



# The Human Cost of Immigration Detention

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## Introduction

When I met him at the public library in Liverpool, I expected we would walk to a park or some other public space, but he wanted to talk in the library. Surprising to me, he chose to sit at a table near the entrance, visible to everyone. Nearly every person who walked into the main part of the library passed us. There was no privacy. We sat across from each other but we leaned into the middle of the table and talked in a hushed tone of voice during our hour-long conversation.

Settled, we introduced ourselves and had some small talk. Then he started to tell me his story. He was in his early 30s and originally from West Africa. He told me the reasons for fleeing his home country and how he got to the UK and then the details when his troubles started in the UK.

*The Home Office is not accountable for anything. It's a game. They are just gambling with your life, and they play with it.*

Then he started talking to me as if he was talking to and challenging the Home Office.

*It's like you take a 95-yr-old man and you put him in a boxing ring with a 20-yr-old man. What do you expect? He's going to get knocked out. Isn't he? You put this burden on vulnerable people and you sit down somewhere and you just watch me and make fun. You already know what the answer is. It's David vs. Goliath.*

*You can release me. Why are you keeping me? You just watch me. You refrain from releasing me because you don't believe. I'm a human being and you still make fun of me. You are the one who kept me, who put me in there. You are the ones who the burden should be on, not me. What is your interest? Is your interest to give people a chance to legalize their stay or is your interest about victimizing people? Is that it?*

*I've always tried to be positive. I've always dreamt to show love to people and receive love back as a human being. But, most of those things they want to instigate in the minds of people is hatred. They couldn't push me to that. No matter how hard they tried, they couldn't push me towards feeling hatred for other people. But if you ask me, they pushed me to the extent that you start to question yourself, to question, 'What is humanity?'*

Colnbrook Immigration Removal Center is one of seven immigration detention centres in the UK, located adjacent to Heathrow Airport but well out of view from the public. Three meter high fencing with barbed wire encloses it. Those inside can hear the planes coming and going, each roar of a plane overhead a reminder of their own possible fate.

On the other side of the world, a one-hour drive outside of Kuala Lumpur in Malaysia, similar fencing and barbed wire surround an immigration detention center holding several hundred immigrants per day.

In the United States, immigration prisons owned and operated by for-profit corporate prison companies are spread across the west coast and southern border and southeast, isolated in the middle of nowhere in central Texas, or buried in the vastness of a desert in New. While in the interior of the US, local jails are paid by the Department of Homeland Security and earn revenue by renting out bed space to detain and

house immigrants.

In European countries like Belgium, Greece, the Netherlands and Italy, these sites of immigration detention take on many forms: from that of a facility next to a metropolitan airport, to military barracks in a remote mountain forest, even to an ordinary looking apartment complex in a suburb.

The physical forms and shapes of these places often vary, creatively so, from one place to the next. These systems of incarceration and injustice often elude definition to the public. But one of the constants through all of these places, processes and systems, regardless of location, is the emotional and psychological trauma they have and leave with those men, women and children who experience them, and even those local citizens who work to assist them.

These are some of the places I want to take you to during this lecture. The voices and stories of those who I have met will serve as guides and doorways into the human cost of immigration detention.

## Context for this Work

I am a documentary photographer, visual storyteller, and independent scholar. I spent eleven years working on the long-term project, *Nowhere People*. The project documented the struggles of stateless communities and people around the world who had been arbitrarily deprived or stripped of their citizenship, mostly as a result of State-driven discrimination and racism.

Toward the end of that project, I met with people in Europe (Italy, Malta, Serbia, the United Kingdom, the Netherlands). Many stateless people shared stories of the vicious cycle of immigration detention they had experienced because of the lack of their documentation and because they could not be deported back to anywhere. Their stories were unlike any I had heard before. I knew immigration detention would be the next project.

Attention is almost always dedicated on documenting the ‘journey’ people take to get to that place where they can seek safety and sanctuary. And in many cases, the story stops there. They’ve made it or they haven’t made it.

Simultaneously, the dialogue and debate over issues of immigration and national security have grown more intertwined, intolerant and extreme. But for hundreds of thousands of people, arriving at that place where they believe they will be extended safety and sanctuary turns out to be another traumatic phase of their continuing journey.

