

¹⁸ Ngai, 7.

¹⁹ Moore, John. “An Immigrant’s Dream: Detained.” *The New York Times*. November 25, 2013. <https://lens.blogs.nytimes.com/2013/11/25/an-immigrants-dream-detained/>

detained, my paper has four sections dedicated to different aspects of detention centers. The next chapter will focus on the statistical and historical background of detention centers by giving a general overview of detention centers across the United States, followed by a focus on three different states to give more specific examples. The third chapter will be solely focused on personal experiences, accounts, and stories of Latin American immigrants who found themselves detained and mistreated, as well as journalist reports on conditions within detention centers to give official accounts to back my claims. The fourth chapter is going to look at the agents and administration behind these detention centers, as there needs to be a dissection of the power dynamics between these two groups. The fifth chapter will look at activism, protests, and more recent developments of detention centers in media and politics to connect everything spoken about previously to a more contemporary time for the reader to connect to. In my conclusion, I connect everything spoken about in my thesis, as well as give my own opinions and conclusions in relation to my guiding questions I asked in the introduction in order to leave the reader thinking and wanting to explore the topic more.

CHAPTER 2: Statistical and Analytical Background of Detention Centers

Hearing or seeing the words ‘detention center’ is not enough to understand the presence of these institutions in the United States. Detention centers are not new to the United States; they are not a problem to just one area of the country. Before getting more into specifics about detention centers, such as who runs them or how detainees are treated, it is important to create a base of knowledge about the development of detention centers into what is known about them

today. This section will take an approach that goes from broad to more specific, in order to give the reader a complete overview of the role detention centers have played in the United States up to this point. By getting general information, when the first detention center opened or how many detention centers are active in the U.S., the reader will be able to paint a picture of the more specific stories and information that will be provided in later chapters.

Detention Centers in the United States

Detention centers exist all throughout the United States, not just solely along the Mexican American border, although that is a hotspot for them to exist. As of 2019 reports, there were 215 detention centers operating in the U.S., with a detention budget of \$3.2 million.²⁰ The fact that there is such a large budget dedicated to detention centers has been used as justification for their continued operation. To give more of an idea behind how many people are detained and the cost of detention, it is important to look at the specifics in numbers. On average in the United States, 510,854 people were detained in the year 2019. The average cost per day was \$126.52 for adult detention and \$318.79 for family detention. Out of the 510,854 detainees, 81% of those were held in facilities owned and operated by private companies.²¹ These statistics are just for 2019 alone, not including all the years before as well as after in which there has been a rise in detention rates. 510,854 may not seem like too big of a number when spreading it across 215 detention centers, however, this number does not include those already detained. 510,854/215 is an average of almost 2,400 new detentions per year, per facility. High numbers of detainees

²⁰ “Immigration Detention 101.” *Detention Watch Network*.
<https://www.detentionwatchnetwork.org/issues/detention-101>

²¹ “Immigration.”

cause overcrowding; it is no surprise that there have been 214 deaths in detention facilities since 2003.²²

The existence of detention centers in the United States is very fitting due to the fact that the United States has a very large prison presence. In fact, “the United States is the world’s leading incarcerator with over two million people in prisons and jails across the country.”²³ As clarified in the first chapter, prisons and jails are different from detention centers; however, it is this position of leading incarcerators that built up the use of detention centers. By this it is meant that “as the U.S. expanded prisons in the 1980s and 1990s, the detention of immigrants, once a little known practice, began to take shape”²⁴ Criminalization of racial minority citizens leads to criminalization of noncitizens, and therefore criminalization of crossing the border. There were a lot of factors that allowed for the small practice of detention of immigrants to become much more prominent. Immigration policy saw a shift that put an emphasis on immigrant detention; the following are just some examples of these policies and the effects they had:

“The 1990s brought on a paradigm shift in immigration policy, leading to detention being a primary means of immigration enforcement. In 1996, the U.S. enacted legislation that dramatically expanded the use of detention. The Antiterrorism and Effective Death Penalty Act (AEDPA) and the Illegal Immigrant Reform and Immigrant Responsibility Act (IIRIRA) increased the scope of who could be subject to mandatory detention. The 1996 laws also rendered any non-U.S. citizen, including legal permanent residents, vulnerable to detention and deportation.”²⁵

The most important effect of these new policies is that the sector of people vulnerable to detention had been increased; it is these policies that were the starting point of the expansion of detention, especially racially motivated detention. The scope of who could be subject to mandatory detention increasing paved the way for racial profiling when it came to targeting people for possible detention. With cases of U.S. citizens wrongfully targeted because of their

²² “Immigration.”

²³ “Immigration.”

²⁴ “Immigration.”

²⁵ “Immigration.”

race, it was clear that these 1996 laws opened a new door for racially motivated detention. Not only was immigration policy being shifted to expand over a larger portion of the U.S. immigrant population, but this time also saw the “ramping up of community raids and eliminating the policies that deprioritized detention and deportation for some immigrants under the previous administration.”²⁶ The shift made detention the first route taken, rather than it being a last resort option as it was originally meant to be. To generalize this information, specifically the impact of the new policies, “after three decades of expansion, the detention system now captures and holds as many as 500,000 immigrants each year.”²⁷ The use of capture alludes to the understanding that the policies now in place were more assertive and aggressive when it came to immigrants in the United States.

Contrary to popular belief, detention centers are not located solely in the states that share a border with Mexico in the southern part of the United States. In fact, “according to federal government data from April 2019, Texas (14,481), Louisiana (4,415), Arizona (4,405), California (4,353), and Georgia (3,719), are the top five states with the largest number of people in U.S. immigration detention per day.”²⁸ States such as Texas and California are typically associated with Latin American immigrants and detention centers, but it comes as a shock to learn that Louisiana has the second largest number of people in U.S. immigration detention per day. While these numbers are provided by the federal government, “the U.S. government does not maintain reliable demographics of who is in immigration detention.”²⁹ These are government-sponsored detention centers, there should be accurate and reliable data on who is inside these institutions being kept; not just for federal records, but public records as well. Since

²⁶ “Immigration.”

²⁷ “Immigration.”

²⁸ “Detention by Numbers.” *Freedom for Immigrants*.

<https://www.freedomforimmigrants.org/detention-statistics>

²⁹ “Detention.”

there are no demographics on who is being kept in these centers, instead the next sections will take a more direct look at three of the five states above to understand more specifically detention by numbers within states. I will focus on California, Texas, and Louisiana; Texas and California because of the typical association between them and Latin American immigrants, and Louisiana because it tells more about detention outside of the U.S./Mexico “border” states, especially to be having such high detention numbers. The following sections are meant to provide specific examples of three states to show the exact effect of detention centers in the United States.

The State of Texas

Out of all of the states, Texas is the one that most Americans associate with immigration and the border; with good cause, as it is the state with the highest daily detention rate. Generally speaking, “Texas has 26 detention centers, 5 prisons, and 2 county jails used to detain migrants in connection with immigration proceedings or immigration related crimes.”³⁰ In 2019, as mentioned above, there were 14,481 migrants detained in Texas alone. Having 26 detention centers put Texas at top with the most in the United States; many of these detention centers were built in the post-9/11 period, when private corporations began putting their focus and effort into building these facilities. The most telling aspect about Texas’ detention system is the architecture of detention; “the buildings’ geographic location, materials, and spatial organization, as well as migrants’ experiences detained, reveal how ‘administrative’ detention punishes.”³¹ The detention centers are purposefully located out of public view and rarely are met with investigations. It is easy to recognize that what occurs inside is inhumane and wrong, but strategic locations allow the ability to avoid the public being able to have visual access to what occurs.

³⁰ “Texas: Spatial Stories of Migration and Detention.” *States of Incarceration*.
<https://statesofincarceration.org/states/texas-spatial-stories-migration-and-detention>

³¹ “Texas.”

The Migrant Detention Center located in Clint, Texas is a prime example of detention centers not just in Texas, but the United States as a whole. Clint opened the detention center in 2013 and since then it has been continuously used at a capacity that is beyond humane. Clint has consistently found itself fighting backlash for conditions that migrants find themselves forced to live in. Border Patrol leaders have been quick to dismiss these claims; “including Aaron Hull, the outspoken chief patrol agent of the agency’s El Paso Sector, have disputed descriptions of degrading conditions inside Clint and other migrant detention sites around El Paso, claiming that their facilities were rigorously and humanely managed even after a spate of deaths of migrant children in federal custody.”³² There will be a later chapter that goes into a deeper analysis of inhumane conditions and mistreatment, however, it is important to put down this base layer to understand that these detention centers are terrible places where thousands of immigrants are detained. The worst thing about Clint, although it is not unique to this center specifically, is that the account above “shows that the agency’s leadership knew for months that some children had no beds to sleep on, no way to clean themselves and sometimes went hungry...its own agents had raised the alarm, and found themselves having to accommodate even more new arrivals.”³³ The fact that agents within Clint raised the alarm, but were only met with new arrivals rather than recognition or aid from the leadership is pathetic. Clint Migrant Detention Center is only meant to hold around 100 detainees, yet there are migrant children being continuously packed into the facility. In 2019 alone, 250 migrant children were held in Clint Detention Center.³⁴

³² Bedoya, Aaron A. “What we know about the migrant detention center in Clint, Texas.” *El Paso Times*. July 8, 2019.

<https://www.elpasotimes.com/story/news/2019/07/08/clint-cbp-facility-migrant-new-york-times-report-democratic-candidates-president-trump/1676370001/>

³³ Bedoya.

