

I. INTRODUCTION

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In 2009, after an extensive record of abuses and deaths of immigrants in its custody, Immigration and Customs Enforcement (ICE) announced ambitious reform plans and promised a “truly civil” immigration detention system. Yet, more than three years later, ICE continues to subcontract the detention of individuals to county jails and private detention centers where they suffer sexual assault, substandard medical care, lack of due process and abysmal conditions. Among those detained are lawful permanent residents, asylum seekers, crime victims, and survivors of domestic violence and human trafficking – many of them with U.S. citizen relatives and deep ties to local communities. ICE has consistently shown that it is incapable of protecting the basic human rights of immigrants under its care.

The Houston Processing Center (HPC) has the dubious distinction of being the first private prison ever built in the United States. This 1,000-bed medium-security facility, which detains men and women, was built in April 1984 for the purpose of holding immigrants for ICE (then the Immigration and Naturalization Service). It is owned and operated by the Corrections Corporation of America (CCA). The facility is also known as the Houston Contract Detention Facility.



This report is based on a tour of the facility in July 2012 by Grassroots Leadership, a non-profit organization working to end for-profit incarceration and reduce reliance on detention, and Texans United for Families, a grassroots advocacy coalition fighting to end immigration detention. During the visit, 21 people were interviewed (3 women; 18 men). Visitors also spoke with David Price, Assistant Warden of CCA; ICE Deportation Officer Steven Kutz, medical staff of the United States Public Health Service working at HPC, and CCA security guards. Where possible, the authors of the report consulted official statistics and facility information published by ICE and CCA. Even though interviewees consented to using their real names, the authors chose to use pseudonyms in the report to protect their privacy and to prevent possible retribution by the prison staff.

On the surface, HPC appears shinier, cleaner, and even better managed than



other facilities that detain immigrants in Texas. However, candid statements by those interviewed captured the sentiment that HPC subjects human beings to conditions of confinement that are prison-like in nature. As one man who has been detained in HPC for three months after spending 10 years in a Texas Department of Criminal Justice facility put it, "I'm still incarcerated. The title is different, but the situation is still the same." Fernando Aguirre, a 58-year-old Colombian-born immigrant who has lived in the U.S. most of his life and spent time in a federal prison prior to his detention in HPC, stated, "A prison treats people better than someone in this place." When Oliver Mellick, a 50-year old Jamaican who spent more than 40 years of his life in the U.S. was asked if there was anything he would like others to understand about the world of detention, Mellick wanted the outside world to know that "they [CCA] treat us like animals in here."

The average daily population at HPC is 882 people.¹ At the time of the visit, CCA confirmed that 600 men and 251 women were detained in HPC. The average length of detention varies from 21 to 30 days. However, Grassroots Leadership interviewed one man who has been detained for almost two years. CCA confirmed that the longest time that a person has been detained in the facility is approximately 1,100 days, or between 3 to 3.5 years.

