



Institute for the Elimination of Poverty & Genocide

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October 17, 2019

Re: Requesting an Investigation of the Stewart Detention Center

Dear Members of the Georgia Delegation to the 116th United States Congress,

We are writing to request that you conduct a full investigation into the Stewart Detention Center. In the past two years alone, four deaths have occurred at the Stewart Detention Center. Most recently, on July 24, 2019, Pedro Arriago-Santoya, 44 years old, died while in Immigration and Customs Enforcement (ICE) custody at Stewart.

Two years have passed since Project South, an Atlanta-based social justice organization, in collaboration with Pennsylvania State University Law School's Center for Immigrants' Rights Clinic, published a report



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on detention center conditions, titled *Imprisoned Justice: Inside Two Georgia Immigrant Detention Centers*.¹ In those two years, there have been no improvements in conditions at Stewart. Recent accounts from detained immigrants at Stewart indicate overcrowding, understaffed medical personnel, verbal and physical abuse, disregard of medical needs, accessibility concerns, and insufficient nutrition with irregular mealtimes.² One detained immigrant remarked: “They call this place a black hole for a reason.”³

This letter comes about two years after our original letter to the Georgia Congressional Delegation submitted with 70 organizations on November 21, 2017, urging an investigation into Stewart. In light of the horrific news regarding the death of Pedro Arriago-Santoya and the other three deaths at the facility since May 2017, we are writing to urge you again to investigate Stewart before any more tragedies take place.

I. Inhumane Living Conditions

Stewart used to be a prison, and the conditions there reflect its history. Immigrants are divided into classification levels and assigned housing units and privileges based off of their classification.⁴ Immigrants have reported overcrowdings⁵ and unsanitary conditions, including moldy showerheads and urinals, not being provided with sufficient undergarments, and lack of access to clean water.⁶ Many immigrants have reported being hungry and malnourished from waiting up to seven hours between meals⁷ and food that is sometimes spoiled or has foreign objects in it including hair, plastic, bugs, rocks, and mice.⁸ The diet at Stewart has created many complications for immigrants with medical conditions and dietary restrictions. Many immigrants reported having lost between ten and seventy pounds while detained at Stewart due to the inedible food.⁹ The combination of overcrowding, unhygienic conditions, and poor food quality makes many detained immigrants prone to developing serious health complications.

In addition, many immigrants have been subjected to verbal and physical abuse by some officers at the Stewart Detention Center. One man stated that some officers would call immigrants racist and dehumanizing names including “wetback” and “doggy.”¹⁰ Some officers also become angry when immigrants do not speak English. Officers will yell things like “don’t speak Spanish, this is America.”¹¹ Another immigrant stated, “officers yell and shout all the time. They’re always angry.”¹² Another immigrant noted that on one occasion an officer shouted at him and eight other immigrants calling them “son of a bitch,” and slammed the door on his face simply for being a few minutes late to go to the recreation yard.¹³

¹ Project South and Pennsylvania State University Center for Immigrants’ Rights Clinic, *Imprisoned Justice: Inside Two Georgia Detention Centers*, May 2017, https://projectsouth.org/wp-content/uploads/2017/06/Imprisoned_Justice_Report-1.pdf.

² Project South Interview by Priyanka Bhatt at the Stewart Detention Center on July 3, 2019.

³ *Id.*

⁴ *Imprisoned Justice*, p. 31.

⁵ Project South Interview by Priyanka Bhatt at the Stewart Detention Center on July 3, 2019.

⁶ *Imprisoned Justice*, p. 31, 41.

⁷ *Id.* at 32.

⁸ *Id.* at 31.

⁹ *Id.* at 32.

¹⁰ Project South interview by Priyanka Bhatt at the Stewart Detention Center on November 29, 2017.

