

# Federal jury finds detention center liable for mistreatment

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The Associated Press

NEWARK, N.J. - A federal jury on Tuesday awarded a political asylum seeker \$100,001 after finding that her rights were violated while in custody at a detention center operated for U.S. immigration authorities by a private contractor, the immigrant's lawyer said.

The jury said the operator, then known as Esmor Corp., and some former executives, should pay \$100,000 to Somali immigrant Hawa Jama for negligent hiring and training, and \$1 for violating the Religious Freedom Restoration Act.

"Clearly, she would have been happier if she got more money, but she feels vindicated," said the lawyer, Penny M. Venetis.

The jury found no violation of international human rights standards.

The verdict came on the second day of deliberations, but a decade after Jama and eight other immigrants sued the company that ran the detention center in Elizabeth and what was then known as the Immigration and Naturalization Service.

Venetis said the eight others had already settled for undisclosed sums, and the only remaining defendants were the corporate successor to Esmor and former Esmor employees.

Esmor is now part of the Geo Group Inc. Messages seeking comment from its lawyer and a company spokesman were not immediately returned.

At trial, Jama testified that she endured beatings, insults, rotting food and unsanitary conditions during her 11-month detention at the privately run jail in Elizabeth in 1994-95.

The INS closed the center following a riot in June 1995, when about 100 immigrants broke windows, destroyed furniture and overpowered guards, claiming they were being held under inhumane conditions.

The INS fired Esmor, then of Melville, N.Y., after finding that poorly trained guards abused the detainees physically and mentally, gave them spoiled food and deprived them of sleep. The detention center reopened in January 1997 after renovations were completed by its new operator, Corrections Corp. of America, of Nashville, Tenn.

Jama, now in her late 30s, got married several years ago and now lives with her husband and three children in Columbus, Ohio, Venetis said.

Jama had fled tribal warfare in Somalia that claimed her father and brother, and became a U.S. citizen last year, said Venetis, a law professor at Rutgers School of Law-Newark and co-director of its constitutional litigation clinic.

"She really is still very haunted by what happened at Esmor," Venetis said. "She has flashbacks."

Venetis claimed "corporate greed" created miserable conditions at the Esmor detention center. Guards routinely beat and cursed detainees, with Jama being called "an African monkey," Venetis said.

"She was denied sanitary napkins, so she just bled all over herself once a month," Venetis said.

Charges were dismissed three years ago against the INS and its officials, with U.S. District Judge Dickinson R. Debevoise saying the government cannot be sued. He also dismissed some charges against the company's guards, finding that individual actions did not rise to the level of international human rights abuses.

But he refused to dismiss all charges against Esmor and its officials.

Some 1,600 former Esmor detainees got a \$2.5 million settlement from Esmor in 2005, with most getting less than \$1,000 each after legal fees. That group did not include Jama and the other eight who sued.

Geo, a publicly traded company based in Boca Raton, Fla., reported 2006 profit of \$30 million, or \$1.68 per share, compared with \$7 million, or 47 cents per share a year earlier. It had revenue of \$860.9 million in 2006, compared with \$612.9 million in 2005.