

Appendix

Recent Reports Documenting Abuse and Corruption in U.S. Immigration Jails – April 2019

“Being detained was difficult in every way. You are a prisoner. I am 6-foot-2 and the bunk in my cell was too short for me. The food is not good, and there is not enough. If you do not have money to purchase something from the commissary you go hungry. You are punished if you share your commissary with someone who is hungry. They turn off the phones, so you can’t speak to your attorney or family. I learned that my mother had a heart attack and was in the hospital for a week. I had no way of communicating with her.”

— Daniel, medical student, asylee, and National Immigrant Justice Center client, describing the five months he spent in immigration custody in a Midwest county jail

Despite voluminous evidence showing community-based programming to be a better, cheaper alternative to detention, the U.S. government jails more than 50,000 immigrants each day at a more than \$3 billion annual cost to taxpayers.¹ Thousands of pages have documented persistent human rights abuses and corruption in the U.S. immigration detention system. These reports have been published by the Department of Homeland Security’s (DHS) own watchdog agency, non-governmental organizations, and medical experts. The U.S. government, under the Trump administration and administrations before it, face lawsuits for their complicity in the trauma caused by detention, including preventable deaths and unnecessary human suffering. Yet these officials continue to expand the system, fail to mitigate ongoing harms, and ignore the availability of more compassionate alternatives.

This appendix provides a bibliography of some of the most recent and robust reporting on persistent rights abuses and corruption within the immigration detention system. Together these reports demonstrate the human suffering that is endemic to immigration detention.

Persistent rights abuses

Disability Rights California, *There is No Safety Here: The Dangers for People with Mental Illness and Other Disabilities in Immigration Detention at GEO Group’s Adelanto ICE Processing Center*, March 2019.

An investigation at the Adelanto Detention Center, which is owned by GEO Group and holds about 2,000 people, found that immigrants held at the jail are subjected to punitive, prison-like conditions that harm people with disabilities; the jail’s mental health care and medical care system are inadequate, made worse by harsh and counter-therapeutic practices; the facility significantly underreported data on the number of suicide attempts which occurred there; and the jail fails generally to comply with disability antidiscrimination laws as well as with ICE’s own detention standards regarding the treatment of people with disabilities.

AVAILABLE AT: <https://www.disabilityrightscalifornia.org/post/there-is-no-safety-here-the-dangers-for-people-with-mental-illness-and-other-disabilities-at>

¹ See U.S. Immigration and Customs Enforcement, *Congressional Budget Justification, Fiscal Year 2020* at ICE-10 (2019), https://www.dhs.gov/sites/default/files/publications/19_0318_MGMT_CBJ-Immigration-Customs-Enforcement_0.pdf.

California Department of Justice, *Immigration Detention in California*, February 2019.

After inspecting all ten California immigration detention facilities over the course of 2018, the California Attorney General found that facilities deployed “unnecessarily harsh” use of force and search tactics; failed to employ bilingual staff or provide language services; delivered substandard, delayed, and/or inadequate medical care; and engaged in unsafe suicide watch and solitary confinement practices.

AVAILABLE AT: [HTTPS://OAG.CA.GOV/SITES/ALL/FILES/AGWEB/PDFS/PUBLICATIONS/IMMIGRATION-DETENTION-2019.PDF](https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/immigration-detention-2019.pdf)

Detainee Allies, *Testimony from Migrants and Refugees in the Otay Mesa Detention Center*, February 2019.

Through written correspondence with hundreds of individuals detained at the Otay Mesa Detention Center in San Diego, California, Detainee Allies discovered inhumane conditions including contaminated or insufficient food; lack of access to legal representation; medical neglect; forced labor and wage theft; denial of access to mail and phones; lack access to basic hygiene necessities; and prolonged or indefinite detention.

AVAILABLE AT: [HTTP://WWW.DETAINEEALLIES.ORG/WP-CONTENT/UPLOADS/2019/01/FINAL_DETAINEE-ALLIES-2019-0131B.PDF](http://www.detaineeallies.org/wp-content/uploads/2019/01/FINAL_DETAINEE-ALLIES-2019-0131B.PDF)

American Immigration Council, *The Landscape of Immigration Detention in the United States*, December 2018.

This comprehensive overview of the immigration detention system documents “numerous civil and human rights violation complaints, including allegations of substandard medical care, sexual and physical abuse, and exploitative labor practices.”

