

T. Don Hutto Residential Center

IMMIGRANT DETENTION INSPECTION SERIES



FACILITY PROFILE

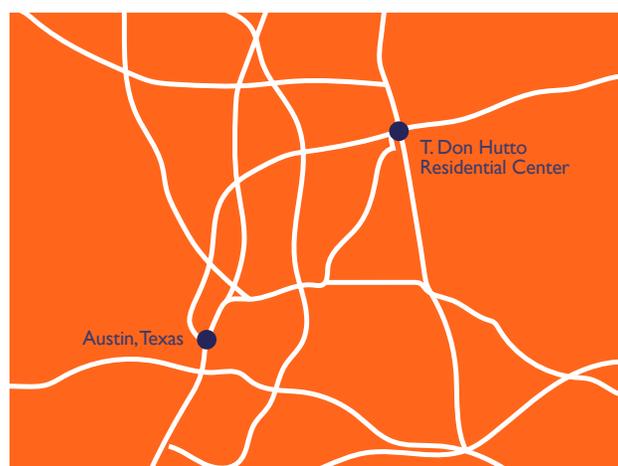
Location: Taylor, Texas

Contract type: Intergovernmental Service Agreement (IGSA)

Population: About 500 women in Immigration and Customs Enforcement (ICE) custody

Standards: Family Residential Standards

Contractors: Corrections Corporation of America (CCA), re-branded as CoreCivic as of 2016



METHODOLOGY

Date of inspection: October 19, 2016

Number of inspectors: 13

Number of detained people interviewed: 20

ABOUT DETENTION INSPECTIONS

The United States has the largest immigration detention infrastructure in the world, currently detaining [41,000](#) people in immigration custody. This recent expansion in

detention goes far beyond the national detention bed quota of 34,000 and poses increasingly serious human rights concerns, especially given an official's concession that ICE is "[scraping the bottom looking for beds.](#)" ICE is lowering its already inadequate standards to search for bed space, making inspections of detention facilities – and particularly inspections done by independent stakeholders – even more necessary.

Detention facilities, rife with inhumane conditions and abuses, elude accountability through ineffective official inspections that lack independence, fail to check for policy implementation, and often exclude interviews with detained people. In response to inadequate official inspections, Detention Watch Network (DWN) is conducting NGO-led inspections alongside other stakeholder organizations to uncover the reality of immigration detention facilities.

OVERVIEW

The T. Don Hutto Residential Facility (Hutto) began detaining immigrants in ICE custody in 2006, when it operated as a family detention facility through an intergovernmental service agreement (IGSA) with ICE, using Williamson County as a contracting middleman. In 2009, Hutto entered a new IGSA to become an adult detention facility and has been exclusively detaining adult women ever since. The vast majority of women detained at Hutto are asylum seekers, with a 2016 [report](#) by Human Rights First finding that in fiscal year 2014, Hutto detained 4,142 asylum seekers--10 percent of all detained asylum seekers and the highest number of any detention facility. Despite ICE and CCA presenting Hutto as a model of "civil detention," inspectors found serious issues regarding medical care, quality of life, legal access, discipline, and transparency.



MEDICAL CARE

Medical care at Hutto is provided by the ICE Health Service Corps (IHSC) with medical staff from the U.S. Public Health Service. There are reportedly 40 medical staff, 20 of whom are nurses and four of whom are full-time medical providers. The three IHSC mental health providers at Hutto include a psychiatrist, a social worker, and a second social worker who we were told is also a psychologist. There is a newly contracted trauma response coordinator on staff, who provides individual and group counseling sessions and may refer women to medical or mental health providers. Women are reportedly screened for pregnancy within

24 hours of their arrival at Hutto, to be followed by a medical and mental health consultation for women who are found to be pregnant. Inspectors were informed that abortion is not presented as an option, but that women who request one will be referred to a medical provider in the community. Women who are found to be pregnant reportedly have their cases reviewed by ICE, who will decide if they should be released. According to the facility's IHSC commander, pregnant women who ICE decides to release are generally released within two to three days.

Interviews with detained women revealed inadequate medical care. In one alarming instance, a woman reported severe pain in her head which she believes may be caused by a tumor previously diagnosed in her country of origin, and that no action has been taken at Hutto despite her attempts to seek care. Another woman reported that medical staff usually provide only ibuprofen and water. Through community visitation, some inspectors reported prior knowledge of similar complaints--namely, that medical staff at the facility often address symptoms rather than the underlying condition.

