

United States Senate

WASHINGTON, DC 20510

June 21, 2019

Acting Secretary Kevin McAleenan
U.S. Department of Homeland Security
Washington D.C. 20528

Re: Dangerous Conditions at Border Station Clint Requiring Immediate Action

Dear Acting Secretary McAleenan,

I am writing again to express my deep, ongoing concern regarding the abusive conditions and staff practices hurting migrant children in Department of Homeland Security (DHS) detention facilities, and to request that you publish a remediation plan which explains how DHS intends to immediately end these practices.

In an article titled *Attorneys: Texas border facility is neglecting migrant kids*, the Associated Press reports on the appalling conditions and actions by staff at the Clint Border Patrol Station near El Paso.¹ The Article begins: “Lawyers warn that kids are taking care of kids, and there’s inadequate food, water and sanitation for the 250 infants, children and teens at the Border Patrol station.” It goes on to detail additional specific abuses.

- **No Staff Care for Tender Age Children under 5:** Attorneys who recently visited the facility said that three detained girls told them they were trying to take care of a “2-year-old boy, who had wet his pants [with] no diaper and was wearing a mucus-smear shirt when the legal team encountered him.

‘A Border Patrol agent came in our room with a 2-year-old boy and asked us, ‘Who wants to take care of this little boy?’ Another girl said she would take care of him, but she lost interest after a few hours and so I started taking care of him yesterday,’ one of the girls said.”

According to a law professor who helped interview the children, the toddler is not speaking; the professor said she “couldn’t learn anything about the toddler, not even where he’s from or who his family is.” The law professor also described “an 8-year-old taking care of a very small 4-year-old with matted hair [who] couldn’t convince the little one to take a shower.”

¹ Available at <https://apnews.com/46da2dbe04f54adbb875cfbc06bbc615>.

Older children “say they have had to pick up some of the duties in watching over the younger kids. A 14-year-old girl from Guatemala said she had been holding two little girls in her lap. ‘I need comfort, too. I am bigger than they are, but I am a child, too.’”

The article reports that there are at least seven tender age children and “dozens” of other young children in the facility: “three infants in the station, all with their teen mothers, along with a 1-year-old, two 2-year-olds and a 3-year-old. There are dozens more under 12.”

- **Significant Health Risks for Children and Staff:** “Fifteen have the flu, and 10 more are quarantined.”
- **Inadequate Care:** “Children told lawyers that they were fed oatmeal, a cookie and a sweetened drink in the morning, instant noodles for lunch and a burrito and cookie for dinner. There are no fruits or vegetables. They said they’d gone weeks without bathing or a clean change of clothes.”
- **No Effort to Reunify Children with Families.** A migrant father told the AP that “authorities separated his daughter from her aunt when they entered the country. The girl would be a second grader in a U.S. school. He had no idea where she was until Monday [June 17], when one of the attorney team members visiting Clint found his phone number written in permanent marker on a bracelet she was wearing. It said ‘U.S. parent.’ ‘She’s suffering very much because she’s never been alone. She doesn’t know these other children,’ said her father.”

An experienced lawyer is quoted saying: “In my 22 years of doing visits with children in detention I have never heard of this level of inhumanity.” A psychoanalyst who has evaluated about 50 children and parents seeking asylum said “the trauma is causing lasting damage.” A physician leading the American Academy of Pediatrics Immigrant Health Special Interest Group said Border Patrol stations “are anything but child friendly ... [t]hat type of environment is not only unhealthy for children but also unsafe.”

Additional Information

I have separately obtained corroborating information about the Clint facility and staff practices.

- **Unsuitable Space for Children.** Border Station Clint is located in desert scrubland 25 miles southeast of El Paso. Recently, two metal sheds – with few or no doors or windows – were constructed. I have been told they are intended to house hundreds of children. Detaining children in such warehouses, without access to natural light or the outdoors, violates all reasonable standards of care.
- **Unreasonable Delay and Arbitrary Punishment.** To compound the problems, DHS is holding children in this facility for days and perhaps even weeks and staff appears to be punishing children at will. Here is but one example of delay and mistreatment.

A seven year-old girl from El Salvador is now being detained in the Clint facility. Her father resides in the United States. Days ago, he notified the Office of Refugee Resettlement (ORR), the federal agency responsible for migrant children, that he is prepared to take immediate custody. He has completed all ORR necessary paperwork, including proof that he is her father.

Two days ago, the father spoke by phone to his daughter. She told him that the supervising adults have told her that the children could spend up to 30 days in the facility.

In a subsequent call that same day she told her father that she had been given a new hair comb by a facility nurse (replacing one she had lost) and that she had brought it into her detention cell. A supervising adult then discovered the comb in the cell, said that combs are not allowed in cells, and punished the girl by taking away all of her bed linens. The daughter sounded hysterical over the phone.

When the father complained about this treatment he was told by the adult that he (the father) would no longer be permitted any more phone calls to his daughter and then hung up.

It should go without saying: all of this shocks the conscience. The conditions and staff practices are irreparably harming innocent, young children. They require immediate attention and remediation, at Clint and DHS' other facilities.

Accordingly, I am now requesting that you publish a remediation plan, which explains how DHS intends to immediately end these abuses no later than Friday, July 12, 2019.

I look forward to hearing from you.

Sincerely,



Jeffrey A. Merkley
United States Senator

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Robert A. Tucker . A. Tucker