

# Courthouse News Service

Thursday, December 03, 2009

## **Immigrants Get the Runaround**

By NICK DIVITO

WASHINGTON (CN) - Immigration and Customs Enforcement's growing practice of shipping immigrants to jails across the country during the deportation process limits their ability to challenge deportation, [two](#) new studies claim. Human Rights Watch says ICE transferred 1.4 million people facing deportation proceedings from 1999 to 2008 - and more than half of the transfers have come since 2006.

In its 88-page report, Human Rights Watch details the massive scale on which immigration detainees are being bounced around the country. This often results in applicants for political asylum being sent away from their attorneys and from potential witnesses for their case.

Human Rights Watch adds that ICE uses a 2004 loophole to hold detainees for weeks without providing notice of why they're being deported.

The ICE claims it needs to transfer immigration prisoners to balance out a lopsided population throughout the country.

But Human Rights Watch said that the number of transfers has grown faster than the detention population.

ICE "is increasingly subjecting detainees to a chaotic game of musical chairs," said Alison Parker, the group's deputy director and author of the report. "And it's a game with dire consequences since it may keep them from finding an attorney or presenting evidence in their defense."

Texas, California and Louisiana are the states most likely to receive transfers, the report said.

Once immigrants are transferred, they are "often so far away from their lawyers, evidence and witnesses that their ability to defend themselves in deportation proceedings is severely

curtailed," the report states.

"Immigrant detainees should not be treated like so many boxes of goods - shipped to the most convenient place for ICE to store them," Parker said in a statement. "We are especially concerned that the transferred detainees may find that their chances of successfully fighting deportation or gaining asylum from persecution have just evaporated."

In a separate report, the Constitution Project called for sweeping changes in immigration policies, including government-appointed counsel for aliens facing deportation hearings, and empowering immigration judges to appoint attorneys for defendants in their courts.

The data were collected through the Freedom of Information Act and were analyzed by the Transactional Records Access Clearinghouse at Syracuse University.