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Lawyers' Committee for Civil Rights of the San Francisco Bay Area

**\*\*\*PRESS RELEASE\*\*\***

**First ICE Detainee to Use Accountability in Detention Act Sues For-Profit Detention Corporation for Unlawful Conditions of Confinement**

SOUTHERN CALIFORNIA — This morning, a man who spent 14 months in solitary confinement while detained by ICE sued private detention company Management and Training Corporation (MTC) for subjecting him to unlawful conditions of confinement that violated ICE policy and amounted to torture. The plaintiff, Carlos Murillo, is the first person to file suit for damages for abuse in a private detention center following the passage of [AB 3228, the Accountability in Detention Act](#).

The bill, which took effect January 1, 2021, allows individuals to sue private detention facilities for failing to comply with standards of care meant to ensure the health and safety of those in their charge. MTC's mistreatment of Murillo violated multiple standards of care they are contractually required to comply with according to their agreement with ICE.

Murillo was incarcerated in solitary confinement for 14 months beginning on December 13, 2019, at the Imperial Regional Detention Facility, where he spent 23 hours a day alone — a form of torture that was devastating to both his physical and psychological wellbeing. His cell was so small that when he stretched out his arms, he could nearly touch both walls.

MTC repeatedly violated the minimal standards of care to which it was bound, including by placing Murillo in solitary confinement without an individualized assessment, refusing to provide Murillo access to programs and services during his detention, and failing to conduct reviews during solitary confinement. These not only violated MTC's contract with ICE, but violated international human rights laws in dangerous, malicious ways.

Murillo is represented by BraunHagey & Borden, LLP, UCLA School of Law's Human Rights Litigation Clinic, the Lawyers' Committee for Civil Rights of the San Francisco Bay Area, and the California Collaborative for Immigrant Justice.

“For decades, we’ve had to watch as private prison operators breach their contracts and violate basic human rights with no accountability. With AB 3228, members of our community who have been harmed by these corporations will finally be able to fight back,” said Lisa Knox, Legal Director at the California Collaborative for Immigrant Justice. “While we keep fighting to end private detention and liberate the members of our community, we must ensure the health and safety of all California residents.”

“AB 3228 holds companies to the standards they agreed to when they signed contracts with the federal government, which protects the United States and its residents from violations of international human rights law,” noted Catherine Sweetser, Deputy Director of the Promise Institute for Human Rights at UCLA Law. “Holding someone in solitary confinement for so many months and ignoring their requests to be transferred to alternative housing violates both the federal standards and international human rights law and is prohibited under the Convention Against Torture.”

"It's no secret that MTC has a history of locking people in solitary confinement in violation of the ICE policies it is required to follow: Nearly a year ago, the DHS Office of Inspector General found the facility to be grossly out of compliance with minimum health and safety standards," said Bree Bernwanger, Senior Staff Attorney at the Lawyers' Committee for Civil Rights of the San Francisco Bay Area. "While MTC continues to turn a profit, our client and others like him suffer the consequences. Private companies like MTC must be held accountable when they hurt people."

“What happened to Carlos is the natural consequence of monetizing human captivity. He spent 14 months in a living hell because a for-profit prison put greed above the basic human rights of people in its care. This is exactly why California enacted AB 3228: to protect its residents from abuse at the hands of an industry that has historically displayed a callous disregard for human suffering.” said Ellen Leonida, a partner at BraunHagey and Borden, LLP, “Nobody should have to endure what Carlos did and MTC will be held accountable.”

In addition to seeking damages to compensate Murillo for the lifelong harm caused by abuses in the detention center, the suit seeks to hold MTC accountable for abuses that other individuals suffered while incarcerated.

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[View the Complaint here.](#)