



Resistance and Retaliation: Maribel's Story Part-I

By Virginia Raymond

When I met Maribel* in the T. Don Hutto so-called “Residential Center” in Taylor, TX it was a Sunday—the day after Halloween—and Maribel had been in solitary confinement at the detention center since the night before. Maribel was among the 27 or so women who had begun a hunger strike on Wednesday of that week to protest both the conditions at Hutto and the fact that they’d been incarcerated there for so long—11 months, by that point, in her case—simply for seeking asylum in the U.S. Maribel is a refugee like many of the other women confined by the private, for-profit Corrections Company of America (CCA) through a contract with ICE (U.S. Immigration and Customs Enforcement).

Eighteen of the strikers had explained their reasons for striking in their own words and shared their statements with organizers from Grassroots Leadership. Maribel’s personal declaration began with as follows: *I am very happy to participate in this hunger strike. I cannot bear any longer this punishment. I’m dying of desperation, of this injustice, of this cruelty. We are immigrants, not criminals. To treat us like this—they must not have any heart, they are of iron—as if we are not human. They treat us like dogs.*

The women at Hutto were not alone. History will remember 2015 as a year in which refugees and immigrants showed stunning courage. They endured shocking violence in their homes, and difficult, clandestine journeys. Arriving in the U.S., they found not refuge but arrest, holding cells so cold that people call them “hieleras” (iceboxes), incarceration in prisons, some of which the government euphemistically termed “residential centers,” emotional abuse, rancid food, and administrative and legal regimes that would have made Franz Kafka cry. (See Kafka’s short story, “Before the Law,” <http://bit.ly/kafkaery>, to get a feel for immigration processes.) When the law failed them, the refugees and immigrants used their minds and their bodies.

The number of strikers at Hutto grew and news spread. I was having trouble keeping track of all the rebellions organized inside immigration prisons in the past several months, so I made myself a little chart (available on request from lavoz@esperanzacenter.org), based partially on what my clients told me during the spring at Karnes, and what Maribel told me about Hutto, as well as on news reports, blogs, and the like.

Making a chart about an organic movement of human beings inside inhumane prison structures, is necessarily inadequate. The

number of participants waxed and waned. ICE and both private prisons companies with which I’ve dealt—GEO, the world’s leading provider of correctional, detention and community reentry services, and CCA (Corrections Corporation of America)—attempt to keep news from getting into or out of the prisons with a variety of techniques that include banning reporters and people who write about their visits to the detention centers. Nevertheless, two things became clear: 1) The huelgas (strikes) and fasts (ayunos) elicited attention from the press, religious organizations, and government officials. and, 2) Retaliation from ICE, CCA, and GEO was as swift and ferocious as the refugees are brave.

CCA first responded to Maribel’s participation in the hunger strike by putting her in isolation. That’s how I met her; Alejandro Caceres of Grassroots Leadership had called me. Of course, ICE and its for-profit contractors CCA and GEO claim not to have any “administrative segregation” or “solitary confinement” or “isolation” rooms in the “residential centers” where they incarcerate women (as in Hutto) and children (as in Karnes, Dilley, and Berks). What they use, instead, is “medical” assignments. When staff from these private prison corporations want to punish someone at Karnes, Dilley, or Hutto, they can just send them to “medical.” That’s what happened to Maribel.

When I met Maribel on a Sunday, no one at Hutto could or would tell me why she was in isolation, and pretended to know nothing about a hunger strike. I began calling CCA and ICE a little before 8 a.m. on Monday, faxing a “G-28,” (the Department of Homeland Security form that proves that an immigrant or refugee has a lawyer, and that immigration officials have that person’s permission to talk to the lawyer) to the number identified on the facility’s website. It took hours for me to get through to anyone. When I finally spoke to the first deportation officer —Officer Gonzalez—he told me that Maribel had had “a number of disciplinary issues for quite a while.”

Like what, I wanted to know.

“*She has an aggressive and belligerent nature,*” Gonzalez continued, and for that reason, he explained, ICE was considering transferring her to a different facility.

An aggressive and belligerent nature?

What does that mean? Well, “*there’s an October 5 notation.*” When I pressed for specifics, Gonzalez demurred, saying that he

was not actually Maribel's deportation officer, and I needed to speak with that person.

Deportation Officer Sturmond reacted with surprise. He had no idea that Maribel was in segregation and he "had not seen any disciplinary reports on her lately." What about this supposedly "aggressive and belligerent nature" that Gonzalez mentioned?

