

In Remote Detention Center, a Battle on Fast Deportations

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ARTESIA, N.M. — Sitting before a small video screen in a bare room in a remote corner of New Mexico, a young Honduran woman told her story this week to an immigration judge in Virginia. She had been serially raped, she said, spat upon and relentlessly hounded by a drug-dealing husband who regarded her as his property.

“I felt a fear of him so terrible it’s difficult to explain,” the woman, Heidi Lara Carballo, told the judge in a hearing on Thursday. When she last saw her husband before she fled to the United States, she said, he was circling their house, firing shots into the air, as she tried to hide inside.

“If I go back to Honduras, it is certain death,” Ms. Lara Carballo said.

The judge agreed, and in the first case to be decided since this center opened in June, she granted Ms. Lara Carballo’s request for asylum, saying she had presented a “textbook case” for being allowed to stay in the United States.

Ms. Lara Carballo’s case and others being heard here are changing the nature and purpose of a temporary detention center that the Obama administration set up in windowless barracks behind high fences for women and children caught crossing the border illegally. The plan was to hold the detainees briefly until they could be deported, sending a message to Central American families that illegal migrants would not be allowed to stay.

But less than three months after it opened, an air of semipermanence is setting in. Modular units to be used as schoolrooms are rolling into the center, the parking lot has been paved and a barren sandlot is becoming a playground and soccer field.

The transformation is partly due to a corps of volunteer lawyers who have come to argue the immigrants’ cases. Alarmed at the rush to deport the families, the lawyers, who call themselves a fire brigade, travel here from cities as far away as Denver, Portland and San Diego. At first, they were barely allowed to work inside the center, so they filed a federal lawsuit.

Now lawyers and the government are battling over the migrants’ deportations. Until recently, asylum officers here had found that less than 40 percent of the women had credible fears of persecution if forced to return home. But the lawyers, who have now counseled nearly 300 women, contend that as many as 80 percent could win asylum claims.

Administration officials say they remain committed to detaining families who cross into the country illegally. While President Obama, responding to worried Democrats in tight races in this

year's midterm elections, is leaning toward postponing executive action for immigrants in the country illegally, the administration also faces the prospect of holding women and children in prolonged confinement in this outpost as their cases move through court.

“Because these are recent border crossers, we feel that detention is the most efficient way we can prosecute these cases and, if they are ordered removed, expedite that removal,” Phil Miller, a senior official at Immigration and Customs Enforcement, the agency that runs the center, said on Friday, adding that the Homeland Security secretary, Jeh C. Johnson, had ordered the agency to continue to “build capacity” to detain migrant families.

There are no immigration lawyers in this oil town in the mesquite flatlands of southeastern New Mexico, and the nearest cities — Albuquerque and El Paso — are at least 200 miles away.

When a border influx peaked in South Texas in June, administration officials opened the detention camp inside a high-security law enforcement training center here. It can hold 648 detainees; this week there were 546, about half of them children. A total of 288 people have been deported from here so far.

Women and their children from El Salvador, Guatemala and Honduras are housed in dark bunk rooms with eight people each. There are balls and toys for the children and stacks of diapers for babies. But in a report this week, the inspector general of the Department of Homeland Security found “unsanitary conditions” in some dormitories because many detainees were ill.

When the center opened, there were few provisions for lawyers to connect with migrants and no place for them to work.

“The house was on fire,” said Stephen Manning, a lawyer from Portland who led a convoy to Artesia from that city. In the first weeks, the average wait time for women to be deported was 15 days.

Mr. Manning helped set up a rotating team of volunteers from the American Immigration Lawyers Association, who fought for better access. On Aug. 22, legal advocacy groups filed a lawsuit claiming that the administration had swept aside due process with a “detain-and-deport” policy that prejudged asylum cases before they were heard.

Homeland Security officials responded quickly. In recent weeks, officers arranged for escorts to bring lawyers into the center, and a separate entrance for them is under construction. A room was set aside for the lawyers to interview the women, including four cubicles to ensure privacy. In an unusual concession, lawyers are allowed to bring their cellphones and laptops into the center.

A room was opened with toys and a television, and an agent is always available there in case women want to leave their children while they are interviewed by asylum officers. The room mostly sits empty, however, officials said, since mothers prefer to keep their children close despite the private details many discuss.

A bank of landline phones was set up in the dormitories, with free calls available to legal organizations and consulates. There is a message box where migrants can request to meet with lawyers.

Last week, officials said, Mr. Johnson sent a team of senior officials to the center to check on the progress of the remedial measures, which the lawyers agreed had made things easier.

“They’ve actually done a pretty remarkable thing,” Mr. Manning said. “It has changed the nature of the work we can do here.”

A major [decision](#) last month by the nation’s highest immigration court established that Central American women who were the victims of severe domestic abuse at home could be eligible for asylum in the United States.

The courtroom here looks little better than a storeroom, with chairs scattered about and the clock on the wall stopped. Ms. Lara Carballo, 23, could barely see the face of Judge Roxanne C. Hladyłowycz on the small monitor.

She passed an initial review with an asylum officer who found her account credible. When she finally went before the judge, she had three lawyers, including Mr. Manning, at her side.

Ms. Lara Carballo said her husband, imprisoned as an accomplice to a murder, had paid off his jailers and ordered his narcotics crew to bring her to the prison so he could rape her there. When she finally filed charges with the Honduran police, they told her they could not protect her and advised her to flee with her two young children to the United States.

Officials said while the center was still temporary, they were making improvements to bring it up to federal standards for long-term stays by immigrant families. But even as more women are showing stronger claims for asylum, government prosecutors are seeking to keep them in detention, arguing against releasing them on bond.

“This is not playing fair,” Mr. Manning said. “You don’t detain people to send a message. That’s not what the law says.”

<http://www.nytimes.com/2014/09/06/us/in-remote-detention-center-a-battle-on-fast-deportations.html>