

Marlene Jaggernauth's Statement

My name is Marlene Jaggernauth. I was born in Trinidad, but I came to the U.S. as a lawful permanent resident when I was very young. During a very difficult time in my life over a decade ago, I was convicted of two shoplifting crimes. I am very ashamed of what I did, but thankfully through counseling and belief in my family, I moved forward with my life. Many years later, in 2003, ICE arrested me. At that point, I had lived legally in the United States for 27 years. ICE detained me because they claimed my conviction was an aggravated felony.

On March 23, 2003, my 17-year-old daughter woke me up to say that her car had just been hit in our driveway by a police officer. I went out with my 6-year-old twin girls, and my 16-year-old son and my nephew were also outside. As soon as I stepped out the front door, I was grabbed by a male officer, and he pulled my hands behind my back and snapped handcuffs on me while my four children watched in disbelief. When I asked what was going on, they told me I would find out when I got to Miami. In the meantime, my son went to get my parents, who came to my home to see what was happening. I can still see the vision of my blind mother hobbling up my driveway, still in her nightclothes, with total fear on her face, and the pain in my children's eyes still haunts me.

My parents took my children and ICE took me away. During the next 11 months I was moved to four different county jails. I was ultimately deported to Trinidad, a country I left in 1977 and where I had no family ties. Had I not personally experienced detention, I would never have believed that such inhumane conditions existed in the United States. I was trapped in a cruel unjust system, and I could only watch, powerless, as lives unraveled around me.

Prior to my detention, my four U.S. citizen children were honor-roll students, who were very active in the community as volunteers. However, due to my detention, my children felt abandoned, and developed many issues including depression, anxiety, and self-destructive behavior. This was further complicated by the fact that my children were left with my mother, who is blind and had many medical problems, and was in no position to support four very active minor children. My children were affected so profoundly that, had I not returned, I think they would have ended up as yet another juvenile statistic.

While in detention, I got to know many other women who were also being held by ICE, often for many months. They included mothers like myself, many of whom were victims of abuse and trauma, who were separated from their children, and their families were destroyed. This effect was driven by the fact that women could not locate their children because they did not have access to resources, including phone calls, legal materials, consulates and legal counsel. Additionally, parents are not always allowed contact visits with their children, and I often had

great difficulty arranging visits with my children due to the location where I was detained and constraints on contact visits.

In detention, I met a young mother whose child was taken into foster care because she was unable to coordinate child-care with family members since she could not afford a phone card to contact them. I remember another mother confiding in me that she was forced to leave her daughter with her ex-husband, who was molesting the girl, because she lacked the resources to coordinate care.

Even when families are reunited in the parent's home country following deportation the effects of our immigration policies on US citizen children continue. I met one mother who brought her four U.S. Citizen children with her to Trinidad. The children were having problems coping, difficulty in school, and faced ridicule from an unfamiliar and unwelcoming culture.

In addition to the trauma of separation and deportation women face inhumane conditions while they are detained, especially in the areas of medical and mental health care. Often, our requests for care were ignored by guards and medical staff, even in emergency situations, and in some desperate cases, detainees actually had to ask someone from the outside to call 911.

When I was apprehended I was scheduled to see my gynecologist, and asked for a gynecological visit once I arrived in detention. However, throughout the eleven months I was detained, I filed repeated requests for an exam, and I was never permitted to see a gynecologist.

I also repeatedly witnessed the inhumane treatment of the elderly and the mentally ill. As a mental health caseworker, I recognized that a German woman who was detained for several months was likely a paranoid schizophrenic. During her delusions, the guards humiliated her, joined in making fun of her, and used excessive force when transferring her. At another facility, I remember waking up in the middle of the night to loud, painful screams by another mentally ill woman held in a confined space without being let out for fresh air. These women clearly lacked access to proper medical and psychiatric care.

Communication barriers, such as lack of translation services and illiteracy, as well as fear of retaliation and a negative impact on immigration proceedings also prevented women from getting care. On more than one occasion, I was placed in solitary confinement and transferred to different facilities because I was labeled a "troublemaker," for advocating for myself and others. During these times I could not see my children and sometimes for weeks my family did not know where I was.

CONCLUSION

I eventually won my immigration case and am back with my family thanks the Florida Immigrant Advocacy Center, who took my case all the way up to the Eleventh Circuit Court of Appeals, which ruled that my conviction was not an aggravated felony. When I was finally brought back to the United States, I was placed in detention again until my cancellation of removal hearing. If the judge had had discretionary powers to grant cancellation of removal in the first place my entire ordeal might have been avoided, saving tax payers a great deal of money and preventing my children from suffering. Congress needs to give immigration judges back their discretionary powers in immigration cases, especially for those who have strong familial ties in the United States.

In addition, after four years, I had hoped to find that conditions in detention facilities had improved, but in fact they had actually gotten worse. I observed a glaring lack of accountability on the part of ICE officials and facility staff. In part I believe this is due to a lack of proper training. Officers are not trained to deal with immigrants in civil proceedings and they don't differentiate between immigration detainees and criminal inmates. The general attitude seems to be that because immigration detainees are going to be deported and are not U.S. citizens they do not deserve humane treatment and should not be protected under the constitution.

I'm now working as a mental health caseworker and I am incredibly grateful to be reunited with my children. What makes my story unique is that I was able to return after being deported. The incredible loss and desperation that my children faced is a story that plays out again and again every day with so many other families, especially with increased immigration enforcement. I still think about the thousands of other women being held in immigration detention. Many of them are suffering in silence. I truly hope this might make a difference in getting them the care and respect they deserve, with the ultimate hope of having them reunited with their loved ones. Immigration is not only about immigrants, it is about the American families they are forced to leave behind.