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David Venturella
Immigration and Customs Enforcement
500 12th St. SW
Washington, DC 20536

Robert Cerna
Field Office Director, Dallas
Immigration and Customs Enforcement
8101 N. Stemmons Frwy
Dallas, TX 75247

Fred Figueroa
Warden, Diamondback Correctional Facility
1000 Diamondback Road
Watonga, OK 73772

CC: Oklahoma Department of Corrections; U.S. Senate Committee on Homeland Security; U.S. Senate Committee on the Judiciary; U.S. House Committee on the Judiciary; U.S. House Committee on Oversight and Government Reform; Department of Homeland Security Office of Inspector General; DHS Office of Civil Rights and Civil Liberties

VIA EMAIL AND CERTIFIED MAIL

Re: Abusive and Unlawful Conditions of Confinement in Immigration Detention at
Diamondback Correctional Facility

Dear Officers:

We write to express serious concerns about conditions at the Diamondback Correctional Facility. We have received widespread reports of, among other things, medical neglect, insufficient food, sensory deprivation, failure to provide detained people with access to legal counsel or the law library, and prolonged, indefinite detention in inhumane conditions for people who have already accepted voluntary departure orders. Such practices violate agency policies, statutory obligations, and the U.S. Constitution.

Diamondback is a 2,160-bed detention center located in Watonga, Oklahoma. After sitting empty for fifteen years, the for-profit prison company CoreCivic announced in October 2025 that it had signed a

contract with the federal government to hold noncitizens in immigration detention.¹ This facility became operational at breakneck speed, housing people within just two months of the reopening announcement and purportedly without the infrastructure necessary to facilitate attorney-client visits.² Diamondback's population has grown steadily since reopening and, according to CoreCivic's Quarter 2 earnings call, housed 1,522 people as of June 30, 2026.³ According to David Garfinkle, CoreCivic's CFO, the company intends to continue "ramping up" Diamondback's operations, signaling that the facility might soon reach its 2,160-bed capacity.⁴

The Department of Homeland Security is no stranger to grave concerns about CoreCivic-operated facilities and is on notice of its contractor's inability to meet its legal obligations. On November 12, 2025, the ACLU and its partners sued various ICE officials over deplorable conditions inside the California City Detention Facility, which is operated by CoreCivic.⁵ The Complaint alleges that the facility was up and running before ICE or its contractor CoreCivic could establish the infrastructure necessary to meet the basic human needs of people inside and that people detained at California City are subject to, among other things, substandard medical care, prolonged isolation, a lack of adequate food and water, and barriers to access to legal counsel—the very issues we identify in this letter as to Diamondback.⁶ On February 10, 2026, a federal judge found that the plaintiffs were likely to succeed on their constitutional claims and ordered ICE officials to substantially improve conditions in several important respects of the CoreCivic-run facility.⁷ The court

¹ Haley Hetrick, *Vacant Prison to Reopen as ICE Detention Center in Early 2026*, NEWS 9 (Nov. 4, 2025), <https://www.news9.com/oklahoma-city-news/vacant-prison-to-reopen-as-ice-detention-center-in-early-2026>.

² Maria Guinnip, *Local Attorneys Struggle to Contact Clients in Watonga ICE Facility*, OKLAHOMAN (Mar. 3, 2026), <https://www.oklahoman.com/story/news/politics/government/2026/03/03/immigration-law-attorney-okc-ice-detainees-struggle-contact-lawyers-watonga-ok/88830217007/>.

³ *ICE Detention Trends: Diamondback Correctional Facility*, VERA INST. FOR JUST., <https://www.vera.org/ice-detention-trends> (last viewed August 17, 2026) (population growth from around 500 by the end of January to over 700 by March 2026); *CoreCivic, Inc. (CXW) Q2 FY2026 Earnings Call Transcript*, YAHOO!FINANCE (Aug. 6, 2026), https://finance.yahoo.com/quote/CXW/earnings/CXW-Q2-2026-earnings_call-662491.html ("As of June 30th, 2026, we care for 1,674 and 1,522 individuals respectively at [California City Detention Facility and Diamondback Correctional Facility].")

⁴ YAHOO!FINANCE, *supra* note 3 ("I think the only fluctuations you're going to see are we're still ramping up our California City facility, our Diamondback facility.").

⁵ *Gomez Ruiz v. U.S. Immigr. & Customs Enf't*, 834 F. Supp. 3d 835, 842 (N.D. Cal. 2026).

