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MEMORANDUM

February 4, 2003

To: Anthony Tangeman, Deputy Executive Associate Commissioner, Office of Detention and Removal, Immigration and Naturalization Service

From: American Bar Association Delegation to El Centro Service Processing Center in California¹

File no:

Copies to:

Subject: Report on Observations during a General Tour of the El Centro Service Processing Center

I. Introduction

This memorandum evaluates and summarizes facts and findings gathered at the INS Service Processing Center in El Centro, California. The information was gathered via observation of the facility by the delegation and interviews with detainees and facility staff on January 17, 2003.

The Immigration and Naturalization Service (INS) promulgated the “*INS Detention Standards*” in November 2000 to insure the “safe, secure and humane treatment of individuals detained by the INS.” The thirty-six *Standards* contained in the Detention Operations Manual cover a broad spectrum of issues ranging from visitation policies to grievance procedures and food service. These standards apply to INS Service Processing Centers (“SPCs”), Contract Detention Facilities (“C.D.F.”), and state and local government used by the INS through Intergovernmental Service Agreements (“I.G.S.A.”). The Detention Standards went into effect at INS SPCs on January 1, 2001, and were to have been implemented at each facility by January 2003. The *Standards* constitute a “floor” not a “ceiling” for treatment of INS detainees. In other words, they are meant to establish the minimal requirements that INS must adhere to in the operation of its facilities. Each District Office or Officer in Charge (“OIC”) of a facility may, in his or her discretion, promulgate policies and practices affording INS detainees more enhanced rights and protections than those provided for by the *Standards*.

Overall, the delegation felt that the staff of the El Centro SPC are taking steps toward implementation of the *Standards*. However, the following problems were noted by the delegates during the course of our visit:

- Understocked, understaffed and outdated law library with inadequate computer or word-processing support.
- Insufficient private phone access and free phone calls to counsel.

¹ The delegation was comprised of Latham & Watkins attorneys [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED].

- Insufficient private meeting facilities with counsel and other visitors.
- Incorrect contact information for “Free Legal Services” and government agencies.
- Strip-search policy for non-contact visits.
- Inadequate visitation facilities.
- Questionable safeguards in place to protect against retaliation.
- Questionable disciplinary procedures and inadequate explanation thereof.

II. The El Centro Facility

The El Centro Service Processing Center (“El Centro SPC”), is located in El Centro, California, about 120 miles east of San Diego, and just north of the Mexican border. El Centro SPC is an INS facility that houses only men, mainly those with prior criminal histories.² Detainees are separated into eight barracks (not including the Special Management Unit (“SMU”)), according to the detainee’s security classification, which is determined at initial processing.

El Centro SPC has a capacity of 543 detainees. On the day we visited, the population was 435, with 12 men in the SMU.³ The facility principally functions as a holding facility for convicted felons who have served their jail time and who are being processed for deportation. Assistant Officer in Charge [REDACTED] b6, b7C [REDACTED] b6, b7C reported that the average length of stay is 15.4 days, with most detainees removed from the United States, and others released either to relatives or on their own recognizance. In addition to criminal detainees, however, there are a variety of other detainees who are being held for a variety of reasons. For these other detainees, the typical length of stay varies from a number of months to over a year. Some detainees have stayed at El Centro SPC longer than two years. We were told there are no asylum seekers being held at El Centro SPC.⁴

Detainees arrive at the facility from a number of sources, primarily after serving sentences in state or federal correctional facilities in California, and also from the Border Patrol. El Centro SPC also houses material witnesses at the facility, primarily from smuggling cases. According to INS staff, the countries

² There was some conflict between the INS personnel we interviewed on the exact nature of the El Centro population. OIC [REDACTED] b6, b7C [REDACTED] reported that the “vast majority” of detainees are criminals, and that there are no persons detained who are solely asylum-seekers. Other INS personnel stated that the Level One detainees are “administrative detainees,” not criminals, and that some are seeking asylum. OIC [REDACTED] b6, b7C [REDACTED] did not know where asylum seekers who pass credible fear interviews at Border Patrol are sent; he guessed San Diego, but also described that facility as far more secure than El Centro.

³ According to data provided by the Public Health Service, in Fiscal Year 2002, the average daily population in the El Centro SPC was 503, with a total of 7,012 new arrivals and 6,857 releases. This data is attached at Tab A.

⁴ At least one detainee we spoke to claimed to be seeking asylum while being held for overstaying his visa. Interview with [REDACTED] b6, b7C [REDACTED] January 17, 2003.

most represented among detainees are Mexico, El Salvador, Guatemala and Honduras. There are also Chinese, African, and Middle-Eastern detainees.⁵

El Centro SPC is a secure facility, surrounded by fences with concertina wire. It is reported, however, that the San Diego facility, operated by Corrections Corporation of America (“CCA”), is even more secure.⁶ The detainees’ schedules are highly regulated, and they may not move from one part of the facility to another without being escorted by a guard (every building appears to be separated from the others by remote-operated locked double gates akin to a sally port). There is a processing facility, a law library, a dining facility, a recreation yard with a soccer field and basketball court, and an indoor recreation facility that includes the mail station and a barbershop. The front office houses the check-in point, and the visitation facility. The entire facility is monitored by cameras.

The *Standards* require that each facility “develop a site-specific detainee handbook to serve as an overview of, and guide to, the detention policies, rules, and procedures in effect at the facility. The handbook will also describe the services, programs, and opportunities available through various sources including the facility.”⁷ The handbook is supposed to constitute a comprehensive guide to life in the facility and include, at a minimum, the information specified in Section III, A through J of the *Detainee Handbook Standard*, of the *Standards*. The purpose of the handbook requirement is to give detainees notice of all applicable rules, policies, and privileges of the facility.

El Centro SPC staff purportedly gives each detainee a handbook upon arrival, which appears to comply with the above standard.⁸ In addition, the Detainee Handbook is periodically updated, and a new, revised edition was in process at El Centro. The Handbook is available only in English and Spanish, even though detainees with other native languages are housed at El Centro SPC.

INS personnel could recall only one escape in recent years. It was by a Chinese gymnast who leaped over the perimeter fence. He was later apprehended after a large search.

⁵ According to INS staff, the overwhelming majority of detainees speak either English or Spanish, and all materials are prepared in both languages. We did not encounter any detainees who did not speak either Spanish or English. Nevertheless, the staff’s attitude towards communication with detainees who do not speak English or Spanish appeared to be somewhat cavalier, and written materials in other languages are apparently not provided. Instead, the INS staff relies on other detainees to translate, or, on occasion, uses the AT&T language line for translation.

