

# FOR-PROFIT FAMILY DETENTION:

MEET THE PRIVATE PRISON CORPORATIONS MAKING MILLIONS  
BY LOCKING UP REFUGEE FAMILIES



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# For-Profit Family Detention: Meet the Private Prison Corporations Making Millions by Locking Up Refugee Families

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*Cover Photo: A sign that reads "Children need freedom and sunshine to grow" was utilized by two young protesters who needed a place to sit while they opposed the practice of family detention on August 9th, 2014 at the T. Don Hutto Detention Center. Photo by Cristina Parker*

Justice Strategies and Grassroots Leadership would like to give special acknowledgement to two people whose work has been invaluable to us as we drafted this report:

First, Carl Takei's dedication and hard work to investigate and document human rights violations in private segregated immigrant prisons in Texas has been an inspiration to us all.

Second, Lisa Graybill's powerful litigation skills were critical, as were those of her co-counsels Vanita Gupta and Barbara Hines, in the long battle to end mass detention of refugees at CCA's T. Don Hutto prison. Her vivid memory of the conditions she found at that facility during her first visit was very helpful. And her insights about the central role organizers and activists played in winning the fight at Hutto are much appreciated.



# TABLE OF CONTENTS

Introduction ... 4

Sexual abuse and neglect of children at a GEO juvenile facility in Coke County ... 5

Deliberate indifference to medical needs at a GEO-run immigrant prison in Pecos, Texas ... 6

Brutal treatment and sexual abuse of boys at GEO's Walnut Grove facility in Mississippi ... 8

Resistance from inside: hunger strikes spread at GEO detention sites across the country ... 9

How do they get away with it? Private prison lobbying interests and family detention ... 10

Lessons from an experiment with family detention at the  
T. Don Hutto "residential" center ... 11

References ... 17

Meet the Authors ... 18

# INTRODUCTION

In the summer of 2014, reports surfaced of thousands of Central American families and children fleeing to the U.S.-Mexico border to request sanctuary from violence and poverty at home. The crisis was seized upon by politicians and pundits alike, sparking protests against the families as well as efforts to provide relief.

Most of the children who arrived at the border alone in the summer of 2014 would be diverted to the Office of Refugee Resettlement or placed with family members in the U.S. as their cases were processed.<sup>1</sup> But the fate of children who arrived with their parents is much different. The unfortunate response from the Obama Administration was ordering that many of these refugee families be detained in immigrant family detention centers. Before news broke of the increase of refugees turning themselves in at the border, families awaiting the resolution of their immigration cases would very rarely be put into detention.

Even so, immigrant family detention is not a new issue to the Obama Administration. In 2009, amid intense pressure from public outcry and lawsuits alleging human rights abuses, his administration ended family detention at the T. Don Hutto detention center, operated by the Corrections Corporation of America (CCA) in Taylor, Texas. They announced that no new family detention facilities would be opened. Only 96 family detention beds remained at a small publicly operated facility in Berks County, Pennsylvania.<sup>2</sup>

As the Central American refugees made headlines across the U.S., the Obama Administration in July requested funding for a staggering 6,300 family detention beds to deal with the crisis.<sup>3</sup> That request stagnated in Congress. However, the administration quickly set up about 1,200 family detention beds and cribs in two locations — Artesia, New Mexico and Karnes City, Texas.<sup>4</sup> Then in September, rumors of a massive 2,400-bed family detention facility in Dilley, Texas — to be operated by CCA under an intergovernmental service agreement with Eloy, Arizona — were confirmed.<sup>5</sup> In this misguided response to the refugee crisis, President Obama has launched the largest family detention project in the U.S. since Japanese internment.

The first new family detention center popped up when Immigration and Customs Enforcement (ICE) swiftly installed one in a Federal Law Enforcement Training Center in remote

Artesia. The facility will detain a maximum of 672 women with children ages 17 and younger with no criminal background.<sup>6</sup> Initial reports from advocates and attorneys out of the detention center are disturbing and indicate a lack of proper medical care and a systematic violation of due process for asylum seekers.<sup>7,8</sup>

Amid these troubling reports from Artesia, a second family detention center was established in August at the Karnes County detention center in Karnes City, Texas. ICE seemed eager to show a “softer side of detention” at this facility, giving invite-only, separate tours for media, local governments, consular officials, and immigrant advocates that showcased cartoon wall murals, stuffed animals, playgrounds, snacks, and a hair salon.<sup>9</sup> Beginning on August 1st, busloads of women and children began arriving at Karnes, filling the 532-bed facility in a matter of days.<sup>10</sup>

Like more than half of the immigrant detention beds in the U.S., the Karnes County detention center is operated by a for-profit, private prison company — the GEO Group (GEO). GEO

has a long rap sheet of abuse, neglect, and misconduct inside its facilities. This report will scrutinize GEO’s dismal track record with operation of facilities holding immigrants, as well as its dreadful past history of failing to provide vulnerable children and youths with a safe and humane custodial environment. We will detail how GEO and its primary competitor CCA hire the best lobbyists money can buy to pressure members of Congress and staff in federal agencies to keep the contracts coming, despite their well-documented human rights violations and operational fiascos.

Finally, we will recount the debacle that resulted when in 2006 ICE contracted with CCA through an intergovernmental service agreement with Williamson County, Texas to operate a huge family detention center at its T. Don Hutto prison in Taylor, Texas. After many months of litigation and three years of protests, which drew national and international condemnation of the inhumane conditions at Hutto, the Obama Administration in 2009 ended the practice of mass family detention at Hutto.

## **MEET THE COMPANIES SET TO MAKE MILLIONS ON THE RETURN OF FAMILY DETENTION.**



*Evidence surrounds the Karnes County Family Detention Center of how sudden the resurgence of family detention has been. The sign outside the facility had still not been updated as of September 17 to reflect the change in population there, from adult men to women and children. Photo by Matthew Gossage*

# SEXUAL ABUSE AND NEGLECT OF CHILDREN AT A GEO JUVENILE FACILITY IN COKE COUNTY



A photo of the walls from the *Coke County Juvenile Justice Center Audit: A Report by the Texas Youth Commission*. The report stated, "Human excrement was found floating in the [shower] drain during a September 2007 audit." Photo from TYC

The track record of the GEO Group in dealing with vulnerable populations, especially children, is of particular concern since GEO has been contracted as the Obama Administration ramps up family detention. The tragic history of GEO's Coke County Juvenile Justice Center (CCJJC) does not bode well for GEO locking up refugee children and their mothers in Karnes City, Texas.

CCJJC was shuttered in 2007, after officials discovered the overuse of pepper spray, a lack of programming or education, feces-smearred cells, unsanitary and insect-infested food, and serious understaffing during an unannounced inspection. Acting Texas Youth Commission (TYC) director Dimitria Pope declared, "GEO should be ashamed" of the facility. "The Coke County Juvenile Justice Center is a disgrace," she said.<sup>11</sup>

But GEO's history at

Coke County had been severely troubled long before the 2007 closure. The GEO Group — then known as the "Wackenhut Corrections Corporation" (WCC) — opened CCJJC in 1994 to house juvenile girls in the custody of the TYC. A lawsuit filed in 1999 on behalf of the family of a girl at the prison charged that the facility had been plagued by "multiple statutory rapes and acts of indecency with resident children by adults" almost immediately after opening, and that "at least four residents were statutorily raped by staff members in 1998."<sup>12</sup>

Sara Lowe had been sentenced to a six-month term at the facility. WCC hired Rufino Garcia, a man who'd been arrested in 1974 for a sex offense against a child, to work as a "lead careworker" at its Coke County prison, which then held young girls. When Garcia met Sara at Coke County in 1994, he was 39 years old. She was just 15. Garcia repeatedly sexually assaulted Sara Lowe and several other girls, and continued to harass the girl after she was released from the facility.

