

WHAT DETENTION CENTERS MEAN FOR TRANS FOLK

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OVERVIEW

- History: Immigration detention & Homeland Security
- Current conditions
- Perpetuation of violence
- Activist
- How can you be a resource to stop detention centers

Trigger warning

IMMIGRATION DETENTION

- **1790** Naturalization Act
 - Citizenship exclusion
- **1882** Chinese Exclusion Act
 - First process of deportation
- **1892** Ellis Island Immigration Station
 - First dedicated immigration detention facility
- **2003** Homeland Security Act
 - ICE, CBP, USCIS
- **2017** Obama deported 3 million people
 - No, he was not that great.
- **2020** Trump's racist agenda
 - Family separations, lost children, sexual violence, deaths



DEPARTMENT OF HOMELAND SECURITY (DHS)

- Homeland Security Act
 - Immigration and Naturalization Services → Homeland Security
- Homeland Security
 - ICE, CBP, USCIS
- Immigration and Customs Enforcement
 - Enforcement and Removal Operations (ERO)
 - Homeland Security Investigations (HSI)
- Customs and Border Protection
 - Family separations, 100 mile radius
- US Citizenship and Immigration Services
 - Lawful immigration

Trans Immigrants Disproportionately Subject to Deportation and Detention, Suffer Special Gender-Related Harms in these Processes

Barriers to Getting any Legal Immigration Status:

Employment-based immigration not available because of job discrimination

Family-based immigration not available because trans people's family members often reject them, trans marriages not seen as valid, chosen and extended family not recognized

Asylum and other claims often not available because of lack of access to trans-friendly legal help, less connections with immigrant communities to get information combined with strict timelines, bias and harassment from immigration officers

Criminalization of Trans People:

Most convictions and some arrests can make people deportable, even if they have status

Trans people falsely arrested for lack of proper identity documents or for using bathroom

Police profiling of trans people as violent, prostitutes

Committing survival crimes because lack access to legal employment or education (sex work, drugs, theft, etc.)

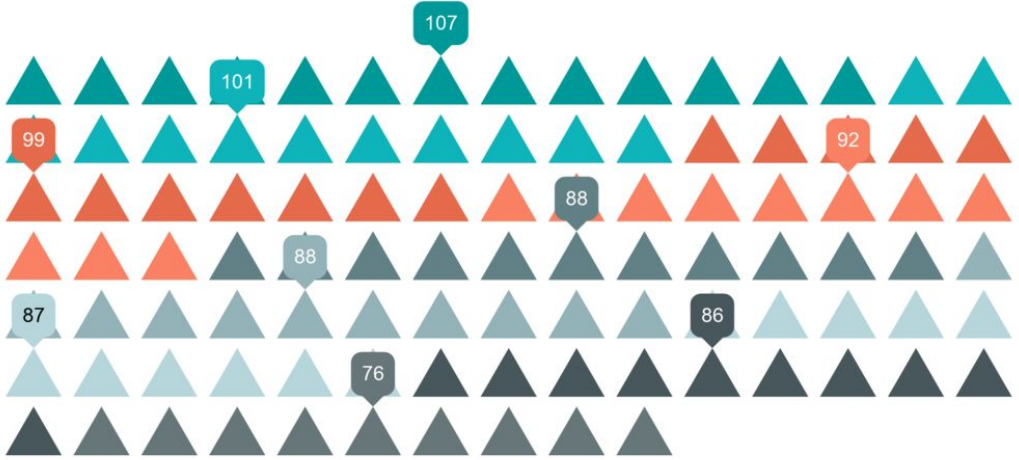
Trans immigrants likely to be detained and/or deported:

Trans people disproportionately HIV positive, if from country where no access to HIV meds, deportation is death sentence. Also, deportation can lead to serious transphobic violence, persecution, and imprisonment once in home country.