⁶ Indeed, OIC [REDACTED] b6, b7C told us that one detainee, with whom we were anticipating an interview, had recently been transferred to San Diego for fighting with other detainees.

⁷ See Detention Operations Manual, Detainee Services (5)(I).

⁸ See El Centro SPC Detainee Handbook (October 1, 2001) (“Detainee Handbook”), attached at Tab B.

III. Observation of Implementation of Legal Access Standards

The remainder of this memorandum focuses on portions of the *Standards* relating particularly to areas of legal access, as well as general concerns raised out of observations during the general tour. INS' stated goal in promulgating these *Standards* was: To insure the "safe, secure, and humane treatment" of INS detainees. In particular, the memorandum focuses on El Centro SPC's *Standards* concerning access to counsel and legal rights, including the following: (1) Visitation; (2) Telephone Access; (3) Legal Materials; and (4) Group Rights Presentations. The memorandum also addresses other concerns observed during the course of the visit including: Recreation Issues; Medical Care and Religious Issues.

A. Visitation

The range of permissible visitors at El Centro SPC includes: attorneys, legal representatives, friends, family, and media. There are no "contact" visits at the El Centro SPC.

1. Visitation by Attorneys

a. Visitation Times

According to the *Standards*, legal visitation should be allowed seven (7) days a week for a minimum of eight (8) hours on weekdays, and four (4) hours on weekends. Legal visitations should not be terminated for meals or routine official counts. Procedures should be in place to permit the detainee to receive a meal, or recreation, after the interview.

The Detainee Handbook on its face fails to meet all of the criteria. It provides that legal representatives may visit detainees between the hours established by the officer in charge seven (7) days a week and, if necessary, the detainees may meet with legal representatives during meal hours and will be provided with a menu tray or a sack meal. The attorney visitation hours are Monday through Friday, 9:00 a.m. through 11:00 a.m., 1:00 p.m. through 3:30 p.m., and 7:00 p.m. through 9:30 p.m.⁹ The Facility staff purports to be flexible with respect to lengthy attorney visits during meals or head counts. However, Detention Operations Supervisor [REDACTED] ("Officer [REDACTED]") indicated that there would be some occasions where the visit would be interrupted for a meal or head count.¹⁰ Officer [REDACTED] also stated that the visits with those in the SMU or Disciplinary Facility would not be limited except for those that present a security risk or a threat (the so-called "51/50 detainees").

The Handbook adds that visits by attorneys during the weekend may be restricted due to the quantity of regular visitation requirements. Outside counsel who occasionally represent detainees at the El Centro Facility state that they have not had significant problems with their access to their clients at the

⁹ According to the Detainee Handbook, visits by attorneys during the weekend may be restricted due to quantity of regular visitation requirements. See *id.* at 14.

¹⁰ Attorney [REDACTED] who represents detainees at El Centro SPC and who we contacted after the tour, confirmed that visitation, to some degree, "depends on head counts and meals."

facility.¹¹ Attorney [REDACTED] noted, however, that often the biggest obstacle to visitation is the staff's inability to find the detainee. [REDACTED] explains that the Facility staff's failure to locate detainees for hearings has resulted in terminations of his cases. [REDACTED] adds that the Service people there are "nice, just that there are accountability problems in a facility of that size."¹² Attorney [REDACTED] added that the printouts listing the detainees are sometimes not current, which creates difficulty in finding recently inducted detainees, and that the Facility often needs assistance in finding its own detainees.¹³

b. *Attorney Access*

The *Standards* provide that attorneys without bar cards must be granted access, if they show other available documentation to demonstrate bar membership. An attorney or an accredited representative should not have to submit a G-28 for a pre-representation interview. And, upon presentation of a letter of authorization from a supervising attorney, legal assistants, law students, or law graduates, and non-attorneys with appropriate identification should be allowed entry. Mental and medical health professionals, and interpreters, with appropriate identification, should also be allowed entry.

Officer In Charge [REDACTED] ("OIC [REDACTED]") confirmed that an attorney can call ahead to determine if a detainee is at that facility on a 24-hour basis. OIC [REDACTED] also stated that no G-28 is necessary, as long as appropriate identification is given and that all the other legal representatives can visit the detainee if there is proof of authorization from a supervising attorney firm. Legal assistants are permitted to visit the detainees unaccompanied by their supervising attorney.

c. *Security Concerns*

The *Standards* provide that, in INS owned-and -operated SPC facilities, detainees should not be strip searched after legal visitation, unless there is reasonable suspicion that a detainee is concealing contraband.

At El Centro SPC, according to Officer [REDACTED] detainees are not strip searched after a legal visitation, "because the visits are non-contact." However, Officer [REDACTED] explained that the detainees are, as a rule, strip-searched after legal visitation. Officer [REDACTED] said that the Plexiglas between visitors and detainees was being melted through with a lighter, or some other burning device, and contraband was being passed through the glass. Needless to say, the presence of a hole in the Plexiglas presents "reasonable suspicion for a search." However, [REDACTED] suggested that the strip searches were routine. Some detainees confirmed that strip searches take place after any and all visits, including

¹¹ Two attorneys who regularly service the detainees, Mr. [REDACTED] and Mr. [REDACTED] (also listed as a "Free Legal Services Provider"), expressed that they had no real complaints with their ability to visit their clients (other than those comments described herein).

¹² Officer [REDACTED] confirmed that the only complaint that he was aware of (with respect to legal representation) was that an attorney was not made aware of the detainee's transfer to CCA, San Diego.