AVAILABLE AT: [HTTPS://AMERICANIMMIGRATIONCOUNCIL.ORG/RESEARCH/LANDSCAPE-IMMIGRATION-DETENTION-UNITED-STATES](https://americanimmigrationcouncil.org/research/landscape-immigration-detention-united-states)

The Intercept, *Detained, then Violated*, April 2018.

In early 2018, The Intercept published the results of a massive investigation into allegations of sexual abuse in ICE detention. The results were astounding, documenting 1,224 complaints of sexual abuse filed between 2010 and September 2017, most of which were never investigated.

AVAILABLE AT: [HTTPS://THEINTERCEPT.COM/2018/04/11/IMMIGRATION-DETENTION-SEXUAL-ABUSE-ICE-DHS/](https://theintercept.com/2018/04/11/immigration-detention-sexual-abuse-ice-dhs/)

DHS Office of Inspector General, *Concerns about ICE Detainee Treatment and Care at Detention Facilities*, December 2017.

DHS's Inspector General began engaging in unannounced inspections of ICE facilities in 2016,² and this report outlines the findings of five such inspections conducted in 2017. The inspections revealed "problems that undermine the protection of detainees' rights, their humane treatment, and the provision of a safe and healthy environment." Specific problems identified include: failure to provide interpretation services; failure to respond to grievances; insufficient phone access; and an atmosphere of disrespect from detention staff toward detained individuals.

AVAILABLE AT: [HTTPS://WWW.OIG.DHS.GOV/SITES/DEFAULT/FILES/ASSETS/2017-12/OIG-18-32-DEC17.PDF](https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-32-DEC17.PDF)

DHS Office of Inspector General (OIG), *Management Alerts regarding urgently unsafe or harmful conditions*, 2019 and 2018.

Since announcing its program of unannounced inspections of ICE facilities in 2016, the OIG has issued management alerts flagging particularly egregious conditions, including:

1) In 2019, the OIG inspected the Essex County Correctional Facility in New Jersey and found raw, spoiled and expired meat, leaks in every housing unit and moldy showers, and no outdoor recreation space.

AVAILABLE AT: [HTTPS://WWW.OIG.DHS.GOV/SITES/DEFAULT/FILES/ASSETS/2019-02/OIG-19-20-FEB19.PDF](https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-20-FEB19.PDF)

2) In 2018, the OIG inspected the Adelanto ICE Processing Center in California and found widespread alarming conditions including nooses made from braided bed sheets hanging throughout the jail.³

AVAILABLE AT: [HTTPS://WWW.OIG.DHS.GOV/SITES/DEFAULT/FILES/ASSETS/2018-10/OIG-18-86-SEP18.PDF](https://www.oig.dhs.gov/sites/default/files/assets/2018-10/OIG-18-86-SEP18.PDF).

Penn State Law Center for Immigrants' Rights Clinic, *Imprisoned Justice: Inside Two Georgia Immigration Detention Centers*, May 2017.

This report on the findings of interviews conducted with individuals detained at two detention centers in Georgia provides a harrowing recounting of abuses, including: limited access to family visitation and legal representation; insufficient and inedible food, including reports of hair, plastic, bugs, and rocks in food; insufficient provision of undergarments; and the use of solitary confinement for punishment.

AVAILABLE AT: [HTTPS://PROJECTSOUTH.ORG/WP-CONTENT/UPLOADS/2017/06/IMPRISONED_JUSTICE_REPORT-1.PDF](https://projectsouth.org/wp-content/uploads/2017/06/IMPRISONED_JUSTICE_REPORT-1.PDF)

² See Office of Inspector General, U.S. Dep't of Homeland Security, *DHS OIG To Periodically Inspect CBP and ICE Detention Facilities* (Mar. 15, 2016), <https://www.oig.dhs.gov/assets/pr/2016/oigpr-031516b.pdf>.

³ The Inspector General noted that officers at the facility were dismissive of the importance of the prevalence of the braided sheets, which is particularly alarming in light of a death by suicide at the facility a year and half prior in which a man hanged himself with exactly such a braided bedsheet. See Peter Holley, *An Undocumented Immigrant Hanged Himself After 3 Months in an ICE Detention Center*, WASHINGTON POST (Mar. 29, 2017), https://www.washingtonpost.com/news/post-nation/wp/2017/03/29/an-illegal-immigrant-hanged-himself-after-three-months-in-an-ice-detention-center/?utm_term=.83b044380074.

