

Congress of the United States
Washington, DC 20515

December 3, 2020

The Honorable Dr. Joseph V. Cuffari
U.S. Department of Homeland Security Inspector General
Office of Inspector General/ MAIL STOP 0305
245 Murray Lane SW
Washington, D.C. 20528-0305

Dear Inspector General Cuffari:

We write to bring your attention to the human rights conditions at the Northwest Detention Center (NWDC) in Tacoma, Washington. For years, we have raised concerns about reports of inadequate health care, medical neglect, and the inhumane treatment of individuals detained at the NWDC. Further, the ongoing COVID-19 pandemic and concern over potential spread at the NWDC has continued to exacerbate our need for communication regarding these reports.

On November 30, 2020, the University of Washington Center for Human Rights released a troubling report examining the considerable use of solitary confinement at the NWDC.¹ According to data provided by U.S. Immigrations and Customs Enforcement (ICE), the NWDC detains people in solitary confinement longer than any other ICE facility in the country. The report also found that 34 percent of solitary confinement placements between September 2013 and March 2020 were flagged to indicate the person had been previously diagnosed with a mental illness. The use of solitary confinement for individuals diagnosed with mental illness is contrary to international law and ICE's own standards that the GEO Group purports to follow, and is seriously concerning. In addition, the report documents the use of solitary confinement as retaliation against individuals engaging in hunger strikes or speaking out against conditions at the NWDC.

The findings from the Center for Human Rights are consistent with a report issued by your office on June 3, 2019 highlighting the misuse of solitary confinement at several immigration detention centers around the country. The widespread misuse of solitary confinement at the NWDC was also raised with your office in a letter sent on October 23, 2019.² In July of this year, the Capping Report released by the OIG following an unannounced inspection of the NWDC in March 2019 found inappropriate segregation practices that "violate detention policies and standards, and infringe on detainee rights."³ In addition, it appears the investigation by your office into the tragic death of Mergansana Amar on November 24, 2018, who was kept in solitary confinement at the NWDC before his death, has yet to be completed, despite rising concerns regarding the safety and rights of detained immigrants.

¹<https://jsis.washington.edu/humanrights/2020/11/30/nwdc-solitary/>

²<https://www.cantwell.senate.gov/imo/media/doc/10.23.19%20NWDC%20Letter%20To%20DHS%20Inspector%20General.pdf>

³<https://www.oig.dhs.gov/sites/default/files/assets/2020-07/OIG-20-45-Jul20.pdf>

Solitary confinement is not the only pressing issue at the NWDC. With the COVID-19 pandemic spreading to record levels, including in Pierce County,⁴ individuals in immigration detention centers remain extremely vulnerable to outbreaks. Several individuals detained at the NWDC are reportedly on hunger strikes in protest of inadequate policies and a lack of communication regarding the spread and prevention of COVID-19. In addition, our offices have been made aware of serious allegations of violence and abuse against detained immigrants in recent weeks. These recent allegations are even more alarming given the history of retaliation, the significant use of solitary confinement, and a lack of transparency at the NWDC. The OIG previously found that individuals detained at the NWDC have difficulties resolving problems through existing grievance and communications systems and identified a failure by staff at the NWDC to properly document grievance logs.⁵

Due to the demonstrated lack of transparency, accountability, and decency documented in the Center for Human Rights report and past reviews conducted by your office, we request an immediate investigation into the recent allegations of violence against detained immigrants and a comprehensive review of the use of solitary confinement at the NWDC.

Thank you for your prompt attention to this critical matter.

Sincerely,



Adam Smith
Member of Congress



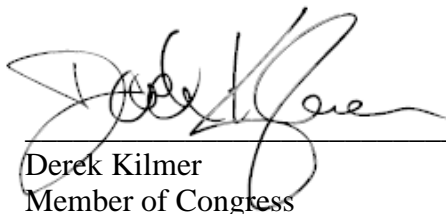
Patty Murray
United States Senator



Maria Cantwell
United States Senator



Pramila Jayapal
Member of Congress



Derek Kilmer
Member of Congress



Denny Heck
Member of Congress

⁴ <https://www.tpchd.org/healthy-people/diseases/covid-19-pierce-county-cases/>

⁵ <https://www.oig.dhs.gov/sites/default/files/assets/2020-07/OIG-20-45-Jul20.pdf>