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Special Report

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Assessing the U.S. Government's Detention of Asylum Seekers:

Further Action Needed to Fully Implement Reforms

THE U.S.
COMMISSION ON
INTERNATIONAL
RELIGIOUS
FREEDOM

was created by the International Religious Freedom Act of 1998 to monitor the status of freedom of thought, conscience, and religion or belief abroad, as defined in the Universal Declaration of Human Rights and related international instruments, and to give independent policy recommendations to the President, Secretary of State, and Congress.

ASYLUM AND REFUGEES

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USCIRF finds that while ICE has made progress toward implementing the reforms it announced in 2009, the U.S. government continues to detain asylum seekers under inappropriate conditions in jails and jail-like facilities. The number of years between the announcement of new policies and comprehensive implementation has hindered its efforts. There is a need to codify into regulations the announced parole process and criteria, under which most asylum seekers found to have credible fear of persecution are paroled rather than detained. More needs to be done to ensure that, when their detention is necessary, asylum seekers are housed only in civil facilities. In addition, USCIRF finds that further improvements are needed to expand detainees' access to legal information, representation, and in-person hearings.

In 2009, the Immigration and Customs Enforcement Agency (ICE) within the Department of Homeland Security (DHS) announced a series of immigration detention reforms designed to reduce the use of jails and jail-like facilities to house asylum seekers and the inconsistent application of parole policies to ensure that asylum seekers who pose no risk of flight or danger are not detained unnecessarily. The U.S. Commission on International Religious Freedom (USCIRF) welcomed the announcement as consistent with USCIRF recommendations issued in its 2005 *Report on Asylum Seekers in Expedited Removal* (hereafter referred to as the Study)¹ that would help ensure that asylum seekers subject to Expedited Removal² are not detained unnecessarily or under inappropriate conditions.

This report, based on USCIRF's detention facility site visits and additional meetings and research, finds that ICE has made progress toward implementing its announced reforms. However, USCIRF also finds that longstanding concerns remaining unaddressed. USCIRF continues to recommend that the new parole process and criteria, under which most asylum

¹ In 2003 and 2004, USCIRF conducted a major research study, as authorized by the International Religious Freedom Act of 1998 (IRFA), to examine whether asylum seekers subject to Expedited Removal were being detained under inappropriate conditions or being returned to countries where they might face persecution. USCIRF released its findings in the 2005 *Report on Asylum Seekers in Expedited Removal* (hereafter referred to as the Study). The Study found serious flaws in both the processing and detention of asylum seekers in Expedited Removal. To address these concerns, USCIRF issued recommendations, none of which required congressional action, to the relevant agencies in the Department of Homeland Security (DHS) and Department of Justice (DOJ). The Study is available at <http://www.uscirf.gov/reports-and-briefs/special-reports/1892.html>.

² The Expedited Removal process, established by 1996 immigration reform legislation, authorizes U.S. immigration officials to summarily return people arriving in the United States without proper documentation to their country of origin. Due to concerns that bona fide asylum seekers, who often travel without proper documents, might mistakenly be returned to their persecutors, Congress included provisions to prevent the Expedited Removal of refugees fleeing persecution. Under these provisions, asylum seekers are detained while a determination is made if they have a "credible fear" of persecution. If credible fear of persecution is not found, the asylum seeker is put back in the Expedited Removal process and removed promptly. At least five separate agencies play a role in the Expedited Removal process. Within the Department of Homeland Security (DHS), Customs and Border Protection (CBP) first encounters aliens and identifies those subject to Expedited Removal, and from that group, those seeking asylum. DHS's Immigration and Customs Enforcement (ICE) agency is responsible for detaining asylum seekers, and its Citizenship and Immigration Services (USCIS) makes the credible fear determination. For those asylum seekers found to have a credible fear, DOJ's Executive Office for Immigration Review (EOIR) then reviews the asylum claims; immigration judges (IJs) hear the cases, and the Board of Immigration Appeals (BIA) reviews any appeals. With so many agencies and immigration officers involved in so many locations, coordination has been and remains a major challenge within DHS and between DHS and DOJ. In Fiscal Year (FY) 2011, the U.S. government deported 123,000 individuals through Expedited Removal.

seekers found to have credible fear of persecution are paroled rather than detained, be codified into regulations. While USCIRF welcomes ICE's establishment of civil detention facilities to house asylum seekers and other low level immigrant detainees, the Commission remains concerned that some asylum seekers are still not being held in civil facilities. USCIRF urges that all asylum seekers who must be detained – whether before or after a credible fear determination – be held in civil facilities. In addition, USCIRF finds that further improvements are needed to expand detainees' access to legal information, representation, and in-person hearings.

