

A. Recommendations

Item REC-003

*A Resolution to Study Immigration Detention in the United States
from the Advocacy Committee for Women's Concerns*

The Advocacy Committee for Women's Concerns (ACWC) recommends the 218th General Assembly (2008) to do the following:

1. **Direct the Advisory Committee on Social Witness Policy (ACSWP) to:**
 - a) **Study and monitor detention in relation to immigration in the United States, giving attention to the experiences of women and children detained and affected;**
 - b) **Explore the social witness policy of the PCUSA regarding detention; and**
 - c) **Report its findings and recommendations to the 219th General Assembly (2010).**

2. **Urge the Office of General Assembly and General Assembly Council to:**
 - a) **Support the program work of the Office of Immigration Issues, and provide adequate financial support for the development of resources regarding detention and immigration; and**
 - b) **Support regional study seminars across the church focusing on detention and immigration and promote these events with connectional structures as appropriate.**

3. **Direct the Washington Office and the Office of Immigration Issues to:**
 - a) **Partner with ecumenical and interfaith entities to build/join in coalitions against detention and**
 - b) **Advocate for alternatives to detention.**

Rationale

After spending two years studying immigration and its affect on women and children, ACWC recommends action. Detention happens throughout the country and in many communities. The stories are troubling. One was reported in the Cleveland Plain Dealer November 9, 2007. Officials took a 27- year old woman in Conneaut, Ohio into custody after she admitted to being in the country "without papers." Agents had tapped on the door of a house in search of an undocumented brother-in-law wanted for a felony crime. At the time the woman was breastfeeding her 9 month old baby. As agents removed the parents, and for three days, the child cried incessantly as she went without breast milk. At the same time, her mother, sick with worry, suffered as her breasts became engorged. A representative of the La Leche League of Ohio tried to reach the woman in Bedford Heights jail with a breast pump, but was never successful in getting milk back to the baby. The mother was eventually was fitted with an ankle bracelet and released, and was to be deported to Honduras. Her two younger children are US citizens, but a 5-year old was to be deported with her.

I was naked and you gave me clothing, I was sick and you took care of me, I was in prison and you visited me. And the king will answer them, "Truly I tell you, just as you did it to one of the least of these who are members of my family, you did it to me." Matthew 25:36, 40

A recent example of a problem arising from the detention of families appeared in the Houston Chronicle, December 11, 2007. "An 8-year old girl was separated from her pregnant mother by immigration authorities and left without her mother for four days in a detention center established to hold families together. The mother and daughter were sent to the T. Don Hutto Family Residential Facility, a former Central Texas prison where non-criminal immigrant families were held while their cases were processed. They were awaiting a decision on a bid for asylum, which they eventually lost." The T. Don Hutto facility holds men, women (some pregnant), children, and infants, and is administered by the Corrections Corporation of America (CCA), the country's largest for-profit corrections company.

Other situations when documented effects have been profound include death from lack of medical attention or withheld medications and sexual mistreatment in detention centers. Sixty-six immigrants have died in detention since 2004, according to 2007 reports by The New York Times and Human Rights Watch. In El Paso a pregnant woman in the custody of U.S. Immigration and Customs Enforcement died after complaining of leg pain and losing consciousness (reported in the Austin Statesman on August 08, 2007). Another example:

While detained at the CCA Central Arizona Detention Center from November 2005 to April 2006, a Liberian woman complained of nausea, severe abdominal pain, trouble sleeping, and pain during urination. The facility's own records indicate medical staff believed she may have developed uterine fibroids, enlarged fibroids, and possibly needed a hysterectomy. She was frequently given 800 mg of Ibuprofen and told to exercise. In one instance, she fainted and consequently missed a court appearance. A few weeks before her release, she was taken to a public hospital where an ultrasound found a cyst which she reports doctors described as the size of a 5-month-old fetus. When the hospital determined she required immediate surgery, ICE released her from detention on medical parole in order to avoid having to pay for the procedure.¹

The death of Young Sook Kim, in the Regional Correctional Center (Cornell Corrections) in Albuquerque, NM (September 2006) provides another shameful instance:

On or about August 22, 2006, Young Sook Kim was transported to Regional Correctional Center from Virginia. During the van ride in Virginia to the airport, Ms. Kim vomited. Throughout her detention, which lasted approximately two weeks, she suffered serious stomach problems. Her condition deteriorated steadily, eventually getting to the point where she could not eat. Other women detainees pled with guards and nurses to examine Ms. Kim and also completed numerous sick call requests, at least one of which was marked "urgent." Ms. Kim never received proper care from a doctor. Only when her eyes finally turned yellow and she could no longer eat did the nurse agree to send her to the hospital. She was transported to the hospital on or about September 10, 2006 and died shortly thereafter.²

As immigration officials continue to detain family members, families are torn asunder; persons are detained without charge and may be moved frequently creating injustices. The church must bring its voice to this situation.

One example came from a social worker in southern California. An immigrant family had succeeded in purchasing a home and providing shelter for close family relatives. When the main provider was deported, the income lost resulted in the loss of the home.

I know, however, that the king of Egypt will not let you go unless compelled by a mighty hand. Exodus 3:19

Immigration detention is an emerging field of injustice and more detention centers are being built and operated by for-profit companies. PC(USA) has policy on for-profit prisons, "Resolution Calling for the Abolition of For-Profit Private Prisons", 215th General Assembly (2003), and immigration, "On Advocacy and Welcome for All Immigrants", 217th General Assembly (2006), however, they do not adequately address this growing dimension of suffering in the family of God.

Immigrant detention statistics:³

- 283,000 were detained at a cost of \$1.2 billion to taxpayers, at an average of \$95 per day. Eighty-four percent do not have legal representation.
- Persons are detained in over 400 facilities including private corrections companies and over 312 county and city jails nationwide. Being undocumented is a civil violation, not a crime; however immigrants are retained in local jails are mixed in with the local prison population serving time for crimes.
- There are 30,000 detention beds and 3,600 have been added in 2007.
- Alternatives to detention include electronic monitoring, at a cost of \$12 per day.

While we study detention and immigration, we must also find ways to support Presbyterian communities, fellowships and churches whose pastors and members are facing detention issues. The Office of Immigration Issues has the expertise to produce excellent resources for the church and the wider ecumenical community to use for education and advocacy. What the office does not have is the resources to support this work.

¹ Emails from Raha Jorjani, Staff Attorney, Florence Project to Sunita Patel, Staff Attorney, The Legal Aid Society, March 30, 2007 & April 11, 2007 (on file with Sunita Patel) see [Hhttp://www.aclu.org/pdfs/prison/unsr_briefing_materials.pdf](http://www.aclu.org/pdfs/prison/unsr_briefing_materials.pdf)H

² "Conditions of Confinement in Immigration Detention Facilities" a briefing prepared by Sunita Patel, Soros Justice Fellow, supatel@legal-aid.org and Tom Jawetz, Staff Attorney, ACLU National Prison Project, Htjawetz@npp-aclu.orgH. Accessed online at [Hhttp://www.aclu.org/pdfs/prison/unsr_briefing_materials.pdf](http://www.aclu.org/pdfs/prison/unsr_briefing_materials.pdf)H on February 4, 2008.

³ Detention Watch Network, [Hwww.detentionwatchnetwork.org](http://www.detentionwatchnetwork.org)H