⁶ First Amended Complaint at 8-9, 11-23, *Gomez Ruiz v. ICE*, No. 3:25-cv-09757 (N.D. Cal. Nov. 20, 2025), Dkt. No. 15.

⁷ *Gomez Ruiz*, 834 F. Supp. at 847-50.

appointed an external monitor to ensure compliance with the court's orders.⁸ The Court Monitor, in turn, found widespread violations, including inadequate staffing, a lack of medical intake screening, a lack of capacity to treat patients with disabilities, a lack of timely and responsive emergency services, and an unresponsive "sick call" system, amongst a host of other compliance issues.⁹

Because immigration detention is "civil, not criminal" in nature, people detained at Diamondback, like pre-trial detainees, are constitutionally entitled to conditions that are "nonpunitive in purpose and effect." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *Luna Gutierrez v. Noem*, 811 F. Supp. 3d 133, 171 (D.D.C. 2025) (collecting cases). The touchstone here is whether the detention facility's practices are "rationally related to a legitimate nonpunitive governmental purpose and whether they appear excessive in relation to that purpose." *Bell v. Wolfish*, 441 U.S. 520, 535, 561 (1979). *See also Blackmon v. Sutton*, 734 F.3d 1237, 1241 (10th Cir. 2013) ("punishment is *never* constitutionally permissible for pre-trial detainees") (emphasis in original). Because people in immigration detention are "entitled to more considerate treatment and conditions of confinement than criminals whose conditions of confinement are designed to punish," *Youngberg v. Romeo*, 457 U.S. 307, 322 (1982), courts often presume that restrictions that are as harsh or harsher than regular prison conditions are unconstitutional. *Jones v. Blanas*, 393 F.3d 918, 932 (9th Cir. 2004). Finally, with respect to civil detainees' claims of inadequate medical care or food, the Tenth Circuit examines whether government officials acted with "deliberate indifference to an inmate's serious medical needs." *Mata v. Saiz*, 427 F.3d 745, 751 (10th Cir. 2005) (citing *Farmer v. Brennan*, 511 U.S. 825, 836 (1994)); *see also Harrell v. Scott*, No. 25-8044, 2026 WL 1493287, at *5 (10th Cir. May 28, 2026) (examining inadequate food claim under the same standard).

We have received dozens of harrowing reports about life inside Diamondback. These accounts are strikingly consistent in the concerns they raise. We have included several accounts from currently or formerly detained people below; these stories are all pseudonymized because the people we spoke with feared retaliation by ICE and Diamondback officials. The uniformity and gravity of these complaints signal to us that ICE and its contractor CoreCivic are operating the facility with blatant disregard for the safety and legal rights of the people in their custody and care.

Given these conditions, we urge ICE not to process any new detained people into Diamondback until it has conducted a comprehensive review and ensures the public that the facility has adequate systems in place to provide for constitutional health care, attorney access, access to outdoor recreation, and processes

⁸ Order Granting in Part Plaintiffs' Motions for Preliminary Injunction and Class Certification at 1-2, *Gomez-Ruiz v. ICE*, No. 3:25-cv-09757 (N.D. Cal. Feb. 10, 2026), Dkt. No. 72.

⁹ Report of the External Monitor on Medical Care at the California City Detention Facility at 10, *Gomez-Ruiz v. ICE*, No. 1:26-cv-02546 (E.D. Cal. July 27, 2026), Dkt. No. 166-2.

for swiftly effectuating voluntary departure orders. These systems must also feature appropriate oversight and accountability mechanisms so that detained people can report concerns without fear of retaliation. We request a meeting with ICE officials and Diamondback’s leadership to discuss our concerns and encourage you to contact us at the email addresses provided at this letter’s conclusion.

A. People Detained at Diamondback Report Egregiously Deficient Medical Treatment.

People consistently report a lack of basic medical care at Diamondback, including denial of necessary medication and inadequate responses to repeated requests for medical assistance. In this section, we provide a few representative examples of the broken medical care delivery system at Diamondback.

Denial of Necessary Medication and Dangerously Inconsistent Medication Administration Schedules. People detained at Diamondback report chronic issues with delivery of prescription medication. Individuals who arrive at the facility with their medications on hand have their prescriptions confiscated and report prolonged delays—often a week or more—before they can access them. For example, “Frank”¹⁰ has HIV and had been taking his medication regularly before being detained, which kept his viral load at an undetectable level. At the time his loved one contacted us, however, he had gone more than two weeks without access to his prescription, heightening the risk that the virus multiplies and spreads throughout his body.¹¹ He has grown increasingly ill as a result. Without his medication, Frank is at risk of his HIV progressively destroying his immune system and leaving his body vulnerable to life-threatening infections and cancer.¹² Relatedly, “Maria” reported having a UTI for over a month, but despite her many requests for assistance, had yet to receive antibiotic medication at the time she reached out to us, heightening her risk of lasting kidney damage and sepsis.¹³ Finally, we have heard from several detained people that the only medication ICE officials consistently provide at Diamondback is over-the-counter painkillers, regardless of the symptoms reported by the detained person.