³⁴ Dickerson, Caitlin; Kanno-Youngs, Zolan. "Top Border Official Is Reassigned Amid Criticism of Conditions for Migrant Children". *The New York Times*, July 25, 2019.

<https://www.nytimes.com/2019/07/25/us/border-patrol-hull-el-paso.html>

Conditions are bad enough as it is at Clint, but the new and numerous arrivals on the daily are only making matters worse.

The State of California

Like Texas, California has a known association with Latin American populations within the United States, with the Hispanic and Latino populations making up over a quarter of the state's population. Comparatively to Texas though, California only has eight centers in which immigrants are held for detention periods; seven of which are privately owned, with the final one having its own contract with ICE.³⁵ California houses about 7,200 people across their detention centers. California is a more progressive state when it comes to detention centers, as there has been a recent wave of attempts to ban privately run detention centers in the state. This stems from "a California law aimed at phasing out privately run prisons," however, the court that appealed the case ruled that this law "may not include immigration detention centers in the state."³⁶ The argument made by the court was that these detention centers belonged explicitly in the realm of the federal government and therefore did not fall under the state's jurisdiction. The following excerpt puts into perspective behind reasoning for the bill to cover detention centers and the backlash faced by ICE:

"The private prison ban would force the closure of seven privately run immigration detention facilities, which collectively have space for nearly 7,200 people. ICE argued that the closures would force detainees to be transferred out of state, away from family and lawyers, while supporters of the law said ICE could instead use alternatives to detention, such as ankle monitors... The law initially covered only state facilities, but

³⁵ Fernandes, Deepa. "Congressional Lawmakers Take Aim at Three Immigrant Detention Centers in California." *San Francisco Chronicle*. October 21, 2021.
<https://www.sfchronicle.com/california/article/Congressional-lawmakers-take-aim-at-three-16552821.php>

³⁶ Dolan, Maura. "Court Blocks California from Banning Privately Run U.S. Immigration Detention Centers." *Los Angeles Times*. October 5, 2021.
<https://www.latimes.com/california/story/2021-10-05/court-california-may-not-ban-privately-run-us-immigration-detention-centers>

Bonta later amended the bill to expand the ban to immigration detention centers. The amendment followed a federal government review that found 14,000 health and safety deficiencies, including failures to notify the government about sexual assaults, at such centers between October 2015 and June 2018.”³⁷

ICE’s argument about detainees being transferred out of state holds no real stance, as it is ICE themselves who often contribute to the separation of immigrant families. To say these words of false caring is ICE’s way of pretending to put the lives of detainees first in order to actually maintain their own agenda. However, it is clear that these are falsities being claimed by ICE as the federal government review exposed violations that occurred within these institutions. The fight against private companies to shut down privately-operated detention centers is one that California continues to do; it is a step in the right direction of dismantling the system that detention centers exist in, but not one that has seen success just yet.

To look at one example of detention within the state of California, Otay Mesa Detention Center provides first hand insight. Otay Mesa began housing detainees in 2015, and as of the year 2020, “had an average daily population of 730 detainees with a maximum capacity of 1,142.”³⁸ As of recent times, Otay Mesa Detention Center has found itself catching heat for multiple violations of health standards, specifically relating to COVID. However, before jumping into COVID-related violations, it is important to note that “Otay is among the top five detention facilities nationwide with the highest number of complaints related to sexual and/or physical abuse incidents.”³⁹ This facility is one that blatantly disregards the safety of the detainees inside; COVID only amplified this purposeful ignorance. Since March of 2020, “386 detainees at Otay Mesa have tested positive for COVID-19 and one detainee died due to complications of the

³⁷ Dolan.

³⁸ Cuffari, Joseph. “Violations of ICE Detention Standards at Otay Mesa Detention Center.” *Department of Homeland Security*. September 14, 2021.

<https://www.oig.dhs.gov/sites/default/files/assets/2021-09/OIG-21-61-Sep21.pdf>

³⁹ “Otay Mesa Detention Center: Visitation Policy Victory.” *Freedom for Immigrants*.
<https://www.freedomforimmigrants.org/otay-mesa-detention-center>

virus.”⁴⁰ In comparison, that is about half of the detainees in the facility that tested positive for COVID, as they are cramped into such a small space on top of one another. Those being held in Otay were not given any protective gear, such as gloves or face masks, even though there had been confirmed positive COVID cases already in the facility, nor were they provided with medical assistance if they started to show symptoms.⁴¹ Administration at this detention center was allowing for COVID to run rampant throughout the facility by not providing proper protective measures. Even worse, detainees were in charge of cleaning areas that they used, such as the collective toilets, but they were doing so without protective gear, putting them at even more of a risk.⁴² Exemplifying how COVID affected Otay Mesa Detention Center gives an opening to understand the later chapter on personal stories that this paper will feature; unfortunately, the case of overcrowding and lack of health regulations is not unique to Otay Mesa.

The State of Louisiana

Louisiana, out of these three states, is definitely the outlier when it comes to association with immigration, however, this does not stop it from having the second-highest rate of detention daily, at 4,415. In accordance with “the U.S. Immigration Detention Interactive Map by Freedom For Immigrants, there are 11 ICE detention facilities statewide, and nine of them are run by private companies.”⁴³ As per usual, problems have arisen from the existence of these detention centers in Louisiana. “Hundreds of asylum seekers at the ICE detention centers in Louisiana are

⁴⁰ “Otay.”

⁴¹ Lovera, Patricia Sulbarán. “Coronavirus: Immigration Detention Centres in Crisis.” *BBC*. May 1, 2020. <https://www.bbc.com/news/world-us-canada-52476131>

⁴² Lovera.

⁴³ Mamone, David. “Louisiana ICE Centers Ignore Agency Protocol on Release of Asylum Seekers, Advocates, Immigrants Say.” *The Advocate*. October 16, 2021. https://www.theadvocate.com/baton_rouge/news/politics/article_28b096f0-2ded-11ec-ad59-97a61cf345ee.html

being forced to pay for private transportation options to get to an airport or bus station once they are released,” which is not in compliance with standards.⁴⁴ This system of forcing asylum seekers to pay for private transportation is not unique to Louisiana, showing once again that even if detention centers are located in separate states, there are many similarities. Detention on its own completely disrupts the lives of those who have the misfortune of being detained, especially financially speaking. Many immigrants come looking to be able to provide better lives for their families; detention takes them away from their jobs, leaving their families vulnerable. Knowing this, it is inhumane to know that “immigrants and their families have to pay hundreds of dollars on private taxis or miss their scheduled flights.”⁴⁵ These privately owned detention centers in Louisiana are located in areas that are not within walking distance of anything, hence why immigrants and their families are forced to pay large sums of money for transportation.

LaSalle ICE Processing Center in Louisiana is a facility owned by GEO Group, one of the private companies that will be spoken about later in this paper, that came about in 2007. According to the GEO Group webpage on LaSalle, with a capacity of 1,160 people, “the center has support areas consisting of medical, kitchen, dining room, laundry and warehouse buildings.”⁴⁶ The webpage only provides positive information about LaSalle ICE Processing Center, as expected from the company running the facility, but one can see that LaSalle is just another detrimental detention center because: “In March of 2020, immigrant detainees staged protests against the facility due to the lack of proper handling of the COVID-19 situation. A large group of detainees, at least 75 people, staged the protest, but “guards decided to use pepper spray

⁴⁴ Mamone.

⁴⁵ Mamone.

⁴⁶ “LaSalle ICE Processing Center.” *GEO Group*. <https://www.geogroup.com/FacilityDetail/FacilityID/59>

to keep the other 75 detainees in the area.”⁴⁷ The use of force by guards at LaSalle is not shocking to see; instead of listening to the genuine concerns of detainees, the guards opted to use pepper spray to deter the protestors. ICE refused to release the detainees, who had been stressing their fears of COVID-19, which then resulted in the protesting that occurred. 1,160 is not the largest number, but to have that many people in close quarters when a new infectious disease is taking over completely, it is guaranteed to cause anxiety amongst detainees. ICE incorrectly handled the situation at LaSalle ICE Processing Center and instead further harmed the concerned immigrant detainees with the force they found ‘necessary’ to use.

Detention centers hold a prominent position in the United States; 215 facilities is a large number, with an even larger number of detainees being held in these facilities. Recognizing that detention centers exist throughout the entire country and not in just one area allows for a better understanding of how detrimental the effects they have are. Each example given above of detention centers in Texas, California, and Louisiana is setting up a base layer of knowledge as to what abuses occur in detention centers that are not being investigated properly. In the fourth chapter, there will be a deep investigation into reports and personal stories of experiences within detention centers. The overlap in similarities of detention centers from state to state is alarming in the fact that they continue to exist in society. Whether it is inhumane conditions that have plagued these institutions for years or the new impending threat of COVID, detention centers in the United States have long been in place as a deterrent for immigrants. The following chapter will explain how the administration plays a role in reinforcing the inhumanity of detention centers; how the people in detention centers with power only provide further methods of dehumanization rather than aid for detainees. Detention varies from Texas to California to

⁴⁷ Aleaziz, Hamed. “Immigrants Afraid of the Coronavirus Outbreak are Protesting Inside ICE Facilities.” *Buzzfeed*. March 26, 2020.
<https://www.buzzfeednews.com/article/hamedaleaziz/immigrants-coronavirus-outbreak-ice-protests>

Louisiana, however, the fact remains that there really are not many differences between detention within these three states. With Louisiana not being a “border” state, it goes to show that the problem of detention centers is a whole country issue, not just a regional issue. The lack of oversight and outside the law status of detention centers makes all sorts of human rights violations possible, as seen in these three examples.