¹¹ *Id.*

¹² Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

¹³ *Id.*



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In addition to shouting and using vulgar language, some officers will regularly take away commissary for little or no violation for a week.¹⁴ One man stated an officer who has a history of being aggressive yelled at him for looking at her. The officer yelled: “why are you looking at me son of a bitch,” and took away his commissary funds.¹⁵ This meant he could not purchase food, buy clothing, or use the phone to call loved ones.¹⁶ At one given time, this same officer took away the commissary of five different people.¹⁷ Certain officers are also known to send immigrants to solitary confinement for minor or no violation at all.¹⁸ One immigrant stated “if officers are in a bad mood, they yell and say they’ll send you to the hole.”¹⁹ In addition, some officers will act cruelly with immigrants in various ways including forcing immigrants to stand for two hours during count time or by taking away basic necessities.²⁰ One immigrant noted that when he asked an officer for toilet paper, the officer told him to use his fingers to clean himself.²¹

Immigrants at Stewart have also been mistreated by some officers while working in the kitchen.²² One detained immigrant noted that the officers always yell and curse at immigrants working in the kitchen, and become angry when immigrants do not understand English.²³ He also noted that an officer in the kitchen hit him on his arm so hard that it turned red simply for picking up the wrong plate. He stated, “she hit me hard. She hit people several times.”²⁴

II. Inadequate Access to Medical Care

The conditions at Stewart indicate that the facility is not sufficiently equipped to address serious medical issues. Immigrants have also suffered serious illnesses at Stewart resulting from the conditions they are subjected to. In January 2018, 33-year-old Yulio Castro Garrido died of pneumonia while detained at Stewart despite being healthy prior to detention.²⁵ According to ICE’s detainee death review, the Stewart staff violated protocol and failed to monitor Garrido’s blood pressure after signs of stage two hypertension.²⁶

¹⁴ *Imprisoned Justice*, p. 36; Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

¹⁵ Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ See Section VI below.

¹⁹ Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

²⁰ Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019; <https://projectsouth.org/wp-content/uploads/2018/04/Complaint-Barrientos-v.-Core-Civic.pdf>.

²¹ <https://projectsouth.org/wp-content/uploads/2018/04/Complaint-Barrientos-v.-Core-Civic.pdf>.

²² *Id.*; Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

²³ Project South interview by Priyanka Bhatt at the Stewart Detention Center on January 16, 2018; Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

²⁴ Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

²⁵ <https://www.ajc.com/news/state--regional-govt--politics/brother-cuban-was-healthy-before-dying-pneumonia-ice-custody/9TNpiI95CYQPyiGPoSyzmJ/>.

²⁶ <https://projectsouth.org/wp-content/uploads/2019/06/OPR-Release-of-2019-ICLI-00033.pdf>; <https://www.wnycstudios.org/story/ice-records-ill-migrant-continued-working-ice-custody-died>.



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Moreover, officers at Stewart did not comply with their own standards and failed to suspend Garrido from the work program when they became aware of his illness. Garrido continued to work in the kitchen despite his fever, cough, and runny nose up until the day he was hospitalized and taken away in an ambulance.²⁷ The death review file noted that this dangerous practice may have allowed the spreading of the contagious illness to other detained immigrants as well.²⁸ Finally, the review noted that there was a delay in calling the ambulance which resulted in a delay in urgently-needed medical care for Garrido.²⁹

Additionally, the inhumane living conditions pose the threat of exacerbating preexisting medical needs of detained immigrants. As early as 2012, ICE identified Stewart as a facility with inadequate medical care.³⁰ Medical care at Stewart continues to be inadequate seven years later. Immigrants have described the medical unit at Stewart as understaffed and have said that it is “a waste of time” to request medical care.³¹ For example, detained immigrants have reported significant delays in the amount of time that it takes to receive medical care and to see a doctor, ranging from a few days to several weeks.³² Furthermore, medical personnel are reported to only be available on weekdays. One immigrant noted: “If you have an emergency on the weekend, you’re on your own.”³³

Many immigrants have also reported not receiving adequate medication to treat their health conditions. One detained immigrant who passed kidney stones reported that he never received any medication; instead, he only received over-the-counter painkillers.³⁴ This is not a standalone occurrence; many immigrants at Stewart have reported only receiving over-the-counter medication like Ibuprofen or Tylenol for serious illnesses or injuries. Even when detained immigrants receive the correct medication, they often do not receive the correct dosage. For example, one detained immigrant with several health problems, including diabetes and hypertension, reported not receiving his medication consistently, which caused his condition to worsen.³⁵ While he was supposed to be receiving his diabetes medication fourteen times a week, he only received the medication up to six times a week.³⁶

Additionally, many detained immigrants have reported that they were either unaware of any mental health services that they could seek or believed there was no access to mental health professionals.³⁷ Furthermore, detained immigrants who suffer from mental health concerns are often hesitant to express their need for treatment because those with mental health concerns are known to be placed in solitary confinement.³⁸ For example, immigrants at Stewart have reported that they were placed in solitary for speaking about depression, personal trauma, or for requesting assistance.³⁹

In solitary, immigrants are isolated in a small cell for 23 hours a day without access to showers or commissary and have to request to use the restroom whereupon they are shackled and taken to the restroom in chains.⁴⁰ In addition,

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ Project South interview by Priyanka Bhatt at the Stewart Detention Center on July 3, 2019.