¹⁰ As noted above, all references to first names herein include pseudonyms to protect the detained people from retaliation by ICE and Diamondback officials.

¹¹ *Lab Tests at the Start of HIV Care*, HIV.GOV (June 4, 2026), <https://www.hiv.gov/hiv-basics/staying-in-hiv-care/provider-visits-and-lab-test/lab-tests-and-results>; *HIV/AIDS*, MAYO CLINIC (May 22, 2026), <https://www.mayoclinic.org/diseases-conditions/hiv-aids/diagnosis-treatment/drc-20373531>.

¹² *The Stages of HIV Infection*, NAT’L INST. HEALTH (Mar. 31, 2025), <https://hivinfo.nih.gov/understanding-hiv/fact-sheets/stages-hiv-infection>.

¹³ *Urinary Tract Infection: Overview*, MAYO CLINIC (Sept. 26, 2025), <https://www.mayoclinic.org/diseases-conditions/urinary-tract-infection/symptoms-causes/syc-20353447>.

Failure to Meaningfully Respond to Requests for Medical Care. People detained at Diamondback also report that requests for medical attention are often either severely delayed or totally ignored. The story of “Bryan” is illustrative here. Bryan has been detained for weeks despite having already been granted voluntary departure. While in detention, he has developed unbearable and persistent leg and back pain, as well as swelling in one of his testicles. When he requested assistance, he was informed that CoreCivic officials needed “additional approval” before addressing his symptoms. He grows increasingly desperate by the day as his loved ones frantically try to get him help through every available avenue. Similarly, “Sophia” sought medical attention for extreme calluses she had developed on the soles of her feet, which were incredibly painful. The extent of the treatment she received was a recommendation from medical staff that she place her feet in hot water, which is not possible to do inside Diamondback because buckets are not readily available for detained people. And even if buckets were made available, we have heard from several people that the water is often unsanitary¹⁴ and that showers are not always offered on a regular basis, diminishing the efficacy of this limited medical advice.

For additional evidence of medical neglect at Diamondback, one need look no further than the habeas corpus petitions and emergency motions filed by people detained at the facility. Valentina Timaran Restrepo underwent multiple surgical procedures before being detained at Diamondback; these procedures required “strict and continuous post-operative monitoring to prevent severe complications.” *Restrepo v. Warden*, No. CIV-26-661-G, 2026 WL 916714, at *1 (W.D. Okla. Apr. 1, 2026). While in detention, Ms. Restrepo developed an “abnormal and painful mass” in precisely the same location as her prior surgeries. *Id.* Despite the apparent urgent need for an ultrasound, Ms. Restrepo was informed that it “may take up to one month to receive further medical response or treatment.” *Id.* Finding there to be a substantial likelihood of irreparable harm, the district court ordered ICE to provide Ms. Restrepo with “all medically necessary treatment,” including, if necessary, transfer to another suitable medical facility. *Id.* at 3; *see also Sanchez v. Warden*, 2026 WL 1623020, at *2 (W.D. Okla. Mar. 26, 2026), *report and recommendation adopted sub nom. Sanchez v. Warden*, 2026 WL 1347428 (W.D. Okla. May 14, 2026) (habeas petitioner from Diamondback alleging thyroid condition worsened due to lack of consistent, specialized medical care); *Caterina Leticia Gomez Riquiac v. Warden*, 2026 WL 1983541, at *1 (W.D. Okla. July 9, 2025) (alleging denial and delay of medical care at Diamondback).

