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CONGRESSMAN KENDRICK B. MEEK
November 17, 2004

Mr. Clark Kent Ervin
Inspector General
Department of Homeland Security
245 Murray Dr., Bldg. 4120
Washington, DC 20528
FAX 202-254-4285

RE: Investigation into Death of Joseph Dantica, Haitian National Detained at Krome Detention Center

Dear Inspector General Ervin:

I write to you to ask that you investigate the circumstances surrounding the death of Joseph Dantica, a Haitian who reportedly entered this country legally and sought asylum, but died under suspicious circumstances while in DHS custody. I am enclosing a recent news article about this matter for your information.

According to reports, 81-year old Mr. Dantica and his son feared for their safety after UN troops used the church Mr. Dantica founded to stage an attack on a gang. Threatened with gang retribution for the UN attack, Mr. Dantica and his son fled Haiti for safety to the United States. Upon entry, Mr. Dantica reportedly provided a passport and a valid visa to immigration officials in Miami and requested asylum. The immigration official reportedly stated that Mr. Dantica would "have to go into the system" and Homeland Security officials sent him and his son to the Krome detention center.

Reportedly, when he arrived at Krome, Mr. Dantica's blood pressure medication was taken away from him and he was separated from his son. At the time of Mr. Dantica's credible fear hearing four days later, his medication apparently still had not been returned to him. At the hearing, he reportedly started throwing up and fell against a wall whereupon medics transported him to the Krome clinic and later to Jackson Memorial Hospital. During that time, Krome reportedly denied Mr. Dantica any visits from his lawyer or even his family members. The next day, Mr. Dantica was pronounced dead.

This matter is of great concern to me. My constituents have long raised complaints about arbitrary and poor treatment of Haitian detainees at Krome.

DHS issued a statement concluding that Mr. Dantica died of pancreatitis, which it said was a preexisting and fatal condition. DHS further stated that there was no connection between Mr. Dantica's medical condition and the way he entered the United States. However, I am concerned because the statement failed to address and raises questions concerning: why Mr. Dantica was even taken into U.S. custody when he apparently possessed a valid visa; why he was separated from his son while in detention; why Krome took away his medication; and why, considering his age and the fact that he had medication, he was not provided with timely medical attention.

I believe that this matter is so serious that it should not be dismissed as "business as usual," but rather warrants an independent and thorough investigation. It is for this reason that I bring it to your personal attention and I ask that you initiate an immediate investigation.

I look forward to your response and thank you for your kind attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "Kendrick B. Meek". The signature is written in a cursive style with a long horizontal line extending to the right.

KENDRICK B. MEEK
Member of Congress



Dow Jones & Reuters

The Miami Herald

Found on Miami.com

B

Jim DeFede/In My Opinion

Twice a victim: first in Haiti, then in the U.S.

1,207 words

14 November 2004

The Miami Herald

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English

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The gun battle started around 5 a.m. with Haitian police and U.N. troops entering the slum neighborhood of Bel Air, a stronghold for those still loyal to former President Jean-Bertrand Aristide. Using bulldozers, the police broke through barricades of burned-out cars.

But unlike previous raids into Bel Air that lasted less than an hour, this one, on Sunday, Oct. 24, would persist for the better part of the day.

Soon after the fighting started, Joseph Dantica, 81, took refuge with a handful of people inside the Church of the Redeemer. Dantica had founded the Baptist church more than 25 years ago and was its senior pastor. He had spent the better part of his life in Bel Air, and although his family had begged him to move somewhere safer, he always refused.

"He was a very good man and extremely loyal to the neighborhood where he lived," said his niece, acclaimed Haitian author Edwidge Danticat. "Even when things got very rough and difficult in Bel Air, he stayed. He stayed through all the different regimes, serving the people of his neighborhood. He was, in his own quiet way, trying to make a difference."

By 9:30 a.m., police and U.N. troops using armored cars with mounted machine guns, approached Dantica's church. The police wanted to go inside. Dantica let them in.

They then took up combat positions on the upper floors of the church, as well as an adjoining school the church operates. The new vantage point allowed police to ambush a group of gang members in an alley below.

"A lot of them must have died," said Dantica's son, Maxo. "The shooting went on for a long time."

