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*East Coast Visit of United Nations Special Rapporteur:  
Focus on Family Separation and Detention*

AFSC's New York Metro Region Immigrant Rights Program was one of the leading coordinators of the NY/NJ segment of the UN Special Rapporteur's visit to the east coast. The two-days of visits started on May 12 and concluded on May 14. Collaborating partners included Legal Aid Society, Families for Freedom, Human Rights First, the ACLU Immigrant Rights Project and the ACLU of NJ, and the New York Civil Liberties Union.

AFSC was among the first groups to receive the information about his visit and actively participated in the process through conference calls and event planning. AFSC staff promoted the Special Rapporteur's visit to the region and invited community members and partner organizations to the planned activities.

*Separated Family Members Speak: Children Share Emotions and Grief*

The Special Rapporteur started his visits Saturday, May 12<sup>th</sup> by attending a private hearing with families whose lives have been impacted by the detention and deportation of a loved one. This hearing, held at New York University's Furman Hall, was coordinated by NYMRO and Families for Freedom. Dr. Bustamante listened to compelling stories from families devastated by unfair and inhumane detention and the subsequent deportation of their loved ones. Children shared the sense of loss, pain and grief they have suffered after the deportation of a parent.

The hearing lasted for 2 hours; the Special Rapporteur posed specific questions about detention conditions, the nationality of those detained, the role of consulates in helping their nationals, the length of detention and even the state of mind of detainees and of families when they realize that their love ones have been detained and are eventually deported. He also heard many of the recommendations from these families.

Some of the issues briefly touched on during the press dialogue included detention and deportation, labor rights, anti-trafficking and local immigration ordinances. Dr. Bustamante welcomed questions and was fully engaged in addressing the concerns raised by advocates and families.

One family member urged the U.N. official to support the restoration of due process and the introduction of legislation such as the *Child Citizen Protection Act* which grants immigration judges the ability to decide whether or not to deport an immigrant based on the fact that a deportation will cause enormous hardship to the U.S.-born child.

### ***Press Poses Questions***

After the closed meeting, a press briefing was held at Cooper Union, (Manhattan, New York). The press briefing provided an opportunity to openly begin a dialogue with communities affected by current immigration policies, to publicly present some of the recommendations made at the morning hearing and to announce the issues that were going to be presented at the public forum. These issues included detention and deportation, worker's rights, post 9/11 issues, and local anti-immigrant ordinances.

### ***Public Tribunal at Cooper Union***

After the press conference, a five-hour public tribunal was held at the Cooper Union auditorium. Four panels focusing on detention, local ordinances, post 9-11 racial profiling and worker's rights were the primary concerns. Among the approximately 75 concerned citizens, AFSC staff, community members and organizations formed part of the audience. During the course of the panel presentations, audience members were able to speak directly to panelists, pose questions, challenge assumptions and provide supplemental information on the particular concern.

"Everyone in the audience was extremely engaged and concerned about the human rights violations and treatment of immigrants due to our unfair policy and practices. Addressing the problems in our immigration system will definitely require community efforts," observed Chia-Chia Wang, AFSC staff.

### ***Visit to Jail Facility Denied***

*"I am very disappointed," said Jorge Bustamante, an expert from Mexico appointed by the U.N. Human Rights Council to report on human rights violations in specific countries. "My interpretation is that there is something the government doesn't want people to see."*<sup>1</sup>

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<sup>1</sup> Source: Jordan, Bob. *Asbury Park Press – Freehold Bureau, May 15, 2007.*  
<http://www.app.com/apps/pbcs.dll/articleAID=20070515/NEWS/705150443>

On Monday May 14, Dr. Bustamante was denied access to Monmouth County Jail in Freehold, New Jersey. Jail staff said Dr. Bustamante didn't accept the conditions that they suggested in order for him to visit.

Dr. Bustamante responded that he never received such notice. AFSC wrote a follow-up letter to the Department of Homeland Security (DHS) asking for clarification and an explanation for the denial of access. To date, DHS has not responded. AFSC also issued a press release questioning why the Special Rapporteur had been denied access to the facility.

This was the second time Bustamante was not able to visit one of the nation's detention facilities. During his visit to Texas, and as part of his three-week, fact-finding mission, he was also denied access to the state's T. Don Hutto Residential Facility.

### ***Detention of Immigrants a Serious Concern***

*"We're very disturbed by it. We'd like to think a human rights expert invited to tour the U.S. and learn about immigration issues here should be given the opportunity to see firsthand what conditions are," said Amy Gottlieb, spokesperson for the American Friends Service Committee.*

*"I'm concerned. I'm wondering what is it that they are hiding. What is it that they're not comfortable with letting people see?" Gottlieb asked.*

One of the primary concerns presented by human rights groups and advocates was the conditions and the treatment of immigrants in detention. Two months prior to this visit, nearly 100 immigrant detainees had staged a passive protest bringing to the public's attention the lack of medical attention and other abusive conditions.

In fact, in a May 15<sup>th</sup> letter sent by the ACLU-New Jersey office to the Special Rapporteur, the executive director commented, "We were looking forward to your visit as an opportunity to draw attention to the conditions immigrant detainees endure and are troubled that the jail appears to be operating under a shroud of secrecy at a time when such facilities are in dire need of reform."

Detainees have decried the physical, verbal and mental abuse they have experienced. According to a report issued by the ACLU-New Jersey, "Breaches of the detention standards must be rectified immediately, such as denial of

phone access, medical care and dental care." <sup>2</sup> The report calls for enforceable national detention standards and for regular federal inspections of county jails.

An estimated 1,000 detainees are confined in New Jersey's five detention sites; detainees hail from many countries including Afghanistan, Albania, the Dominican Republic, Guyana, Jamaica, Mexico, Mauritania and Sudan, among others. Monmouth County Jail is one of the five New Jersey county jails that hold immigrant detainees.

"The decision to deny access to the Monmouth County Jail was quite disappointing. It just made little sense and will certainly lead to more probing questions about the treatment of immigrant detainees not only at this facility but the treatment of detainees in general," concluded Alix Nguefack, AFSC staff member.

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<sup>2</sup> "Behind Bars: The Failure of the Department of Homeland Security to Ensure Adequate Treatment of Immigration Detainees in New Jersey. American Civil Liberties Union. [www.aclu-nj.org/](http://www.aclu-nj.org/)