In detention trans people often isolated and/or targeted for rape, harassment, abusive searches and other violence by staff and other detainees. Gender misclassified based on genitals in sex segregated system.

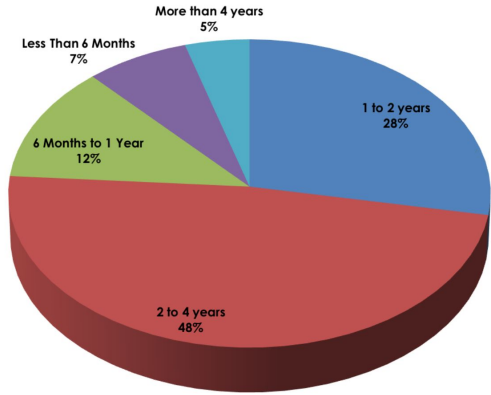
Can't access hormones and other medical treatments while detained.
Forced to change gendered characteristics of appearance (cut hair, give up prosthetics, etc.)
Results in mental anguish and increased violence because appearance may conform even less to gender identity.

Average Length of Detention



- (NY) Orange County Jail (12.99%)
- (AL) Etowah County Jail (12.26%)
- (NJ) Essex County Jail (12.01%)
- (NJ) Bergen County Jail (11.17%)
- (NJ) Hudson County Jail (10.68%)
- (NE) Douglas County Jail (10.68%)
- (WA) Northwest Detentio.. (10.56%)
- (PA) Pike County Jail (10.44%)
- (NY) Buffalo Service Pr.. (9.22%)

Length of Detention



- ▶ Four percent (4%) of respondents who were not U.S. citizens by birth had been held in immigration detention at some point in their lives.
- ▶ More than half (52%) of respondents who were held in immigration detention were segregated from other people in detention, including 42% who were held in solitary confinement.
- ▶ Forty-five percent (45%) of respondents who were in immigration detention experienced some form of mistreatment, such as being physically or sexually assaulted or being denied access to hormones.

Table 14.2: Mistreatment and assault in immigration detention

Form of mistreatment or assault (n=29, unweighted)	% of those detained
Denied access to hormones	29%
Physically assaulted	23%
Denied gender-appropriate clothing	22%
Threatened with sexual assault	19%
Sexually assaulted	15%
One or more experiences listed	45%