³² *Imprisoned Justice*, p. 35-36.

³³ Project South interview by Priyanka Bhatt at the Stewart Detention Center on July 3, 2019.

³⁴ *Imprisoned Justice*, p. 33-36.

³⁵ Project South interview by Priyanka Bhatt at the Stewart Detention Center on July 3, 2019.

³⁶ *Id.*

³⁷ *Imprisoned Justice*, p. 36.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*



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immigrants must choose whether to use the phone or get an hour of recreation time outside of their small cell. While in segregation, detained immigrants cannot tell whether it is day or night.⁴¹ Some immigrants reported that they were placed in a straitjacket and placed in segregation for talking about suicide.⁴² Medical professionals and international human rights organizations have consistently decried the use of solitary confinement for individuals with mental health concerns.⁴³ The United Nations has called for a complete ban on placing individuals with mental health conditions in solitary confinement.⁴⁴ By placing individuals in segregation, the dignity of detained immigrants is ignored, and their mental health is at risk of worsening.

III. Deaths by Suicide

The misuse of solitary confinement is alarming because of the detrimental impact that solitary confinement has already had on existing mental health concerns of immigrants at Stewart. Two immigrants with a history of mental health concerns have died of suicide after being placed in solitary confinement for over 15 days—a time period that the United Nations would consider torture.⁴⁵ Jeancarlo Jiménez-Joseph, a 27-year-old immigrant with schizophrenia detained at Stewart died of suicide on May 15, 2017 by hanging himself after 19 days in solitary confinement.⁴⁶ Almost a year later in July 2018, Efrain Romero De la Rosa, a 40-year-old immigrant with bipolar disorder detained at Stewart, died of suicide after 21 days in solitary confinement.⁴⁷ These tragedies point to a pattern of neglect regarding the mental health of immigrants at Stewart, and the expedient use of solitary confinement as a means for Stewart to disregard the humanity of detained immigrants and their need for mental health care.

A) Death of Jeancarlo Jiménez-Joseph

Jeancarlo Jiménez-Joseph entered the Stewart Detention Center on March 7, 2017 with a documented history of serious mental health concerns including a diagnosis of psychosis and schizophrenia, chronic history of auditory and visual hallucinations, and previous suicide attempts.⁴⁸ During the two months he was at Stewart, Jiménez-Joseph told medical professionals on at least five different occasions that he needed an increase in his medication dosage because the medication was not working for him.⁴⁹ He repeatedly told medical professionals that he was hearing voices and even stated that he was feeling suicidal when he first entered Stewart.⁵⁰ However, he was never physically seen by a psychiatrist because Stewart had a year-long vacancy for the full-time psychiatrist position.⁵¹ This means that the 1,907 immigrants then detained at Stewart did not have a single full-time psychiatrist available to them. Consequently, the immigrants had to rely on teleconferencing a psychiatrist which was limited to only six hours a week for all detained immigrants.⁵² This created a large two to three-month backlog where individuals like Jiménez-Joseph had to wait up to two months before getting critical follow-up care.⁵³

⁴¹ *Id.*

⁴² *Id.* at 49.

⁴³ <https://phr.org/wp-content/uploads/2013/04/Solitary-Confinement-ExecSumm-April-2013.pdf>; <https://news.un.org/en/story/2011/10/392012-solitary-confinement-should-be-banned-most-cases-un-expert-says>.

⁴⁴ *Id.*

⁴⁵ <https://news.un.org/en/story/2011/10/392012-solitary-confinement-should-be-banned-most-cases-un-expert-says>.

⁴⁶ <https://www.ajc.com/news/breaking-news/family-detainee-who-hanged-himself-georgia-lockup-suing-ice/QYZReZLtc2uQ930XO9ZfxJ/>.

⁴⁷ <https://www.ajc.com/news/state--regional-govt--politics/gbi-local-sheriff-office-probing-ice-detainee-death-georgia/wAAuPnVBjZtPBvlfSdVkn/>.

⁴⁸ Detainee Death Review of Jeancarlo Jiménez-Joseph.

