

June 5, 2025

Todd Lyons
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street, SW
Washington, DC 20536

Dear Acting Director Lyons:

I write regarding my longstanding and continuing concerns about the conditions at the Torrance County Detention Facility (TCDF), an Immigration and Customs Enforcement (ICE) facility managed by CoreCivic in Estancia, New Mexico.¹ In doing so, I call your attention to my previous correspondence with your agency dated December 9, 2023, August 18, 2023, October 18, 2022, and December 16, 2021. For years, detainees have been denied adequate access to legal services and medical care while being subjected to inhumane living conditions and continued instances of physical abuse. These systemic failures were documented in a September 28, 2022, report from the Department of Homeland Security (DHS) Office of the Inspector General (OIG) that stated, “[the OIG] found such egregious conditions in [TCDF] that...we recommended, and continue to recommend, the immediate relocation of all [TCDF] detainees unless and until the facility ensures adequate staffing and appropriate living conditions.”²

It is clear that conditions at TCDF have not improved and remain inadequate and inappropriate for detention purposes. On May 28, 2025, members of my staff toured TCDF with both ICE and CoreCivic staff, during which they were able to independently confirm a number of reports and accusations made by detainees, advocates, and whistleblowers.³ I am deeply concerned that my

¹ See Letter from Senator Heinrich to Secretary Mayorkas (Dec. 6, 2023), <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:d78b804f-067b-4f90-9d9f-68adb1b5387f>; Letter from Senator Heinrich, Senator Lujan, and Representative Stansbury to Acting Director Lechleitner (Aug. 18, 2023), <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:45e374ee-7c11-4693-bbfd-90b48e4ffbd1>; Letter from Senators Heinrich, Lujan, Feinstein, Markey, Warren, and Padilla to Acting Director Johnson (Oct. 18, 2022), <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:2393bbdd-dd98-4b8b-805b-8626343d8332>; Letter from Senator Heinrich, Senator Lujan, Representative Stansbury, and Representative Leger Fernandez to Secretary Mayorkas, Acting Director Johnson, and CoreCivic President and CEO Damon Hininger (Dec. 16, 2021), <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:53702fef-7e5e-434b-8530-e5434399a494>.

² Department of Homeland Security, Office of the Inspector General, OIG-22-75, Violations of ICE Detention Standards at Torrance County Detention Facility (Dep. 28, 2022).

³ See, e.g., Government Accountability Project, *Whistleblower Disclosure Exposes Unlawful Conditions at Torrance County Detention Facility*, WHISTLEBLOWER.ORG (Feb. 18, 2025),

previous letters have been neglected, while these conditions have continued to deteriorate.⁴ While a detailed history and accounting of the chronic failings of TCDF operations can be found in my previous correspondence, a number of new and deeply serious safety, staffing, and sanitation issues were witnessed by my staff in their latest visit.

TCDF Warden George Dedos confirmed reporting that the facility was without water from the Town of Estancia for three days.⁵ He told my staff during their visit that the water shortage had not impacted their operations, but that runs contrary to what detainees said during that same visit. My staff members heard multiple detainees claim that the water had only been turned on for one hour every three days for showers, they were provided only two bottles of drinking water per day, and they were unable to flush toilets for days at a time. Furthermore, Dedos claimed that TCDF had two back-up water tanks; but when asked simple questions about them, like what their capacity is, what the facility's average daily water use is, and how long that capacity would last under normal operations, Dedos could not answer. And neither Dedos nor the ICE agents present for the tour could describe any contingency plan for when there is another water outage short of the total relocation of all the detainees.

Ironically, that is the same course of action recommended by the OIG in September 2022. And even before that, ICE's own contracting officer's representative wrote to TCDF, in March 2022, stating:

“CoreCivic has not been able to demonstrate the ability to provide the necessary security for proper facility maintenance, overall cleanliness, and personal hygiene needs described in the [Performance-Based National Detention Standards]. The Performance Requirements Summary areas of work force integrity, safety, security, and care are all at risk, have been on-going violations, and do not meet contractual requirements. These continued violations seriously impact the El Paso Field Office's ability to support the southwest border security mission.”⁶

When allegations of such systemic failures are made, transparency and oversight are essential to correcting those wrongs. That is why I am also incredibly frustrated with ICE officials for denying my staff access to parts of TCDF, seemingly contradicting statute, ICE's own policy, and their very practices the day of my staff's most recent visit. After visiting Pod 7b at TCDF and witnessing backed-up sinks, a drain in the middle of the common area backing up with sewage water, and non-functioning tablet devices – which detainees use to access legal services – and hearing at least ten detainees file complaints of verbal and physical abuse, a lack of access to laundry services and being forced to wear old, dirty, and tattered clothing, and a lack of access

<https://whistleblower.org/press/whistleblower-disclosure-exposes-unlawful-conditions-at-torrance-county-detention-facility/>.

⁴ See *supra* n.1.

⁵ Austin Fisher, *Sewage Flooding Cells Inside Torrance County ICE Prison Again, Advocates Say*, SOURCE NEW MEXICO (May 2, 2025), <https://sourcenm.com/2025/05/02/sewage-flooding-cells-inside-torrance-county-ice-prison-again-advocates-say/>.

⁶ *Supra* n.2 at 10.

to medical services with an ICE official, the ICE agent in charge prevented my staff from visiting Pods 7c and 7d. The agent claimed that a revised ICE visitation protocol prohibited congressional staff from visiting housing units with detainees present. However, the document the agent cited made no mention of limiting congressional staff visitation to empty pods, and it in fact cited to a statutory authority explicitly forbidding ICE from denying congressional staff conducting oversight access to any facility “operated by or for the Department of Homeland Security used to detain or otherwise house aliens...”⁷

As a nation, as an immigration enforcement agency, and as a government contractor, the United States, ICE, and CoreCivic have an obligation to protect the welfare and dignity of detainees in ICE custody. For years, CoreCivic staff at TCDF have utterly failed at meeting the most basic standards for which they are contracted by your agency. The OIG and ICE’s contracting officer’s representatives have confirmed as much, and my staff has seen first-hand the lack of any improvements in the conditions for the detainees and employees at TCDF. Therefore, I once again reiterate my numerous requests for DHS to terminate ICE’s contract with CoreCivic, transfer all detainees out of TCDF, and close this facility.

Sincerely,



MARTIN HEINRICH
United States Senator

⁷ Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47, § 527, 138 Stat. 460, 619 (2024).