Diamondback’s indifference to people’s serious medical needs violates both ICE’s own detention standards and the constitutional requirements for adequate medical care in detention facilities. *See generally Brown v. Plata*, 563 U.S. 493, 511 (2011); *Estelle v. Gamble*, 429 U.S. 97, 104 (1976). A systematic failure

¹⁴ *See discussion infra*, Section B.

to ensure a reliable medication management system constitutes deliberate indifference in violation of the Constitution. *See, e.g., McLaney v. El Paso Cnty., Colorado*, No. 25-CV-00815-NYW-STV, 2026 WL 364394, at *11 (D. Colo. Feb. 10, 2026); *Gil v. Reed*, 381 F.3d 649, 661 (7th Cir. 2004). Similarly, the Tenth Circuit has found the deliberate indifference standard satisfied where jail officials failed to provide timely medical care after multiple requests from the detained person. *See, e.g., Al-Turki v. Robinson*, 762 F.3d 1188, 1194 (10th Cir. 2014). And ICE is keenly aware of—and obligated to follow—similar standards under its own regulations. ICE’s 2025 National Detention Standards (“NDS”) require that “[m]edication will be distributed according to the specific instructions and procedures established by the health care provider.” NDS 2025 § 4.3. Moreover, the National Detention Standards require facilities to provide, among other things, “[m]edically necessary and appropriate medical, dental and mental health care and pharmaceutical services”; “[t]imely responses to medical complaints;” and “[h]ospitalization as needed within the local community.” *Id.* §§ 4.3(II)(A)(2), (6)-(7). However, detained people at Diamondback report significant delays or outright denials of medical care, even after repeatedly pleading for help through multiple different channels.

Lack of Access to Medical Records. People detained at Diamondback and their legal representatives also report being unable to obtain copies of their medical records, and that they cannot get a straight answer of how to request medical records. Medical records often serve as essential supporting evidence for immigration and habeas relief and can be necessary to facilitate medical care after someone is transferred or released from Diamondback. This, too, violates the National Detention Standards, which provide that “[d]etainees and their representatives shall be allowed to request and receive medical records[.]” NDS 2025 § 4.3.

B. People Detained at Diamondback Report Meager Meal Portions, Inedible Food, Unsanitary Drinking Water, and Disruptive Meal Times.

Another throughline in the reports we have received is ICE and its contractor’s failure to ensure that food is adequately nutritious and that water is safe to drink. Additionally, meals are served in meager portions at abnormal hours. The section below contains just a few examples of the widespread complaints we have received concerning the poor food and water quality at Diamondback.

People Detained at Diamondback Report a Lack of Sufficient Food, Leading to Hunger and Significant Weight Loss. People detained at Diamondback almost uniformly describe being deprived of sufficient food and clean drinking water. The portions are meager and lack nutritional value, consisting mainly of pasta, wheat, and tortillas, with little fruit or protein. Milk is provided only once a week. As a result, detained people struggle to maintain their weight and stay warm, as several people have also complained of cold temperatures inside the facility. Moreover, the drinking water often smells unpleasant,

and many detained people believe it is recycled from Diamondback's sinks and showers.

The experiences of "William" and "Elizabeth" highlight the severity of the food situation at Diamondback. William explained that the "food quantity is minimal and the food quality is horrid," noting that his diet consists mostly of processed foods and pasta. Another individual, "Elizabeth," echoed William's concerns regarding the food quality, lamenting that "even dogs would not eat the food they give us." As a result, Elizabeth reported that she lost fifteen pounds between January and June. Elizabeth is not unique in her weight loss; we have received other reports that people inside Diamondback are constantly hungry and losing weight as a result. Finally, William and others have explained that the water is frequently discolored and smells and tastes very bad. Because detained people do not have consistent access to drinking water, many resort to using their hands as makeshift cups to drink from the sinks in their cells.

Meals Are Served at Abnormal and Disruptive Times of Day. Meals at Diamondback are reportedly served at irregular hours, with breakfast at 3:30 or 4:00 AM, lunch at 10:00 AM, and dinner at 4:00 PM. The 3:30 or 4:00 AM breakfast time substantially disrupts people's sleep, interfering with their circadian rhythm in a manner that often causes sleep deprivation. This chronic sleep deprivation likely exacerbates the negative health effects people are already experiencing due to weight loss and prolonged hunger and has been shown to destroy people's immune system, heighten their risk of early mortality, and "ignite psychological harms, activating or exacerbating the symptoms of a wide range of psychopathologies."¹⁵ This disruptive meal schedule poses a particularly acute risk for insulin-dependent diabetics, who need to eat at normal intervals to match their insulin levels, prevent dangerous blood sugar drops, and avoid high blood sugar spikes.¹⁶

The food and water provided to people detained at Diamondback fall short of ICE Detention Standards and constitutional requirements. Prevailing constitutional standards require ICE to provide for detained people's "basic human needs," *Helling v. McKinney*, 509 U.S. 25, 32 (1993), which includes "well-balanced meal[s], containing sufficient nutritional value to preserve health." *Green v. Ferrell*, 801 F.2d 765, 770 (5th Cir. 1986); *see also Keenan v. Hall*, 83 F.3d 1083, 1091 (9th Cir. 1996) ("Adequate food is a basic human need protected by the Eighth Amendment."). Federal courts have similarly had no difficulty identifying sleep as a "basic human need" and striking down comparable policies under the Eighth Amendment.¹⁷ The meager portions and poor quality of food clearly fall below these standards and, as evidenced by the weight

¹⁵ Sharon Dolovich, *Sleep Deprivation in Prison*, 99 S. CAL. L. REV. 95, 168 (2026).

