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HEADLINE: KEPT BEHIND BARS, SENTENCED TO A STRANGE LAND

BYLINE: By Cindy Rodriguez, Globe Staff

BODY: YORK, Pa. - Chikezie Kalu slumped down in his wheelchair, staring from behind a plexiglas window in the visitor's room at the York County Prison.

He never imagined himself here, so far from his Braintree home, dressed in a prison-issue orange jumpsuit.

✓ But for the past 2 1/2 years he's been behind bars awaiting deportation to Nigeria because of crimes he committed - and was punished for - when he was 17. He's been bounced to five different prisons in that time as the two countries decide his fate. And Kalu is more wretched than most of the immigrants awaiting expulsion in this prison, which was expanded to house the increasing number of convicts stuck in deportation limbo.

Kalu broke his neck and other bones in prison under debated circumstances a year ago. Since then, he hasn't lifted his head nor uttered a word. And, as far from home as he feels now, he knows it's nothing compared to how he'll feel if he's sent to Nigeria, a place he has not lived since he was 2 years old.

Kalu lives in his own silence. He communicates with prison guards, doctors, and his own family, using handsignals and notes. He does not use the gray phone attached to the concrete wall next to him. Instead, he scribbles on a notepad, then holds the pad against the plexiglas.

"I have wasted more than two years of my life here," said Kalu, 24. "I deserve to be released to my family."

Kalu is one of thousands of Immigration and Naturalization Service detainees languishing in US prisons, an unforeseeable consequence of the 1996 Immigrant Reform and Illegal Immigration Reform and Immigrant Responsibility Act, which requires immigrants convicted of felonies to be deported. At a time when the construction of new prisons isn't keeping pace with the increasing number of inmates, a surge of INS detainees is creating a new prison class.

A year ago, there were about 16,500 INS detainees in prison, according to INS statistics. This year, that number increased to 18,500. The American Immigration Lawyers Association compiled a list of more than 4,000 immigrants they call "lifers" - people who are imprisoned indefinitely because their native country won't take them back.

"This is a very harsh law. We've been working very hard to try to change it," said Judy Golub, a spokeswoman for the lawyers' group. "It's inherently unfair. These people have already paid their dues. They shouldn't have to spend a day more in jail than their original sentence."

Kalu's deportation nightmare began in April 1998, when a friend was driving him to his telemarketing job in Boston. The car crashed, and police came to investigate. Immigration officers somehow got pulled into the picture. Next thing Kalu knew, immigration agents strapped plastic handcuffs on his wrists and hauled him to jail - not for anything he had done that night, but because of his criminal past.

✓ Kalu had two strikes against him: He is a convicted felon and he is not a US citizen. Under current immigration law, it's a formula for automatic expulsion.

At 17, he pleaded guilty to attempted breaking and entering and receiving stolen property, both felonies. He served his probation time, but the immigration law - dubbed one-strike-you're-out - means he can't stay in the United States.

Awaiting deportation, Kalu went from one prison to the next: from Billerica, Mass., to Manchester, N.H., to Central Falls, R.I., to Suffield, Conn., to York.

Kalu says he was treated well at four of the prisons, but at the Hillsborough County Jail in Manchester, he says guards beat him in December 1999.

His story, denied by jail officials, goes like this: Three guards entered his cell one night while he lay on his bed. They punched him in the back and hit him with a stick, breaking bones in his neck and fracturing his skull.

"Hillsborough prison should be closed down for what they did to me," Kalu wrote during a prison interview. "I was bleeding from my nose and mouth. They cursed me and said something about shipping my ass back to Nigeria."

A 41-page medical report obtained by the Globe indicates that he has broken bones in his neck and skull and a spinal injury. It also insists there is no physical impediment to keep him from speaking.

Nonetheless, it is believed that Kalu hasn't spoken a word in more than a year. And INS will not release him to his parents, Sunday and Obidiya Kalu, both of whom are school teachers.

If Kalu is ever deported, he will be forced to live in a world unlike the one he has always known. Born in Nigeria, he arrived in this country with his family when he was 2. He grew up in Quincy, and his family now lives in a house in Braintree.