** Due to the small sample size, these findings should be interpreted with caution.*



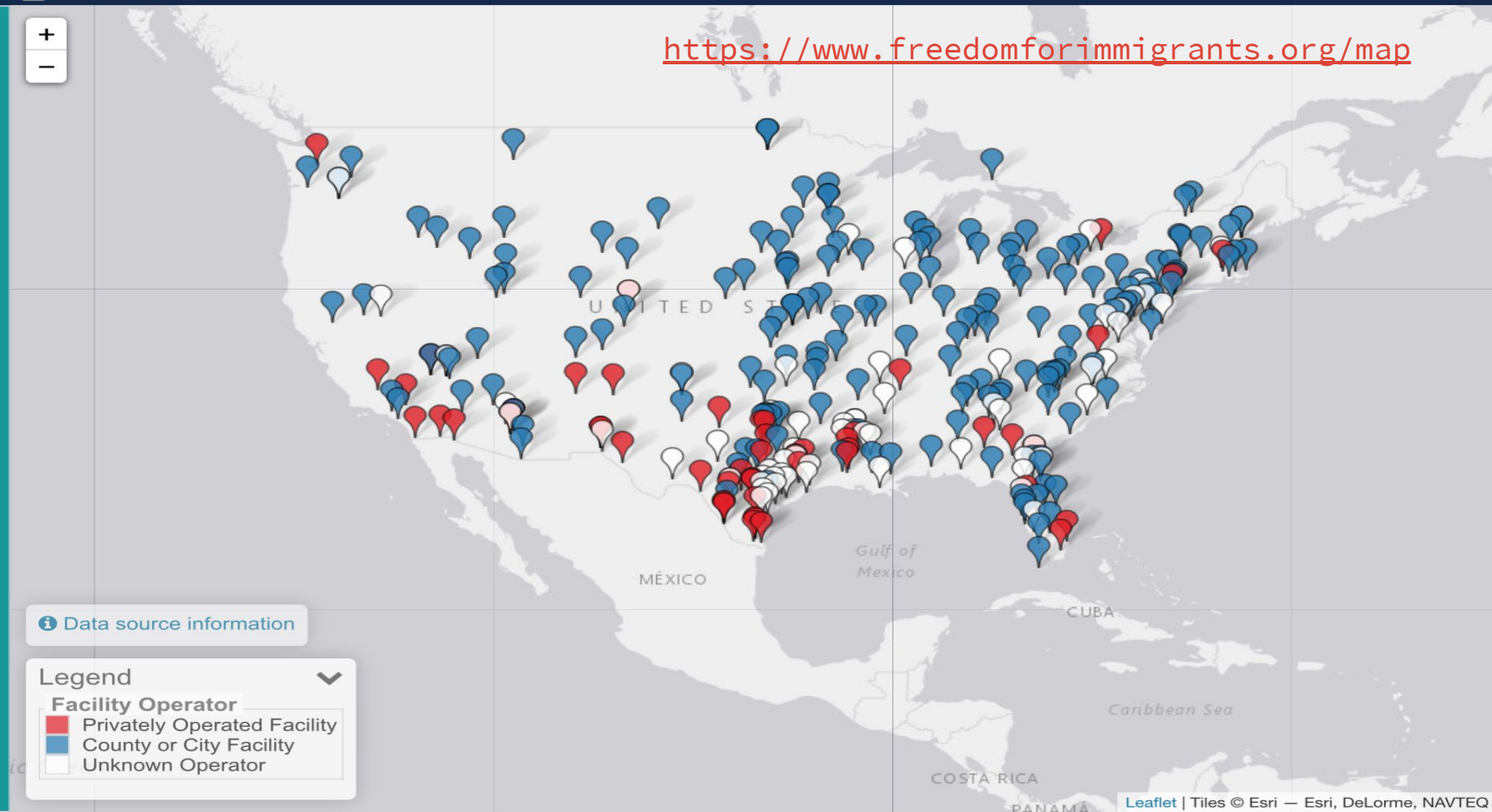
NOT OK!

Congressional Research Service (CRS) reports that **20% of substantiated allegations of sexual abuse** reported to Immigration and Customs Enforcement (ICE) **involved transgender victims** -- a percentage far exceeding their representation in the detained population.








<https://www.freedomforimmigrants.org/map>



 Data source information

Legend

-  Privately Operated Facility
-  County or City Facility
-  Unknown Operator

WHY DO TRANS
PEOPLE, AND PEOPLE
IN GENERAL,
MIGRATE TO THE US?

CURRENT CONDITIONS

mass incarceration of nearly 400,000 people a year in immigration detention is a failed and dangerous policy, and immigration detention continues to be unacceptably harsh, hazardous, and unnecessary for transgender people in particular

- Detainees are gendered
 - Segregated by sex at birth
- They are stereotyped as “sexual predators.”
 - Perpetuates sexual and physical harm against trans and queer people
- Denied medical attentions
 - STD and STI treatment/medication

TESTIMONIES

Victoria Arellano was a transgender migrant who was HIV positive. On July 20, 2007, she died while in Immigration and Customs Enforcement detention. In May 2007, she was detained at a facility in San Pedro, California, she was denied her medication and medical attention.



- Making Queer History

Because of her gender identity, Kelly Gonzalez has experienced violence and hatred since she was a child in Honduras. Her experience in ICE custody is a continuation of the trauma she fled when sought refuge in the United States. Kelly was held for months in solitary confinement... for no reason other than her gender identity.