CHAPTER 3: Those in Power

There are multiple layers to the rule of power when it comes to detention centers; it is not just one dimension of agents that runs these institutions. There are those that fund the continued function of detention centers, there is the administrative level that runs detention centers, and there are the agents that ‘maintain order’ inside. It will be necessary to dissect these different groups, how they fit within the functioning of detention centers, and how they overlap with each other. This will help to further understand the manner in which these institutions operate and how the conditions have transformed into what they are today. Detention centers may be government-run institutions, however, the funding does not come from the government, but rather from private corporations. For these corporations, Latin American immigrants have been turned into a commodity. As more immigrants are placed into detention, the more profit these companies make. The administration that oversees what goes on in detention centers is separate from the funding companies, but carries the same level of disregard for the detained immigrants. Under the administration are the agents directly working in these centers; there will be an analysis of interviews and case studies that show not all of these agents follow the administration with a certain blindness. To prepare for the rest of this paper, understanding the levels of power

within detention centers and how it correlates with mistreatment and human rights violations is essential.

Funders

As stated, detention centers are government owned-and-operated buildings, meaning that their existence was created and maintained by the government. However, the funding that allows the government to keep these institutions open is provided by private, big companies that financially benefit from the detention of other human beings. These companies play as much of a role in the downfall of immigrant detainees' lives as the administration in detention centers by funding their continuance. The two that are going to be dissected in this section are CoreCivic and GEO Group, as they are big name companies within this franchise that has been created. While these companies are directly associated with detention centers, they are very quick to separate themselves from what actually occurs within the confines of these institutions, as you will come to learn. Understanding the specific role played by the funders of detention centers will help to develop the power roles that develop within the system.

The first of the two companies that is going to be looked at is CoreCivic, which is based out of Tennessee. Clyde Haberman's work titled "For Private Prisons, Detaining Immigrants is Big Business" places a focus on how privately run institutions have become the governments go-to for holding undocumented immigrants. Haberman quickly jumps into how CoreCivic is the nation's leading provider of high-quality corrections and detention management, to be a leader in the "roughly \$4-billion-a-year American industry: for-profit prisons, privately owned and operated."⁴⁸ The detention centers created by CoreCivic are those where the government sends

⁴⁸ Haberman, Clyde. "For Private Prisons, Detaining Immigrants is Big Business." *New York Times*. October 1, 2018. <https://www.nytimes.com/2018/10/01/us/prisons-immigration-detention.html>

majority of any undocumented Latin American immigrants that are found and detained. That being said, the CoreCivic website boasts about how it “partners with the U.S. Marshals Service and Immigration and Customs Enforcement (ICE) to provide safe environments where detainees can reside temporarily as they go through their legal due process.”⁴⁹ By partnering with ICE, CoreCivic is able to make excessive profit from detention centers without having to worry about supplying manpower to run them. There is nothing safe about these detention centers as they provide some of the most inhumane conditions that detainees are forced to live in; this is a topic that I will provide more details about in a later chapter. In fact, there is something very condescending about putting “unfortunately, there is a lot of misinformation about our company and *immigrant detention*” on their website.⁵⁰ This is meant as a separation tactic, as there are a plethora of articles out there with proof that this is not ‘misinformation’ by any means. CoreCivic is purposefully taking on a position that makes them seem innocent in the grand scheme of detention centers and the role they play in the mistreatment of Latin American immigrant detainees. However, they have not been able to hide, as “CoreCivic’s immigrant detention centers have faced public scrutiny for numerous human rights abuses, including medical neglect, sexual and physical assault against detainees, understaffing, and overcrowding.”⁵¹ CoreCivic does not care about the people that are detained in their facilities, so long as they continue to profit from the detention system and the centers that these Latin American immigrants suffer in.

The second company, GEO Group, has headquarters in California, Texas, and North Carolina. According to their website, the mission of GEO Group is “to develop innovative public-private partnerships with government agencies around the globe that deliver high quality

⁴⁹ “What We Do, What We Don’t.” *CoreCivic*. <https://www.corecivic.com/what-we-do-what-we-dont-do>

⁵⁰ “What.”

⁵¹ “CoreCivic Inc.” *Investigate*. <https://investigate.afsc.org/company/corecivic>

secure facility, community reentry, and electronic monitoring services while providing industry leading rehabilitation and community reintegration programs to the men and women entrusted to our care.”⁵² Just like CoreCivic, the GEO Group website is quick to place themselves in a position that makes their services out to be helpful and beneficial for all. However, as the owner of a detention center in Adelanto, California, GEO Group was sued for rights violations that occurred within the facility. Josue Vladimir Cortez Diaz, a man who fled from Mexico and was later granted asylum after spending time in the Adelanto detention center, had staged a hunger strike with other detainees to protest the treatment they faced inside the center. There was a video to back Cortez Diaz’s story, which showed “barely edible food, indifferent health care, guard brutality and assorted corner-cutting measures.”⁵³ It comes as no surprise that the GEO representative brushed this situation under the rug and claimed that the agents at the facilities were following federal regulations and protocol. GEO Group is out for profit, as proven here:

“GEO Group also plays a major role in the detention of immigrants at the U.S.-Mexico border including detaining separated families and children. GEO operates the Karnes Family Residential Center in Texas, one of the only three ICE family detention centers that detain families and children, who some are as young as 27 days old. As of March 2019, the GEO’s Karnes Family Residential Center can detain up to 1,158 people. In August 2018, immigrant detainees protested what they described as animal-like treatment at GEO’s Karnes County facility. Beginning in August 2018, GEO Group has also been a target of protest by the Dream Defenders, which called for a day of action to ‘make GEO’s cages and profits visible to all’ as part of its ‘GEO Cages’ campaign. GEO responded to the Dream Defenders’ criticism by threatening to sue the human rights organization.”⁵⁴

When called out for the inhumane treatment and conditions within their facilities, rather than attempting to right their wrongs, GEO Group was quick to throw out threats of suing the Dream Defenders. If these claims and accusations were not the truth, then GEO Group would not have gotten so defensive; they could not afford to lose business due to exposure of what they were

⁵² “Who We Are.” *The GEO Group Inc.* https://www.geogroup.com/who_we_are

⁵³ Haberman.

⁵⁴ “The GEO Group Inc.” *Investigate.* <https://investigate.afsc.org/company/geo-group>

allowing to happen in their institutions. GEO Group is just another big company looking to make money, even if that is at the expense of the lives of other humans.

The claims of these private companies such as GEO Group and CoreCivic ultimately come from the fact that they state that “they build and operate prisons more cheaply than governments can, what with the public sector’s many mandates.”⁵⁵ Private companies’ flexibility to open and close facilities as needed in regard to illegal immigration is another argument behind why these companies should be allowed to handle this rather than the federal government, who should be using tax payers’ money for more ‘important’ matters. Does this mean that safety and security of people and their rights is not important enough for the government? It is clear that these big, private companies are capitalizing on illegal immigration from south of the border, and with federal government permission as well. With such flexibility to open new facilities, it leaves no doubt that these companies are big supporters of so-to-speak ‘hunting down’ Latin American immigrants to detain. Luke Darby wrote an article titled “Private Companies are Cashing in on ICE’s Detention Centers,” in which he goes on to prove this point; the more people that are detained, the more that these companies make in profits. According to Darby, “as many as 72 percent of those people are held in privately owned facilities...mostly managed by two massive companies, GEO Group and CoreCivic, formerly Corrections Corporation of America, which in 2017 earned a combined \$985 million from contracts with ICE.”⁵⁶ Right here we are presented with an astonishing amount of money made by two private companies alone on immigrant detention. CoreCivic and GEO Group are just two examples of companies that profit off of the harming of humans; without the financial support from these companies, detention centers may not be able to continue operating, as the government relies on these funds. However, as you will

⁵⁵ Haberman.

⁵⁶ Darby, Luke. “Private Companies are Cashing in on ICE’s Detention Centers.” *GQ*. July 19, 2019. <https://www.gq.com/story/private-profit-detention-centers>

come to learn, financial supporters such as CoreCivic and GEO Group only play one role in the overall operation of detention centers.

The Role of ICE

Detention centers are under the discretion of ICE, also known by its full name of Immigration and Customs Enforcement. According to the definition given by Homeland Security, ICE holds a purpose “to protect America from the cross-border crime and illegal immigration that threaten national security and public safety.”⁵⁷ The problem, however, has become that ICE goes far beyond this definition regarding carrying out any sort of protectionary measures. ICE are the police of this system, however, with significantly less oversight than the actual police. Just like detention centers are not jails, ICE is not police. The mission of ICE is meant to focus “on smart immigration enforcement, preventing terrorism and combating the illegal movement of people and goods,” yet ICE tends to specifically targets anyone deemed to be Latin American, putting their lives at risk.⁵⁸ This targeting does not just relocate Latin American immigrants that came to the United States illegally, but U.S. citizens as well. It becomes a huge problem when the discretionary power being used is targeting an ethnicity instead of these supposed ‘terrorists and illegally moved peoples.’ By positioning ICE in a good light as a power meant to protect the citizens of the United States, it automatically gives more freedom for ICE agents to go about situations in whatever manner they find to be best fit.

ICE is a perfect example of an adoption of a social and political agenda against Latin American immigrants in the name of protecting the security of the United States and its citizens. The constant negative political and media portrayals of ‘Mexicans’ has caused a portion of

⁵⁷ “Immigration and Customs Enforcement.” *Homeland Security*.
<https://www.dhs.gov/topic/immigration-and-customs-enforcement>

⁵⁸ “Immigration.”

