

LLOYD DOGGETT
35TH DISTRICT, TEXAS

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POLICY COMMITTEE



Congress of the United States House of Representatives

WASHINGTON OFFICE:
2307 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4865

DISTRICT OFFICES:
217 W TRAVIS
SAN ANTONIO, TX 78205
(210) 704-1080

300 EAST 8TH STREET, SUITE 763
AUSTIN, TX 78701
(512) 916-5921

www.house.gov/doggett
[Facebook.com/LloydDoggett](https://www.facebook.com/LloydDoggett)
[@RepLloydDoggett](https://twitter.com/RepLloydDoggett)
LLOYD.DOGGETT@MAIL.HOUSE.GOV

February 26, 2018

Thomas D. Homan
Deputy Director
U.S. Immigration and Customs Enforcement
500 12th St., SW
Washington, D.C. 20536

Claire Trickler-McNulty
Assistant Director, ODPP
U.S. Immigration and Customs Enforcement
500 12th St., SW
Washington, D.C. 20536

Dear Deputy Director Homan and Acting Assistant Director Trickler-McNulty:

We write to express our concern regarding the prevalence of reports of sexual assault and abuse in Texas immigration detention facilities overseen by U.S. Immigrations and Customs Enforcement (ICE). Since the Department of Homeland Security (DHS) issued its final standards on the Prison Rape Elimination Act (PREA), DHS mandates that each immigration detention facility undergo an audit once in the three-year period following July 6, 2015, and each three-year period thereafter.[1] Under PREA, immigration facilities must investigate and discipline those who engage in sexual assault and abuse, collect and review data, as well as comply with audits and other state regulations. Many Texas immigration detention facilities have never undergone this audit.[2]

Of particular concern is PREA compliance at the T. Don Hutto Residential Center (Hutto) in Taylor, Texas. Laura Monterrosa, a 23-year-old asylum seeker from El Salvador, first came forward to file a complaint alleging repeated sexual abuse by a female guard at Hutto, where she has been held since May. After Ms. Monterrosa filed her complaint, two more female detainees came forward with similar allegations. She alleges that she has faced retaliation from ICE guards and pressure to retract her allegation, along with solitary confinement for up to 60 hours at a time in recent weeks. DHS standards dictate that “The agency may require an expedited audit if the agency has reason to believe that a particular facility may be experiencing problems relating to sexual abuse” (§ 115.93 Audits of standards). At Hutto alone, between 2007 and 2011, at least five detainees reportedly filed similar complaints of sexual abuse. We believe Hutto meets this standard.

Further, we worry about allegations of sexual abuse in detention centers across Texas, as outlined by many of our colleagues in Congress in a 2017 letter and by the Community Initiatives for Visiting Immigrants in Confinement (CIVIC).[3] One especially egregious example is of a child at Karnes County Residential Center who showed indications of vaginal scarring and a sexually transmitted disease; ICE declared the allegation of sexual assault was unfounded. CIVIC filed a Freedom of Information Act (FOIA) request that revealed that the Department of Homeland Security Office of the Inspector General (OIG) received more than 1,000 reports of sexual abuse from people in detention from May 2014 – July 2016.[4] The OIG investigated merely 24, or 2.4%, of these reports. CIVIC asserts that in Texas, between 2010 and 2016, there have been 2,558 complaints of sexual and physical abuse against ICE, resulting in only 28 investigations.[5] It is alarming to note that in OIG’s December 2017 report, “Concerns about ICE Detainee Treatment and Care at Detention Facilities,” did not address sexual abuse at all.[6]

In light of our concerns and the history of sexual abuse allegations in ICE facilities, we urge you to:

1. Direct an investigation of ICE's handling of sexual assault cases in Texas immigration detention facilities,
2. Share the results of the above investigation with the undersigned Members of Congress, and
3. Conduct an expedited PREA audit, as soon as possible, of the T. Don Hutto Residential Center in Taylor, Texas.[7]

Thank you for your attention to this critical matter. We look forward to ensuring that all ICE detention centers, and their employees, follow established laws and guidelines to ensure human rights are upheld in Texas.

Sincerely,

Joaquin Castro

Lloyd Doggett

Member of Congress

Member of Congress

[1] <https://www.gpo.gov/fdsys/pkg/FR-2014-03-07/pdf/2014-04675.pdf>

[2] <https://www.ice.gov/prea>

[3] https://grijalva.house.gov/uploads/2017_12_18_DHS_Nielsen_Sexual%20Assault%20in%20ICE%20facilities5.pdf

[4] <http://www.endisolation.org/sexual-assault>

[5] <https://public.tableau.com/profile/jonathan2937#!/vizhome/shared/MSXK2ZQQS>

[6] <https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-32-Dec17.pdf>

[7] Per §115.93 Audits of standards