In 1996, when he pleaded guilty to two counts of indecency with a child and two counts of sexual assault of a child (all second degree felonies), Garcia admitted that two weeks after he first sexually assaulted Sara Lowe, he submitted a "level change" request slip for Sara, writing that "Ms. Lowe has been very positive and has been improving every day."<sup>13</sup>

Lowe's family and those of 11 other girls at the facility sued WCC — alleging widespread sexual assaults at the facility. Two WCC employees (including Garcia) pleaded guilty to criminal sexual assault charges, and the company agreed to settle the lawsuit with the families. But Sara was incensed that Wackenhut's top managers had been allowed to avoid any admission of responsibility for her rapes. The day the settlement was finalized, Sara committed suicide.<sup>14</sup>

During a CBS News expose on the case, George Zoley (then the Chair and CEO of WCC who remains in those positions for the GEO Group), was asked if his company owed an apology to Sara or any of the other girls. Zoley responded, "Not that I'm aware of. I don't know what you mean by that."<sup>15</sup>

Despite the fallout of the Sarah Lowe case, the TYC continued to contract with WCC, but only to house male youths. However, in 2007, another surprise visit, this time from TYC Ombudsman Will Harrell, revealed shocking conditions at the facility. These included the overuse of pepper spray, a lack of programming or education, feces left spread on the walls, unsanitary and insect-infested food, and serious understaffing.<sup>16</sup>

Harrell's revelations about the dreadful conditions were confirmed by a TYC audit later that year. By this time the company had

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changed its name to the GEO Group. The facility was closed and GEO's \$8 million contract was canceled. It was revealed that the TYC investigators assigned to monitor the prison — whose reports included few of the problems found by the state audit — were former GEO employees.<sup>17</sup>

In their 2007 annual report, GEO's managers did not reflect much shame, saying only:

*On October 2, 2007, we received notice of the termination of our contract with the Texas Youth Commission for the housing of juvenile inmates at the 200-bed Coke County Juvenile Justice Center located in Bronte, Texas. We are in the preliminary stages of reviewing the termination of this contract. However, we do not expect the termination, or any liability that may arise with respect to such termination, to have a material adverse effect on our financial condition or results of operations.*<sup>18</sup>

## DELIBERATE INDIFFERENCE TO MEDICAL NEEDS AT A GEO-RUN IMMIGRANT PRISON IN PECOS, TEXAS

Just as the GEO Group is seeking to profit handily by detaining migrant parents and children currently fleeing to the United States from Central America, the same company has already made billions of dollars incarcerating migrant border crossers over the last 15 years.

GEO's dreadful record of poor performance and appalling conditions in the prisons and detention facilities it operates under contracts with the federal government includes deaths in custody, overcrowding, lack of medical care, and extreme isolation. These abuses have been well documented at their Reeves County Detention Center in the remote West Texas town of Pecos.<sup>19</sup> The GEO Group once proclaimed that Reeves was "the largest detention/correctional facility under private management in the world."<sup>20</sup> Then in 2006, the GEO Group began contracting with the federal Bureau of Prisons (BOP) to incarcerate immigrants at Reeves.

Increasing numbers of immigrants have not only been detained in Immigration and Customs Enforcement (ICE) detention centers, but also criminally prosecuted for immigration-related crimes and sentenced to serve time in abuse-ridden, segregated, private prisons contracted by the federal BOP. These are called "Criminal Alien Requirements" (CAR) prisons, and Reeves is one of them.<sup>21</sup> Many of the individuals held at Reeves have been sentenced for the federal offense of crossing the border without authorization or proper documentation.

That was the fate of Jesús Manuel Galindo, a 32-year old citizen of Mexico. He had lived in the U.S. since he was 13 years old, was the husband of a U.S. citizen, and the father of three U.S. citizen children. He had re-crossed the border after a previous deportation in order to reunite with his family on the U.S. side. However, instead of being deported again, Galindo was met with a criminal case and a nightmare in a for-profit GEO prison. In 2008, he died at Reeves after suffering an epileptic seizure in solitary confinement.<sup>22</sup>

Galindo was kept isolated where he died, far from the fellow prisoners who he had previously relied on to notify prison staff of his seizures and medical needs.

Galindo had been locked down in isolation for an entire month at Reeves after months of repeated requests that the facility medical staff would adjust his medication because it was not helping to control his epileptic seizures. According to the complaint filed in federal court by his lawyers, the isolation wing of the prison (the "Special Housing Unit" or SHU) was frequently used by prison and medical staff to punish and isolate prisoners who complained about deficient medical care. Galindo was kept isolated where he died, far from the fellow prisoners who he had previously relied on to notify prison staff of his seizures and medical needs.<sup>23</sup>

When fellow prisoners learned of Galindo's death they became outraged and demanded an explanation from prison officials. Upon seeing Mr. Galindo's body being carried out of the prison in what appeared to be a plastic bag, the prisoners erupted in protest and set fire to the recreation yard. Their demands were: "Better treatment, better food, and better medical care."<sup>24</sup>

Denial of medical services and deaths in custody were two of the protestors' most serious grievances. There were four other individuals who had died at Reeves during the two years prior to Mr. Galindo's death. Prisoners at Reeves engaged in a second uprising, within two months of

the first one. These uprisings led to prisoners being injured, two guards being taken hostage, and fires being set. The protests cost the facility \$20 million in damages. Some of the prisoners who participated were prosecuted.<sup>25</sup>

In 2010, Mr. Galindo's family brought a wrongful death lawsuit against the GEO Group, the Bureau of Prisons, Reeves County, and the prison's medical services contractor, Physicians Network Association. The ACLU of Texas and local private counsel alleged that the GEO Group sought to keep costs down by withholding adequate medical care.<sup>26</sup>

In 2014 the ACLU published *Warehoused and Forgotten: Immigrants trapped in our shadow private prison system*, an in-depth survey of the dreadful conditions in five Texas-based CAR prisons, including Reeves. The ACLU report indicated that although *Galindo v. Reeves County* had been settled in 2013, prisoners at Reeves continued to report a grave lack of medical care and routine abusive treatment. Reeves' excessive and abusive use of the SHU as a disciplinary measure continued. In interviews at Reeves, prisoners reported to the investigators that they received only Ibuprofen even when complaining of serious medical problems, and that, as had happened to Galindo, those who advocated for improved care were punished with solitary confinement.<sup>27</sup>

Prisoners who organized a petition to protest conditions were tear gassed, shot with rubber bullets, and sent to the SHU. The prison staff took away all pillows and blankets and even prevented the prisoners from having soap to remove the tear gas still on their bodies. Petition supporters and bystanders were locked down for two days after the disturbance.

While ten percent of beds at Reeves can be designated as SHU beds, according to GEO Group's contracts with Reeves County, the ACLU report points out that this is nearly double the percentage in other BOP facilities. Prisoners have reported that, when the SHU is full, two men sleep on bunks and a third sleeps on the floor. Prisoners have routinely been forced to stay in the SHU for months without explanation. One man reported that "anything" he did lead to being locked down in the SHU.<sup>28</sup>

Overcrowding remains an enormous problem at Reeves. The "minimum occupancy guarantee" is the number of beds BOP will pay for no matter how many beds are filled according to the terms of GEO's contract with the BOP. This guarantee to GEO is set at 90 percent. However, under a per-prisoner payment policy, GEO is entitled to bill BOP for filling Reeves up to 115 percent of capacity. This has created a financial incentive for the facility to turn recreation areas into dormitories. Prisoners refer to the resulting improvised, substandard housing units as "chicken coops." And one of the smaller yards, meant to accommodate 40 people, is routinely filled with 400. Prisoners say the yard smells like feces because it is near the toilets. Portable latrines in the yard have not been replaced in four years, and many prisoners report that the contents have "splashed up" on them.<sup>29</sup>



*The community came together to protest after Jesús Manuel Galindo died from lack of medical care and neglect in the Reeves County Detention Center in Pecos, Texas — a facility run by GEO. Photo by Bob Libal*

Reeves County, the GEO Group, and the private medical contractor Physicians Network Association have worked together to prevent the disclosure of documents regarding prisoner deaths and medical care. The ACLU of Texas challenged their stonewalling in 2011, seeking a court order for the release of such documents.

The Texas Attorney General issued a ruling that Reeves County had to disclose the documents pursuant to the Texas Public Information Act. Reeves County's response was defiant. They filed suit to challenge the Attorney General's determination, arguing that the County was entitled to withhold the documents. The GEO Group and Physicians Network Association claimed that the documents were "trade secrets."<sup>30</sup>

# BRUTAL TREATMENT AND SEXUAL ABUSE OF BOYS AT GEO'S WALNUT GROVE FACILITY IN MISSISSIPPI

You would think that the GEO Group would learn from their past mistakes. But apparently not.

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According to a federal judge, *"The children detained there were 'at risk every minute, every hour, every day."*  
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In 2012 Federal District Judge Carleton Reeves found that GEO was running one of the worst for-profit youth prisons in the U.S. In his 2012 court order, Judge Reeves wrote that the Walnut Grove juvenile detention center was, "a picture of such horror as should be unrealized anywhere in the civilized world."<sup>31</sup>

In his sweeping, scathing decision, the judge also called Walnut Grove, which held children as young as 13, "a cesspool of unconstitutional and inhuman acts." Guards subjected children to excessive violence including beatings, kicking, and punching of handcuffed and defenseless youth. Youth were also frequently pepper sprayed.

