

## U.S. blind to immigrant prisons

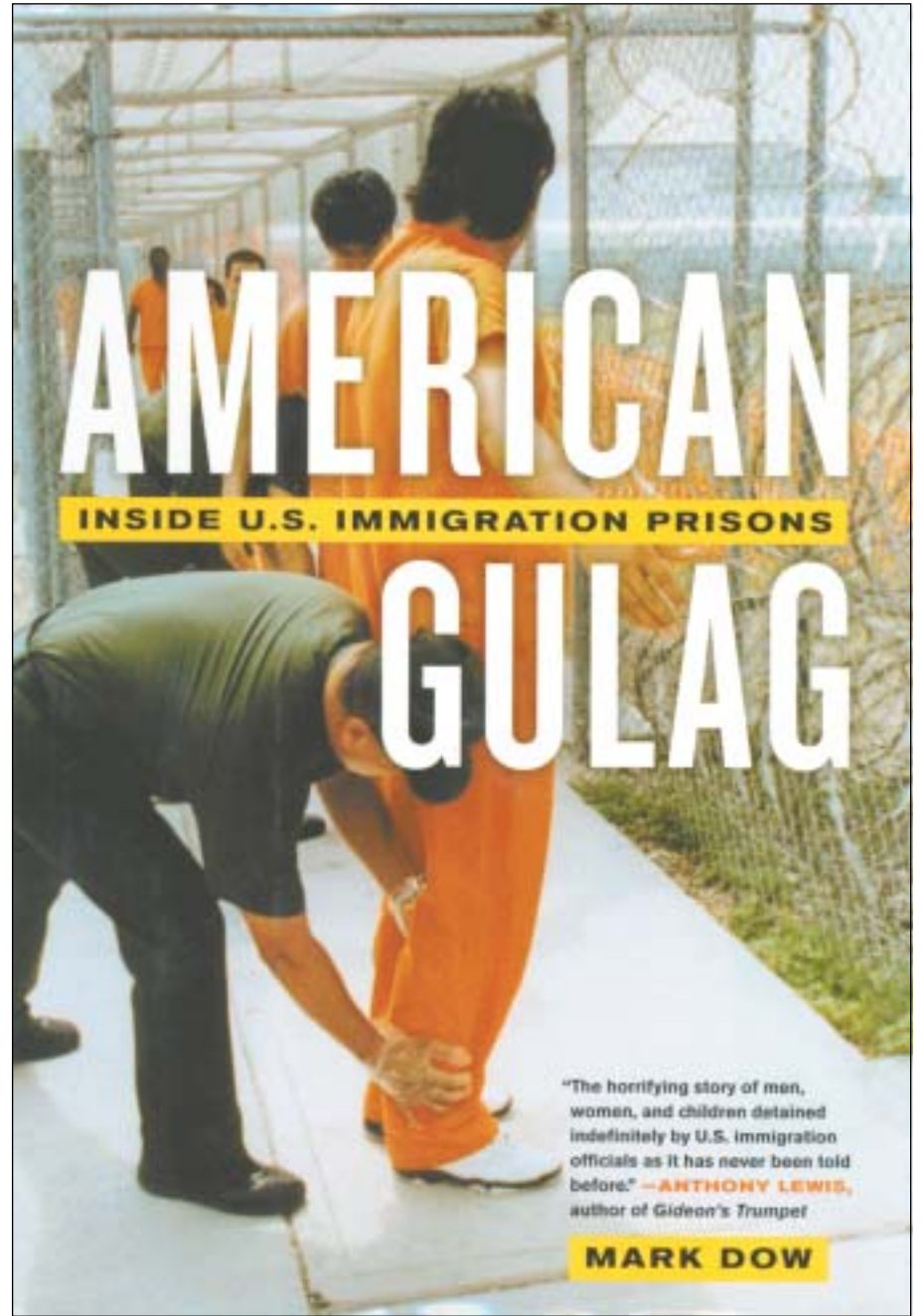
By **MARTIN BELSKY**

*Give me your tired, your poor . . .*  
 America and Americans are conflicted and more than a little hypocritical when it comes to immigration and immigrants. We recognize that, except for American Indians, we are all foreign-born or the descendants of foreign-born. We also talk with pride about the welcoming words by Emma Lazarus on our Statue of Liberty.  
 Yet, we have always had concerns about immigrants coming in to take our jobs and changing the America we know. In the 19th century, we worried about the influx of the Chinese, Irish and Germans.  
 In the early 20th century, we were concerned about those "ethnics" coming in from Italy and Eastern Europe and later, Japan. In the late 20th century and now, we demanded restrictions on the influx of Asians, Hispanics and Arabs, who speak differently than we do or belong to "strange" religions.  
 Our parents or grandparents, many of whom entered this country outside the normal immigration process and would be called illegal today, were "citizens in waiting," part of the "melting pot."  
 But these others, they are aliens — different, unfamiliar, not capable of becoming "true" Americans. And if they came into the country illegally, or overstayed their tourist or student or work permits, they were now "criminal aliens."  
 These attitudes and prejudices, of course, have gotten worse since 9/11. We now are not just concerned. We are afraid.  
 Mark Dow in his book "American Gulag" describes in exhaustive detail how these attitudes have led us to cast a blind eye on how we deal with immigrants kept in incarceration, called "administrative detention." The

impetus for the book came from the author's experience working at a refugee center. His goal, he says, is not primarily immigration policy. Rather, it is to document — and document he does — a "particular American prison system" that has mostly escaped criticism and is almost invisible.  
 Many of the people in immigration detention have not committed crimes, but are merely seeking refuge or asylum in the United States for economic or political reasons. Others came legally to the United States, overstayed their visas, or had a change in marital status.  
 Still others committed crimes, most often minor, and after completing their sentences were sent to these detention facilities. Whatever the reason for their violation of immigration laws, they are now "illegal aliens," or "parolees."  
