



# **Politicized Neglect: A Report from Etowah County Detention Center**

Women's Refugee Commission

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## Table of Contents

Etowah in Context.....	1
Methodology.....	2
Findings .....	3
Medical Care .....	4
Food .....	4
Pods .....	4
Recreation and Work.....	5
Religious Services.....	5
Phone Access and Visitation .....	5
Access to Assistance and Options for Relief.....	6
Monitoring and Oversight .....	7
Conclusion.....	7
Recommendations .....	8
Since Our Visit .....	9

*“This is Hell. Only fire missing.”*  
-- Letter from Etowah detainee, September 2011.

## **Etowah in Context**

Immigration and Customs Enforcement (ICE) detained an average of 33,300 immigrants each day in Fiscal Year 2011.<sup>1</sup> Despite a commitment from Secretary Napolitano and Assistant Secretary John Morton<sup>2</sup> more than two years ago to move toward more civil detention practices in non-penal facilities close to cities and services, immigrants continue to be housed in jails and jail-like facilities across the country.<sup>3</sup> These include ICE-owned facilities as well as privately or locally owned facilities from which ICE “rents” a designated number of beds to hold immigration detainees. Individuals detained by ICE include undocumented migrants, persons who are facing the loss of their immigration status and stateless individuals who have no home country willing to accept them, as well as those awaiting their deportation.

Located at the end of the main road in the small town of Gadsden, Alabama, Etowah County Detention Center is part of the county’s criminal justice and judicial system and holds both criminal inmates and immigration detainees. Unlike the many detention centers we visit, Etowah is not situated in a vast, empty open space, nor is it surrounded by tall fencing. The building nearly blends in with those that surround it. But behind its bland exterior lies a facility with a complicated history and troubling conditions. Advocates have long raised concerns about the conditions of confinement that ICE detainees face at Etowah.<sup>4</sup>

Immigration detainees have been held at Etowah since 1997. In December 2010, ICE announced that, for financial reasons and efforts at centralization, it would immediately end its contract with Etowah and within days transfer immigration detainees held there to other facilities under the Atlanta Field Office.<sup>5</sup> In preparation for the end of the contract, all female ICE detainees were transferred to other facilities.<sup>6</sup> Etowah County officials reacted by traveling to Washington, D.C., and seeking support from Congress to preserve their ICE contract. Following political intervention by Senator Richard Shelby, Representative Mike Rogers and, in particular, Representative Robert Aderholt, chair of the House Appropriations Committee’s Subcommittee on Homeland Security, the plan for closure was first delayed by three months, then six months

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<sup>1</sup> “Fact Sheet: Detention Management.” Immigration and Customs Enforcement. November 10, 2011.

<http://www.ice.gov/news/library/factsheets/detention-mgmt.htm>

<sup>2</sup> Schriro, Dora B. *Immigration Detention Overview and Recommendations*. Immigration and Customs Enforcement. October 6, 2009. <http://www.ice.gov/doclib/about/offices/odpp/pdf/ice-detention-rpt.pdf>

<sup>3</sup> *Jails and Jumpsuits: Transforming the U.S. Immigration Detention System—A Two Year Review*. Human Rights First. October 2011.

<sup>4</sup> See, for example, Jawetz, Tom and Sunita Patel. “Conditions of Confinement in Immigration Detention Facilities.” Briefing to the UN Special Rapporteur on the Human Rights of Migrants. June 2007.

<http://www.aclu.org/immigrants-rights/conditions-confinement-immigrant-detention-facilities>

<sup>5</sup> Rogers, Lisa. “ICE pulling detainees from county jail.” *The Gadsden Times*. December 7, 2010.

