

REFUSE & RESIST!

Mother of two, deported to Haiti, dies in Haitian jail

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After four days of sleeping on a cold cement floor in a police holding cell at the Delmas 62 police station, Claudette Étienne died on Sept. 10 at age 44.

Claudette had been deported back to her homeland after living for 20 years in the United States. When she was 23 years old, she had fled Haiti by boat from the northwestern town of Jean-Rabel in June 1980, during the regime of "President-for-life" Jean-Claude Duvalier.

Once in Florida, Claudette became a legal resident in the U.S. At one time, she had been a farmworker and a small jewelry merchant. She had two sons, Williams, 7, and Bepe, 8, both U.S. citizens, and lived together with her common-law husband, Wilfrid Cherubin, in Miami's Little Haiti. In 1997, the couple had a marital dispute at their home. According to the Miami Police complaint, Cherubin alleged that Claudette waved a broken bottle at him. Sentenced to one year on probation, Claudette abided by the conditions that she attend a counseling program.

In June 1999, a Miami undercover officer alleged that he purchased a cocaine "rock" from Claudette on a street corner near her home in Miami. She was found guilty, but the judge decided against sending Claudette to prison. Instead he sentenced her to one year of probation, so she could remain at home caring for her children and husband.

She was summoned to see her probation officer on Feb. 10, 2000. Her husband accompanied her to the appointment. Officers from the Immigration and Naturalization Service (INS) were waiting and took her into custody, enforcing the harsh 1996 immigration laws under which resident aliens convicted of a felony are subject to immediate deportation.

For the next seven months, Claudette was held at the infamous Krome Detention Center on the steamy edge of the Everglades in Miami and at an INS detention center in Key West. She wrote poignant letters to her husband and naive appeals to the INS for her release to be with her children. When she was at Krome, Cherubin visited her.

On September 6, 2000, Claudette Étienne was shackled at the wrists and ankles by U.S. Marshals and put on a charter flight to Haiti. When she and other deportees arrived there, the Haitian National Police imprisoned them in a half dozen police stations around Port-au-Prince and Pétion-Ville. Deportees are sometimes even sent to provincial jails like Cap Hatien and Aux Cayes.

Conditions in the jails are horrifying. A reporter visiting the holding cell at the Anti-Gang headquarters in downtown Port-au-Prince last week saw a scene reminiscent of a slave ship. In a twelve by fifteen foot cement cell, about forty men sat one behind the other in tight rows, knees to chins. There is no toilet, no sink, and no room to lie down. In the Pétion-Ville jail, conditions are so crowded that prisoners must devise slings with their clothing to suspend themselves from the ceiling. The cells are sometimes pitch black, the air thick with the stench of human sweat and waste, and temperatures inside can reach 105 degrees Fahrenheit.

These were the conditions into which Claudette found herself thrust. The police provide no food to the prisoners, who must rely on family members to bring them meals. Claudette, who was originally from Aux Cayes, had no family in Haiti and was forced to rely on the infrequent generosity of fellow prisoners

and policemen for bits of food. On the morning of Friday, Sept. 8, she managed to call her husband in Miami and asked him to send some money. He had just been paid and wired \$150 via Boby Express.

Unfortunately it was too late. Claudette had been forced by necessity to drink Haitian tap water, which contains virulent micro-organisms to which she was no longer immune after two decades in the States. Like almost every returned detainee, she developed diarrhea. By Saturday, she was vomiting, had fever, and complained of severe stomach pains. She cried to another prisoner, Jeffrey Richelie, whom she knew from Miami, that she feared she was going to die.

Claudette and the other prisoners begged the police to get her medical help but it wasn't until Claudette was near death that they finally transferred her to the State University Hospital on the morning of Sunday, September 10. She died there a few hours later.

Richelie recounted his efforts to keep her alive by bathing her twice the last day and comforting her while she cried in pain. "By the second day, she started vomiting and had diarrhea," Richelie said. "She had no real food, and she lay on the hard cold floor the few days she was here."

One can only imagine Claudette's desperation as she felt herself slipping away. "She said she missed us and wished she could come home," Cherubin said of her final phone call. "The children were everything for her."

Claudette's death highlights the ruthlessness of INS deportation policies, under which U.S. authorities expel legal residents who often have no family in Haiti and frequently don't even speak Creole. As in Haiti, the deportations are destabilizing countries throughout Latin America and the Caribbean, which are hard pressed to process and resettle the influx of returnees.

Complicating matters is the tremendous prejudice toward the deportees, whom the population views as outlaws. Indeed, some among them are hardened criminals. When returned to a country like Haiti with no knowledge of the language, culture, or customs, and forced to survive in the mean streets of Port-au-Prince, some deportees join gangs and return to a life of crime.

But most of the deportees are people like Claudette, who ran afoul of the U.S. justice system mostly because they are poor, black, and immigrants. Many of them, like Claudette, have never been to jail. Some are mentally retarded or mentally ill and need hospitalization.

The situation puts the Haitian government in a dilemma. With skyrocketing insecurity, it cannot afford to indiscriminately release the returnees into the streets, even though they have served their time. But at the same time authorities say they are having difficulty to process returnees and reunite them with their families due to financial and logistical constraints.

Furthermore, due to foreign aid cutoffs, jails, although improved since the coup ended six years ago, are still crowded and lack basic services and furnishings like food and beds.

Since June 26, 308 deportees have been returned to Haiti, says a police chief Michael V. Lucius, who is in charge of vetting the returnees to determine who should be detained and who set free. Only about "thirty odd" of the deportees have been released, Lucius said. Another 213 will be arriving in the coming weeks. And more after that.

Meanwhile, many of the deportees survive in jails only through hand-outs or by the efforts of Chans Alternativ (Alternative Chance), a non-governmental advocacy program for criminal deportees in Haiti, which raises money for food and resettlement through fundraising and selling arts and crafts.

The week before Claudette died, Chans Alternativ laid out the conditions of "criminal deportees" in Haiti in written testimony submitted for an INS hearing. The testimony stated prophetically that, "the result of intense discrimination and unlawful detention is that... persons... are likely to die during or shortly after detention, as a direct result of degrading treatment and unsanitary conditions." A few weeks ago, another criminal deportee died almost immediately after being released from detention.

Almost two weeks after Claudette Étienne's death, the police had still not performed an autopsy nor informed her family. On Sept. 22, a reporter from d'Haïti-Progrès informed Cherubin of his wife's death. The young girl who answered the household phone anxiously asked: "Is she OK? Is there anything wrong?"

Clearly something is wrong. Just three months earlier, on June 20th, Claudette Étienne, detainee #A24-673-954, wrote to Krome's Deportation Officer Morales pleading for her release: "Please reconsider my custody situation. I am still with my husband and we are still in love. Our 2 children... are here in Miami and living with him. He works... and they attend... elementary school in Miami. The crimes I did were an argument with my husband and we forgave each other. The drug crime was because I needed the money for my children. I made some bad mistakes and I won't do them again. I'm sorry. Please reconsider my custody. I miss my children terribly."

A visit to the Delmas 62 police station this past weekend revealed that the remaining prisoners there are still without food. Chans Alternativ, which is unfunded and struggling, is providing them with what little food it can. But for how long? The processing of deportees is proceeding slowly and more are on the way.

[posted 10/2/00]

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