

Press Release

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Advocates File Civil Rights Complaint on Behalf of Detained Immigrants Against Plymouth County Correctional Facility

Advocates from the Boston Immigration Justice Accompaniment Network (BIJAN), Prisoners' Legal Services of Massachusetts (PLSMA), Massachusetts Law Reform Institute, MIRA Coalition, New Haven Legal Assistance Association, Harvard Immigration and Refugee Clinical Program, and other organizations have filed a complaint with the Massachusetts Attorney General's Office, asking Attorney General Andrea Campbell to open an investigation into civil rights violations at the Plymouth County Correctional Facility. The complaint asserts that Plymouth's policies and practices toward immigrants detained at the jail violate both federal and state law.

Although advocates have documented a wide range of civil rights violations at Plymouth, the complaint highlights barriers to attorney-client communications, insufficient language access for non-English speakers, as well as other obstacles to detained immigrants' communications with family and attorneys.

Plymouth is one of the many jails across the United States that contract with U.S. Immigration and Customs Enforcement (ICE) to detain immigrants while they await immigration proceedings with life-altering consequences. It is crucial that individuals facing such grave legal proceedings maintain the rights afforded to them by law, including the right to speak with attorneys, connect with family and friends outside the prison's walls, and receive information in a language they understand.

Plymouth's severe restrictions on phone calls, videoconferencing calls, and mail access create significant barriers to detained individuals' ability to communicate with their attorneys and families. The jail prohibits all incoming calls, does not permit attorneys to schedule calls with their clients or leave voicemails, provides no space for confidential calls, charges at least \$69.99 for a 30-minute videoconferencing call, and severely restricts access to both legal and nonlegal mail. These and other restrictions have caused significant harm to detained individuals. They have been unable to obtain crucial evidence for their immigration cases, have been unable to obtain attorneys, and have missed filing deadlines.

"The horrors listed in this complaint are just a few among the many seen and unseen physical and psychological abuse (harassment, medical neglect, retaliation) of being caged in Plymouth," said Marco Battistotti, civil rights and civil liberties advocate. "Being able to make a phone call

can be the difference between talking to a loved one, getting the information you need about your case, and making it through this inhumane experience."

"Detainees caged at Plymouth inherently suffer severe imputed costs," said M.A., wife of a detainee & BIJAN member. "They pay with their freedom, endure the cost to their physical and mental health due to poor medical care, poor quality food and psychological torture plus the cost of not seeing loved ones to name a few. These costs are then compounded by the high cost of canteen, high cost of phone calls, and limited phone and mail access which is excessively punitive and should be unlawful."

Individuals detained at Plymouth who speak languages other than English are also denied their right to communicate with both Plymouth staff and the outside world. Plymouth regularly receives into custody individuals who speak only Portuguese, Haitian Creole, Turkish, Russian, Arabic, and other languages. Yet Plymouth guards do not speak these languages and fail to use any interpretation services. People detained in Plymouth who cannot speak English have been denied medical care, and have severe difficulty buying commissary items, making calls, sending mail, responding to orders, among other crucial needs.

"The pervasive failure of Plymouth officials to take language access seriously has not only led to a denial of meaningful access to medical care and other critical resources, but also to many other harms and abuses going underreported and unaddressed," said Mario Paredes, a staff attorney at PLSMA.

Plymouth's contract with ICE is up for renewal in September 2023. If Plymouth fails to address the violations in the complaint, the Attorney General should recommend that ICE terminate its contract with the facility and release all detained immigrants at Plymouth.

"This complaint is just one example among many of the ways in which immigration detention consistently falls short of basic human decency," said Sarang Sekhavat, political director of the MIRA Coalition. "Instead of seeking to expand the use of detention, the Biden Administration should be ending contracts with facilities such as Plymouth that continually demonstrate a blatant disregard for human rights."

"It's time for ICE to end its contract with Plymouth," said Bridget Pranzatelli, a law student in the Harvard Immigration and Refugee Clinical Program. "Ultimately, justice detained is justice denied."