



August 11, 2020

The El Paso County District Attorney
Mr. Jaime Esparza
34th Judicial District
500 E. San Antonio Ave.
Suite 201
El Paso, Texas 79901

Via email to: rramos@epcounty.com

Re: Pattern of Sexual Harassment of Detained Individuals at the El Paso Processing Center

Las Americas files this complaint to bring to the attention of the District Attorney and local law enforcement a pattern and practice of sexual harassment and sexual assault of immigration detainees at the El Paso Processing Center (“EPPC”) by EPPC staff. Although lieutenants, captains, and ICE supervisors have been made aware of these patterns of sexual misconduct, we present a pattern by which they have failed to protect detainees as required by U.S. law and ICE internal guidance. The experiences of three detainees are detailed in this complaint and serve to illustrate a pattern and practice of sexual exploitation and retaliation for reporting harassment at EPPC by EPPC staff.

The following information was collected from interviewing each victim. We provide this information with each person’s consent but with the expectation that their identities be held confidential and that they be protected from retaliation. In particular, Jane Doe 1 remains detained at EPPC and is facing increased anxiety, fearing that this complaint will jeopardize her safety during detention. Jane Doe 1 has been assaulted by at least two separate guards during her detention in El Paso, John Doe has experienced sexual harassment from an EPPC guard, and Jane Doe 2 was similarly sexually assaulted by several guards at EPPC.

INDIVIDUAL INCIDENTS

Jane Doe 1

In order to obtain her medication each day, Jane Doe 1 walks from her barrack to the medical unit. Along the path she must take to go to and from the medical unit, there are various areas that she believes are blind spots and thus invisible to cameras. Two assaults have occurred in a small corner near the door of barracks 8B.



Officer [REDACTED]

Incident 1

In November 2019, Jane Doe 1 was returning to her barrack after visiting the medical unit when she was accosted by Officer [REDACTED] in one of those camera blind spots. Officer [REDACTED] forcibly kissed her and touched her intimate parts.

Incident 2

Several days later, Jane Doe 1 was again accosted by Officer [REDACTED], in a similar area that is a camera blind spot on her way back to the barrack from the medical unit.

Officer [REDACTED] reportedly told her that if she behaved, he would help her be released from custody. She states that she refused his advances. Officer [REDACTED] reportedly told her that no one would believe her if she did report him, as it would be her word against his. Moreover, he reportedly told her that guards know exactly where cameras are out of view throughout the entire facility.

Incident 3

Jane Doe 1 worked in the kitchen. Adjacent to their working area is a bathroom designated for detained women who work during these shifts. The bathroom door has a clear window, making it possible for others to look inside the bathroom.

In December 2019, while she and several other women were using the bathroom, Jane Doe 1 saw Officer [REDACTED] staring at them through the window.

Reporting of incident

On the same day of the incident in December 2019, Jane Doe 1 reported Officer [REDACTED] conduct to Officer [REDACTED], a female guard who supervises the detained women. Officer [REDACTED] referred Jane Doe 1 to Captain [REDACTED] in order to report this behavior.

Jane Doe 1 was taken to the “intake” area in the EPPC and put in a small cell to wait to speak with Captain [REDACTED]. She reported Officer [REDACTED] conduct near the women’s bathroom to Captain [REDACTED] who responded dismissively to her complaint. Captain [REDACTED] attitude scared Jane Doe 1 from reporting further conduct by Officer [REDACTED].

Retaliation after reporting sexual harassment

Suffering sexual assaults at EPPC has worsened Jane Doe 1’s depression and anxiety. After she and other women present in the bathroom on the date of Incident 3 made their report to Captain [REDACTED], Jane Doe 1 did not see Officer [REDACTED] for a few months.

In or around March 2020, Jane Doe 1 once again saw Officer [REDACTED] and felt increased anxiety. Once he returned to EPPC, Officer [REDACTED] was increasingly aggressive and



intimidating towards Jane Doe 1. She has lived in constant panic that he may do something against her again.

Officer [REDACTED]

Jane Doe 1 was sexually assaulted twice by Officer [REDACTED]. Similar to the assaults by Officer [REDACTED], Jane Doe 1 was assaulted by Officer [REDACTED] while walking in an area that is a camera blind spot while returning from the medical unit to her barrack.

Incident 1

In May 2020, Officer [REDACTED] pulled Jane Doe 1 aside as she walked from the medical unit back to her barrack and began to kiss her and touch her intimate parts.

Incident 2

In or around June 2020, Officer [REDACTED] once again assaulted Jane Doe 1 near the door of barrack 8B, forcibly kissing her and touching her intimate parts. Jane Doe 1 told him to stop or she would report him. Officer [REDACTED] reportedly told her that no one would believe her and that there was no evidence of the assault since he had assaulted her in a camera blind spot.

Conclusion

Jane Doe 1 has observed other instances of intimidation and inappropriate sexual harassment by other guards toward other detained women. For instance, Lieutenant [REDACTED] passed personal messages through Jane Doe 1 to another detained woman. Several times, he has told this woman that he will help her and even sent her letters and money.

These incidents, and the fear of further retaliation, have caused Jane Doe 1 immense stress, depression, and anxiety.

Sexual harassment of Jane Doe 2

Incident 1

In mid-March 2020, Jane Doe 2 was accosted by Officer [REDACTED] while she was walking from the medical unit towards her barrack. Officer [REDACTED] approached her and reportedly told her she was attractive and that she should “fool around” with him. She understood “fool around” to mean engage in sexual activity with Officer [REDACTED]. Jane Doe 2 refused Officer [REDACTED] advances. Officer [REDACTED] reportedly stated that if she reconsidered his sexual advances, he would get her clean uniforms and give her extra soap.