American citizens to deem ‘Mexicans’ as “incapable of integration.”⁵⁹ With such negative stereotypes being forced upon Mexicans, and all Latin American immigrants, ICE has been able to capitalize on fear and disdain by American citizens toward Mexicans to carry out their agenda. ICE uses the discretionary power that it has been granted over time in an abusive manner against Latin American immigrants as a means of exerting power and dominance. Even though ICE power grew from the tragedy that was 9/11, which had nothing to do with Latin America, it still racially targets Latin Americans when doing raids and removals in communities. Going off everything, it does not at all come as a shock to learn that “many of ICE’s removal tactics take away even the right to a fair hearing in court, as the government rushes to judgment and tries to ram people through a rubber-stamp system that ignores individual circumstances.”⁶⁰ The fact of the matter is that ICE’s expansion of power and jurisdiction coincides with the sense of security that U.S. citizens seek to feel.

The power of ICE allows these agents to go into communities and extract any undocumented immigrants, bringing them back to detention facilities, where they await their fate. Beyond just this, detention centers and ICE are directly correlated to one another; both function in a state of exception, drawing the power they have from creation to deal with crisis. “ICE was created in 2003 through a merger of the investigative and interior enforcement elements of the former U.S. Customs Service and the Immigration and Naturalization Service,” in response to the 9/11 attacks that occurred in 2001.⁶¹ Building off of the widespread fear that was enveloping the United States towards foreigners and immigrants of any ethnicity or

⁵⁹ Arnold, Kathleen. “Enemy Invaders! Mexican Immigrants and U.S. Wars Against Them.” *Borderlands*. December 2007.

⁶⁰ “ICE and Border Patrol Abuses.” *ACLU*.

<https://www.aclu.org/issues/immigrants-rights/ice-and-border-patrol-abuses>

⁶¹ “About ICE.” *U.S. Immigration and Customs Enforcement*. <https://www.ice.gov/about-ice>

nationality, ICE agents were essentially given the go-ahead to complete whatever efforts were necessary to keep the country safe.

ICE has since partnered with the companies mentioned in the previous section to create detention and processing centers to hold undocumented immigrants after removing them from communities. Under ICE, the “Enforcement and Removal Operations (ERO) manages and oversees the nation's civil immigration detention system, detaining individuals in furtherance of their removal proceedings or to effect their departure from the United States after a final order of removal from a federal immigration judge.”⁶² ERO, a sub-branch of ICE, is responsible for overseeing and managing the U.S. detention system; this further shows the role that ICE plays when it comes to detention centers. A system that exists in a state of exception, with an ‘out of sight, out of mind’ approach taken in the treatment of detainees, could only be overseen by an organization that was created out of crisis to purposefully exist outside of the typical rule of law. Detention centers would not have the same rate of “success” that they have seen if not for ICE agents constantly supplying these facilities with detainees.

Staff Within Detention Centers

ICE may oversee and manage the detention system, however, there are still other people working within these detention centers that contribute to the conditions that are forced upon detainees. Detention officers in the facilities are those who are in charge of managing the actual detention centers and detainees inside; these officers act as supervisors to the overall functioning of the detention center. The main role of these officers is to “ensure the safe imprisonment of detainees, manage conflict between detainees, and report inappropriate behavior to the

⁶² “Detention Oversight.” *U.S. Immigration and Customs Enforcement*.
<https://www.ice.gov/detain/detention-oversight>

warden.”⁶³ It should not come as a surprise that detention officers often abuse their power, resulting in cases of sexual and physical abuse being inflicted upon detainees. These abuses will be discussed in further detail later on in this paper, as there are personal accounts of detainees who were unfortunately victims.

Beyond detention officers, there are other occupations in detention centers that require people to be hired for, such as cooks, doctors, and other jobs that are essential to maintaining a functioning and safe environment. Unfortunately, the focus on these other jobs within detention centers falls on the focus that many detention centers are struggling to fill vacancies in important staff positions. Take for example this: “One of the country’s largest immigration detention centers had no psychiatrist on staff, ‘chronic shortages’ of almost all medical positions and was described by its own staff as a ‘ticking bomb’ because noncriminal detainees were mixed with high-security offenders.”⁶⁴ Shortages in medical positions, especially psychiatric staffing, is very problematic in detention centers where detainees can be cramped into a room with someone who is contagious, but not being properly treated. That, and having proper medical staff in any sort of institution is imperative. A quote from a CoreCivic manager is as follows: “his biggest concern at Stewart Detention Center ‘is staffing shortages which pose a risk to the staff’s safety’.”⁶⁵ The fact that the CoreCivic manager’s biggest concern is how the staff’s safety may be at risk due to the lack of medical staff is not surprising at all. Rather than be concerned for the detainees, the ones who are actually sick and not being properly cared for, he is more concerned about how it could in turn affect the staff. In this case, it is quite ironic for him to be so concerned for the staff, as it had been discovered in an investigation that illegal drugs were continuously making their

⁶³ “What Does a Detention Officer Do?” *Zippia*.

<https://www.zippia.com/detention-officer-jobs/what-does-a-detention-officer-do/>

⁶⁴ Yu, Elly. “Exclusive: An ICE Detention Center’s Struggle with ‘Chronic’ Staff Shortages.” *Wabe*.

<https://www.wabe.org/exclusive-an-ice-detention-centers-struggle-with-chronic-staff-shortages/>

⁶⁵ Yu.

way into the facility, with arrests of “multiple employees for smuggling drugs into the facility.”⁶⁶ The combination of illegal drugs flowing into the detention center with the lack of proper staff creates a very insecure and dangerous environment for detainees. COVID further took a toll on the lack of staff and the negative effects towards detainees that came from not having proper staff. At the Otay Mesa Detention Center, detainees spoke on how for days they “had been given only bread and water to eat because the detention center cooks stopped working once the pandemic began.”⁶⁷ Not only can Latin American immigrants in detention centers not practice proper social distancing, they also are not getting actual meals or medical supplies where it is necessary. It is both baffling and concerning that during this pandemic, instead of there being help supplied to the people within detention centers, their situation is actually getting worse. Lack of staff does not only affect the staff that is working there, meaning that because there is less staff, there is more work for those in the centers to take on. Detainees are directly affected by this as well; without proper staffing, it is even easier to worsen the situation.

Detention centers are a systematic hazard to society, with so many different layers that feed into how detrimental they are. Immigrant detention has become a market that private companies such as GEO Group and CoreCivic have been able to capitalize on. Detention has become a profitable industry for these private companies because they are the ones running and maintaining the detention system, which they are able to do by creating relationships with ICE; these private companies build the facilities and ICE supplies the manpower to bring people into detention and operate the facilities. These companies are able to impact immigration policies because they are the stand-ins for the government when it comes to the detention system to avoid any blame being placed on the government. The goal of these companies is not to provide safe

⁶⁶ Yu.

⁶⁷ Lovera.

spaces for undocumented detainees to reside in while they await their due process, even if that is what their websites boast about, but rather to make money, no matter if it is at the expense of other human beings. The relationship between these private companies and ICE has allowed for ICE to continue practices as if it is the police force that goes directly with the system of detention in the United States. As long as ICE supplies the detainees, the private companies will function on behalf of the government. However, even though these detention centers continue to operate, there is a lack of staff that is necessary for the health safety of detainees. The next chapter is going to focus on reports and personal stories of detention center conditions and treatment of detainees. Once reading the next chapter, the role of staff in the conditions of these facilities, or lack thereof, will be blatantly clear.

CHAPTER 4: What Goes on Inside

Talking about detention centers, the number of them in the United States, and the different groups in power is only a fraction of the reality within these institutions. In order to fully understand the mistreatment and human rights violations that occur, it is necessary to get real life stories from detainees to support any claims made. There have been journalists and reporters that gain access to a firsthand account of the status of detention centers, however, personal accounts and stories from Latin American immigrant detainees are much more powerful. Firsthand accounts given by reporters and journalists are important to look at because they give written proof to what happens within the confines of detention centers. They are not meant to describe the experiences faced by detainees, but rather support any claims of extremely poor conditions that Latin American immigrants are forced to live in when detained.

Personal stories, on the other hand, are completely the truth of the experience that these real humans had to endure; they are going to be hard to ingest and digest, but that is exactly the reaction that the reader should be having. There should be discomfort, sadness, and anger being felt as each personal account and story is read. To try and use these stories to their fullest potential, there will be direct quotes from stories told; the authenticity is important as to not take away from the experience of another. There will be stories from a range of ages, sexes, locations, and backgrounds. This is to show that it is not just one specific group of Latin American immigrants being targeted and that the mistreatment being faced is not the same amongst every group. There will be a clear lack of names, both first and/or last, as it is very courageous of people to speak on their experiences against the United States government. Speaking out could lead to migrants suffering repercussions, so the lack of names is meant as a protective measure. While it may be difficult to continue reading, I urge you to do so because exposure to the realities faced by Latin American immigrant detainees is the only way that people outside of detention centers can learn about what really is occurring. There will be stories that correspond with specific detention centers that were analyzed earlier in the paper, as well as stories that touch on topics such as the LGBTQ+ community and family separation. Each story is unique and personal to the one telling it, but they are all rooted in the same problem: extreme mistreatment and violation of human rights in regard to Latin American immigrant detainees.

