

# The Top 10 Reasons Why the Polk County Detention Center *Still* Needs to be Closed

On September 20, 2013, representatives of Grassroots Leadership and Texans United for Families visited the Polk County IAH Secure Adult Detention Facility in Livingston, Texas. We visited the facility under the Immigration and Customs Enforcement (ICE) directive to allow tours of detention centers by non-profit organizations and visits with detained individuals.

Representatives of the organizations had previously visited the detention center in July of 2012, and reported findings in one of ten Expose and Close reports published by the Detention Watch Network.

As part of our most recent visit, we had the opportunity to meet with representatives of the detention center, including the warden and chief of security, representatives from the private prison corporation Community Education Centers, and ICE officials.

We were provided with a tour of the facility and then had time to individually interview men who are detained at the facility. While we expected conditions at the facility to have improved, we actually found that in many ways the situation faced by the men was even direr than during our visit to the facility in 2012.

Men detained at the facility were all seeking asylum in the United States, many fleeing violence and political and social oppression. While many have legal standing to remain in the United States, current immigration policy mandates these men be detained in a prison-like setting. They reported the following conditions at the facility.

1. **Access to medical care is restricted and inadequate:** While several men we spoke with are able to receive medication for chronic illnesses (e.g. hypertension, depression, PTSD), others reported not being seen for 3-4 days once they reported an illness. Several of the men were sick at the time of interview. Besides the head nurse, no other medical personnel were present at

the time of tour. No pharmacist was mentioned. Several men reported serious chronic medical conditions that were not being adequately addressed by medical staff.

2. **Unreasonably high phone prices make communication difficult:** Men reported that telephone access is prohibitively expensive and, according to many of the men we interviewed, only one of the two phones worked in their cell. Many do not have sufficient funds to call family, friends, or legal personnel. The Polk facility continues to use two different phone providers, despite the recommendations contained in the 2012 ICE report requesting that the telephone systems be standardized across all pods. The men cited the Infinity company as offering the highest rates, indicating that a \$10 phone card could be used up in as little as 5-6 minutes.
3. **Food quality is poor and quantity is insufficient:** Despite the fact that facility officials reported that men were fed 2600-2800 calories daily, nearly every man reported that food quality was poor and that the quantity of food was not sufficient. They also reported that the meals at Polk are sometimes over 14 hours apart. One man brought a sample in a plastic bag and showed interviewers a bug present in the food. He and others also claimed that pieces of wire brushes from the kitchen were sometimes found in the food. Men also reported insufficient fresh fruit and milk. Some men reported that they believe that they were given insufficient food so that they would buy food from the commissary, but that that commissary items were too expensive for many to purchase.
4. **Psychologically abusive behavior occurs at the facility:** While some men claimed that some of the guards' conduct is appropriate, others claimed that staff verbally abuse the men. Many of the men we interviewed said that it is difficult to communicate with guards because of the language barrier and lack of bilingual services. Several men reported that staff called men who could not speak English "stupid" or "crazy." Men reported guards speaking ill of them in English, thinking that no one can understand them. Men also reported that guards came into their living areas between midnight and 2:00 AM to wake men and count those present.

5. **The facility lacks meaningful recreation and men spend nearly all day in their cells:** Men detained at Polk are kept in their cells, with as few as 8 men or as many as 24 men, for up to 23 hours per day. They shower, use the restroom, and eat all in the same pod. They may be granted access to a small library or a chapel if they complete a paper request to do so.

Lack of appropriate recreation was reported by several of the men. During recreation, men are only allowed to visit a small atrium/courtyard within the prison that provides access to fresh air. Men detained by ICE were not provided access to the outdoor recreation area and were not allowed into the larger recreation area within the facility. The men interviewed complained that this area was so small that it did not allow for any real physical activity. Activity was limited to playing ping-pong or cards. Access to recreation is limited, with most men reporting that they were given between an hour and an hour and a half in the recreation areas, either 3 or 4 times per week, rather than every day.

6. **No social services or programming are provided at the facility:** In addition to being kept in their cells for 23 hours a day, there are no programs or classes of any kind available at the facility except for religious services. Also, many men reported an inability to use the library's resources because there are too few books in Spanish. Furthermore, there is no social worker on staff and many men report that access to services was not explained to them upon arrival at Polk.
7. **Cleaning products are restricted:** Men reported that they have to clean their living quarters themselves and are not given sufficient cleaning solution or supplies. Bad-tasting and smelling water was also reported. Men reported that bugs and mosquitoes come in through drains and sinks. Though detained men are responsible for cleaning their own cells, it can take hours for requests for cleaning products such as mops to be granted, and all men complained that the cleaning agents were so highly diluted that they were ineffective. Several men indicated that the showers were moldy, but their requests for bleach to clean were denied.

8. **There are no legal services at the facility:** No legal orientation programs or know-your-rights trainings are provided at the facility. The majority of the detained men at Polk are seeking asylum in the United States. Despite this claim, most of the men we spoke to were representing themselves through their immigration hearings. The facility staff reports that “we accommodate them any way we can,” but many men we spoke to reported that they were not able to make free calls for legal assistance.
9. **Immigrants at the facility have less access to recreation and services than citizens jailed there:** Several detained men asked why the men wearing black and white striped uniforms (i.e., citizen prisoners who are incarcerated following conviction of a crime) were allowed to go into the outdoor recreation area (rather than just the enclosed courtyard), whereas they were not.
10. **Segregation (or solitary confinement) is used at the facility:** ICE reported that it detains immigrants alone in cells if they are LGBT or have other special needs. It was explicitly indicated that doing so was for the convenience of staff at the facility, as a proactive means of ensuring that no fights or harassment had to be addressed. At the time of our visit, a man reported to be hard of hearing was detained alone in a four-person cell. Furthermore, the use of segregation cells exists at the facility, though ICE reported that no immigrants in detention were being held in segregation cells at the time of our visit.

### **Conclusion and recommendation**

Despite past promises by the detention center staff and Immigration and Customs Enforcement (ICE) to improve and reform conditions at the Polk County Detention Center, our research at the facility shows that little to nothing has changed in the time between our visits in July 2012 and September 2013.

Therefore, we conclude that there is no suitable alternative other than ICE ending its contract with the Polk County IAH Secure Adult Detention Facility and releasing the men currently detained there so that they can move forward with their immigration proceedings with dignity.