The Court found that the guards regularly sexually assaulted children, and that the juvenile detention center's record on brutal rapes among prisoners was the worst "of any facility anywhere in the nation" (Court's emphasis). The children detained there were "at risk every minute, every hour, every day."<sup>32</sup>

An exposé of conditions at Walnut Grove conducted by National Public Radio revealed that guards were setting up "gladiator-style" fights between the children. One former youth detainee reported, "They actually bet on it. It was payday for the guards."<sup>33</sup>

Judge Reeves held that the GEO Group facility violated the Constitution, as well as many state and federal criminal and civil laws. Children were denied even the most basic access to education and necessary medical care. Children who tried to file complaints or report conditions at Walnut Grove were subjected to solitary confinement and other harsh forms of retaliation.<sup>34</sup>

The Court forcefully reprimanded the state of Mississippi for not only allowing the GEO Group to get away with the routine barbaric treatment of children, but for rewarding the company with renewals of its contracts:

And to add one final insult to these injuries, State officials repeatedly failed to monitor the contracts with GEO and simply rewarded the company by either extending or offering new contracts, or by not revoking the existing contract despite "systemic, egregious, and dangerous practices exacerbated by a lack of accountability and controls."<sup>35</sup>

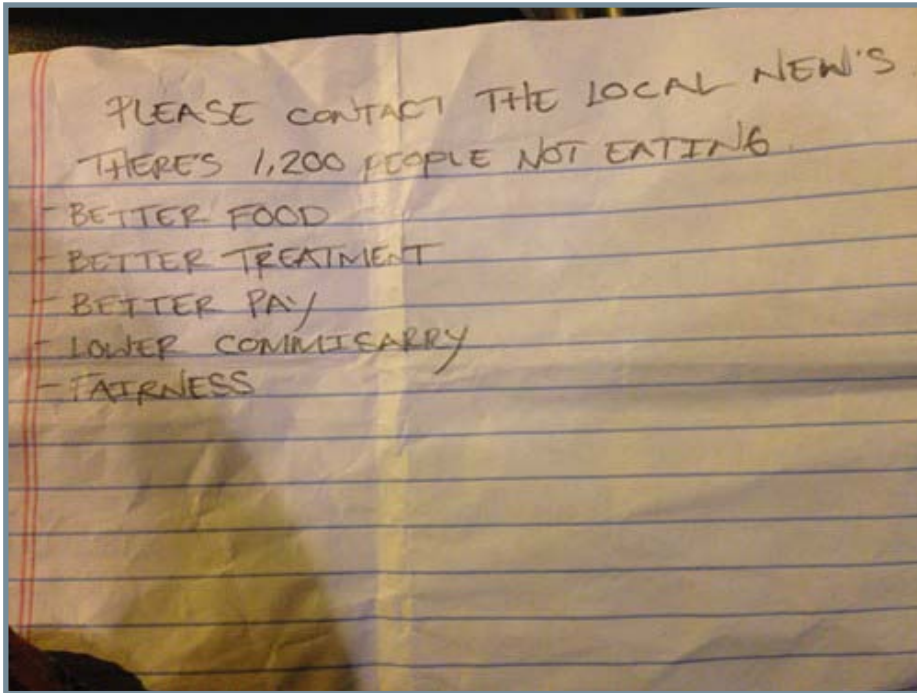
The Court ultimately ordered that children be transferred out of Walnut Grove, to a publicly-run juvenile detention center in Mississippi. GEO's contract for Walnut Grove was cancelled and the state re-contracted with another private prison corporation.



*The abuse and retaliation found in GEO's facilities for adults were familiar to the children in the Mississippi Walnut Grove juvenile detention center. Children who tried to file complaints or report conditions at Walnut Grove were subjected to solitary confinement and other harsh forms of retaliation, including beatings. Photo by Jason Cato*



# RESISTANCE FROM INSIDE: HUNGER STRIKES SPREAD AT GEO DETENTION SITES ACROSS THE COUNTRY



*This note passed from a man detained at the Northwest Detention Center in Tacoma, WA to his lawyer details the demands of those who on strike beginning on March 7th, 2014. A second hunger strike at the Joe Corley detention center in Conroe, Texas began eleven days later. Photo courtesy of NWDC (Northwest Detention Center) Resistance*

Given GEO's track record with immigrants and vulnerable populations, it was no surprise when two GEO Group immigrant detention centers operated under contracts with ICE were the subjects of repeated hunger strikes in 2014. The hunger strikers exposed serious neglect and mistreatment inside the GEO immigrant detention facilities, including a cost-saving scheme inside for-profit detention centers that exploits detainee labor.

The first hunger strike began on March 7, 2014 at the Northwest Detention Center (NWDC) in Tacoma, Washington. It was a massive resistance involving 1,200 people that lasted 56 days.<sup>36</sup> The strike drew international media attention and prompted Rep. Adam Smith to introduce legislation that sought to improve conditions inside detention centers.<sup>37</sup>

Despite retaliation tactics such as the use of solitary confinement that hunger strikers faced during the first strike, a second strike began in Tacoma on July 30 involving 150 detainees, according to supporters.<sup>38</sup> Detainees charged that

conditions inside had not improved since the first strike. This strike also drew attention to the practice of paying detainees \$1 a day or less for providing labor essential to sustaining detention center operations – a practice which some assert violates the 13th Amendment, banning involuntary servitude except as punishment for crime.<sup>39</sup>

The Tacoma strikers faced retaliation for the second hunger strike also. The Seattle Globalist reported that during the second hunger strike, detainee Cipriano Ríos-Alegría, one of the spring hunger strike participants, was placed in isolation for “trying to recruit other detainees for [sic] hunger strike,” according to an internal Administrative Detention Order. Placing a detainee in isolation for participating in a hunger strike was in direct violation of an agreement that was reached between the American Civil Liberties Union (ACLU) and Columbia Legal Services and NWDC officials during the first hunger strike.<sup>40</sup>

Eleven days into the first Tacoma hunger strike with its widespread media attention, detainees launched a hunger strike at the Joe Corley Detention Facility (JCDF), a second GEO facility located in Conroe, Texas.<sup>41</sup>

The grievances of those detainees were familiar and may suggest a pattern inside GEO detention centers. Like their counterparts in Tacoma, the hunger strikers in Texas complained of bad food, lack of medical care, poor treatment at the hands of guards, and high prices for phone calls and commissary.<sup>42</sup>

Family members of detainees on hunger strike in JCDF reported that officials retaliated against three detainees who they believed to be “leaders” of the protest by isolating and shackling them and scheduling one man for swift deportation.<sup>43</sup>

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Eleven days into the first Tacoma hunger strike with its widespread media attention, detainees launched a hunger strike at the Joe Corley Detention Facility a second GEO facility located in Conroe, Texas.  
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# HOW DO THEY GET AWAY WITH IT? PRIVATE PRISON LOBBYING INTERESTS AND FAMILY DETENTION

How do for-profit, private prison companies with terrible track records keep piling up federal contracts?

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GEO Group and CCA have employed an impressive mix of influential Republican and Democratic lobbyists, including former high-ranking DHS officials... The results are bipartisan and formidable.  
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A timeworn adage says “money talks.” And a handful of the most powerful lobbyists on Capitol Hill do the talking for GEO, as well as for their competitor Corrections Corporation of America. As will be recounted below, CCA was the operator of a disastrous experiment with mass detention of immigrant families that was closed down by the Obama Administration just five years ago.

Since 2003, CCA and the GEO Group have combined to spend more than \$32 million lobbying the federal government, including direct lobbying of the Department of Homeland Security, the agency responsible for contracts to detain immigrant families.<sup>44</sup> GEO Group and CCA have employed an impressive mix of influential Republican and Democratic lobbyists, including former high-ranking DHS officials.

CCA, which spent \$2 million on lobbyists in 2013, currently employs a stable of high-powered firms including Akin Gump Strauss Hauer & Feld, McBee Strategic Consulting, and Mehlman, Castaganetti, Rosen, Bingel, & Thomas. The results are bipartisan and formidable. Akin lobbyist Ed Pagano has a long history working for Democratic lawmakers, recently serving in the Obama Administration and, before that, working for more than two decades for Senator Patrick Leahy’s offices,<sup>45</sup> while Gump’s James Romney Tucker, Jr. has a long history as a Republican Congressional staffer, including stints in the offices of Representatives Bob Inglis and Newt Gingrich.