Systems of injustice are often elusive in form and shape. Policy structures governments put in place that fuel the detention of vulnerable non-citizens are often opaque, disorienting and ever-changing. As a photographer, it’s my role to visually translate what these systems look like and how they impact people. I spent the next seven years, exploring policies, practices and the geographies of immigration detention in several countries around the world.

The work not only documents the topography of immigration detention, but looks beyond the physical architecture of detention. Through the stories of the people I met along the way, the project asks us to expand how we think about detention and the incarceration of immigrants from not just about the physicality of the walls of the detention center but to the emotional, psychological and mental impact these places and policies have on people and communities.

What happens to people once they arrive at that place where the idea of safety and sanctuary is often a myth? How is the very existence of immigration detention in its current placement within immigration and asylum policy a reflection on countries that profess ideals of freedom, tolerance, democracy, rule of law, respect and opportunity?

## Malaysia

Malaysia is not a signatory to the UN Refugee Convention. Its immigration laws do not recognize the difference between a refugee, asylum seeker and stateless person with that of one of the estimated up to 3 million undocumented migrants living and working in Malaysia. All shoulder the stigma of ‘illegality’ in the eyes of Malaysian policy. As a result, refugees and asylum seekers have no legal status in Malaysia and no right to protection as well. Malaysian policy has left tens of thousands vulnerable to exploitation, abuse,

arbitrary arrest and detention in one of Malaysia's 20 immigration detention centers.

In Malaysia, there is no maximum amount of time someone can spend in detention. As a consequence, a constant state of fear along with the looming threat of detention permeates throughout the day-to-day life of refugees and asylum seekers.

## Two weeks & immigration raids

The morning of February 25<sup>th</sup>, 2017, one of my contacts from within the Chin ethnic community in Kuala Lumpur called me about a raid that happened at an apartment complex in the middle of the night. When I arrived residents were still in shock.

*Between 50-100 immigration officers and police arrived last night. They went from one apartment to the other asking to see everyone's documents. It went on from 2:00am to 3:00am. At least 100 people were arrested, one resident said to me.*

I was introduced to the uncle of 20-year-old Dawt Cung. His nephew had been arrested in the raid and detained.

*I was the one who had to take care of him and look out for him. We live with fear of being arrested. We live with fear all the time.*

He walked me up one floor. Knocked on a door and a man let us into the apartment. He took me to one of the rooms and pointed at a large hole in the ceiling then proceeded to tell me the story of a young woman who managed to evade the raid but was injured.

*She was staying in a small room. They were banging on the door to the apartment block downstairs. Eventually they broke the door and then broke many of the doors to our apartments. She was so scared of being arrested she climbed up into the ceiling and hid there until they left. After they left she fell through the ceiling.*

One week earlier, another raid at a factory an hour outside of Kuala Lumpur resulted in several people being arrested and put into the Lenggeng Detention Camp, including a 24-yr-old woman and mother from the Chin community. I'm sitting on the floor in their 2-room apartment. The woman's husband and 6-yr-old son are sitting next to me.

*Since my wife was arrested and put in detention, my son is in a very dark place. He cries all the time. He never leaves my side. All I think about is finding a way to get her out of detention. They sentenced her to ten month and I don't know for what reason but this is too long.*

For me, that hole in the ceiling, the stare from that 6-yr-old boy and the loss in the voice of his father came to represent the life of migrants and asylum seekers from Burma in Malaysia, the measures they would take to avoid detention and the trauma of a family separated because of detention. Malaysia set the tone for the next four years of the project: the United States.

## The United States

Since the Reagan years, the US has developed the largest immigration detention estate in the world. Over the past decade, the use of detention would expand and become more aggressive. The visual representation of this extensive web of immigration detention prisons in the US usually comes in the form of illustrated graphic maps and info-graphics.

I wanted to translate the geography of this system and create for the first time, a visual survey and a photographic atlas of this system and hopefully address my own questions like: How vast is it? Where are these places? How isolated are they? And, how does the intentional isolation of them reflect the emotion and mental isolation of those people who are detained in them?

The isolated, desolate location of these immigration detention centers is representative of the strategy ICE and DHS has taken to ensure these facilities are out of sight from the American public, difficult for families to reach and visit, challenging for civil society to monitor and demanding for lawyers to have access to their clients. Most of all, it does everything it can to erode the ability for those being detained from maintaining their own sense of personhood and their connection to the world, their communities and the lives they had

or the life they were hoping to have. They are also representative of the entangled relationship between political interest and power and profit-driven corporate America as most of the people held today in immigration detention are held in for-profit detention facilities, owned and operated by multi-billion dollar companies.