<sup>6</sup> Email correspondence with Immigration and Customs Enforcement. November 10, 2011. On file with author.

and ultimately abandoned.<sup>7</sup> In April 2011, ICE announced that it would continue detaining immigrants at Etowah indefinitely.<sup>8</sup>

Gadsden is a two and a half hour drive from Atlanta, Georgia, and six and a half hours from the facility's new regional ICE field office in New Orleans, Louisiana.<sup>9</sup> There are no legal or other service providers within close enough proximity to provide legal orientation programs or "know your rights" presentations. Although ICE committed, as part of its October 2009 plans for reform,<sup>10</sup> to situate facilities closer to metropolises where detainees could access services and have a better chance of being visited by relatives and loved ones, Etowah is hundreds of miles—and a several hour drive—from major cities.

Unlike most facilities, Etowah has a very specific kind of immigrant population: since July 1, 2011, the facility has been holding only male detainees who are expected to remain in immigration custody for a long period of time.<sup>11</sup> Many of these individuals have final orders of removal but cannot or will not ultimately be removed, often due to the lack of diplomatic relations between the United States and their home country or because an individual is stateless.

Proximity to family, advocates, lawyers and community support remains critical for all immigrants who are apprehended and detained, yet many find themselves transferred to larger facilities far away from where they were apprehended. Detainees at Etowah are far from their attorneys (if they have them),<sup>12</sup> their families, their designated immigration court in Louisiana, as well as from any international airport that would facilitate their removal. Etowah's location, therefore, makes no sense under ICE's detention reform priorities, especially when considering that detainees there may still have ongoing appeals for relief and petitions for *habeas* review.

## Methodology

The Women's Refugee Commission's late August 2011 visit to Etowah County Detention Center was part of a three-day visit by staff members to Georgia and Alabama. Although we use our research for wider advocacy and publication, the conditions we witnessed at Etowah necessitated a separate report. The information in this report comes from our observations in touring the facility, our conversations with facility staff members and ICE officials, and our interviews with and letters from detainees at Etowah.

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<sup>7</sup> Rogers, Lisa. "ICE to delay pulling detainees until March." *The Gadsden Times*. December 9, 2010. Also: Rogers, Lisa. "Jail to house detainees until June 30." *The Gadsden Times*. December 14, 2010.

<sup>8</sup> Rogers, Lisa. "Etowah County to continue housing ICE detainees." *The Gadsden Times*. April 8, 2011.

<sup>9</sup> Per correspondence with Immigration and Customs Enforcement, this transfer of jurisdiction took place on July 1, 2011.

<sup>10</sup> Schriro, Dora B. *Immigration Detention Overview and Recommendations*. Immigration and Customs Enforcement. October 6, 2009. <http://www.ice.gov/doclib/about/offices/odpp/pdf/ice-detention-rpt.pdf>

<sup>11</sup> Correspondence with Immigration and Customs Enforcement. November 10, 2011. On file with author.

<sup>12</sup> See Siulc, Nina and Zhifen Cheng, Arnold Son and Olga Byrne. *Improving Efficiency and Promoting Justice in the Immigration System: Lessons from the Legal Orientation Program*. Vera Institute of Justice. May 2008. In its study, the authors note that according to Executive Office of Immigration Review statistics, approximately 84 percent of immigration detainees in its study lacked representation.

Our visit consisted of a tour of the facility and individual detainee interviews. Immigration and Customs Enforcement's new Access Policy was not yet officially implemented and local officials were uncomfortable using it.<sup>13</sup> Detainees informed us that they did not know about our visit or have the option of signing up to speak with us ahead of time. However, local ICE and facility officials did permit us, for a limited time, to conduct individual detainee interviews in which any detainee who wished could approach us for an interview. Although dozens of detainees lined up to be interviewed, time constraints meant that in total we interviewed only 16 men. All interviews were conducted in English, and we did not encounter any difficulties with language or translation. In addition, we left detainees with a number of our business cards. Within two to three weeks, we received more than a dozen letters from Etowah detailing further mistreatment.

Interviews were conducted with as much confidentiality as circumstances allowed, and always with written consent of the detainee. Our questions were meant to get a better understanding of the conditions of their apprehension and confinement, including access to services and compliance with ICE detention standards. Respondents were not compensated for their time and understood that we were not service providers and could not provide legal services.