GEO’s current lobbyists include Lionel “Leo” Aguirre, Navigators Global LLC, and the Ridge Policy Group, named for and headed by former DHS Secretary Tom Ridge.

GEO’s most consistent lobbyist is Aguirre, a Texan who has been on the company’s payroll since at least 2008. Aguirre also lobbies on behalf of GEO in his home state. He is the widower of Lena Guerrero, a three-term Texas state representative and the first Latina chair of the Texas Railroad Commission, the powerful agency in charge of regulating the oil and gas industry. Lionel himself was an executive in the state comptroller’s office before moving into the private sector.<sup>46</sup> Aguirre and Guerrero both crossed party lines in 2006 to endorse Rick Perry for Texas governor.<sup>47</sup>

The Ridge Policy Group, another of GEO’s current lobbyists, is headed by Tom Ridge, the first head of the Department of Homeland Security, the agency responsible for the contract with GEO to detain families in Karnes City.

Ridge is not the first former DHS official to lobby for GEO Group. GEO subsidiary BI Incorporated for years employed Julie Myers Wood, the past head of Immigration and Customs Enforcement, as a lobbyist. Myers Wood is now a board member of GEO Group.<sup>48</sup>

Lobbyists for GEO Group at Navigator’s Global LLC include Christopher Cox, a former President George W. Bush administration official and Danielle Burr, a former Senate Whip Liaison working for Republican Senator Jon Kyl of Arizona.<sup>49</sup>

Past lobbyists for CCA and GEO included those from across the political spectrum. Following President Obama’s election, both companies employed the liberal Podesta Group, which describes its founder and chief Tony Podesta as “one of the Democratic Party’s top political strategists.”<sup>50</sup> John Kaites, a former Republican legislator from Arizona, served as a GEO lobbyist for several years in the mid-2000s.<sup>51</sup>



*A rally against family detention outside the T. Don Hutto Detention Center in Taylor, Texas on August 9, 2014. The rally marked the five year anniversary of the end of family detention at Hutto. Photo by Cristina Parker*



# LESSONS FROM AN EXPERIMENT WITH FAMILY DETENTION AT THE T. DON HUTTO “RESIDENTIAL” CENTER



Children protest the detention of families at T. Don Hutto during the first 100 days of Barack Obama's presidency. There were 100 different actions against the practice during those first 100 days. The days of family detention at Hutto remain ingrained in the memories of the people who have advocated against it from the beginning. Unknown photographer

After the terrorism disaster of 9/11, the U.S. government acted to tighten border security, many features of which amounted to nothing more than a massive crackdown on ordinary people crossing our Southern border to seek a better life for themselves and their families. In 2002, Congress created the Department of Homeland Security (DHS), replacing the former Immigration and Naturalization Service with Immigration and Customs Enforcement (ICE), and pulling in a number of other federal agencies (e.g., the Coastguard; the Secret Service) previously located in other federal departments.

DHS then launched a massive buildup of enforcement capacity between 2003 and 2006, with a focus on increased apprehension of border-crossers, increased detention space to hold them, and implementation of “zero tolerance” policies along the border. In June 2003, ICE issued Operation Endgame, their strategic plan for removing all “fugitive aliens” from the United States.<sup>52</sup>

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Families seeking asylum were detained with their children for 11 to 12 hours each day in small cells with open toilets. No food or toys were allowed in the cells. Children wore prison garb. They were disciplined for normal childhood activities (running around, making noise, etc.).  
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The ramp-up in detention capacity was sped up in 2004, when the Intelligence Reform and Terrorism Prevention Act of 2004 contained authorization for 40,000 new immigrant detention beds to be available by 2010. In January 2005, Representative Sensenbrenner and five House Committee chairs sent a letter to President Bush demanding a doubling of the number of Border Patrol agents, a tripling of immigration investigators, and the addition of 60,000 new detention beds.<sup>53</sup> In November of that year ICE announced the “Secure Border Initiative,” entailing proposals for expanding the border wall, creating a virtual fence, and adding thousands more detention beds.

By the summer of 2006, ICE had engineered a massive expansion of detention bed capacity, most of which was contracted with private prison companies.<sup>54</sup> In the midst of the summer detention bed ramp-up, ICE announced the end of its “catch and release” policy at the border with Mexico. The practice of “catch and release” of non-Mexican (i.e., Central American) border crossers had existed for many years. The majority of individuals and families apprehended when crossing the U.S. border with Mexico were simply given a “notice to appear” before an immigration judge and released from custody to continue to their intended destinations within the U.S.<sup>55</sup>

In February 2007 Michael Chertoff explained this policy shift to Congress in terms that eerily prefigure claims made seven years later during the 2014 “border crisis” involving Central American youth and families crossing the border:

*Importantly, we ended a pernicious practice called “catch and release” at the border, in which we used to release large numbers of non-Mexicans into the community. There was a story in the New York Times a few days ago that talked about how it was such a received wisdom that non-Mexicans would be released in order to disappear that people actually were told to turn themselves into the Border Patrol as soon as they crossed the border because it would mean that they could then make their way to the interior conveniently. We have reversed and ended that practice at the border, and this has begun to show some real results.<sup>56</sup>*

Before July 2006, the daily detention population was averaging about 19,000 people in custody. By the end of September it had swelled to 27,521. In May 2006, CCA had received its most lucrative ICE contract ever after the company repurposed an empty



prison, its T. Don Hutto facility in Taylor, Texas – a small town less than an hour’s drive north of the state capitol in Austin – to serve as a detention facility for families with children.

CCA’s Hutto facility had previously been operated by the company as a medium-security prison for men, and from early reports of the operation as a detention center for families, it appears that the company had given little thought to the kind of changes and accommodations that would be needed for its repurposing for families. Vanita Gupta was a lead counsel in *In re Hutto* for the ACLU, which sued the facility along with the University of Texas’ Immigration Law Clinic. According to Gupta, CCA was receiving \$2.8 million per month from ICE to detain families at Hutto, yet there was no evidence that the kind of conditions and services appropriate for families with small children were available:

*Hutto was a prison, and ICE could call it a residential center, but there is nothing, when you first look at Hutto, but certainly when you enter and start speaking to people, that could disguise the fact that it was a prison.<sup>57</sup>*

Lisa Graybill, then legal director at the Texas ACLU<sup>58</sup> and co-counsel with Gupta, had the same reaction when she first visited Hutto:

*From the minute we set foot on the grounds at Hutto, we could see that it was, as it had always been, a medium-security prison. The huge whorls of barbed wire on the perimeter fences; parents and small children garbed in prison uniforms – but beyond the optics, it was a prison.*

*CCA was running the place using prison protocols – not even like a juvenile institution, though the place was full of kids. It looked like they had made no effort to recruit appropriate staff for a family detention center. The guards were just prison guards; the warden was a prison warden; and the families were treated exactly like prisoners.*

*The guards were doing seven “counts” a day, during which all movement within the prison had to be stopped, while parents and children had to wait in their cells to be counted. Parents were told that their children could not have crayons in the cells, or juice boxes, “because they can be used to make alcohol.” Children could not run; they could not play freely; they could not cry; they could not do any of the normal things that kids do.*

*Mealtimes were restricted to 15 or 20 minutes. Can you imagine trying to feed dinner to a toddler, while eating yourself, in 15 minutes? Both parents and children were losing weight.*

*Even the children understood that they were being treated like criminals. They kept asking their parents, “What did we do wrong to be put in here?” Some of the children had started a sort of cops-and-robbers game, but at Hutto it was called “Guards and Detainees” with the guards yelling at the detainees.*

*Parents were required to have their young children with them during “credible fear” interviews. Having to talk about the horrendous details of the torture and abuse they had fled from in their home country was like reliving it again, but with their children watching.*

*We had to do something – a purely visceral reaction – because conditions at Hutto were appalling. They were just categorically unacceptable.<sup>59</sup>*

At Hutto, it appears that CCA had given little thought to the kind of changes and accommodations that would be needed for its repurposing for families.

The Women’s Commission for Refugee Women and Children and the Lutheran Immigration and Refugee Service published a report in 2007 that reflected the same appalling conditions. Families seeking asylum were detained with their children for 11 to 12 hours each day in small cells with open toilets. No food or toys were allowed in the cells. Children wore prison garb. They were disciplined for normal childhood activities (running around, making noise, etc.). Some were threatened by guards that if they did not behave, they would be sent away, separated permanently from their parents. Parents that could not control these behaviors were threatened with “write ups,” which they were told could affect their claim in court for asylum.<sup>60</sup>

Children were getting less than an hour a day of recreation and many children were seldom being allowed outdoors; Gupta had spoken to children who had not been outside in four or five weeks.