REFORMS OF DETENTION CONDITIONS FOR ASYLUM SEEKERS

The 2005 USCIRF Study found that the overwhelming majority of asylum seekers detained before their credible fear interview, and even after being found to have a credible fear, were detained under inappropriate conditions, in penal or jail-like facilities. Penal detention conditions risk re-traumatizing asylum seekers, and may lead some to prematurely terminate their asylum applications and return to their countries of origin, despite having credible fear. In some facilities, asylum seekers were living alongside U.S. citizens serving criminal sentences or criminal aliens, despite ICE detention standards forbidding the co-mingling of non-criminal detainees with criminals. In addition, the Study found asylum seekers were required to wear prison uniforms and were handcuffed and shackled like criminals. A 2009 internal DHS report into its own immigration detention system also expressed concern about the detention of asylum seekers under penal conditions and recommended that such detainees be held under civil conditions.

To ensure that asylum seekers subject to mandatory detention per Expedited Removal are held under appropriate conditions, USCIRF recommended that ICE not detain non-criminal asylum seekers under penal conditions. It was not until October 2009 that ICE took steps to implement USCIRF recommendations regarding the detention of asylum seekers, announcing plans to develop a new immigration detention system, with facilities based on civil, not penal, models, in locations with access to legal services, emergency rooms, and transportation. Specifically, ICE announced that, within three to five years, it planned to:

- design facilities located and operated solely for immigration detention purposes;
- revise its immigration detention standards to reflect the conditions appropriate for various immigration detainee populations;
- review its contracts with detention facilities to ensure that they comply with the new standards; and
- devise a risk assessment and custody classification tool to place detainees in appropriate facilities.

USCIRF SITE VISITS

Between July and December 2012, USCIRF staff visited 10 detention facilities around the country, touring the facilities and meeting with facility officials and detainees.³ These detention centers included facilities following a penal detention model, facilities being reformed, and facilities following a civil detention model. They also included a mix of the various types of facilities ICE uses to house immigration detainees – facilities run by ICE directly, facilities run by local governments that either hold ICE detainees exclusively or hold a mix of ICE detainees and other detainees, and facilities run by private corporations. The facilities selected house a larger proportion of asylum seekers (29 percent of their population) than all facilities nationwide (12 percent of the overall population). However, as noted above, asylum seekers remain in jails and jail-like detention centers. ICE holds detainees at approximately 250 facilities nationwide, and only around 4,000 of ICE's 33,400 detention beds are in facilities appropriate to house asylum seekers.

The facilities visited were:

California

El Centro Service Processing Center, El Centro
Otay Detention Facility, San Diego
Mira Loma Detention Center,⁴ Lancaster
James A. Musick Facility, Irvine

Florida

Krome Service Processing Center, Miami
Broward Transitional Center, Pompano Beach

New Jersey

Delaney Hall Detention Facility, Newark

Pennsylvania

Berks Family Shelter, Leesport

Texas

Karnes County Civil Detention Center
T. Don Hutto Residential Center⁵

³ USCIRF sincerely thanks the ICE officials in Washington DC and the various cities, as well as the detention center officials, who facilitated these visits, showed us the facilities, answered our questions, and provided information. USCIRF also is grateful to the 62 detainees at seven facilities who volunteered to speak with USCIRF about their experiences in detention and in the legal process.

⁴ In October 2012, after the USCIRF staff visit, it was announced that as of November 2012, Mira Loma would no longer house ICE detainees.

⁵ Krome, Broward, Otay Mesa, Mira Loma, and Berks were among the 19 facilities that the researchers surveyed and/or visited for the original Study.

