

Congress of the United States
Washington, DC 20515

September 14, 2022

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
301 7th Street, SW
Washington, D.C. 20528

Mr. Tae Johnson
Acting Director
Immigration and Customs Enforcement
500 12th St SW
Washington, D.C. 20536

Dear Secretary Mayorkas and Acting Director Johnson,

Last year, our offices, along with other members of the California congressional delegation, sent a letter with respect to the substandard operation, repeated violations of the Immigration and Customs Enforcement (“ICE”) Performance-Based National Detention Standards (PBNDS),¹ and excessive waste of federal funds² across various immigration detention facilities in the state of California. We now write to follow up on a recent complaint filed this week describing disturbing conditions and abusive and retaliatory behavior towards detainees by facility staff at the Mesa Verde Detention Facility (“Mesa Verde”) and Golden State Annex (“Golden State”), both of which are run by the GEO Group (“GEO”). We request that you initiate an investigation and conduct a thorough review of existing agreements with the private prison contractor running these facilities.

Golden State Annex

As of the delivery date of this letter, detained workers at Golden State Annex have been on a labor strike for over 70 days. The detainees have voiced concerns about dangerous work conditions, their \$1-a-day pay rate, lack of nutritional meals, access to medical care, high commissary costs and prices for calls, unsafe living conditions, disrespectful behavior from staff, and the lack of a meaningful grievance process.

Most concerning, detainees state they have been exposed to dangerous health risks throughout the facility. A recent report found that detainees are consistently served spoiled milk and inedible food with foreign objects in them, including insects.³ It is our understanding that California’s Division of Occupational Safety and Health, (“CalOSHA”), is investigating labor

¹Performance-Based National Detention Standards 2011, Immigration and Customs Enforcement (accessed September 2022), <https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf>.

² Lofgren, Correa, CA Dems Urge DHS to Close Three ICE Detention Centers, Press Releases (Oct. 21, 2021), <https://lofgren.house.gov/media/press-releases/lofgren-correa-ca-dems-urge-dhs-close-three-ice-detention-centers>.

³Starving for Justice: The Deinal of Proper Nutrition in Immigration Detention, California Collaborative For Immigrant Justice, https://mcusercontent.com/a91618620a3ae7646a2d8355a/files/0b00293d-5bb8-99af-3325-be71f3a1e9ce/Starving_for_Justice_CCIJ_Food_Report.pdf.

conditions, in response to a complaint from detained workers alleging serious health and safety violations at the facility.⁴

Mesa Verde ICE Processing Center

Detained workers at Mesa Verde have now been on labor strike for more than 100 days. According to the complaint, multiple individuals detained at Mesa Verde have faced retaliation for asserting their right to decline participation in the “voluntary” work program, as well as for filing formal complaints documenting unjust conditions. There are deeply alarming reports that GEO staff are refusing to investigate complaints by detainees who declined to participate in the “voluntary” work program, and even putting individuals in solitary confinement as retaliation against them. Detainees have the right to opt out of the volunteer worker program and seek better conditions without facing retaliation for doing so.

Conclusion

It is critical that ICE conduct a full and complete review of the reports of disturbing conditions and abusive and retaliatory behavior towards detainees at both facilities. If the allegations made in this complaint are confirmed, we would ask that DHS end those contracts and prioritize the safety of individuals who are subjected to such conditions. It is also imperative that nonviolent detainees are not merely transferred to another facility away from their support networks, legal representation and families, but are instead released on alternatives to detention and case management.

Thank you for your consideration of this urgent matter.

Sincerely,



Zoe Lofgren
Chair
House Judiciary Committee
Subcommittee on
Immigration and
Citizenship



J. Luis Correa
Member
House Judiciary Committee
Subcommittee on
Immigration and
Citizenship



Alex Padilla
Chair
Senate Judiciary Committee
Subcommittee on
Immigration and
Citizenship

⁴Farida Jhabvala Romero, *Immigrant Detainees Strike Over Working Conditions, California Regulators Investigate*, KQED (June 22, 2022), <https://www.kqed.org/news/11917597/immigrant-detainees-strike-over-working-conditions-california-regulators-investigate>.

/s/
Grace Napolitano
Member of Congress

/s/
Karen Bass
Member of Congress

/s/
Jared Huffman
Member of Congress

/s/
Alan Lowenthal
Member of Congress

/s/
Nannette Diaz Barragán
Member of Congress

/s/
Mike Thompson
Member of Congress

/s/
Mark DeSaulnier
Member of Congress

/s/
Sara Jacobs
Member of Congress

/s/
Adam B. Schiff
Member of Congress

/s/
Norma J. Torres
Member of Congress

/s/
Julia Brownley
Member of Congress

/s/
Barbara Lee
Member of Congress

/s/
Raul Ruiz
Member of Congress