¹³ See Notes of Interview with [REDACTED]

attorney visits. The Detainee Handbook defines the types of searches conducted at the El Centro facility.¹⁴

Attorneys are not permitted to take photographs, instead, INS officials will take photographs at the attorney's request.

d. *Access to Contact Information for Legal Services*

The Detainee Handbook states that a list of free legal organizations will be posted in all detainee housing areas and other appropriate areas. This list shall be updated quarterly.¹⁵ Similarly, the *Standards* provide that information lists with pro bono and non-governmental agency information should be provided in the detainee's language, updated, posted clearly, and accompanied by instructions on how to contact such agencies. The delegation was provided a list, in English, of "Free Legal Service Providers" that has been updated as of January 1, 2003.¹⁶

A current list of available legal representatives is also posted in the detainee housing areas, and given to each detainee upon arrival. However, several detainees mentioned that some of the law offices that are listed as "free" are not free. As a result, they required payment before delivering legal services. In the interview with [REDACTED] b6, b7C Mr. [REDACTED] b6, b7C claimed that one of the attorneys on the list collected \$1,000 in fees for purportedly incomplete work.¹⁷ Attorney [REDACTED] b6 explained that one need only do a few *pro bono* cases a year to be placed on the "Free Legal Service Providers" list.¹⁸

e. *Visitation Conditions*

The *Standards* provide that facilities should allow detainees to meet privately with their current, or prospective, legal representatives and legal assistants, and to meet with their consular officials. The policy concerning legal service visitation is also outlined in the Detainee Handbook.

At El Centro SPC, attorneys meet with detainees in the same areas as do family members: in one of the five (5) small booths provided in the visitation area. The visitation area is cramped, dimly lit, and dilapidated. Carpet was noted hanging off of the walls in at least two (2) of the visitation booths, a condition that elicited a shrug from the guards on-hand.¹⁹ The booths have a speaking grill with a thick pane of Plexiglas between the visitors and the detainees. This area is apparently where multiple family members can visit one detainee, although this would be difficult.

¹⁴ See Detainee Handbook (October 1, 2001) at 15.

¹⁵ See Detainee Handbook (October 1, 2001) at 14.

¹⁶ Notably, although Catholic Charities is listed as a legal services provider, it no longer provides representation at El Centro SPC.

¹⁷ [REDACTED] b6 interview.

¹⁸ See Mr. [REDACTED] b6 notes.

¹⁹ See Mr. [REDACTED] b6 notes.

The narrow counter space and the dim lights of the visiting rooms present an immediate hindrance to legal representation.²⁰ All meeting rooms are observable by the El Centro facility staff, but nevertheless offer some degree of privacy.

2. Visitation by Family, Friends, and the Media

a. Visitation Times and Duration

The *Standards* provide that Facilities should permit authorized persons to visit detainees within secure and operational constraints. To maintain detainee morale and family relationships, INS encourages visits from family and friends. Additionally, facilities should permit members of the media and non-governmental organizations to have access to non-classified and non-confidential information about the facility's operation. The *Standards* provide that visiting hours should be clearly posted and permitted during set hours on weekends and holidays. Special arrangements should be available for family members who are unable to visit during regular visiting hours. Visits should be for at least 30 minutes. *Standards*, p. 12.

The visitation schedule was posted at the front door and is listed in the Detainee Handbook. According to the Handbook, visiting hours for general visitation are 7:00 p.m. through 9:30 p.m. Monday through Friday. On weekends and holidays the hours are 9:00 a.m. through 11:30 a.m., 1:00 p.m. through 3:00 p.m., and 7:00 p.m. through 9:30 p.m.²¹ Special visits during other days and hours may be scheduled by appointment. The staff purported to be "flexible" with visiting times for family members and tried to keep visitation close to the times for moving detainees, meal times or count times, all of which must be coordinated. No cameras are allowed in the detainee areas. According to Officer [b6, b7C] if normal visiting hours are a hardship for family members, arrangements can be made for special visits. Family members can also leave money for a detainee's account (up to \$40 may be held on the detainee's person, and the balance is put into the detainee's account).

The *Standards* require that visits should be for at least 30 minutes. In this respect, the Detainee Handbook provides that, if there is a significant quantity of visitors, the time limits may be reduced to allow all concerned an opportunity to visit.²² It also provides that the number of visitors who may visit a detainee may be limited to prevent overcrowding in the visiting areas. The visitation duration, according to Officer [b6, b7C] may sometimes be limited if there are too many people visiting on the same day (*e.g.*, visitation periods may be lowered to 20 minutes to accommodate all of the detainees).

²⁰ On January 21, 2003, observer [b6] spoke with attorney [b6] one of the attorneys listed as "Free Legal Service Providers," who corroborated that the visitation rooms are both hot in the summer and are dark. See Free Legal Services Handout.

²¹ See Detainee Handbook (October 1, 2001) at 14.

²² See Detainee Handbook (October 1, 2001) at 13.

b. *Other Limits on Visitors*

The Handbook states that if the visitors bring children 17 years of age or under, they are expected to remain under the direct supervision of the adult visitors so they will not disturb others who have visitors.²³ Persons age 16 or 17 may visit when accompanied by a parent or legal guardian, or with written permission of a parent or legal guardian. Telephone numbers must be provided to confirm status. An adult must accompany persons under the age of 16.²⁴

The *Standards* do not purport to limit the types of visitors that a detainee may have. “Other than limitations due to visiting room capacity, no limitation should be imposed on the number of visitors per detainee. Immediate family, relatives, friends and associates may visit.” However, according to the Detainee Handbook, the El Centro Facility purports to limit visitations by persons on active probation, parole, or other forms of conditional release. These persons must obtain permission, prior to visitation, from the individual or agency supervising the conditional release, and from the officer in charge of the El Centro Facility or his designee.²⁵ The Handbook goes on to state that persons with criminal records shall not be automatically excluded from visiting. Rather, the nature and extent of an individual’s criminal record, plus his or her history of recent criminal activity shall be weighed against the benefits of visitation. This will be a determining factor in whether or not visitation is allowed.²⁶ Finally, persons shown by substantial evidence to be of harmful affect to the detainee, or to constitute a threat to Facility security, shall be excluded.

Officer b6, b7C reported that there are other immediate family members detained at the same facility. The detainees have opportunities to visit with these other detainees, sometimes for periods spanning several hours, if they happen to be in processing together.

c. *Security Concerns*

The Detainee Handbook provides that the visitors and any handheld items they carry are subject to a search.²⁷ The Handbook also provides that the detainee will be strip searched upon admission to the Facility and when there is reasonable cause to believe that the detainee may have contraband concealed on his or her person.²⁸ Searches are routine requirements when leaving the visiting area after a visit. However, a strip search is only otherwise contemplated “on workers who go outside of the Facility.”²⁹ In addition, “Frequent, unannounced searches of detainees, detainee’s quarters, and other areas of the

²³ See Detainee Handbook (October 1, 2001) at 13.

²⁴ Id., p. 13.

²⁵ See Detainee Handbook (October 1, 2001) at 14.

²⁶ Id.

²⁷ Id.