Southern Poverty Law Center, et al., *Shadow Prisons: Immigrant Detention in the South*, November 2016.

This report provides the findings of a seven-month investigation into six immigration detention centers throughout the South, including three for-profit contract prisons and three county jails contracting with ICE, finding abuses throughout all six.

AVAILABLE AT:

[HTTPS://WWW.SPLCENTER.ORG/SITES/DEFAULT/FILES/JIP_SHADOW_PRISONS_IMMIGRANT_DETENTION_REPORT.PDF](https://www.splcenter.org/sites/default/files/jip_shadow_prisons_immigrant_detention_report.pdf)

Deaths attributable to medical negligence

Human Rights Watch, *Code Red: The Fatal Consequences of Dangerously Substandard Medical Care in Immigrant Detention*, June 2018.

In this report, Human Rights Watch and co-authors provide an overview of deaths in immigration detention utilizing the expertise of independent medical experts, finding that “medical care lapses contributed or led to 23 deaths in 19 different detention facilities since March 2010,” comprising approximately half of all deaths in custody during the relevant time period. This report followed and affirmed the findings of two previous reports on medical negligence and insufficient medical care contributing to deaths in ICE custody.⁴

AVAILABLE AT: [HTTPS://WWW.HRW.ORG/REPORT/2018/06/20/CODE-RED/FATAL-CONSEQUENCES-DANGEROUSLY-SUBSTANDARD-MEDICAL-CARE-IMMIGRATION](https://www.hrw.org/report/2018/06/20/code-red/fatal-consequences-dangerously-substandard-medical-care-immigration)

Harm to families and children

Human Rights First, *Family Incarceration Continues to Endanger Children, Impede Access to Legal Information and Waste Government Resources*, March 2019.

Human Rights First researchers visited ICE’s two largest family detention facilities, the South Texas Family Residential Detention Center and the Karnes County Residential Center, where ICE was at the time detaining ten pregnant women and babies under the age of one year. The report reaffirms the existing literature on the harms caused to children by detention and documents the many ways in which access to counsel and due process are undermined in these jails. In one particularly harrowing example, detained mothers at Dilley reported having been turned away by onsite clinic staff at night when trying to obtain medical care for their children suffering from fevers.

AVAILABLE AT:

[HTTPS://WWW.HUMANRIGHTSFIRST.ORG/SITES/DEFAULT/FILES/SHORT_DETENTION_REPORT_MARCH_2019.PDF](https://www.humanrightsfirst.org/sites/default/files/short_detention_report_march_2019.pdf)

⁴ See Human Rights Watch, *Systemic Indifference: Dangerous and Substandard Medical Care in US Immigration Detention* (May 2017), <https://www.hrw.org/report/2017/05/08/systemic-indifference/dangerous-substandard-medical-care-us-immigration-detention>; American Civil Liberties Union, Detention Watch Network, and National Immigrant Justice Center, *Fatal Neglect: How ICE Ignores Deaths in Detention* (Feb. 2016), https://immigrantjustice.org/sites/immigrantjustice.org/files/Fatal%20Neglect_ACLU%2C%20DWN%2C%20NIJC.pdf.

Medical and Psychiatric Subject Matter Experts for DHS’s Office of Civil Rights and Civil Liberties, Whistleblower Letter to Congress, July 2018.

In the summer of 2018, two medical and psychiatric subject matter experts for DHS’s Office of Civil Rights and Civil Liberties spoke out as whistleblowers regarding the unavoidable and devastating harm to child safety caused by ICE’s detention of immigrant family units. Specifically, Drs. Allen and McPherson’s observations included weight loss in children that went “largely unnoticed by the facility medical staff,” severe mental and developmental health effects, seizures among infants, and wrongly administered vaccinations. “In our professional opinion,” they wrote, “there is no amount of programming that can ameliorate the harms created by the very act of confining children to detention centers. Detention of innocent children should never occur in a civilized society, especially if there are less restrictive options, because the risk of harm to children simply cannot be justified.”

AVAILABLE AT: [HTTPS://WWW.WHISTLEBLOWER.ORG/WP-CONTENT/UPLOADS/2019/01/ORIGINAL-DOCS-LETTER.PDF](https://www.whistleblower.org/wp-content/uploads/2019/01/original-docs-letter.pdf)

ICE Advisory Committee on Family Residential Centers, *Report of the ICE Advisory Committee on Family Residential Centers*, October 2016.

