



# EXPOSE & CLOSE

ARTESIA FAMILY RESIDENTIAL CENTER, NEW MEXICO



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## ABOUT US

**Detention Watch Network** (DWN) is a national coalition of organizations and individuals working to expose and challenge the injustices of the U.S. immigration detention and deportation system and advocate for profound change that promotes the rights and dignity of all persons. Founded in 1997 in response to the explosive growth of the immigration detention and deportation system in the United States, DWN is today the only national network that focuses exclusively on immigration detention and deportation issues and is known as a critical national advocate for just policies that promote an eventual end to immigration detention. As a member-led network, DWN unites diverse constituencies to advance the civil and human rights of those impacted by the immigration detention and deportation system through collective advocacy, public education, communications, and field-and-network-building.

[DetentionWatchNetwork.org](http://DetentionWatchNetwork.org)

## HISTORY OF EXPOSE & CLOSE

**Expose & Close** started in 2012, when DWN coordinated the release of ten reports that detail the acute and chronic human right violations occurring in immigration detention in the United States today. The reports were authored by DWN members and allies, including policy advocates, community organizers, legal service providers, faith groups and individuals personally impacted by detention, who together have deep experience and understanding of the immigration detention system. In 2013, DWN released *Expose & Close: One Year Later*, to review conditions in the original ten reports and shine the light on new facilities with egregious human rights violations. This year, in light of the alarming expansion of family detention, DWN has chosen to focus its report on the family detention center in Artesia, New Mexico.

## REPORT METHODOLOGY & ACKNOWLEDGMENTS

This report was developed through stories from women and children detained at the Artesia Family Residential Center, with the aid of their attorneys or advocates who visited the facility. We thank the countless *pro bono* attorneys who have traveled to Artesia at their own expense and have shared these stories with us. Even as DWN staff finalized this report, we continued to receive new allegations of abuse and due process violations. We have done our best to cover the many problems at Artesia, but this report is by no means comprehensive.

The primary researchers and writers of this report were Madhuri Grewal and Silky Shah. This report would not have been possible without the incredible support and feedback from many organizations and individuals. We would especially like to thank: Eunice Lee and Lindsay Nash (ACLU Immigrants' Rights Project), Carl Takei (ACLU National Prison Project), Vicki Gaubeca and Maria Sanchez (ACLU of New Mexico), Anu Joshi and Karen Lucas (American Immigration Lawyers Association), Bob Libal (Grassroots Leadership), Tamara Lange (National Center for Youth Law), Jennifer Chan and Royce Murray (National Immigrant Justice Center), Barbara Hines (University of Texas School of Law,\* Immigration Clinic), Danielle Rosché and Angela Williams (*pro bono* attorneys at Artesia), and Kathleen Sato (graphic design).

Finally, we express our deep gratitude and appreciation for the community organizations and individuals in New Mexico and Texas that are working hard to end family detention at Artesia and Karnes and to stop construction of a massive family detention facility in Dilley, Texas. Those groups include Somos Un Pueblo Unido, the ACLU of New Mexico, Grassroots Leadership, and Texans United for Families.

\* For identification purposes only

# EXPOSE & CLOSE

## I. INTRODUCTION

*The new detention facility in Artesia is part of a radical increase in the detention of immigrant families, which grew by over 1200 percent between June and August 2014 alone.*