²⁸ See Detainee Handbook (October 1, 2001) at 15.

²⁹ Id.

Facility shall be conducted as often as necessary to ensure the safety and security of the Facility.”³⁰ The *Standards*, on the other hand, provide that detainee’s at INS facilities may be subject to a pat-down search before a contact visit and may be subject to a strip search after a contact visit.

Whether or not detainees are searched, and to what extent they are searched, after visits from family members, was not determined by the delegation. One of the detainees we interviewed, [b6, b7C] stated that the visitation periods are sometimes longer than 30 minutes, but he is strip searched after having non-contact visitation with his attorney or his family. Detainee [b6, b7C] also claimed that guards have sexually harassed his wife during visitation.³¹

The *Standards* provide that a facility disciplinary system should not allow for deprivation of access to legal or family visitation. However, although not outlined in the Detainee Handbook, El Centro SPC staff report that visitation rights may be revoked as punishment for infractions.

B. Telephone Access

The *Standards* provide that facilities shall permit detainees to have reasonable and equitable access to telephones.

The delegation observed that phone booths were present in some of the recreation areas, with nearby bulletin boards listing various telephone numbers, consular telephone numbers, instructions to use the telephones, and telephone rates.³² Overall, El Centro SPC appears to have an adequate number of phones. There are at least two indoor phones and two outdoor phones in each unit.³³ There were also approximately ten phones in the recreation area. The telephones were equipped with debit card systems, with instructions in English and Spanish.³⁴ Detainees are able to purchase debit cards to make local calls for \$0.17 per minute.³⁵

There were, however, several problems with the phone systems in the El Centro facility. First, the *INS Standards* dictate that detainees should be able to make free calls through pre-programmed technology to consular offices, free legal service providers, local courts, government offices and family members (in case of emergency). The detainees we interviewed consistently indicated that no free phone calls are available. Although the facility did post the phone numbers to consular offices, many of the numbers did not work or were blocked when we tried to call collect. The facility also posted a list with phone numbers for free legal service providers. Again, many of these numbers - including Catholic

30 Id.

31 Imran interview.

32 See Mr. [b6] Notes

33 See Ms. [b6] Notes

34 See Mr. [b6] Notes

35 See Ms. [b6] Notes

Charities, Immigration Court and the ABA - were blocked “by a high toll policy” or were simply restricted.

INS standards require that detainees should be able to discuss their legal cases on the phone in a private environment. The phones in the El Centro facility do not provide such privacy. The phones are in a visible, open environment, surrounded by other detainees and/or guards. INS officials assured us that no detainee phone calls are monitored (legal or otherwise). However, detainees we interviewed stated that a recording breaks-in on every call made from within the facility warning the parties that the call may be monitored.

The INS officials indicated that El Centro SPC does have an answering service available for attorneys to leave legal messages for detainees, or for family members to use in case of emergencies. An officer checks the service two to three times daily and delivers messages to the detainees. One detainee ([REDACTED]) complained that messages are not delivered.³⁶

C. Legal Materials

The *Standards* mandate that the El Centro facility shall establish and maintain a law library.³⁷ The library must be adequately lighted, reasonably quiet, and large enough to support legal research and writing. It must also contain an adequate number of tables and chairs to accommodate all detainees who wish to use the facility. Finally, the library should provide one typewriter or computer per five detainees, as well as sufficient writing materials and texts to enable detainees to conduct research and prepare legal documents.

Plainly, the El Centro library does not meet many requirements set forth in the *Standards*. While the library is large enough to accommodate up to 25 detainees, it is not sufficiently equipped to support legal research and writing.³⁸

1. Materials Identified in Attachment A-2 of the *Standards*

The *Standards* require the El Centro library to maintain the legal materials listed in Attachment A-2 of the *Access to Legal Materials* chapter of the *Detention Operations Manual*. These materials must be updated regularly and supplemented with timely information regarding significant regulatory and statutory changes affecting the detention and deportation of aliens. A current list of available texts and materials should be posted in the library. To ensure these requirements are met, the facility must

³⁶ See Ms. [REDACTED] Notes

³⁷ Detention Operations Manual, Detainee Services Chapter 1: Access to Legal Material.

³⁸ See Mr. [REDACTED] Notes

designate an employee with responsibility for inspecting, updating and maintaining the library materials in good order.³⁹

The El Centro library does not contain several texts listed on Attachment A-2.⁴⁰ Examples of missing materials include:

1. *Constitution of the United States of America: Analysis and Interpretation;*
2. *Bender's INA Regulation Service;*
3. *Immigration Law and Crimes;*
4. *Guide for Immigration Advocates;*
5. *Country Reports on Human Practices;*
6. *Human Rights Watch – World Report;*
7. *Immigration and Naturalization Service Basic Law Manual;*
8. *Lawyer's Committee Handbook on Representing Asylum Applicants;* and
9. *Federal Habeas Corpus, Practice & Procedure.*

Moreover, many of the existing research references have not been consistently updated. Examples of out of date materials include:

1. *United States Code, Title 8, Aliens and Nationality* (1998);
2. *Code of Federal Regulations, Title 8, Aliens and Nationality* (1997);
3. *Bender's Immigration and Nationality Act Service* (1999);
4. Hard Copies of BIA decisions (most recent decision dated 2000); and
5. Cal. Penal Code (2001).

Based on the quantity of materials missing from the library's collection, it is clear that the facility's library officer has not promptly replaced missing texts, nor has he regularly updated existing materials. Indeed, the officer appeared to know little about the library. For example, he was unaware of the procedures for stocking and maintaining materials in accordance with the *Standards*. For reasons unknown, outdated material can be seen placed in the shelf next to current material.

According to detainees [b6, b7C] and [b6, b7C] who regularly work in the library assisting other detainees, the facility has ignored repeated complaints regarding the lack of current legal texts and materials.⁴¹ In response, facility officials stated that they recently ordered many of the missing materials noted above.

³⁹ Detention Operations Manual, Detainee Services Chapter 1: Access to Legal Materials.

⁴⁰ Given the time constraints, we were unable to verify whether the library contains legal reference numbers 18-30 on Attachment A-2.

⁴¹ See Mr. [b6] notes. Detainee [b6, b7C] also claims he has formally complained about the herein-noted inadequacies of the library, to no avail.