"Well, she does not want to be at Hutto, and so she doesn't get out of bed, and doesn't do things. But we had a talk with her and there have been no further problems.— It's been at least a month," he told me, since there'd been any "disciplinary problems." Sturmond—who was the officer supposedly in charge of Maribel—told me that he had not asked for Maribel to be kept separate, and that no one had talked to him about it. He agreed to investigate. By the time he called me back, Sturmond was chipper. "She was there for medical observation, but she's out now." And by the way, "we don't have administrative segregation here. I've been to places where there is solitary, but not here."

Medical observation, then. Okay, I wanted to know: Who was doing the observing? Was it a nurse? A health care provider? What did they observe? And what were they looking for?

"I don't know anything about that."

"But it wasn't retaliation. It wasn't punishment. And she's out now. Let me know if there's anything else I can help you with!"

Flurries of e-mails and conversations with ICE officials followed over the next several days with me trying to get Maribel's medical and "disciplinary" records. ICE officials told me that they did not have the medical records and would forward my request to whoever did have them. (I'm still waiting.) As for disciplinary records, ICE flat out refused to give me anything.

No disciplinary records means nothing specific at all. There is nothing to contradict my initial suspicion: The claim that Maribel has "an aggressive and belligerent nature" is based on nothing but racism: racist stereotyping, racist perceptions. Maribel is a Black woman. In a world where police perceive as dangerous, and so can with impunity shoot and kill Black children and sleeping Black men, of course authorities can deem a Black woman who doesn't jump out of bed on command as "belligerent."

By the time I made it to Hutto again, on Friday morning, November 6th, I'd missed Maribel by a couple of hours. ICE had sent her, and with other hunger strikers, to Laredo. A few strikers had been sent to Pearsall. While ICE

calls Hutto a "residential center" and incarcerates only women, both Pearsall (run by GEO) and Laredo (a CCA facility) hold both men and women. These are more "secure"—more prison-like. A Salvadoran refugee, Joselin, told me that when she arrived at Laredo from Hutto, an official told her, "Your vacation is over."

Why the move? The punitive and retaliatory motives were clear, but ICE denied that the transfers to other detention centers had anything to do with the strike. At Hutto on Friday morning, I had the names of other women—women who had written powerful statements, just over a week ago, of their individual reasons for participating in the collective action. While I was there, both

officers Sturmond and Gonzalez approached the windowed semi-private room in which I was meeting with one of the women.

They wanted to talk. Maybe they realized they had made a mistake: ICE is supposed to notify an immigrant's lawyer before they move the person, and no one had told me of Maribel's move. Tripping over themselves in convoluted explanations as to why Maribel was in a van bound for Laredo, they settled on this: "Because of the situation at the border, we're sending our long-term people there and Laredo's sending the ones who need to be interviewed here. We're only holding short-term people here." Long-term? "Well, Maribel's case is at the BIA (Board of Immigration Appeals)." Short-term? "The ones who need to be interviewed, or people who are going to be deported."

I've tried to make sense of this reasoning; I've also sought written confirmation of ICE policies about assignments and transfers, who goes to Hutto, who to Laredo, through a FOIA (Freedom Of Information Act) request. I've failed. Absent other information, I'm left only with my personal experience: when I agree to represent a woman in Hutto (33 miles from my office), BAM!, she gets moved to Laredo (236 miles from my office).

Returning to the interview room, I found that the woman—the former hunger striker—was emphatic: No, no, no. It wasn't a hunger strike. It was a fast. I was praying to God to help me with my case.

Trading notes in the parking lot, colleagues told me that they'd heard the same thing. No, I wasn't striking. I just wasn't hungry. The food is bad. It was a cleansing. It was a fast. It was between God and me. No, I do not wish to talk to any reporters. Please do not use my name.

There were reports from Pearsall: more denials. No. It was all a big misunderstanding. We were praying. We were not asking ICE to be released. We were asking God.

Now that's some effective intimidation.

It was Sunday, November 8, before I could devote a day to the round-trip to Laredo. When Maribel saw me, she sobbed in my arms for a long time before she could speak. The woman I'd met only a week earlier seemed angry. Maribel's face was puffy. She

walked with difficulty. Her skin was itchy. She pointed out her swollen knees. There was blood in her urine, which, especially for a person with sickle cell anemia, can be a dangerous sign. And she was inconsolable.

Since I'd seen her, Maribel had learned that her partner had been disappeared, presumed murdered, in San Pedro Sula, sometime in October.

Devastated and ill as she was, Maribel was clear. She'd been doubly punished, first in isolation, and then by being sent to Laredo, for striking.

Bio: Virginia Raymond (in her own head) is an unemployed professor of literature, anthropology, history, and Mexican American Studies and can belt out powerful songs in the key of joyous melancholy sounding a lot like Mercedes Sosa. Part II of this article continues in March, explaining why Maribel and her (disappeared) partner left Honduras.