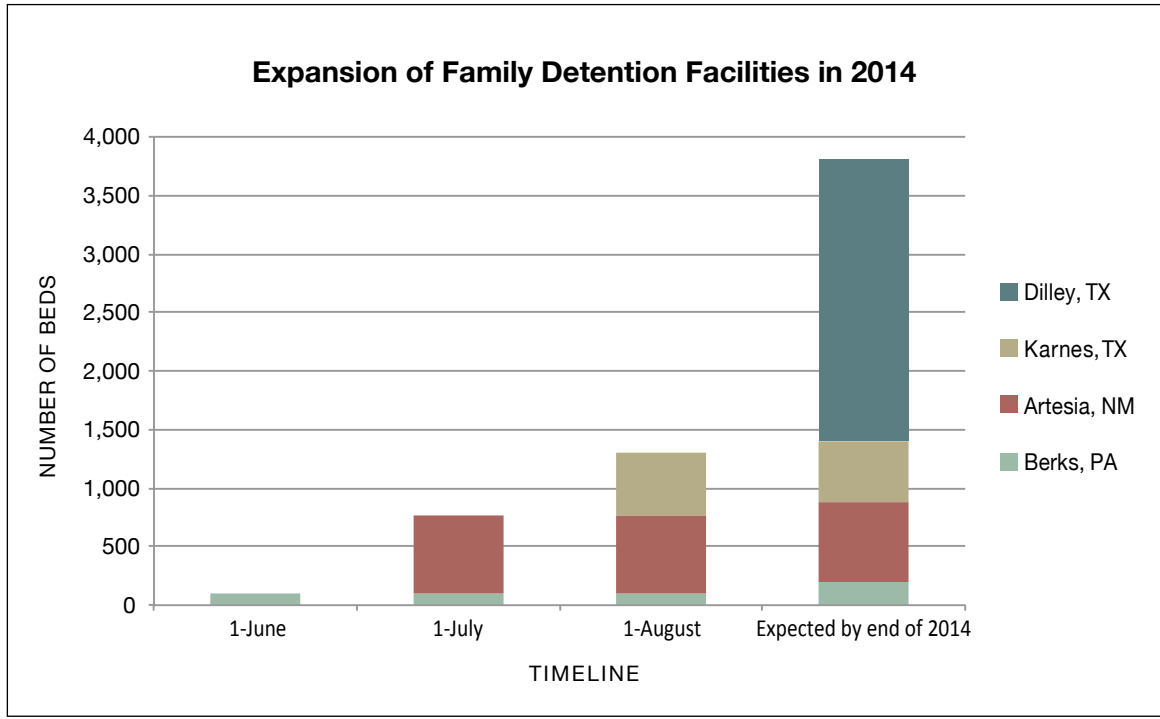
In the middle of the desert in Artesia, New Mexico, the

United States government is locking up hundreds of migrant women and children in a makeshift detention facility. These families have braved the dangerous journey to the U.S. to seek safety and protection from violence in their home countries. In response, our government has incarcerated them in the Artesia Family Residential Center (Artesia), a remote facility, hours away from legal counsel and social services, under physically and psychologically harmful conditions that only further compound the traumas that they have already endured. Rather than providing sanctuary to these vulnerable women and children, Immigration and Customs Enforcement (ICE), a division of the Department of Homeland Security (DHS), has instituted a de facto policy of mandatory detention, meaning there is little possibility of release. The U.S. has the largest immigrant detention infrastructure in the world, and in fiscal year 2012 detained



478,000 immigrants, an all-time high. The new detention facility in Artesia is part of a radical increase in the detention of immigrant families, which grew by over 1200 percent between June and August 2014 alone.

The Obama administration has argued that detaining women and children seeking asylum allegedly deters further migration from Central America, and that their release from detention would pose an indirect national security concern





*There is clear evidence that warehousing families and raising children in prison-like conditions for even a limited period damages children's psychological and educational development and overall health.*



by encouraging more migration. This response is not only alarming and misguided,<sup>1</sup> but runs contrary to upholding the fundamental right to due process and international human rights norms, including the preservation of family unity and child welfare<sup>2</sup> and the prohibition on the use of detention solely as a deterrent to future asylum seekers.<sup>3</sup>

ICE first began detaining women and children at the Artesia facility, a hastily converted former Border Patrol training center, on June 27, 2014. Non-governmental organizations (NGOs) were not allowed to enter the facility until almost a month later to assess and document conditions. By then, three planes of families had already been sent back to their home countries, the same ones they fled in fear for their lives. Detention Watch Network (DWN) was one of over 20 NGOs that visited Artesia in the month after it opened. During the tour, it was quickly evident that the government was not meeting basic legal obligations to protect asylum-seekers. Moreover, the isolation of Artesia—which is approximately 200 miles from the nearest major city—seriously impairs access to legal counsel and makes oversight and accountability nearly impossible. Consequently, among attorneys and community groups Artesia has become known as a “deportation mill.”<sup>4</sup>