Education was initially limited to one hour a day. After protests were raised, ICE made CCA extend daily education hours to four, but this was still barely in compliance with Texas state education standards. Access to medical care was often difficult or delayed. Access to free legal counsel was hit-or-miss, and access to telephone calls required purchase of expensive phone cards.<sup>61</sup>

Detained mothers reported appalling conditions to their attorneys:

*My daughters and I share a small cell. We all have to use the toilet in front of each other and right next to our beds. [My daughters] are forced to wear prison clothes... They wear the same clothes all day, including to sleep and to recreation. (Rasa Bunikiene)<sup>62</sup>*

*They wake us at 5:45 or 5:30am. And at 6 a.m. we have to have finished bathing ourselves. After that we have to eat in 20 minutes, then return to the pod to do nothing, they don't allow us to sleep, only to sit and wait for the hours, days, months to pass. (Elsa Carbajal)<sup>63</sup>*

*We have lost our religion in here. Our religion requires that we pray at certain times of the day, but we have to go to rec[reation] or chow at each of those times. The guards rush my children through meals. When Bahja was having problems with another girl at rec time, the guards and our social worker told me that they would take my children away from me if I could not control them... (Deka Warsame)<sup>64</sup>*

*At Hutto it is difficult for me to take care of Sherona the way a mother should. The family here is destroyed. We live in a prison. It is a prison. There is no freedom. (Delourdes Verdieu)<sup>65</sup>*

*When you're in Hutto, you feel like prison, you are a criminal, that you did something bad, that people are after you, they put you in these clothes. These guards they treat you like you are in prison. (Bahja)<sup>66</sup>*

Within months of the conversion of the CCA prison into the family "residential" detention center, human rights advocates and activists in Texas and across the U.S. were fiercely criticizing the move by ICE to detain families instead of providing a more humane alternative, and they were denouncing the deficiencies in CCA's operations.

Existing groups formed new coalitions, such as the Austin-based Texans United for Families (TUFF), coordinated by Grassroots Leadership. Near-monthly vigils were held at the facility site by a broad spectrum of religious and civil rights organizations. As grassroots opposition spread across the state, local media coverage blossomed into national media stories profiling individual cases of children that had been confined at the prison. At the same time, grassroots media helped to spawn a broader network of activists. A Hutto blog documented the vigils. Email lists circulated flyers and announcements. Film makers produced a 17-minute video expose, *Hutto: America's Family Prison*.<sup>67</sup> TUFF developed a DVD toolkit for broad distribution. The video and related documents facilitated workshops to highlight the issue of family detention at national conferences.

In May 2007, Jorge Bustamante, the United Nations Special Rapporteur on the Human Rights of Migrants, was denied access to the prison. He had planned to inspect conditions there and to report his findings to the UN General Assembly the following month. DHS' move sparked yet more protests and media coverage.<sup>68</sup>

In late August 2007, the Department of Homeland Security agreed to a settlement of the lawsuit. While the plaintiff's lawyers remained opposed to the very concept of family detention, they agreed that the conditions at Hutto had been raised to an acceptable standard:

*Conditions at Hutto have gradually and significantly improved as a result of the groundbreaking litigation. Children are no longer required to wear prison uniforms and are allowed much more time outdoors. Educational programming has expanded and guards have been instructed not to discipline children by threatening to separate them from their parents.*

The improvement effort under the settlement would continue under the eyes of an independent monitor:

*Additional improvements ICE will be required to make as a result of the settlement include allowing children over the age of 12 to move freely about the facility; providing a full-time, on-site pediatrician; eliminating the count system so that families are not forced to stay in their cells 12 hours a day; installing privacy curtains around toilets; offering field trip opportunities to children; supplying more toys and age- and language-appropriate books; and improving the nutritional value of food. ICE must also allow regular legal orientation presentations by local immigrants' rights organizations; allow family and friends to visit Hutto detainees seven days a week; and allow children to keep paper and pens in their rooms. ICE's compliance with each of these reforms, as well as other conditions reforms, will be subject to external oversight to ensure their permanence.<sup>69</sup>*

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***"At Hutto it is difficult for me to take care of Sherona the way a mother should. The family here is destroyed. We live in a prison. It is a prison. There is no freedom."***  
- Delourdes Verdieu.  
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But the broad coalition of human rights activists did not lose momentum after the settlement of the litigation. The monthly vigils continued. *The Least of These*, a feature-length documentary about the ACLU's lawsuit against ICE was premiered at Austin's South by Southwest film festival. The documentary was shown at international film festivals and – most importantly – to an audience of members of Congress in Washington, D.C.

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Finally, in August 2009, DHS conceded the hard-fought battle, announcing the end of family detention at Hutto. The last family was released on September 17, 2009, three years and four months after the family detention facility was opened for business, and more than two years after the ACLU case was settled.  
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In December 2007 one hundred people marched to the prison entrance carrying toys for the children and chanting, "Free the Children Now!" and "Close Hutto Down!"<sup>70</sup> The national media spotlight also remained strongly focused on the issues of family detention. Margaret Talbot published a major feature article in the *New Yorker* in March 2008. The *Lost Children* traced the flawed policies introduced by DHS that had spurred an overall increase in detention of immigrants in 2006. She detailed the horrific conditions at Hutto, and she pointed to the effectiveness of non-carceral alternatives that could be used instead of family detention.

In the Fall of 2008 the issue of family detention fell under international scrutiny, when a delegation of the Inter-American Commission on Human Rights traveled to Austin on a fact-finding mission to investigate the treatment of immigrant families and asylum seekers at Hutto. The Commission monitors compliance with international human rights standards and laws under the aegis of the Organization of American States, of which the U.S. is a member.<sup>71</sup>

Later that year, when the "intergovernmental agreement"<sup>72</sup> between Williamson County and ICE was up for renewal, organizers urged residents who opposed family detention at Hutto to make their views known to their county commissioners.

During the first 100 days of the Obama Administration in 2009, organizers from around the country organized 100 different protests and educational events urging the new administration to end the practice of detaining immigrant families at Hutto. Finally, in August 2009, DHS conceded the hard-fought battle, announcing the end of family detention at Hutto.<sup>73</sup> The last family was released on September 17, 2009, three years and four months after the family detention facility was opened for business, and more than two years after the ACLU case was settled. In October ICE announced that henceforth CCA's T. Don Hutto prison would house only women detainees.<sup>74</sup>

Graybill says that community organizing was key in forcing ICE to reverse its policy of large-scale family detention at Hutto:

*Working with the community organizers and their campaign to close the Hutto prison was the most gratifying part of our work as litigators. Working in relationship with people on the ground – the community organizing was absolutely invaluable; an irreplaceable part of the effort. And, of course, that partnership is really what it took to end confinement of families at Hutto.*

*The monthly vigils at the prison were so incredibly powerful. Having members of the community – moms with their babies, church folks, people who didn't realize what was being done in their community's back yard – bear witness to this injustice was a vivid message to public officials. And the work that the organizers did to inform the public and to pressure the public officials in Williamson County about the role the county was playing to facilitate this nightmare. The public really hadn't known what was going on; they didn't realize that county officials had actually signed a contract with CCA to act as intermediary between ICE and CCA, to disburse the federal funds.*

*Organizers enlisted state officials and grassroots party members to introduce local resolutions calling for the end of family detention at Hutto. They were able to raise the profile of the issues in the county, with state reps – even at the international level, and to bring the language of human rights into the debate.*

*It was the constant pressure at the facility, month after month, that finally ended family detention at Hutto.*



# DÉJÀ VU AT KARNES: OUTCRY OVER DENIAL OF TREATMENT TO A SEVEN-YEAR-OLD GIRL WITH BRAIN CANCER

Fast forward to August 2014 in Karnes City, Texas. A contract with GEO to hold immigrant families in detention was fast-tracked in response to the latest human rights crisis at the border – children and families were fleeing to the U.S.-Mexico border because of extreme poverty, violence, and terror in their home countries in Central America. Who could be surprised that there was controversy over access to medical treatment at the Karnes County family detention center almost from the day it was opened?

