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Internal Investigators Told ICE To Stop Sending Immigrants To A Prison In Louisiana Because Of A Culture That Can Lead To Abuse

“By the time I get them out, they are half the person they used to be.”



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Associated Press

Detainees in an ICE residential pod in 2019

The Biden administration is detaining immigrants at a prison in rural Louisiana that’s been described by government investigators as having “a culture and conditions that can lead to abuse, mistreatment, and discrimination,” a BuzzFeed News investigation has found.

The Department of Homeland Security’s Office for Civil Rights and Civil Liberties (CRCL) delivered the warning to US Immigration and Customs Enforcement (ICE) officials in November in a report documenting the presence of mold and pests, problems with medical care, and other issues, including insufficient staff training, at Winn Correctional Center in Winnfield, Louisiana. The prison, which gained notoriety after a Mother Jones reporter worked there as a prison guard and wrote about it in 2016, holds hundreds of people detained for ICE.

While immigrant advocates have long complained about poor conditions within the immigrant detention system, documents issued internally by CRCL to ICE officials and obtained by BuzzFeed News provide a glimpse into a government investigation of a prominent detention center that can hold more than 1,000 immigrants at a time and is operated by a private company.

The report, dated Nov. 17, recommended that ICE stop placing immigrants there until the conditions improved. The office sent another memo in August with similar advice.

“No new detainees should be added to the facility; and the detainee population should be drawn down to zero until immediate health and safety concerns can be corrected,” a CRCL memo dated Aug. 10 stated after experts contracted by the office conducted a review. The advice came from four experts in detention and medical care who reviewed the facility for DHS and said they had major concerns about detainee safety.

“At a minimum,” the office wrote in the August plan outlining concerns for detainees, “the population must be halved immediately to address the major plumbing deficiencies.”

BuzzFeed News reviewed the August plan and parts of a subsequent CRCL report from November. Taken together, the documents symbolize how problems reported internally within the detention system persist during an administration that promised to fundamentally change immigrant detention. The documents from August and November illustrate a cascade of issues that the investigators discovered, including:

- CRCL officials had “serious concerns expressed about the health and safety of detainees at Winn.” The officials wrote in November that “overall, Winn has a culture and conditions that can lead to abuse, mistreatment, and discrimination against detainees.” They believed ICE should stop placing detainees at the Winn ICE center “until the identified culture and conditions ... are corrected,” including its use of force and lack of training. The November report maintained that staff at the facility should receive new or “enhanced” training on issues like use of force or pandemic safety requirements.
- Both detainees and employees at Winn reported the presence of cockroaches, spiders, and other pests, along with mold in the facility, according to the November memo. CRCL officials had written in August that Winn did not have enough toilets, showers, and washbasins for the number of detainees at the prison to comply with ICE standards.
- Immigrants who were put on “suicide watch” were routinely kept in “segregation units” or in solitary confinement. Detainees on suicide watch told the investigators, according to the November report, that the cells were not clean; one immigrant said he was not provided with a mattress. The experts discovered that there was “not always a clear clinical rationale documented” for continuing the suicide watch. In August, investigators said the mental healthcare program at Winn was inadequate.
- An immigrant who died in 2020 after being held at Winn did not have his “abnormal vital signs” during the intake process and did not receive “adequate medical assessments,” including when he got COVID-19 symptoms, according to medical records reviewed by the experts. “There was also a long delay in sending him to the hospital and there were no records showing that he received continuous monitoring and treatment while waiting for transport,” the experts found in the November report. The same memo stated that detainees did not always receive prescribed medications, that their treatment of pain for those with dental problems was lacking, and that records and nursing assessments were incomplete. In August, investigators said the facility’s medical care was inadequate.
- At one point, despite a finding that a sexual encounter between two male detainees was consensual, the facility “assessed one of the men as a potential predator with no legitimate

justification.” In August, investigators had recommended LGBTQ detainees be prioritized for transfer or release from Winn. “Certain staff remarks, as well as a recent sexual misconduct incident between two male detainees, also indicated a lack of understanding and/or potential bias toward LGBTQ detainees,” the August report stated.

The unusual decision by the investigators to send ICE a “proposed action plan” in August included a way to draw down the number of immigrants at the Winn facility by releasing those with medical and mental health issues until the concerns were addressed.

The August memo, however, did not appear to lead to any type of significant cut in the number of immigrants detained there.

Government data reviewed by BuzzFeed News shows that despite the stark recommendation late in the summer, the average monthly population, compared to that of August, rose in October and November. On average, the vast majority of the more than 900 immigrants detained at the facility in October and November did not have a criminal record.

Top Biden officials have not been shy about the apparent standards and goals for immigrants being held by the government.

In early September, DHS Secretary Alejandro Mayorkas said, “No longer will the United States government accept substandard treatment of individuals in immigration detention and fail to respect the dignity that they — like any human being — have.”

LaSalle Corrections, the private company that operates the facility, did not respond to a request for comment.

ICE officials said the agency was engaging with CRCL on the findings and working to address the areas of concern. Officials noted that an ICE oversight body had inspected Winn this year and found in compliance with agency standards in August.

“U.S. Immigration and Customs Enforcement (ICE) does not tolerate the mistreatment of those it detains or substandard detention conditions,” an agency spokesperson wrote in a statement sent to BuzzFeed News. “ICE is committed to continually enhancing civil detention operations to ensure people detained by ICE are treated humanely, protected from harm, provided appropriate medical and mental health care, and receive the rights and protections to which they are entitled.”

