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Attorney Hines:

I understand that you are involved in an ACLU case regarding the Hutto Detention Facility in Taylor, Texas. I work with ICE in San Antonio but I must remain anonymous for obvious reasons. I have some information that may not have been provided to you by ICE which I think is important to your case and in all fairness to aliens, needs to be disclosed. Long before ICE decided to send juveniles to Hutto, the Field Operation Director, Marc Moore instructed senior staff to do a review/assessment of the facility. That team was comprised of senior ICE managers with years of expertise in the Detention and Removal Program. Most of them have more years experience than Mr. Moore. Attached is a portion of the memorandum of assessment that the team wrote to FOD Moore. I wish I could provide the entire memo but I could only get my hands on a part of it. You may want to question Rudy Rodriguez, JD Morales, Grace Winfrey on this assessment and final written product. In summary, FOD Moore received a report from senior DRO managers that clearly stated as ACLU is claiming, that Hutto is not the place to house juveniles and/or families. See attached.

## IMPLEMENTATION OF FAMILY DETENTION

### **Background**

Correctional Corporation of America was awarded a detention contract for the T. Don Hutto Detention Facility. The Hutto Detention Facility is located in Taylor, Texas in Williamson County, 40 miles northeast of Austin. It will have approximately 500 beds for detainees. This facility is being considered to house family units detained as part of the Secure Border Initiative along the Southwest Texas border.

### **Issue**

We have identified several problems with the use of the Hutto facility for family detention. We have identified the Laredo Detention Facility as a more viable alternative to housing families. The Laredo Detention Facility is a CCA contract facility located along the border in Laredo, Texas. The facility in Laredo is currently utilized to intake detainees for Border Patrol Expedited Removal cases and other cases. The proximity to the border, the configuration of the facility, along with the accessibility to Spanish language services contribute to Laredo as a more feasible locale for family detention. The current detainees at Laredo could easily be transferred to the T. Don Hutto Facility.

- The biggest obstacle to housing families is the location of the T. Don Hutto Facility. The Hutto facility is located approximately 360 miles from the Rio Grande Valley border; the Laredo facility is along the border and approximately 180 miles from the Rio Grande Valley Sector. The movement of females and juveniles is limited to six hours continuous travel or less. If the apprehensions were made along the Rio Grande Valley area, the family would first be sent to the Service Processing Center in Harlingen. Since the drive between the SPC in Harlingen to the Hutto facility in Taylor is over 6 hours, we would not be in compliance with the 6 hours. The transport would require an overnight staging to break the continuous travel. The distance from Harlingen to Laredo is approximately 180 miles, as well as from Del Rio to Laredo thus making Laredo a viable operation. The Austin area has also experienced a dramatic increase in traffic in the last few years. The transportation of the families to the facility from the border would require passing through Austin which is located southwest of Taylor. The Austin traffic could have a detrimental effect in the transportation, causing further delays.

- Hutto was originally constructed for U. S. Marshal prisoners, whereas Laredo was built for legacy INS detainees. A barbed wire completely surrounds the Hutto facility, whereas the Laredo facility has a barbed wire on the backside which is not visible in front of the building. The Laredo facility has an "open dorm" concept; the dorms at Hutto are cells with bars. The Hutto facility is considered a "hard" detention facility; Laredo can be viewed as a "soft" detention facility.
- The dorms at Hutto do not currently have a sight/sound separation. In order to comply with the sight/sound separation, separate dorms would have to be utilized to house families. This would dramatically decrease the bed space in Hutto. Hutto's bed space would also potentially decrease if an entire dorm needed to be utilized for juveniles and/or females (i.e. using a 70 bed dorm when there were only 30 juveniles in detention.) There would be more beds available in Laredo since the juvenile dorms have a sight/sound separation. The female dorms in Laredo are also smaller.
- Taylor has a minimal Hispanic population. This would make it difficult to obtain a good ratio between detainees/guards. It would be more difficult to obtain Spanish speaking community members to provide religious, social, medical, educational services. Since most of the detained families will be from Spanish speaking countries, it would be more cost effective to obtain Spanish language family services in Laredo.
- Hutto has not passed the previous inspections as an ADULT facility. It appears that it would be more difficult to meet standards for juveniles.
- The railroad trains frequently block intersections to the Hutto facility thus making access difficult. Evacuations at Hutto would be more difficult. In the case of a train derailment, the risk of exposure to hazardous material by the families would be present.
- The Hutto facility is isolated. If an overflow were to occur, the closest facility would be STDC in Pearsall which is approximately a 4 hour drive from Hutto. The Laredo facility is only a 2 hour drive to STDC.
- Austin, which is 25 miles from Hutto, has a broader NGO and CBO base that have typically been very strong advocates for immigrants. The Political Asylum Project of Austin also known as PAPA is a pro-bono agency actively involved in advocacy for immigrants.

## **Transportation of Detainees Laredo Detention Facility**

The detainees currently housed at Laredo could easily be transferred to the T. Don Hutto Facility. The operational plan to be utilized to transport families to Hutto could be replicated and used to transport aliens apprehended in the Laredo area to Hutto.

- Apprehended aliens that would currently be detained at the Laredo facility could be processed at the border patrol station.
- Those aliens amenable to Expedited Removal could be transferred to the Hutto facility. The Border Patrol would hold the aliens until they could be transferred to Hutto. Those detainees could be added to the established run and moved twice a day to Hutto.
- The benefit to housing detainees amenable to Expedited Removal would be easy access to JPATs either through Austin or through San Antonio.
- The families apprehended at the Border could readily be sent to the Laredo facility instead of waiting for transportation to Hutto. Laredo could continue to house detainees that are not amendable to Expedited Removal.