Immigration and Customs Enforcement contracted with GEO through an Intergovernmental Service Agreement with Karnes County, Texas to detain 532 women and children from Central America there who had arrived at the U.S.-Mexico border during the summer of 2014. The facility managers wasted no time moving out the current occupants, male immigrant detainees, and then quickly re-painting the walls with cartoon characters and installing cribs. On August 1, buses began arriving and the facility was full of mothers and their children within a matter of weeks.<sup>75</sup>

Less than a month after the hasty start-up, word got out about a seven-year-old girl named Nayely Beltrán who was detained with her mother, Sara, at Karnes. The mother and daughter had fled violence in El Salvador and had passed their credible fear interview, the first hurdle in the process of seeking asylum in the U.S. Nayely had been battling brain cancer and medical doctors, their attorney, and immigrant rights advocates had all asked ICE and GEO to release the family. Three U.S. medical doctors wrote to ICE about the fact that Nayely's life was in danger and she was in need of immediate treatment for her malignant brain tumor, but immigration authorities still kept the family locked up at Karnes.<sup>76</sup>

GEO Group stands to make \$298 per day for every woman and child detained at Karnes.<sup>77</sup> It has been reported by attorneys working in the facility that the government has been operating under a “no bond” policy at Karnes — they are not releasing anyone, even those who, like Sara and Nayely, have demonstrated a credible fear of persecution should they be deported, and whose asylum claims will be heard in immigration court.<sup>78</sup> This means that family detention at Karnes is a comfortably reliable source of revenue for the GEO Group.

Immigrant families are finding it very difficult to get themselves out of the Karnes facility. It took the combined efforts the

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Three U.S. medical doctors wrote to ICE about the fact that Nayely's life was in danger and she was in need of immediate treatment for her malignant brain tumor, but immigration authorities still kept the family locked up at Karnes.  
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An image shared on social media by organizers of Texans United for Families after the successful campaign to get Sara and Nayely Beltrán out of detention at Karnes. Nayely, who is only 7, was being denied treatment for her brain tumor while detained. Photos courtesy of Kate Lincoln-Goldfinch

Beltrán's attorney, three U.S. medical doctors, and immigrant rights advocates to secure their release. After advocates in Austin began a campaign to release Nayely and Sara, hundreds of people around the country flooded Karnes, GEO, and ICE with phone calls. Shortly after the story was picked up by the media, ICE relented and released the girl for treatment to doctors at the Dell Children's Hospital. Nayely and Sara had spent a month in detention.<sup>79</sup> This incident may not bode well for the health of the more than 500 women and children who are still detained at Karnes.

On October 2, news broke about allegations of sexual abuse in Karnes.<sup>80</sup> A complaint filed by the Mexican American Legal Defense and Education Fund (MALDEF) and attorneys from the University of Texas School of Law said that “substantial, ongoing sexual abuse” was happening inside Karnes. Marisa Bono, staff attorney with MALDEF told NBC News that “Guards using their respective positions of power to abuse vulnerable,

traumatized women all over again is not only despicable, it's against the law. This is exactly why the federal government should not be in the business of detaining families."<sup>81</sup>

For their part, the GEO Group presented an optimistic take on family detention as a new revenue stream and are hoping to cash in at Karnes and at yet-unnamed facilities this year. When GEO was awarded a contract to detain men at Karnes in 2010, the company estimated that the facility would bring in \$15 million in annual revenue.<sup>82</sup> However, during the 2014 Second Quarter "earnings call" (a teleconference for shareholders held on August 6, 2014), GEO Group CEO George Zoley said, "We expect to see a meaningful contribution from [Karnes] as we go forward under that fixed-price contract." Zoley told shareholders that GEO Group expects to bring in \$26 million in annual revenues by locking up women and children asylum-seekers inside the Karnes County family detention center. "And," he continued, "There's, to our understanding, a need for more capacity by ICE for similar type services at different locations."<sup>83</sup>

## CONCLUSION

The GEO Group and Corrections Corporation of America have exceptionally troubled histories when operating facilities detaining children, immigrants, and families. The unprecedented move to expand immigrant family detention – largely relying on these same for-profit prison corporations – raises many concerns about ICE's policies related to asylum-seeking families.

Yet not only has ICE contracted with GEO for detention of families at their Karnes facility, but in September 2014 they announced a massive 2,400-bed contract with CCA. The company will convert a "man camp" for oilfield workers into the largest family detention center to date.<sup>84</sup> Lisa Graybill was shocked to learn of this move:

*When I heard about the Dilley contract, I just could not believe that they – the Obama Administration – was going back to this dreadful policy. Over the summer, when I heard about the quick installation of a family detention center at Artesia, New Mexico, and then the quick conversion at Karnes, I thought to myself, "This is terrible but it is a just temporary response to the border crisis; it's a stopgap."*

*But, when I heard that ICE had signed a 2,400 bed facility contract with CCA at Dilley, I realized that this is going to be a long-term, permanent commitment. Family detention is going to be the long-term policy.*

*I find this just devastating. Not a temporary "fix." Not a stopgap. We're talking about this Administration making a permanent commitment to large-scale family detention.*

ICE should immediately suspend plans to enter into a contract for a family detention center in Dilley, Texas to be operated by Corrections Corporation of America. DHS should roll back the policy of mass family detention center by moving to close the GEO Group-operated family detention center in Karnes City, Texas as well as the government-operated facility in Artesia, New Mexico. Resources should instead be directed towards refugee resettlement services and legal resources to ensure due process for families in detention.

*"I find this just devastating. ... We're talking about this Administration making a permanent commitment to large-scale family detention."*

- Attorney Lisa Graybill

DHS should prioritize alternatives to detaining immigrant families, particularly those that provide community support for immigrant families. Research shows that alternatives to detention programs – when coupled by legal and social support programs – can be effective in insuring that immigrants appear at their immigration hearings and can be operated at a fraction of the cost of custodial detention.



*Construction on the facade of the Karnes County Family Detention Center in September 2014. The facility is currently under construction and rumored to be preparing to double its current capacity. Photo by Matthew Gossage*