Winn Correctional Center began holding immigrants during the Trump administration as part of its expansion of immigrant detention in Louisiana. The prison’s proximity to the southern border, capacity, and affordable rates made it an easy option for an administration that was intent on detaining immigrants.

Jean, a Haitian who was detained at Winn from May to July, told BuzzFeed News that he had severe stomach pain and diarrhea over the summer. Despite his pleas for medical assistance at Winn, he said, he was not able to see a nurse or doctor.

“Inside detention, we are not considered as human,” Jean, who spoke under a pseudonym, said through an interpreter.

The 27-year-old crossed the border in Arizona in April and sought asylum protections when he was arrested by border agents. Later, in May, he was transferred to Winn. It was there, he said, where he struggled with the fact that he was in a prison. Jean said the guards would ignore detainees who sought help for others who were feeling unwell.

“I had never been in such a situation before. I was just looking for safety and security, and they were treating me as a criminal and subhuman,” he said.

The Biden campaign has signaled it would seek to scale down the use of private prisons to hold immigrants, especially asylum-seekers. Earlier this year, Politico reported that President Joe Biden was considering an executive order to ban ICE from using private prisons to house immigrants, but no such order has since come. The administration has, however, closed one private facility.

“President Biden began his administration with lofty promises about ending the use of private detention centers. But little has changed,” said Eunice Cho, a senior staff attorney at the ACLU. “The Biden administration’s use of private immigration detention is just as bad as under President Trump.”

The factors weighing against a scaledown of private facilities are numerous: Contracts are difficult to cut, and facilities that aren’t privately owned are hard to locate as more cities and counties cut off ties with ICE. Like Jean, many detainees in custody are picked up from the border and brought to detention centers across the country.

The agency continues to use private facilities because they have the space to hold more immigrants transferred from the border should the government want it.

The government uses facilities near the border that charge lower rates and can hold more than 1,000 detainees at a time, like Winn. DHS uses “guaranteed minimum” contracts — in which ICE pays for a certain number of beds regardless of whether they are filled — at facilities like Winn to ensure it will always have access to more space. In May 2020, ICE paid more than \$20 million for 12,000 unused beds, according to a report from the Government Accountability Office.

Winn Correctional Center, located in a Louisiana forest, drew notoriety when Mother Jones reporter Shane Bauer infamously worked there as a prison guard for four months in 2016 and wrote about it, describing the cells as “tombs.” Back then, the prison was operated by a different private company and held inmates for the state of Louisiana before it began detaining immigrants for ICE.

Almost immediately, the facility began to draw complaints.

In one particularly striking allegation, Manuel Amaya Portillo, an asylum-seeker with disabilities, alleged staffers never responded to his repeated requests for a wheelchair, according to the ACLU. He told the group that medical staffers “locked him in the medical unit and gave him sedatives, which he had not requested and did not want, during what he later learned was a facility inspection tour by government-contracted outside inspectors who took photos and interviewed detained people.” In recent months, groups like the ACLU have called for the Winn center to be shut down.

This year, the Southern Poverty Law Center wrote in a letter to agency officials that one detainee “had to remove his own cyst from his stomach to prevent infection because the facility refused to treat it.” One detainee also told the organization that they had found a live cockroach in their food.

In the initial August report, CRCL officials recommended the prison fix 32 of the 64 “smoke barrier doors,” which limit the spread of smoke, that were not working in the detention center’s housing units.

“This has been identified as a significant life safety risk and people should not be detained at Winn until all housing unit smoke barrier doors are fully functional,” the report stated, noting that ICE officials had informed them the problem would be taken care of.

The investigators also said that the facility needed to make sure that all staffers who had firearms were trained and certified.

“CRCL and experts found that at least one staff member had been issued a weapon without firearms certification,” the memo stated.

Elsewhere, the investigators found that “Winn only has enough washbasins, showers, and toilets [under ICE detention standards] to house 50% of the current detainee population.”

To cut the population at the facility, the investigators recommended prioritizing releases or transfers of people with mental health issues because the mental health program was “inadequate,” according to the expert who reviewed it. Those with medical conditions were also recommended as a priority for release or transfer; CRCL’s medical expert found that the medical care was also inadequate.

“There is a delay in providing health care, a major medical staffing shortage, and several COVID-19 positive detainees,” the report stated.

Ultimately, the office said that no detainees should be added until the “deficiencies” it found were remedied.

In a later report, issued internally in November, CRCL described how the state fire marshal had found in June that none of the smoke doors in the prison dorms worked when the fire alarm was activated. Winn officials said they were considering installing new plexiglass doors.

The report also documented how both detainees and staffers had reported mold at the facility, as well as cockroaches, ants, and spiders.

When it came to medical care, investigators said that both chronic and acute medical issues were not seen or assessed in a timely manner. Forms filled out by detainees seeking medical help were not regularly picked up by nurses, triaged, or assigned a severity level, according to the report. During the intake screening, detainees’ abnormal vital signs were not acknowledged or treated.

“This places detainees at high risk of not receiving critical care in a timely manner,” the report added.

Longtime critics of the facility, like Mich Gonzalez, associate director of the SPLC’s immigrant detention project, said they had seen its effects on detainees.

“They are desperate,” he said. “Every time I talk to someone, their mental health deteriorates. By the time I get them out, they are half the person they used to be.”