Given the state of the library's collection, it appears that materials are not promptly ordered and replaced when missing, nor are materials updated regularly. We were unable to discern on this visit if, or how, requests for additional legal materials are handled.⁴²

2. Library Conditions

The El Centro library is adequately lit and located in a quiet area off a hallway without much apparent traffic.⁴³ It contains three large tables capable of comfortably seating up to 15 detainees. The library maintains adequate supplies of paper and pencils. .

In addition, the library has only three computers (one of which was broken and apparently has been broken for nearly a year), which is an inadequate number for a facility of this size, and short of the optimal implementation of one typewriter or computer for every five detainees, as specified in the *Standards*. The software installed on the computer, Microsoft WordPad, is also extremely tedious for the preparation of form pleadings (it has no formatting capabilities). We were unable to determine the policy and frequency of repairs of broken computers, or restocking of supplies.⁴⁴

There is no indication that detainees are prevented from working together on legal documents. Detainees are allowed to retain papers with them in the residential units; their storage bins can accommodate a fair amount of materials. We heard no complaints of insufficient access to personal storage.

3. Photocopies and Mail

Detainees are provided with photocopies of materials upon request. While the Handbook limits legal materials in a detainees' immediate possession to four inches of paper, there is no indication that staff members review confidential materials or arbitrarily limit the number of copies provided to a detainee.⁴⁵ With respect to legal materials, the notice posted in the law library indicates that detainees are allowed three copies; the staff member working in the library indicated that requests for additional copies are honored.⁴⁶

Under the *Standards*, indigent detainees should be provided with two envelopes and three regular stamps for legal mail. Specifically, the *Standards* provide that "[t]he facility will provide indigent detainees with free envelopes and stamps for mail related to a legal matter, including correspondence to a

⁴² See Mr. [REDACTED] notes.

⁴³ See Mr. [REDACTED] notes.

⁴⁴ See Mr. [REDACTED] notes.

⁴⁵ See Mr. [REDACTED] notes. One detainee, [REDACTED] noted that he is only allowed to keep four inches of legal material.

⁴⁶ See Mr. [REDACTED] notes.

legal representative, potential legal representative, or any court.”⁴⁷ According to Mr. [b6, b7C] the facility provides postage and envelopes to indigent detainees upon request.⁴⁸

4. Access to the Library, Equipment and Holdings

The *Standards* mandate that an adequate number of typewriters and/or computers, carbon paper, writing implements, writing tablets and non-toxic liquid paper be available for use by the detainees.

The *Standards* mandate that each facility devise a flexible schedule, in order to permit all detainees’ use of the law library for a minimum of five hours per week. These five hours cannot cause a detainee to miss a meal, recreation time or any other planned activity. Detainees are provided with free stationery. As stated previously, it is questionable whether the law library at the El Centro facility provides its detainees with access to the equipment necessary to draft and produce legal documents.

According to the schedule posted in the library, every detainee has access to the library for one hour each day.⁴⁹ In addition, those detainees needing additional time are generally accommodated, although there is no written procedure for reviewing such requests. Detainees are not forced to choose between library time and recreation activities. The law library is open from 7:05 a.m. to 2:40 p.m.⁵⁰

5. Assistance for Illiterate and Non-English Speakers

The *Standards* provide that detainees who are not proficient in English, or who need other assistance in preparing legal documents, should have the opportunity to seek such assistance from other detainees, or *pro bono* counsel.

The detainees acknowledged that they are permitted to work together in preparing legal documents. However, they regard the facility’s failure adequately to maintain the library as an attempt to ensure they do not prevail in legal proceedings against the INS.⁵¹ Thus the library was cited as one of the detainees’ principal complaints.⁵²

6. Notaries, Certified Mail, and Miscellaneous Needs Associated with Legal Matters

The *Standards* require that “[t]he facility shall provide assistance to any unrepresented detainee who requests a notary public, certified mail or other such services to pursue a legal matter” if the detainee

⁴⁷ The Delegation did not have sufficient time to obtain answers to questions relating to mail access. Detention Operations Manual, Section 1(O) “Envelopes and Stamps for Legal Material.”

⁴⁸ See Mr. [b6] notes.

⁴⁹ Schedule Dated 11/24/02.

⁵⁰ Schedule Dated 11/24/02.

⁵¹ See Mr. [b6] notes.

⁵² Interviews with detainees [b6, b7C] and [b6, b7C], January 17, 2003.

is unable to meet the need through family members or community organizations.⁵³ Due to time constraints, the delegation was unable to assess this portion of the *Standards*.

D. Group Rights Presentations

The *Standards* provide that facilities shall permit authorized persons to make presentations to groups of detainees for the purpose of informing them of U.S. immigration law, and procedures consistent with the security and orderly operation of the INS facility. All facilities must cooperate fully with authorized persons seeking to make such presentations.

According to El Centro SPC staff, no organizations had requested to make presentations for some time. The last organization to make a group presentation was Catholic Charities, but that group had not appeared for some time. There was no indication that there would be resistance to a group rights/presentation; however, it does not appear to have been requested recently.

OIC [REDACTED] confirmed that group legal presentations are rarely given; however, a video has been developed on legal rights (“Know Your Rights”) and is available for viewing, however none of the detainees interviewed had seen or heard of the “Know Your Rights” video. The Handbook contemplates that group legal rights presentations will occur, stating that notifications will be posted in the housing unit to announce group legal rights presentations. When these presentations become available, a sign-up sheet will be provided in each housing unit. Presentations are open to all detainees, regardless of the presenter’s intended audience, except when a particular detainee’s attendance would pose a security risk.

IV. Other General Observations Unrelated to the Legal Access Standards

A. Recreation

The *Standards* require generally that “all facilities shall provide INS detainees with access to recreational programs and activities, under conditions of security and supervision that protect their safety and welfare.”⁵⁴ In addition, the *Standards* provide that “[e]very effort shall be made to place a detainee in a facility that provides outdoor recreation. If a facility does not have an outdoor area, a large recreation room with exercise equipment and access to sunlight will be provided.”⁵⁵ Where outdoor recreation is available, each detainee must have access to at least one hour per day of recreation, five days a week, weather permitting.⁵⁶

⁵³ Detention Operations Manual, Section 1(P) “Notaries, Certified Mail, and Miscellaneous Needs Associated with Legal Matters.” The Delegation did not have sufficient time to obtain answers to these questions or verify compliance with the *Standards*.

⁵⁴ Detention Operations Manual at Section 27, I.

⁵⁵ Id. at III.A.1.

