



March 13, 2020

Daniel Bible
ICE ERO San Antonio Field Office Director
ICE Enforcement and Removal Operations
San Antonio Field Office
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Re: Immediate Release of Detained Families and Individuals Due to COVID-19

Director Bible:

As the Refugee and Immigrant Center for Education and Legal Services (RAICES) represents detained immigrants, we write to voice our concern about the impending spread of COVID-19 and to inquire regarding how Immigration and Customs Enforcement (ICE) detention centers in the San Antonio Area of Responsibility plan to respond to the crisis. We also write to request the release of all individuals and families who are currently in immigration detention within your area of responsibility.

As public health agencies around the world vigorously prepare for and deal with COVID-19's impact, we urge you to share your plan publicly and immediately. This virus is highly contagious, and people detained in close quarters are particularly susceptible to infection and to rapidly spreading the illness.

Our legal representation and support of our clients depend on our ability to meet with them in person. We are concerned about the health and safety of our clients who, with their liberty restricted in detention, cannot practice recommended social distancing from other detained persons or from detention center staff. Additionally, our own health and safety should not be placed in jeopardy as we seek to continue to zealously advocate for our clients. The health and safety of ICE and contractor personnel are also at risk in the close quarters of an immigration prison. Because the environment of a detention center is an inherently unsafe space in a global pandemic, everyone in immigration detention should be released immediately.

We understand that some precautionary measures have been taken at the Karnes family detention center, namely, to restrict family and community visitation access for a period of thirty days. However, this action is wholly insufficient, especially given the nuclear family population at Karnes. ICE currently has multiple pregnant women, many infants under two years old, and several children exhibiting flu-like symptoms in its custody at Karnes. These families have reported to us over recent weeks that the medical care at Karnes is insufficient and has not improved their symptoms, that the food is inedible, and that their children are losing weight daily. We believe that families should never be detained, and the current conditions at Karnes are no place for families, women, and children in compromised states of health during a global pandemic.

ICE has previously demonstrated its lack of preparedness to deal with an outbreak of illness in detention. Last summer, when the detained population at the South Texas Detention Complex suffered a mumps outbreak, very little information was shared with the public. As quarantines were imposed, ICE Health Services Corps struggled to contain the outbreak, quarantine times were extended, our clients' isolation grew, visits from attorneys, family and others diminished, and our clients' right to due process was undermined as court dates were postponed, with our clients languishing in increased civil detention. There was also frequently misinformation shared by GEO with our attorneys regarding when quarantine periods were scheduled to end and what the designated hours were for visitation with quarantined clients. We cannot allow that to once again occur.

We request immediate information from ICE and GEO about what measures are being taken to prevent a repeat of last summer, including how immigration court hearings will be impacted in the short and longer term. ICE and GEO must have measures in place to ensure that detained individuals have access to their attorneys. In particular, GEO must communicate clearly in writing to attorneys any limitations that are being placed on visitation. GEO must not restrict private contact visitation unless absolutely necessary, and in those cases, GEO must provide a contingency plan such as readily available private, unmonitored video-conference or telephone systems, to ensure that people are able to consult with their attorneys without undue interruption.

We call for a specific response plan that will ensure our clients are treated humanely and with dignity. The plan should include details on how detainees who may have COVID-19 will be screened and identified, and what measures will be taken to assist those who are at high risk of serious illness if they become infected, such as those with chronic illness or a compromised immune system, as well as pregnant women. Additionally, we request information about what kind of treatment will be available to our clients and detainees, and what cleaning protocols will be in place until release for all detained persons can be secured.


We also urge ICE to suspend all deportation activity. It has been reported that deportees from the United States have presented the first reported cases of COVID-19 in their countries of origin. ICE should not participate in the spread of this dangerous virus around the world.

This is a public health emergency. It is critical that ICE detention centers and jails be prepared to respond appropriately to the crisis. It is essential for the health and well-being of our clients, attorneys, and staff, as well as for ensuring due process throughout legal representation, that we are made aware of ICE's pandemic response efforts immediately.

Above all, given the woeful history of addressing pandemics in ICE detention and the lack of clear planning to address COVID-19, we fear for the health and well-being of our clients in detention. **We urge ICE to utilize its inherent discretion to release immigrants to their families and communities while they complete their cases.**

Thank you for your attention to these urgent matters of access to counsel.

Sincerely,



Jonathan D. Ryan
Chief Executive Officer, RAICES

CC:

The Honorable Chad F. Wolf, Acting Secretary of Homeland Security
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