



VIRGINIA MARIE RAYMOND
LAWYER • ABOGADA

September 17, 2016

United States Department of Justice
Civil Rights Division
Federal Coordination and Compliance Section
NWB 950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Re: Complaint of violation of Rehabilitation Act of 1973; IDEA; and the
Americans with Disabilities Act by the U.S. Department of Homeland
Security, Immigration Control and Enforcement (ICE);
The GEO Group, Inc.; and a charter school

Dear Colleagues,

The private prison corporation, GEO, operates a detention center at 409 FM 1144, Karnes City, Texas, 78118. The facility, euphemistically called a “residential center” detains women asylum seekers and their minor children through a contract with the U.S. Department of Homeland Security. A “school” operates at the facility.

The last time I checked, this school was operated by the John H. Wood, Jr., Public Charter School District, <http://www.woodcharter.com>. As of this morning, the charter school district does not name Karnes as one of its campuses, so I am not sure if that company still operates the school or not.

Complaint

The school operated in the GEO/ICE facility at 409 FM 1144 is on the second floor of the facility. There is no elevator. It is thus completely inaccessible to people with mobility impairments – children, their mothers, or teachers or potential teachers, social workers, or visiting legislators or human rights inspectors. ***A Texas Department of Family & Protective Services who uses a wheelchair would not be able to check to see if the school is safe. Nor would a staffer of the Texas Education Agency or of the DHS Office of Civil Rights and Civil Liberties wanting to inspect the charter school.***

I urge you to immediately investigate this violation of at least three federal laws:

The Rehabilitation Act of 1973;
The Individuals with Education Act (IDEA); and
The Americans with Disabilities Act (ADA).

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Background:

I have been representing refugees, on a *pro bono* basis, detained at Karnes since 2013. When I began, the Karnes facility on FM 1144, was a low-security immigration detention center who held men not deemed to be dangerous. (The facility on FM 1144 is adjacent to another GEO-operated federal detention center.) The client I represented between 2013 and 2014 was a young Guatemalan man who was ultimately detained for over a year. He released in June 2013 following a merits hearing several months earlier (the decision was delayed, and he was unnecessarily detained, for several months because of the collapse of the EOIR computer system).

As you know, in August 2014, the Karnes County Civil Detention Center was re-packaged as a "family detention center." The building got a blue awning and the sign was repainted.

I began representing women and children in August 2014, always on a *pro bono* basis. As a lawyer, I am allowed access to the lobby (with its restroom), a visiting area (with a restroom), and, on days when I have hearings, the "court" wing of the building which is otherwise locked. There, I represent women and children in front of a video screen, where we can see a San Antonio immigration judge. This year, GEO began to allow us regular use of the room labelled the "pro bono" room, which I had been kicked out of in 2015 for GEO staff meetings.

I have never been allowed to visit the residential areas, the gym, the "medical" area (used for retaliation against outspoken residents), or the school. For this reason, I was unaware until Monday, September 12, that the school was completely inaccessible to people with mobility impairments.

On Monday, I was at Karnes to accompany families to Immigration Judge reviews of negative credible or reasonable fear findings. At that time, I learned that one of my clients, a ten-year old girl, was going to have to wait in the "court" hallway while alone while her mother was in the review. The mother had decided that her daughter should not be in the room for the review, because of the horrifying, sensitive, and traumatic information she would necessarily share with the judge. I agreed and said to the child that she should just return to school. At this time, I learned from two GEO staffers (bailiffs) and the girl's mother that the girl "was not allowed" back in school. Because the girl had broken her leg – in the GEO/ICE facility – and was on crutches, she could not go to class, which is on the second floor.

It boggles my mind that the U.S. Department of Homeland Security, a worldwide prison corporation that has been in business since 1984, <http://www.geogroup.com>, and a charter "school" district, could all operate in **flagrant violation of three federal laws that are forty-three (43); forty-one (41); and twenty-six (26) years old, respectively.**

The Immigration Judge promptly vacated the negative credible fear finding for the ten-year old girl with the broken leg and her mother. They should be out of Karnes by the

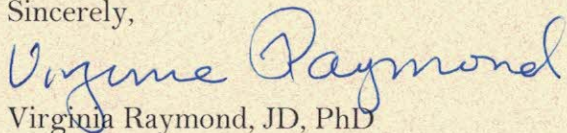
time you receive this complaint. I am not seeking relief or damages for the discrimination against her, although of course I cannot predict what the mother or child, with other legal counsel or on their own, may do. But the lawless Karnes facility will continue to operate and in doing so, discriminate against children with mobility impairments; potential teachers and other educational personnel with mobility impairments; and potential investigators with the Texas Department of Family and Protective Services, U.S. DHS Office of Civil Liberties & Civil Rights, Texas Education Agency, federal or state legislators, and your own office, should any of these employees have mobility impairments.

Request for Investigation and Penalties

I request your prompt investigation of the Karnes facility and those responsible for detaining children and their mothers in a lawless lock-up.

Ignorance of or indifference to three fundamental, well-know and widely-publicized civil rights acts by DHS, GEO, and a charter school district is proof that none of these agencies or their individual employees have ANY business confining ANY human being. DHS, GEO, and a charter school may believe that because refugees come and go, and because no one cares about ten-year old Honduran kids anyway, they can flagrantly violation federal civil rights laws with impunity. I hope that this is not true, and you will prove as much by treating this complaint seriously.

Sincerely,

A handwritten signature in blue ink that reads "Virginia Raymond". The signature is written in a cursive, flowing style.

Virginia Raymond, JD, PhD
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