CONDITIONS AT DETENTION FACILITIES

USCIRF notes ICE's positive moves to house more asylum seekers under non-penal conditions. In particular, USCIRF welcomes the establishment of four civil detention facilities that house asylum seekers and other low level immigrant detainees. ICE opened two civil detention facilities, Delaney Hall Detention Facility in New Jersey and Karnes County Civil Detention Center in Texas (the latter of which was specifically designed and newly built for this purpose); moved some asylum seekers to more appropriate centers such as Broward Transitional Center in Florida; and instituted reforms in some existing facilities, including T. Don Hutto Residential Center in Texas.⁶ According to ICE, asylum seekers represent the majority of individuals housed at Berks Family Shelter (55 percent), T. Don Hutto Residential Center (79 percent), and Karnes County Civil Detention Facility (71 percent).

Unfortunately, however, not all facilities housing asylum seekers are civil detention facilities. Only around 4,000 of ICE's 33,400 detention beds are in civil facilities. USCIRF visited a number of centers where asylum seekers and other low level detainees were housed with medium and high level detainees in the same facility and where all detainees, including asylum seekers, continue to be detained under inappropriately penal conditions. ICE initially planned to open additional civil detention facilities, and USCIRF urges the agency to move forward with these plans.

CIVIL DETENTION FACILITIES

USCIRF visited detention facilities dedicated to low level detainees, including asylum seekers, such as Broward Transitional Center in Florida, Karnes County Civil Detention Center and T. Don Hutto Residential in Texas, Berks Family Shelter in Pennsylvania, and Delaney Hall Detention Facility in New Jersey. Despite differences between these facilities, all were noticeably less penal than those visited with mixed risk populations.

Freedom of Movement: The greatest difference between facilities dedicated to civil detention centers housing low level detainees and those housing mixed populations is the greater freedom of movement enjoyed by detainees at civil detention centers. At these facilities, detainees can move, unescorted and relatively freely, between many areas within the facility. This freedom of movement allows detainees to access indoor and outdoor recreation areas, libraries, medical units, eating

Best Practices for Civil Detention Facilities

- Replicate the physical structures of Karnes County Civil Detention Facility and Broward Transitional Center
- Allow detainees to wear their own street clothes
- Allow for 24 hour movement to specified common areas
- Allow Internet access to approved sites, or use the American Library Association filtering guidelines
- Utilize electronic census or headcounts
- Hold regular town hall meetings with detainees
- Expand recreation and programming activities

⁶ Before the 2009 reforms, Hutto was used to detain both families and low-level female detainees. It now houses only low-level female detainees. Families are now detained at Berks, in Pennsylvania.

areas, and other areas without having to walk through security fencing or centrally locked doors or ask a guard's permission. These facilities still impose some restrictions, for example some areas remain off limits to residents without an escort and residents are required to be at specified locations at certain times for census or head counts. Only two facilities USCIRF visited, Karnes and Berks, allow less restricted movement 24 hours a day; the other facilities allow freedom of movement during "lights on" hours.

Activities: The civil detention facilities also allow increased opportunities for recreation time and provide more extensive activities programs for detainees. At all of the civil detention facilities USCIRF visited, detainees can access indoor and outdoor recreation areas during periods allowed for freedom of movement. These areas include outdoor soccer fields or volleyball or basketball courts and areas for indoor activities such as television, law and leisure libraries, religious services and studies, and exercise, language, GED, art, life skills, or music classes. Two facilities allow internet access.

Privacy: These facilities also offer detainees greater privacy. With the exception of T. Don Hutto Residential Center, bedrooms and common areas are in separate areas of the facilities. Each bedroom sleeps two to eight people, instead of the large dorm-style bedrooms of 50-100 persons of the non-civil facilities. Additionally, private showers and toilets are either behind closed doors in the bedrooms or blocked by full-length privacy curtains in the common areas. The only exception to private bathrooms is Delaney Hall Detention Facility, where toilets and showers are in a dormitory-style shared bathroom, showers are open, and the toilets only have half-length doors. While the bathrooms at Delaney Hall are an improvement over those at non-civil detention facilities, they do not afford the same privacy detainees enjoy at other civil detention centers.