I have made no attempt to photograph inside any of these facilities in the US. If provided access, my movements would be monitored and the only photos I could take would be of people in prison uniforms. This was counter to how the people I spoke with felt about themselves or wanted to be represented. It would also feed into politicized narratives. I chose to take exterior photos of these places, like portraits, and when paired with quotes and testimony, the combination of the two could transport people into the interior experience of what individuals endured inside these places.

## Otero Processing Center, NM

Story of man from Cameroon. Detained for 15 months. Eventually deported.

*I knew if I got to America, I would be safe. That's why I had to take that journey to get to the Texas point of entry. When I was walking through that tunnel at the US port of entry, I thought I was walking towards the gate of freedom. Little did I know, I was walking towards the gate of hell.*

*I presented myself right at the port of entry. I told them 'I'm coming to the United States to seek asylum because I'm running away from my home government who wants to kill me and my family'. On that fateful day, my hands were cuffed and my legs were chained and I did nothing more than move from process to process to process, all in chains.*

*Racism was a part of it because I was a black man who could ask questions. I realized I needed the hand of God to help me because the hand of man would fail me because the rate of which racism was practiced in Otero was alarming. Ask my wife, and she will tell you I was a different person before I left for the US. Detention in the US messed me up.*

Discussions of immigration in the US are historically defined by the politicized optics of border crossings. What happens in central and Midwestern states is often overshadowed by media attention, almost always focusing on the southern border. What many people don't know is that scattered across these states, dozens of sheriff departments and county jails earn millions of dollars in revenue each year by renting out bed space in their jails to ICE for the detention of immigrants.

Over multiple trips, months were spent traversing thousands of miles from one state to the next. Chaos is one of the strongest words I can use to describe what was happening at the time and what it felt like meeting families and communities traumatized by what had happened to them and their communities.

*I felt like I was kidnapped. I was kidnapped and thrown into the van like in the movies. Our lives didn't matter. We became numbers. These guys just take you, take part of your life, put you in the middle of nowhere, and put you there for an undefined period of time. A 34-yr old man originally from Benin told me of his time in detention in Indiana.*

*They moved her four times. This was all in four months. I didn't know where she was. When I would call the detention center, she's not there anymore, an 18-yr-old girl said of her mother being detained after a workplace raid in a tomato greenhouse in Nebraska.*

*Everything in my life became about making sure my dad didn't get deported. Making sure that no matter how hard ICE tried, they didn't break his spirit in detention. Everything, every part of my life revolved around making sure my dad didn't go beyond that point of no return in detention, the daughter (and US citizen) of a man from the Iraqi community in Michigan shared with me.*

## Europe

In the European Union and the broader (46-member) Council of Europe there are numerous regulations, directives, treaties, and laws that regulate member-states responsibilities toward migrants, refugees and asylum seekers, including with respect to the use of detention. While member states are bound to these policies, their implementation (or lack of implementation) can vary widely from country to country.

Across Europe, the use of immigration detention has intensified and expanded since the 2015 migrant

crisis. It has also grown in neighboring regions, often backed by European funding and pressure including in countries like Libya and Turkey, with the intention of preventing migrants and refugees from reaching Europe's borders.

But for thousands of those who do reach Europe: Detention Center. Removal center. Transit zone. Reception center. Closed center. Open center. Pre-Removal center. Police station. Border station. Prison. Hot spot. Tent village. Asylum seeker center. Family location. Detention comes in various guises.

### **The Netherlands: Detention Dressed Up**

Sitting in a small living room, he watched his two children play together. Originally from Burma, he is a Rohingya and has lived in the Netherlands for more than seven years. All of his asylum claims have been denied. He and his family have lived in a 'family location' centre for the past three years.

*I came from a place where we had no freedom. Everything in our life was controlled by others. Here, I came for freedom, but we are controlled and controlled again. People think, 'You are living for free. You have a house. You don't have to work. You're getting everything for free'. But they don't know the truth of how we are suffering in this situation. Everyday at 9:00am, the people here have to line up in front of the office just to report and get stamped. We report daily. 'Here I am. Here is my card. I am here. I am not going anywhere. I'm here in this refugee camp. I'm still here. I'm still alive'. When I line up, I feel like it's a prison. Mentally you become sick day by day.*

### **Belgium: When Does A System Become Evil?**

An early morning fog is settled over the fields and faint in the distance, the fencing. With every 50 meters, Caricole Detention and the notorious 127Bis Detention Center get larger and larger. I'm walking with an accredited visitor who is going to meet and talk with people in detention.

