



Documents Obtained by ACLU Show Sexual Abuse of Immigration Detainees Is Widespread National Problem

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ACLU of Texas Today Files Federal Lawsuit on Behalf of Women Assaulted at T. Don Hutto Detention Center

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NEW YORK – Documents obtained by the American Civil Liberties Union through the Freedom of Information Act provide a first-ever window into the breadth of the national problem of sexual abuse of detainees in immigration detention facilities. The ACLU is making information from the documents public for the first time today, in concert with the filing by the ACLU of Texas of a federal class-action damages lawsuit on behalf of three immigrant women who were sexually assaulted while in the custody of Immigration and Customs Enforcement (ICE) at the T. Don Hutto Family Residential Center in Taylor, Texas along with numerous others who experienced similar trauma.

Government documents obtained by the ACLU contain nearly 200 allegations of sexual abuse of immigration detainees jailed at detention facilities across the nation since 2007 alone. The documents were obtained from the Department of Homeland Security's Office of Inspector General, Office of Civil Rights and Civil Liberties and ICE. While the information gleaned from the documents likely does not represent the full scope of the problem given that sexual abuse is notoriously underreported, the documents nonetheless make clear that the sexual abuse of immigration detainees is not an isolated problem limited to a few rogue facilities or to a handful of bad-apple government contractors who staff some of the nation's immigration jails. According to the documents, while facilities in Texas are the focus of more allegations by far than any other state, sexual abuse allegations have come from nearly every state in the nation that houses an immigration detention facility.

"It is clear there is an urgent need for the government to recognize just how pervasive a problem the sexual abuse of immigration detainees is and take immediate steps to fix the problem and ensure that everyone in the government's care is protected," said David Shapiro, staff attorney with the ACLU National Prison Project. "The detainees in immigration detention are a particularly vulnerable population. Even one incident of sexual abuse is one too many."

Defendants named in the ACLU of Texas lawsuit include three ICE officials; Williamson County, Texas; Corrections Corporation of America (CCA), the nation's largest private prison company that manages the Hutto facility; the former facility administrator for Hutto; and Donald Dunn, a guard who pleaded guilty in state court to three counts of official oppression and two counts of unlawful restraint based on his assaults of five women. Separately, Dunn has been charged with four additional federal counts of criminal violation of civil rights and is awaiting sentencing on two of them.

The three named plaintiffs are identified in the lawsuit as Sarah Doe, Kimberly Doe and Raquel Doe to protect them from further harm. All three were seeking asylum in the United States, fleeing sexual assault and extreme violence in their home countries.

"The fact that these women sought sanctuary in the United States – only to find abuse at the hands of officials they thought would protect them – is wholly inconsistent with America's self-proclaimed reputation as a beacon of human rights and protector of human dignity," said Lisa Graybill, legal director for the ACLU of Texas.

The assaults occurred when Dunn alone was transporting women from the Hutto facility to the airport or bus station in nearby Austin. Log books and other documents obtained by the ACLU of Texas indicate that in addition to the seven known occasions on which Dunn is believed to have assaulted a total of nine women, at least 20 different male guards transported at least 44 female detainees alone between December 2008 and May 2010. The lawsuit alleges that ICE, Williamson County and CCA were deliberately indifferent and willfully blind to the fact that Dunn and other employees regularly violated the rule that detainees not be transported without another escort officer of the same gender present.

"Unfortunately, we believe these complaints are just the tip of the iceberg," said Mark Whitburn, senior staff attorney for the ACLU of Texas. "Government records reveal that since 2007, 185 complaints have been made to the Department of Homeland Security about sexual abuse in ICE custody, 56 of which were from facilities in Texas. Immigrants in detention are uniquely

vulnerable to abuse, and those holding them in custody know it. Many do not speak English, many – like our plaintiffs – have fled violence in their home countries and are terrified of being returned. They may not be aware of their rights or they may be afraid to exercise them.”

An ACLU website launched today devoted to the problem of sexual abuse in immigration detention, including an interactive map depicting information obtained through the ACLU’s FOIA documents as well as information about the ACLU of Texas lawsuit can be found at: www.aclu.org/sexual-abuse-immigrant-detention

A special blog series on immigration detention beginning today on the ACLU’s Blog of Rights and running through the month of October can be found at: www.aclu.org/blog/tag/End%20ICE%20Abuse

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