



The Hon. Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

The Hon. John J. Specia, Jr.
Texas Department of Family and Protective Services
701 West 51st Street
Austin, Texas 78751

October 27, 2015

Dear Governor Abbott and Commissioner Specia:

Catholic Legal Immigration Network, Inc. (CLINIC), American Immigration Council (“the Council”), Refugee and Immigrant Center for Education and Legal Services (RAICES), and the American Immigration Lawyers Association (AILA), known collectively as the CARA Family Detention Pro Bono Project, submit this letter urging the Texas Department of Family and Protective Services (DFPS) to decline licenses to Immigration and Customs Enforcement (ICE) for its two detention centers in Texas: (1) the South Texas Family Residential Center located in Dilley, Texas, managed by Corrections Corporation of America (CCA), and (2) the Karnes Family Residential Center located in Karnes City, Texas, managed by GEO, Inc.

On October 1, 2015, ICE submitted license applications to DFPS for these two detention centers. As four of the key organizations providing on-the-ground legal services to detained families at both Dilley and Karnes, we write to affirm and echo the sentiments expressed in the October 13, 2015 letter to the Governor and DFPS, from Texas- based and national organizations, as well as individual attorneys and advocates, opposing the licensing of these two facilities. We agree that neither detention center meets the minimal standards for general residential operations and that DFPS must deny these applications.¹ In particular, we write to highlight the continued provision of inadequate medical care at Dilley and Karnes, which has been well-documented in the past five months.

Since the opening of these two detention facilities, ICE has failed to ensure adequate access to and quality of care, failed to obtain informed consent to medical treatment, failed to exercise adequate oversight and accountability, and sanctioned questionable medical ethics.

On July 30, 2015, the CARA Project, Immigrant Justice Corps, and the Women’s Refugee Commission filed a complaint with the Department of Homeland Security’s Office of Civil Rights and Civil Liberties (CRCL) and the Office of the Inspector General (OIG). This complaint included examples of ten families denied adequate medical care at the three existing family detention facilities, including seven cases from Dilley and one from Karnes. The complaint highlighted troubling trends, including a lack of meaningful informed consent to medical care by the parents of children receiving vaccinations; the administration of an adult dosage of one vaccine to 252 children held at Dilley; wait times of between three and fourteen hours to receive medical care, sometimes even with a previously scheduled appointment; the prescription of water to treat all types of ailments and illnesses; and a lack of follow-up care, including appointments with specialists and the provision of prescribed medications.

¹ Chapter 748, Title 40, Social Services & Assistance, Part 19, Dept. of Family and Protective Services.

Unfortunately, since this complaint was filed at the end of July, the provision of medical services at Dilley has not improved. Consequently, on October 6, 2015, the CARA Project filed a second complaint with CRCL and OIG, on behalf of twenty-two additional families detained at Dilley who had experienced inadequate medical care. This complaint reflected the continuation of problematic trends, including lengthy wait times to receive medical care, the prescription of water (or, more recently, Vick's Vaporub) to treat various illnesses, and a continued lack of follow-up treatment or available specialist care. In addition, the complaint highlighted other problems – doctors not being available during lunch time or in the evening; mothers being routinely asked to sign forms stating that they have declined medical care if they leave the medical facility (to get food, allow a child to sleep, or because they are too sick to wait) after waiting for hours to be seen; and pre-existing conditions not being treated, including anemia, high-blood pressure, and ongoing pain and complications from gun-shot wounds.

The two above-referenced medical complaints were filed in addition to the June 30, 2015 complaint submitted by the Immigration Council, AILA, and the Women's Refugee Commission, detailing the psychological effects of detention on families fleeing violence in Central America and seeking asylum in the United States. All three complaints mentioned herein are attached to this letter.

Please carefully consider the individual cases and the troubling trends highlighted in the attached documents in determining whether to grant licenses for these facilities. The licensing of these facilities could certainly raise implications for the State of Texas, which would become liable for the inadequate medical care currently provided in the facilities at both Dilley and Karnes. We also call your attention to the recent statement by the Pennsylvania Department of Human Services that the use of the Berks County Residential Center as a secure family detention center is inconsistent with its license as a child residential facility and that continuation of this practice would result in non-renewal of the license.²

Should the Department wish to investigate individual cases we would be happy to provide full names for each of the complainants referenced in the attached documents with pseudonyms.

Thank you for your attention to this matter.

Sincerely,

Michelle N. Mendez
Catholic Legal Immigration Network, Inc.
mmendez@cliniclegal.org

Amy Fischer
Refugee and Immigrant Center for
Education and Legal Services
amy.fischer@raicetexas.org

Lindsay M. Harris
American Immigration Council
lharris@immcouncil.org

Karen S. Lucas
American Immigration Lawyers Association
klucas@aila.org

² Pennsylvania Department of Human Services, "Department of Human Services Secretary Issues Statement on Berks County Residential Center" (October 22, 2015), available at <https://twitter.com/PAHumanServices/status/657300539164725248>.