ICE commissioned an advisory committee to study the practice of family detention in 2016; the committee’s report recommended that the agency discontinue its practice of family detention, concluding it was “neither appropriate nor necessary” and that “detention or the separation of families for purposes of immigration enforcement or management are *never* in the best interest of children.”

AVAILABLE AT: [HTTPS://WWW.ICE.GOV/SITES/DEFAULT/FILES/DOCUMENTS/REPORT/2016/ACFRC-REPORT-FINAL-102016.PDF](https://www.ice.gov/sites/default/files/documents/report/2016/ACFRC-REPORT-FINAL-102016.pdf)

Women’s Refugee Commission, *Locking Up Family Values, Again: The Detention of Immigrant Families*, May 2016.

Based on tours of the Artesia and Karnes family detention facilities, along with numerous interviews with detained families, advocates, and government officials, the Women’s Refugee Commission found that “large-scale family detention results in egregious violations of our country’s obligations under international law, undercuts individual due process rights, and sets a poor example for the rest of the world.”

AVAILABLE AT: [HTTPS://WWW.WOMENSREFUGEECOMMISSION.ORG/ISSUES/55-DETENTION/1040-FAMILY-DETENTION](https://www.womensrefugeecommission.org/issues/55-detention/1040-family-detention)

Corruption in contracting and inspection practices

DHS Office of Inspector General, *ICE Does Not Fully Use Contracting Tools to Hold Detention Facility Contractors Accountable for Failing to Meet Performance Standards*, January 2019.

In 2019, DHS's Inspector General found that ICE consistently fails to hold its private contractors accountable for not instituting or meeting its own detention standards. Further, the Inspector General found that when ICE did find that a contractor had violated standards, they frequently issued waivers of contractually obligated requirements instead of levying the required financial penalties.

AVAILABLE AT: [HTTPS://WWW.OIG.DHS.GOV/SITES/DEFAULT/FILES/ASSETS/2019-02/OIG-19-18-JAN19.PDF](https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf)

DHS Office of Inspector General, *ICE's Inspections and Monitoring of Detention Facilities Do Not Lead to Sustained Compliance or Systemic Improvements*, June 2018.

In another Inspector General Report, the agency found ICE's contracted inspection regimes, "do not fully examine actual conditions or identify all deficiencies" in private prisons, while ICE's own Office of Detention Oversight conducted inspections so infrequently, they could not properly ensure meaningful compliance.

AVAILABLE AT: [HTTPS://WWW.OIG.DHS.GOV/SITES/DEFAULT/FILES/ASSETS/2018-06/OIG-18-67-JUN18.PDF](https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-JUN18.pdf)

National Immigrant Justice Center, *Lives in Peril: How Ineffective Inspections Make ICE Complicit In Detention Center Abuse*, October 2015.

This report compiles ICE inspections documents from 105 immigration detention facilities from 2007-2012. In its findings, the report concludes there were "fundamental inconsistencies within and between inspection reports for individual detention centers which suggests that the immigration detention inspection process is a sham—designed to perpetuate a broken and abusive system." Specifically, NIJC found that inspections were announced in advance, conducted under outdated standards, and rarely took place, even following reports of human rights violations and deaths in custody.

AVAILABLE AT: [HTTPS://WWW.IMMIGRANTJUSTICE.ORG/RESEARCH-ITEMS/REPORT-LIVES-PERIL-HOW-INEFFECTIVE-INSPECTIONS-MAKE-ICE-COMPLICIT-DETENTION-CENTER](https://www.immigrantjustice.org/research-items/report-lives-peril-how-ineffective-inspections-make-ice-licit-detention-center)

National Immigrant Justice Center, *ICE's Systemic Lack of Accountability in Immigration Detention Contracting*, August 2015.

Following lengthy litigation under the Freedom of Information Act, NIJC was able to obtain thousands of pages of ICE's inspections and contracting documents. NIJC's analysis reveals that facilities operated under outdated standards, and that the practice of subcontracting with private prisons shielded those contractors from transparency, oversight, and accountability.

AVAILABLE AT: [HTTPS://WWW.IMMIGRANTJUSTICE.ORG/RESEARCH-ITEMS/REPORT-ICES-SYSTEMIC-LACK-ACCOUNTABILITY-IMMIGRATION-DETENTION-CONTRACTING](https://www.immigrantjustice.org/research-items/report-ices-systemic-lack-accountability-immigration-detention-contracting)