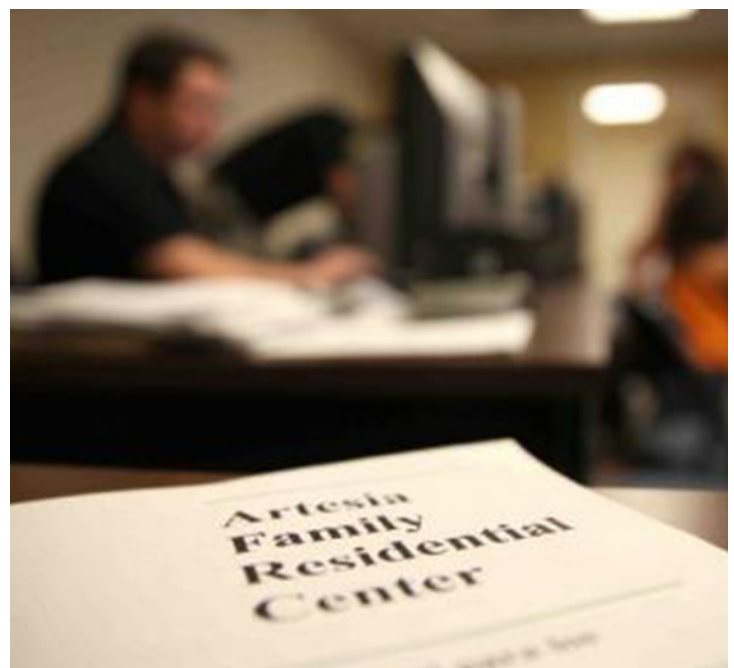
What is particularly disconcerting about Artesia is that it has resurrected the troubling practice of family detention, which the Obama administration largely ended in 2009 after a sustained campaign

of opposition against the T. Don Hutto Family Residential Facility (Hutto), a now infamous detention center in Texas. The administration has made it clear that it will continue to rapidly expand and construct family detention facilities such as Artesia due to the recent influx of Central American women and children arriving at the border. These facilities—including one 532-bed facility in Karnes City, Texas and another 2,400-bed facility planned in Dilley, Texas—are intended to quickly deport Central American asylum-seekers.

Since 2012, Detention Watch Network has released a series of reports entitled “Expose and Close” that documented pervasive abuse and inhumane conditions at some of the worst

*...among attorneys and community groups Artesia has become known as a “deportation mill.”*

immigration detention facilities in the country and called for their closure.<sup>5</sup> Since then, little has changed as ICE continues to assert that the facilities highlighted in the reports are in compliance with applicable standards. Drawing upon interviews with attorneys and advocates who have visited the facility, this report demonstrates



that Artesia is, in important respects, just as bad, if not worse, than many of the jails highlighted in the previous “Expose and Close” reports.

But even the best detention center is no place for children and families. There is clear evidence that warehousing families and raising children in prison-like conditions for even a limited period damages children’s psychological and educational development and overall health.<sup>6</sup> Furthermore, the United Nations has condemned the

practice of holding children in detention, stating that the “detention of children on the sole basis of their migration status or that of their parents is a violation of children’s rights, is never in their best interests and is not justifiable.”<sup>7</sup>

DWN calls on the Obama administration to close Artesia, stop the sudden and reckless expansion of immigration detention, and halt the deportations of refugee families arriving from Central America.

## II. ARTESIA AT A GLANCE

► **Location:** 1300 W. Richey Ave., Artesia, New Mexico. The ICE family detention

trailers are located on the 94,000 plus square foot Federal Law Enforcement Training Center (FLETC). The facility was built to train Customs and Border Protection officers and other federal law enforcement agents.

► **Date opened:** June 27, 2014

► **Average age of a child incarcerated at Artesia:** 6 years old<sup>8</sup>

► **Nearest ICE Field Office:** El Paso, TX

► **Capacity:** 672 detention beds

► **Cost of family detention:** \$266 per person, per day<sup>9</sup>

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- **Standards:** The detention of women and children is governed by ICE’s Family Residential Standards<sup>10</sup> and the 1997 settlement in *Flores v. Reno* (*Flores* settlement).<sup>11</sup>

The *Flores* settlement establishes nationwide policy for the treatment of children in federal immigration custody. It requires that all children be released from government custody “without unnecessary delay.” The only exception is for safety or ensuring court appearances. The *Flores* settlement requires that if a child must be held in government custody, the detention must be in a state licensed facility that meets basic child welfare-based standards.<sup>12</sup> The two

family detention centers opened this summer, Karnes and Artesia, fail to meet the standards for licensed facilities, including education in a structured classroom setting from Monday through Friday; appropriate routine medical and dental care; group and individual counseling sessions each week; and recreation and social orientation programs.

ICE family detention standards, like all ICE immigration detention standards, are not codified, meaning the standards do not have the force of law. Moreover, family detention facilities, like all ICE detention facilities, are subject to minimal independent oversight.