¹⁶ *Meal Timing with Diabetes: Why When You Eat Matters (Not Just What)*, BAYLOR SCOTT & WHITE HEALTH (Aug. 27, 2021), <https://www.bswhealth.com/blog/meal-timing-with-diabetes-why-when-you-eat-matters-not-just-what>.

¹⁷ Dolovich, *supra* note 15, at 172 n.439 (collecting cases).

loss of Elizabeth and others, pose an immediate danger to the well-being of people detained at Diamondback, especially when combined with the detrimental effects of sleep deprivation. Once again, ICE’s own detention standards mirror these considerations, requiring facilities to “provide detainees with nutritious, attractively presented meals, prepared and served in a sanitary and hygienic food service operation.” NDS 2025 § 4.1. This food must be “fit for consumption and appropriately presented.” *Id.* Thus, Diamondback appears to be violating the Constitution and ICE’s own food and safety standards, causing massive human suffering in the process.

C. People Detained at Diamondback Are Held in an Exceptionally Isolating Carceral Setting, Causing Severe Emotional Distress.

People inside Diamondback have described a carceral setting that is virtually indistinguishable from, and at times worse than, a typical prison. Detained people recently transferred to Diamondback liken the experience to being dropped into a “black hole,” as their loved ones struggle to locate them and establish channels of communication. These people have also reported extreme sensory deprivation and unnecessary restrictions on their freedom of movement. Below are further examples of how ICE officials are failing to meet their constitutional and regulatory obligations at Diamondback.

Detained People Are Subjected to Unnecessary and Excessive Restrictions on their Freedom of Movement. Freedom of movement inside Diamondback is heavily restricted, particularly for people who have recently been transferred to the facility. “Julia” explained to us that, upon being transferred to Diamondback, she was forced to remain in a cell with another detained person for five days, only taken out of the cell three times for one-hour intervals. Others who were recently processed complained of even longer periods of confinement, including one who stated that they were detained for over 24 hours before getting out of their cell. This isolation is only marginally better for those who are not newly processed. “Michelle” reported that “around three times a week, officers tell detainees to go to their cells for four-to-five hours for no specific reason.” “Amanda” corroborated this description and explained that Diamondback was “similar to a prison, with cells, cold temperatures, [and] people working for one-to-two dollars a day.” There is truly no rational, security-based justification to subject *civil* detainees to such onerous restrictions.

Detained People Experience Severe Social and Sensory Deprivation. Life inside Diamondback appears mostly devoid of any social or sensory stimulation. Because many detained people have been transferred from out of state, setting up in-person visitation is not feasible because their loved ones are too far away. And while phone calls are technically an option, there is no guarantee that the detained person can afford them, especially as their detention drags on. Even those who can afford phone calls report inconsistent access due to the mismatch between the limited number of phones and the ever-burgeoning detention population inside the facility. For those detained people fortunate enough to have a loved one who

lives close by, scheduling visits with family members is cumbersome at best; family members are made to jump through various hoops before the visit is even scheduled, and they're limited to two hours of visitation per week.¹⁸

As if being cut off from their loved ones was not isolating enough, detained people have also reported substantial sensory deprivation inside Diamondback. Diamondback has a recreation yard where people can, in theory, play sports and engage in other exercises. But access to the outdoors is rare and irregular; we have heard from multiple detained people that recreation time is offered, if at all, only once or twice a week. This means people are suffering through prolonged stretches without breathing in fresh air or feeling the sun on their skin. What is more, aside from having the opportunity to work for \$1-2 a day,¹⁹ there does not appear to be any meaningful educational opportunities or related programming. And even if these programs were being offered consistently, detained people's ability to take advantage of them would be severely curtailed by the fact that they are locked in their cells during regular intervals throughout the week.