*There are a huge amount of emotions that go through me. I do the walk every week. I go from Brussels on a train, then to a small village center, and then into those fields and all that's left are these concrete walls and chain link fences. I feel like I'm physically detaching myself from civilization in almost a literal sense...*

*I feel like I bring some humanity to the centers. I feel that's the primary reason for me to be there. It's the difference between not seeing them as part of a 'file' or as part of a 'case' like anyone from the government sees them. I try to challenge some of the cruelty inside that system in giving them back a name, giving them back a full story, rather than seeing them as people who don't have documents...*

*Sometimes I wish like I could just scream out all the injustices. But you are also realizing that maybe it wouldn't make a difference. Maybe once I start screaming out these stories, the world will just not listen or care...*

*I find this an evil system but I don't find Belgium an evil country. So, I wonder at what stage do you develop a system that becomes evil? What is the motivation behind upholding that system? What goal does it serve? Nobody knows about this and nobody seems to care.*

### **United Kingdom**

In the UK, the detention estate continues to serve as a key component to UK immigration and asylum policy. The opening of Derwentside Immigration Removal Centre in County Durham, a facility detaining only women, the proposed reopening of Campsfield Detention Center, the use of hotels, ex-military barracks and the highly controversial Rwanda Plan for offshoring detention. But as someone who works advocating for the rights of those in detention said to me,

*People don't realize how pointless detention is and how in a very small minority of cases detention actually fulfills it's stated objectives and that is to remove people from the UK. Detention doesn't do that. There's then the question: What does detention actually do?*



## Seven Doors

It was March 2017. We met in a public park. The man was originally from Guinea in West Africa. We sat together on a bench for a while. Then we walked together through the park.

*I heard the UK had the best democracy in the world...immigration detention is like a jungle...easy to get yourself into, but nearly impossible to find your way out of...Detention is mental torture.*

*When they put me in detention, I remember walking through only one door at the detention center. I was in detention for three and a half years. When they let me out, I remember they walked me through Seven different doors, from my cell to the last door where they said, 'You are free'. But how could I be free? I am still not free.*

*Those seven doors said, 'You will not forget this. You will always feel like you are in detention'.*

## Conclusion

The Trump years might have seen an assault on immigrants, as well as an unprecedented expansion in the use of immigration detention where the number of immigrants being detained per day reached over 50,000, but Biden's promises to reduce immigration detention have failed to materialize, specifically in the past two years when the numbers of those detained each day have nearly doubled. Today, ICE detains around 40,000 immigrants per day in the US.

When it comes to detention, Europe, despite its promise of a better, more just union and open borders, turns out to be little different from other places.

In 2022 in the UK, of the people detained in the UK's 7 detention centers, nearly 80% of them received bail and returned to their communities. While detained, it cost 120 GBP per day to detain them. At the same time, the Home Office ended up paying out more than 12 million GBP in claims for unlawful detention. What does detention actually do?

Several things have become clear throughout the years of working on this project: When the use of immigration detention is prescribed and entrenched into policy, states will push the boundaries of its use as far as they can; more times than not, states will use detention to harm people.

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## Further Reading

Bail for Immigration Detainees (UK): <http://www.bikuk.org>

Dow, Mark (2005). *American Gulag: Inside U.S. Immigration Prisons*. University of California Press

García Hernández, C. C. (2019). *Migrating to prison: America's obsession with locking up immigrants*. The New Press.

García Hernández, C. C. (2024). *Welcome the wretched: in defense of the "criminal alien"*. The New Press.

Global Detention Project. <http://www.globadetentionproject.org>

International Detention Coalition. <https://idcoalition.org/>

Kemp, Tom. (2023). *Activism and the Detention of Migrants: The Law and Politics of Immigration Detention*. Routledge

Kocher, Austin. Immigration Blog: <http://www.austinkocher.substack.com>

Nethery, Amy and Silveman, Stephanie (eds): (2015) *Immigration Detention: The Migration of a Policy and Its Human Impact*, Routledge

Shull, Tina (2022). *Detention Empire: Reagan's War on Immigrants and the Seeds of Resistance Justice, power, and politics*. University of North Carolina Press

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