



# ANTHOLOGY OF ABUSE

END THREE DECADES  
OF ABUSE AT THE  
**Elizabeth**  
**Detention Center**





## Background

In 1994, the federal government began detaining immigrants in a former industrial warehouse in Elizabeth, New Jersey. Not a full year later, people detained there staged an uprising to protest the torturous conditions they faced at the already infamous facility and call for their freedom.<sup>1</sup> After only brief closure and despite continued protests and legal battles, the windowless facility now known as the Elizabeth Detention Center (EDC) is still in operation, with capacity to detain up to 300 people through a direct contract between Immigration and Customs Enforcement (ICE) and private prison corporation CoreCivic.<sup>2</sup>

The inhumane conditions that plague the immigration detention system are exacerbated at the EDC due to its reliance on infrastructure that was never intended to be lived in.<sup>3</sup> For nearly three decades, people incarcerated in the facility have been subject to severe lack of access to fresh air or sunlight, cramped and unsanitary living quarters infested with vermin, consistent medical neglect, and abusive treatment from guards and other EDC staff—some for exceptionally long periods of time. These dangerous inadequacies have been magnified during the COVID-19 pandemic, with EDC having the distinction of being the first ICE detention center to report a positive case.<sup>4</sup> The situation became so dire that the EDC's landlord filed a lawsuit against CoreCivic,

claiming that the company breached its lease agreement by failing to follow the appropriate safety regulations to mitigate the impact and spread of COVID-19.<sup>5</sup>

In 2021, state officials finally stepped up and responded to years of advocacy by passing state legislation that prohibits contracts for immigration detention operations in New Jersey. ICE circumvented these efforts and quietly extended its contract with CoreCivic for another two years at the EDC before the governor signed the bill into law.<sup>6</sup>

## Purpose

ICE insists through internal inspections that the EDC is in compliance with "rigorous detention standards" despite years of evidence exposing its inhumanity. EDC is proof that regardless of the amount of oversight conducted, complaints filed, and legal battles endured, ICE detention is rotten to its core and incapable of improvement. The facility must be shut down.

This brief is intended to provide an evidence bank for this argument. For years, people detained at EDC, advocates, lawyers, government agencies, and journalists have witnessed, investigated, and detailed the horrors of confinement at the EDC, creating a long paper trail of abuse. Yet ICE continues to detain immigrants there. As we approach the new contract end date on August 31, 2023, CoreCivic is suing the state of New Jersey in







The New York Times  
***Few Details on Immigrants Who Died  
in Custody***

**ICE Quietly Extends Elizabeth  
Detention Center Contract With  
CoreCivic**

While advocates pressure Gov. Murphy to end new ICE detention contracts, CoreCivic extended its contract until 2023

an effort to invalidate the democratically approved legislation that would force them to finally close its doors at EDC.<sup>7</sup> A decision in favor of CoreCivic would undermine New Jersey democratic processes and ignore mass community opposition to the incarceration of beloved community members.

We cannot continue to settle for oversight and promises to address conditions in deference to corporate interests. The damning trail of evidence shared in this brief demonstrates that the only solution is to shut the Elizabeth Detention Center down and release the people inside. What follows is a comprehensive, but by no means exhaustive summary of evidence

and collection of resources from a variety of perspectives substantiating the ongoing demand for closure.

## **The Paper Trail**

### **Advocates and Directly Impacted Individuals**

People detained at the EDC as well as other immigrant rights advocates and organizers have long decried the extensive human rights abuses at the facility. Its history is littered with legal battles, while reports from groups like Human Rights First (HRF) and the American Friends Service Committee (AFSC) document in detail the horrific conditions and culture of violence





## **ICE medical staffer at NJ detention center tests positive for coronavirus**

NEWS

### **Immigrants face maggots and worse in ICE detention in N.J., report says**

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at the facility through countless stories from people detained there.

One of the major issues consistently named is a troubling pattern of deliberate medical neglect. Through interviews and other forms of testimony, AFSC found that medical staff at the EDC routinely deny examinations and medical care, dismissing people's very real concerns and often only providing Tylenol as treatment regardless of the issue at hand.<sup>8</sup> Two people have died in custody at the EDC as a direct result<sup>9</sup>—Boubacar Bah from a head injury that went untreated for over 14 hours despite requests to see a doctor,<sup>10</sup> and Victor Ramitez Reyes after receiving improper treatment for an identified cardiopulmonary condition.<sup>11</sup> There were also instances of medical staff

manipulating ailing immigrants into accepting deportation with the threat that they would not receive necessary treatment in custody.<sup>12</sup>

Despite this dismal state of care, conditions at EDC both exacerbate existing afflictions and facilitate new illness, physical and mental. Insufficient ventilation has led to years of asthma-inducing dust buildup and created breeding grounds for vermin like worms or maggots, which people have reported finding in the shower area and even in their food.<sup>13</sup> Meanwhile, access to fresh air and outdoor recreation is extremely limited, consisting of an enclosed room with a barred skylight letting in heavily polluted air from the surrounding warehouse district.<sup>14</sup> Unsurprisingly, these issues were fatally exacerbated when the





COVID-19 pandemic hit, with people detained reporting a callous disregard for safety measures from facility staff. Inconsistent quarantine practices, ranging from dormitory-wide lockdowns to cruel isolation placements, and failure to provide basic protective gear like masks led to outbreak after outbreak.<sup>15</sup> Ultimately, an officer working at the EDC died from the virus and AFSC, the Immigrant Defense Project, and the NYU School of Law Immigrant Rights Clinic filed a class action lawsuit with the goal of securing everyone's release from the facility.<sup>16</sup>

This lawsuit is not the only one the EDC has faced. Following the 1995 uprising, twenty people who were detained there at the time while seeking asylum sued the Immigration and Naturalization Service (INS) alleging inhumane conditions of confinement.<sup>17</sup> Many of the accusations reflect the ongoing issues already noted, including overcrowded and unsanitary living quarters, physical and verbal assault, refusal to provide medical care, as well as violation of the religious rights of detained Muslim immigrants. The case ended in a

partial victory a decade later,<sup>18</sup> but unfortunately people continue to face these same abuses today.

