

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

March 2021

Dear Governor Newsom,

I am extremely concerned about the health and safety of detainees in ICE immigration facilities in California. ICE is only authorized to hold people waiting for immigration hearings, not punishment.

While the enforcement of immigration law is generally the responsibility of the federal government, I believe that the state can and should play a role in regulating the unnecessary mass detention of people within its borders, especially with the circumstances created by the COVID-19 emergency. I commend you for the strong actions you have taken to protect the people of California from COVID-19. However, ICE is unwilling to take the steps necessary to preserve public health, and decisive action by you is necessary.

There is no reasonable justification for continuing to detain the vast majority of people currently held in ICE custody, simply waiting for immigration hearings. The coronavirus is especially communicable in crowded, indoor spaces. Many immigration detainees are survivors of violence and torture, making them very vulnerable. This is reflected in the high number of suicides at immigration detention centers.

Attorney General Becerra, in California Department of Justice reports, has repeatedly found many injustices experienced by immigrants in California ICE Detention facilities. Please designate a staff member to review these reports.

<https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/immigration-detention-2021.pdf>

The vast majority of those detained have a family member waiting to support them upon release. For those who do not, a network of community-based programs are ready to provide housing and services. Immigrants released from detention show up for their hearings, especially when provided legal aid. A study issued just weeks ago 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.¹

Please let me know how you will handle this important human rights issue.

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