

“You Have to Pay with Your Body”: Sexual Violence in ICE Detention Centers

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Abstract

Why are rates of sexual assault against migrant women committed in ICE detention centers so high? I argue that ICE officers do not view migrant women as equal, and these hierarchies of power along with a culture of impunity within ICE embolden detention center employees to commit gender-based violence with little regard for migrant women.

Due to the othering that migrant women experience when immigrating to the United States, ICE officers understand these women as needing to be conquered and dehumanized via sexual assault. The lack of protections for migrant women in the United States ensures that detention center employees escape accountability for their actions, which only empowers them to commit more sexual violence.

Sexual Violence in ICE Facilities

It can be difficult to document just how many women have been sexually assaulted while under the custody of ICE, but the number is high and the experiences of these women have been traumatic and painful. While the United States immigration system tries to undermine and dismiss the lived experiences of migrant women, the statistics prove that this is a real problem. From May 2014 through July 2016, there were approximately 1,020 reports of sexual assault committed against migrant women in detention centers lodged with the national ICE office. Other, more generalized statistics say that thousands of migrant women a year are alleging they were the victims of sexual violence while detained. While there is no single statistic that is completely accurate (particularly considering that sexual assault is always an underreported crime), the fact of the matter is that sexual violence against migrant women committed by ICE officers is an unfair, disturbing part of the detention experience.

While this paper focuses on migrant women, it is important to mention that sexual assault happens to a lot of migrants in detention, not just women. A *New York Times* article found that from 2016 to 2020, the federal government received more than 4,500 complaints in four years about the sexual abuse of immigrant children who were being held at government-funded detention facilities. This statistic shows that there are no rules for what ICE officers can and cannot do, and are content to abuse children as part of their job. As I will argue in this paper, ICE employees believe that they are entitled to the bodies of migrants without consequences, and the statistics on this issue prove that migrant bodies are seen as disposable objects that exist for the pleasure of ICE employees.



Research Method

Utilized scholarly journal articles, case studies, news articles and government reports to create an analysis that incorporated legal, policy and theory arguments to understand why rates of sexual violence in ICE detention centers are so high.

Supporting evidence and case studies include the deportation of a woman after reporting her assault from an ICE employee, interviews with a former Department of Homeland Security employee and testimony from women who underwent forced hysterectomies at the hands of an ICE-affiliated doctor.

ICE Punishes Survivors

A 35 year old Mexican woman publicly accused multiple guards of systemically abusing her over the course of a year. She alleged she had been groped and kissed several times and witnessed other women experiencing similar patterns of violence.

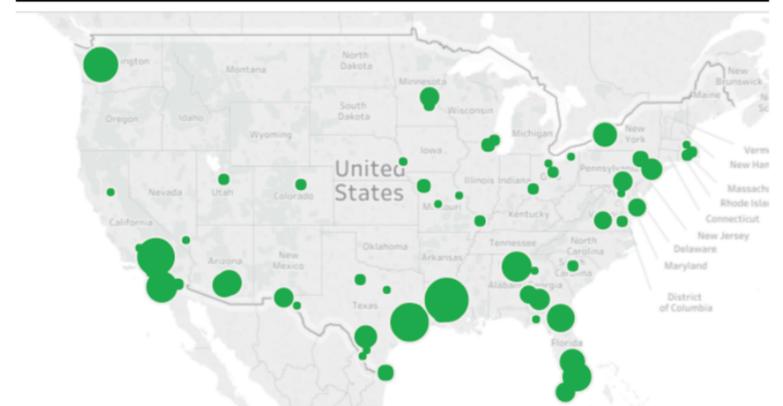
After publicly filing a lawsuit, she experienced intimidation and harassment from ICE officers and ICE lawyers.

“After the report was made public, guards and inmates reportedly began intimidating her. The woman took investigators on a tour of the facility and pointed out the blind spots, her lawyers said. Shortly after, a guard told her: ‘You need to watch out for yourself.’”

Ultimately, the woman was deported before her trial took place. She was told she could continue with her court proceedings from Mexico, via telephone.



ICE Hotline Sexual & Physical Abuse Complaints



Discussion

Despite a report from the Government Accountability Office scolding ICE for their failure to create safe detention centers and a public outcry from elected officials across the aisle, ICE has not attempted to update the safety features of their detention centers or create a stronger system of officer accountability.

ICE was cited as having an inadequate number of security video cameras across the facilities, which allowed guards to sexually assault migrant women without any digital evidence. Additionally, the crisis hotline for the Department of Homeland Security was broken approximately 20 percent of the time, making it difficult for women to report their abuse. These flaws, coupled with a fundamental lack of communication between field offices and the national ICE office has resulted in fewer assaults being documented by ICE, ultimately allowing for officer impunity and increased rates of sexual violence.

Conclusions

For a country that prides itself on being a land built by immigrants, the United States has shown such little regard for the basic human rights and safety of detained migrant women. Quite simply, it is reprehensible that the government has allowed sexual violence to so strongly permeate the walls of the borders they have built. It is far time that we stop punishing migrant women for immigrating to the United States by making them pay with their bodies.

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