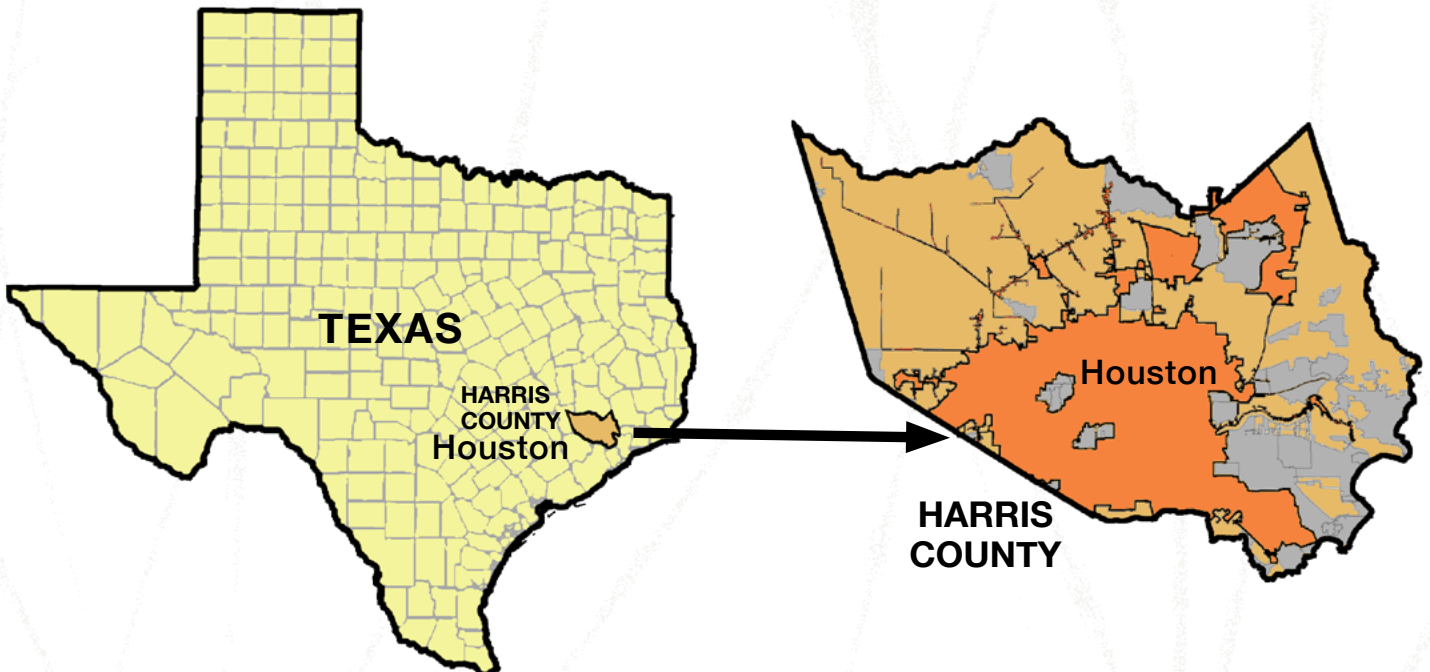
Men and women who are detained in this facility come from all over the world, with more than 50 nationalities represented in the facility. To provide a snapshot of the diversity of the detained population, the men and women interviewed for this report came from Mexico, Germany, Ethiopia, Colombia, Tanzania, Nigeria, Ghana, and Venezuela. Many are legal permanent residents and have worked in and contributed to U.S. society for many years, and have established families here.

II. FACILITY OVERVIEW

► **Location:** 15850 Export Plaza Drive, Houston, Texas 77032 in Harris County

► **Population:** 1,000 beds, Average Daily Population is 882 (600 men and 251 women at time of visit)

► **Opening Date:** April, 1984



- ▶ **Employees:** 315
- ▶ **Contractor:** Corrections Corporation of America
- ▶ **Legal Orientation Program (LOP):** Yes, YMCA provides LOP three times a week
- ▶ **Nearest ICE Field Office:** Houston Field Office 126 Northpoint Drive, Houston, TX 77060

III. CONCERNS

NEGLECT DUE TO INADEQUATE MEDICAL AND MENTAL HEALTH CARE



The medical center in HPC is operated by the U.S. Public Health Service. According to the people detained there, medical care in HPC is severely inadequate. Although the medical staff claimed that the average wait time to see a doctor was 72 hours after “sick call” forms were submitted, many complained that the staff often took one to two weeks to respond. One man, who is currently awaiting deportation to a European country, reported that he had submitted an emergency request for a doctor to examine his knee for which he was still recovering from a surgery. He did not receive a response until eight days later, and the nurses simply gave him Ibuprofen. Other health concerns, such as dental problems, are often neglected or ignored by the medical staff, according to people detained at HPC. In fact, five different people complained about the lack of dental care. One person had a painful toothache but did not receive care until after almost two weeks of waiting. Others complained about bleeding gums, but they did not receive care.

One person, who has been in HPC for four months, noted that the medical staff tends to assume that many of the sick call requests are frivolous or are not justified, and therefore neglect many people with legitimate medical concerns. “I feel valued less because I’m a prisoner,” he said.

Detention, regardless of its length, is a traumatic experience that can have serious psychological consequences. One woman

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A woman detained at HPC

in HPC admitted to suffering from depression, anxiety, and insomnia. Another woman explained, “I’m pretty good about controlling myself, but sometimes I think stupid thoughts. It’s been tough; you have to keep your mind busy.” She continued, “There are some of the younger women who have kids who get really depressed. They start thinking stupid things, like suicide, and then the other women try to support them.”

