

Congress of the United States
Washington, DC 20515

February 17, 2022

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
3801 Nebraska Ave. NW
Washington, D.C. 20016

Mr. Tae D. Johnson
Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street, SW
Washington, D.C. 20536

Dear Secretary Mayorkas and Acting Director Johnson:

As you are aware, on March 30, 2021, the Department of Homeland Security Office of Inspector General (OIG) released a report outlining violations of detention standards at the La Palma Correctional Center in Eloy, Arizona.¹ We welcomed the news of this report given that La Palma has an abhorrent history of mistreatment and abuse. However, almost a year later, we write to express our concerns regarding the implementations of those recommendations especially as they relate to medical care access, solitary confinement practices and providing detainees in segregation with access to activities and services outlined in the 2011 Performance-Based National Detention Standards (2011 PBNDS). We request that a full investigation is completed to ensure that individuals are not being deprived of their rights and that the 2011 PBNDS are being upheld.

This is a timely investigation as Governor Ducey recently announced a contract to transfer individuals to La Palma under the care of CoreCivic, a private prison company. Arizona is set to transfer 2,706 individuals.² It is imperative that La Palma rectifies its detention standard violations before accepting an influx of individuals that may be susceptible to the same mistreatment and denied critical care and services. For those reasons, we ask that you conduct a full investigation and work in good faith to implement the recommendations outlined by the OIG report that remain unresolved.

There are two areas of concern that we request your immediate attention to including access to critical services and care for segregated individuals. According to the OIG report, “the facility was not consistently providing required care, including no exchange of laundry and soiled bedding and clothing, no legal materials, no haircuts, limited recreation, no

¹ <https://www.oig.dhs.gov/news/press-releases/2021/05252021/dhs-oig-inspections-find-violations-detention-standards-pulaski-county-jail-ullin-il-and-la-palma-correctional>

² <https://www.azcentral.com/story/news/local/arizona/2022/01/06/arizona-transfer-2-706-prisoners-state-run-prison-private-facility/9121316002/>

access to the commissary for detainees who are in administrative segregation, and no masks in response to COVID-19.”

The second area of concern is regarding medical care access and solitary confinement practices. We are sharing an account obtained by a nongovernmental organization that conducts work with individuals previously detained at La Palma to highlight some of these deficiencies in care and treatment.

“A father who had been living in the US for 20 years before ICE detained him reported that during his 4.5 months in detention, he was denied medical attention multiple times at La Palma Correctional Center (LPCC) in Eloy, AZ. A week after he was detained, he reported urinary tract infection symptoms to a guard, who assured him he would be seen by a doctor but did not follow up. It was not until 4 days later, when the man’s symptoms had worsened and he pleaded with another guard, that he finally received treatment for the infection. Soon after, he suffered a fall down the stairs during which he twisted his ankle and injured his knee to the point that he was unable to walk. The others who were detained with him insisted that no one try to help him get up because if they did, the medics would not come. Medical personnel in the facility tried to force the man to walk on his injured leg several times. The guards decided to respond to his injury by putting him in solitary confinement in a cell that had blood on the walls. When he requested that the cell be cleaned, the guard responded that he would not get out of that cell until he could walk. He was held in solitary confinement for 12 days due to his injury, during which the cell was never cleaned, and he was not allowed to leave the cell. After that experience, he chose not to report other illnesses for fear of being sent to solitary confinement again.”

Not only was this individual denied timely medical care, but he was placed in solitary confinement because of his legitimate grievances. Unfortunately, this account is consistent with the findings of the OIG report, which found La Palma did not provide timely care to detainees making sick call requests and concluded that “waiting days or weeks to provide medical care to detainees for acute sick call issues violates the standard for timely follow-up to detainee health needs.”³ We ask that you carefully revisit detainee medical care access and solitary confinement practices.

We once again reiterate our concerns over the treatment of individuals at La Palma and hope you work to resolve the urgent pending recommendations made by the OIG report. There is no reasonable justification to increase the number of individuals housed at La Palma until these pending issues are resolved. We look forward to a full investigation and implementation of all recommendations outlined.

Thank you for your attention to this matter.

³ <https://www.oig.dhs.gov/news/press-releases/2021/05252021/dhs-oig-inspections-find-violations-detention-standards-pulaski-county-jail-ullin-il-and-la-palma-correctional>

Sincerely,



Raúl M. Grijalva
Member of Congress



Greg Stanton
Member of Congress



Ruben Gallego
Member of Congress



Ann Kirkpatrick
Member of Congress



Tom O'Halleran
Member of Congress