More systemic concerns regarding medical care at Hutto involve language access issues and inappropriate use of the medical isolation room. The IHSC commander stated that medical staff at Hutto rely heavily on the Language Line, a phone interpretation service, because the majority of the medical staff are not fluent in Spanish, and none of the mental health providers are. The only staff who we were informed speaks Spanish is the new trauma response coordinator. The low percentage of bilingual medical staff is highly troubling for a facility that detains women who are largely Spanish-speaking asylum seekers and poses barriers to language access as well as the provision of adequate medical care.

The facility's medical isolation room is a small, single-person cell with one observation window and was much colder than other areas of the facility during the inspection. It has a bed with a foam mattress, a metal sink and toilet,

and a small bench by the foot of the bed for a guard to sit on. Inspectors were informed that women who are placed in medical isolation for non-communicable reasons will be monitored by a guard stationed inside the isolation room 24 hours a day, raising concerns about lack of privacy in such close quarters. The IHSC commander stated that women may be placed inside the medical isolation room for tuberculosis, mental health observation, suicide watch, post-surgery observation, and health complications resulting from hunger striking. The use of the medical isolation room for women with potential mental health issues is particularly troubling given the harmful psychological effects of isolation.



QUALITY OF LIFE

Hutto offers poor quality of life for women who are detained there. During this visit, inspectors observed issues regarding food, freedom of movement, work, and the overall environment of the facility.

Seven women raised complaints about the quality of food provided at Hutto, with three women voicing complaints about insufficient food, meaning that women must purchase more food through the commissary or go hungry. Furthermore, inspectors were informed that Hutto maintains a strict meal schedule of breakfast at 6 am, lunch at 11 am, and dinner at 4 pm, with an hour allotted for each meal. The long gap between dinner and breakfast the next morning means that many women must supplement their diet through commissary purchases, and that those who cannot afford food from the commissary often go hungry.

Instead of counts, Hutto reportedly conducts “census” four times a day, during which detained women must check in with facility staff within an hour window from wherever they are within the facility, without being confined to their housing units. However, one inspector who regularly provides legal orientation services at Hutto has observed that in reality, the census at Hutto is so restrictive that

women are unable to attend legal orientation on time, belying claims that the census allows for freedom of movement.

Inspectors were told that women detained at Hutto can work in the kitchen, library, commissary, laundry room, and warehouse. Workers reportedly earn \$2 an hour working four-hour shifts. Inspectors were informed that some workers also earn extra computer time, and some can make their own meal with available ingredients. According to facility staff, about 40 percent of women detained at Hutto work. The low-cost labor provided by detained women supports core facility functions, and is a significant cost-cutting strategy for CCA.

Finally, Hutto does not provide a safe and welcoming environment for women detained there. Inspectors observed that IHSC medical staff wore military uniforms, which may reinforce the climate of fear among detained women at the facility, many of whom are seeking asylum from countries where the military are feared for their intimidation and violence.



LEGAL ACCESS

No federally funded legal orientation program is offered at Hutto. The nonprofit American Gateways offers general legal orientation and know your rights workshops that are open to all women detained at Hutto one day per week. However, census times and meal schedules have reduced the legal service provider’s time with the women by half an hour to only two hours. Even with this reduced time women still often miss the first 20 minutes of the presentation due to logistical problems at the facility.

Many women seeking protection at Hutto remain detained for weeks or months after passing a credible fear or reasonable fear interview, and some remain detained throughout their entire legal proceedings. Three women we spoke with had passed their reasonable fear interviews, but remained in detention. All three women,

who have spent between two and five months at Hutto, have been told that they are not eligible for a bond and must remain detained until they complete their legal proceedings. Although the Asylum Office is required to schedule screening interviews within eight days of being notified by ICE, we also spoke with two women who had been detained for at least a month at Hutto and had not yet received an interview. An additional three women had been detained for 24 days, 27 days, and 41 days, including their time at other detention centers, and had not yet received interviews. This suggests that ICE may be failing to promptly notify the asylum office when women express fear of return to their country of origin. Such extended detention has serious negative impacts on women's ability to obtain counsel, build their cases, and participate effectively in their Immigration Court proceedings.

Four women we spoke with reported having to sign documents without reading them--either because they were not given the time to read the documents or the documents were in a language they could not understand, and they were not provided proper translation. One woman reported that rather than translate the forms, ICE officials have told her that it's "nothing bad, just something with [her] case that has to be signed at three months." This raises serious concerns that women are signing documents that they do not understand or accept, which may have serious implications for their immigration cases or continued detention.