 Dow met with past and present prison guards and inmates, government immigration officials, private and volunteer immigration attorneys, and local government and business leaders. He visited numerous facilities, attended numerous court hearings, reviewed statutes and laws as written and as applied. He reveals the underside of this alternative prison system.  
 Broad discretion is given by law to prison guards, to wardens and to immigration agency officials to decide how to treat detainees. There can be long periods of detention — weeks, months and years — without hearings, and without contact with family, friends, lawyers or activists.  
 Since they are not "prisoners" but only "administrative detainees," there are few rehabilitation programs. The result, Dow shows, is arbitrary and invidious punishment.  
 How we deal with prisoners, he shows, can be inhumane, but it doesn't compare to how we deal with these "illegals." Basic rights have

American Gulag  
**MARK DOW**  
 (University of California Press)

been denied, so much so that the Supreme Court and other courts recently ordered some appropriate due process. And I must add, only a few weeks ago, the Court agreed to look again at the fairness of several of these immigrant detention policies and restrictions.  
 Housing or "storage" of detainees also has become a big business. Local governments now depend on federal payments to house detainees to meet budgets. Private prisons earn increasingly larger profits by accepting contracts to "store" detainees. In 1973, the average number of people in immigration detention was about 2,400 per day. The number grew to 5,500 in 1994 and became over 23,000 by 2001.  
 Cumulatively, the immigration agency detains about 200,000 annually in local prisons, private prisons and federal penitentiaries.  
 Reading "American Gulag" is not pleasant. It is not intended to be. Dow is relentless in his presentation of case after case, incident after incident, deception after deception. His goal is to force us to address what is happening to these individuals. We must overcome our fears and prejudices.  
 We must establish some method of oversight and monitoring. Legitimate controls are appropriate. We can and should enforce our laws on immigration. But we need to remember that basic human rights are involved.  
 Martin H. Belsky is a professor and former dean of the University of Tulsa College of Law. Early in his career, he served as counsel to the Congressional Subcommittee on Immigration, Citizenship and International Law.



