

Border Policy's Success Strains Resources

Tent City in Texas Among Immigrant Holding Sites Drawing Criticism

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Friday, February 2, 2007; A01

RAYMONDVILLE, Tex. -- Ringed by barbed wire, a futuristic tent city rises from the Rio Grande Valley in the remote southern tip of Texas, the largest camp in a federal detention system rapidly gearing up to keep pace with Washington's increasing demand for stronger enforcement of immigration laws.

About 2,000 illegal immigrants, part of a record 26,500 held across the United States by federal authorities, will call the 10 giant tents home for weeks, months and perhaps years before they are removed from the United States and sent back to their home countries.

The \$65 million tent city, built hastily last summer between a federal prison and a county jail, marks both the success and the limits of the government's new policy of holding captured non-Mexicans until they are sent home. Previously, most such detainees were released into the United States before hearings, and a majority simply disappeared.

The new policy has led to a dramatic decline in border crossings by non-Mexicans, according to the U.S. Immigration and Customs Enforcement agency.

But civil liberties and immigration law groups allege that out of sight, the system is bursting at the seams. In the Texas facility, they say, illegal immigrants are confined 23 hours a day in windowless tents made of a Kevlar-like material, often with insufficient food, clothing, medical care and access to telephones. Many are transferred from the East Coast, 1,500 miles from relatives and lawyers, virtually cutting off access to counsel.

"I call it 'Ritmo' -- like Gitmo, but it's in Raymondville," said Jodi Goodwin, an immigration lawyer from nearby Harlingen.

An inspector general's report last month on a sampling of five U.S. immigration detention facilities found inhumane and unsafe conditions, including inadequate health care, the presence of vermin, limited access to clean underwear and undercooked poultry. Although ICE standards require that immigrants have access to phones and pro bono law offices, investigators found phones missing, not working or connected to non-working numbers.

With roughly 1.6 million illegal immigrants in some stage of immigration proceedings, ICE holds more inmates a night than Clarion hotels have guests, operates nearly as many vehicles as Greyhound has buses and flies more people each day than do many small U.S. airlines.

Gary Mead, assistant director of ICE detention and removal operations, said the agency is proud of its record, calling Raymondville "a modern, clean facility" that meets federal standards -- "which we believe are among the highest you'll find anywhere." Mead added: "We think the conditions of confinement there are both humane and consistent with all the rights they should be entitled to."

Despite its spartan conditions, the facility in Willacy County, 260 miles south of Austin, is a key to President Bush's drive to create a channel for temporary foreign workers and a path toward legalization for as many as 12 million illegal immigrants living in the United States.

To do so, the government must convince skeptics that it can credibly enforce laws aimed at illegal immigrants and their employers, and can hold and deport those caught by the U.S. Border Patrol. At the same time, the administration and its allies argue that even additional detention beds will be overwhelmed without new channels for legal immigration.

Accordingly, the United States has embarked on a huge prison building and contracting campaign, increasing the number of illegal immigrants detained from 19,718 a day in 2005 to about 26,500 now, and a projected 32,000 this summer.

About 80 percent of ICE's beds are rented at 300 local and state jails nationwide, concentrated in the South and Southwest, or at eight sites run by contractors such as the Corrections Corporation of America and Geo Group Inc., in places such as Houston, San Diego and Aurora, Colo.

ICE recently added a 1,524-bed facility in Stewart County, Ga., and a 512-bed center in Taylor, Tex., for immigrant families, both run by Corrections Corp.

With the new beds, the administration has imprisoned and deported virtually 100 percent of non-Mexicans caught since August, under faster proceedings that deny hearings to all but asylum seekers.

The administration says this has deterred many others. After quadrupling over four years, the number of non-Mexicans apprehended fell 35 percent in 2006, to 108,026.

But immigration experts and U.S. authorities say the impact of the prison boom will be hard to sustain and still is absorbing only a drop in the bucket of illegal immigration. The Border Patrol made 1.1 million apprehensions last year -- mostly Mexicans who were promptly returned across the border -- but estimates 500,000 people evaded capture or entered legally and then overstayed visas.

An additional 630,000 are at large, ignoring deportation orders, and 300,000 more who entered state and local prisons for committing crimes are to be deported but will probably slip through the cracks after completing their sentences.

U.S. authorities acknowledge that gains from the latest crackdown will be fleeting without the major changes the president wants.

"The short answer is, it is not sustainable," Mead said. "There comes a point where we can't detain any more people. Hopefully, prior to getting there, the deterrence factor will kick in."

The increased tempo of operations is a strain. ICE has no modern nationwide system to track its facilities' populations. It relies on an antiquated computer system created in 1984.

Every day since July, six officers have manually tracked and transferred detained immigrants among 24 regional offices, matching bodies to vacant beds and airplane seats in a Detention Operations Coordination Center, Mead said. "We have all of the information," he said. "It's a question of automation."

Legal advocates contend that some of the older facilities where immigrants are housed are in deplorable condition and that growing pains afflict even new facilities.

Under fire in Taylor, for example, ICE has expanded hours of daily schooling for children from one to seven hours to meet Texas guidelines.

In Willacy County, one of the country's poorest, ICE has set up 10 huge tents on concrete pads, surrounded by 14-foot-high chain-link fences looped with barbed wire. Each "sprung structure" holds about 200 men or women, divided into four "pods." Similar temporary buildings were used for troop recreational facilities in Iraq.

The center is part of a chain of facilities in South Texas with 6,700 new immigration detention beds. At a cost of \$78 a night per bed (compared with an ICE average of \$95 a bed), the Willacy facility is not only cheaper than any bricks-and-mortar prison but also faster to construct, move or dismantle, Mead said.

Detainees are subject to penal system practices, such as group punishment for disciplinary infractions. The tents are windowless and the walls are blank, and no partitions or doors separate the five toilets, five sinks, five shower heads and eating areas. Lacking utensils on some days, detainees eat with their hands.

Because lights are on around the clock, a visitor finds many occupants buried in their blankets throughout the day. The stillness and torpor of the pod's communal room, where 50 to 60 people dwell, are noticeable.

Goodwin described a group of women who huddled in a recreation yard on a recent 40-degree day with a 25-mph wind. "They had no blanket, no sweat shirt, no jacket," she said. "Officers were wearing earmuffs, and detainees were outside for an hour with short-sleeved polyester uniforms and shower shoes and not necessarily socks."

Perhaps more troubling, lawyers said, large numbers of immigrants have been transferred from Boston, New York, New Jersey and Florida, far from their families and lawyers. Because some immigration judges do not permit hearings by teleconference, detainees are essentially deprived of counsel.

Immigration violators in the United States are held on civil grounds and have no right to appointed lawyers. But federal guidelines call for providing them law libraries, telephones and phone numbers for legal aid.

Joining a lawsuit last week, the American Civil Liberties Union alleged that severe overcrowding at a Corrections Corp. facility in San Diego poses an unconstitutional risk to detainees' health and safety, arguing that as administrative detainees, illegal immigrants should be treated better than convicted criminals.

The National Lawyers Guild and five other groups petitioned the Department of Homeland Security last month to set binding regulations for detention sites, saying U.S. standards set in 2000 are not enforceable.

And the New Jersey Civil Rights Defense Committee has announced a campaign to stop ICE's use of county jails.

"The standards are there," said David A. Martin, a former general counsel of the Immigration and Naturalization Service, ICE's predecessor agency, who advocates concentrating detention centers in perhaps 10 cities to ensure access to lawyers and oversight. "But there are some real indicators federal standards are not well monitored or policed. We ought to do better."