Personal Freedoms: The civil detention facilities also afford greater personal freedoms to detainees than at other facilities. While only the Hutto and Berks facilities allow residents to wear street clothes, uniforms at the other civil facilities also are less penal with t-shirts and sweat suits being provided, as opposed to color-coded prison-like jumpsuits. At the time of USCIRF's initial Study, Broward allowed detainees to wear street clothes, but this is no longer the facility's policy. The low level facilities also allow for contact visits between detainees and their lawyers or detainees and their families. Some facilities, such as Karnes, have a children's play area for family visits.

Jail-like Configuration: Although noticeably less restrictive and providing detainees with greater freedoms, the civil detention facilities still maintain some penal aspects, such as perimeter fences, razor wire, barbed wire, or concertina coils, and locked entry doors as well as an extensive use of video and sound monitoring throughout the facilities. Guards still are posted throughout these facilities, although they wear khakis and polo shirts rather than correctional officer uniforms. Headcounts or census counts also occur at every facility, some as many as eight times daily. Living quarters also are searched, either when issues arise or are routinely scheduled. Finally, despite attempts to brighten up their spaces with wall murals, the enclosed physical structures of Hutto and Delaney Hall, with little natural light, provide a penal, not civil, feeling. Broward and Karnes, with housing and common rooms facing an open courtyard and a lot of natural light, feel less penal.

MIXED LEVEL POPULATION FACILITIES

Despite ICE's efforts to move all asylum seekers to more appropriate civil detention facilities, USCIRF found that ICE continues to house mixed level populations, including asylum seekers, in its detention facilities. As previously noted, the majority of asylum seekers remain detained in jails and jail-like facilities. These facilities are much more restrictive and penal for all detainees.

Freedom of Movement: At non-civil detention facilities with mixed level detainees, asylum seekers and other low level detainees are granted little or no freedom of movement. Armed guards escort all detainees to different areas of the facility, whether recreation areas, medical units, or cafeterias. Additionally, detainees are given set and limited times for recreation, meals, or law library visits. In many of these facilities, outdoor recreation time for all detainees is limited to only one hour per day, regardless of risk level, and outdoor space is limited to a concrete slab outside the dorm area. Little or no programming or activities are offered. The facilities also have placed numerous security barriers between different areas, including centrally locked doors and barbed wire fencing. At one facility, Otay Detention Facility, meals are held in the dorm rooms. At another facility, El Centro, all detainees are subject to pat downs after meals.

Privacy and Personal Freedom: Less freedom of movement at these facilities corresponds with less privacy and personal freedom. Detainees are assigned to open dorm-style bedrooms housing 50 to 100 persons. Within these dorm rooms, showers and toilets are open. Other than the one hour recreation time outside the dorm and the specific time slots allotted for meals, visitation, library visits, and religious services, recreation opportunities are limited to game tables and TVs within the dorms. Furthermore, all detainees are required to wear prison-like jumpsuits with colors corresponding to their risk level: often blue for low, orange for medium, and red for high. However, some facilities did make efforts to distinguish different risk level populations, with low level detainees granted more freedom. For instance, at James Musick and Mira Loma in California, low level detainees are allowed to move within the facility without an escort and given a longer recreation time, although armed guards still monitor their activities.

Prison-like Conditions: All of the non-civil, mixed level population facilities USCIRF visited are extremely secure. Perimeters are secured with fencing, razor wire, barbed wire, or concertina coils and multiple locked doors. Armed guards and secured doors block access to different facility areas, such as living rooms or cafeterias, and video and sound monitoring is used extensively throughout the facilities. Sleeping quarters constantly are surveilled by sound and sight either by guards being posted in the dorms or electronic monitoring used. Headcounts or census counts occur at every facility, some as many as eight times per day. Searches of living quarters are a common practice and pat downs also are frequent.

DETENTION GUIDELINES

RISK CLASSIFICATION ASSESSMENT

The Risk Classification Assessment tool (RCA) provides criteria and a scoring system to guide ICE officials in deciding whether an alien should be detained or released. The RCA also is used

when determining the appropriate level of community supervision if released or custody classification if detained. The classification system places all immigrants detained in ICE's system, including asylum seekers, into one of three levels, from low to high, corresponding to security risks in their backgrounds. Low level detainees have no criminal backgrounds or have been charged with only minor offenses, whereas high level detainees have serious criminal charges.