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*



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Just a few weeks before Jiménez-Joseph died by suicide, he told a nurse that he was hearing voices telling him to kill himself and that he needed a higher dosage of his medication.⁵⁴ The very next day, he jumped nine feet off a two-tier ledge. Instead of getting mental health or medical treatment, he was punished by a disciplinary board for endangering others and property, and sentenced to 20 days in solitary confinement.⁵⁵ He was even evaluated and cleared by a doctor at Stewart for placement in solitary confinement despite stating he was being “tormented by voices and sounds all the time” and that the voices encouraged him to “do things he did not want to do.”⁵⁶

While in solitary, Jiménez-Joseph continued to face lack of care. Nurses doing segregation rounds are required to do face-to-face visits and ask detained immigrants about their behavior and thought process.⁵⁷ However, a nurse admitted to fabricating documents stating that she completed a full encounter visit with Jiménez-Joseph, when in reality, the typical practice that she followed was to knock on the door to make sure that the detained immigrant was there and then move on, unless the immigrant raised an issue.⁵⁸

During this time, Jiménez-Joseph’s mental health deteriorated even further. Just days before his death, he was seen standing on the toilet talking to himself, yelling at the mirror, kicking the air, and pounding on walls.⁵⁹ When a nurse told the doctor of Jiménez-Joseph’s behavior, the doctor noted that his tele-psychiatrist appointment was in six days on May 15, and that Jiménez-Joseph could talk to the psychiatrist then about changing his medication dosage.⁶⁰ Jiménez-Joseph was last seen alive on May 14 at 11:26 pm. The officer in charge of doing security rounds fabricated records saying he made rounds at 12 am and 12:28 am when in fact no one had done rounds for about an hour.⁶¹ At 12:37 am when the officer returned to do security rounds, he found Jiménez-Joseph hanging by his bedsheets from the sprinkler head.⁶²

B) Death of Efrain Romero De la Rosa

Just a year later in March 2018, Efrain Romero De la Rosa entered the Stewart Detention Center with a documented history of schizophrenia and hallucinations.⁶³ In late April 2018, De la Rosa was placed on suicide watch in the medical housing unit.⁶⁴ De la Rosa told a mental health professional that he was having auditory and visual hallucinations, that he would be “dead in three days,” and that “God was trying to kill him.”⁶⁵ As De la Rosa’s health continued to deteriorate, he was transferred to the Columbia Regional Care Center to treat his mental health, where he stayed for a month.⁶⁶

Upon De la Rosa’s return to Stewart, his intake form indicated that he still “obsessed with the concept of death.”⁶⁷ In addition, he told a nurse that he “always had conversations” with God and that he would “suffer three terrible

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ <https://www.ajc.com/news/state--regional-govt--politics/mexican-hanged-himself-amid-lapses-ice-detention-center/Fa9REGPLOCuop5Se4zmBJP/>.

⁶⁴ <https://theintercept.com/2019/08/29/ice-solitary-mental-health-corecivic/>.

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.*



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deaths in the future.”⁶⁸ Despite this documented history of mental health concerns and time spent at a psychiatric facility, officers did not make a note of his schizophrenia diagnosis on the classification worksheet as required.⁶⁹ Instead, officers sent him to live with the general population at Stewart rather than receive care in the medical unit.⁷⁰ Just days later on June 19, a social worker found De la Rosa to have met the criteria for having a serious mental illness.⁷¹

That same day, De la Rosa was sent to solitary confinement for 30 days, with the go-ahead from the medical unit, as punishment for rubbing his foot on a female correctional officer’s foot.⁷² While in solitary confinement, De la Rosa’s mental health became visibly worse. A social worker documented De la Rosa as having limited mental functioning.⁷³ De la Rosa was reported to be crying all the time and exclaiming that he wanted to be with his family.⁷⁴ Other detained immigrants in the same unit noted that De la Rosa talked about suicide and how God “told him to leave.”⁷⁵ During his time in solitary, a nurse fabricated an account about fully evaluating De la Rosa when in fact the nurse just handed him a piece of paper to sign and then walked away.⁷⁶