Officer [REDACTED] also urged Jane Doe 2 to request medical services and sign up for anxiety or depression medication. Officer [REDACTED] stated that if she did this, Jane Doe 2 would receive



additional benefits, including meeting Officer [REDACTED] at night in a camera blind spot area where they could engage in sexual conduct.

Officer [REDACTED] told Jane Doe 2 that he is wealthy and could pay her a lot of money if she engages in sexual acts with him. Jane Doe 2 cut him off and asked him to please respect her, that she did not like being talked to like that, and that if he continued, she would have to report him. In response, Officer [REDACTED] reportedly told Jane Doe 2 that she had no rights in the facility and that no one would believe her.

Incident 2

Also in March 2020, Jane Doe 2 was approached by Officer [REDACTED] who made similar advances as Officer [REDACTED]. Officer [REDACTED] reportedly told Jane Doe 2 that if she signed up to receive anti-depressants or anti-anxiety medication, that they could meet at night and engage in sexual acts. He told her he would change his shift to make sure he worked at night. Jane Doe 2 refused Officer [REDACTED].

Incident 3

In late March 2020, Jane Doe 2 was leaving barrack 8B. Officer [REDACTED] was manning one of the doors leaving barrack 8B. As she exited, he reportedly asked her if she had reconsidered his offer and said that she would “like it.” She said no and quickly walked away.

Incident 4

Several weeks later – in April 2020 – Officer [REDACTED] approached Jane Doe 2 while she was in the cafeteria. He reportedly asked her in front of other women if “she’s thought about it” and that “it’ll be fun, you’re very hot.” Jane Doe 2 ignored Officer [REDACTED] but he kept staring at her.

Incident 5

Towards the end of April 2020, Officer [REDACTED] entered another Barrack – 8D – and confronted one of Jane Doe 2’s acquaintances in that barrack. He reportedly asked this acquaintance where Jane Doe 2 was, told the acquaintance that Jane Doe 2 is beautiful, and said he wanted to be with her. Officer [REDACTED] told the acquaintance that she should encourage Jane Doe 2 to sign up for anxiety and anti-depression medications.

Incident 6

Towards the end of April 2020, Officer [REDACTED] reportedly told Jane Doe 2 she was pretty and that he would like to “be with her.” She understood that to mean he wanted to engage in sexual conduct with her. Officer [REDACTED] reportedly asked Jane Doe 2 for her Facebook account. Around late April, Officer [REDACTED] walked toward Barracks 4 where Jane Doe 2 was held and knocked on the window. Officer [REDACTED] tried to make advances toward Jane Doe 2 several times.

Conclusion



While Jane Doe 2 was only detained at EPPC for three months, she observed repeated instances in which male officers freely and openly made advances towards detained women and tried to make sexual arrangements in exchange for necessities like soap or a clean uniform.

Jane Doe 2 was released from EPPC in late April 2020. Since then, she has received messages from Officer [REDACTED] (sent via two detained women at EPPC with whom Jane Doe 2 is still in contact). In those messages, Officer [REDACTED] again sought to engage in sexual conduct with Jane Doe 2.

Harassment and Retaliation of John Doe

Incident 1

In or around July 2020, John Doe was taking a shower in the L-shaped shower unit between Barracks 1 and 2. As he and others showered, John Doe watched Officer [REDACTED] staring at them. John Doe told Officer [REDACTED] that Officer [REDACTED] could not stare at them while they were showering. In response, Officer [REDACTED] began to repeatedly rub his genitals and stare at John Doe. John Doe and two other detainees observed this behavior and all three detainees shouted at Officer [REDACTED] to stop.

Reporting of Incident 1

After the incident, John Doe was taken to “intake” where he repeated what happened and waited for approximately two hours. He then was approached by Captain [REDACTED] who reportedly told him that the investigation had concluded, and they determined that Officer [REDACTED] was just doing his job. John Doe wrote an incident report, alleging that Captain [REDACTED] mishandled the investigation.

Retaliation after Incident 1

In or around mid-July 2020, John Doe was again showering when an Officer [REDACTED] walked straight into the shower and reportedly began yelling at him to get out. Officer [REDACTED] yelled at him and pressed his face into John Doe’s face until another officer pulled Officer [REDACTED] away.

Guards took John Doe to “intake.” Lieutenant [REDACTED] reportedly told John Doe that Captain [REDACTED] would be overseeing the matter and that she would be coming in to ask him more questions about the incident. But Captain [REDACTED] never arrived; instead John Doe was placed into solitary confinement for five days. During this time, no officer asked him any further questions about the incident. John Doe 1 believes this disregard and refusal to look into the matter is retaliation since John Doe had written an incident report against Captain [REDACTED].

When John Doe was placed into solitary confinement, he was not informed about the reason for his confinement. Not until he began a hunger strike and refused to take his blood pressure medication, was he removed from solitary confinement. He was then transferred to the Otero ICE detention facility.



CONCLUSION

Las Americas urges local law enforcement to conduct a detailed, comprehensive investigation into this pattern and practice of sexual assault, harassment, and retaliation. Law enforcement officials should demand from EPPC staff the preservation of any and all evidence, video or otherwise, that would be material to the investigation of these allegations. At the conclusion of this investigation, we hope that law enforcement will take appropriate action against the officers involved as they pose a clear threat to the safety of detained persons in the EPPC. Thank you for your time and careful attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda Corchado", is written above the printed name.

Linda Corchado
Director of Legal Services