

civil rights



*New Jersey Civil Rights Defense Committee*

## **Equal Rights**

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### **End to Passaic County Detentions**

Immigration and Customs Enforcement (ICE) will no longer detain immigrants at Passaic County Jail. This is a significant victory for civil rights and for the detainees. Passaic County Jail was the site of constant abuses of detainees' human rights. Equally important, the ending of this contract means that fewer places will be available for ICE to hold immigrant detainees, so fewer detainees will be held. In the wake of the closing of the Passaic facility, dozens of detainees were in fact released.

The NJ Civil Rights Defense Committee had been demanding the termination of the contract for nearly four years. Since 2002 our group had been exposing the extensive human rights abuses taking place at Passaic County Jail to the media and government officials. NJCRDC organized numerous protests at Passaic County Jail and in Paterson demanding that the detainees be released. We provided information about the abuse of detainees by dogs to David Zwerdling from NPR which resulted in an award-winning story that culminated in ICE banning dogs from immigration facilities.

These protests on the outside have been reinforced by the protests of the detainees on the inside, who have started many hunger strikes since 2002 and repeatedly protested their abuse. On December 17, 94 immigrant detainees in the jail signed a petition demanding that the contract be terminated.

These protests have finally forced Jerry Speziale, Sheriff of Passaic County Jail to terminate the contract at the end of December, effective Feb. 1., 2006. Speziale admitted in an interview on the Lou Dobbs show that it was the protests, especially those within the jail, that forced the closing. His spokesman, Bill Maer, told AP "We have 2,000 other inmates in the jail, none of whom send out press releases."

After the contract was terminated, thirty five Passaic County Immigration detainees petitioned to be immediately released rather than transferred



### **January 8 Demonstration in support of Passaic County Jail Detainees**

to other jails. This is the first time that immigrant detainees in NJ have collectively demanded their immediate release. On January 8, 30 NJCRDC members and supporters demonstrated across the street from the Passaic County Jail to support the demands that the immigrant detainees unconstitutionally held there be released at once.

Because of the lack of detention space, detainees were only slowly removed from the jail in Paterson, a process just completed by late April. Of 120 held on Feb 1, at least two dozen were released directly from Passaic. Many others detainees were released in waves from facilities around NJ to free up room for those from Passaic. Overall, probably close to 100 detainees were freed as a result of Passaic's closing.

The termination of the contract at Passaic County Jail is a good step forward, but it is not enough. The entire system of holding immigrants facing administrative charges in punitive detention is unconstitutional and must stop immediately. NJCRDC hopes that other communities will force the termination of many more contracts with county jails, dismantling the detention system.

### **In Their Own Words**

Monmouth Detainees: "Should we the immigrant detainees here at Monmouth County Correction Institute and other facilities that house immigrant detainees, be treated the same way as suspected criminals or worse? We are not supposed to be treated as criminals, but we are it is cruel and inhuman on all concerned."

Former detainee at Middlesex and Elizabeth: "I was still hysterical when the guards brought me to my cell. My cellmate was a Latina woman who didn't speak English. I didn't know what to do, so I just started praying that the Lord would take me out of there, and then my cellmate started praying in Spanish. And there we were, neither of us understanding what the other was saying, but praying that our nightmares would end." (*Rutgers-Newark student Sharon Nyantekyi*)

Hudson Detainees: "Please understand that no one is asking for special privileges, we are only requesting that our rights are not infringed upon. There is no room for personal opinions to be expressed, when it curtails the basic right of the people. History and common sense teaches us that an unchecked history of detention carries the potential to become a means of oppression, and abuse of others."

### **NYC Commission of Inquiry Tries Real Criminals for Detention, Torture**

The real criminals are not immigrants, they are the people who have ordered the illegal detention and torture of tens of thousands. To prove who these real criminals are, a coalition of activist organizations organized a five-day long trial of Bush, Cheney, Rumsfeld, Gonzales and others for Crimes Against Humanity. Saleh Ajaj, a former detainee and member of NJCRDC who was held in ICE custody for 14 months – in Passaic and York County Jails - was a speaker in the Commission. He is now actively organizing with other released detainees in New York City.

The trial, called the Commission of Inquiry into the Crimes of the Bush Administration, was held from October 2005 to January 2006. The crimes covered included not only illegal detentions and torture in the US, at Guantanamo Bay, in Iraq and Afghanistan and elsewhere, but also the illegal invasion of Iraq. In addition, the government policies that have prevented effective action against AIDS, that have sped up global warming and that allowed the destruction of New Orleans by Hurricane Katrina were also examined as not just blunders, but deliberate crimes.

In October, Saleh Ajaj described his experiences of being held without charge or trial as being typical for tens of thousands of domestic detentions and detailed some of the torture that he witnessed. Ajaj, a Palestinian-American, sought asylum in the US after his life was threatened because of his peace activism in Palestine.

In January 2006, at a hearing at Riverside Church before an audience of 400, Eric Lerner from NJ Civil Rights Defense Committee and Barbara Olshansky of the center for Constitutional Rights, presented the evidence that all ICE detentions in the US are unconstitutional and are violations of existing US laws and international laws. They also showed how the policy of domestic detentions was part of a broad conspiracy aimed at destroying democratic rights for all and allowing the President to detain, torture and kill anyone, immigrant or citizen.

