

July 14th, 2020

The Honorable Gavin Newsom
1303 10th Street, Suite 1173
Sacramento, CA 95814

Senator Kamala Harris
333 Bush Street, Suite 3225 San Francisco, CA 94104

Senator Dianne Feinstein
6501 I St Suite 7-600 One Post Street, Suite 2450
San Francisco, CA 94104

Congresswoman Nancy Pelosi
90 7th Street Suite 2-800
San Francisco, CA 94103

RE: Advocates Condemn ICE's Campaign of Retaliation Against Organized Resistance in Detention

The spread of COVID-19 to immigrant detention facilities poses a mortal danger to everyone who is unjustly detained. For [months now advocates](#), organizers and those detained have urged [elected officials](#) and [governmental agencies](#) to take affirmative steps to prevent [needless deaths](#) and suffering inside immigrant detention facilities.

Despite the spread of COVID-19 in these facilities, and the threat it poses to those detained, facility staff, and surrounding communities, U.S. Immigration and Customs Enforcement (ICE) has refused to exercise its legal discretion to release those detained and save lives. By some estimates ICE has chosen to [release less than 2%](#) of those held in its inhumane jails. In California the situation is compounded as the majority of those detained are held in facilities operated by for-profit corporations with an [egregious record](#) of negligence [and misconduct](#).

In an attempt to shed light on these horrific circumstances, immigrants in detention in California have [launched coordinated hunger strikes](#), calling attention to their plight, the [death of their fellow detainees](#), and support for the [Black Lives Matter movement](#). These acts of heroic resistance have been [coordinated with](#) and [supported by community members](#), advocates and organizers.

In response, ICE and their for-profit henchmen have undertaken a vicious campaign against activists in detention, [retaliating against them](#) with acts of violence and seeking to delegitimize

their words and actions in the press. This includes [using pepper spray](#) against detainees who have [peacefully protested](#) or refused to [sign a legal waiver](#) in order to obtain masks, as well as [threatening those](#) who have taken part in hunger strikes.

Right now, GEO group is withholding commissary items, including soap and hygiene products, from hunger strikers at the Mesa Verde facility. These actions are not only unlawful form of retaliation against organized resistance, but they leave those in the facility susceptible to covid-19 infections and endanger the lives of everyone inside. Frequent hand washing and good hygiene are the most basic forms of protection against COVID infection, and one of the few ways those in detention can protect themselves.

According to ICE's [own national standards](#) "Distribution of hygiene items shall not be used as reward or punishment." ICE has also recently made it mandatory for all facilities to abide by the [CDC's Interim Guidance](#) on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities. This guidance explicitly notes the importance of providing detained individuals no-cost access to soap. "Provide liquid soap where possible. If bar soap must be used, ensure that it does not irritate the skin, as this would discourage frequent hand washing." It is clear the recent forms of retaliation violate ICE's own mandatory guidelines and are an illegal form of retaliation.

In addition to threats of violence against detainees, ICE has sought to undermine resistance in detention facilities by making outlandish claims that detainees have been [coerced into hunger strikes](#) or that advocacy on the issue "[exploits the plight of detainees](#)". In recent weeks ICE has [blocked phone calls](#) between local advocates and those in detention in order to sever communication and coordination with the outside world.

These actions are a blatant attempt to silence the free speech and expression of those detained, and a cruel attempt to sever the strong ties and solidarity that has developed between those in detention and their community of supporters. These cruel acts demonstrate just how desperate ICE is to stamp out the flames of organized resistance.

The simple truth is that ICE will do everything in its power to avoid admitting the most basic truth, that its detention system [is unnecessary](#), unjust and inhumane. ICE's unwillingness to release individuals is based solely on the fact that it does not want to acknowledge that it has the power to do so, and [has always had this power](#), and does not need to detain immigrants in the manner and at the rate in which it does. ICE would rather facilitate mass deaths in its detention facilities [than threaten](#) the multibillion dollar [detention infrastructure](#) it has built.

We condemn ICE's retaliation against detainees who have organized in resistance and who continue to lead a brave struggle to protect their lives and assert their humanity. We demand that ICE cease all forms of retaliation against those detained, provide those in detention with free and unrestricted access to hygiene, and free all those who are unjustly and needlessly detained.

We call on elected officials to intervene to protect the civil and human rights of those in ICE custody, and demand a full and independent investigation into the cruel and inhumane actions that continue to take place in these facilities.

Sincerely,

Bianca Sierra Wolff
Executive Director
The California Collaborative for Immigrant Justice

Lisa Knox
Immigrant Rights Managing Attorney
Centro Legal de la Raza

Organizational Signatories

Services, Immigrant Rights & Education Network (SIREN)
San Joaquin College of Law - New American Legal Clinic
Rapid Response Network of Monterey County
Rapid Response Network in Santa Clara County, CA
North Bay Rapid Response Network: Solano, Napa and Sonoma Counties
NorCal Resist
McGeorge Immigration Clinic
Law Office of Helen Lawrence
Immigration Task Force
Immigrant Legal Defense
Immigrant Defense Advocates
Human Agenda
Community Legal Services in East Palo Alto
Coastside Immigrant Advocacy Group
Center for Gender & Refugee Studies
CAIR California
Becker & Lee LLP
African Advocacy Network
Coastside Immigrant Advocacy Group
Becker & Lee LLP
Law Office of Ravi Patel
Immigrant Legal Defense
SIREN (Services, Immigrant Rights and Education Network)
NorCal Resist
UFW Foundation
Inland Coalition for Immigrant Justice
CARECEN SF

Dolores Street Community Services
San Francisco Immigrant Legal & Education Network
San Francisco Rapid Response Network
Community Legal Services in East Palo Alto