⁵⁶ See id. at III.B.1.

- Detainees recreate with other detainees of the same classification.⁵⁷
- Recreation is available to detainees held in segregation as well on the same terms, although such detainees may not recreate with the general population, nor in certain instances, with other detainees held in segregation.⁵⁸ However, if a detainee has committed a serious disciplinary infraction, such as attacking another detainee, he may suffer a one- to three-day deprivation of recreation rights.⁵⁹

B. Medical Care

The *Standards* set forth a broad policy that “detainees ... have access to medical services that promote detainee health and general well-being.”⁶⁰ The *Standards* require that detainees be provided with an initial medical screening and have access to primary care, and emergency care.⁶¹ Although emergency dental care is required, “[r]outine dental treatment may be provided to detainees from whom dental treatment is inaccessible for prolonged periods because of detention for over six months.”⁶² The facilities in El Centro are operated by U.S. Public Health Services personnel. Public Health Service personnel provided us with a copy of the El Centro health care manual.⁶³

1. General Access to Health Care

- The procedure for making sick calls is outlined in the Detainee Handbook, but the kinds of medical care available are not described in detail. For detainees suffering from chronic conditions requiring regular non-emergency care (such as diabetes), Lt. [REDACTED] indicated that the facility provides regular examinations and/or medication.⁶⁴ However, one detainee we interviewed complained that he had tried and failed to get medication for painful, chronic herpes blisters.⁶⁵
- In emergency medical situations, the practice in El Centro is for the detainee to inform the housing officer. If the complaint is thought to be legitimate, an emergency medical team will rush to the detainee’s location.

⁵⁷ See id.

⁵⁸ See id.

⁵⁹ See id.

⁶⁰ Detention Operations Manual at Section 24, I.

⁶¹ See id. at III.A.

⁶² Id. at III.E.2.

⁶³ See Tab C.

⁶⁴ See Ms. [REDACTED] notes.

⁶⁵ [REDACTED] interview.

- Detainees are not screened for HIV or AIDS as a general policy. According to Lt. [b6, b7C] detainees who have AIDS, or are HIV positive, are sometimes transferred to other INS facilities for specialty care.⁶⁶
- A social worker is on staff from Monday to Friday to provide counseling to detainees.⁶⁷ In addition, the facility may provide antidepressants or other psychotropic drugs to detainees free of charge,⁶⁸ if they are determined to be medically necessary. At least two “rubber rooms” are available for the containment of detainees on suicide watch, one in the processing area, and one in the Special Management Unit.⁶⁹
- The El Centro facility is reportedly being renovated to make it entirely wheelchair accessible within the next several years.⁷⁰ One detainee we interviewed walked with a cane and said he had a broken hip.⁷¹ He complained that he was not receiving adequate medical treatment and complained that the showers and other housing accommodations were not equipped for handicap access.⁷²
- At least two detainees⁷³ complained that the living conditions in the facility are not sanitary, and result in outbreaks of diseases and pests such as lice and scabies.⁷⁴ The detainees also reported that pants and shirts of detainees may only be washed once per week or are otherwise not available.⁷⁵ One detainee, [b6, b7C] felt that, only if a detainee has a job, may he have his clothes washed every day.⁷⁶ None of the delegates themselves noted particular

66 See id.

67 See id.

68 See id.

69 See id.

70 See id.

71 [b6, b7C] interview.

72 See id.

73 [b6, b7C] interview; [b6, b7C] interview.

74 Scabies is an intensely pruritic and highly contagious infestation of the skin caused by a mite affecting humans and other animals. *Sarcoptes scabiei var hominis* is the etiologic agent causing human scabies. It lives its entire life on the human host. See <http://www.emedicine.com/emerg/topic517.htm>

75 [b6, b7C] interview; [b6, b7C] interview.

76 Interview with detainee [b6, b7C] January 17, 2003.

conditions that were unsanitary (although our visit was brief, scripted, and anticipated well in advance).

2. Grievances

- Grievances may be filed with respect to health care services at the facility. According to Lt. [REDACTED] the book of grievances is kept by Capt. [REDACTED] the Health Services Administrator.⁷⁷ In Lt. [REDACTED] six months employed at the facility, about seven or eight grievances had been filed.⁷⁸ No specific procedure for filing grievances regarding access to or quality of medical care is set forth in the Detainee Handbook. However, the general procedure for filing grievances of all kinds is set forth in the Detainee Handbook.⁷⁹ One detainee complained that he filed numerous medical grievances that were not answered.⁸⁰

C. Religious Issues

- At the El Centro facility, detainees have access to at least some religious services. The Detainee Handbook for the facility states that “[a]ll detainees shall have access to religious resources, services, instruction, and counseling on a voluntary basis.” It goes on to state that the “primary religious faith at the facility, as represented by a majority of detained aliens, is Catholic.”⁸¹ Therefore, “Mass is conducted on Sunday evening,” and an “auxiliary unit of the Catholic support program enters the facility at various times throughout the week...[to provide] inspirational music...and [hold] ... seminars or discussion groups.”⁸² Nonetheless, one detainee we interviewed complained that Catholic religious services were not given regularly.⁸³
- For “minority religions,” the Detainee Handbook states that detainees may request access to representative religious leaders. However, the detainee must place his request with a “primary religious provider for the facility,” and the “[r]eligious providers attempt to ensure that representatives from minority

⁷⁷ See id.

⁷⁸ See id.

⁷⁹ See Detainee Handbook (October 1, 2001) at 27.

⁸⁰ [REDACTED] interview. Mr. [REDACTED] specifically complained that he cannot timely receive medication for his herpes blisters, and that his slips to visit medical are sometimes not acknowledged.

⁸¹ Id. at 11.

⁸² Id.