A government spokesman said one police officer died in the day's fighting and at least two "bandits" were killed. An unknown number of civilians were wounded.

By early afternoon, the police began to withdraw, calling the operation a success. A government spokesman told The Associated Press that Haitian police would establish a permanent presence in the area to protect residents.

Maxo didn't believe them. No sooner had the police left than he heard there was a group of gunmen looking for him and his father. "I told my father we must go," he said. "And my father said no. He would stay and talk to them. He knew many of them since they were little boys."

The next day, gang leaders came knocking on Dantica's door. They were angry, accusing him of cooperating with the police and setting up the roof-top ambush. According to Maxo, the gang members claimed 15 people died in the alley and Dantica was going to have to pay for their funerals.

When the gang members left, Dantica knew he could no longer stay. For three days he hid in a neighbor's

house. "When the gangs couldn't find him," Maxo said, "they went into the church and took the altar out into the street and burned it."

On Thursday, Oct. 28, friends smuggled Dantica out of Bel Air and the next day, Dantica and Maxo boarded a plane for Miami.

Although he provided immigration officials in Miami a passport with a valid visa, he told the immigration official that he wanted to seek asylum in the United States.

"The official told him, 'Well, if that's the case, then you have to go into the system,'" Maxo recalled. "I begged them, 'Please, do not hold my father, because he will not survive.'"

Homeland Security officials sent Dantica to the Krome detention center along with Maxo.

"I couldn't imagine why they would put someone his age in prison," said Edwidge, who rushed to the airport hoping to retrieve Dantica. "Especially since we were here ready to be responsible for him."

According to Maxo, when Dantica arrived at Krome, his high-blood-pressure medication was taken away from him. Maxo and his father were placed in separate housing units.

Edwidge hired immigration attorney John Pratt, who tried Monday to convince immigration officers to release Dantica on humanitarian grounds. He did arrange for a "credible fear interview" Tuesday morning.

Sitting in the waiting room before Tuesday's hearing, Dantica, according to Pratt, said: "They didn't give me my medicine."

Before Pratt could find out more, they were called before the hearing officer. Five minutes into the hearing, Dantica leaned forward and threw up. "All of a sudden he started vomiting," Pratt said. "He had some kind of an attack. He fell back against the wall. He looked like he had passed out."

A medic from the detention center was summoned but suggested Dantica was faking his illness. "He's not cooperating," the medic said, according to Pratt. After a few minutes, the medic agreed to take Dantica to the detention center clinic.

"The medic was very insensitive," Pratt said. "His whole attitude was wrong."

Tuesday afternoon, Dantica was taken to Jackson Memorial Hospital. Pratt was told Dantica would be held overnight for observation.

"I asked the officials at Krome, could a family member go and visit him in the hospital, and they said no, for security reasons," Pratt said. "I kept trying to tell them that having family members around him would be reassuring for him, especially if his condition was serious. They kept saying no."

On Wednesday, Pratt was told that Dantica would remain at the hospital for at least another day. Officials again refused to let the family visit Dantica.

At 11 p.m. Wednesday, Pratt was notified that Dantica had died. "I don't know what he died of. But once they realized it was serious they should have let this man see his family."

The Department of Homeland Security issued a statement saying Dantica "died of pancreatitis while in Homeland Security custody, which an autopsy by the Miami-Dade County medical examiner's office revealed as a preexisting and fatal condition."

"It is unfortunate that Mr. Dantica died during the benefits application process, and we understand his family's grief, but there is no connection between the preexisting terminal medical condition he had and the process through which he entered the country."

Homeland Security would not explain why Dantica was taken into custody if he had a valid visa, nor would the agency address claims that he had been deprived of his medication.

Maxo said he knew nothing of his father's illness. "All I know is that he wasn't sick when we left Haiti," Maxo said.

Even in death Dantica is unable to return home.

Amid the escalating violence in Haiti, Maxo is afraid to take his father there for a funeral.

Instead, Maxo plans to bury him on Saturday in New York, where they have relatives.

The final weeks of Dantica's life is the story of Haiti today, where good people find themselves vulnerable and alone and easily forgotten.

"He was one of those people caught in the crossfire," Edwidge said of her uncle.

``And that's true for the majority of people in Haiti; they are now in the crossfire and they have nowhere to go."

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