## TU focuses on international law

Author Mark Dow will join legal experts from across the country for a two-day conference Thursday and Friday sponsored by the University of Tulsa School of Law.  
 The theme is the 2003-04 Supreme Court term and how its rulings have impacted international law. The title: "Building Bridges or Constructing Barriers Between National, Foreign and International Law?"  
 Dow is a freelance writer, journalist and poet who earned his bachelor's degree at Yale University and his master's degree in writing at the University of California, Irvine.  
 Over the past decade, his work on immigration has been published in New Politics, Prison Legal News, The Miami Herald (a recent oped article was posted Oct. 21) and The Los Angeles Times.

could hear how serious the accusation was, if there were any aberrations that came to bear, how long the person had been in the United States, what his ties were, did he have a wife and kids?  
 During that period one or two cases usually would receive a waiver.  
 But the 1996 law did two main things, said Dow. It expanded the category of crimes that triggered deportation, including even misdemeanors, and it also removed a detainee's right to first go before a judge.  
 The '96 laws were rushed through Congress to mark the one-year anniversary of the Oklahoma City bombing, he said. Arab hysteria was already on the rise.  
 "In the book I simply tried to document what was going on," said Dow.  
 The panel discussion, scheduled Friday in John Rogers Hall 3120 E. Fourth Place, will address many of the issues Dow raises and others.  
 The keynote speaker on Thursday evening is Harold Hongie Koh, dean and professor of international law at Yale Law School. The luncheon speaker on Friday will be Eric Posner, professor of law at the University of Chicago Law School.  
 For information, call the TU law school, 631-5604 or visit their Web site at [www.law.utulsa.edu](http://www.law.utulsa.edu).

He is co-editor with his brother David R. Dow of "Machinery of Death: The Reality of America's Death Penalty Regime" (Rutledge, 2002). A third brother is Tulsan Stephen Dow, executive director of the community action project of Tulsa County.  
 The idea for "American Gulag" began in the early 1990s, said Dow in a telephone interview. A former teacher at Florida's Krome detention center, he was fired for his complaints over one prisoner.



**Dow**

This was years before 9/11, he said. As he began to investigate the detention of immigrants across the country he realized how wide spread the practice was and how invisible these people became.  
 "Paradoxically, after 9/11 the secrecy of the system became less secret."  
 But it was his own inability to understand why this detention was so widespread and invisible, that triggered his mission to write about it.  
 He identified one culprit among others — the 1996 law that changed U.S. immigration policy, making it much easier to arrest and deport people with green cards.  
 Before 1996, a detainee was first brought before a judge to determine if in fact a crime had been committed. The person would go through the courts, get sentenced and, in essence, pay for his crime.  
 But the main point was that a person could fight deportation. The judge

## Fallen angel left in the gutter

By **MICHELE PATTERSON**

### Lost Souls

By **Michael Collins**  
 (Viking, \$23.95)

Somewhere, in a small town outside Chicago in the wee hours Nov. 1, a divorced police officer finds the body of a 3-year-old.  
 Lawrence, the police officer, and his dog find the girl in a pile of autumn leaves piled by the curb. She is the victim of a hit-and-run, and Lawrence's heart breaks when he sees she is still dressed as an angel.  
 Lawrence is called to the mayor's office to meet with him and the chief of police. The mayor, dressed in the signature plaid blazer he always wears on his other job — on his car lot — is asking for Lawrence's cooperation.  
 It seems the high school quarterback — who could win the state championship for their town — has been observed at the scene of the crime. The mayor wants Lawrence to "examine the truck and strike it off as the potential vehicle involved." If Lawrence agrees, he will become the next chief of police later that year.  
 Complicating matters is the fact the mayor kept Lawrence out of jail several years before when he pulled a

### mysteries

gun on the wife who was divorcing him. So what can he say?  
 Since Lawrence is way behind in his child support payments and can't get the image of the little girl out of his mind, he agrees. And so begins the further unraveling of his life.  
 "Lost Souls" could be likened to "Our Town." It also reminded me very strongly of Dennis Lehane's "Mystic River."  
 The author came to America from Limerick, Ireland, on an athletic scholarship and has lived here since. Collins has written seven books previously and "The Keepers of Truth" was short-listed for the Booker Prize.  
 "Lost Souls" is mesmerizing and eye-opening. It is a glimpse of America that is at once depressing and profound.  
 On a scale of 1 to 5, this is a 4½.