“Stress” was a word that interviewees frequently used to describe their experiences in HPC. One person described that the “stress level” in the facility was “ridiculous.” He said that the stress that he was undergoing in HPC was worse than when he had spent 10 years in Texas Department of Criminal Justice custody. Another man complained that idle-



When questioned about how CCA determines who to segregate, how, and for what length of time, the warden and his associates provided no definitive answers, which suggest that people can be segregated under quite arbitrary rules with very little external oversight.

ness and being confined to a dorm room all day with minimal recreation contributed to his “stress.” He insisted that many people in the facility need therapy to help them cope with the trauma inherent in detention. Although the medical staff indicated that a licensed psychiatrist works on-site at the facility four days out of the week, these cases of stress demonstrate that no amount of psychiatric evaluation or therapy can possibly ameliorate the harmful effects of imprisonment.

INHUMANE USE OF SOLITARY CONFINEMENT



The use of segregation or solitary confinement to punish people is cruel and inhumane. Many

human rights experts identify solitary confinement as a form of torture.² CCA guards at HPC acknowledge placing individuals with known mental health problems in solitary confinement, a practice condemned by doctors and mental health experts globally. At the time of the tour, the warden reported that 14 people were held in segregation units. When questioned about how CCA determines who to segregate, how, and for what length of time, the warden and his associates provided no definitive answers, which suggest that people can be segregated under quite arbitrary rules with very little external oversight.

For example, one man from a country in Africa reported that he was forced into segregation even though CCA guards knew he was diagnosed with schizophrenia and that he was prone to stress and panic attacks. In spite of his medical condition, CCA guards have segregated him at least three times since his arrival in HPC. His first time in segregation lasted two weeks; his second time lasted one month; and his third time lasted three-and-a-half months. When he informed the guards about his medical disability, the guards dismissed his concerns and even laughed at him. He also reported being bullied by correctional guards in the facility.

Another example is David Jameson, a Tanzanian in his mid-30s who has been in segrega-

tion for more than nine months. Jameson’s friend, Desmond Kenyatta, who has known Jameson for more than five years and who has been detained in HPC for nearly two years, relayed Jameson’s story during the interview in an effort to help his friend. Before being transferred to HPC, Jameson was incarcerated in Harris County Jail. There, Jameson was physically abused and, as a result, developed psychological problems. When Jameson arrived in HPC, he was immediately placed in segregation, where he has been confined for more than nine months. At some point during Jameson’s confinement, a CCA guard who knew that Kenyatta and Jameson were friends approached Kenyatta to help persuade his friend to bathe. Kenyatta indicated that CCA guards were desperate for help. Kenyatta recalled that when he was brought in by the guards to speak to his friend, Kenyatta found his friend sitting in a pool of his own filth. Jameson had not bathed in 3 to 4 months. In addition, he had refused to take his prescribed medications. During the interview, Kenyatta expressed concern for his friend’s mental health and physical safety, urging visitors to help his friend. When participants of the tour asked CCA about Jameson’s case and how long he was segregated, the warden did not specify the length of time, and simply stated, “A long time.”

POOR NUTRITION

Nearly all the people interviewed complained that the meals in HPC are unappetizing, poor in quality, and the food portions are insufficient to maintain one’s health. In addition, people complained that drinking faucets dispense warm water that is dirty and unfiltered. Although people are fed three meals per day, there is a twelve hour gap from 6 PM to 6 AM in which people often go hungry because no food is served between these hours. People can purchase snacks from the in-house commissary, but this is an option that is not available to many people who do not have any money to purchase expensive food items.

ACCESS TO LEGAL SERVICES AND RESOURCES

CCA indicated that a legal orientation program (LOP) is provided three times a week



by the YMCA. Even with these presentations, most people detained typically cannot afford any form of legal assistance. Many people insisted that one of the most important areas for improvement is to receive free legal assistance on immigration cases.

Although HPC does have a law library to which people are granted regular access, many do not understand how to use the legal materials. There is no reference librarian or anybody available to explain how to use the materials. Immigrants report that the materials are also often out-of-date and therefore not useful. Finally, there were no Spanish materials available at the time of our visit, which is a significant problem given the large Spanish-speaking population in this facility.

