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## **Immigration agency pulls inmates from Jack Harwell jail**

By Regina Dennis Tribune-Herald staff writer Dec 26, 2011



Eighty female ICE detainees were at the Jack Harwell facility when an immigration agency decided to suspend using the jail.

The federal immigration agency has stopped sending inmates to the Jack Harwell Detention Center and moved all existing detainees out of the facility, citing concerns about housing conditions and inmate medical care.

The news came just days before the McLennan County Commissioners Court is set to consider extending an inmate housing agreement with the private company that operates the Harwell facility. That meeting is scheduled for Tuesday.

In addition, some county officials said they were not informed there were complaints about care at the jail.

Immigration and Customs Enforcement spokeswoman Nina Pruneda said the agency investigated complaints from its inmates about housing conditions at the Harwell jail and determined that New Jersey-based Community Education Centers, which manages the jail for the county, was “unable to provide appropriate medical treatment in accordance to our detention standards.”

## **Unclear future**

Pruneda said there were 80 female ICE detainees at the Harwell facility when the agency decided to suspend using the jail. The agency had not sent any male inmates to the jail.

It was not clear whether ICE would resume sending inmates to the jail in the future. Pruneda said last week, “We’re no longer using it, and from what I understand we have no intentions of using it in the future,” but she later said she could not speak for the agency’s long-term plans for the facility.

CEC has a separate medical department and physician from the neighboring McLennan County Jail, which is under the direction of Dr. John Wells.

Pruneda did not provide more details about the specific medical care concerns at the Harwell jail by press time. She also declined to discuss any additional concerns the agency had about housing conditions at the jail.

“We are no longer using that facility because it did not provide ICE with the conditions of confinement that are required by our detention standards for our detainees,” Pruneda said.

It also was unclear how many complaints ICE inmates made, or the time period during which they occurred.

The Tribune-Herald was unable to reach CEC Senior Vice President Michael Caltabiano late last week for comment.

Pruneda said the inmates were removed from the Harwell jail in clusters as ICE determined how to resolve their cases.

All of the inmates had some type of immigration violation, but they also may have faced criminal charges before being placed on an immigration hold.

Pruneda said a majority of the inmates were moved to ICE's T. Don Hutto facility in Taylor.

The loss of the ICE inmates is yet another blow to efforts to recruit inmate housing contracts that would fill the Harwell center.

CEC has struggled to increase the jail's inmate population since it opened in 2010.

Late last week, the detention center had 434 inmates, including 180 from the McLennan County Jail and 94 from the U.S. Marshals.

Revenue from housing inmates is needed to pay off the \$49 million in project revenue bonds that paid for the jail's construction. The bonds were issued using the county's bond rating.

The commissioners court approved an arrangement in June 2010 to move all the inmates from the downtown jail, which CEC also operated, into the Harwell facility.

That agreement allows housing revenue from those inmates to be applied to the bond debt.

The commissioners court is to discuss extending that agreement for another six months Tuesday.

### **Judge heard rumors**

County Judge Jim Lewis said he talked with officials from CEC about ICE's decision and said he has a meeting scheduled with CEC in the coming weeks to discuss the matter further.

Lewis said he had “only heard rumors” that ICE raised complaints about inmates’ medical treatment.



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He declined to clarify whether he had spoken in depth with CEC about any specific problems ICE cited.

“It is (something the county should look at), but you can’t just jump to conclusions and start pointing fingers at who’s to blame,” Lewis said. “It’s a deal we have to work through. . . . This is something ongoing and there’s been some discussions.”

Lewis added he felt CEC had been diligent in keeping the county abreast of the issues with ICE and other matters about the Harwell facility.

### **In the dark**

But other members of the court had little to no information about ICE’s move.

Commissioner Joe Mashek said he was not aware the inmates were no longer at the Harwell jail, nor that there were complaints about care.

Commissioner Lester Gibson, the court's liaison for jails, said while he noticed the ICE population slowly dropped to zero at the Harwell facility, he was not given a reason for the change.

Nor was he aware that ICE decided not to send more inmates to the jail.

He stopped short of saying CEC should have to report all housing complaints from outside agencies to the court, noting that CEC is a private company.

"I think that if it was something of a nature that would (expose the county) to some liability, they should have to inform us," Gibson said. "And our lawyers would have to know about it and have been informed about it. But (in this case), that has not happened."

Gibson said James McCormick, the CEC warden who oversees operations for the Harwell facility, told him Wednesday that ICE will send inmates back to the jail soon.

The Tribune-Herald was unable to reach McCormick late last week for comment.

But Pruneda said Thursday that ICE's decision not to send inmates to Harwell remained in force.

Commissioner Kelly Snell learned about the lack of ICE inmates at Harwell from Gibson. He too said he would have wanted CEC to inform the entire court about the issue, but said in general he finds it difficult to get information directly from CEC officials.

“I’d like to see them be a little more upfront with us about everything, and I think we should get more regular reports on what’s going on for the benefit of the county,” Snell said.

Commissioner Ben Perry said he asked the sheriff’s office about the decline in ICE inmates, and officials there speculated that ICE simply was moving the detainees to a cheaper facility.

He said he was not told that inmates reportedly complained about medical care.

McLennan County Chief Sheriff’s Deputy Randy Plemons could not be reached for comment late last week.

### **Delay agreement**

Perry said it may be appropriate to delay extending the housing agreement with CEC until the court gets more answers about inmate care.

“I hope that what we find out when we get through digging into this is that the problems are not serious, but it does concern me to find out through other channels that there may be some issues that we are not aware of,” Perry said.

“We need to look at, if the complaints being alleged by ICE are valid, not only how it affects inmates from other agencies, but also the ones that we are sending over.”

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