



March 10, 2011

Mr. John Morton
Director
U.S. Immigration and Customs Enforcement
500 12th Street, SW
Washington, D.C. 20536

Dear Mr. Morton:

I am the Executive Director of the Jesuit Social Research Institute (JSRI) at Loyola University New Orleans. JSRI exists to promote social analysis, practical strategies, research, and theological reflection on issues affecting social and economic conditions in the Gulf South, with a focus on three areas of concern: migration, race, and poverty. We have long been concerned about the rights of migrants, including their treatment in detention. As you know, a large proportion of ICE detention facilities are located in the Gulf South. **I am writing today to comment on ICE's proposed Policy for Resumed Removals to Haiti, posted on the ICE website.**

Haiti is in chaos and the lack of housing, food, and potable water make living conditions abominable. Furthermore, the lives of Haitian deportees are at grave risk for dying from cholera due to the horrific conditions of Haitian holding facilities. Already one of the 27 Haitians that were removed from the U.S. in January died a horrible death, most likely from cholera. **Removals to Haiti are simply not feasible at this time**, and we believe that **ICE should consider use of proven strategies for supervising and re-integrating Haitian detainees back into their home communities until the conditions in Haiti improve to the extent that sending deportees back to that country will no longer carry the high-risk of death.**

In December the JSRI Migration Specialist visited Haitian immigrants being detained for their removal to Haiti in the Tensas Parish Detention Center and the Basile Detention Center in Louisiana. Based on an analysis of intake forms collected at the Tensas Parish Detention Center, we found that most of the Haitian detainees being held there were not convicted of serious violent crimes and/or had committed serious crimes years ago, served their prison sentences, and were living crime-free lives when they were picked up by ICE agents in December. We strongly believe that **most of the Haitian detainees are not a threat to the community and should be provided supervised release to their home communities.**

Haitian detainees with more recent and violent criminal infractions should be released to more closely supervised and structured release programs that will provide them with the

supervision, monitoring, and support they need to lead crime-free lives. The threat of re-detention and removal to Haiti will be a powerful incentive for anyone to carefully fulfill the requirements of their supervision plans.

The United States is admired for its devotion to the rule of law that is balanced with compassion and fairness. Deporting nationals to the poorest country in the Western Hemisphere while it struggles to recover from an earthquake of epic proportions does not reflect well on the U.S. nor serve our national interests as the *defacto* leader of the free world. Supervised release programs operated by experienced and respected community-based providers will ensure that public safety as well as humanitarian concerns are addressed in regard to Haitian nationals with criminal convictions. We urge ICE to take this course of action.

Sincerely,

Rev. Fred Kammer, S.J.
Executive Director

cc: The Honorary Hillary Rodham Clinton
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520