We traced the paper trail of memos that linked the outrageous tortures at Guantanamo and Abu Ghraib back to those who gave the orders—Bush, Cheney and Rumsfeld. Brig. Gen. Janis Karpinski, former commander of Abu Ghraib prison in Iraq, testified that the abuse of prisoners in U.S. custody was not the work of a few low-ranking soldiers, but originated at the highest levels of government.

In the most horrifying testimony, Craig Murray, former British Ambassador to Uzbekistan, testified that the CIA had sent detainees to that country, where they were subjected to unspeakable medieval tortures that led to their deaths.

Videos and audio tapes are available at [www.bushcommission.org](http://www.bushcommission.org). The videos will be edited into a documentary which will be shown on public access TV stations, among other places. The organizers of the commission also hope that the evidence and judgments will prove a roadmap for actual prosecution of the criminals in the not-so-distant future.

### **NJCRDC in the Community:**

Rutgers-Newark Immigrant Rights Forum - 100+ students, faculty and community members gathered at Rutgers law school on April 11th for a panel called, "Breaking the American Promise: A Reflection on the Immigration Debate" organized by the Rutgers Immigrant Rights Collective. Sharon Nyantekyi, a Rutgers senior, who was detained on immigration charges (see *In Their Own Words*) spoke about her experience.

National Bill of Rights Defense Committee Meeting - Flavia Alaya represented NJCRDC at a

national BORDC meeting where she discussed the detentions and deportations. BORDC has supported and publicized our work in the past and we look forward to collaborations in the future.

Central Jersey Peace and Justice Meeting - Jeannette Gabriel spoke at a local anti-war meeting in Highland Park, NJ about how the anti-war and immigrant rights movement can join together to form a powerful, united movement.

### **Massive Immigrant Rights Rallies Defeat Criminalization Bill** *By Eric Lerner*

A massive immigrant rights movement has risen in response to HR4437, a bill passed by the House that would have criminalized all undocumented immigrants and all who helped them in any way. To challenge this bill, four million immigrants and citizens, workers and students, have marched in major cities across the United States. This still-growing movement has utterly defeated the bill in a stunning victory. But the movement is demanding far more—legalization of all who are here and full rights for all immigrants.

On May 1, the movement escalated into a General Strike for immigrant rights, the largest national strike in US history. At least 1.2 million people participated in day-time rallies in the largest cities, with many hundreds of thousands more in 100 or 200 events around the country. Agricultural production across both Florida and California came to a halt. Construction workers in Florida struck in large numbers. In the Midwest, the three largest meatpackers were forced to close. In Los Angeles, the garment workers closed the huge garment center and the wholesale food workers struck as well. The independent truckers shut down the ports of Los Angeles and Long Beach.

At the New York May Day rally, former detainee Saleh Ajaj spoke for NJ Civil Rights Defense Committee on the demand, adopted by the May 1 coalition, to "free all detainees".

The Sensenbrenner bill, otherwise known as HR4437, was passed by the House of Representatives in December. It would have made it a felony for anyone to be in the United States without proper immigrant status and anyone convicted of this felony would be barred for life from coming to this country. In addition anyone who "assisted" or "transported" an undocumented immigrant in the US would also be a felon. This would have included doctors, teachers,

social workers and activists providing any kind of service to immigrants.

Republicans backing the bill intended it as a way to rally a racist, anti-immigrant base of support for the November elections. Instead, they unified and rallied the immigrant movement to take the streets. Unlike the detentions and deportations, which directly affect only a few percent of immigrants each year, the Sensenbrenner bill struck at all immigrants, including documented immigrants and citizens who merely helped relatives.

On March 10, a rally against HR4437 in Chicago brought nearly 200,000 demonstrators into the streets, shocking even the organizers. Word of a similar demonstration in Los Angeles spread through Spanish-language radio stations. On March 25 one million protestors thronged downtown LA, the largest demonstration in LA history and one of the largest ever in the US. On April 9, half a million marched in Dallas. The following day, Monday, April 10, demonstrations were held across the country including 200,000 each in New York and Washington DC.

The protesters demanded not just the defeat of HR4437, but also a path to citizenship, no temporary guest worker programs, family reunification measures, worker protections and full rights for all immigrants.

Faced with this huge and growing outpouring of protest, even Sensenbrenner, who proposed the bill, tried to say that he had not really intended to criminalize all immigrants. In the Senate, efforts to pass anything similar to HR4437 collapsed, effectively killing the bill. This was a major victory.

But the politicians have not yet given up. The Senate judiciary committee, backed by Senators Kennedy and McCain, has produced a new bill. While the bill's supporters claim that it creates a fair immigration system, it would expand detention facilities and immigration enforcement and would make immigrants even more dependent on employers than they are now. The bill would require continuous employment for six years for immigrants to be eligible for permanent residency. Anyone laid off for more than 60 days would have to leave the country. No one here less than two years would be eligible at all.

The demonstrators have not been fooled, and are not supporting this deceptive bill. This movement is growing rapidly. The millions who now take part will not be satisfied until immigrants get their rights and the reign of terror, detention, and deportation ends