

Forgotten and Ignored

A new report on immigrant women behind bars paints a troubling picture

By **MARI HERRERAS**

When Nina Rabin headed to Florence and Eloy for what would be the first of many interviews with immigrant women in detention, she was afraid that the women would be resentful that young lawyers and a researcher were asking lots of private questions about their lives.

Instead, Rabin discovered women excited to talk to someone who was eager to listen to what they had to say about being an illegal entrant held in detention.



"The truth is, many of them are so isolated and just excited to have somebody listen, especially someone with a sympathetic ear," Rabin said.

Rabin, director of border research for the Southwest Institute for Research on Women (SIROW) and co-director of the Immigration Law Clinic for the UA's James E. Rogers College of Law, spent more than a year talking to women inside the three Arizona detention facilities that house illegal immigrants--and now she can't stop thinking about their stories.

This week, Rabin and a group of law students working on the project released their findings in a report, "Unseen Prisoners: A Report on Women in Immigration Detention Facilities in Arizona."

From September 2007 through August 2008, Rabin and the students traveled from Tucson to the Central Arizona Detention Center in Florence, the Pinal County Jail and the Eloy Detention Center. They interviewed about 40 women detainees, immigration attorneys, family members and social workers.

The result of the interviews is a compilation of stories that often go untold--including those of immigrant women separated from their young children, or brought to detention with major health issues that they allege were ignored.

Rabin said the report's findings were presented to representatives from Immigrant and Customs Enforcement (ICE), the federal agency responsible for the detention facilities and its policies. According to Rabin, the ICE representatives she met with in December 2008 denied the report's findings.

Eduardo Preciado, ICE assistant field office director, said the agency is in the process of putting together a statement regarding the report, and forwarded media calls to Vincent Picard, an ICE public affairs officer.

According to Picard, ICE was unable to comment on the report and its findings until it was officially released. (The *Weekly* spoke to Picard before the report's Tuesday, Jan. 13, release date--which is also the day we go to press.)

"What we were provided (in December) may have been a draft, and part of the report may have changed," Picard explained.

The report particularly looks at women who had specific health concerns that allegedly went untreated. One woman told a researcher she received a cervical-cancer diagnosis before heading to detention and made repeated requests to see an oncologist. Several months into detention, she got to see a nurse--and was given aspirin. A month later, she had a health emergency which finally forced the facility to allow her to see an oncologist.

Other cases focused on women in detention separated from their children. One woman was detained after being reported to ICE by an abusive husband. He eventually visited her in detention to tell her he was taking her two U.S.-born children with him to Mexico. Despite the history of abuse, she was unable to communicate with Child Protective Services or another agency that could help. Rabin said that when they interviewed her, she had been unable to talk to her children for the previous eight months.

Many of the women Rabin and the law students interviewed were separated from their young U.S.-citizen children, and many were hundreds or even thousands of miles away from their families and communities, because they were transferred to Arizona from out of state. Others reported to Rabin that it took weeks before they were able to call their families and attorneys--and phone-call rates were described as cost-prohibitive.

These are women who are not serving criminal sentences. Rabin said access was limited to recreation; there were no activities; food and other provisions were limited; and strip searches were performed regularly, with detainees fully shackled during transport.

"We hope this report will raise awareness about women locked up just an hour away from here in conditions that would shock most Americans," Rabin said. "We also hope to raise awareness about the U.S.-citizen children separated from their mothers right now because of immigration detention."

When Rabin and her law students interviewed immigration attorneys about the conditions, they were told that ICE officials routinely appeal decisions to release pregnant women on bond, reject or ignore applications for humanitarian parole of domestic-violence victims, and rarely consider reducing bonds for families unable to pay.

By drawing attention to the women they interviewed, Rabin said she hopes the report will help authority figures to enact changes and perhaps devise a system of detaining illegal immigrants

that is more humane and appropriate to the misdemeanor crimes of which many of these women are accused.

"It's the culture of the agency," Rabin said. "Now, perhaps we have an opportunity for that culture to change with (Michael) Chertoff gone and (Janet) Napolitano coming in (as secretary of the Department of Homeland Security, which includes ICE). Hopefully, there is an opportunity for change."

From Rabin's perspective, these women are not flight risks--especially since many of them are established in their communities and have U.S.-born children.

While ICE denied the findings in the report during the meeting with Rabin, she said that hasn't deterred her from planning to spread the word about the report--especially to those people who can change policies.

Rabin hoped officials will eliminate or reduce the statutory grounds for mandatory detention. Immigration laws also need to be amended to provide all individuals with a bond hearing before a judge so individual circumstances--like health issues, young children or pregnancies--are considered.

Ultimately, Rabin said, the best situation would be to take a community-based approach in detaining these women, with probation at home or halfway houses, or other types of local monitoring. In most cases, she said detention isn't necessary, especially if the welfare of these families is considered.

To see the full report, go to [SIROW's Web site](#).