### III. CONCERNS

#### BARRIERS TO LEGAL ACCESS AND SOCIAL ISOLATION

*Pro bono attorneys at Artesia report that the government is failing in its obligation to provide asylum-seekers with the right to pursue relief and fair hearings.*

Artesia is extremely isolated from lawyers and community groups that could provide important oversight, accountability mechanisms, and critical legal counseling. *Pro bono* attorneys at Artesia report that the government is failing in its obligation to provide asylum-seekers with the right to pursue relief and fair hearings. Nearly all of these attorneys have traveled long distances to provide support to those detained at Artesia, usually at their own expense and with few resources.

While volunteer attorneys are currently representing some women and children at Artesia, many have expressed the view that this “fire brigade” of volunteer attorneys is a stopgap measure that is unsustainable given the remote location of the facility. Volunteer attorneys also report that they cannot fully meet the current demand or needs of individuals being detained at Artesia, whose asylum cases often require complex fact investigation and legal analysis.

In addition, attorneys have also repeatedly expressed frustration at the lack of private space for in-person attorney-client meetings. There are only four private cubicles that were recently erected for attorneys to meet with their clients. These cubicles are not nearly enough to accom-



modate the number of meetings happening. Attorneys have described sitting cross-legged on the floor with clients in a large room, just a few feet from other attorney-client meetings.

Although Artesia opened on June 27, a formal Legal Orientation Program (LOP)—which provides basic know-your-rights presentations to detained individuals but does not substitute for legal counsel—did not begin until July 18. Consequently, for three weeks, countless women and children were deported without an understanding of why they were being detained or deported. When Artesia first opened, detained mothers reported that a video served as their “orientation.” Once LOP began, providers could not serve every family due to the lack of dedicated





space for their presentations and have been forced to use the cafeteria space, which they share with other activities, including meal times and religious services. During presentations, women are distracted juggling their children in a cramped and chaotic room, making it very difficult to absorb the complicated legal information presented.

Following guidance from the Obama administration, ICE has effectively instituted a policy of mandatory detention for women and children asylum seekers at Artesia, even after they have passed a screening—known as a credible fear interview—that establishes they may qualify for asylum. At Artesia, ICE categorically denies bond to these women, as well as opposes release whenever mothers and children request bond from an immigration judge, despite the agency’s own assertion that “continued detention” after a favorable credible fear determination is generally not “in the public interest.”<sup>13</sup> By denying bond, ICE forcibly incarcerates families and adds yet another major hurdle to legal access, making it easier for the agency to quickly deport women and children refugees.

### INTERFERENCE WITH TELEPHONE COMMUNICATIONS

At Artesia, women and children are not only held in isolation, but are also severely restricted from communicating with the outside world. Policies regarding phone use are inconsistent and punitive. Women have consistently reported retaliation by ICE officers that involves the use of limiting or completely restricting phone access.

With respect to cell phone use, policies have changed at least three times since Artesia opened.

Landlines were not installed when the facility first opened. Instead, ICE officers carried 25 Blackberry cell phones to be used by more than 640 detained individuals. To make a call, a detained mother had to find an officer with a cell phone, learn how to use the device, and make the call in the presence of an ICE officer. After over six weeks of this convoluted system, ICE replaced the Blackberry devices with approximately 40 flip phones, which could be checked out with identification. Calls were limited to one or two calls per day and cut off after arbitrary time limits, ranging from mere minutes to 20 minutes.

Less than one week before the release of this report, DWN learned that ICE had changed the cell phone policy to emergency use only. It

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remains unclear how an emergency is defined; one attorney stated that it seems “subjective and at the discretion of the ICE official asked.” To have access to a cell phone, women are required to submit a written request—including one woman who needed to reach her consulate to obtain important documents—and often wait several days for the request to be processed. Once permitted to make an “emergency” call, individuals are limited to a few minutes.

ICE has also recently installed landlines similar to those used at other facilities. However, families must prepay for minutes at exorbitant rates to make phone calls.<sup>14</sup> One attorney stated that women who cannot afford the landlines are “at the mercy of the officials either granting or denying them access to the ‘emergency’ cell phones.” In addition, all calls made from land-

lines are monitored and recorded. Confidential and unfettered access to phone calls is critical for those who wish to speak with an attorney or report concerns or abuse at the facility, making the lack of privacy particularly alarming.