As noted above, courts entertain a presumption of punitiveness in the immigration context when conditions of confinement are "identical to, similar to, or more restrictive than," prison conditions. *Jones*, 393 F.3d at 932; *Doe v. Becerra*, 732 F. Supp. 3d 1071, 1080 n.2 (N.D. Cal. 2019). Comparing Diamondback's conditions to those at the Oklahoma State Penitentiary ("OSP") demonstrates that Diamondback's conditions satisfy this presumption in several important respects. For example, OSP officials provide most incarcerated individuals with various programs and activities, including behavioral modification programs, educational programs, and life skills courses. Diamondback, by contrast, appears to offer very little programming outside of the \$1-2 a day "voluntary work program." Moreover, most people incarcerated at OSP are provided at least one hour of exercise a day, five days per week, and many get even more outdoor time than this five-hour minimum. Diamondback is currently offering, at most, one to two hours a week, and often even less, in violation of ICE's own National Detention Standards.²⁰ Finally, OSP officials individually assess incarcerated people's security level and incentivize pro-social behavior by

¹⁸ U.S. IMMIGR. AND CUSTOMS ENF'T, DIAMONDBACK CORRECTIONAL FACILITY: FRIENDS AND FAMILY VISITS, <https://www.ice.gov/detain/detention-facilities/diamondback-correctional-facility>.

¹⁹ This labor scheme has been the source of several lawsuits alleging a violation of the Trafficking Victims Protection Act and related state law claims. *See, e.g., Menocal v. GEO Grp., Inc.*, 635 F. Supp. 3d 1151 (D. Colo. 2022); *Yeend v. Akima Glob. Servs., LLC*, 347 F.R.D. 405 (N.D.N.Y. 2024); *Nwauzor v. GEO Grp., Inc.*, 127 F.4th 750 (9th Cir. 2025) (affirming a verdict awarding \$17,287,063.05 in back pay to former detained immigrants and \$5,950,340 for unjust enrichment to the State of Washington).

²⁰ *See* NDS 2025 § 5.2 ("each detainee shall have access for at least one hour per day, five days per week; or, six or more hours per week, at least four days per week.").

granting more privileges to those who achieve a higher earned behavioral credit level. Diamondback simply treats the entirety of its *civilly* detained population as if everyone is a high-security risk, subjecting all detained people to the same unnecessary restrictions and sensory deprivation.

Even without the above-described presumption, the conditions inside Diamondback violate the Constitution. As a reminder, restrictions in immigration detention facilities are unconstitutionally punitive when they are not “rationally related to a legitimate nonpunitive governmental purpose [or] . . . appear excessive in relation to that purpose.” *Bell*, 441 U.S. at 561. There is no rational relationship between the extreme sensory deprivation at Diamondback and any legitimate government objectives. First, because this is *civil* detention, there is no reason to presume that everyone at Diamondback needs to be locked in their cells for several hours each week. Even if this restriction is justified for certain individuals based on individualized and documented security concerns, a categorical bar to freedom of movement is clearly “excessive in relation to” this government objective. *Id.* at 538. So too with the unnecessary restrictions on outdoor recreation time, family visitation, and the apparent lack of programming. Denying simple privileges that would affirm detained people’s basic humanity at little additional cost to the facility operators is tantamount to imposing cruelty for cruelty’s sake.

It is difficult to overstate the devastating consequences of prolonged social and sensory deprivation. Research consistently shows that humans need “intense social relationships” to survive. Francis X. Shen, *Neuroscience, Artificial Intelligence, and the Case Against Solitary Confinement*, 21 VAND. J. ENT. & TECH. L. 937, 948 (2019). Indeed, “[s]ocial interaction keeps people healthy and social isolation makes them sick.” Laura Matter, *Hey, I Think We’re Unconstitutionally Alone Now: The Eighth Amendment Protects Social Interaction As A Basic Human Need*, 14 J. GENDER RACE & JUST. 265, 279 (2010). Expert witness testimony reviewed by the Fourth Circuit linked social isolation to a host of psychosomatic symptoms, including anxiety, headaches, lethargy, insomnia, and nightmares. *Porter v. Clarke*, 923 F.3d 348, 356 (2019). It is no wonder, then, that prolonged isolation causes “the highest rates of self-harm and suicide in prison[.]” Craig Haney, *The Science of Solitary: Expanding the Harmfulness Narrative*, 115 NW. U. L. REV. 211, 220 (2020). Courts have accordingly recognized social interaction and environmental stimulation as basic human needs that detention facility operators are obligated to protect. *See, e.g., Wilkerson v. Stalder*, 639 F. Supp. 2d 654, 678 (M.D. La. 2007); *Clarke*, 923 F.3d at 368; *Harvard v. Inch*, 411 F. Supp. 3d 1220, 1239 (N.D. Fla. 2019). So too with outdoor recreation time; exercise is a basic human need, *Wilson v. Seiter*, 501 U.S. 294, 304 (1991), and “is extremely important to the psychological and physical well being of [] inmates.” *Spain v. Procunier*, 600 F.2d 189, 199 (9th Cir. 1979). The restrictive environment inside Diamondback is thus likely causing severe psychological suffering with no clear nexus to any legitimate government interests.

