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Immigration Justice Clinic Teams up with Freedom for Immigrants and Immigrant Defense Project to Co-Author “Immigration Cyber Prisons: Ending the Use of Electronic Ankle Shackles”



Cardozo’s Kathryn O. Greenberg Immigration Justice Clinic, together with Freedom for Immigrants, and Immigrant Defense Project have co-authored a new report titled “Immigration Cyber Prisons: Ending the Use of Electronic Ankle Shackles.”

The report leverages surveys of approximately 150 immigrants subject to shackling, data from immigration legal service providers related to nearly 1,000 cases, and qualitative interviews with immigrants subject to shackling. The result is the first empirical study to document the nature and scale of the harms, racial disparities and lack of efficacy of ICE’s massive electronic shackling program.

According to Alisa Whitfield, Clinical Teaching Fellow, “The student team did almost all of the original research. This report exposes the myth that ICE’s shackling program is a humane alternative to detention. In facts, it is neither. There are profound harms associated with shackling and instead of

reducing detention, ICE's shackling programs has been used to virtually confine people who would previously have been at liberty. Moreover, ICE's shackling program fails even by its own metric of success. The data show that people offered legal counsel and support services—like medical and mental health care, housing and employment assistance, and language access support—appear in immigration courts at equivalent, if not higher, rates than those who are shackled by ICE."

Tosca Giustini , a rising 3L student who was involved in creating the report said, "The Kathryn O. Greenberg Immigration Justice Clinic student team had the amazing opportunity to create a first of its kind report about ICE's use of electronic ankle shackles and the impact of the devices on immigrants. We surveyed almost 150 impacted individuals and conducted nine in depth qualitative interviews to better understand the trauma caused by the shackle. Additionally, we collected data from legal service providers on almost 1,000 of their clients to analyze the racial disparity in shackle assignment and compare appearance rates of shackled and non-shackled clients. We used all of this original research to write the report with our partners at Freedom for Immigrants and the Immigrant Defense Project."

Read the report.