# REFERENCES

1. "New Family Detention Centers Hold Immigrant Women and Children Without Bond as Asylum Claims Pend," Democracy Now! August 14, 2014 [http://www.democracynow.org/2014/8/14/new\\_family\\_detention\\_centers\\_hold\\_immigrant](http://www.democracynow.org/2014/8/14/new_family_detention_centers_hold_immigrant)
2. "Family Detention 101," Detention Watch Network, July 15, 2014 [http://theadvocatesforhumanrights.org/uploads/family\\_detention\\_backgrounding.pdf](http://theadvocatesforhumanrights.org/uploads/family_detention_backgrounding.pdf)
3. "Action Alert: Stop the Detention of Families" July 22, 2014. <http://detentionwatchnetwork.wordpress.com/2014/07/22/action-alert-stop-the-detention-of-families/>
4. [http://www.democracynow.org/2014/8/14/new\\_family\\_detention\\_centers\\_hold\\_immigrant](http://www.democracynow.org/2014/8/14/new_family_detention_centers_hold_immigrant)
5. Forest Wilder. Feds Set to Open Massive New Family Detention Center in November, The Texas Observer, <http://www.texasobserver.org/feds-set-open-massive-new-family-detention-center-november/>
6. Artesia center set to house women, children," Carlsbad Current-Argus, June 26, 2014 [http://www.elpasotimes.com/latestnews/ci\\_26038396/mayor-artesia-nm-center-may-keep-immigrants-year](http://www.elpasotimes.com/latestnews/ci_26038396/mayor-artesia-nm-center-may-keep-immigrants-year)
7. Advocate worries about sick immigrants in Artesia, KRQE, <http://krqe.com/2014/07/23/advocate-worries-about-sick-immigrants-in-artesia/>
8. U.S. Moves to Stop Surge in Illegal Immigration, The New York Times, June 20, 2014, [http://www.nytimes.com/2014/06/21/us/us-plans-to-step-up-detention-and-deportation-of-migrants.html?\\_r=1](http://www.nytimes.com/2014/06/21/us/us-plans-to-step-up-detention-and-deportation-of-migrants.html?_r=1)
9. Softer side of immigrant detention shown in Texas," Associated Press, August 1, 2014 [http://lubbockonline.com/texas/2014-08-01/softer-side-immigrant-detention-shown-texas#.U\\_SqDlxDW0s](http://lubbockonline.com/texas/2014-08-01/softer-side-immigrant-detention-shown-texas#.U_SqDlxDW0s)
10. As family detention begins at Karnes, T. Don Hutto is the site of a protest," Texas Prison Bidness, August 12, 2014. <http://www.texasprisonbidness.org/immigration-detention/family-detention-begins-karnes-t-don-hutto-site-protest>
11. "TYC checking backgrounds of prison's workers," Associated Press, October 6, 2007 <http://www.chron.com/news/houston-texas/article/TYC-checking-backgrounds-of-prison-s-workers-1664285.php>
12. KATHLEEN DOE VS. WACKENHUT CORRECTIONS CORPORATION AND JERRY DIAZ, filed June 1, 1999.
13. Garcia, Rufino. Oral deposition taken in Civil Action No. A-97CA485JW in the U.S. District Court for the Northern District of Texas. October 7, 1997
14. "Locked Inside a Nightmare," CBS News, May 9, 2000. Retrieved from: <http://www.cbsnews.com/stories/2000/05/09/6011/main193636.shtml>
15. Ibid.
16. Will Harrell, Office of Independent Ombudsman for TYC, Site Visit Report for Coke County Juvenile Justice Center, September 24, 2007.
17. Swanson, Doug J., "TYC investigates staff for ties to jail operator," Dallas Morning News, October 6, 2007. Retrieved from <http://www.dallasnews.com/sharedcontent/dws/dn/latestnews/stories/100607dnpotyccoke.13f55fb20.html>
18. The GEO Group. 2007 Annual Report. Pg. 12.
19. Complaint, GALINDO V. REEVES COUNTY, No. 3:12-cv-00063-DB-NJG (W.D. Tex. Dec. 7, 2010), available at <http://aclutx.org/documents/galindo.pdf>.
20. GEO Group Press Release, The GEO Group, Inc. Announces Contract Award for the Housing of Criminal Aliens at the 3,556-bed Reeves County Detention Center Under CAR 5, June 1, 2006, available at <http://www.pnewswire.com/news-releases/the-geo-group-inc-announces-contract-award-for-the-housing-of-criminal-aliens-at-the-3556-bed-reeves-county-detention-center-under-car-5-55761222.html>
21. The BOP began contracting for "CAR" prisons in 2000. The solicitation for "CAR 5," which was awarded to GEO at Reeves, can be found at: [https://www.fbo.gov/index?s=opportunity&mode=form&id=867100f3606de1f1a3f5f9f3f3e1b4f&tab=core&\\_cview=1](https://www.fbo.gov/index?s=opportunity&mode=form&id=867100f3606de1f1a3f5f9f3f3e1b4f&tab=core&_cview=1)
22. GALINDO V. REEVES COUNTY
23. Ibid
24. Ibid
25. Warehoused and Forgotten: Immigrants Trapped in Our Shadow Private Prison System. ACLU, June 2014, at 65, available at <http://www.aclu.org/sites/default/files/assets/060614-aclu-car-reportonline.pdf>
26. GALINDO v. REEVES COUNTY
27. Warehoused and Forgotten
28. Ibid
29. Ibid.
30. Ibid
31. Order Approving Settlement, CHARLESTON DEPRIEST ET AL V. CHRISTOPHER EPPS AND TOM BURNHAM, US District Court, Southern District of Mississippi, Cause No. 3:10-cv-00663-CWR-FKB, March 2012, at 6, available at <https://www.aclu.org/files/assets/order.pdf>
32. Ibid
33. Miss. Prison Operator Out; Facility Called A 'Cesspool,' John Burnett, NPR, April 24, 2012, available at <http://www.npr.org/2012/04/24/151276620/firm-leaves-miss-after-its-prison-is-called-cesspool>
34. DEPRIEST ET AL at 2.
35. Ibid
36. Immigrant detainees on hunger strike allege threats by guards, May 20, 2014, Al Jazeera America, <http://america.aljazeera.com/articles/2014/3/20/immigration-detaineesonhungerstrikeicethreatsinhumanetreatment.html>
37. U.S. Rep. Adam Smith Introduces Legislation to Improve Conditions at Immigrant Detention Centers" The Stranger, May 8, 2014. <http://slog.thestranger.com/slog/archives/2014/05/08/us-rep-adam-smith-introduces-legislation-to-improve-conditions-at-immigrant-detention-centers>
38. "Tensions rise at Tacoma detention center, with little room for negotiation" Seattle Globalist, August 7, 2014. <http://www.seattleglobalist.com/2014/08/07/tacoma-detention-center-trouble-continues-ice-hunger-strike/28238>
39. "Using Jailed Migrants as a Pool of Cheap Labor" New York Times, May 24, 2014. [http://www.nytimes.com/2014/05/25/us/using-jailed-migrants-as-a-pool-of-cheap-labor.html?\\_r=0#](http://www.nytimes.com/2014/05/25/us/using-jailed-migrants-as-a-pool-of-cheap-labor.html?_r=0#)
40. "Tensions rise at Tacoma detention center, with little room for negotiation" Seattle Globalist, August 7, 2014. <http://www.seattleglobalist.com/2014/08/07/tacoma-detention-center-trouble-continues-ice-hunger-strike/28238>
41. "Hunger strikes spread to Texas detention center, Systemic abuse by GEO Group and ICE exposed in multi-state effort by detainees in private facilities," San Francisco Bay View, March 19, 2014. <http://sfbayview.com/2014/03/hunger-strikes-spread-to-texas-detention-center/>
42. Breaking: Hunger Strikes Spread to Texas Detention Center, March 17, 2014. <http://www.notonemoredeportation.com/2014/03/17/breaking-hunger-strikes-spread-to-texas-detention-center/>
43. Retaliation Measures Taken at Texas Detention Facility as Detainees Resume Hunger Strike in Tacoma" Truthout, March 28, 2014. <http://www.truth-out.org/news/item/22742-retaliation-measures-taken-at-texas-detention-facility-as-detainees-resume-hunger-strike-in-tacoma>
44. Data compiled from lobbyist disclosure forms maintained at the website of the Senate Office of Public Records (<http://soprweb.senate.gov/index.cfm?event=processSearchCriteria>) indicates that Corrections Corporation of America has spent more than \$29 million lobbying since 2003 while the GEO Group has spent at least \$3.6 million since 2003 in the same period. These figures do not include lobbying expenditures by the company's GEO Group's subsidiaries, including BI Incorporated, which also has substantial contracts with the Department of Homeland Security.
45. "Ed Paganó" <http://www.akingump.com/en/lawyers-advisors/ed-pagan0.html>
46. Matt Pulte, "The GEO Group's team of all-star lobbyists" Texas Watchdog, June 15, 2009 <http://www.texaswatchdog.org/2009/06/the-geo-groups-team-of-all-star-lobbyists/>
47. Former Railroad Commissioner Lena Guerrero endorses Perry," Plainview Herald, September 7, 2006. [http://www.mypainview.com/article\\_a26a18b1-bc7a-56c9-be56-af079593784.html](http://www.mypainview.com/article_a26a18b1-bc7a-56c9-be56-af079593784.html)
48. United States Securities and Exchange Commission, July 2, 2014 <http://www.sec.gov/Archives/edgar/data/923796/000119312514264220/d755717d8k.htm>
49. Navigators Global, accessed September 10, 2014 <http://www.navigatorsllc.com/DanielleBurr/187/default.aspx>
50. Podesta Group, accessed September 10, 2014 <http://www.podesta.com/talent/tony-podesta>
51. Ties That Bind: Arizona Politicians and the Private Prison Industry" In These Times, June 21, 2010 [http://inthesetimes.com/article/6085/ties\\_that\\_bind\\_arizona\\_politicians\\_and\\_the\\_private\\_prison\\_industry](http://inthesetimes.com/article/6085/ties_that_bind_arizona_politicians_and_the_private_prison_industry)
52. While ICE removed documents related to Operation Endgame from its website in 2007, a copy of the strategic plan remains available in the online archives of the ACLU, at <http://aclum.org/sites/all/files/education/ice/endgame.pdf>
53. Michael Hedges, "Belt-tightening cuts U.S.-Mexico border plans," Houston Chronicle, February 9, 2005 at <http://www.chron.com/default/article/Belt-tightening-cuts-U-S-Mexico-border-plans-1917492.php>
54. Cody Mason, Dollars and Detainees, The Sentencing Project, 2012, at <http://www.sentencingproject.org/doc/publications/Dollars%20&%20Detainees%20PPT.pdf>
55. ICE Fact Sheet: ICE Accomplishments in Fiscal Year 2006, at <http://immigration.procon.org/sourcefiles/ice2006achievements.pdf>
56. Testimony by Michael Chertoff before the Senate Judiciary Committee on February 28, 2007 at <http://www.gpo.gov/fdsys/pkg/CHRG-110shrg37096/html/CHRG-110shrg37096.htm>
57. "ACLU Challenges Prison-Like Conditions at Hutto Detention Center" <http://www.aclu.org/immigrants-rights-racial-justice-prisoners-rights/aclu-challenges-prison-conditions-hutto-detention#podcast>
58. Graybill is now a lecturer at the Sturm College of Law of the University of Denver.
59. Personal communication, note on file with the authors.
60. Women's Commission for Refugee Women and Children and the Lutheran Immigration and Refugee Service. (2007) Locking up Family Values: The detention of immigrant families. New York, NY, at <http://lirs.org/wp-content/uploads/2012/05/RPTLOCKINGUPFAMILYVALUES2007.pdf>
61. Women's Commission and LIRS
62. Second Declaration of Rasa Bunikiene. In Saule Bunikiene v. Michael Chertoff, Julie Myers, John Torres Marc Moors, Gary Mead, Simon Colon, and John Pogash. March 18, 2007.
63. Declaration of Elsa Carbajal . In Richard Anderson Tome Carbajal and Angelina Juliet, Tome Carbajal v. Michael Chertoff, Julie Myers, John Torres Marc Moors, Gary Mead, Simon Colon, and John Pogash. March 1, 2007.
64. Second Declaration of Deka Warsame. In Mohammed Ibrahim, Bahja Ibrahim, and Aisha Ibrahim v. Michael Chertoff, Julie Myers, John Torres Marc Moors, Gary Mead, Simon Colon, and John Pogash. March 18, 2007.
65. Declaration of Delourdes Verdieu. In Sherona Verdieu v. Michael Chertoff, Julie Myers, John Torres Marc Moors, Gary Mead, Simon Colon, and John Pogash March 18, 2007.
66. From Hutto: America's Family Prison. Directed by Lily Keber and Matt Gossage. Available at [tdonhutto.blogspot.com](http://tdonhutto.blogspot.com).
67. At <http://www.americasfamilyprison.com/Hutto.mov>
68. Patricia J. Ruland, "T. Don Hutto: Homeland Security bars U.N. Inspector." Austin Spectator, May 11, 2007
69. ACLU press release. (August 27, 2007). "ACLU Urges Congress to End Policy of Detaining Immigrant Children." Washington, DC
70. Greg Moses. "Crossing the line in Texas." Counterpunch, December 17, 2007
71. "Rights group looks into care of immigrants at Taylor center," Austin American Statesman, October 2, 2008
72. In other words, a contract that allowed ICE to avoid contracting directly with CCA.
73. Nina Bernstein. "U.S. to reform policy on detention for immigrants." New York Times, August 5, 2009
74. ICE Fact Sheet. (October 6, 2009) "Ice detention reform: principles and next steps." at [http://www.dhs.gov/xlibrary/assets/press\\_ice\\_detention\\_reform\\_fact\\_sheet.pdf](http://www.dhs.gov/xlibrary/assets/press_ice_detention_reform_fact_sheet.pdf)
75. "First illegal immigrants arrive at Karnes County detention center" KHOU Houston, August 2, 2014. <http://www.khou.com/story/news/nation-now/2014/08/02/first-immigrants-arrive-at-karnes-facility/13517969/>
76. Seven-year-old Salvadoran girl with brain tumor is released from immigrant detention center so that she can get treatment after uproar" Daily Mail, September 4, 2014. <http://www.dailymail.co.uk/news/article-2743531/Seven-year-old-Salvadoran-girl-brain-tumor-released-immigrant-detention-center-treatment-uproar.html>
77. Immigrant families not treated properly" Albuquerque Journal, August 3, 2014. <http://www.abqjournal.com/439865/opinion/immigrant-families-not-treated-properly.html>
78. Feds start 'no bond' policy on immigrants at Karnes" San Antonio Express-News, August 27, 2014. <http://www.expressnews.com/news/local/article/Feds-start-no-bond-policy-on-immigrants-at-5716884.php>
79. Feds release 7-year-old immigrant girl with cancer for treatment" Houston Chronicle, September 3, 2014. <http://www.houstonchronicle.com/news/article/Feds-release-7-year-old-immigrant-girl-with-5732146.php>
80. "Sex Abuse Alleged at Immigrant Family Detention Center in Texas" NBC News, October 2, 2014. <http://www.nbcnews.com/storyline/immigration-border-crisis/sex-abuse-alleged-immigrant-family-detention-center-texas-n217166>
81. Ibid.
82. The GEO Group (GEO), "GEO Group Announces Contract for 600-bed Immigration Civil Detention Center," December 8, 2010, <http://www.businesswire.com/news/home/20101208005904/en/GEO-Group-Announces-Contract-600-Bed-Immigration-Civil#VCqndLxdWhl>
83. The GEO Group (GEO) "Q2 2014 Results - Earnings Call Webcast" August 6, 2014. <http://seekingalpha.com/article/2387565-the-geo-group-geo-q2-2014-results-earnings-call-webcast>
84. Forest Wilder. Feds Set to Open Massive New Family Detention Center in November, The Texas Observer, <http://www.texasobserver.org/feds-set-open-massive-new-family-detention-center-november/>