## Findings

The case of Etowah illustrates that, despite the government's stated commitment to reform and to move away from prison-like facilities, ICE continues to operate facilities with conditions of confinement that do not meet its *own* detention standards. The agency also is susceptible to political influence when attempting to close a facility for any reason.

The vast majority of ICE facilities are inspected against one of two sets of ICE detention standards: either the 2000 National Detention Standards (NDS) or the somewhat stronger 2008 Performance-Based National Detention Standards (2008 PBNDS). In late February 2012, ICE released its long-awaited 2011 PBNDS, an updated version of the 2008 standards that had been drafted and deliberated over for two years. However, even if strengthened, none of these sets of standards is externally enforceable, and currently the new standards are not implemented at any ICE facility. During our visit, we were told that Etowah is formally inspected against the NDS but is also compliant with the 2008 PBNDS. Conversations with detainees revealed that the facility often fails to meet these standards, especially with regard to medical care, access to religious services and outdoor recreation.

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<sup>13</sup> For more information on ICE's Access policy, see <http://womensrefugeecommission.org/immigration-and-customs-enforcement-improves-access-to-detention-centers>. The Women's Refugee Commission has been testing this policy with ICE for almost a year. In practice, the WRC and visiting organizations have made arrangements with ICE headquarters and local facilities to post an announcement in the detainee holding areas that we will be coming to the facility and would like to interview detainees about conditions. We have then been given access to speak with detainees who indicate an interest in speaking with us. In other locations, we have been allowed to enter the holding areas, dorms or pods and speak randomly with willing detainees, or we have made announcements and spoken to those who come forward. At Etowah, facility staff initially refused to follow this procedure because it was not yet official; however, when we arrived they told us that they had posted an announcement of our visit and that no one had indicated interest in being interviewed. Officials then agreed to announce our visit as we toured the facility, and large numbers of detainees immediately wanted to speak with us. Dozens lined up outside the interview rooms or pounded on their cell doors to be allowed to meet with us. In the end we were able to speak to 16 detainees in the various pods and continue to receive letters from detainees at Etowah in numbers larger than at any other facility.

Out of a total capacity of 879 beds in the entire facility, ICE contracts for 357 beds. During our late August visit, the day's immigration detainee population was 287. Officials told us that the average length of stay for immigration detainees at the facility is 40 days; all detainees that we spoke to had been there substantially longer. ICE detainees are kept in three pods at the facility; two of these pods hold Level 2 and Level 3 designation detainees, and one pod holds Level 1 and 2 designation detainees.<sup>14</sup> Detainees may apply for re-designation every 60 days.

## **Medical Care**

Etowah has a 24-hour health care unit that is subcontracted to a different service provider; psychiatric care is referred to yet another provider. Although we were told that detainees could obtain health care every day, several detainees we interviewed mentioned receiving no response to their repeated complaints and concerns. One detainee, after having reported an assault, told us he was given only ibuprofen to help alleviate pain. Another detainee, despite having been the victim of a rape that he reported at a previous facility and to a psychiatrist, received no further counseling and said he had repeatedly been denied an HIV test.

We were told that any crime or act of violence reported would be fully investigated, and that the detainee would be ensured psychological and psychiatric care. Facility officials also stated that staff at the facility was trained in the Prison Rape Elimination Act (PREA) standards, though no one could immediately articulate what PREA stood for or what the standards meant. Additionally, we were told that any detainee who self-identifies as transgender would be automatically placed in segregation.

## **Food**

Facility staff explained that detainees receive three meals per day, and diets are available that accommodate religious and other restrictions. However, in no other detention facility have we received so many complaints of inadequate, inedible and insufficient food. Every detainee reported to us that the quality and quantity of the food was by far the worst at any facility in which they had been detained; after our visit, detainees mailed us letters asking for more food and detailing a weekly menu to illustrate the point. The only option to supplement food is to make purchases from the Detention Center's commissary, something many detainees cannot afford to do.

