

# DHS Plan To Improve Immigration Detention And Close Hutto Facility A Good First Step

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## Enforceable Standards And Community-Based Alternatives To Detention Still Needed, Says ACLU

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NEW YORK – Department of Homeland Security (DHS) officials today announced intentions to improve the nation's immigration detention system, including ending family detention at the T. Don Hutto family detention center in Taylor, TX.

The government's announcement, however, failed to address a number of critical holes in the current system, including a lack of enforceable basic conditions standards, due process to ensure people are not unnecessarily detained, especially for prolonged periods of time, and alternatives to detention.

"Ending family detention at Hutto is extremely welcome and long overdue, and the American Civil Liberties Union looks forward to working with DHS to revamp the broken immigration detention system," said Joanne Lin, Legislative Counsel with the ACLU. "However, in order to effectuate meaningful reform of the immigration detention system, DHS must issue legally binding and enforceable detention standards, which DHS has refused to do for years, and must provide basic due process to ensure that individuals – including U.S. citizens – are not being inappropriately locked up, often for prolonged periods of time."

The ACLU has called for the overhaul of the massive immigration detention system, which has produced over 90 detainee deaths since 2003. DHS locks up in prisons and jails about 32,000 civil immigration detainees each day who are pursuing their immigration cases in the courts. Across the country, treatment of immigration detainees has been poor and inhumane, with many being denied critical medical care. Since DHS has not acted, Congress must now pass the "Safe Treatment, Avoiding Needless Deaths, and Abuse Reduction in the Detention System Act," which would aim to prevent deaths of immigration detainees by requiring DHS to issue detention regulations that are legally binding and enforceable.

According to today's announcement, plans are in the works to consolidate many detainees in facilities with conditions that reflect their status as non-criminals, establish more centralized authority over the system and create more direct oversight of detention centers.

The government will also stop sending families to Hutto, a former state prison that was the focus of ACLU lawsuits filed in 2007 on behalf of 26 immigrant children and which charged that the children were being illegally imprisoned in inhumane conditions while their parents awaited immigration decisions.

A settlement agreement which required Immigration and Customs Enforcement (ICE) to make a number of significant improvements to the conditions inside the facility and subjected ICE to external oversight is set to expire on August 29. ACLU attorneys are in discussions with government lawyers to extend the agreement until the last family has been released from Hutto, which is expected to be no later than the end of the year.

"No young child should ever be forced to spend time in an adult prison," said Vanita Gupta, staff attorney with the ACLU Racial Justice Program. "We commend the government for closing Hutto as an important first step toward ensuring the implementation of more humane detention policies. The problems that have plagued Hutto demonstrate the necessity of meaningful reform."

Attorneys involved in the Hutto litigation include Gupta of the ACLU's Racial Justice Program; Judy Rabinovitz of the ACLU's Immigrants' Rights Project; Lisa Graybill of the ACLU Foundation of Texas; Sean Gorman for Dewey & LeBoeuf LLP; and Barbara Hines of the University of Texas School of Law Immigration Clinic.

Additional information about the ACLU's litigation challenging the conditions and illegal imprisonment of children at Hutto is available online at: [www.aclu.org/hutto](http://www.aclu.org/hutto)

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