



March 9, 2015

Michael E. Horowitz
U.S. Department of Justice
Office of the Inspector General
950 Pennsylvania Avenue, N.W.
Suite 4706
Washington, D.C. 20530-0001

AMERICAN CIVIL
LIBERTIES UNION
WASHINGTON
LEGISLATIVE OFFICE
915 15th STREET, NW, 6TH FL
WASHINGTON, DC 20005
T/202.544.1681
F/202.546.0738
WWW.ACLU.ORG

Re: February 20 uprising at Willacy County Correctional Center

Dear Mr. Horowitz:

We write to express our serious concerns about the recent uprising at Willacy County Correctional Center and the conditions that precipitated it. On February 20, individuals incarcerated at the 2,900-bed federal prison, in Raymondville, Texas, began a protest, reportedly over inadequate medical care, which ended in damage to the facility that the Federal Bureau of Prisons (BOP) states has made it uninhabitable. The Bureau is currently transferring all prisoners from Willacy to other BOP facilities across the country. We urge you to open a prompt and comprehensive investigation into the events surrounding the uprising.

For nearly 100 years, the American Civil Liberties Union (ACLU) has been our nation's guardian of liberty, working in courts, legislatures, and communities to defend and preserve the individual rights and liberties that the Constitution and the laws of the United States guarantee everyone in this country. The ACLU's 2014 report *Warehoused and Forgotten: Immigrants Trapped in Our Shadow Private Prison System* documents a multi-year investigation into conditions at Willacy and four other privately run Criminal Alien Requirement (CAR) prisons in Texas that are under contract with BOP. Our report uncovered evidence at Willacy of inadequate medical care consistent with the protesters' recent allegations, along with severe overcrowding, extremely limited programming, and arbitrary and abusive use of isolation. The profit motive inherent in the use of private prisons creates a recipe for such violations of basic human rights.

The Bureau and Management and Training Corporation (MTC), the private prison company that runs Willacy, have both issued statements indicating that they will review the situation at Willacy. However, we believe that an independent investigation is imperative, and we urge the Office of the

MICHAEL W. MACLEOD-BALL
ACTING DIRECTOR

NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500

OFFICERS AND DIRECTORS
SUSAN N. HERMAN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

ROBERT REMAR
TREASURER

Inspector General to immediately undertake such an investigation into both the causes of the uprising and the response from MTC, local authorities, the Federal Bureau of Investigations, BOP, and any other governmental entities.

BOP's decision to contract out the incarceration of federal prisoners to privately operated prisons does not absolve the Bureau of responsibility for conditions and practices in those facilities. If BOP has not provided effective oversight at Willacy, which the recent protest would suggest, then the Department of Justice must implement meaningful remedies to BOP contracting and oversight practices, and consider withdrawing from all private prisons as soon as reasonably possible. In the meantime, if MTC's operation of Willacy is found to have fallen below relevant standards (including constitutional requirements, correctional management standards, standards of care for medical and mental health services, or BOP contractual requirements), BOP should decline to exercise its option to renew the contract for Willacy with MTC on August 31, 2015.

Please contact Ruthie Epstein (repstein@aclu.org or 202-675-2316) with any questions.

Sincerely,



Michael W. Macleod-Ball
Acting Director



Ruthie Epstein
Legislative Policy Analyst