### A BROKEN ASYLUM PROCESS

Women continue to be provided with little information about their legal rights and the asylum process. A volunteer attorney reported that every woman she met with had a legitimate claim to asylum under U.S. law and a majority of the women had been sexually abused or physically assaulted in their home countries. Yet some of the determinations made by asylum officers clearly did not explore the nature of this violence and telephonic interpretation increased the women's difficulty in communicating trauma and persecution. Many women did not disclose rape or other critical details to asylum officers or immigration judges because they were unaware that the proceedings were confidential.

Lack of childcare continues to be a major problem at the facility and it often impairs immigrant mothers' ability to clearly and fully describe the persecution they faced in their home countries. During attorney consultations, interviews with asylum officers, and in court hearings via video-teleconference, mothers were forced to recount sexual trauma and violence in front of their children.



Women have also been forced to participate in credible fear interviews and immigration hearings with their children due to requirements by ICE and the Executive Office for Immigration Review (EOIR) that the family members be present and remain together. Consequently, many women feel hesitant or fail to disclose death threats against their children or fears of violence and persecution because they do not want to frighten them. Unfortunately, this hesitation can make or break an asylum case, in which credibility is critical. Recently, ICE has started to provide childcare staffed by ICE officers, but only for interviews with asylum officers; children are still required to attend immigration court proceedings with their mothers.

### *T. DON HUTTO FAMILY RESIDENTIAL FACILITY*

*The Obama administration is all-too familiar with the serious consequences of family detention. In 2006, ICE began detaining families at the T. Don Hutto Family Residential Facility (Hutto), a former medium-security prison in Taylor, Texas built by the Corrections Corporation of America (CCA), a private prison corporation. Reports emerged that children as young as eight months wore prison uniforms and jumpsuits, lived and slept in locked prison cells with open-air toilets, and families were subject to highly restricted movement and threatened with family separation as a disciplinary tactic. Children experienced bed-wetting, significant weight loss, and nightmares as a result of the stress from incarceration. Children were reportedly only given one hour of education a day when the facility opened. In 2009, the administration stopped detaining families at Hutto after public opposition, widespread media reports, and a lawsuit challenging the deplorable conditions at the facility.*



*Because children are incarcerated in close quarters and under stressful conditions, their health is being compromised.*

On August 22, national immigration and civil liberties organizations and law firms, including the American Civil Liberties Union, American Immigration Council, National Immigration Law Center, and National Immigration Project of the National Lawyers Guild, filed a lawsuit to halt deportations at Artesia. The complaint includes incidents that have been highlighted in this report and repeatedly raised with ICE and the administration since Artesia opened. Concerns raised in the lawsuit include: virtually no notice to detained mothers and children of critical interviews related to their asylum requests; a policy driven by the administration of “detain and deport” that is systematically applied to every family held at Artesia; and intimidation and coercion of families by immigration officers, including being screamed at for wanting to see an attorney.

#### **FAILURE TO MEET BASIC CHILD WELFARE GUIDELINES**

Under the terms of the *Flores* settlement, children in government custody must be held in a state licensed facility that comports with basic principles of child welfare.<sup>15</sup> The ICE officers that manage Artesia have little to no training in child welfare or social services. It appears that many officers are cycled in and out of the facility after a few weeks, and new officers who are unfamiliar with the facility must be trained each month.



ICE has also failed to provide educational services as set forth in its own guidelines. The ICE Family Residential Standards states, “All children residing in an ICE Residential Family Facility who reach the minimum age required by applicable state law shall be provided with educational services and programming appropriate to the minor’s level of development and communication skills in a structured classroom setting.”<sup>16</sup> The standards specify that children in ICE custody must receive an educational assessment within three days of their arrival at the facility, and then be placed in a grade or grade cluster based on this assessment. The *Flores* settlement sets forth similar detailed requirements, even outlining basic academic areas that ICE must include in its education program.<sup>17</sup>



The lack of education is one of the clearest violations of the *Flores* settlement and ICE’s own standards, which require educational instruction Monday through Friday, on a year-round schedule in accordance with applicable state regulations and child welfare laws. Many schools in New Mexico, including the Artesia Public School District,<sup>18</sup> started the school year by mid-August. As of the publication of this report—mid-September 2014—ICE has not started education for the children incarcerated at Artesia.

## DEFICIENT MEDICAL AND MENTAL HEALTH CARE

Mothers have repeatedly expressed serious concerns regarding the health of their children; nearly every mother we spoke with stated that when their children were taken to the medical unit, instead of receiving medication, they are only told to drink more water. Because children are incarcerated in close quarters and under stressful conditions, their health is being compromised. For example, in late July, cases of chicken pox resulted in a total quarantine of the facility. Although advocates reported to ICE headquarters in July that medical care was deficient, *pro bono* attorneys continue to hear repeated concerns from clients detained at Artesia.