Before jumping right into reports and personal stories, there are some words that must be defined in order to provide the reader with the strongest understanding possible about the subject. Detain is to keep (someone) in official custody, typically for questioning about a crime or in politically sensitive situations. To detain does not mean to arrest, as clarified in the first chapter; Latin American immigrants are being detained, not arrested or jailed. An immigrant is a

person who comes to live permanently in a foreign country. Many of these Latin American immigrants are refugees, or a person who has been forced to leave their country in order to escape war, persecution, or natural disaster. Under the umbrella of a refugee is an asylum seeker, who is a person who has left their home country as a political refugee and is seeking asylum in another. They are leaving behind their homelands in order to find a life that is safer and better than what they had just been living. Amongst the ones that crossed the border are those who are undocumented, meaning that they are classified under not having the appropriate legal document or license. These undocumented immigrants came to the United States under the means of illegal immigration, referring to the migration of people into a country in violation of the immigration laws of that country, or the continued residence without the legal right to live in that country. Latin American immigrants are willing to take the risk of illegal immigration into the United States because of how terrible the conditions of their own homeland are; whether it be on a personal or national level, they feel that escaping is better than staying put.

Reports of Conditions

Reporters and journalists having the opportunity to go inside of a detention center and report honestly on what they were met with is an important part of the spreading of news on the reality of detention centers. If no one is able to go inside these institutions, there would be no way of supporting claims made about horrible conditions and mistreatment of detainees. The articles being referenced in this section are only a small portion of reports on detention centers in the United States and the conditions that detainees are forced to live in. The specifics of each detention center is meant to provide concrete and real-life examples of any claim that I have made up to this point in the paper. Each report is accurate to the conditions in the detention centers; there is no need to exaggerate because of how terrible the conditions are.

The Rio Grande Valley Detention Center, located in the state of Texas, is one of the many detention centers in the United States. Latin American immigrant detainees are forced into literal cages and to sleep on the bare ground without any sense of comfort while practically being on top of one another. A story published in USA Today reported on former Vice President Mike Pence's visit to the Rio Grande Valley Detention Center. This report completely exposed how inhumane the treatment and living situation of immigrants within the walls of this detention center. A reporter traveling with Pence "described a horrendous stench and said nearly 400 men were housed in sweltering cages so crowded it would have been impossible for all of them to lie down."⁶⁸ The Border Patrol agent that was giving Pence this tour also admitted to the fact that these men had not showered in most likely ten to twenty days. The public is met with concrete knowledge that detention centers along the border are not providing proper opportunities for correct hygiene, nor are detainees being provided ample room to all lay down at the same time. However, even after seeing firsthand the mistreatment of the immigrants in detention centers, Pence still defended the facilities, claiming that "every family that I spoke with told me they were being well cared for," even though he also stated that he was heartbroken as a parent to hear stories from children of their border cross experience.⁶⁹ This is inherently an example of the problem that the detention centers have spiraled into: elected officials do not denounce Border Patrol and ICE for what is occurring. Without elected officials taking this step to control ICE, the chances of real change happening become very slim.

Homestead Detention Center in Florida is meant specifically to hold unaccompanied immigrant minors that have come from Latin America. J.J. Mulligan Sepúlveda, an immigration

⁶⁸ Sergent, Jim. "Chilling First-Hand Reports of Migrant Detention Centers Highlight Smell of 'Urine, Feces,' Overcrowded Conditions." USA Today. July 17, 2019. <https://www.usatoday.com/in-depth/news/politics/elections/2019/07/16/migrant-detention-centers-described-2019-us-government-accounts/1694638001/>

⁶⁹ Sergent.

lawyer working at the Immigration Law Clinic at the University of California Davis School of Law, attested to this cramming of children into small spaces, stating that in the detention center there were about 1,800 kids and it was already so crowded, but now the count is up to 3,000, with the bunk beds being only shoulder length apart, making it difficult for walking.⁷⁰ The conditions of these detention centers are also very unsanitary and do not provide proper nutrition, especially since these are children who need proper health as they grow to ensure a future for themselves. There have also been in-depth interviews done with detained children that revealed these children sometimes go weeks without “contact with family members, or regular access to showers, clean clothes, toothbrushes, or proper beds.”⁷¹ This shows how these detention centers are both lacking and cruel because they do not provide these children with basic sanitary needs or a way to contact their family, which in the long run will have lasting effects on their health, both physically and mentally. Leecia Welch, senior director of legal advocacy and child welfare at the National Center for Youth Law, was quoted saying this about Homestead detainees: “We see extremely traumatized children, some of whom sit across from us and can't stop crying over what they're experiencing.”⁷² Homestead Detention Center, just like Rio Grande Valley Detention Center, is the perfect example of the conditions that Latin American immigrants are forced to live in while they are detained.

The Migrant Detention Center in Clint, Texas is one that has already been looked at in terms of the number of detainees that can be held and other statistical information regarding the

⁷⁰ Chakrabarti, Meghna. “Life Inside U.S. Migrant Detention Centers.” On Point. June 20, 2019.

<https://www.wbur.org/onpoint/2019/06/20/immigrant-detention-centers-us-mexico-border>

⁷¹ Long, Clara. “Written Testimony: ‘Kids in Cages: Inhumane Treatment at the Border’.” Human Rights Watch. July 11, 2019.

<https://www.hrw.org/news/2019/07/11/written-testimony-kids-cages-inhumane-treatment-border>

⁷² Burnett, John. “Inside the Largest and Most Controversial Shelter for Migrant Children in the U.S.” NPR. February 13, 2019.

<https://www.npr.org/2019/02/13/694138106/inside-the-largest-and-most-controversial-shelter-for-migrant-children-in-the-u->

facility. However, numbers only mean so much when guidelines for safety are ignored in order to crowd as many people in the facility as possible. Clint Migrant Detention Center was thrown into the news “after immigration lawyers began reporting on the children they saw — some of them as young as 5 months old — and the filthy, overcrowded conditions in which they were being held.”⁷³ The center was designed to hold no more than one hundred adult men for only a short amount of time. That being said, “the number of children in the site is thought to have peaked at more than 700 around April and May, and stood at nearly 250 two weeks ago.”⁷⁴ There is a complete disregard for the comfort of these children who are forced to be cramped into a space with one another; they are all strangers to each other, but they are expected to live in such small, public spaces. The article discloses that there is a singular cell in Clint designated to hold any children that are sick, even if they are contagious with different illnesses than one another, with only employees provided with measures to cover themselves in prevention. Romero writes further on the topic:

“Outbreaks of scabies, shingles and chickenpox were spreading among the hundreds of children and adults who were being held in cramped cells, agents said. The stench of the children’s dirty clothing was so strong it spread to the agents’ own clothing — people in town would scrunch their noses when they left work. The children cried constantly. One girl seemed likely enough to try to kill herself that the agents made her sleep on a cot in front of them, so they could watch her as they were processing new arrivals.”⁷⁵

The inhumane conditions and harshness that Latin American immigrant detainees are forced to live in during their time at Clint does not prevent further admissions of new arrivals from being processed.

Not only is there no space for these new arrivals, but there are not enough resources to provide for the new detainees, let alone the ones that were already being held. In fact, “lawyers

⁷³ Romero, Simon. “Hungry, Scared, and Sick: Inside the Migrant Detention Center in Clint, Texas.” *NY Times*. July 9, 2019.

<https://www.nytimes.com/interactive/2019/07/06/us/migrants-border-patrol-clint.html>

⁷⁴ Romero.

⁷⁵ Romero.

who visited the Clint station described children in filthy clothes, often lacking diapers and with no access to toothbrushes, toothpaste or soap, prompting people around the country to donate supplies that the Border Patrol turned away.”⁷⁶ This further proves the villainous role that ICE and Border Patrol play in this situation; the denial of these donations shows that they want Latin American immigrant detainees to suffer. To add even more to this, “the agency’s leadership knew for months that some children had no beds to sleep on, no way to clean themselves and sometimes went hungry,” in regard to the conditions in Clint.⁷⁷ The leadership of this institution could have cared less about the detainees, their rights, or their health; it is made crystal clear here. However, it was not just the agency’s leadership feeding into the mistreatment of detainees. There is quite the amount of outside support for Clint Detention Center, even though it is a very inhumane institution. Starting off, “Dora H. Aguirre, Clint’s mayor, expressed sympathy for the agents, who are part of the community in Clint and neighboring El Paso. ‘They’re just trying to do their job as a federal agency,’ she said. ‘They are trying to do the best they can’.”⁷⁸ Having the mayor of Clint sympathize with the agents that are destroying the lives of these immigrants is tough to try and get political change to happen against the detention center.

There were also “Border Patrol leaders, including Aaron Hull, the outspoken chief patrol agent of the agency’s El Paso Sector, have disputed descriptions of degrading conditions inside Clint and other migrant detention sites around El Paso, claiming that their facilities were rigorously and humanely managed even after a spate of deaths of migrant children in federal custody.”⁷⁹ Claiming that any detention centers are ‘humanely managed’ could not be further from the truth. If these sites were all properly maintained, then there should be no reason as to

⁷⁶ Romero.

⁷⁷ Romero.

⁷⁸ Romero.

⁷⁹ Romero.

why “officials at the border agency declined multiple interview requests.”⁸⁰ The leaders at Clint Migrant Detention Center continued to ensure that the detention center remained inhumane and unlivable for the children. Even when Henry Moak, the ‘Customs and Border Protection’s chief accountability officer,’ went to Clint and was faced first with the inhumane conditions, he in the end approved that the detention center at Clint was in compliance with standards. What really stuck out from Romero’s article was that the agents within Clint detention center recognized what was wrong and were constantly getting heartfelt over things and bringing toys for the children. As brought up in the previous chapter, the administration in these detention centers are the cause behind the terrible conditions and treatment. There is a continuous cycle that cannot be broken: the leadership who wants the money that comes from the operation of detention centers ignore the abuses that occur in the institution because it is more beneficial for their own wants. The Clint Migrant Detention Center, as Romero points out in his article, is no exception to this; all the information presented in this article is accurate as to what the inside of one amongst many detention centers looks like.

