

# UNITED STATES

## LOCKED AWAY: IMMIGRATION DETAINEES IN JAILS IN THE UNITED STATES

*HUMAN RIGHTS WATCH REPORT*

*September 1998*

*<http://www.hrw.org/reports98/us-immig/>*

### *Section Related to Pike County -*

#### *Pike County Jail, Pennsylvania*

INS detainees in Pike County Jail in Pennsylvania first contacted Human Rights Watch in November 1996 with serious complaints of excessive disciplinary sanctions and mistreatment. One detainee, Ramón Medina, told Human Rights Watch that he had been placed in solitary confinement in September 1996 after telling correctional officers that he was going to file a complaint against them.<sup>31</sup> According to Medina, he was brought to the solitary confinement cell with his hands and feet handcuffed and was hit and kicked in the head and arms by four correctional officers at the jail. Medina claims that one of the officers, Brian Bain, took off his uniform and told Medina, "[W]e can do this as men," before proceeding to beat him with the three other officers present. "I was hit in the eye and head and am in a lot of pain. I can't sleep at night," he told Human Rights Watch. "I also have a bone sticking out of my left hand."<sup>32</sup> In the solitary confinement cell, Medina said he was kept naked without a mattress, using toilet paper to keep warm.

Medina filed a complaint against Officer Bain, who was subsequently dismissed from the jail. According to a Pike County Jail official, Officer Bain was dismissed because of "burnout" after jail administration officials twice ordered him to undergo counseling.<sup>33</sup> Because of the seriousness of Medina's allegations, Human Rights Watch contacted the INS in April 1997 to alert the agency about his situation. An INS official called Human Rights Watch by telephone to say that the agency would investigate Medina's complaints; she told us, however, that Medina's injuries were not due to mistreatment but were caused by his hurling himself against the walls because he was frustrated by his long detention since he was Cuban (in fact, Medina is from the Dominican Republic).<sup>34</sup> When asked about Officer Bain's alleged participation in beating Medina, and his subsequent dismissal, the INS official simply stated that it was no longer an issue since Bain had been dismissed, adding that it was not "any of the INS's business" whether or not Bain

might be subjected to criminal prosecution or even whether the county prosecutor knew of the incident.<sup>35</sup>

After Human Rights Watch alerted them about the mistreatment, the INS did send a representative to Pike County Jail to investigate the allegations, but detainees who were interviewed claimed that the INS representative threatened them at the beginning of the interviews, warning them that if they were lying, the detainees themselves would be prosecuted.<sup>36</sup> In the meantime, at the end of April Medina was again placed in solitary confinement until June 1997.

31 Information based on Human Rights Watch telephone interviews with Ramón Medina and other detainees at Pike County Jail between November 1996 and June 1997, and personal interviews at Pike County Jail on March 22, 1997. (Medina was in solitary confinement on the day of our visit and officials would not let us interview him).

32 Human Rights Watch telephone interview with Ramón Medina, Pike County Jail, November 21, 1996. Another detainee housed with Medina reported that he could see marks on Medina's left eye, his arms, and noted that "something is very wrong with his left wrist." Human Rights Watch telephone interview with Jorge Viera, Pike County Jail, November 21, 1996.

33 Human Rights Watch interview with Sergeant Connely, Pike County Jail, March 22, 1997.

34 Human Rights Watch telephone interview with Trish Peppy, INS Philadelphia District Office, April 17, 1997.

35 Ibid.

36 Human Rights Watch telephone interview with Miguel López, Pike County Jail, April 21, 1997.