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A Texas jail for immigrant kids

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CINDY BERINGER reports on the scandalous conditions at a for-profit Texas prison that holds immigrant families.

“HELP US and ask questions,” read the note, secretly passed to a visitor from an immigrant child incarcerated in a Texas prison.

Based on their visits and interviews, the Women’s Commission for Refugee Women and Children and the Lutheran Immigration and Refugee Service are calling for the immediate shutdown of the T. Don Hutto Residential Center in Taylor, Texas.

Local activists have brought national and international attention on this facility, owned by the Corrections Corporation of American (CCA), which imprisons children and their families for profit under the same horrendous conditions as when it was a prison for adults.

Approximately 400 immigrants are incarcerated in Hutto, and at least half of the prisoners are children, according to Texans United for Families. Many of the immigrants--who are limited to countries other than Mexico--have made requests for asylum in the U.S. They await deportation hearings without any charges for months, and sometimes years.

On March 6, the ACLU sued Homeland Security Secretary Michael Chertoff on behalf of 10 children in the Taylor jail. The ACLU based its lawsuit on a 1997 settlement protecting immigrant minors that resulted from a class-action suit accusing immigration officials of abusing minors. In its current initiative, the ACLU accuses Hutto of violating every provision of the 1997 settlement,

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What else to read

Information about Hutto and the struggle to close the facility has been collected at the [Shut Down T. Don Hutto Detention Center](#) Web site. Go here to add your name to [an online petition](#) demanding action.

The [Texas Civil Rights Review](#) has chronicled the appalling conditions at Hutto, as well as the struggle to bring them to light.

Read more about the [ACLU's legal](#)

including not giving children the right to wear their own clothes or have privacy.

[challenge](#) in a special section on Hutto on the group's Web site. Specific charges are detailed in "[Family Profiles in the ACLU's Challenge to the Hutto Detention Center.](#)"

The artwork of children tells no lies, and the artwork of children imprisoned at Hutto--posted on the ACLU Web site--is heartbreaking. A child sits atop a broken heart; a boy behind crudely drawn bars. The saddest of all--an American flag, with the words "HELP" scrawled between the two red stripes at the top.

ACCORDING TO depositions filed with the ACLU lawsuit, the guards at Hutto threaten unruly children with separation from their mothers. But this is often an echo of the threats that drove these families to the U.S. in the first place, to seek asylum.

Raouitee Pamela Puran came from Guyana after she and her four-year-old daughter Wesleyann Emptage were threatened by the people who kidnapped and murdered her husband.

"Wesleyann has heard the guards threaten that children who act up will be separated from their parents," Raouitee said in her deposition. "Almost everyone has heard this. Wesleyann is terrified that something like that could happen to her. She is afraid of the guards because she thinks they have the power to take me away from her."

Sherona Verdieu, a 13-year-old from Haiti whose father was kidnapped and eventually killed when her mother could not pay a ransom, said she worried about crying--that this could be a cause for separating her from her mother.

Elsa Carbajal--a 24-year-old woman from Honduras who survived a brutal rape committed by the son of a police officer who continued to terrorize her afterward--said that her 5-year-old son and 3-year-old daughter "think that they have done something wrong to be imprisoned in this jail."

Angelina, Elsa's daughter, suffered significant weight loss while in Hutto. She told her mother that she was always cold, but according to Elsa, she was yelled at for trying to take a blanket, while the guards wear gloves and heavy clothing.

The cruelty of the guards and prison officials that emerges from reading the lawsuit is hard to fathom.

Families are awakened at 5:30 or 5:45 a.m., and must be through bathing by 6 a.m. They are given 20 minutes to eat. "If we haven't finished," Elsa says, "the officials say they aren't interested--the time to eat has finished."

If the children haven't finished, they have to throw away the food.



“In some cases,” she says, “they have grabbed the food and thrown it in the trash in front of the children, and they cry because they say they are hungry.”

After the 20-minute meal, the prisoners return to their cells “to do nothing,” Elsa says. “They don’t allow us to sleep, only to sit and wait for the hours, days, months to pass.” The prisoners aren’t allowed to have books sent to them, and a great deal of the day is spent in senseless head counts to make sure no one has escaped.

Nine-year-old Kevin Yourdkhani, the son of Iranian-born parents who have sought asylum in Canada for several years, ended up in Hutto after the plane he and his family were traveling on was forced to make an emergency landing in Puerto Rico, where U.S. officials questioned their passports.

In his deposition, Kevin complained about the ridiculous excuse for an education system at Hutto. “Students” in the class of 25 ranged in age from six to 12 years old. “All we do is color and draw pictures and watch Spanish movies,” Kevin said. Kevin also said that his bed was small and cold, and stuck next to a smelly washroom. His mother had to use the toilet in front of him.

Once, when Kevin’s dad came in to fix the bed, guards told him that if his father was in his room again, both parents would be put in separate jails, and Kevin would be sent to a foster home. “I cried and cried,” he said. “I felt if I will be separated, I can never see my parents again, and I will get stepparents, and they will hurt me or maybe they will kill me.”

SINCE THE ACLU filed its suit March 6, seven of the children named in the action--Wesleyann, Kevin, Angelina and Richard Carbajal, and Aisha, Mohammed and Bahja Ibrahim--have been released from Hutto, along with their families.

Rebecca Bernhardt of the ACLU says that those who won release were able to post bond or retain good lawyers or had enough activism and attention paid to their case that they could prove an embarrassment to CCA.

According to the *Austin American Statesman*, U.S. District Court Judge Sam Sparks has agreed that the detention of immigrants in Hutto fails to meet federal standards, and that the ACLU lawsuit will probably succeed. He set an expedited trial date for August. But he denied a request for a preliminary injunction ordering release of the families, “saying that federal standards do not provide rights for adult detainees, only minors,” the newspaper reported.

This hints of the possibility of more family separations and the continued suffering for immigrants in detention.

T. Don Hutto was supposed to be a model for an ever-growing number of immigrant detention centers. Although officials of the Bureau of Immigration and Customs enforcement claim that Hutto

was designed to stop the practice of separating detained parents from their children, it seems more likely that this private prison thought it would be more cost-effective to have parents caring for young children within the jail.

Besides, there is still plenty of separation. Fathers are often sent to a separate facility, and children who are citizens are usually farmed out to relatives, rather than sent to Hutto.

According to Deepa Fernandes of CorpWatch, there are 26,500 undocumented people held by federal authorities in the U.S., and the number will rise to 32,000 by the end of the year.

Immigrant rights activist Jay Johnson-Castro has continued his walks to expose atrocities along the border of Texas and Mexico and in immigrant detention facilities. During a recent five-day march to protest immigrant prisons in the Rio Grande Valley, he learned that Hutto isn't the only place where children are being detained.

In Los Fresnos, Johnson-Castro visited International Educational Services, which he found to be nothing like a school. Instead, it was a detention center for "young adults" who had been separated from their mothers incarcerated at the nearby Port Isabel Immigrant Detention Center. When the children turn 18, they are sent to a separate adult prison.

Johnson-Castro also visited Raymondville, the home of a \$65 million tent city that holds 2,000 immigrants who speak more than 40 different languages in windowless hothouses. They are locked down 23 hours a day.

"We still have the problem that Hutto was supposed to fix," says Johnson-Castro. "The criminals who run this show can say that's the game, but we're sick and tired of you making these rules...The criminals make the rules, and we're going to put a stop to it."

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