## **Pods**

Detainees are held in three pods that mainly consist of two-man cells, with some larger cells opening onto an indoor area with a few tables and two televisions. The pods are two floors high, with a row of a small number of phones (six in the largest pod, holding 132 men) on the second floor. There were no privacy walls between the phones. Detainees are counted six times per day, which requires that all detainees be in their cells during that time. Officials explained that detainees are given soap and shampoo as well as socks and underwear. One detainee noted

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<sup>14</sup> In ICE's designation system at Etowah, Level 1 constitutes no to minimal criminal history whereas Level 3 indicates a more significant criminal history.

that he is given only a few sheets of toilet paper every two days and that his request for more was denied.

## **Recreation and Work**

Etowah offers minimal recreation. During the time that detainees can leave their individual units, they are restricted to the main floor area of their pod or to the “outdoor recreation” area attached to each pod. Outdoor recreation at Etowah consists of a cement room (including a cement ceiling) the size of half a basketball court. Near the top of one or two of the walls, very high up, are relatively small windows with bars that allow outside air to enter the area. It is impossible to see anything out of these windows. In two of the pods this “outdoor recreation” had a basketball hoop; in the third, low-level pod, plumbing made a basketball hoop inaccessible. One of the officials noted the “outdoor recreation” almost always fails to meet American Corrections Association standards. More than one detainee, noting the usual hot and humid Alabama weather, referred to the area as the “sweat box.”

Detainees are required by detention standards to have a minimum of one hour of recreation per day. At Etowah, detainees are technically allowed out of their cells for three to four and a half hours each day. However, after coordinating the population count and ensuring that only one level classification of detainees is out of their rooms at any given time—and considering that this three-to-four hour period of time is also allocated for eating, showering and accessing legal resources—many detainees explained that little time remains for recreation. Unlike many detention facilities, Etowah detainees are not permitted to work.

For more than a year ICE has offered an aquaculture, tilapia-farming program for detainees, a ten-week training program on small fish farming. From sign-in sheets it appeared that dozens of detainees had taken the classes. Yet no detainees we interviewed had ever participated in the program, and only a small number said that they knew of its existence. This program seems to be an attempt to satisfy the agency’s claim of moving towards a more civil system. But this small project alone does not change the dire conditions in which detainees are living—and certainly does not make Etowah a civil detention facility.

## **Religious Services**

Facility officials told us they coordinate with community religious leaders to ensure that detainees have the ability to practice their religions. Detainees confirmed that many people were able recently to observe Ramadan; however, detainees also revealed that space and time constraints make it impossible to accommodate all religious requests. Some wrote to us after our visit to explain that requests to wear religious scarves or headwear resulted in level reclassification.

## **Phone Access and Visitation**

In addition to a lack of privacy, detainees reported inadequate access to telephones in their pods, explaining that the restrictive hours of usage meant family members or attorneys were often unavailable at the hours detainees could call.

Visitation at Etowah is done through video. In one of the pods we saw, a small, separate room off the pod contained four computer screens. Any relative or friend wishing to visit the detainee needs to arrange visitation with officials. He or she then receives one half hour of time through a video monitor from an external building. There are no dividers between the screens, so visits are not private. Officials suggested that they could accommodate special requests to arrange visitation on nonvisitation days if family members had to travel far to visit. However, at least one detainee wrote that the facility was not in fact flexible with such requests. Another detainee told us that he does not want his daughters to travel so far, only to see him on a video screen.

## **Access to Assistance and Options for Relief**

The thousands of immigration detainees held in Georgia, Alabama and Louisiana struggle to access legal services. Many detainees have virtually no access to the legal orientation programs or “know your rights” presentations available in facilities closer to metropolitan areas. Etowah is especially remote, and given the type of population held there, the facility has some of the most complicated legal cases of all immigration detainees.

