



SCHOOL OF LAW
THE UNIVERSITY OF TEXAS AT AUSTIN

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September 25, 2014

Via Email and Regular Mail

Enrique Lucero, Field Office Director
Sylvester Ortega, Assistant Field Office Director
San Antonio Field Office
U.S. Immigration and Customs Enforcement
1777 NE Loop 410, Suite 1500
San Antonio, TX 78217

Kevin Landy
Assistant Director
Office of Detention Policy and Planning
U.S. Immigration and Customs Enforcement
500 12th Street SW
Washington D.C. 20536

Re: Complaints Regarding Conditions at Karnes County Residential Center

Dear Mr. Lucero and Mr. Landy:

We are writing on behalf of women and children who are currently detained at ICE's Karnes County Residential Center in Karnes City, Texas whom we represent or with whom we have consulted. Through our legal work and consultations at Karnes, we have received many complaints regarding the conditions at the Karnes facility, the most serious of which we have listed below. We urge you to take immediate steps to correct these issues, since the health and well-being of mothers and young children are at stake.

1. Inadequate Access to Food. Detainees have complained that the two refrigerators with snacks are not regularly restocked, or that their children do not have access to a variety of nutritious snacks during non-meal hours. Several families reported that the refrigerators are only fully stocked during facility tours or visits, and that families are not allowed to take food from the refrigerators on those days to ensure that the refrigerators remain visibly full. Finally, mothers are not allowed to warm milk at night for their children. Adequate and nourishing food is imperative to ensure the growth, development, and well-being of the children at Karnes. Children commonly eat more food, and at irregular times,

during growth spurts, whether as toddlers or adolescents. In addition, nursing mothers are held at Karnes; they also require access to healthy foods at irregular times and calories beyond those required by other adults.

2. **Problems with Telephone Calls and Messages.** Several women have complained that the cost of outgoing phone calls, including domestic calls within the United States, is exorbitantly high. One client reported that her domestic call cost her approximately five dollars for two minutes. Women at Karnes cannot afford these prices. In addition, women have stated that they have difficulties making free calls to pro bono legal services providers. Outgoing phone calls are essential in order for detained women to communicate with their attorneys, their consulates, and their family members. In addition, messages from attorneys and family members are not given to women in a timely manner. Because attorneys and family members cannot call women directly, it is essential that a messaging system function properly to ensure effective communication between women and their attorneys and family members.
3. **Toys and Playthings Not Allowed in Living Quarters.** Women have complained that their children are not allowed to keep a set of toys or playthings, even paper and crayons, in their living quarters. Children of all ages require such items to promote their cognitive and psychosocial development, engage in imaginative play, and develop executive function. Moreover, many of these children have endured trauma in their home countries or on their journeys, and need additional care and attention.
4. **Developmental and Educational Aids for Children under the Age of Four.** Women have stated that children age three and under do not attend school or receive any educational or developmental programming. Because these are formative years for crucial cognitive and emotional development, children must have opportunities for social interaction, play, and education, including in a structured setting with licensed child-care providers.
5. **Unduly Restrictive Treatment of Infants.** Women have stated that guards have required mothers to carry their infants at all times, and that infants are not allowed to crawl and move about freely. Infants must be able to crawl and move freely to develop their balance and mobility, and aid in their cognitive development.
6. **Gender of Guards.** Karnes has a high number of male guards who interact with the women and children. Given that this is a facility that detains only women and children, in which many women have suffered gender-based violence in their home countries, and where DHS has an obligation to prevent sexual abuse of any kind, the presence of male guards is intimidating and potentially harmful.

7. Inappropriate Child Care Arrangements During the Mother's Absence. Women report that when they appear via televideo for their court hearings, facility guards are caring for their children in an open area. It is our understanding that the guards are not licensed child care providers, and they are not required to have coursework or certification in child development. Women have told us that guards are not able to properly attend to the large number of young children left in their care and do not make efforts to calm children who are crying or uncomfortable. This is particularly problematic because many of the children are suffering deteriorating mental health because of trauma in the home country and from the deleterious effects of detention. They may face emotional crises when separated from their mothers. Women also have complained that guards do not help young children to use the restroom, thereby increasing the risk of infection, and that guards do not timely feed children, so that children are ravenous when their mothers return.
8. Threats and Punishment against Detained Mothers and their Children. Women have reported that guards have told them that they will get "written up" if they have a messy room, if their child is being too loud, if the child wanders away out of line in the cafeteria, or if the child is separated from the mother too long. Guards have also told them that if they keep getting written up, the mothers will be separated from their children. Other guards have threatened to report disciplinary issues to the immigration judge hearing the families' asylum case.
9. Separation of Children from their Mothers. Some children over the age of thirteen have been separated from their mothers and are in separate living/ sleeping quarters, presumably in order to accommodate the maximum number of detainees. This family separation is harmful to children and their mothers, resulting in psychological harm that could be severe and long-lasting.
10. Inadequate Medical and Mental Health Services. Women have reported that although they are able to see the facility nurse, there is no doctor on staff to handle larger medical issues, such as persistent coughs, possible respiratory infections, and chronic ailments. Likewise, some women and children have reported feeling depressed or having nightmares, and they have not been able to see the therapist on staff, either because of scheduling issues or because they have not been informed of the mental health resources.

We urge you to take immediate measures to correct these conditions, and we trust that there will be no retaliation against any of the women and children at Karnes for sharing this information with us. We look forward to your prompt response. Please contact me at 512-232-7222 if you would like to discuss these issues further.

Sincerely yours,

A handwritten signature in black ink that reads "R. Natarajan". The signature is written in a cursive, flowing style.

Ranjana Natarajan
Director, Civil Rights Clinic
The University of Texas School of Law

Along with:

Barbara Hines, Co-Director, Immigration Clinic, The University of Texas School of Law
Denise Gilman, Co-Director, Immigration Clinic, The University of Texas School of Law
Javier Maldonado, Law Office of Javier N. Maldonado, P.C.
Marisa Bono, Staff Attorney, MALDEF (Mexican American Legal Defense and Education Fund)

Cc: DHS Office of Civil Liberties and Civil Rights (via email:
CRCLCompliance@hq.dhs.gov)