



## Unitarian Universalist Legislative Ministry of Maryland

*Shared voices for liberal religious values in Maryland*

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### **Testimony in Support of HB0677 - Correctional Services - Immigration Detention - Prohibition (Dignity Not Detention Act)**

**To: Delegate Luke Clippinger and Members of the Judiciary Committee**

**From: Jim Caldiero, Co-Chair, Immigration Task Force, Unitarian Universalist Legislative Ministry of Maryland**

**Date: February 25, 2020**

Thank you for the opportunity to offer written testimony in support of HB0677 – Correctional Services – Immigration Detention – Prohibition (Dignity Not Detention Act).

We have seen the headlines, the broadcast and cable news stories about many of the U.S. Immigration and Customs Enforcement (ICE) detention centers, most of which are operated by profit-motivated private enterprises such as Immigration Centers of America (ICA) – stories that report poor health care—both physical and mental-- dozens of deaths caused by violations of medical standards, sexual assault, substandard sanitary and dietary conditions and often inhumane treatment.

Such facilities would have deleterious effects on our Maryland communities. It's been shown that the presence of an ICE detention facility increases the “roundup” and detention of people who live nearby, resulting in uprooted and disrupted families, children being subjected to trauma, and negative economic impacts when workers are removed from their jobs.

We can add to this “long train of abuses” by sharing stories about local immigrants and about detention facilities operated in Maryland in partnership with ICE.<sup>1</sup>

#### **Roberto**

I met Roberto—not his real name—on Monday, January 27, 2020 in the Environment and Transportation Committee room of the Maryland House of Delegates on CASA lobby night. As I sat diagonally across from Delegate Vaughan Stewart’s desk, I listened to Roberto, holding his young daughter in his arms, tell of his quest to escape the violence of his Central American country and his hope of starting a safe life with his family in the United States.

Roberto crossed the border in Texas with his wife and young daughter, surrendered peacefully to U.S. Customs and Border Protection agents and requested asylum. He was separated from his family, transferred to an ICE detention facility in Georgia. After two months, he attended a hearing. No decision. He was returned to detention. Another two months and again, no decision. He was returned to detention. Another two months, but this time, he was freed, granted asylum and reunited with his wife and daughter.

On January 27, 2020, standing in the halls of the oldest State House continuously in use, Roberto, without fear, could tell us his story.

The emotional toll of facing an immigration judge three times, every two months, twice having hopes lifted, only to be let down and returned to detention, was telling as Roberto relayed his story. Such a practice, along with the unsanitary, unhealthful, violent, emotionally searing detention is inhumane. We are better than this and ending detention, finding a better solution is what the idea of America is.

### **Charley (Charley's story is also part of written testimony in favor of HB0388)**

I met Charley several months ago. Charley is not his real name. As with most immigrants, fear envelops Charley's life, so no real names, no videos or films in which gangs can recognize him.

Charley came to the U.S. from a Central American country with his mother when he was 6 years old. We might call him a Dreamer. His childhood was uneventful. During his teen years, however, his life turned upside down. After a violent altercation with his stepfather, Charley, age 15, was arrested, jailed and subsequently deported, despite his protestations of "credible fear" of violence if returned to a Central American country he barely knew.

After a year, Charley had saved enough money to travel to Mexico and re-enter the U.S. at the California border. For the next 10 years, Charley integrated himself into American life, began a family, worked and paid taxes. Then, a routine encounter with police who became suspicious of his name led to his detention and a subsequent call to ICE which took Charley into custody.

Charley was shunted to various ICE detention centers, many privately run under contract with companies such as Immigration Centers of America (ICA) which is trying to build a 600-bed center in Maryland within 50 miles of ICE's Baltimore Field Office. Charley ended up at the ICE Detention Center in Jessup, MD, a part of the Howard County Department of Corrections facility that the County rents to ICE under an Intergovernmental Service Agreement where ICE pays the county a lucrative per diem rate for each of the 100+ immigrant detainees.

Charley and all the undocumented immigrant young men held in the detention center are housed in "general population" dormitories along with gang members. The immigrants, most of whom are non-violent, are faced with two choices: join a gang for protection – begin a life of crime, the very event we are trying to prevent – or be beaten by gang members. Charley didn't join a gang and was beaten. Guards, who don't speak Spanish, seeing Charley's bloodied and bruised body, concluded he had been fighting and placed him in segregation/isolation, a mixed blessing. At least he was safe from the gangs, but alone in a small, dark, windowless cell for 23 hours a day, with only one hour outside for exercise and phone calls to family and lawyers. The facility does not provide counseling or mental health support that the most vulnerable detainees need. There are few books and nearly none in Spanish. Only one television and gangs dominate the programming. Families, if local, don't visit because they are afraid of ICE.

Fortunately, a non-profit organization took on Charley's case. An immigration judge ruled that Charley's original deportation was unjust because of "credible fear" in returning to Central America and so his re-entry violation was consequently invalid. Charley was granted asylum. He

has graduated from a trade school, obtained a driver's license and is reconnecting with his family. He wants to become a lawfully admitted permanent resident (Green Card) and eventually to become a U.S. Citizen. After all, the United States is really the only home he knows.

During World War II, President Franklin D. Roosevelt succinctly described why our parents and grandparents were fighting and dying thousands of miles from our shores. He asserted Four Freedoms—Freedom from Want, Freedom to Worship, Freedom of Speech and Freedom from Fear. Today, Freedom from Fear, which should apply to all who live here regardless of race, creed, national origin, sexual orientation and immigration status is under threat. Fear is pervasive among our immigrant communities—fear of taking a sick child to an emergency room and fear of a pregnant woman going to hospital because a nurse may call ICE, fear of reporting domestic abuse because a state social worker or a police officer may call ICE.

Detention of people who seek asylum, who seek protection from violence, who seek a better life for themselves and their families, is anathema to the American ideals inscribed on the copper-green lady in New York harbor:

“Give me your tired, your poor,  
Your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore.  
Send these, the homeless, tempest-tossed to me,  
I lift my lamp beside the golden door!” -- Not walls, not detention centers

My Unitarian Universalist faith calls me to promote and affirm justice, equity and compassion in human relations and the goal of world community with peace, liberty and justice for all. But I am touched also by the history of the Unitarian Universalist Service Committee's founders, Rev. Waitstill Sharpe and his wife, Martha, who in 1939 and 1940, defying hate, put their lives in danger to help refugees escape Nazi oppression and fear. Honored by the State of Israel as “Righteous Among The Nations,” the Sharp's tradition of helping refugees lives on as a foundational principle of my faith and that of the thousands Unitarian Universalists in Maryland.

Please help end the fear. Vote to support HB0677.

Thank you for your consideration and warmest regards.

Jim Caldiero

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<sup>i</sup> “long train of abuses” from Thomas Jefferson, et al, *The Declaration of Independence*, July 2, 1776.