

# EXHIBIT 16

**From:** (b)(6),(b)(7)(C)  
**Sent:** 10 Jun 2010 17:43:55 -0400  
**To:** Williams, Elliot C  
**Subject:** RE: Briefing on detention changes

agree

**From:** Williams, Elliot C  
**Sent:** Thursday, June 10, 2010 5:44 PM  
**To:** (b)(6),(b)(7)(C)  
**Subject:** Re: Briefing on detention changes

(b)(6),(b)(7)(C) I don't see a need to go in person, esp given [redacted] was OK with it.

Sent using Blackberry

**From:** (b)(6),(b)(7)(C)  
**To:** Williams, Elliot C  
**Sent:** Thu Jun 10 17:41:56 2010  
**Subject:** FW: Briefing on detention changes

(b)(6),(b)(7)(C) See below... [redacted] was OK with a call, unless you rather go there in person...)

**From:** Coven, Phyllis A  
**Sent:** Thursday, June 10, 2010 5:40 PM  
**To:** (b)(6),(b)(7)(C) Johnson, Tae D (b)(6),(b)(7)(C)  
**Cc:** (b)(6),(b)(7)(C)  
**Subject:** Re: Briefing on detention changes

It looks like I could do it anytime after ten. Why a call rather than a show up? Will need to consult with (b)(6),(b)(7)(C)

**From:** (b)(6),(b)(7)(C)  
**To:** Johnson, Tae D  
**Cc:** (b)(6),(b)(7)(C) Coven, Phyllis A  
**Sent:** Thu Jun 10 17:10:43 2010  
**Subject:** RE: Briefing on detention changes

Tae,

(b)(6),(b)(7)(C) just advised there will be a call to House Judiciary (minority staff) by Elliott and Phyllis on Monday, and he is asking what would be a good time for Phyllis?

**From:** Johnson, Tae D  
**Sent:** Thursday, June 10, 2010 4:04 PM  
**To:** (b)(6),(b)(7)(C)  
**Subject:** Re: Briefing on detention changes

Phyllis may be traveling next Tue thru Friday.

~~Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this report should be furnished to the media, either in written or verbal form.~~

**From:** (b)(6),(b)(7)(C)  
**To:** (b)(6),(b)(7)(C) Johnson, Tae D  
**Sent:** Thu Jun 10 11:05:40 2010  
**Subject:** FW: Briefing on detention changes

House Judiciary Committee (minority staff) are requesting a briefing on the below Houston Chronicle article "ICE to make detention centers more humane (pasted below)." To coordinate we need to know both Phyllis and the appropriate DRO representative's availability next week. Would you please let us know?

ICE to make detention centers more humane  
By SUSAN CARROLL HOUSTON CHRONICLE  
June 8, 2010, 10:16PM

#### Resources

##### IMPROVING DETENTION

ICE and the private prison company Corrections Corporation of America have agreed to make more than 24 changes at nine facilities. The changes include:

- Relaxing security: Low-risk detainees will have "freedom of movement" in the facilities and will no longer be subject to lock downs or lights out.
- Access: Detainees will be able to have visitors stay as long as they like within a 12-hour window. The facilities will increase attorney visitationspace, add un-monitored phone lines and give detainees email and free, Internet-based calling. A unit manager will be available to take complaints directly from detainees.
- Daily life: Detainees will be allowed to wear regular clothing, will have at least four hours of recreation daily, and will be offered cooking, art and dance classes.

Source: ICE e-mail dated May 27

#### WHERE

Nine locations, including Houston, will implement the changes.

- Elizabeth Contract Detention Facility, New Jersey
- Eloy Detention Center, Arizona
- Florence Service Processing Center, Arizona
- Houston Contract Detention Center, Texas
- Laredo Contract Detention Facility, Texas
- North Georgia Detention Center, Georgia
- Otay Detention Center, California
- Stewart Detention Center, Georgia
- T. Don Hutto Detention Center, Texas

Source: ICE

Immigration and Customs Enforcement officials are preparing to roll out a series of changes at several privately owned immigration detention centers, including relaxing some security measures for low-risk detainees and offering art classes, bingo and continental breakfast on the weekends.

The changes, detailed in an internal ICE e-mail obtained by the Houston Chronicle, were welcomed by immigrant advocates who have been waiting for the Obama administration to deliver on a promise made in August to overhaul the nation's immigration detention system.

The 28 changes identified in the e-mail range from the superficial to the substantive. In addition to "softening the look of the facility" with hanging plants and offering fresh carrot sticks, ICE will allow for the "free movement" of low-risk detainees, expand visiting hours and provide unmonitored phone lines.

ICE officials said the changes are part of broader efforts to make the immigration detention system less penal and more humane.

But the plans are prompting protests by ICE's union leaders, who say they will jeopardize the safety of agents, guards and detainees and increase the bottom line for taxpayers. Tre Rebstock, president for Local 3332, the ICE union in Houston, likened the changes to creating "an all-inclusive resort" for immigration detainees.

