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Congress of the United States

House of Representatives

Washington, DC 20515

September 12, 2019

Mr. Matthew T. Albence
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street SW, Mail Stop 5003
Washington, DC 20536-5003

Dear Acting Director Albence:

On August 30th, I visited the Immigration and Customs Enforcement (ICE) Adelanto Detention Facility during a scheduled visit with senior officials. The purpose of my visit was to verify the conditions for detainees and better understand how the facility operates. While I understand that this facility is owned and operated by the GEO Group, it is imperative that the facility – at a minimum – adhere to ICE's Performance-Based National Detention Standards in order to maintain a culture of safety and suitability for detainees.

During my visit, I observed two troubling behaviors that require your immediate attention: (1) unsanitary conditions and an apparent failure to adhere to any medical protocols have led to the quarantine of numerous detainees; and (2) the undue detention of these individuals have allegedly caused certain detainees to miss scheduled court appearances, bond hearings, and other mandatory engagements to the detriment of the detainees' length of stay at the facility.

First regarding allegations of unsanitary conditions, I heard from a number of detainees about an alleged health crisis unfolding at the facility. Among those complaints were allegations that an inadequate level of just seven janitorial staff comprise the entire custodial faculty responsible for maintaining a facility of almost 900 people. As a result, detainees raised concerns that the janitorial staff consistently failed to maintain or clean facility areas properly – and in some instances resulting in mold forming in communal shower spaces that I was personally able to witness. In one egregious case of haphazardly looking to address the issue, it appeared that facility staff had simply painted over the mold rather than mitigate any growth.

In what appears to be a recognition that the facility remains understaffed – not only in cleaning staff, but other areas of the facility as well – the Adelanto operators have created a volunteer program through which detainees can help perform facility management tasks. For roughly one dollar a day, detainees assist staff with cooking, cleaning and other facility maintenance.



However, I learned that not even the volunteer program is adequately supported by the facility operators. For example, when detainees asked for proper cleaning supplies to disinfect the restrooms, they were provided extra shampoo rather than actual cleaning products. Not only do I find it particularly egregious that the facility operators are turning to detainees to perform work for which they were contracted by ICE to perform, the volunteers are not even being provided the adequate support to carry out those volunteer duties.

These unsanitary conditions coupled with inadequate resources are perpetuating a cycle of illness within Adelanto. For those who have contracted illnesses within the facility, a separate room was designated to house those respective detainees. This room was described as the quarantine section, mandating detainees who had succumbed to illness to be held for a period of 21 days total per cycle. During my visit, I was able to enter the quarantine section without any precautions and was not informed until after my departure from the room that the area was in fact quarantined for the purposes of containing an outbreak of mumps. No visible signs had indicated these individuals were under quarantine. No gloves or masks were provided to staff or detainees, and no procedures were followed even during my personal visit with these individuals in quarantine.

The quarantine minimum hold policy poses challenges as well. While individuals are forced into quarantine, detainees are obliged to reschedule appointments with their lawyers or miss court appearances and bond hearings altogether. Should an individual develop new symptoms or not improve within the 21-day period while under quarantine, they are subjected to another cycle of containment for 21 days. While it is imperative to ensure diseases do not spread, it should be equally important to ensure that qualified medical staff are treating detainees to better their conditions and ease ailments. Furthermore, deliberate steps should be taken to ensuring that inmates who are forced to miss mandatory hearings have the soonest available opportunity to meet those obligations at another time.

With these concerns in mind, please provide answers to the following questions:

1. How frequently is the Adelanto Detention Facility audited for compliance with ICE's Performance-Based National Detention Standards? What were the results of the latest audit?
2. Does ICE have any existing protocol to prevent the spread of the diseases? What steps are taken to ensure that existing protocols are being followed? Has the Adelanto Detention Facility been found to be complying with such protocols?
3. What steps have been taken to eradicate communicable diseases such as mumps and the flu?
4. Are there preventive steps in place to make sure an individual under quarantine does not miss a court-ordered hearing?

5. How many quarantined individuals in the Adelanto facility have missed their court mandated appointments and hearings? Subsequently, how many detainees have been prevented from meeting with their legal counsel?
6. Are there any separate or additional protocols ICE staff must follow when dealing with detainees with disabilities?
7. Does ICE policy dictate a certain ratio or number of medical staff be present to care for large groups of detainees?
8. What additional procedures can be adopted to ensure ICE will be able to prevent and mitigate the spread of diseases within detention facilities?

The Adelanto Detention Center is the largest immigrant detention facility in the State of California. It is crucial that its operators adhere to strict standards while operating the facility and ICE has an inherent oversight responsibility to ensure that detainees are being treated with dignity and respect under the law. I appreciate your time and attention to this matter and look forward to a timely response.

Sincerely,



MARK TAKANO
Member of Congress