

# Shut Down Berks

## FREQUENTLY ASKED QUESTIONS

### 1. How can the Center be closed?


Governor Wolf can work with the Pennsylvania Department of Human Services (PaDHS) to close the facility by issuing an Emergency Removal Order (ERO). This is the mechanism the state can use to close a facility when there is evidence of neglect or abuse. This is an action the state has used in the past; the State is, in fact, required by Pennsylvania law to issue an ERO when there is evidence of abuse.

The evidence of abuse and neglect at BCRC is overwhelming, although the state denies that it rises to the level that would warrant issuing an ERO. What can't be denied is that the mere act of incarcerating children and families is abusive as well illegal. Groups like the American Pediatric Society, the Association of Child and Adolescent Psychiatry, and the International Detention Coalition, have done extensive research, and have concluded that even a short period in detention, for a child, has long-lasting mental and physical health effects.

### **This list of documented abuse is by no means exhaustive:**

- In 2014, a young Honduran woman was repeatedly sexually assaulted by a staff member at BCRC. The then 19-year-old Honduran woman, along with her three-year-old son, had applied for asylum, and were detained by ICE and sent to BCRC. The guard pleaded guilty to institutional sexual assault, and served 16 months in prison, less time than the woman and her son were detained by Immigration.
- One mother reported that her daughter suffered from fevers and vomited when she was detained at Berks. She said she watched helplessly as her two-and-a-half-year-old daughter threw up blood for three days
- A woman formerly detained at Berks described children with the flu and respiratory illnesses, and how the on-site medical professionals would take their temperatures but never give out medicine. When her own daughter had fever, she had to go to the hospital just to get Tylenol.
- A mother detained at Berks wrote to ICE in late 2015 that though her son's skin disease had spread to his genitals and bled when scratched, the clinical team had not provided him with medication.
- In May 2016, a three-year-old boy who had been suffering from fevers and loss of appetite for months was finally diagnosed with an intestinal parasitism after his mother found a worm in his diaper.





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### **2) What would happen to the facility if it were closed as a detention center?**

Originally a senior citizens home, over the years the facility has been used for various functions. In 2018 Indivisible Berks conducted a short survey, asking residents of Berks County what they would like to see the facility used for. The consensus of those who completed the survey cited the opioid abuse crisis in Berks County, and recommended that the facility be used as a drug treatment center, which the state of Pennsylvania has means to do.

In December of 2018, Wolf accepted a \$10 million grant from Michael Bloomberg to use on fighting the opioid addiction epidemic. In addition, Governor Wolf has made the elimination of opioid abuse in Pennsylvania a major priority of his administration. After issuing an ERO to stop the use of the facility as a prison the Governor should convert the center into a drug treatment facility therefore providing local jobs and much needed human services to the surrounding community

### **3) What would happen to the families if the center is closed?**

Since the center opened in 2014 families who have been released from the prison have been released into the community to either relatives or a sponsor. The detainees at BCRC are overwhelmingly asylum seekers. Official U.S. policy is to release asylum seekers to family members or community sponsors in the U.S., while they go through the asylum process, after they pass an initial Credible Fear Interview (CFI).

### **4) How many families are detained at BCRC?**

BCRC has the capacity to hold 96 people. For most of its history, it has been filled to capacity, or near capacity—usually 30 families or so at any given time.

### **5) What can I do?**

Go to our #ShutDownBerks Toolkit to let the Governor know you want the state to issue an Emergency removal Order and convert the prison into a drug treatment facility.

- <http://paimmigrant.org/wp-content/uploads/2017/01/5-Ways-to-Take-Action-to-ShutDownBerks.pdf>

**You will find these events and others on the Facebook page and email updates;**

- Third Wednesday of the month: Call-in day to the Governor's office
- First Thursday of the month: Campaign and lobby training webinar trainings
- Third Sunday of the month: Interfaith vigils held at the detention center
- Donate to the campaign: <https://freemigrationproject.org/shut-down-berks-campaign>

### **6) Where can I find more information to educate myself on the impact of BCRC?**

- Temple Law School Sheller Center for Social Justice: Report Legal Memo. This report looks into how Gov. Wolf can issues an EOR and shut down the center once and for all <http://paimmigrant.org/wp-content/uploads/2017/01/Sheller-Ctr-Legal-Memo.pdf>
- History of the Berks County Detention Center: <http://paimmigrant.org/wp-content/uploads/2017/01/2018-Berks-Flyer.pdf>
- <https://paimmigrant.org/campaign-to-shut-down-berks/>