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**Cristina Parker** is the immigration projects coordinator of Grassroots Leadership. She grew up in the border town of El Paso, Texas and graduated from the University of Missouri with degrees in Journalism and Political Science. After she graduated she landed an internship through the Dow Jones Newspaper Fund. She then worked as a copy editor for the Houston Chronicle and as the Communications Director for the Border Network for Human Rights before coming to Grassroots Leadership to lead the Immigration Projects team. In less than a year at Grassroots Leadership, Cristina has been able to raise awareness and organize hundreds of people to fight against the return of family detention and the Secure Communities initiative in Travis County.

**Judith Greene** is a criminal justice policy analyst, a founding partner, and director of Justice Strategies, a project of the Tides Center. Justice Strategies is a nonprofit research organization dedicated to providing analysis and solutions to advocates and policymakers pursuing more humane and cost-effective approaches to criminal justice and immigration reform. From 1985 to 1993 Judith Greene was Director of Court Programs at the Vera Institute of Justice, where she was responsible for planning and development of a variety of demonstration programs designed to improve the efficacy of both pretrial release and sentencing practices. Subsequently she served as program director for the State-Centered Program of the Edna McConnell Clark Foundation, and as a research associate for the RAND Corporation, and a senior research fellow at the University of Minnesota Law School. In 1999 she received a Soros Senior Justice Fellowship from the Open Society Institute.

Ms. Greene's articles on criminal sentencing issues, police practices, correctional policy and prison privatization have appeared in numerous publications, including *The American Prospect*, *Corrections Today*, *Crime and Delinquency*, *Current Issues in Criminal Justice*, *The Federal Sentencing Reporter*, *The Index on Censorship*, *Judicature*, *The Justice Systems Journal*, *Overcrowded Times*, *Prison Legal News*, *The Rutgers Law Journal*, and *The Wake Forest Law Review*. Her work has been cited in the *New York Times*, the *Washington Post*, and the *Los Angeles Times*, as well as in hundreds of local newspapers across the nation. She has also presented legislative testimony on sentencing and corrections policy in California, Colorado, Connecticut, Georgia, Maryland, Michigan, New Mexico, New Jersey, New York, Texas and before Congressional committees.

**Bob Libal** is Executive Director of Grassroots Leadership. He has worked for more than a decade on issues of prison privatization, immigration detention, and criminal justice reform. Bob is author or co-author of many reports and articles for Grassroots Leadership including *Operation Streamline: Costs and Consequences* and *The Dirty Thirty: Nothing to Celebrate About 30 Years of Corrections Corporation of America*. He serves on the steering committee of the national Detention Watch Network and edits the Texas Prison Bid'ness blog.

Bob is regularly interviewed by national, regional, and local press on issues related to prison privatization, immigration detention, immigration enforcement policies, and the business of prisons. He has been interviewed for the *New York Times*, NPR, *Business Week*, *Huffington Post*, and numerous other local, state, and national media outlets.

**Alexis Mazón** is a Researcher with Justice Strategies. She has conducted action-oriented criminal justice and immigration policy research and advocacy for the past 13 years. In her previous position at the UC Berkeley Center for Labor Research and Education, she researched and developed a popular education curriculum on barriers Latino immigrants and African Americans encounter in the labor market. While at the City of Tucson Public Defender's Office, she formulated defense strategies on behalf of clients facing criminal charges and potential immigration detention and deportation. As a Loren Warboys Fellow at the Youth Law Center in San Francisco, she advocated on behalf of immigrant youth and youth profiled as "gang affiliated" in the U.S. juvenile justice and immigration detention systems. She has a BA in Latin American Studies from Stanford University and a JD from New York University School of Law, where she was a Root Tilden Public Interest Scholar.



# NOTES



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