The RCA has allowed ICE to identify asylum seekers and other immigrant detainees who are low risk and house them under less restrictive, less penal conditions. While the RCA was rolled out in six phases across the country between July 2012 and January 2013, DHS does not track specifically where asylum seekers are detained. Asylum seekers generally are low level, according to ICE officials.

DETENTION STANDARDS

In 2011, ICE announced its new Performance Based National Detention Standards (PBNDS), a guidebook of rules and regulations for the detention of all immigrant populations in its control. The new standards, which slowly are being implemented, are an improvement over the 2008 Performance Based National Detention Standards. They expand access to medical, mental health, legal, and religious services; institute an extensive complaint process; and increase visitation and recreation opportunities.

Nevertheless, the new standards have not yet been fully implemented and continue to be based on a penal, not civil, model. ICE should develop civil detention standards to regulate asylum seekers and other low level immigrant detainees and civil detention facilities, rather than continuing to use penal-based detention standards for these populations and centers.

SPECIAL TRAINING FOR STAFF

USCIRF repeatedly has expressed concern about detention facility staffs' lack of awareness of and training on the special needs and concerns of asylum seekers and/or victims of torture. This concern was reinforced during the USCIRF site investigations, as staff at only two facilities toured by USCIRF indicated that they had received specific training. Furthermore, they said that the training they did receive addressed only cultural sensitivity issues, not how to interact with asylum seekers and/or victims of torture.

To address this concern, USCIRF recommends that ICE train detention center personnel to work with non-criminal, psychologically-vulnerable asylum seekers. In 2007, ICE and the DHS Office of Civil Rights and Civil Liberties jointly released a training module on cultural awareness and asylum issues for detention officers. USCIRF welcomed this module, its availability to all USCIS staff, and its being integrated into some CBP training programs. This training, however, is not mandatory for intergovernmental service agreement (IGSA) staff, who work at facilities where more than 50 percent of asylum seekers are held. USCIRF also welcomes the more specialized training ICE provides to on-site Detention Monitors, including curricula on *Asylum Seekers in Detention* and on interacting with culturally- and religiously-

diverse populations and victimized populations. This training should be expanded to include all ICE and contract officers who interact with detainees.

LEGAL PROCESS ISSUES

LOCATION AND ACCESS TO REPRESENTATION

The rural locations of many of the facilities where asylum seekers are detained continue to make it very difficult, as a practical matter, for individuals to obtain legal advice. Of the civil detention facilities USCIRF visited, most are in remote areas, with the Broward Transitional Center and Delaney Hall Detention Facility close to Miami and Newark/New York being exceptions. Karnes County Civil Detention Center, the new, purpose-built civil facility, is an hour's drive from San Antonio. Several of the mixed-level facilities are particularly far; El Centro Service Processing Center, for example, is a two hours' drive from San Diego. According to the NGO Human Rights First, 40 percent of ICE's current bed space is more than 60 miles away from an urban center. It is critical that DHS and DOJ work together to ensure detained aliens in Expedited Removal, including those who have not had a credible fear determination, have access to legal service providers.⁷

Best Practices to Educate Asylum Seekers on their Legal Rights

- Mandatory, in person Know Your Rights Presentations
- Mandatory, in person meetings with Legal Orientation Program representatives

Very few of the detained asylum seekers with whom USCIRF met when visiting facilities were represented by counsel, and many complained that they did not understand the complex immigration law and process. Lack of counsel not only disadvantages the detainees but also burdens the system, since unrepresented cases are more difficult and time consuming for adjudicators to decide.

REMOTE HEARINGS

Remote locations and a shortage of immigration judges mean that more hearings, including merits hearings, are now being conducted by video teleconference (VTC), not in person. This raises fair-hearing and effective-representation concerns. With the judge and lawyers in one place and the asylum seeker in another, both the assessment of credibility and lawyer-client consultations are made more difficult. Karnes was built with an in-house courtroom, but it is not being used due to the distance from major cities. Conversely, a VTC is used for hearings at Delaney Hall, despite its urban location in New Jersey.