Many of the women and children detained at Artesia have experienced sexual violence and assault and other psychosocial trauma before even arriving at the facility. Advocates report that children at the facility exhibit suicidal ten-



dencies. Yet, there are no onsite mental health providers and the mental health services that exist are only available via video-conferencing. Children at Artesia are able to speak with a female psychiatrist while their mothers can only request to speak with a male psychiatrist, who also serves as the psychiatrist for the Krome Detention Center in Miami, Florida. This appears to be a clear violation of the *Flores* settlement, under which children must receive individual counseling at least once a week and group counseling sessions at least twice a week.<sup>20</sup> At

### STORIES OF ABUSE AT ARTESIA<sup>19</sup>

*Even as this report was in its final stages, DWN continued to receive accounts of shocking abuse, unnecessary cruelty, and appalling conditions at Artesia. These are just some of those stories:*

- *A 16-month old baby boy entered Artesia able to walk. He got so sick that he developed pneumonia and had to be hospitalized. He stopped taking solid foods and returned to breastfeeding. He is now no longer able to walk.*
- *One woman arrived at the facility with her 6-year-old son, who had a sore on his arm that ICE believed was an infection. The mother and child were put in isolation for five days. On the fourth day, the mother began vomiting with an apparent stomach flu and diarrhea. She pleaded with ICE officers to be escorted to the bathroom. ICE officers repeatedly told her to wait until the woman was forced to defecate on herself in front of her terrified child. There was no shower in the room, leaving the mother to sit there in her soiled clothes for 20 minutes. When the ICE officers opened the door to the room, they laughed at her and tossed her a towel. The woman was then forced to walk across the facility covered in feces, accompanied by her crying child.*
- *A 5-year-old had diarrhea for more than two months and was told repeatedly to keep drinking water. He was not given antibiotics or other medication.*

*Parents are stripped of their role as the head of household when ICE officers control everything from discipline to mealtimes.*



Artesia, however, women and children do not even know when the psychiatrist is available to meet with them, let alone prearranged counseling sessions.

The institutionalized setting of immigration detention also breaks down family structures and parent-child relationships. Parents are stripped of their role as the head of household when ICE officers control everything from discipline to mealtimes. Disciplinary policies are not clearly outlined for both the officers running the facility and the families that are detained. Watching their parents' authority undermined by a complete stranger in uniform permanently impacts children. Moreover, women we met exhibited signs of depression and post-traumatic stress disorder (PTSD), which is compounded by their detention and can have a severe impact on their children's health and early development.<sup>21</sup>

### **MALNUTRITION AND SEVERE WEIGHT LOSS**

Not only are children at Artesia failing to receive adequate healthcare services, they are rapidly losing weight due to the stress of incarceration. One attorney shared that her client's child had lost nearly ten pounds in less than one month. Another attorney shared that her client's child entered Artesia weighing 24 pounds and had dropped to approximately 14 pounds. He was

slowly regaining the weight. Yet another stated that her client's six-year-old son had lost up to 12 pounds and now "has a face like a skeleton."<sup>22</sup>

*“...every mother we spoke with is forced to sneak food under her shirt or in her pants for her children to eat later.”*

An attorney at Artesia

One attorney at Artesia reported serious concerns with the regimented nature of mealtimes and food service, they stated, “every mother we spoke with is forced to sneak food under her shirt or in her pants for her children to eat later. Because the only meal that the children enjoy and will eat in its entirety is breakfast, the mothers are forced to sneak breakfast food for the children to eat later. If they don't, the children won't eat. If food is found in their rooms it is thrown out. Rooms are subject to random searches that happen on a somewhat regular basis.”<sup>23</sup>

ICE itself provided conflicting reports regarding missed meals. When visiting Artesia, advocates



*[T]he use of mass detention in order to “send a message” to others who might come later is one of the most noxious aspects of the Obama administration’s family detention policy.*

were told by ICE officers that individuals who missed a meal could eat food from a refrigerator in each housing unit, which only contained fruit, milk, and juice. In addition, advocates were informed that families were not allowed to take meals out of the cafeteria to eat later to

avoid insects and rodents in the housing units. Yet, in July, ICE assured advocates if families had to miss a meal, they are always provided with boxed meals to eat outside of meal times. However, an attorney at Artesia reported that ICE’s claim of boxed meals is simply “not true.”<sup>24</sup>