Once ordered removed, immigration detainees have the right to request a review of their detention after 90 days, and again after a second 90 days, if they have not yet been deported. If they continue to be detained after 180 days, it may only be under extraordinary circumstances and with continued review of their detention. In cases where the detainee has been compliant with ICE requests to effectuate their removal (i.e., has tried to obtain travel documents from a country that will accept him ), but where there is no foreseeable likelihood of removal, ICE must release that detainee.<sup>15</sup> To prove compliance in this kind of case often requires the assistance of an attorney who understands and can navigate the intricate immigration laws and processes. Not surprisingly, those who are trying to handle their immigration cases without a lawyer often struggle.

With limited or no proximity to legal providers, and only a few ICE deportation officers to handle requests, many detainees languish in Etowah without any legal assistance. Everyone we interviewed, as well as those who wrote to us after our visit, had been at Etowah for several months, and in some cases had been detained there for over one year. More than one respondent reported being told by ICE during his transfer to Etowah that, even though they knew he could not be deported because of a lack of diplomatic relations with his home country (e.g. Iran), or because of poor conditions in his home country, he would have to wait a minimum of 90 or 180 days in Etowah, at taxpayers’ expense.

Most detainees were aware of their right to a review of their detention after 90 days, and again after 180 total days in detention. Many reported that deportation officers varied in their degree of helpfulness and understanding. Some detainees reported that officers disregarded their requests outright, or that officers said they had to wait for their supervisor’s approval, which took a long time with no follow up. Some detainees did describe one deportation officer as kind and friendly; however, they acknowledged that even he seemed powerless to help effectuate their release.

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<sup>15</sup> This right to review of detention is guaranteed by the 2001 Supreme Court case, *Zadvydas v. Davis*, 533 U.S. 678 (2001).

At least two individuals we interviewed had been victims of violence. In one case, a man was raped and assaulted by other detainees in a different facility; in the other case, a man was assaulted during transport. Both individuals reported that little was done in response to their reporting the crimes, beyond pointing them to the toll-free Department of Homeland Security (DHS) phone numbers where they could register a complaint. Lack of legal service providers in the area and lack of privacy at the facility meant that the detainees did not have the resources or opportunity to communicate with a lawyer about the possibility of release or relief.

## **Monitoring and Oversight**

Many detainees at Etowah said that they feared retaliation for filing a grievance or for requesting a redetermination of their ICE classification (Levels 1, 2 or 3). In addition, many felt that grievances were routinely ignored.

ICE and facility officials explained to us that to file a grievance, a detainee must fill out a form and place it in the appropriate box in their pod (medical, Etowah/jail-related or ICE-related). If attempts at informal resolution are unsuccessful, requests and grievances are taken to a higher level.

During our visit, we were able to meet briefly with the Detention Service Monitor (DSM) assigned to Etowah. ICE created the role of DSM to implement one of the recommendations of then-DHS Special Advisor Dr. Dora Schriro's 2009 report, aimed at creating better and more independent oversight of its largest facilities. Etowah's DSM commutes from Atlanta, and, when at Etowah, seeks to solicit feedback from local and regional staff to report back to headquarters. While this theoretical independence from the field office and direct link to ICE headquarters is significant, it is less meaningful if ICE only focuses on the implementation of procedures rather than the substance and quality of those procedures. For example, when asked how he provides oversight to the grievance system at the facility, the DSM replied that he ensures that the standards for the grievances are being followed by checking whether detainee grievances were responded to in a timely manner. However, he made clear that he does not review or report on the quality or appropriateness of the responses to these grievances, or whether they are satisfactorily resolved. Nor does he keep track of trends regarding complaints against particular guards or shifts of guards. This lack of oversight remains a serious gap in ICE's ability to monitor its local facility operations and field staff behavior.