These are just three articles that focus specifically on the terrible conditions that detention centers in the United States provide for Latin American immigrants to live in. There are many similarities, such as lack of proper resources and cramming of too many people in one space, that these three different detention centers share. These are not unique, but rather the norm of conditions that detainees are forced into. Learning about the conditions is essential before hearing the personal stories and accounts, as it sets in the scene of where the mistreatment and violation of human rights occur. By being forced to live in overcrowded, dirty spaces without proper hygiene and food care, Latin American immigrant detainees are being set up to live terrible lives during their time in detention.

⁸⁰ Romero.

Personal Stories and Accounts

As stated above, the personal stories and accounts that will be in the next section are the honest truth given by Latin American immigrant detainees. These accounts are made up of reports on personal accounts as well as the personal words of immigrants on what they went through, and they do not sugarcoat anything. Gaining the knowledge of exact experiences is powerful to the overall argument of this paper, however, please read with caution and if at any point it becomes necessary, take a break. I encourage you to read every account that is presented because this is the reality of what people, who escaped from harmful conditions in their home country and came to the United States looking for a better life, had to endure. Each story will be credited to the one whose experience it is in order to validate everything they went through. These are real people, with real lives, feelings, and rights; all of which were stripped from them the second that they were detained. Please keep an open mind and heart as you proceed through.

Through the Eyes of a Reporter

Reporters not only are able to access the insides of detention centers, but they are also able to speak to some immigrants and get information on their time in detention. Reporters are able to publish the stories of immigrants for the public to read about and understand what they endure. However, keep in mind that the words of the reporter are based off of the accounts of another person; they can provide a look into the life of a detainee, but it is not as personal as directly from the mouth of an immigrant.

Pedro Guzmán was detained in Stewart Detention Center, a private prison in the state of Georgia. During his time spent at Stewart, “Mr. Guzmán was put to work in the kitchen, where his shift began every morning at 2 a.m. [and] if he was late, the guards threatened him with

solitary confinement.”⁸¹ For this work he was only paid one dollar a day, and was sometimes forced to work when he was ill. With the little amount that he made, “all of Mr. Guzmán’s earnings went straight back into the coffers of the prison company, since he had no choice but to purchase food, hygiene products, and phone cards to call his family from the facility’s commissary.”⁸² He was unable to send any of his minimal earnings back to his family, who lived in North Carolina; they had to make the ten hour drive if they wanted to ever see their father. Finally after almost two years spent in detention at Stewart, Mr. Guzmán won his deportation case and was released back into society. Even though he was able to secure the status of being a green card holder, “Mr. Guzmán and his family are tens of thousands of dollars in debt due to the legal fees and lost income incurred during his lengthy detention.”⁸³ Prior to his detention, Mr. Guzmán worked to be the provider financially for his family; there was no compensation for what Mr. Guzmán had to endure while detained, leading to his family struggling majorly with debt once he was finally released.

As the case of Mr. Guzmán shows, it is not just the detainee that is majorly affected by their time in detention, but their families as well. Patrick Thaxter was taken into immigration custody at York County Prison outside of Philadelphia. Unable to afford rent, “his children--the youngest of whom was seven--were evicted and were forced to move to Georgia to live with their aunt.”⁸⁴ This sort of change was not handled well by Mr. Thaxter’s children. In fact, “Patrick tried to parent by phone as best he could but his daughters, who had all been honor roll students, suffered academically and socially due to the stress of being separated from their

⁸¹ “In Their Voices.” *Prolonged Detention Stories*.

<https://www.prolongeddetentionstories.org/the-stories#stories>

⁸² “In.”

⁸³ “In.”

⁸⁴ “In.”

father.”⁸⁵ It is very emotionally draining and taxing to have someone taken from you so quickly, without being able to fight against it for the sake of your family.

As threatened against Mr. Guzmán, solitary confinement within detention centers is an extremely cruel tactic used to further demoralize those in these facilities. Astrid Morataya had the unfortunate experience of being placed in solitary confinement during her time in detention. Her offenses that placed her in solitary confinement were “having a sugar packet in her pocket that she forgot to dispose of at mealtime, and lagging behind her cellmates as they left the cell because she had begun menstruating and was trying to secure menstrual pads.”⁸⁶ Twice she was placed in solitary confinement and each time was for such minor instances. This goes to show that guards in detention centers are there out of racial motivation to mistreat anyone within the detention centers. There was absolutely no need for Astrid to be given such a vicious punishment, other than to dehumanize her and reinforce the notion of how little her life mattered within the confines of that detention center. Astrid, on top of her solitary confinement, attempted to support her children during the two and a half years she was detained. She only saw her children three times in the years she was in detention, as they had to relocate to live with family in Iowa, putting her children a six-hour drive away from her. Astrid found herself becoming helpless as “her youngest child became the subject of a traumatic custody battle due to Astrid’s detention.”⁸⁷ The effects of adult detention on their children is just another element that shows how vicious and unforgiving the U.S. detention system can be.

Gretta Soto Moreno exemplifies the true cruelty of the detention system in the United States and how this system completely ignores the needs of immigrant detainees. Gretta “is a transgender asylum-seeker who fled to the United States to escape the years of sexual assault,

⁸⁵ “In.”

⁸⁶ “In.”

⁸⁷ “In.”

beatings, and threats she suffered in her home country.”⁸⁸ Transgender and other LGBTQ members that choose to leave their home countries and find refuge elsewhere automatically have a more difficult time; Gretta found this out when she experienced the same abuses in the U.S. as she had in her home country. Upon being detained, Gretta was placed into “an all-men’s unit in Eloy Detention Center in Arizona...there, she was subject to strip searches by male guards who touched her inappropriately, and frequent, demeaning insults from the guards and other inmates.”⁸⁹ Even though she repeatedly filed grievances against the assault she endured, there was little result that came from these actions. After suffering at Eloy, Gretta was transferred by ICE to a unit specifically for LGBTQ detainees in the Santa Ana City Jail located in Southern California. Although she was hopeful for better treatment in this unit, Gretta “found that the full body cavity searches at Santa Clara were even more frequent and invasive than at Eloy, and performed by guards who told her and other asylum-seekers to ‘act male’ and use their ‘male voices’.”⁹⁰ On top of all of this mistreatment, Gretta was denied access to the necessary hormonal therapy medications that she needed. There is a clear and blatant disrespect to Gretta and her needs as a transitioning woman; the physical and sexual assault that she had to endure during ‘strip searches’ was exactly what she had been attempting to escape by leaving her home country. By placing Gretta in an all men’s unit at Eloy, her identity was completely ignored and violated at the same time. The detention centers that Gretta was sent to both ignored her identity and abused her, physically and mentally, highlighting how detrimental these facilities are for any type of immigrant.

These accounts all show separate situations of detention that all were horrible and could have major long lasting effects on those who suffered at the hands of guards and agents at the

⁸⁸ “In.”

⁸⁹ “In.”

⁹⁰ “In.”

centers in which they were detained. There is blatant disrespect, mistreatment, and targeting shown throughout each account, yet these centers remain open, meaning that even more immigrants who are detained may suffer the same horrible fate. Each account is from a different detention center, but one is just as cruel as another; part of it is definitely meant to be tactics used to deter immigrants from trying to come back if they get deported, as they face these conditions, but it is plain inhumane what immigrants go through in detention centers. This attempt at deterrence of immigration through harsh treatment is a purposeful tactic; it is not accidental. Even though these are secondhand accounts, they are still able to portray the situations that immigrant detainees face when in detention centers. Similarities seen across these stories, such as solitary confinement tactics and very detrimental effects on family members, occur because the detention system in the United States is unvarying in its brutality.

From the Mouth of the Detainee

The following quotations were collected by attorneys during their visits to Customs and Border Protection facilities, as a preface to direct quotes from children detained in these facilities. What they do is “paint a distressing picture of what life is like under the U.S. government's care: being forced to sleep in cold metal cages, sometimes in wet clothing and with little more than a Mylar blanket; being deprived of food, water and the most basic sanitary items; being forced to take care of one another after being separated from their parents; and being laughed at when they cry.”⁹¹ It is important to note that these children will not have their names provided in these interviews, as it is a means of keeping them safe from any possible government retaliation. Their ages will be provided, however, which shows the range of different aged

⁹¹ De Silva, Chantal. “Migrant Children Share Heartbreaking Stories of What It’s Like to Be Locked in U.S. Detention Centers: ‘There Are No Activities, Only Crying’.” *News Week*. June 28, 2019. <https://www.newsweek.com/migrant-children-share-heartbreaking-stories-u-s-detention-1446447>

children forced into detention centers, effectively altering their lives for good. These detention center conditions are so atrocious that there are teenagers being forced to take care of children, as well as “mothers telling of how they struggle to keep their babies warm and in good health, with no access to diapers or clean clothes.”⁹² Detention centers force children to grow up quickly, taking away their innocence and affecting their health. These next quotes come directly from young detainees and the situations they had to endure during their time in detention.