⁸³ [REDACTED] interview.

religions are available upon substantial requests.”⁸⁴ In other words, a Muslim detainee, for example, would have to ask the local priest to put him in touch with a Muslim spiritual leader. One detainee we interviewed complained that the staff “have no consideration that Muslims need to do a congregation prayer on Fridays.”⁸⁵

- Detainees are allowed to retain such articles as crosses, bibles, and other religious items, as required under the *Standards*.⁸⁶ However, at least one detainee we interviewed expressed difficulty in obtaining or keeping Muslim prayer rugs.⁸⁷
- Detainees may also request special religious diets. If approved, the dining staff consults with religious authorities to see what is required and draws up a menu.⁸⁸ Approval is not automatic. The Detainee Handbook states that “[s]pecial diets, as required for ... adherence to religious dietary law, are provided upon receipt of a special diet card.... Religious diets shall be served for special occasions. The facility will utilize regular menu items unless specifically approved by the Assistant Officer in Charge.”⁸⁹ One detainee we interviewed indicated that he had requested a Buddhist vegetarian diet but was refused.⁹⁰ He said that officials had told him there were no more religious diets, although he was aware of special Muslim diets being served.⁹¹

D. Detainee Classification⁹²

- According to the Handbook, all detainees are classified upon arrival.⁹³ Detainees are classified from Level One through Level Three, with Level Three being the most dangerous felons. Detainees wear different color uniforms depending on classification. INS personnel at the facility had a difficult time distinguishing

⁸⁴ See Detainee Handbook (October 1, 2001) at 11.

⁸⁵ See [REDACTED] Questionnaire.

⁸⁶ See Detention Operations Manual at Section 28, III.K.

⁸⁷ Detainee [REDACTED] said, in his interview, that the Facility will not allow him to keep a prayer rug and that the INS refused to keep custody of prayer rugs that were offered as donations by a Muslim chaplain. See [REDACTED] Questionnaire.

⁸⁸ See Ms. [REDACTED] notes.

⁸⁹ See Detainee Handbook (October 1, 2001) at 8.

⁹⁰ [REDACTED] interview.

⁹¹ See *id.*

⁹² See Mr. [REDACTED] notes.

⁹³ Handbook at 4.

between Level One and Level Two detainees, but indicated that a detainee's classification could be increased based on behavior within the facility. Level Three detainees are kept segregated from the rest of the population at all times, which leads to some restrictions on the activities of Level Three detainees.⁹⁴ At least one Level Three detainee complained that the classification system was arbitrary, and he was unaware of any mechanism for challenging his classification.⁹⁵ According to OIC [REDACTED] a detainee's classification level is reviewed every 60-90 days. Some detainees reported that the classification decision appears to be made on the basis of available space, since the detainees are separated into different barracks on the basis of classification.⁹⁶

E. Special Management Unit (Administrative Segregation)⁹⁷

- The Handbook describes the SMU for both administrative detention and disciplinary detention.⁹⁸ The El Centro facility's SMU has a capacity of 18 men, each kept in a separate, small cell behind a solid metal door. Twelve men were in the SMU when we visited.⁹⁹ Officials informed us that the majority of the detainees in the SMU were being detained there for administrative segregation, although some were being isolated for disciplinary reasons.
- Officials informed us that homosexuals and transgendered individuals are placed in administrative segregation as a matter of policy for their own protection.¹⁰⁰ In addition, detainees who are members of gangs (as evidenced by tattoos or other gang insignia) are routinely segregated.¹⁰¹ The staff also routinely separates individuals who have mental health problems, for daily monitoring.¹⁰² Medical reasons for segregation include heroin withdrawal symptoms and, according to

⁹⁴ [REDACTED] interview (a Level Three detainee, he [REDACTED] reported that he has not been allowed to participate in a Muslim prayer group with Level One and Level Two detainees).

⁹⁵ Id. Mr. [REDACTED] reported that he had been transferred to El Centro after serving a sentence in a state correctional facility, where he was categorized as a Level One prisoner. The Handbook states that a "detainee may appeal his initial classification level to the CDEO through the Classification Officer. This may be appealed to the OIC whose decision is final." Handbook at 4.

⁹⁶ [REDACTED] interview.

⁹⁷ See Mr. [REDACTED] notes.

⁹⁸ Handbook at 5-7.

⁹⁹ See Ms. [REDACTED] notes.

¹⁰⁰ See id.

¹⁰¹ See id.

¹⁰² See id.

one detainee we interviewed, lice.¹⁰³ At least one cell of the SMU is a “rubber room” used for detainees at risk of harming themselves.¹⁰⁴

- At El Centro SPC, detainees in disciplinary segregation have fewer privileges than those in administrative segregation, a policy that complies with the *Standards*.¹⁰⁵ Within the SMU, detainees are segregated according to a number of factors, such as the risk of harm to others or to themselves from mingling with other SMU detainees. SMU detainees in segregation have their meals brought to them from the dining hall. Food is passed to SMU detainees through a slot in the door. SMU detainees are recreated on the same terms (although separately) from the general population.¹⁰⁶ The SMU has a shower. There is a fenced-in outdoor area with phones, where SMU detainees can go, one at a time.

F. Grievance and Disciplinary Procedures¹⁰⁷

1. Discipline

- The disciplinary procedure described in the Detainee Handbook consists of a listing of the different categories of offenses and their possible sanctions. These categories include “Greatest” (e.g., killing, rioting, or hostage taking), “High” (e.g., including engaging in sexual acts or extortion), “High Moderate” (e.g., indecent exposure, stealing or insolence towards a staff member), and “Low Moderate” (e.g., malingering, smoking where prohibited, using abusive or obscene language). The possible sanctions are many, and range anywhere from the initiation of criminal proceedings, disciplinary transfer, or disciplinary segregation to monetary restitution, loss of privileges, restriction to housing unit, a reprimand, or a warning.
- During our initial conference, Officer [b6, b7C] stated that the facility strives to informally resolve minor or “Low Moderate” rules infractions. He explained that a point system is used to account for minor infractions, which varies from three to seven points depending on the conduct at issue. According to the facility’s internal procedures, formal disciplinary action is not initiated for minor infractions unless the detainee (a) continues to violate the same rule,

¹⁰³ See id.; [b6, b7C] Interview.

¹⁰⁴ See id.

¹⁰⁵ See id.; Detention Operations Manual at Section 31.III.D.2.

¹⁰⁶ See Ms. [b6] notes. However, one guard indicated that recreation might be denied for one to three days in the event of a serious disciplinary infraction, such as attacking another detainee. See id.

¹⁰⁷ See Mr. [b6] notes.