## **Conclusion**

When we arrived at Etowah, we were shown a substance abuse rehabilitation program for Alabama inmates (not ICE detainees) in which inmates participate in community activities both within and outside of the Detention Center; partner with a local culinary arts program for accreditation; participate in GED classes; and care for domestic animals. Inmates enrolled in the program had far greater freedom of movement than ICE detainees. We were told that prior to laws preventing the indefinite detention of immigrants, ICE had programs such as these in place for its detainees as well. In addition, we were told that Etowah is planning new immigration detainee programs that would fall under a new correctional model offering opportunities for education and creating more welcoming spaces with murals.

While we welcome these ongoing efforts, the WRC considers even these potential changes inadequate justification for continued use of Etowah. Furthermore, the evidence suggests that even where ICE attempts to manage its complex system efficiently and makes reasonable decisions to close facilities, they are often thwarted by political intervention. In allowing Etowah to continue to detain immigrants, despite its inappropriate and inhumane conditions and distance from legal services providers and ICE's own regional field operations, the agency is creating reasonable doubt regarding its commitment to centralization and reform. ICE recently decided to end its use of Utah's Weber County Jail after finding serious violations of the jail's compliance with ICE detention standards. Senator Orrin Hatch questioned DHS Secretary Janet Napolitano regarding ICE's withdrawal from the facility at an October 2011 DHS oversight hearing.<sup>16</sup> While we commend ICE for enforcing accountability with its standards in the case of Weber County, we remain strongly concerned about the precedent Etowah sets for the strength and impact of political intervention. Congressional leaders ought to not exercise favoritism by misdirecting U.S. taxpayer dollars to facilities that cannot meet ICE's commitment to reform.

## Recommendations

Etowah County Detention Center and its history illustrate the need for immediate change and reform. Following our visit to Etowah, and in light of the serious concerns we hear from other advocates, as well as the desperate letters for help we have received, we recommend that ICE take the following steps:

- End ICE usage of Etowah effective immediately. The conditions we saw at Etowah cannot and do not justify the continued use of this facility for immigrant detainees.
  - The WRC strongly feels that no amount of additional programs for ICE detainees would allow Etowah to meet ICE's vision for a more civil system of detention.
  - Even if ICE were able to construct an entirely civil and humane detention facility in Etowah's place, Gadsden, Alabama, remains far removed from any service providers, airports from which ICE would effectuate the removal of detainees from the U.S. or ICE offices or immigration courts. Detainees in Etowah are isolated from their families and from any meaningful chance for assistance.
- End usage of any facilities unable to meet the Detention Standards. Congress should not intervene in reasonable and informed decisions by ICE for local profit or political purposes.
- End immigration detention of those detainees who cannot be deported in the foreseeable future—at Etowah and at other detention facilities nationwide.
  - Since July 2011, most detainees at Etowah have been those expected to remain in custody for lengthy periods. While some of these individuals will likely be removed soon after their arrival at Etowah, many languish there for several months or more than one year without the possibility of removal, and will eventually be released. Many detainees informed us that they were told by ICE they could never be deported because of a lack of diplomatic relations with or dangerous conditions in their home country. They were also told that they would be released after 90 to 180 days. Yet these detainees remained detained for months prior to their release. In addition to

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<sup>16</sup>Romboy, Dennis. "Hatch questions ICE decision to pull immigration inmates from Weber County Jail." *The Deseret News*. October 20, 2011.

the emotional and physical trauma that prolonged detention causes in detainees, this detention comes at a high cost to U.S. taxpayers.

