

**Congress of the United States**  
Washington, DC 20510

July 26, 2022

The Honorable Merrick B. Garland  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

The Honorable Susan Rice  
Director, Domestic Policy Council  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Attorney General Garland and Director Susan Rice:

We the undersigned write in reference to Executive Order 14006, entitled “Reforming Our Incarceration System to Eliminate the Use of Privately Operated Criminal Detention Facilities” (“Executive Order”). We are concerned about the Executive Order’s impact on the constitutional rights of the accused, public safety, the administration of justice, and the jobs of hundreds of Texans. Thus, we respectfully request a permanent carve-out from the Executive Order for both the Willacy County Regional Detention facility in Raymondville, Texas and the Rio Grande Detention Center in Laredo, Texas.

We all have provided letters and comments to the Administration on this issue since the Willacy County Regional Detention facility closed on March 31, 2022. As noted by Chief Judge Rosenthal in her letter dated July 7, 2022, the Executive Order has created numerous unintended consequences, which primarily have affected the constitutional rights and physical safety of pretrial detainees. As a result of the Executive Order, detainees must now travel between 160 to 240 miles roundtrip for court appearances. This has caused long periods of confinement in crowded spaces, while being shackled for the entire day, for hundreds of pretrial detainees. The Executive Order also has delayed court appearances, prohibited family appearances, and prevented pretrial detainees’ access to legal counsel. As Chief Judge Rosenthal said, “[t]he system depends on these detainees having swift access to counsel, followed by prompt court appearances and plea hearings and sentences.”

All of these problems will be compounded if the administration closes the Rio Grande Detention Center. If this location closes as scheduled in October 2023, 1,600 detainees will suffer as a result. Yet the effects borne by these pretrial detainees will reverberate across other parts of South Texas. Indeed, the displacement of pretrial detainees from both the Willacy County Regional Detention facility and the Rio Grande Detention Center places a burden not only on the pretrial detainees, judges, and lawyers in the Southern District of Texas, but also the surrounding facilities forced to intake the pretrial detainees. Placing pretrial detainees in overcrowded facilities, housing cooperating witnesses with sentenced defendants, or relying on small, overcrowded local jails is not a solution.

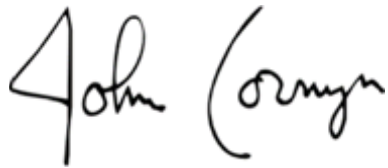
Furthermore, the impact of the Executive Order will affect hundreds of jobs and harm local economies. The closing of the Willacy County Regional Detention facility caused hundreds of employees to lose their livelihoods, leaving families without a steady source of income during a period of great economic uncertainty. Now, the hard-working correctional officers and employees of the Rio Grande Detention Center and their families will soon face the same grim circumstances.

The requested carve-out is not unprecedented. Both the Northeast Ohio Correctional Center in Youngstown, Ohio, and the Western Region Detention Facility in San Diego, California, received carve outs from the Executive Order. Detainees in the Rio Grande Valley face circumstances similar to those faced by detainees in Ohio and California. It is our shared hope that the Administration will extend the same carve-out to our South Texas detention facilities.

Thus, we the undersigned join the request of South Texas stakeholders, including the Southern District of Texas judges, the Marshals Service, the United States Attorney's Office for the Southern District of Texas, the Federal Public Defender, and the Criminal Justice Act Panel District Representative in the Southern District of Texas, and respectfully request that the Administration carve out an exception from the Executive Order and allow both the Willacy County Regional Detention facility and the Rio Grande Detention Center to operate.

We look forward to your prompt decision and welcome the opportunity to engage in further discussions regarding the impact that the Executive Order has had on the Southern District of Texas.

Regards,



JOHN CORNYN  
United States Senator



TED CRUZ  
United States Senator



SHEILA JACKSON LEE  
Member of Congress



HENRY CUELLAR  
Member of Congress



VICENTE GONZALEZ  
Member of Congress