On July 10, De la Rosa told a social worker that he was going to die and did not need medication.⁷⁷ The social worker referred him to a higher level of care at a mental health facility. However, by that time, it was too late. At 8 pm that evening, other detained immigrants noticed that De la Rosa’s lights were off, which was unusual.⁷⁸ A detained immigrant tried warning the officer in charge that something was wrong with De la Rosa and urged the officer to check on De la Rosa.⁷⁹ He told investigators, “we told them something is happening...we told him can you check on him. And they didn’t even care.”⁸⁰ 8:40 pm that evening was the last time De la Rosa was seen alive.⁸¹ The officer in charge fabricated documents stating that he checked on De la Rosa every 30 minutes as required up until his shift ended at 10 pm.⁸² It was not until 10:30 pm, two hours later, when the new shift had begun that an officer found De la Rosa hanging by a noose made of socks by his bed railing.⁸³ Even at De la Rosa’s time of death, the Stewart staff was unprepared to respond to this emergency, lacking essential tools; the oxygen tank that was brought to the scene was empty and the automated external defibrillator could not be found thus impacting the level of care he received.⁸⁴

IV. Use of Force

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.*



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On September 11, 2019, a group of about 40 to 60 men predominantly from Cuba, protested the conditions they were facing at Stewart and their prolonged detention.⁸⁵ At 4 pm, the group stayed in the recreation yard, wrote “libertad” (freedom) on their shirts, and held up signs that said “help.”⁸⁶ The men continued to peacefully protest, forgoing shelter, food, and sleep in the hopes that someone would address their concerns.⁸⁷ Instead, at around 4 pm the next day, the men were met with heavy use of force and violence by riot police.⁸⁸ The riot police threw several gas bombs at the men and shot at them using rubber bullets.⁸⁹ One detained immigrant who saw everything happen from a window in his unit noted: “Riot police came and attacked the Cuban men with gas [bombs] and rubber bullets while the men were just sitting. The men suffered so much. They just wanted to talk to someone. They weren’t doing anything violent.”⁹⁰ The men were reported to be coughing and unable to breathe. Another man noted that he could see the Cuban men trying to run away from being shot but there was nowhere to run to.⁹¹ At one point, the riot police cornered all the men in one location and then threw another gas bomb directly at the men.⁹² One man noted, “It was so aggressive, malicious and savage. The protesters were peaceful. It was so ugly to see.”⁹³ Afterwards, these men were sent to solitary confinement and were subsequently either deported or transferred to another facility.

While the immigrants in the recreation yard faced violence, immigrants inside Stewart also suffered. After noticing the men protest outside, some of the men inside different units wanted to join. In one particular unit, a group of 25 men tried to talk to the officers about the human rights violations they were suffering at Stewart.⁹⁴ The officers responded with vulgar language saying, “Fuck you, you don’t have rights.”⁹⁵ An officer then pulled out a gun and pointed it to the men, yelling at them to sit on the floor.⁹⁶ An immigrant who was present stated, “we were afraid they would make us disappear.”⁹⁷ Then a group of 20 or more officers with guns came into the pod and began to use forceful restraints on the men.⁹⁸ One man noted that he saw an officer twist his roommate’s arm back so aggressively that he was afraid that his arm was going to break.⁹⁹ They were then punished with solitary confinement for 30 days.¹⁰⁰ While in solitary, a man told us: “We are afraid. I am not ok...they are trying to keep us quiet,” and proceeded to cry.¹⁰¹

⁸⁵ Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

⁸⁶ *Id.*; Email to Priyanka Bhatt re Protests at Stewart, dated September 27, 2019.

⁸⁷ Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² *Id.*

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ *Id.*

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ *Id.*

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.*



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In addition, all immigrants in the facility were forced into lockdown for at least two days where they had to stay in their room all day.¹⁰² The men were not allowed to shower, use the phone, watch TV, use commissary, or receive social visits.¹⁰³ Furthermore, the men did not receive food until very late in the day for several days.¹⁰⁴ One man stated that everyone was so hungry from not eating for many hours; some men even became sick from not eating for so long.¹⁰⁵