- Facilitate access to legal services for immigrant detainees.
  - Most Etowah detainees lack access to free or low-cost legal services to help them understand and navigate either the appeals process or the *habeas* process of applying for release after 90 or 180 days of postorder detention.
- Increase use of community-based, low-cost and humane alternatives to detention and community support programs.
  - Low-level classification detainees can be released into community support programs that provide comprehensive services and allow detainees to be closer to their families and communities. High-level classification detainees with no foreseeable removal (and who are no longer in the criminal justice system) could be released into electronic monitoring or reporting programs that constitute an alternative type of custody. In both cases, costs are significantly lower than that of a bed in an immigration detention facility.
- Ensure meaningful, accountable and externally enforceable standards of detention, including access to recreation, sufficient food, medical care, meaningful visitation and other basic standards of care in immigration detention.
  - An enclosed room with two small windows should never pass for “outdoor” recreation. That Etowah continues to operate after what we gather are numerous (internal) inspections that came to the same conclusion only illustrates the lack of external accountability of any of ICE’s detention standards.
  - Visitation through a video monitor should never qualify as in-person visitation.
- Ensure meaningful monitoring locally and oversight nationally.
  - Detainees should not fear retaliation for filing a grievance and should believe that their grievance will be read and generate a meaningful response.
  - ICE should apply the standards recommended under the Prison Rape Elimination Act to all immigration facilities to ensure prevention of and protection from sexual violence, as well as access to justice and services for victims.
  - ICE must improve both local monitoring and national oversight of its detention facilities. Facilities should be located within a much smaller radius from their field offices and detention service managers. In reporting to ICE headquarters, DSMs must examine not only the processes of each facility but also the quality and effectiveness of those processes in action.

## Since Our Visit

The Women’s Refugee Commission followed up on its Etowah visit by sending written concerns and recommendations to ICE headquarters and speaking with ICE’s New Orleans field office. In addition, we shared a final draft of this paper with ICE and the Etowah County Sheriff’s Office just prior to its publishing. Each time, in November 2011, December 2011, and March 2012, Etowah county officials contacted us to follow up on the many findings described above. After reviewing our complaints, Etowah County Sheriff’s Office Administrator informed our organization that the facility had already implemented certain changes and was planning further

reforms in order to better comply with ICE detention standards and reform priorities and to create a less restrictive, more civil environment for detainees. As of March 2012, the policy changes they say they have instituted<sup>17</sup> include:

- Additional therapeutic measures, such as a puppy program for detainees;
- Expanded free time allowing detainees to be out of their rooms from 8:30 am to 11:00 pm, with the exception of counts and meal time clean up. Etowah plans to expand this free time to 2:00 am within the next month;
- Additional educational components, including barbering, computer education and horticulture. In addition, the facility has taken steps to improve communication about these and other programs available;
- Increased use of law library time to allow access from 8:30 am to 2:30 am;
- A weekly buffet line for meal service as well as oversight mechanisms for food quality and quantity;
- The facility now permits all ICE detainees to wear blue jeans and t-shirts instead of more penal-like jumpsuits. According to the Sheriff's office, individuals preferred jeans and t-shirts to their own clothing because some lacked the means to purchase their own clothing;
- A full time recreational specialist and an adventure-based therapist to work in the ICE areas;
- Aquariums in each housing area;
- A mural painting program in each ICE housing unit;
- A Detainee Advocate. Per Etowah County, "this full time position is responsible for answering all Detainee Grievances and this person has the ability to correct many problems on the spot. He is a part of our compliance unit. This unit is also full time and [its] only responsibility is to ensure compliance with the PBNDS."

The Women's Refugee Commission appreciates this commitment to improvement and reform. We believe that as a result of our visit and follow-up, ICE and Etowah County officials are taking seriously the need for fundamental changes in the ways detainees are treated. We believe that even small changes create a foundation for longer-term, positive impact on the daily lives of immigrant detainees. Furthermore, this quick and ongoing response to our concerns illustrates that it is possible to demand changes and to achieve them, contrary to ICE's position that change often requires subtle adjustments over lengthy periods of time.

However, as outlined above, we believe that no amount of reform at Etowah can justify its continued use for ICE detainees. Furthermore, we believe the detainees whom ICE knows cannot be removed (i.e., those from countries with no diplomatic relations with the United States) should not be placed in a facility for six months, at taxpayer expense, before their inevitable release.

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<sup>17</sup> The Women's Refugee Commission has not been to Etowah to verify these changes. Changes communicated by telephone in November and December 2011, and email correspondence, March 2012.