

Stop the Torture of Immigrants

The **Department of Homeland Security** and its enforcement arms, the Bureau of **Immigration and Customs Enforcement** (ICE, formerly the Immigration and Naturalization Service or INS, "La Migra") and the **Border Patrol** are the key agencies controlling immigrants' lives in the United States. Unfortunately, nearly all proposed immigration legislation, from the Sensenbrenner bill (HR4437) to the McCain-Kennedy bill call for a further increase in their size and power, and put more migrants behind bars with no new checks on their abuse of migrants. The DHS, ICE and Border Patrol **have been implicated in the torture** of people crossing the border region and of immigrants in the United States:

BEATINGS, TORTURE AND RAPE BY BORDER PATROL

The Border Patrol is a militarized force of more than 10,000 agents that interdicts people crossing the border and maintains checkpoints and carries out raids in border regions. Human Rights Watch has documented severe human rights abuses by the Border Patrol, "including **unjustified killing, torture, and rape**, and routine beatings, rough physical treatment, and racially motivated verbal abuse."¹ Students at Bowie High School near the El Paso border were regularly harassed, prompting a 1992 lawsuit. The court findings of fact included the assault of Nieden Susan Diaz, who was thrown to the ground, kicked twenty times, and stood upon by agents.² Numerous Border Patrol agents have used their authority to coerce sex, physically or sexually abuse detainees, and **engaged in kidnapping and sexual assault** while on patrol. Abuses were heightened in the 1990's by a rush to hire new agents—a rush which would accelerate under proposed immigration laws.

ABUSE IN IMMIGRATION DETENTION

More than 200,000 people are detained each year by U.S. immigration agencies. While many are quickly deported, others are held for months at a time, some of them indefinitely. Over 20,000 are held on any given day in eight immigration prisons, seven private prisons and numerous local jails and state prisons.³ Migrants, including **refugees seeking asylum**, at the Esmor Inc. facility in Elizabeth, New Jersey, eventually rose up against practices of verbal and physical abuse, humiliation and corporal punishment. After the uprising, two dozen of them were **beaten, stripped, forced to**

crawl through a gauntlet of officers, and made to chant, "America is number one." Now reorganized as the Correctional Services Corporation (CSC), this same company operates the Department of Homeland Security's Northwest Detention Center.⁴

¹ Human Rights Watch *World Report* 1993. ² Amnesty International, *United States of America: Human Rights Concerns in the Border Region with Mexico*, 1998 (AMR 51/03/98). ³ Alison Siskin, *Immigration-Related Detention: Current Legislative Issues*, Congressional Research Service, April 28, 2004. ⁴ Human Rights Watch, *Locked Away: Immigration Detainees in Jails in the United States*, September 1998. Dan Frosch, *Detention Center Blues*, *In These Times*, June 14, 2004

ABUSE OF "SECURITY DETAINEES"

Hundreds of immigrants, primarily of Middle Eastern and South Asian origin, were arrested and **held without charge** or notice to their families—for weeks, under cover of the September 11th terrorism investigation. While many were eventually deported for a visa violations or criminal confessions, none were charged with terrorism-related offenses. A report by the Justice Dept. Office of the Inspector General report on the experience of 762 such detainees found confirmed the physical and verbal abuse of detainees. On arrival at the Metropolitan Detention Center in Brooklyn, New York—according to the OIG's report—the detainees were **slammed face first into a wall** against a shirt with an American flag; the bloodstain left behind was described by one officer as the print of bloody noses and a mouth. Once inside they were threatened with detention for the rest of their lives, verbally abused, exposed to cold, deprived of sleep, and had their hands, cuffed arms, and fingers severely twisted.⁵

EXTRAORDINARY RENDITION FROM AIRPORTS

Syrian-born Canadian computer programmer Maher Arar was detained by U.S. immigration officials while changing planes at JFK Airport on September 26, 2002. Arar was interrogated, **denied food, sleep and access to a lawyer**, and held for two weeks before being sent on a private plane to Jordan. There, he was transferred to an underground jail cell in Syria. American government lawyers have maintained in court that their treatment of Arar is legal and protected from court scrutiny due to "national security" concerns. Arar was beaten and interrogated, forced to sign confessions, and **held in a cell without light of any kind for 10 months** and 10 days.⁶ His release in October 2003 has brought to light the U.S. government policy of extraordinary renditions.

We oppose abuse and torture in all its forms, and call for a full investigation and immediate end to torture by US immigration enforcement. No new powers should be given to those who torture. **Rights for immigrants and rights for all.**

Think about torture.

Speak about torture.

Act Against Torture
actagainsttorture.org

⁵ U.S. Department of Justice Office of the Inspector General, *The September 11 Detainees: A Review of the Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Attacks*, June 2003. *Supplemental Report on September 11 Detainees' Allegations of Abuse at the Metropolitan Detention Center in Brooklyn*, New York, December 2003. ⁶ Nina Bernstein, "U.S. Defends Detentions at Airports," *New York Times*, August 10, 2005. Maher Arar website: www.maherarar.ca.