In the nearly two decades since the decision, sustained organizing and advocacy<sup>19 20 21 22</sup> culminated in a major victory in 2021: passage of a state bill that would effectively close the EDC. While ICE temporarily circumvented this loss by rapidly extending its contract and CoreCivic seeks to bring the battle to court, efforts to shut the facility down once and for all remain strong.<sup>23</sup>

### Government Oversight

Oversight mechanisms in place to review ICE detention are inadequate and/or unenforceable. The Department of Homeland Security (DHS) Office of the Inspector General (OIG) has found that the infrequency, advance notice, and scope of ICE's primarily internal inspections process is conducive to leaving deficiencies unaddressed for years, despite numerous inspections of individual facilities revealing conditions severe enough to threaten the health and safety of people in custody.<sup>24</sup>







Even where there is a proven pattern, as has been documented at the EDC, accountability mechanisms are virtually nonexistent.

Investigations at EDC began shortly after it opened. Not long after the 1995 uprising, the INS published the results of a two-month investigation that detailed the culture of violence and abusive treatment of immigrants at the hands of facility guards.<sup>25 26</sup> Evidence showed that guards degraded, assaulted, and engaged in torturous practices including solitary confinement and keeping lights on 24 hours a day to deprive people detained of

sleep. Some cases were even referred to the FBI for investigation—and unfortunately this would not be the only FBI investigation into guard violence at the EDC.<sup>27</sup> The results of the investigation were so appalling that the federal government was forced to cease operations at the facility, though unfortunately only for a brief time.

The EDC was singled out again by the Office of Civil Rights and Civil Liberties (CRCL) in a 2020 memo resulting from a multi-year investigation concerning allegations about inadequate medical and mental healthcare, particularly the





treatment and monitoring of people experiencing withdrawal while in detention.<sup>28</sup> While the observations and recommendations are mostly redacted,<sup>29</sup> these issues are evident even in ICE's internal inspections. In just the inspection period preceding the investigation, there were 126 grievances reported, including 22 medical grievances,<sup>30</sup> and multiple members of Congress from New Jersey and other states in the region joined protests to condemn these issues at the facility.<sup>31</sup>

## The Media

New Jersey journalism has also contributed to public pressure and exposed abuses at EDC, particularly regarding COVID-19 outbreaks and deficiencies in the facility's pandemic response—often uplifting the voices of people organizing and fighting for their lives inside the facility.<sup>32 33 34 35</sup> One of the most egregious cases involved ICE's rapid deportation of Hector García Mendoza, a primary plaintiff in the 2020 class action suit.<sup>36</sup> ICE has a history of suppressing organizing and advocacy through retaliatory removals, as exposed in this case. Despite a federal judge placing a hold on García Mendoza's removal, ICE deported him to Nuevo Laredo, a city known to be dangerous for immigrants, after which he went missing. Both local and national media, along with Hector's loved ones and attorneys, worked to bring this to light and seek answers, tragically without resolution.

This isn't the only time the media exposed ICE's culture of secrecy and suppression at the EDC.<sup>37</sup> When a Times reporter inquired about Boubacar Bah's condition in 2007, a spokesman for the agency rebuffed them. The Times then teamed up with the American Civil Liberties Union (ACLU) to obtain records under the Freedom of Information Act (FOIA) that revealed that when Bah entered a coma after being denied treatment for his skull fracture and left in an isolation cell, ICE conspired to hide his condition.<sup>38</sup> Officials considered sending him back to Guinea, his country of origin, while still in a coma to avoid taking on added medical costs and scrutiny from media exposure. They ultimately decided to release him to family in the U.S. on humanitarian grounds—who also lacked the means to provide the appropriate care—but he died days before his planned release.

The media has also amplified and informed grassroots efforts. Reporting on months of public backlash from students at Kean University and other activists against EDC's leasing company, the Elberon Development Group, threatened its reputation and executives' positions on the university's board.<sup>39 40</sup> In May 2021, WNYC broke the news that after years of "protests, prayer services, and 24-hour vigils at the facility...[and] scores of people arrested outside for engaging in civil unrest," the owners were suing CoreCivic to terminate the lease agreement.<sup>41</sup>





## The Solution

Directly impacted individuals, advocates, government oversight bodies, and journalists have all documented the nearly three decades of abuse at the Elizabeth Detention Center. As we approach the contract end date for the facility, we urge the administration to comply with New Jersey law and side with constituents over the interests of a private prison corporation.

The detention system has always been plagued by egregiously poor conditions and a culture of violence, and the EDC is no exception. Years of inspections, protests, and reporting have proven that there is no fixing it. When it comes to detention, we demand decisive action. Closing EDC is a critical step for the administration to make good on its promise to protect immigrants and move us towards a more humane immigration system.

**We have only one recommendation for the Elizabeth Detention Center: the administration must immediately release everyone currently detained at the facility and shut it down.**

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