- “‘I’m hungry here at Clint all the time. I’m so hungry that I have woken up in the middle of the night with hunger. Sometimes I wake up from hunger at 4 a.m., sometimes at other hours. I’m too scared to ask the officials here for any more food, even though there is not enough food here for me.’ -*From a 12-year-old boy*”⁹³
- “‘They told us that we could only have one layer of clothing, and they threw away the rest of our clothes in the garbage.’ -*From a 16-year-old boy*”⁹⁴
- “‘Three days ago my baby soiled his clothes. I had no place to wash the clothes so I could not put them back on my baby because when he went to the bathroom his poop came out of his diaper and all over his clothing. Since then, my baby of only three months has only been wearing a small little jacket made of t-shirt material. I have nothing else for my son to wear... I have been told they do not have any clothes here at this place. I just want my baby to be warm enough. I am having to make sure I carry my baby super close to me to keep his little body warm.’ -*From a 17-year-old girl*”⁹⁵
- “‘I was apprehended with my father. The immigration agents separated me from my father right away. I was very frightened and scared. I cried. I have not seen my father

⁹² De Silva.

⁹³ De Silva.

⁹⁴ De Silva.

⁹⁵ De Silva.

again... I have had a cold and cough for several days. I have not seen a doctor and I have not been given any medicine.’ *-From a 5-year-old boy*”⁹⁶

- “‘I am in a room with dozens of other boys. Some have been as young as 3 or 4 years old. Some cry. Right now, there is a 12-year-old who cries a lot. Others try to comfort him. One of the officers makes fun of those who cry.’ *From a 17-year-old boy*”⁹⁷
- “‘At 3 a.m. the next day the officers told us that our grandmother would be taken away. My grandmother tried to show the officers a paper signed by my parents saying that my grandmother had been entrusted to take care of us. The officers rejected the paperwork saying that it had to be signed by a judge. Then the officers took my dear grandmother away. We have not seen her since that moment.’ *-From a 12-year-old girl*”⁹⁸
- “‘I was given a blanket and a mattress, but then, at 3:00 a.m., the guards took the blanket and mattress. My baby was left sleeping on the floor. In fact, almost every night, the guards wake us at 3 a.m. and take away our sleeping mattresses and blankets. They leave babies, even little babies of two or three months, sleeping on the cold floor. For me, because I am so pregnant, sleeping on the floor is very painful for my back and hips. I think the guards act this way to punish us.’ *-17-year-old girl*”⁹⁹
- “‘The day we arrived, my baby became sick. She could not open her eyes and had a fever which got much worse during the day. I asked the guard for help and he told me to 'just deal with it'. I asked for help again, and was ignored. The third time I asked, I was crying because she was so much worse I was very worried for her. After two days, they took her to the doctor.’ *-From a girl whose age is unknown*”¹⁰⁰

⁹⁶ De Silva.

⁹⁷ De Silva.

⁹⁸ De Silva.

⁹⁹ De Silva.

¹⁰⁰ De Silva.

- “‘There are little kids here who have no one to take care of them, not even a big brother or sister. Some kids are only two or three years old and they have no one to take care of them.’ -From an 11-year-old boy”¹⁰¹
- “‘They took us away from our grandmother and now we are all alone. They have not given us to our mother. We have been here for a long time. I have to take care of my little sister. She is very sad because she misses our mother and grandmother very much... We sleep on a cement bench. There are two mats in the room, but the big kids sleep on the mats so we have to sleep on the cement bench.’ -From an 8-year-old boy”¹⁰²

Think about what was just stated by these young, innocent detainees. A grown adult making fun of children who are separated from their family because the child cries over missing their family and having to live in the conditions within the detention center. Claims that there are not enough or any clothes at this detention center to give the baby a change of clothes. Children being forced to sleep on cement floors because there are not enough mats. There is nothing about any of these statements given by immigrant children that is humane, yet the lack of response efforts is slim to none. In fact, Justice Department lawyer Sarah Fabian tried to argue “that it was not technically a requirement for the government to provide migrant children with sanitary items like soap and toothbrushes or even access to showers and blankets.”¹⁰³ Even though it is not ‘technically’ a requirement, the government should supply these basic supplies to detained children. This ‘technically’ argument shows justifications for detention through the lens of ICE agents because there is no legitimate law stating they must provide for detainees, therefore showing that ICE fundamentally doesn’t care about human rights. Especially because “the extra items that they had with them have been taken away,” according to multiple accounts from

¹⁰¹ De Silva.

¹⁰² De Silva.

¹⁰³ De Silva.

children.¹⁰⁴ Any items that may have had value, especially personal value, were taken from these children the moment they were detained; this effectively further cuts them off from their families on top of any efforts being made to prevent them from contacting their families. There are also multiple accounts, as seen throughout the quotes from young detained mothers, about the improper and insufficient food provided to the mothers and their children. The food provided for babies is usually “inferior quality and not appropriate for babies or toddlers...some babies are not provided with formula at all, and others are provided with less formula than they need’.”¹⁰⁵ Because mothers were not able to get sufficient enough meals, they could not produce proper breast milk for their babies, and then there was no proper meal provided for the babies and toddlers.

These separate accounts may have been anonymous to preserve the identities of these children, but this anonymity did not at all affect the power that these personal accounts hold. It was just account after account about how these children did not have access to anything, young teenage mothers could not properly dress or feed their babies, and overall just complete mistreatment of young, growing children. At this point in their lives, these children need all the support, help, and proper care they can get, otherwise there will be long term effects of trauma on detained children.. These accounts are not from one specific detention center, which furthers the concept that there are most likely no detention centers that properly care for those within its walls and that they are not even remotely a safe space for any age group to be detained within.

The next account is from Alexis, a transgender woman from Guatemala, about her experience once she arrived at the border. Her story demonstrates the difficulties she and other transgender migrants specifically endure once in the United States, as she had been apprehended

¹⁰⁴ De Silva.

¹⁰⁵ De Silva.

by Border Patrol. In the following section, Alexis’s story will be told in her own words to preserve the intensity of the situations she faced.

- “In August of 2019, I arrived at the U.S. border, having escaped violence and persecution in Guatemala. When I arrived, CBP never asked about my fears. Instead, agents made fun of my gender, pulled my hair, yelled at me, and sent me to be prosecuted for unauthorized entry. After several months, I was deported to Guatemala. I never saw an immigration judge and no one asked me about my fears. Thankfully, my lawyers helped me return to the United States and I am now seeking asylum. I wanted to share my story.”¹⁰⁶
- “I didn’t go to immigration court. I only went to a federal court. What I was fighting against during those four months in federal detention, going to federal court and not immigration court, was so that I can go to fight my asylum case. It wasn’t that I was fighting my asylum case already, I was fighting to be able to go to asylum court. I spent four months locked up so that the judge would give me the opportunity to fight my immigration case. But, he did not.”¹⁰⁷
- “After four months of being in San Diego, they moved me to another place, to another detention center. On day 15, more or less, I don’t remember because they don’t have a calendar or anything because we’re locked up, a security guard arrived in the middle of the night saying, ‘Get up, get up, get up!’”¹⁰⁸
- “I asked him to allow me a phone call to contact my lawyer. The ICE agent told me I could not call anyone, that I didn’t have a reason to call anyone because I was already marked to be deported.”¹⁰⁹

¹⁰⁶ Rozensky, Jordan. “One Suffers a lot of Discrimination in Detention.” *Immigrant Justice*. July 29, 2020. <https://immigrantjustice.org/staff/blog/one-suffers-lot-discrimination-detention-alexis-story-0>

¹⁰⁷ Rozensky.

¹⁰⁸ Rozensky.

¹⁰⁹ Rozensky.

In this case, Alexis endured detention in order to try to fight her immigration case, but the judge denied her requests. This concept that Alexis was already “marked to be deported” and was not allowed to make contact with a lawyer is very illegal based on human rights laws. Reading through Alexis’s account, her pain can be felt through the recalling of what occurred. Her story also made many questions arise about the legality of things that occurred, such as does every immigrant have the right to a trial to determine their ‘fate’ (for lack of a better term), as people do when they get arrested. Alexis spent time in detention to try and better her chances of getting a fair trial, but was instead shut down, even after having to go through such unfortunate and cruel situations. The agents at the detention center made sure to keep the detainees unaware of how many days had passed since they arrived, rendering them clueless. This tactic is meant to dehumanize detainees by stripping them of any semblance of reality and society. Alexis’s story is a very tragic one that exemplifies the atrocities committed towards immigrant detainees without any consequences.

These next stories are all provided by immigrant children who were detained and separated from their parents, whether that was in the same detention center or different ones. When the article featuring these stories was written, the deadline for reunifying children with their parents had passed. There is a lot of bravery to be seen in these children speaking on what they went through; they are putting themselves through reliving the atrocities that they faced in detention. Each child’s story is unique, but one very striking aspect about all of these children is that the oldest age amongst the four of them is 16-years-old. Daniella Silva gives a place for these four children to unveil the mistreatment that they went through.

Franklin is an 11-year-old boy from Honduras who crossed the border into the United States with his mother, Maria Gloria, and 7-year-old brother, Byron. Once again, there will be no

last name attached because Maria Gloria requested their last name be left out in concern for her family's privacy. Upon arrival, Franklin and Byron were separated from their mother and detained in a separate facility. Franklin recalls details of his and Byron's time in detention, exhibiting the mistreatment they faced.

- “‘They would wake us up at 3 in the morning and we were so tired,’ he said, adding that he didn’t know why they would wake all the children up. The ham they gave the children was cold and raw, he said.”¹¹⁰
- “‘We would pray together and ask God that everything would be OK.’”¹¹¹
- “‘My heart was beating so fast when they told me my mom was going to be with us again,’ he said. ‘When they told my brother, he started to cry’.”¹¹²

Sergio, a 16-year-old boy, came to the United States with his father. However, authorities apprehended Sergio and his father, taking all their belongings, before separating them and sending them to different detention centers. Sergio recalls the situation and how authorities lied to him when separating him and his father.