D. People Report a Lack of Reasonable Access to Counsel and Legal Resources at Diamondback.

People detained at Diamondback have also alleged that ICE officials systematically deny them reasonable access to counsel and the law library. Although CoreCivic’s spokesman asserted that they resolved the “ongoing construction” that previously inhibited attorney access,²¹ detained people continue to face significant challenges consulting with their attorneys. These barriers to basic legal resources undermine detained people’s constitutional rights, depriving them of fundamental fairness in their immigration proceedings.

People Detained at Diamondback Have Considerable Difficulties Accessing Their Legal Counsel. Immigration law is exceptionally complicated, and the legal and policy landscape is constantly changing. ICE routinely transfers detained noncitizens multiple times to different facilities across the country, which has the practical effect of mooted out or complicating pending claims for relief.²² For these reasons, detained people’s ability to consult with their legal counsel quickly is of paramount importance; a communications delay of even a day or two can prove outcome-determinative during removal proceedings. People detained at Diamondback have consistently reported unnecessary hurdles to attorney-client consultation. This is particularly true for people recently transferred to Diamondback, who have reported going days, and sometimes weeks, without being able to communicate with their legal counsel. Out-of-state practitioners representing transferred noncitizens feel as though their clients “disappear” for stretches as they wait for ICE officials to approve their credentials for visitation. *See Sanchez Posada v. Warden, Diamondback Facility*, No. CIV-26-1077-SLP, 2026 WL 1998876, at *1 (W.D. Okla. July 10, 2026) (habeas petitioner alleging deprivation of access to counsel); *Sanchez v. Warden, Diamondback Facility*, 2026 WL 1347428, at *1 (W.D. Okla. May 14, 2026) (same).

In failing to facilitate attorney visits, ICE and its contractor CoreCivic violate obligations prescribed by statutory and constitutional law. Incarcerated people have a constitutional right to communicate with their legal counsel, *Al-Amin v. Smith*, 511 F.3d 1317, 1334 (11th Cir. 2008), because the “right to hire and consult an attorney is protected by the First Amendment’s guarantee of freedom of speech, association and petition.” *Denius v. Dunlap*, 209 F.3d 944, 953 (7th Cir. 2000) (citations omitted). Noncitizens also have a Fifth Amendment right to fundamental fairness during removal proceedings. *Mendez-Garcia v. Lynch*, 840

²¹ Guinnip, *supra* note 2.

²² Carla Astudillo, *These Judges Take Months to Decide If Immigrants Have Been Unlawfully Detained*, PROPUBLICA (Sept. 3, 2026), <https://www.propublica.org/article/ice-detention-judges-habeas-petitions>.

F.3d 655, 665 (9th Cir. 2016). Accordingly, the Immigration and Nationality Act protects noncitizens’ right to legal counsel during the entirety of their case. 8 U.S.C. § 1362. But these Constitutional protections are wholly meaningless if said legal counsel cannot access the facility; an attorney who is unable to confer with their client cannot afford them the quality of representation guaranteed by the Due Process Clause. Unsurprisingly, then, courts across the country have struck down similar practices, deeming them unconstitutional. *See, e.g., Advocs. for Hum. Rts. v. U.S. Dep’t of Homeland Sec.*, 825 F. Supp. 3d 858, 892 (D. Minn. 2026); *Innovation L. Lab v. Nielsen*, 310 F. Supp. 3d 1150, 1162 (D. Or. 2018).

ICE and Its Contractor CoreCivic Unreasonably Restrict Detained People’s Ability to Access the Law Library at Diamondback. In addition to difficulties accessing their counsel, multiple detained people told us they are only allowed in the law library once a week, often at inconsistent intervals. Detained people have a First Amendment right to “meaningful access to the courts,” which is most often facilitated via a reasonably accessible law library. *Lewis v. Casey*, 518 U.S. 343, 351 (1996); *see also Bounds v. Smith*, 430 U.S. 817, 828 (1977), *abrogated by Lewis v. Casey*, 518 U.S. 343 (1996) (“the fundamental constitutional right of access to the courts requires prison authorities to . . . provid[e] prisoners with adequate law libraries or adequate assistance from persons trained in the law.”). Once again, ICE officials are or should be aware of these obligations, considering that ICE’s own standards require them to “permit detainees access to a law library, and provide legal materials, facilities, equipment, printing and copy privileges, and the opportunity to prepare legal documents” for a minimum of five hours per week. NDS 2025 § 6.3. Taken together, the lack of access to legal counsel and the law library constitutes a severe deprivation of detained people’s rights as guaranteed by the Constitution, as well as statutory and regulatory law. There is simply no legitimate government interest that justifies these restrictions.