He has no family or friends in Nigeria, and he doesn't know the culture. Though English is the primary language, he doesn't speak the tribal languages, Hausa or Yoruba. Then again, according to Kalu, he can't speak anyway. His family says he will have to navigate this new world with his chin resting on his chest.

"Immigration should have sent him home, not make an effort to kill him," said Obidiya Kalu, his 50-year-old mother, who teaches fourth grade in the Boston public schools. "We sent all his belongings to Nigeria. I gave his passport to INS. He wanted them to deport him, so he could get out of Hillsborough. He would write me, 'Mom, they are killing me in Hillsborough.'"

But James O'Mara, the superintendent of the Hillsborough County Jail, said Kalu is lying to everyone and faking his injury.

"This is bordering on the absurd," O'Mara said. "My statement for the record is he was not abused here. He was treated fairly by security personnel."

O'Mara said Kalu never mentioned being beaten, nor did he subsequently file any complaint against the jail, even after he was transferred out.

Besides, O'Mara said, there is a flaw in Kalu's story: How could he have been beaten with a stick if guards are not issued batons?

"Some folks who find themselves staring down a deportation process will become extraordinarily creative to avoid deportation," O'Mara said. "My experience is some wild stories get conveyed."

Indeed, stories have run rampant about Hillsborough - especially after federal authorities last year began investigating allegations that guards beat male inmates, withheld medical treatment, and forced female inmates to perform sexual acts.

In January, an INS official asked O'Mara to move 15 female detainees for their safety. O'Mara refused. Bruce Chadbourne, assistant regional district director of the INS, wrote in a memo that O'Mara then told him, "INS could take their detainees and \$6 million and shove it."

It was a reference to the \$6 million INS paid the jail each year to house 200 detainees. Shortly after, INS removed all of their detainees, including Kalu.

As the investigation continues, it has brought several charges against guards and, so far, three convictions in connection with an assault on a male inmate. In addition, Assistant US Attorney Don Feith said three more guards were charged this week for allegedly coercing three female inmates - including one INS detainee - to perform oral sex on them.

In addition, there are four lawsuits pending against Hillsborough, but Feith declines to characterize abuse at the jail as rampant.

He knows about Kalu's case, but says he told INS investigators a different story - that he had been beaten and mistreated at Hillsborough, not by guards, but by other inmates. Feith also said that medical records fail to corroborate Kalu's claim of a broken neck, an assertion seemingly contradicted by Kalu's medical history dated April 18, 2000. Feith says he himself has never seen the reports; he takes it on the word of a memo from an INS investigator who spoke to Kalu.

While there are serious questions as to how Kalu was hurt, there is little doubt that he was injured while in custody. Yet, prison officials seem to have extremely limited knowledge of Kalu's health condition. For example, Joseph Sallemi, the INS supervisor of the York prison, said he doesn't know why Kalu is in a wheelchair. He arrived that way, so he remains in one.

Sallemi said Kalu was sent to York because it's where INS sends all Nigerians who are being readied for deportation - because it is close to the Nigerian embassy in Washington, D.C. There are 820 INS detainees at the York County Prison, living side-by-side with 980 inmates.

✓ [Last month, Kalu was supposed to be placed on a US marshal's plane to Nigeria with more than a dozen other Nigerians, but he and five others were denied travel documents by the Nigerian government.

So now, Sallemi says, Kalu will likely be sent to a prison closer to Boston, where he will wait some more.

Masha Khanbabai, a Springfield, Mass., immigration attorney representing Kalu, said she's frustrated by all the prison transfers. Officials don't notify her, she said. She finds out when her letters reappear in her mailbox, stamped, "Wrong address. Return to sender."

"I'm trying to focus on keeping him here because this is all he's known," Khanbabai said. "They want to deport him to a country he doesn't know."

GRAPHIC: PHOTO, 1. School teachers Sunday Kalu and his wife, Obidiya, of Braintree, say they have sent all their son's belongings to Nigeria. / GLOBE STAFF PHOTO / SEAN DOUGHERTY 2. Chikezie Kalu in a 1998 photo. 3. Sunday Kalu (left) and his wife, Obidiya, reflected in the mirror top of a coffee table at their Braintree home, as they look at a photo of their son, Chikezie. He is at a prison in York, Pa. / GLOBE STAFF PHOTO / SEAN DOUGHERTY

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