

Chairman Cory Booker
Ranking Member Tom Cotton
U.S. Senate Committee on the Judiciary
Subcommittee on Criminal Justice and Counterterrorism
226 Dirksen Senate Office Building, Washington D.C. 20515

September 24, 2024

Dear Chairman Booker, Ranking Member Cotton, and Members of the Subcommittee:

For decades, the Asian Law Caucus has provided legal representation to immigrant and refugee Californians who have built close-knit communities and put down roots in cities and towns throughout our state. While our clients pursue their immigration cases, many are detained in U.S. Immigration and Customs Enforcement (ICE) facilities, most of which are operated by private prison corporation GEO Group. For a number of years, our clients have reported enduring violent retaliation, solitary confinement, medical neglect and sexual abuse in these facilities.

As the Committee examines sexual abuse in U.S. prisons and detention facilities since the passage of the Prison Rape Elimination Act (PREA), we are writing to share findings from our recent [complaint filed with the U.S. Department of Homeland Security Office of Civil Rights and Civil Liberties](#). The complaint details reports of sexual abuse at Golden State Annex in McFarland, California, where over 300 people are currently detained.

As our filing details, several people detained at Golden State Annex have endured alarming harassment and abuse by the GEO Group staff after peacefully protesting and otherwise calling attention to inhumane and unsafe detention conditions. The complaint details how GEO Group staff target individuals in their custody on the basis of gender identity and sexual orientation and subject people to ridicule, solitary confinement and sexually abusive patdowns. In one instance, a high ranking GEO Group staff member demanded sexual favors in exchange for approving a placement request.

Among the complainants, Mx. Loba Lovos Mendez, who identifies as transfeminine, also shared multiple instances of discrimination, including GEO Group staff denying her hygiene products and placing her in solitary confinement for over three weeks, just days after she had filed two PREA complaints. This retaliation continued to escalate and worsened Mx. Lovos Mendez's health:

"First, GEO staff cut off the water supply to her toilet, forcing her to go up to twelve hours without flushing, and eat her meals while smelling her own feces and urine. She was given an insufficient amount of drinking water...A psychologist found that Mx. Lovos Mendez's placement

in solitary confinement significantly deteriorated her mental health...Further, she began to experience severe back pain and muscle spasms, but GEO staff denied her request for a wheelchair, making it excruciatingly painful for her to walk to the law library.”

Despite these concerns and requests from Mx. Lovos Mendez’s attorney that she be returned to general population housing, our filing explains that “ICE dismissed the complaint on the basis that it was a ‘GEO issue.’ There is no indication that ICE undertook ‘appropriate review and oversight’ of the decision to retain Mx. Lovos Mendez in segregated housing shortly after her placement there, as required by ICE policy—to the contrary, ICE let the improper placement in solitary confinement continue for 24 days.”

ICE and GEO Group have consistently failed to respond to complainants’ reports in the manner required by PREA. Mr. F, a complainant who also participated in a hunger strike to protest inhumane conditions, reported multiple incidents of sexual harassment by a GEO officer while he was in solitary confinement. GEO Group and ICE did not remove the officer for days after these reports, causing Mr. F to fear that this officer would enter his cell and sexually assault him. At one point, Mr. F learned that the officer who had been harassing him got angry with another staff member for confirming an incident of sexual harassment instead of overlooking it.

GEO Group’s actions violate federal law, as well as ICE policies and standards on sexual abuse, retaliation, and discrimination on the basis of gender identity and sexual orientation. We know that our clients are not alone in their horrifying experiences. Just weeks after filing our complaint, multiple detained individuals at a nearby GEO-run facility—Mesa Verde ICE Processing Facility—reported incidents of sexual harassment and abuse by GEO Group staff. Last year, a [nationwide investigation](#) found that while hundreds of people report sexual abuse in ICE detention facilities, the majority of cases are not investigated. These combined reports point to an disturbing pattern in which ICE and its contractors are able to act with no accountability, leaving people in civil detention vulnerable to harm and without any forms of relief.

We thank the Committee for your time and attention to this issue, and urge you to take action to stop sexual violence in immigration detention facilities and prisons. If you have questions or would like additional information, the Asian Law Caucus is available to discuss our recent filing and legal representation of community members who have survived abuse.

Sincerely,

A handwritten signature in black ink that reads "Gabriela Villareal". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Gabriela Villareal
Policy Director
Asian Law Caucus