V. Forced Labor

Detained immigrants at Stewart are forced to work up to 12 hours or more for meager wages, \$1-\$4, to obtain basic necessities.¹⁰⁶ Stewart engages in a deprivation scheme where the facility withholds basic necessities such as food, toilet paper and toothpaste, forcing detained immigrants to work in order to buy those items.¹⁰⁷ When detained immigrants refuse to work, they are threatened with solitary confinement or have their commissary or phone cards taken away.¹⁰⁸ One immigrant was held in solitary confinement for almost 30 days for refusing to participate in the labor program.¹⁰⁹ Project South, Southern Poverty Law Center, Law Offices of R. Andrew Free, and Burns Charest LLP sued Core Civic in April 2018 for violating the Trafficking Victims Protection Act for the forced labor practices at Stewart.¹¹⁰ Wilhen Barrientos, one of the plaintiffs in the Barrientos Lawsuit, recalled: “When I arrived at Stewart I was faced with the impossible choice – either work for a few cents an hour or live without basic things like soap, shampoo, deodorant, and food... If I didn’t work, I would never be able to call my family.”¹¹¹

VI. Solitary Confinement

The misuse of solitary confinement at Stewart has been notorious. A 2018 Office of Inspector General (OIG) report formally concluded that Stewart violated the Performance Based National Detention Standards (PBNDS), did not justify disciplinary actions, and failed to tell immigrants why they were placed in segregation.¹¹² Many immigrants have also complained about being held in solitary confinement for minor violations if any at all.¹¹³ One detained immigrant stated: “For minor things, officers will send you to solitary confinement. Things like standing up over the bed will get you 15 to 30 days in the hole. I’ve seen this happen to people. They are not the same after [being sent to solitary]. They are bad mentally. They don’t tolerate people. They don’t tolerate noise. I can see the difference.”¹¹⁴ Another man echoed this sentiment saying that he has seen what solitary confinement can do to a man.¹¹⁵ He noted that an immigrant from his unit came back from being in solitary confinement for three months and started “acting crazy,” and ate his own feces.¹¹⁶

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ *Id.*

¹⁰⁵ *Id.*

¹⁰⁶ <https://projectsouth.org/forced-labor-lawsuit>; <https://projectsouth.org/private-prison-company-uses-forced-labor-of-detained-immigrants-in-georgia-to-boost-profits/>.

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹¹⁰ *Id.*

¹¹¹ *Id.*

¹¹² <https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-32-Dec17.pdf>.

¹¹³ *Imprisoned Justice*, p. 36.

¹¹⁴ Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

¹¹⁵ *Id.*

¹¹⁶ *Id.*



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In addition to misusing solitary confinement for individuals with mental health concerns, Stewart also uses solitary as retaliation to punish immigrants who speak out against conditions. Records reveal that more than two dozen detained immigrants in 2016 were placed in solitary confinement after going on a hunger strike to protest facility conditions.¹¹⁷ Furthermore, at least 20 men were sent to solitary confinement as punishment for participating in peaceful protests that occurred on September 11, 2019.¹¹⁸ One man reported that he never had an opportunity to present his case to the Institution Disciplinary Panel prior to being sentenced to 30 days in solitary confinement as required by the 2011 PBNDS.¹¹⁹

VII. Due Process Concerns

In 2015, the Stewart Immigration Court had the highest rate of deportation out of any immigration court in the United States and continues to have one of the highest deportation rates in the country today.¹²⁰ Moreover, immigration judges at Stewart consistently deny bond or set bond at prohibitively high amounts, resulting in prolonged detention for many immigrants.¹²¹ Stewart's notorious immigration court subjects immigrants to detention without a reasonable prospect of securing release which undermines their Eighth Amendment right to a reasonable bond.¹²² Inadequate access to legal resources also serves as cause to investigate Stewart. At Stewart, detained immigrants and attorneys alike have reported difficulties in having legal visits due to facility deficiencies that undermine the detained immigrant's right to substantive representation. Conversations between attorneys and immigrants are held through plexiglass windows with malfunctioning phones.¹²³ Attorneys have reported that the rooms are not sound-proof and that they must shout to convey information over the noise of the guards or nearby television.¹²⁴ Attorneys have also reported that they are frequently waiting for prolonged periods of time to meet with clients.¹²⁵ Stewart is actively prohibiting access to mechanisms for relief from detention as well as access to substantive legal representation.

VIII. Conclusion

We write to you on behalf of those detained at Stewart and on behalf of their loved ones. The long record of human rights violations behind the walls of Stewart and recent deaths of immigrants who were detained at Stewart demand your attention. We ask that you investigate the conditions at the Stewart Detention Center and take appropriate measures.

If you have any questions, please feel free to contact Azadeh Shahshahani at azadeh@projectsouth.org, or Priyanka Bhatt, priyanka@projectsouth.org, 404-622-0602.

We thank you for your time and your attention to this matter.