Photo by Ed Williams



## IV. CONCLUSION

Family detention is harmful and unnecessary. Locking up mothers and their children in order to deter *others* from migrating violates American principles of justice and international law. Indeed, the use of mass detention in order to “send a message” to others who might come later is one of the most noxious aspects of the Obama administration’s family detention policy. **These problems are easy to fix: close Artesia and all family detention facilities, and instead divert funds toward providing refugee support to the families and children arriving at the border.**

In 2009, after years of pressure and lawsuits against human rights abuses, the Obama administration did the right thing and ended the

inhumane practice of immigrant family detention at the Hutto facility. Later it also canceled plans for new family detention centers. We are alarmed to see the same administration ignore the painful lessons of Hutto and instead rapidly construct family detention beds at an unprecedented scale and at great cost to taxpayers. This year we have already seen a jump from under 100 family detention beds to what is projected to reach 3,800 beds, and the administration has requested funding for even more.

DWN urgently demands that the Obama administration reverse course: We call on the U.S. government to halt deportations, close Artesia and all family detention centers, cancel its plan for the 2,400-bed family detention facility in Dilley, Texas, and immediately release refugee families and children from immigrant detention.

## ENDNOTES

- <sup>1</sup> Research clearly indicates that detention is not an effective deterrent of migrants. International Detention Coalition *There are alternatives: A handbook for preventing unnecessary immigration detention*. Melbourne: The International Detention Coalition (2011), p. 11, available at <http://idcoalition.org/cap/handbook/capfindings/>.
- <sup>2</sup> Special Rapporteur on the Human Rights of Migrants, Mission to the United States of America, U.N. Doc. A/HRC/7/12/Add.2 (Mar. 5, 2008) (“Families with children should not be held in prison-like facilities. All efforts should be made to release families with children from detention and place them in alternative accommodation suitable for families with children.”); Inter-Am. Comm. Hum. Rts., Report on Immigration in the United States: Detention and Due Process, para. 368 (“IACHR is concerned that the practice of detaining immigrant families continues with no extraordinary reasons to justify it.”).
- <sup>3</sup> United Nations High Commissioner for Refugees (UNCHR), Detention Guidelines, Guidelines 2, 4.1.4 (2012), available at [unhcr.org/505b10ee9.html](http://unhcr.org/505b10ee9.html) (“[D]etention for the sole reason that the person is seeking asylum is not lawful under international law); Article 31, 1951 Convention; Article 18(1), European Union Council Directive 2005/85/EC of 1 December 2005 on Minimum Standards on Procedures in Member States for Granting and Withdrawing Refugee Status, available at: <http://www.unhcr.org/refworld/docid/4394203c4.html>; Inter-Am. Comm. Hum. Rts., Report on Immigration in the United States: Detention and Due Process, para.104 (2010) (stating that the “generalized use of detention in the case of asylum-seekers does not comport with the right to personal liberty”).
- <sup>4</sup> *M.S.P.C. v. Johnson*, No. 1:14-cv-01437, Pls. Compl. (D.D.C. filed 22 Aug. 2014), available at [https://www.aclu.org/sites/default/files/assets/filed\\_complaint\\_1.pdf](https://www.aclu.org/sites/default/files/assets/filed_complaint_1.pdf).
- <sup>5</sup> All Expose and Close reports are available at <http://www.detentionwatchnetwork.org/ExposeAndClose>. ICE has a track record of abuse inside its detention facilities, which are documented in countless reports. A summary of reports on immigration detention published between July 2008 to October 2012 is available at <http://www.immigrationforum.org/images/uploads/2010/detentionreportssummaries.pdf>.