- “‘When I left, and my dad wasn’t with me, they told me not to worry that he would be coming in a moment,’ he said, according to testimony given in Spanish and translated into English. I went in the car and felt very relieved and happy that he would follow. But it wasn’t like that. He didn’t come. I haven’t seen him since then’.”¹¹³

¹¹⁰ Silva, Daniella. “‘Like I am Trash’: Migrant Children Reveal Stories of Detention, Separation.” *NBC News*. July 28, 2019. <https://www.nbcnews.com/news/latino/i-am-trash-migrant-children-reveal-stories-detention-separation-n895006>

¹¹¹ Silva.

¹¹² Silva.

¹¹³ Silva.

- “Sergio said one night he was crying in the bathroom because he did not know where his father was or how he was doing.”¹¹⁴
- “‘A staff member here at Casa Padre came in and asked me why I was being such a crybaby,’ he said in Spanish, according to the filing. ‘Then he said some words in English that I didn’t understand but other young men who were there told me he said swear words. It made me feel very bad and very ashamed’.”¹¹⁵
- “‘I do not want to be here anymore, especially since I know how much my father is suffering,’ he said. ‘The way I have been treated makes me feel like I don’t matter, like I am trash’.”¹¹⁶

Dixiana, a 10-year-old from Honduras, came to the United States with her mother until they were apprehended by authorities and although they were brought to the same facility, they were still separated from one another. At the facility that Dixiana was taken to, there were so many young females that they “had to sleep sitting up on the concrete floor because there was no room.”¹¹⁷ Dixiana recalls her time spent in detention, describing the food she was given and the treatment she suffered.

- “‘For breakfast, they gave me a frozen ham sandwich. The ham was black. I took one bite, but did not eat the rest because of the taste,’ she said in her statement.”¹¹⁸
- “‘I was very scared that I would never see my mother again,’ she said.”¹¹⁹
- “‘I was half asleep and they were calling a girl who had a similar first name as me,’ she said. ‘A male officer kicked me to wake me up to confirm whether or not I was the

¹¹⁴ Silva.

¹¹⁵ Silva.

¹¹⁶ Silva.

¹¹⁷ Silva.

¹¹⁸ Silva.

¹¹⁹ Silva.

person they were looking for. I was not. The kick scared me and hurt, although I did not get a bruise’.”¹²⁰

- “‘I didn’t cry the first day when I was at this facility, but I began crying all of the time on the second and third day because I missed my mother,’ she said. ‘The majority of the other girls in my cell were also crying the whole time I was there’.”¹²¹

Alexander, an 11-year-old, along with his mother came to the United States from Guatemala to seek asylum. They were apprehended at the border and brought to the same detention center. Alexander recalls how being in the same detention center as his mother was just as traumatizing.

- “‘They sent me to a room with other children. I saw my mom and she was chained at her feet, her waist and her hands, and I was crying,’ Alexander said in Spanish from his aunt's home in Florida.”¹²²
- “‘There was another little boy who was 6 years old and he was crying because his dad was also chained. He was crying and ran to hug his dad and didn’t want to let him go,’ he said.”¹²³
- “‘He was placed in a room with two friends and a 14-year-old boy who frequently bullied him, he said. Alexander said he told shelter staff about the ongoing bullying, but they told him to stop complaining. ‘I told them many times but they ignored me. They didn’t listen to me,’ he said.”¹²⁴
- “‘One night, the 14-year-old boy grabbed his foot to trip him as he was leaving the room, causing him to hit his head on a metal bed frame, causing a severe laceration and heavy

¹²⁰ Silva.

¹²¹ Silva.

¹²² Silva.

¹²³ Silva.

¹²⁴ Silva.

bleeding, according to Alexander and a complaint filed by his mother. ‘I had my hand on my head and it felt like water was falling on me and when I looked at my hand I saw it was full of blood,’ he said. ‘I was dizzy’.”¹²⁵

- “Alexander was taken to the hospital and his wound was treated with three staples. The boy’s mother said she was never called by the shelter and informed her son had been taken to the hospital... ‘I was desperate, I was in the hospital for four hours. I wanted my mom but I couldn’t talk to her,’ he said.”¹²⁶

Franklin, Sergio, Dixiana, and Alexander are unfortunately not unique stories of immigrant children being taken from their parents and forced into detention by U.S. authorities. However, each of their stories are personal to them, validating the harsh realities that they had to face at such a young age. Whether it was being denied knowledge of where their parents were or seeing their parents across the detention center but not being able to approach them, these four children went through extreme trauma due to being detained.

Personal stories and accounts of immigrants’ experiences while being detained in one of the many detention centers in the United States are the most accurate and strongest evidence that an outsider can access. By reading the direct quotes from detainees, especially children, of what they endured, the public is allowed an insight into these privately owned and operated detention centers. Conditions are terrible, with lack of hygienic products, food that is inedible, lack of proper clothing or bedding; all of these factors are then on top of the separation of families. The fact that any human being is going through such atrocious treatment, yet the United States government continues to look the other way, is simply appalling. By spreading these personal

¹²⁵ Silva.

¹²⁶ Silva.

stories and accounts across the news and media, the hope is that more Americans will recognize this ever-growing problem in the United States.

CHAPTER 5: Call to Change

While politicians and other elected officials refuse to acknowledge what occurs at the border, American citizens still have a duty to inform themselves on what is happening. No positive changes are ever going to be implemented to help out Latin American immigrants detained along the border if people continue ignoring the situation. Lack of information on the reality of detention centers at the Mexican American border is just a form of ignorance and we cannot let ignorance takeover. The more people become aware, the more help that can be provided to Latin American immigrants trapped in detention centers at the border.

The public, once it is educated on what goes on inside of detention centers and how mistreated Latin American immigrants are, should be calling out the government to make changes. However, without this public outrage, the government will continue with its silence on the matter. If the government won't make the necessary changes, then it is up to the common people to do so. Education is the greatest tool we have as a population; people of all ages, both within and outside of the United States, need to take charge to educate themselves on Mexican American border camps. The more time that passes without any change in the current way these camps are run, the worse the situation becomes for Latin American immigrants. History may show an inherent racism toward Latin Americans, but that does not mean that future generations cannot have a huge impact in changing what has always been. Detention centers need to be shut down as soon as possible to prevent subsequent mistreatment of Latin American immigrants within the United States as a whole: that change starts with us.

While our own government officials may be ignoring the problem, international human rights organizations have denounced the conditions of these camps. The UN Human Rights chief outright called the conditions ‘appalling.’¹²⁷ Other NGOs have become increasingly aware of the conditions occurring in detention centers. These organizations have recognized the problem in the United States, while the U.S. government continues to put detention center atrocities on the back burner. This is when you know the problem is bad: international human rights organizations are concerning themselves with detention centers more than the U.S. government does. In fact, recent news has shown the U.S. government deporting COVID-19 positive detainees back to their home countries, who are already poor and vulnerable to the virus, showing how little the United States government cares about the lives of Latin Americans inside and outside the border!¹²⁸ It is appalling to see that the government of the supposed ‘greatest country in the world’ is the direct cause of mass human rights violations upon one population. The U.S. government clearly does not care about the lives of Latin American immigrants that they forced into detention, resulting in the mass spread of COVID, as well as other contagious diseases, amongst detainees. Outside organizations are voicing their concerns more than the government of the country with the problem. Detention centers are never going anywhere if the U.S. government continues to ignore them as if they do not exist.

The best solution to help out these detainees is to shut down the U.S. detention system completely. However, an immediate shutdown is not feasible, especially with the virus raging across the country. The least the government could do for people they have detained is to provide them these bare necessities. Detainees do not have the opportunities to help themselves due to the scarcity of supplies; as already stated, they have no rights once locked away in these

¹²⁷ “UN rights chief ‘appalled’ by US border detention conditions, says holding migrant children may violate international law”. July 8, 2019. <https://news.un.org/en/story/2019/07/1041991>

¹²⁸ Lovera.

facilities. It is the job of the government to provide people with adequate housing, medical care, food, and access to hygiene, among other resources. Citizens can pressure the government to provide the most basic resources and aspects of life to detainees. Just because detention centers are not constantly a news story does not mean that the people trapped inside these facilities do not deserve to be treated like humans.

The topic of detention centers is a difficult one, it is hard to grasp how no one seems to be concerned with how Latin American immigrants are being treated. Ignoring something because it is hard to talk about or causes discomfort is just as detrimental to the hopes of change in detention centers as outright supporting detention centers and the treatment that Latin American immigrants endure. The harm of detention centers needs to be recognized across the United States; persistence in reminding the government of what they created needs to be amped up. Eventually, the hope would be to apply so much pressure that the detention system is disbanded completely. It may take a lot of time, money, and international help, but in the end, it will be worth it for the countless Latin American lives affected.

Government silence combined with a lack of knowledge amongst the public on detention centers in society is causing the detention system to continue. The purpose of this thesis is to open the eyes of citizens of the United States to the atrocities that occur daily in U.S. detention centers and the effect this has on the Latin American immigrant population. By understanding detention through numbers, power structure, and personal accounts, the reality of detention centers is easier understood. Detention centers are vile facilities that implement harsh and inhumane conditions onto the immigrants forced inside. I have shown how the entire detention system is built to exist outside of laws as Agamben helped us see, and therefore it will always cause human rights abuses as I have amply documented throughout this entire paper. These are

places that are constructed to be spaces that people do think or talk about while being purposefully constructed outside of the law. It is time that we finally begin bringing attention to these horrible facilities to disband them from U.S. society immediately. Amending them will do no good and will only continue this violating cycle. Detention centers need to be permanently closed and the detention system in the United States must be demolished in order to preserve the lives of Latin American immigrants.

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