-ACLU of Arizona

UNDOCU-QTPOC
ACTIVIST



undocu-
mented
tales

ARMANDO IBAÑEZ

“The series serves as an online platform that brings together the intersections of immigration status, homophobia/transphobia, class and race to portray the realities of what it means to both undocumented and queer [folk] in the United States.”



JANNICET GUTIERREZ

“transgender Latina organizer from México. She was born in Tuxpan, Jalisco. She is an organizer...Jennicet will continue to organize in order to end the deportation, incarceration and criminalization of immigrants and all people of color.”





Mariposas Sin Fronteras

KAROLINA LOPEZ

“A Tucson, AZ based group that seeks to end the systematic violence and abuse of LGBTQ people held in prison and immigration detention”

- Visits, letters, bonds, housing upon freedom



CULTURE/STRIKE

“empowers artists to dream big, disrupt the status quo, and envision a truly just world rooted in shared humanity”

- Collaborating with Inland Coalition for immigrant Justice & immigrant artist- bonds to free in detention centers



WHAT PEOPLE HAVE DONE?

Revolutionary Activity Against Concentration Camps:

- National protests on the Streets, at Detention Centers, & on the Border
- Demands to drop ICE contracts
- Lights for Liberty rallies: nationwide

WAYS IN WHICH WE CAN SUPPORT THEM

- Know your rights (and the rights of others)
- Letter writing: sending words of support and affirmation
 - This helps because the detention center sees that people are reaching out to them because often times they abuse who people who they believe are alone and “invisible.”
- Advocate:
 - Connecting with organizations that take donations for recently released detainees: Financial support, Legal Support, Clothing, etc.
- Raise awareness
- Defund & DIRECT ACTION
- Advocacy & Organizing Toolkits
 - <https://www.immigrantjustice.org/research-items/advocacy-organizing-toolkits>

RESOURCES/ORGANIZATIONS:

Organizations:

- Familia: Trans Queer Liberation Movement
- Trans Queer Pueblo

History of U.S. Imperialism in Latin America:

- <https://www.youtube.com/watch?v=ueNWlMyUNy4>

CITATIONS:

<https://transequality.org/>

<https://www.transequality.org/sites/default/files/docs/usts/USTS%20Full%20Report%20-%20FINAL%201.6.17.pdf>

<https://www.hrw.org/report/2016/03/23/do-you-see-how-much-im-suffering-here/abuse-against-transgender-women-us>

<https://srlp.org/files/disprop%20deportation.pdf>

<https://srlp.org/allnews/>

<https://srlp.org/files/disprop%20deportation.pdf>

<https://www.makingqueerhistory.com/articles/2019/8/13/victoria-arellano>

FACT SHEET

- Detained transgender immigrants frequently experience such intolerable conditions in ICE custody that they desperately agree to give up their cases and risk persecution and death after deportation rather than remain in solitary one day longer
- Department of Homeland Security (DHS) policies have recognized that certain groups of immigrants should generally not be placed in detention centers because of their vulnerability.
- ICE announced it would protect transgender immigrants by warehousing them in a few designated centers across the country, which fails to address the abuse from ICE officers.
- These segregated units in a few detention centers, which may be located far from family and attorneys, are how ICE says it may now begin to detain some trans women alongside other women—something it should have been doing under prior policies but never did.
- More than a third of trans people behind bars are sexually abused each year.
- 1 in 5 substantiated cases of sexual assault in ICE custody involved a transgender victim.
- Trans womxn are put into “Male Detention Centers”
- Many LGBT immigrants are torture and rape survivors seeking asylum from anti-LGBT persecution in Central America and elsewhere.
- ICE officers regularly ignored their own risk assessments and detained LGBT immigrants who could have been released pending a court date.
- Congressional Research Service (CRS) that as many as 40% of allegations of sexual abuse are not reported to Immigration and Customs Enforcement (ICE) headquarters