### Brimstone

By **Douglas Preston and Lincoln Child**  
 (Warner Books, \$25.95)

"There was a strange smell in the air, like a greasy roast left too long

in the oven . . . another smell on top of it, as if somebody had been playing with matches. . . . She had seen many dead people during her childhood in Colombia, and Mr. Jeremy looked deader than any of them. . . . The cloven hoofprint burned into the floor told her . . . the devil had finally come for Jeremy Grove."  
 Enter FBI Special Agent Aloysius Pendergast. He is a modern day Sherlock Holmes and sergeant Vincent D'Agosta is his Watson. And what a fine pair they make!  
 Between them they discover that four men, one of them Grove, posed for a photo in front of a fountain in Italy just before attending a Halloween rite that would change their lives forever.  
 Can the FBI agents save the lives of the other three men before the Devil gets his due? Can they save their own lives?  
 This book is populated with wonderfully depicted characters, from the reverend who emerges from a jail cell to take to a pulpit, to the devious Count Fosco, who loves opera and killing equally.  
 Preston and Child shine in this, their ninth mystery. Don't miss it. Another 4½

**Michele Patterson is a librarian at Schusterman-Benson Library.**

## bestsellers

Publishers Weekly Best Sellers

### hardcover fiction

1. "Northern Lights" by Nora Roberts (Putnam)
2. "The Da Vinci Code" by Dan Brown (Doubleday)
3. "The Plot Against America" by Philip Roth (Houghton Mifflin)
4. "The Dark Tower VII: The Dark Tower" by Stephen King (Scribner/Grant)
5. "The Five People You Meet in Heaven" by Mitch Albom (Hyperion)
6. "Trace" by Patricia Cornwell (Putnam)
7. "Light on Snow" by Anita Shreve (Little, Brown)
8. "Shopaholic & Sister" by Sophie Kinsella (Dial)
9. "Incubus Dreams" by Laurell K. Hamilton (Berkley)
10. "Nights of Rain and Stars" by Maeve Binchy (Dutton)

### nonfiction/general

1. "America (The Book): A Citizen's Guide to Democracy Inaction" by the writers of The Daily Show, Jon Stewart (Warner)

2. "He's Just Not That into You" by Greg Behrendt and Liz Tuccillo (Simon Spotlight Entertainment)
3. "Chronicles: Volume One" by Bob Dylan (Simon & Schuster)
4. "How to Talk to a Liberal (If You Must)" by Ann Coulter (Crown Forum)
5. "The South Beach Diet" by Arthur Agatston (Rodale Press)
6. "The Purpose-Driven Life" by Rick Warren (Zondervan)
7. "Family First: Your Step-by-Step Plan for Creating a Phenomenal Family" by Philip C. McGraw (Free Press)
8. "A Paper Life" by Tatum O'Neal (HarperCollins)
9. "When Will Jesus Bring the Pork Chops?" by George Carlin (Hyperion)
10. "Will They Ever Trust Us Again?" by Michael Moore (Simon & Schuster)

### mass market paperbacks

1. "The Big Bad Wolf" by James Patterson (Warner)
2. "Angels & Demons" by Dan Brown (Pocket)
3. "Winner Takes All" by Nora Roberts (Silhouette)
4. "Blow Fly" by Patricia Cornwell (Berkley)
5. "Deception Point" by Dan Brown (Pocket)
6. "Digital Fortress" by Dan Brown (St.

7. "Skipping Christmas" by John Grisham (Dell)
8. "Split Second" by David Baldacci (Warner Vision)
9. "Seizure" by Robin Cook (Berkley)
10. "The Tristan Betrayal" by Robert Ludlum (St. Martin's)

### trade paperbacks

1. "The Kite Runner" by Khaled Hosseini (Riverhead)
2. "The Curious Incident of the Dog in the Night-Time" by Mark Haddon (Vintage)
3. "Friday Night Lights" by H.G. Bissinger (Da Capo)
4. "Sacred Stone" by Clive Cussler and Craig Dirgo (Berkley)
5. "The Secret Life of Bees" by Sue Monk Kidd (Penguin)
6. "Reading Lolita in Tehran" by Azar Nafisi (Random House)
7. "The Good Earth" by Pearl S. Buck (Washington Square Press)
8. "The South Beach Diet Good Fats/Good Carbs Guide" by Arthur Agatston, M.D. (Rodale)
9. "The 9/11 Commission Report" (Norton)
10. "The Time Traveler's Wife" by Audrey Niffenegger (Harcourt/Harvest)