"Our biggest concern is that someone is going to get hurt," he said, taking particular issue with plans to relax restrictions on the movement of low-risk detainees and efforts to reduce and eliminate pat-down searches.

The changes outlined in the ICE e-mail are planned for nine detention centers owned and operated by Corrections Corporation of America, including the 900-bed Houston Contract Detention Facility on the city's north side.

Some of the changes will be implemented within 30 days; others may take up to six months, said Beth Gibson, ICE's senior counselor to Assistant Secretary John Morton and a leader of the detention reform effort.

Other major changes include:

- Eliminating lockdowns and lights-out for low-risk detainees.
- Allowing visitors to stay as long as they like in a 12-hour period.
- Providing a unit manger so detainees have someone to report problems to other than the guard.
- Allowing low-risk detainees to wear their own clothing or other non-penal attire.
- Providing e-mail access and Internet-based free phone service.

Not about punishment

Gibson said the improvements are part of ICE's efforts to detain immigrants in the least restrictive manner possible while ensuring they leave the country if ordered to do so.

"When people come to our custody, we're detaining them to effect their removal," Gibson said. "It's about deportation. It's not about punishing people for a crime they committed."

ICE officials have faced pressure from immigrant advocates and some members of Congress to improve the detention conditions for the roughly 400,000 immigrants it houses annually. The agency has relied on a hodgepodge of more than 250 government-run detention centers, private prisons and local jails to accommodate its growing population — with roughly one in four detainees held in Texas.

At the CCA facilities that have agreed to ICE's changes, detainees will see more variety in their dining hall menus and have self-serve beverage and fresh vegetable bars.

CCA also plans to offer movie nights, bingo, arts and crafts, dance and cooking classes, tutoring and computer training, the e-mail states.

Detainees also will be allowed four hours or more of recreation "in a natural setting, allowing for robust aerobic exercise."



CCA also committed to improving the look of the facilities, such as requiring plants, fresh paint and new bedding in lower-risk units.

**Advocates pleased**

Some of the improvements offered at the CCA facilities counted as hard-fought victories for immigrant advocates, including plans to improve visitor and attorney access.

"A lot of these measures are what we've been advocating for," said Lory Rosenberg, policy and advocacy director for Refugee and Migrants' Rights for Amnesty International.

"Many of these points are very important to changing the system from a penal system, which is inappropriate in an immigration context, to a civil detention system."

Union members said they have concerns about the plans, primarily focusing on safety.

Rebstock said some detainees may be classified as low-risk because they have no serious criminal history but still may be gang members that "haven't been caught doing anything wrong yet."

He also said eliminating lockdowns will make it more difficult to protect detainees from one another.

He said reducing or eliminating pat-down searches could allow contraband into the facilities, including weapons. Gibson, with ICE, said the agency is developing a sophisticated classification system and will make sure "that our detainees are still safe and sound."

"As a general matter, it will be the non-criminals who don't present a danger to anyone else who are benefitting from the lowest level of custody," Gibson said.

**'On the taxpayers' dime'**

Rebstock also questioned the cost to taxpayers for the changes.

"My grandparents would have loved to have bingo night and a dance class at the retirement home they were in when they passed away, but that was something we would have had to pay for," he said. "And yet these guys are getting it on the taxpayers' dime."

Gibson said CCA is making the improvements at no additional cost to ICE. The agency's contract with CCA for the Houston detention center requires that ICE pay \$99 per bed daily for each detainee, slightly lower than the \$102 average daily rate ICE pays nationally.

Rosenberg said some of the changes, like new flower baskets, may seem small, but they will combine with the bigger changes to make a difference in the daily lives of detainees.

"Taken together they will go some way to making this system less penal," she said.

(b)(6),(b)(7)(C)

Assistant Field Office Director  
Immigration & Customs Enforcement  
Office of Congressional Relations (TDY)

202-733-(b)(6),(b)(7)(C)

**From:** (b)(6),(b)(7)(C)

**Sent:** Thursday, June 10, 2010 10:59 AM

**To:** (b)(6),(b)(7)(C)

**Subject:** FW: Briefing on detention changes

Please check Phyllis and a DRO representative availability for next week. Thanks

(b)(6),(b)(7)(C)

*Immigration and Customs Enforcement*

Office of Congressional Relations  
desk 202.732.4269  
fax 202.732.4269

**From:** Williams, Elliot C  
**Sent:** Thursday, June 10, 2010 10:54 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Fw: Briefing on detention changes

(b)(6),(b)(7)(C) RV - Please take a look and get back to [REDACTED] today. Thanks.

-----  
Sent using Blackberry

**From:** [REDACTED]  
**To:** Williams, Elliot C [REDACTED]  
**Sent:** Thu Jun 10 10:43:29 2010  
**Subject:** Briefing on detention changes

In regard to the Houston Chronicle story about the changes ICE is making at CCA facilities – hanging plants, unmonitored phone lines, different clothes, etc, -- we would like a briefing early next week. Can you let me know when would work?

[REDACTED]  
Senior Policy Advisor, Immigration  
House Judiciary Committee, Republican staff  
(202) 224-2100 direct  
[REDACTED]