- <sup>6</sup> Robjant K, Hassan R, Katona C. “Mental health implications of detaining asylum seekers: systematic review.” *The British Journal of Psychiatry*, 194: 306-12 (Apr. 2009), available at: <http://bjp.rcpsych.org/content/194/4/306.full>; Physicians for Human Rights and Bellevue/NYU Program for Survivors of Torture, *From Persecution to Prison: The Health Consequences of Detention for Asylum Seekers* (2003), available at [https://s3.amazonaws.com/PHR\\_Reports/persecution-to-prison-US-2003.pdf](https://s3.amazonaws.com/PHR_Reports/persecution-to-prison-US-2003.pdf); Allen S. Keller et al. “Mental Health of Detained Asylum Seekers.” *Lancet* 362: 1721-23 (2003) (explaining that “detaining asylum seekers exacerbates symptoms of depression, anxiety, and post-traumatic stress disorder”).
- <sup>7</sup> Committee on the Rights of the Child (CRC), Report of the 2012 Day of General Discussion on: The Rights of All Children in the Context of International Migration, available at <http://www.ohchr.org/Documents/HRBodies/CRC/Discussions/2012/DGD2012ReportAndRecommendations.pdf>.
- <sup>8</sup> *M.S.P.C. v. Johnson*, *supra* n.3.
- <sup>9</sup> Summary of Draft Text of Senate Emergency Supplemental Bill, Senate Committee on Appropriations, 113th Congress, 2nd Session, July 2014, available at <http://www.appropriations.senate.gov/news/chairwoman-mikulski-releases-summary-emergency-supplemental-funding-bill>.
- <sup>10</sup> ICE Family Residential Standards, available at <https://www.ice.gov/detention-standards/family-residential/>.
- <sup>11</sup> Stipulated Settlement Agreement, *Flores v. Reno*, Case No CV85-4544-RJK (C.D. Cal. 1996), available at [https://www.aclu.org/sites/default/files/assets/flores\\_settlement\\_final\\_plus\\_extension\\_of\\_settlement011797.pdf](https://www.aclu.org/sites/default/files/assets/flores_settlement_final_plus_extension_of_settlement011797.pdf), *hereinafter* Flores settlement.
- <sup>12</sup> *Ibid.*, Exh. 1.
- <sup>13</sup> ICE, Parole of Arriving Aliens Found to Have a Credible Fear of Persecution or Torture, 6.2 (Dec. 8, 2009), available at [http://www.ice.gov/doclib/dro/pdf/11002.1-hd-parole\\_of\\_arriving\\_alien\\_found\\_credible\\_fear.pdf](http://www.ice.gov/doclib/dro/pdf/11002.1-hd-parole_of_arriving_alien_found_credible_fear.pdf); see also The Honorable Robert A. Katzmann, Bench, Bar and Immigrant Representation, 15 *Legislation and Public Policy* 585, 593 (2012) (reporting results of comprehensive study which showed that detention was one of the two most important variables determining success in Immigration Court, with representation being the other variable).
- <sup>14</sup> Fees range from 10 to 20 cents per minute for domestic and international calls, respectively.
- <sup>15</sup> *Flores settlement*, Exh. 1, *supra* n. 11.
- <sup>16</sup> ICE Family Residential Standards, Educational Policy, available at [https://www.ice.gov/doclib/dro/family-residential/pdf/rs\\_educational\\_policy.pdf](https://www.ice.gov/doclib/dro/family-residential/pdf/rs_educational_policy.pdf)
- <sup>17</sup> *Flores settlement*, Exh. 1, A.4, *supra* n. 11.
- <sup>18</sup> Artesia Public School District calendar, available at [http://swmcdn.com/site\\_0552/ARTESIA\\_2014\\_15DistrictCalendar0801141.pdf](http://swmcdn.com/site_0552/ARTESIA_2014_15DistrictCalendar0801141.pdf) (starting school on August 11, 2014); see also Albuquerque Public Schools calendar, available at <http://www.aps.edu/schools/school-calendars/school-calendars#1415school> (starting school on August 13, 2014).
- <sup>19</sup> From interviews with Artesia volunteer attorneys (with attorney permission): Angela Williams, *supra* n. 21, and Danielle Rosché, interview on file with the author (September 2014)
- <sup>20</sup> *Flores settlement*, Exhibit 1, A.6-A.7, *supra* n. 11.
- <sup>21</sup> National Center for Children and Poverty, *Reducing Maternal Depression and Its Impact on Young Children* (Jan. 2008), available at [http://www.nccp.org/publications/pdf/text\\_791.pdf](http://www.nccp.org/publications/pdf/text_791.pdf).
- <sup>22</sup> American Immigration Lawyers Association (AILA), “Snapshots from Artesia: Interview with Angela Williams.” 0:00-2:46 (Aug. 18, 2014), available at [https://www.youtube.com/watch?v=l2ruGvQVvA&list=UU5K17gHJ\\_dchQVBJO9bqiPA](https://www.youtube.com/watch?v=l2ruGvQVvA&list=UU5K17gHJ_dchQVBJO9bqiPA)
- <sup>23</sup> Interview with attorney on file with the author.
- <sup>24</sup> *Ibid.*