Inspectors also noticed that women are not provided clear instructions on how to make free phone calls to local pro bono legal service providers. The fact that women often must pay for these calls, if they can make them at all, creates an additional cost barrier to securing representation, despite clear standards protecting this right. In the binders by the phones in the housing unit, inspectors observed that the instructions regarding how to make free calls were placed several pages away from the legal services list, which contain the codes required to make the free calls.



DISCIPLINE

ICE officials initially told inspectors that there were few disciplinary issues at Hutto, and that detained individuals will be transferred to another facility if they are found to be "criminally acting." Using transfers for punitive purposes raises concerns that women may be transferred away from their legal representation and community support for minor incidents or as a form of retaliation for peaceful protest. For instance, a week and a half after the beginning of the hunger strike organized by women detained at Hutto in October 2015, those who were perceived to be leaders of the strike were transferred suddenly to Laredo Detention Center, a facility near the border that many women pass through when entering the country. This move was perceived by both the women and community volunteers who had been visiting them as punishment for engaging in the hunger strike.

When pressed for more information about what actions warrant disciplinary action, ICE officials stated that women at Hutto can be disciplined for "fighting, food, and violating another inmate," though no further clarification was provided. One woman informed inspectors that she had been given a disciplinary report for playing hand games with another woman, and that they are not allowed to hug and are given disciplinary reports for doing so.

The IHSC commander stated that women may be placed in the medical isolation room for "health complications due to hunger striking," raising concern that the room may potentially be used as discipline for engaging in peaceful protest. Inspectors have previous knowledge of a case in which Insis Bernardez, a participant in the October 2015 hunger strike at Hutto, reported being placed in the medical isolation room for more than 36 hours as a punishment for engaging in the strike. She said that she was followed everywhere by a guard and did not receive any privacy, even while using the toilet. While there, she did not receive any attention from medical staff, and says that she was not given a blanket even though her sickle cell disease made her sensitive to the cold room.

Finally, though inspectors were informed that Hutto's Sexual Assault Response Team (SART) had not been mobilized within the past year, we have previous knowledge of a case in which a sexual assault investigation was conducted recently in a punitive manner. In this case, a detained woman had been working in the kitchen for several months when a co-worker began teasing her that one of the CCA employees "liked" her. Another CCA employee overheard the comment and reported it, leading to an investigation in which the woman was questioned and lost her "privileges" to work and participate in programs at the facility, even though she was the alleged victim.



TRANSPARENCY

Inspectors faced several obstacles in scheduling the visit to Hutto, and then

continued to encounter problems with transparency from both ICE and facility staff throughout the inspection. Although inspectors originally submitted a request in April to visit the facility and interview detained women in May, ICE did not grant inspectors access to the facility until mid-October, six months after the original request was made. The day before the inspection, ICE informed inspectors that it would only allow inspectors access to the facility for two and a half hours, an inadequate amount of time to conduct a walkthrough of the facility and speak with every detained woman who had signed up for interviews.

Inspectors had to negotiate with ICE at multiple points. First, throughout the process of scheduling the visit, ICE was resistant towards allowing thirteen inspectors inside the facility. After much negotiation, all inspectors were able to gain access to the facility, but only as two separate groups. On the evening before the visit, ICE informed inspectors that only one group could tour the facility at a time while the other group would have to wait which, combined with the time limitations, made it seem as though only one group of inspectors would be able to conduct interviews with detained women for a majority of the time. Although inspectors were eventually

able to negotiate with ICE to have one group tour the facility while the other group simultaneously interviewed detained women, the constant need to negotiate basic access demonstrates a clear reluctance by ICE to follow its own access directive and be accountable to independent stakeholders.

On the morning of the visit, inspectors were informed that Hutto was undergoing an official inspection at the same time, though we were unable to obtain details about which unit within ICE was conducting the inspection. Given the length of time it took for ICE to grant us access to Hutto, we suspect that ICE and CCA may have used the six months that elapsed to make cosmetic adjustments to conceal even more troubling conditions at Hutto in preparation for not only our stakeholder visit, but the official ICE inspection as well. Finally, when an inspector requested to see previous ICE inspections of Hutto, ICE staff claimed that they do not have inspections on file locally.

Additional Information

For more information, please contact policy@detentionwatchnetwork.org.