(b) accumulates twenty points, or (c) does not respond to the informal resolution procedures.¹⁰⁸

- While the Detainee Handbook outlines many types of prohibited conduct and the corresponding sanctions, it fails adequately to describe three important facets of the disciplinary process.¹⁰⁹ First, it does not explain the informal point system governing minor offenses. Second, the Handbook does not reference the investigation, hearing, and appeal procedures. Finally, it does not provide notice of the detainee's rights during the disciplinary process. Because the facility relies on the Detainee Handbook as its primary means of informing the detainees of the disciplinary rules and procedures, these omissions should be corrected.
- INS staff advised us that detainee rights and the disciplinary procedures are posted in the barracks, but we did not see any such postings. Detainees are given written notice of any disciplinary charges, and any incidents are investigated within 24 hours. A staff representative is available to assist the detainees in the disciplinary procedure, and while legal representatives supposedly are allowed to help, INS staff could not think of a single instance where a detainee had legal assistance in a disciplinary proceeding.
- INS staff described the detainees as very well behaved, because they do not want to lose privileges within the facility and/or because they do not want to jeopardize potential release.¹¹⁰ According to Officer [b6, b7C] in a "bad month," there might be a total of four disciplinary proceedings. Fights are rare. Most infractions deal with interfering with the daily count. Minor infractions of this type are logged, and the detainees are kept on a point system under which they can lose privileges or be moved to a different classification.

2. Grievance Procedure

The *Standards* provide that each facility must develop standard operating procedures that address grievances and must guarantee against any reprisals. An informal procedure should be in place for a detainee to present his or her concern to any staff member at any time.

- The Detainee Handbook also advocates informal resolution of grievances, which the Handbook describes as an interaction between the detainee and the on-duty

¹⁰⁸ See Standard Operating Procedures: Disciplinary Policy, (August 1, 2002) at 5.

¹⁰⁹ See Detainee Handbook, (October 1, 2001) at 17-26.

¹¹⁰ According to OIC [b6, b7C] all detainees are reviewed every 90 days, in accordance with the Supreme Court's holding in *Zadvydas*. A detainee's behavior within the facility is a factor in the release decision.

supervisory detention enforcement officer. According to the staff of El Centro SPC, grievances are handled at the lowest level possible. The detainee must first contact the shift supervisor and state the grievance. If dissatisfied with the result, the detainee may submit a written grievance form (available in the library) within five (5) days of the day of the event, or the conclusion of an informal grievance. The formal grievance form goes from the shift supervisor to the on-duty supervisory detention enforcement officer (for processing by the appropriate department head) and from there to a committee. The committee will purportedly convene to study the grievance within five (5) working days of the “appeal.” If unsatisfied with the result of the committee, the detainee may appeal the decision to the OIC for a final decision.

- One detainee claimed that he had filed approximately 40 grievances in the past eight months, and only five had been addressed at all, and that INS staff will often refuse to sign the grievance forms (the form has a space for the signature of the Housing Unit Officer).¹¹¹
- If the detainee claims that the issue is sensitive, he may send a sealed envelope directly to the OIC marked “Sensitive,” which must include an explanation for circumventing the chain of command. The detainees also have the option to file a grievance directly with the Assistant District Director of Detention and Removals through the mail, an address for whom is provided in the Detainee Handbook. In such cases, the detainee must explain the reason for not filing the complaint in the institution.
- If the detainee has a complaint of officer misconduct, he may also complain directly to the Department of Justice, a phone number and address for which is provided in the Handbook. A complaint can also be filed with the Department of Justice Office of Inspector General; however, when a delegate attempted to use the number, it was blocked.¹¹²
- In preparing the grievance, a detainee may obtain assistance from another detainee, housing officer or facility staff or outside legal counsel. However, no

¹¹¹ [REDACTED] interview. Facility staff made it clear on several occasions that Mr. [REDACTED] is seen as a problem detainee. Indeed, Mr. [REDACTED] was transferred to the San Diego CCA facility for more than two months as punishment.

¹¹² See Ms. [REDACTED] notes. These forms (Form OMB No. 1115-OS1, Form I-847 (11-6-95)) are in Spanish and English. However, they were not posted in as many places as purported by Officer [REDACTED] or the rest of the staff.

detainee may submit a grievance on another detainee's behalf.¹¹³ Copies of the grievance are maintained for three (3) years. The staff also stated that the grievances are logged in a logbook, however, we were unable to view the book on our visit.

- The Handbook states that no harassment, punishment or disciplinary action will result for a detainee who seeks resolution of legitimate complaints in good faith. However, it states that it will return, unprocessed, those grievances that demonstrate a pattern of abuse of the grievance system resulting in unnecessary burdens at the expense of legitimate complaints, and continued abuse may result in an adverse action initiated against the detainee. Assistant OIC [b6, b7C] claimed that in his more than twenty years at El Centro, he had never seen an instance of a staff member retaliating against a detainee for filing a grievance. However, three out of the six detainees we interviewed—from different classification groups—indicated that intimidation or retaliation is a probable response to filing a grievance.¹¹⁴ Apparently, the usual form of retaliation is transfer to the CCA facility.¹¹⁵
- OIC [b6, b7C] commented that he is typically “inundated” with grievances. He claims, however, that he has addressed or responded to every grievance filed.¹¹⁶

V. Conclusion

The staff of El Centro SPC are taking steps to implement the *Standards* into the regular operating procedures. There was visible room for improvement, however, with respect to the lack of multilingual support, the inadequately stocked law library and attendant support, the documentation for contacting attorneys and government agencies, and the visitation areas. El Centro SBC's disciplinary and strip-search policies are also questionable in light of the *Standards*.

In light of the similarity of complaints between different classifications of detainees, the delegation also suspects that El Centro SPC has a retaliation problem. That is, the delegation suspects that different forms of inappropriate punishment are meted out either for discipline or in retaliation for filing a grievance. The delegation is also dubious of OIC [b6, b7C] statement that he meaningfully responds to

¹¹³ El Centro SPC staff will not accept the detainee's need to obtain assistance as justification for exceeding the time limit on submissions, unless staff caused the delay.

¹¹⁴ [b6, b7C] [b6, b7C] and [b6, b7C] interviews. Detainees [b6, b7C] and [b6, b7C] both indicated that they were sent to the CCA facility because they had voiced grievance.

¹¹⁵ Id. Detainee [b6, b7C] added that, when he was in segregation, a guard told him that “if you keep complaining we'll send you places where you'll never get your mail.” [b6, b7C] interview.

¹¹⁶ Four out of the six detainees we interviewed disagreed, stating that they received no response to many of their grievances or complaints. [b6, b7C] [b6, b7C], [b6, b7C], and [b6, b7C] interviews.

all detainee grievances, given detainee statements and the sheer number that he claimed he was “inundated with” on a regular basis. Extensive conversations with El Centro SPC staff did not compel a contrary finding.

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