Similarly, overburdened asylum officers and long distances to detention facilities delay credible fear interviews and lead to more such interviews being done by phone or VTC. Credible fear interviews are required to occur within 10 days to two weeks, but as of June 2012, according to

⁷ Asylum seekers represented by *pro bono* attorneys are granted asylum at higher rates than unrepresented asylum seekers. Furthermore, increasing the availability of *pro bono* legal services for the credible fear process not only provides detained asylum seekers with legal advice, but also improves efficiency and reduces detention costs by increasing the number of asylum seekers who chose not to pursue their claims after consultation with counsel.

ICE, it was taking three months at Karnes. By USCIRF's August visit to Karnes, however, this timeframe had been reduced to three weeks.

RIGHTS INFORMATION

To help increase detainees' access to legal information and representation, DOJ's EOIR administers a Legal Orientation Program (LOP) carried out in partnership with non-governmental organizations (NGOs). At the time of the 2005 Study, the LOP operated in only seven detention facilities, and one of the Study's recommendations was to expand it. Currently the LOP program, which involves both materials and meetings with NGO representatives, is now in 25 facilities and its materials are available in all facilities. Nevertheless, the full program still reaches only a small percentage of ICE's total facilities and detainees.

Detainee awareness of the availability of legal information varied. All of the facilities visited show a "Know Your Rights" video on screens around the facility, particularly in the intake area. Even so, some asylum seekers with whom USCIRF met did not recall seeing the video, and some told USCIRF that they were unaware of the LOP materials or NGO sessions. Regular town-hall meetings with facility officials, as occur at Broward Transitional Center and T. Don Hutto Residential Center, would provide a way to highlight this and other important issues. ICE told USCIRF that in addition to the expanded self-help legal materials currently at facilities, the agency is looking to increase access to Lexis/Nexis and other legal services, and that it would welcome expanded availability of LOP and other legal rights presentations. ICE also told USCIRF that they are working with the American Bar Association on a written guide to the "Know Your Rights" video that would help reinforce its information.

PAROLE GUIDELINES

The Expedited Removal process allows for an asylum seeker found having a credible fear of persecution to be released from detention while his or her case is pending before an immigration judge (IJ). USCIRF has recommended that asylum seekers with credible fear who do not pose flight or security risks should be released, not detained and that such a policy be codified into regulations. Asylum seekers may have suffered trauma and abuse prior to arrival in the United States and detaining them after credible fear interviews may be re-traumatizing, with long-term psychological consequences.

In December 2009, ICE issued new parole guidelines for asylum seekers in Expedited Removal in line with the Study's recommendations.⁸ Under the new directive, individuals found to have a credible fear of persecution are automatically considered for parole, and parole may be granted once asylum seekers establish credible fear, identity, community ties, and that they are not security risks, unless there are "exceptional overriding factors." The directive also established procedures for informing all asylum seekers of their right to parole, documenting parole decisions, and reviewing and reporting on adjudications. ICE reports that, under the new guidelines, in fiscal year 2012 80 percent of asylum seekers found to have a credible fear were

⁸ In November 2007, ICE issued a parole directive expanding the qualifications to parole to include credible fear, community ties, lack of security risk, and an undefined "public benefit," contrary to USCIRF's recommendation.

granted parole. Among the reasons an asylum seeker with credible fear would remain detained are failure to substantiate community ties or to pay for a bond.

RECOMMENDATIONS

USCIRF finds that ICE has made progress toward implementing its announced reforms. However, the number of years between the announcement of new policies and uniform implementation has hindered its efforts. There is a need to codify into regulations the announced parole process and criteria, under which most asylum seekers found to have credible fear of persecution are paroled rather than detained. More needs to be done to ensure that asylum seekers, when detained, are housed in civil facilities. In addition, USCIRF finds that further improvements are needed to expand detainees' access to legal information, representation, and in-person hearings.