E. People Are Made to Languish Inside Diamondback, Even After Signing Voluntary Departure Orders.

All the suffering described in this letter is compounded by the fact that detained people are effectively trapped inside Diamondback. ICE frequently sends “Incentivized Voluntary Departure” officers to the facility to entice noncitizens into signing voluntary departure orders. These officers are telling noncitizens that if they agree to depart voluntarily, they can “return to the States at any time,” a claim clearly belied by statutory bars to re-entry. This misrepresentation is, in and of itself, exceptionally problematic. But to make matters worse, people who agree, under threat of continued detention, to relinquish their rights are *still* not being released from detention. Numerous family members reported to us that their loved ones agreed to voluntary departure months ago and have still yet to be deported. This means that detained people are being subjected to one of the chief evils the Constitution is supposed to protect against—indefinite,

prolonged detention—in conditions that threaten their health, safety, and due process rights.²³

F. Conclusion and Recommendations

The most disturbing aspect of the allegations in this letter is their consistency with reports from other immigration detention centers across the United States. *See, e.g., Mercado v. Noem*, 800 F. Supp. 3d 526, 580 (S.D.N.Y. 2025) (granting preliminary injunction to plaintiffs alleging sleep deprivation, inadequate medical care, inadequate food and water, and unreasonable barriers to access to counsel); *Ruiz v. U.S. Immigr. & Customs Enf't*, No. 3:25-CV-09757-MMC, 2026 WL 391924, (N.D. Cal. Feb. 10, 2026) (plaintiffs likely to succeed on their claims that inadequate medical care and restrictions on access to counsel violate the Constitution); *Pablo Sequen v. Albarran*, 810 F. Supp. 3d 1084, 1133 (N.D. Cal. 2025) (poor sleeping conditions, unsanitary conditions, and inadequate medical care likely violated Fifth Amendment); *H.C.R. v. Mullin*, 825 F. Supp. 3d 1267, 1302 (M.D. Fla. 2026) (restrictions on access to counsel likely violates the Constitution); *Advocs. for Hum. Rts.*, 820 F. Supp. 3d at 809 (same). This raises concerns about the adequacy of ICE oversight over its contractors and about whether, as one judge found, “harsh conditions of confinement are a deliberate feature of the enforcement program intended to induce self-deportation and to deter illegal immigration.” *Mercado*, 800 F. Supp. at 575.

Given these conditions, we urge ICE not to process in any new detained noncitizens at Diamondback until it has conducted a comprehensive review and ensures the public that the facility has adequate systems in place to provide for constitutional health care, attorney access, access to outdoor recreation, and processes for swiftly effectuating voluntary departure orders. These systems must also feature appropriate oversight and accountability mechanisms so that detained people can report concerns without fear of retaliation. We request a meeting with ICE officials and Diamondback’s leadership to discuss our concerns.

We appreciate your prompt attention to these serious matters and welcome the opportunity to discuss them further. For more information, please contact Travis Handler at thandler@acluok.org and Rita Lomio at rlomio@aclu.org.

²³ It is also worth noting that keeping people in detention benefits both the private contractors that are paid to detain them and, in facilities like Diamondback that operate above the “guaranteed minimum,” the Department of Homeland Security, which benefits from discounts associated with tiered pricing schemes when facility populations exceed the guaranteed minimum. *See* LAWFARE, *Deportation, Inc. Chapter 1: DETENTION*, at 1:30-2:00 (YouTube, Dec. 10, 2025), <https://www.youtube.com/watch?v=1Z3cIXbJN1Y>.



Sincerely,

Travis Handler, American Civil Liberties Union of Oklahoma Foundation

Rita Lomio, American Civil Liberties Union Foundation National Prison Project

Tara Jordan de Lara, Latitude Legal Alliance

Molly Bryant, YWCA Tulsa

Robin Sherman, YWCA Tulsa

Brenda Lozano, Rivas & Associates

Alex Gavern, University of Tulsa College of Law Legal Clinic

Paula Rodriguez, University of Tulsa College of Law Legal Clinic

Veronica Laizure, CAIR Oklahoma