¹¹⁷ *Imprisoned Justice*, p. 39.

¹¹⁸ Project South interview by Priyanka Bhatt at the Stewart Detention Center on September 22, 2019.

¹¹⁹ *Id.*; 2011 Operations Manual ICE Performance-Based National Detention Standards, at page 214, available at <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>.

¹²⁰ *Imprisoned Justice*, p. 28; <https://www.themarshallproject.org/2016/12/12/america-s-toughest-immigration-court>; <https://www.themarshallproject.org/documents/3230396-CThompson-TheMarshallProject>; https://trac.syr.edu/phptools/immigration/court_backlog/deport_outcome_charge.php.

¹²¹ *Imprisoned Justice*, p. 28.

¹²² *Id.* at 40.

¹²³ Project South interview by Priyanka Bhatt at the Stewart Detention Center on July 3, 2019.

¹²⁴ *Imprisoned Justice*, p. 28.

¹²⁵ *Id.*



Institute for the Elimination of Poverty & Genocide

Sincerely,

American-Arab Anti-Discrimination Committee
Albuquerque Center for Peace & Justice
Adelante (A project of the Immigrant Justice Initiative)
Alianza Americas
American Immigration Lawyers Association, Georgia-Alabama Chapter
American Muslim Empowerment Network
Asian Americans Advancing Justice, Atlanta
Berger immigration law
Black Alliance for Just Immigration
Carolina Jews for Justice
Center for Victims of Torture-Atlanta
Church World Service
Coalicion De Lideres Latinos
Columbia Law School Immigrants' Rights Clinic
Council on American-Islamic Relations, Georgia Chapter
Defending Rights & Dissent
Desis Rising Up and Moving
Detention Watch Network
EcoViva
El Refugio
Emory University Students for Justice in Palestine
Ethical Humanist of Atlanta
Families For Freedom
First Existentialist Congregation's Social Justice Guild
Freedom for Immigrants
Freedom to Thrive
Freedom University
Friends of Broward Detainees
Gentle Spirit Christian Church
Georgia Alliance for Social Justice
Georgia Association of Criminal Defense Lawyers
Georgia Coalition for the Peoples' Agenda
Georgia Detention Watch
Georgia Latino Alliance for Human Rights
Georgia Peace and Justice Coalition
Georgia Shift
Georgia Women (And Those Who Stand With Us)
Grandmothers for Justice
Hate Free Decatur
Healthcare Now
Human Rights Defense Center



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Immigrant Hope, Atlanta
In the Public Interest
Indivisible Georgia
International Action Center
International Worker Solidarity Network
Jewish Voice for Peace, NC Triangle Chapter
Jewish Voice for Peace, Triangle NC
Jewish Voice for Peace, Atlanta chapter
Joining Hands for Justice, Palestine/Israel
Judea Reform Congregation Social Action Committee
Justice Strategies
LatinoJustice
Law Office of Kerry E. McGrath
Law Offices of Hilary Smith, LLC
Los Vecinos de Buford Highway
Mami Chelo Foundation
Metro Atlanta Democratic Socialists of America
Migrant Center for Human Rights
Mijente
Movement to End Racism and Islamophobia
Muslims for Social Justice
National Asian Pacific American Women's Forum, Atlanta
National Immigrant Justice Center
National Lawyers Guild, Southern Region
New American Pathways
New Mexico Immigrant Law Center
New Sanctuary Coalition
New Sanctuary Movement of Atlanta
Oakhurst Baptist Church
Pangea Legal Services
Paz Amigos
Physicians for Criminal Justice Reform
Project South
Quixote Center
Racial Justice Action Center
School of Americas Watch
Science for the People
Sikh American Legal Defense and Education Fund
Social Concerns Network
Solano Law Firm
South Georgia Immigrant Support Network
Southeast Immigrant Rights Network
Southerners on New Ground
Sujata Gupta Winfield LLC



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The Alemany Law Firm LLC
The Corso Law Center
The Global Purpose Approach
The International Law Institute of Washington
The Sikh Coalition
The United People of Color Caucus (TUPOCC) of the National Lawyers Guild
Trans(forming)
U-Lead Athens
UC Davis Immigration Law Clinic
Unitarian Universalist Service Committee
Washington Defender Association's Immigration Project
Whatcom Civil Rights Project
Women on the Rise
Women Watch Afrika, Inc.
Worth Rises