

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

March 2021

Dear Secretary Mayorkas,

I am heartened by the steps this Administration has taken to direct the U.S. immigration system toward policies that honor human rights. However, these policies have not yet been implemented to protect those already in ICE detention.

I am concerned about the health and safety of detainees who are at high risk in public and private ICE immigration facilities. Jailing people in ICE detention centers awaiting asylum or deportation hearings is costly and harmful.

Immigrants should be treated with dignity and compassion. Meaningful steps need to be taken now to make sure that every single ICE and CBP officer understands and follows the new policies.

Immigrants are at heightened risk of serious illness or death, The COVID-19 virus is especially communicable in crowded, indoor spaces. Many immigration detainees are survivors of violence and torture with untreated mental health issues.

ICE has the discretion to release individuals for urgent humanitarian reasons. A file review process should be conducted with individuals immediately released. The vast majority of those detained have family members waiting to house and support them upon release. For those who do not, community-based support programs stand ready to provide housing and services. A study just released by American Immigration Council shows that over 11-years, 96% of all *non-detained* individuals with counsel appeared in court for every one of their hearings.<sup>1</sup> The *Alternatives To Detention* program should be reinstated. Leaving behind the thousands who continue to suffer in detention will undermine efforts by your agencies to rebuild trust with the American people.

You recently said to your staff, "We will act with integrity." I am counting on it.

I appreciate your attention to this urgent matter,

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<sup>1</sup> <https://www.americanimmigrationcouncil.org/research/measuring-absentia-removal-immigration-court>