Specifically, USCIRF recommends:

- ICE should codify the 2009 parole directive into regulations, and should continue to document and monitor parole decisions to ensure the directive's criteria are being properly applied;
- USCIS should permit asylum officers to grant asylum at the credible fear stage for asylum seekers in Expedited Removal, as they can in other asylum cases;
- ICE should detain all asylum seekers who must be detained, whether before or after a credible fear determination, in civil facilities only;
- ICE should develop civil detention standards for civil facilities;
- ICE should ensure that staff at any facility where asylum seekers are detained are trained on dealing with asylum seekers and victims of torture;
- DHS and DOJ should continue to work to increase detainees' access to legal information and representation and to in-person hearings, including through the following measures:
 - DOJ should expand the full Legal Orientation Program (LOP) to all ICE detention facilities;
 - ICE should require every detainee to attend a screening of the Know Your Rights video and an in-person LOP session; and
 - USCIS and DOJ should ensure that credible fear interviews and asylum hearings are conducted in person; and
- Congress should provide additional funding to increase the number of USCIS asylum officers and DOJ immigration judges, and expand the Legal Orientation Program.

Detention Center Conditions

	Types of Detainees at Facility	Security Procedures at the Facility	Freedom of Movement	Privacy	Uniforms	Services, Recreation and Programming Opportunities
Berks Family Shelter	alien families w/out criminal convictions	entry to facility is locked; cameras and 24 hour lighting in common areas; searches of living areas only if items missing; no headcounts	24/7 freedom of movement; detainees can access non-housing units freely; no escorts are required	large rooms changing with numbers of other detainees depending on family sizes; toilets have doors and showers have curtains; detainees can be alone in room	no uniforms	extended outdoor/recreation time; no programmatic activities offered; field trips offered
Broward Transitional Center	alien men and women w/out criminal convictions	entry to facility is locked; fixed guards outside of living areas; cameras and 24 hour lighting in common areas; random searches of living areas; headcounts every 8 hours	freedom of movement during lights on hours; can access non-housing units during open hours; escorts required only to reach asylum offices; men and women kept separate	6 beds per room with private toilets and showers in rooms; detainees can be alone in room	men in orange, women in gray	recreation time during lights on; extended outdoor time; extended programmatic activities;
Delany Hall Detention Facility	alien men and women w/out criminal convictions	locked doors throughout facility; pat downs after visits and random after recreation; fixed guards outside of living areas; constant sight and surveillance of living areas; cameras and 24 hour lighting in common areas; random searches of living areas; headcounts 8 times a day	freedom of movement during lights on hours; can access non-housing units during open hours; escorts required to reach cafeteria and visitation rooms; men and women kept separate	10 beds per room; toilets have half doors and showers are open in bathrooms; detainees can be alone in room	maroon shirts, gray pants	recreation time during lights on; extended outdoor time; access to email

Detention Center Conditions

	Types of Detainees at Facility	Security Procedures at the Facility	Freedom of Movement	Privacy	Uniforms	Services, Recreation and Programming Opportunities
<p style="text-align: center;">El Centro Service Processing Center</p>	<p>alien men and women w/out criminal convictions and criminal alien men</p>	<p>locked doors throughout facility; pat downs after working and meals; fixed guards outside of living areas; constant sight and surveillance of living areas; cameras and 24 hour lighting throughout facility; random searches of living areas; headcounts 4 times a day</p>	<p>freedom of movement is restricted; detainees access non-housing units only during scheduled times; escorts are required at all times</p>	<p>large open dorm rooms with dozens of other detainees; toilets and showers are open; detainees cannot be alone in room</p>	<p>blue for low level detainees, orange for medium level detainees, red for high level detainees</p>	<p>1 hour outdoor/recreation time; no programmatic activities offered</p>
<p style="text-align: center;">Karnes County Civil Detention Center</p>	<p>alien men w/out criminal convictions</p>	<p>entry to facility is locked; fixed guards outside of living areas; cameras and 24 hour lighting in common areas; searches of living areas only if items missing; no headcounts but electronic check-in 5 times a day</p>	<p>24/7 freedom of movement; detainees can access non-housing units freely; no escorts are required</p>	<p>8 beds per room with private toilets and showers in rooms; detainees can be alone in room</p>	<p>blue pants, gray shirts</p>	<p>24 hour outdoor/recreation time; extended programmatic activities; 100 pre-approved Public Advocate internet sites</p>

