

Congress of the United States
Washington, DC 20515

September 16, 2020

Acting Director Matthew T. Albence
U.S. Immigration and Customs Enforcement
Department of Homeland Security
500 12th Street SW
Washington, DC 20526

Dear Acting Director Albence:

On August 10, 2020 the American Civil Liberties Union (ACLU) of Southern California filed a formal complaint regarding a lack of COVID-19 testing for detainees at the Adelanto Detention Center (Adelanto). The ACLU alleged that despite Adelanto receiving roughly 1,900 test kits for detainees to mitigate the spread of COVID-19, only a fraction of these tests were actually used. The ACLU further claims Immigration Customs Enforcement (ICE) officials plainly refused to test the vast majority of detainees for the coronavirus.

An official from the GEO Group, the company that manages Adelanto, made the public claim on May 23, 2020 that about 1,900 test kits were shipped to the detention facility. The GEO Group claims that it intended to offer testing to all detainees and staff upon receiving testing kits. However, complaints allege ICE halted all testing plans. Apparently as of May 27, 2020, ICE began COVID-19 testing solely for new arrivals but has failed to test detainees already at the facility. Detainees allege they were never informed whether other detainees have been tested nor have they received any information or guidance on how to seek testing for themselves.

While we understand some of the inherent risks posed in congregate settings, consistent testing must be completed for any and all detainees regardless if they are showing signs of infection during this unique global health crisis. Testing is a critical component of any comprehensive plan to prevent the spread of COVID-19. While much still needs to be learned about this virus, it is known that certain carriers may be asymptomatic and be able to transmit the virus unknowingly. The risks are even greater in congregate settings such as Adelanto.

Refusing to test detainees for COVID-19 jeopardizes public health. The refusal to administer tests to those experiencing COVID-19 symptoms is not only morally bankrupt but poses greater health risks to all detainees and the staff who interact with these same detainees. It is critical to test all detainees and staff in order to curtail the spread of COVID-19 in the midst of a global pandemic that has already claimed the lives of more than 190,000 Americans.

This is not the first controversy to plague the Adelanto facility and we have repeatedly written to express our concerns as Members of Congress. Allegations of improper management at Adelanto and the misuse of toxic cleaning disinfectants have surfaced. We are extremely troubled to hear another allegation emerge as the GEO Group has failed to adequately address our initial concerns

around HDQ Neutral. Should this allegation be accurate, we seek to understand why staff have failed to test detainees for COVID-19 when these testing capabilities readily exist.

Knowing the history of these challenges that plague the Adelanto facility, we respectfully request the answers to the following questions:

1. Were COVID-19 testing kits delivered to the Adelanto Detention Facility? If so, how many?
2. How many testing kits have been used specifically on detainees to diagnose potential COVID-19 infection? How many of these testing kits had been used on detainees prior to May 27, 2020?
3. Out of the individuals who have been tested thus far, how many positive, negative, and inconclusive cases have been recorded?
4. What protocol or procedures are in place to protect existing detainees from new detainee arrivals to mitigate the spread of COVID-19?
5. Were these protocols or procedures adopted prior to or after any confirmed cases at Adelanto?
6. Why was the decision made to prevent detainees from getting tested? What was the rationale or justification for not administering tests to detainees?
7. How many testing kits are currently available for use at Adelanto? Are there any plans to utilize the remainder of these testing kits?
8. Will additional testing kits be delivered to Adelanto?

Thank you for your prompt investigation in this matter. We respectfully request answers to these questions no later than October 16, 2020. Should you have any questions about this request, please contact Adrienne.Castro@mail.house.gov on my staff or call (202) 225 – 2305.

Sincerely,



MARK TAKANO
Member of Congress



JUAN VARGAS
Member of Congress