FAMILY SEPARATION

Detention is difficult not only for the men and women who are detained, but for the families and communities on the outside who must also bear the brunt of losing loved ones to detention. Immigration detention tears apart families and fractures communities, as exemplified by one man, a father of four, who lost his son to foster care when he was detained by ICE and who was also separated from his three daughters. Being separated from his children was foremost in his mind since his detention. When another interviewee, a mother of two, was asked about her family, the question caused her to cry. She explained that being separated from her two children, who are one and two years old, has caused her immense suffering. In response to the same question, another female interviewee indicated that families are also caught in the insidious web of immigration detention: "They are doing time with me, too. They are out there, and it's hard on them." In addition to the emotional difficulties of family separation, having a family member detained creates a financial strain on some families who have lost their primary breadwinner. One man lamented that his detention in HPC meant



that his wife and three children did not have money to survive. Another woman stated, "It's affected me a lot. You really have to have a strong spirit...I'm just trying to work for my family."

GRIEVANCE PROCESS IS POOR AND UNRESPONSIVE

People complained that the grievance process was either inadequate or nonexistent. Each dorm contains forms for submitting a grievance. Completed grievance forms are placed in a box in the dorm and are then picked up by ICE officers daily. Many people reported that ICE officers took a long time to respond to complaints, sometimes as long as 3 to 4 weeks. One man stated that he has stopped submitting grievances altogether because ICE officials do not respond to any of them. He observed that there is no oversight in the grievance process and that people detained don't know who to trust for protection. As a result, some immigrants indicated they fear random acts of retribution by guards.

MISTREATMENT BY STAFF

Interviewees complained that guards often verbally abuse people in detention, cursing at people using bad names or yelling profanities at them. One person reported that guards consistently threaten people with segregation. Such verbal attacks by guards are disrespectful and underscore the type of treatment that people detained must endure in this facility.

COMPLAINTS ABOUT VISITATION PROCESS

Visitation is limited to one hour per day, and no physical contact with loved ones is permitted. According to those who are fortunate enough to have visitors, the lack of physical contact can be quite painful due to long absences. Friends and family members often spend valuable time and money to make the long trek to the facility. A man from Tanzania explained that his wife and two children, who live in

...the remoteness of the detention center prevents many families from visiting. As a result, few men receive visitors, and they remain isolated from the outside world.



South Houston, must make major sacrifices to visit him because they cannot afford transportation. This man is one of the more fortunate ones, for many people in detention never receive visitors because their families live in other states.

During visits, families must also confront the bureaucracy and random administrative procedures that delay and cut short the valuable time of visitation hours. For example, individuals in segregation have limited hours

of visitation from 5 PM – 7 PM. One man described an occasion when his family, who were unaware of visiting hours, arrived in the morning to visit him in segregation. His family, who had already traveled a long distance, was forced to wait all day. Other people reported that their families are subjected to arbitrary rules by the guards who try to restrict visits. For instance, one man reported that his daughter was denied visitation rights because her jeans were torn, when in fact this was part of their design.

IV. RECOMMENDATIONS



ICE should terminate its contract with CCA and cease housing

immigrants at the Houston Processing Center. The facility has had consistent problems with medical and mental health care, arbitrary use of segregation, mistreatment by guards and insufficient visitation policies. No one should be held under these circumstances and ending the contract with CCA would be a first step towards eliminating ICE's reliance on private prisons for immigration detention.

While taking steps towards contract termination, ICE must immediately:

- ▶ End the use of solitary confinement;

- ▶ Provide better training for corrections officers on how to interact with an immigrant population;
- ▶ More oversight to ensure that medical complaints are taken seriously and persons are given timely and proper treatment;
- ▶ Adopt more varied and nutritious menus;
- ▶ Expand visitation times so that immigrants can comfortably visit with their loved ones and have sufficient time to justify the travel time.

This report is part of a series about conditions at ten prisons and jails where immigrants are detained by ICE. To read the other reports and the Executive Summary of overall concerns and recommendations, please go to detentionwatchnetwork.org/exposeandclose



Except where a publication is cited, the information reported here is based solely on claims made by detained individuals without independent corroboration.

ENDNOTES

¹ From list of Authorized Facilities provided by ICE via email – July 2012

² <http://www.presstv.com/detail/2012/10/03/264700/hr-groups-rap-us-for-prison-conditions/>