Detention Center Conditions

	Types of Detainees at Facility	Security Procedures at the Facility	Freedom of Movement	Privacy	Uniforms	Services, Recreation and Programming Opportunities
<p style="text-align: center;">Krome Service Processing Center</p>	<p style="text-align: center;">criminal alien men</p>	<p style="text-align: center;">locked doors throughout facility; pat downs after working and meals; fixed guards outside of living areas; constant sight and surveillance of living areas; cameras and 24 hour lighting throughout facility; random searches of living areas</p>	<p style="text-align: center;">freedom of movement is restricted; detainees access non-housing units only during scheduled times; escorts are required at all times</p>	<p style="text-align: center;">large open dorm rooms with dozens of other detainees; toilets and showers are open; detainees cannot be alone in room</p>	<p style="text-align: center;">blue for low level detainees, orange for medium level detainees, red for high level detainees</p>	<p style="text-align: center;">1 hour outdoor/recreation time; no programmatic activities offered</p>
<p style="text-align: center;">James A. Musick Facility</p>	<p style="text-align: center;">alien men and women w/out criminal convictions and criminal men and women</p>	<p style="text-align: center;">locked doors throughout facility; random pat downs; fixed guards inside of living areas; constant sight and surveillance of living areas; cameras and 24 hour lighting throughout facility; random searches of living areas; headcounts 5 times a day</p>	<p style="text-align: center;">freedom of movement is restricted; detainees access non-housing units only during scheduled times; male detainees can access outside recreation area during lights on, but women only when female criminal prisoners are not outside; no escorts are required, but detainees movements are watched</p>	<p style="text-align: center;">large open dorm rooms with dozens of other detainees; doors on toilets but showers are open in bathrooms; detainees cannot be alone in room</p>	<p style="text-align: center;">lime green uniforms</p>	<p style="text-align: center;">at least 4.5 hours recreation/outdoor time; no programmatic activities offered</p>

Detention Center Conditions

	Types of Detainees at Facility	Security Procedures at the Facility	Freedom of Movement	Privacy	Uniforms	Services, Recreation and Programming Opportunities
Mira Loma Detention Center	alien men w/out criminal convictions and criminal alien men	locked doors throughout facility; pat downs ; fixed guards outside of living areas; constant sight and surveillance of living areas; cameras and 24 hour lighting throughout facility; random searches of living areas; headcounts 5 times a day	freedom of movement is restricted; detainees access non-housing units only during scheduled times; no escorts are required if he has a pass, but detainees movements are watched	large open dorm rooms with dozens of other detainees; toilets and showers have doors; detainees cannot be alone in room	blue for low level detainees, orange for medium level detainees, red for high level detainees	1 hour outdoor/recreation time in main yards but can access dorm yards during lights on; extended programmatic activities
Otay Detention Facility	alien men and women w/out criminal convictions and criminal alien men	locked doors throughout facility; pat downs; fixed guards outside of living areas; constant sight and surveillance of living areas; cameras and 24 hour lighting throughout facility; random searches of living areas	freedom of movement is restricted; detainees access non-housing units only during scheduled times; escorts are required at all times	large open dorm rooms with dozens of other detainees; toilets and showers are open; detainees cannot be alone in room	blue for low level detainees, orange for medium level detainees, red for high level detainees	1-1.5 hours outdoor/recreation time; no programmatic activities offered
T. Don Hutto Residential Center	alien women w/out criminal convictions	entry to facility is locked; fixed guard in housing unit; constant sight and surveillance in housing unit; 24 hour lighting; cameras in hallways and cafeteria; random searches of living areas; no headcounts but detainees check into dorm three times a day	freedom of movement during lights on hours; can access non-housing units during open hours; no escorts required for movement	2 beds per rooms; toilets in rooms behind privacy curtains; showers in common areas behind privacy curtains; detainees can be alone in rooms	no uniforms; detainees cannot wear revealing or tight clothing	recreation time during lights on; extended outdoor time; extended programmatic activities; 30 minutes internet daily