

San Jose, CA

4/14/2020

H. Congressmember Zoe Lofgren  
635 North First Street Suite B  
San Jose, CA 95112

Dear Congress Member Lofgren/Panetta:

The threat of a COVID-19 outbreak in immigration detention facilities is dire and imminent. Doctors, immigrant rights advocates, and human rights organizations have called for the government to act immediately by releasing people from detention. Rather than halting enforcement operations, Immigration and Customs Enforcement (“ICE”) escalated warrantless arrests at local courthouses including in Santa Clara County, in contravention of people’s constitutional right to attend hearings and flaunting California law. The first day of California’s COVID-19 lockdown, ICE went further and took to our streets to terrorize and arrest individuals despite the shelter-in-place orders. Such draconian enforcement actions wreak havoc on our social fabric, cause grave economic and emotional instability in our communities, and increase unnecessary detention and health risks at a time when it should be curtailed. The federal administration’s behavior is particularly reprehensible given its stated plans to begin banning asylum seekers from admission into the United States due to COVID-19 concerns within detention centers. In light of the federal administration’s erratic and irresponsible behavior with respect to COVID-19 and the health, safety and welfare of individuals in immigration detention, Congress must do everything in its power to protect all people and halt the separation and detention of families. We call on your offices to take immediate action in the following manner:

- 1) Call for ICE to exercise its authority to release at-risk immigrants from detention, and
- 2) Halt the expansions of all immigration detentions in California, effective immediately

I. Call for the release of immigrants in detention at risk of COVID-19

We are in the midst of a pandemic and an international health crisis where people kept in close quarters are in the greatest danger of contracting and spreading COVID-19. Health professionals have already indicated that incarcerated populations are well on their way to being at the epicenter of this pandemic. In a March 16, 2020 lawsuit calling for the release of vulnerable immigrants from ICE detention, the ACLU noted,

“Immigrant detention centers are institutions that uniquely heighten the danger of disease transmission. In normal circumstances, ICE has proven time and again that it is unable to protect the health and safety of detained people. These are not normal circumstances, and the heightened risk of serious harm to people in detention from COVID-19 is clear. Public health experts have warned that failing to reduce the number of people detained — and in particular, failing to release those particularly vulnerable to the disease — endangers the lives of everyone in the detention facility, including staff, and the broader community.”

The counties of Santa Clara and Monterey are home to one of the largest immigrant populations in the country. The ICE Morgan Hill Field Office, which has come under increasing scrutiny for due process violations, is responsible for arrests and operations in these districts, leading to the detention of community members currently at risk of COVID-19. Around ninety five percent of people are detained in facilities owned and operated by private for-profit corporations, lacking basic transparency, accountability and minimum humanitarian standards. Notably, these facilities lack testing or the medical resources to prevent and treat COVID-19.

The history of inadequate health care provisions at these detention facilities exacerbate the concern around the current health crisis. The Adelanto detention facility, one of the largest and deadliest private detention centers in the country exemplifies some of the systemic health care issues. A September 2018 report from the U.S. Department of Homeland Security's Office of the Inspector General found significant health and safety risks at the facility including instances of detainees hanging nooses made from bed sheets. Similarly, in a separate report, the DHS for Civil Rights and Civil Liberties found it was "more likely than not" that problems with medical care" contributed to medical injuries, including bone deformities and detainee deaths."

In a recent letter calling on ICE to halt enforcement operations and to provide adequate health and safety measures in detention facilities housing residents from your districts, legal service providers noted the following disturbing practices:

"At the Mesa Verde Detention Facility (MVDF), for example, individuals sleep in massive dormitories with dozens of others. Previously, these close quarters have allowed outbreaks of mumps, scabies, and other highly contagious diseases spread aggressively in immigration detention facilities, including in GEO Group-operated facilities in California. MVDF detainees also have reported that they are still required to have meals in common spaces with dozens of individuals, mere inches from their fellow detainees. Medical professionals also stress that personal hygiene practices are crucial to slowing the spread of the virus. However, individuals at Yuba County Jail report that they have not been provided any hygiene products, and that they have to pay for soap if they want it. A MVDF official recently informed advocates that hand sanitizer and sanitizing wipes are not allowed into the facility, and the visitation spaces lack handwashing stations."

As it stands, thousands of lives are at risk in a detention system notorious for its fatally flawed medical care. We urgently urge you to join advocates in calling for ICE to release individuals from detention.

## II. Halt the Expansion of Immigration Detention Facilities

The proposed expansions at the Adelanto and the Mesa Verde detention facilities pose a major health risk and require emergency action during this health crisis. Combined, these facilities stand to expand to hold nearly 2,200 more individuals, many of whom will be constituents from your districts.

Congress can and must act in this regard, by ensuring that these private detention facilities do not expand to put even more people in harm's way. The expansion of these facilities can result in the needless transmission of the COVID-19 to thousands of individuals in our state, held in facilities that are woefully unequipped to deal with this health crisis. This also increases the spread of COVID-19 within California communities, including in your districts, as both detention center staff and immigrants return to their communities at the conclusions of their cases.

The federal government has already declared a state of emergency because of the COVID-19 pandemic and the impending health crisis. Congress should ensure that ICE is not exempted from following guidelines meant to prevent and treat the COVID-19 pandemic by irresponsibly continuing to arrest and expand detention of constituents in your district. As a member of Congress, your office should demand the immediate halt to the expansion of immigration detention centers during the COVID-19 pandemic and stand with all of those in detention that have been on hunger strikes demanding access to soap/hygiene items, on-sight medical treatment, and testing for everyone inside.

In the face of the federal government's disregard for the health and wellbeing of immigrant communities in your district and beyond, we look to your offices for leadership for one of the most marginalized groups in our communities, immigrants. We ask that you stand on the right side of history and take decisive steps to stop ICE from continuing to arrest and expand private immigration detention as we confront this global pandemic. Your leadership will protect the health and safety of the immigrant community and protect people over profits in your districts.

Sincerely,

The Rapid Response Network for the County of Santa Clara

The Rapid Response Network for the County of Monterey

Supporting Organizations:

CARAS South County

Pangea Legal Service

SURJ South County

Latinos United for a New America (LUNA)

Asian Law Alliance

CAIR San Francisco Bay Area

Sacred Heart Community Service

Asian Law Alliance

Silicon Valley De-Bug

San Jose Peace and Justice Center

san jose/silicon valley naacp

Immigration Task Force

Santa Clara County Forum for Immigrant Rights & Empowerment (FIRE)

Coalition

SOMOS Mayfair

Sisterhood of Salaam Shalom

Amigos de Guadalupe Center for Justice and Empowerment

Law Foundation of Silicon Valley  
Unite Here! Local 483  
Social Justice Team of the Unitarian Universalist Fellowship of  
Sunnyvale  
Together We Will - San José  
Community Health Partnership, Inc.  
Action Council of the Unitarian Universalist Church of Palo Alto  
Monterey County Chapter of the ACLU  
Community Relations Council of the Jewish Federation of Silicon Valley  
Santa Clara Valley Chapter of ACLU of Northern California  
Californians for Justice - San Jose  
Center for Employment Training  
Step Forward Foundation  
SEIU 521  
San Jose Nikkei Resisters  
Spartans for Sanctuary  
Students for Quality Education, San Jose  
International Rescue Committee, Northern California  
SURJ at Sacred Heart  
Monterey Peace and Justice Center