

United States Senate
WASHINGTON, DC 20510

February 13, 2026

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, DC 20032

Todd M. Lyons
Senior Official Performing the Duties of the
Director
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th St SW
Washington, DC 20536

Dear Secretary Noem and Mr. Lyons:

Even as the country reels from the senseless deaths of Americans killed or grievously injured by federal agents in Minneapolis, Chicago, and Los Angeles,¹ we have also been shocked to see the dramatic increase in deaths in immigration detention on your watch. Seven people died in the month of December 2025 alone, and six have died since the start of the new year.² This rapidly increasing number of deaths is a clear byproduct of the Trump Administration's dangerous and poorly executed mass deportation agenda—one focused on detaining as many immigrants as possible, not just the “worst of the worst,” for extended periods of time. We urge you to use the unprecedented resources at your disposal to reinvigorate your agency's detention oversight efforts, investigate these deaths, and provide those in your custody with adequate medical care.

According to the autopsy report, a recent death in U.S. Immigration and Customs Enforcement (ICE) detention was officially ruled a homicide, and fellow detainees, whom the Department seeks to deport, described witnessing guards choking the man to death.³ Another person died of an apparent suicide at the same facility only days later.⁴ In 2025, ICE reported 32

¹ Shannon Heffernan & Tom Meagher, *How ICE and Border Patrol Keep Injuring and Killing People*, MARSHALL PROJECT (Jan. 26, 2026), <https://www.themarshallproject.org/2026/01/26/ice-minneapolis-shooting-alex-pretti>.

² See e.g., *News Releases and Statements*, U.S. IMM. AND CUSTOMS ENFORCEMENT, <https://www.ice.gov/newsroom> (providing press releases about deaths in detention); *Death Reporting*, U.S. IMMIG. AND CUSTOMS ENFORCEMENT <https://www.ice.gov/detain/detainee-death-reporting>; Marianne LeVine & Douglas MacMillan, *Four ICE Detainee Deaths in Four Days Spark Alarm as Arrests Grow*, WASH. POST (Dec. 20, 2025), <https://www.washingtonpost.com/immigration/2025/12/20/ice-detainee-deaths/>.

³ Douglas MacMillan, *Autopsy Classifies ICE Detainee's Death As A Homicide*, WASH. POST (Jan 21, 2026), <https://www.washingtonpost.com/business/2026/01/21/ice-homicide-detainee-death-autopsy/>; Douglas MacMillan, *DHS Seeking to Deport Two Men Who Said Fellow ICE Detainee Was Killed*, WASH. POST (Jan. 17, 2026), <https://www.washingtonpost.com/immigration/2026/01/17/detainee-death-witnesses-deported-dhsa/>.

⁴ Laura Strickler & Daniel Arkin, *Third Immigrant Detainee at Facility in El Paso Has Died, ICE Says*, NBC NEWS (Jan. 19, 2026), <https://www.nbcnews.com/news/us-news/third-immigrant-detainee-facility-el-paso-died-ice-says-rcna254783>.

deaths, the most deaths in ICE detention in any year since 2004.⁵ Based on the available evidence, many of the reported deaths appear to have been preventable.

Armed with an unprecedented and unjustified funding increase from the so-called *One Big Beautiful Bill Act*, ICE has dramatically expanded its detention capacity and now is holding approximately 73,000 people nationwide—many with no criminal history—while failing to release even the most vulnerable individuals.⁶ The Administration recently doubled down on its commitment to scale up detention, soliciting private companies to warehouse staggering numbers of immigrants in massive industrial facilities capable of housing up to 8,000 people at once.⁷ By comparison, the largest federal prison has approximately 4,000 inmates.⁸ New massive facilities—one near Phoenix cost \$70 million and is the size of seven football fields—add to the rapidly expanding number of detention contracts held by private prison companies and local and county jails.⁹ ICE is even reopening facilities that previously were closed due to medical neglect and systemic understaffing.¹⁰

Individuals of all ages and backgrounds have died in ICE custody, some only a short time after entering a detention facility and many after living in the United States for decades.¹¹ Though deaths in detention have occurred under every Administration,¹² under your leadership,

⁵ See Maanvi Singh, Coral Murphy Marcos, & Charlotte Simmonds, *2025 Was ICE's Deadliest Year in Two Decades. Here are the Thirty-two People Who Died in Custody*, THE GUARDIAN (Jan. 4, 2026), <https://www.theguardian.com/us-news/ng-interactive/2026/jan/04/ice-2025-deaths-timeline>; and Ximena Bustillo & Rahul Mukherjee, *It's the Deadliest Year for People in ICE Custody in Decades; Next Year Could Be Worse*, NPR (Oct. 23, 2025), <https://www.npr.org/2025/10/23/nx-s1-5538090/ice-detention-custody-immigration-arrest-enforcement-dhs-trump>.

⁶ Camilo Montoya-Galvez, *ICE's Detainee Population Reaches New Record High of 73,000, As Crackdown Widens*, CBS NEWS (Jan. 16, 2026), <https://www.cbsnews.com/news/ices-detainee-population-record-high-of-73000/>; Camilo Montoya-Galvez & Julia Ingram, *The Number of Non-Criminal Detainees Arrested by ICE has Surged by 2,000% under Trump. These Charts Show Who's In Detention*, CBS NEWS (Nov. 26, 2025), <https://www.cbsnews.com/news/ice-detainee-data-fastest-growing-without-criminal-records-trump/>; Julia Ingram, *Most Arrested in Some Big City Immigration Crackdowns Had No Criminal Record, New Data Shows*, CBS NEWS (Dec. 3, 2025), <https://www.cbsnews.com/news/immigration-crackdowns-mostly-non-criminals-chicago-dc-los-angeles-data/>; and Heidi Altman, *ICE is Detaining Indiscriminately. And Releasing Almost No One*, NAT'L IMMIGR. L. CTR. (Oct. 21, 2025), <https://www.nilc.org/articles/ice-is-detaining-indiscriminately-and-releasing-almost-no-one/>.

⁷ Laura Strickler & Julia Ainsley, *ICE Plans to Build Mega Warehouses for Immigration Detention Spark Growing Concern*, NBC NEWS (Feb. 5, 2026), <https://www.nbcnews.com/politics/immigration/concerns-grow-ice-plans-build-mega-warehouses-immigration-detention-rcna257454>.

⁸ *Id.*

⁹ Laura Strickler & Julia Ainsley, *ICE Plans to Build Mega Warehouses for Immigration Detention Spark Growing Concern*, NBC NEWS (Feb. 5, 2026), <https://www.nbcnews.com/politics/immigration/concerns-grow-ice-plans-build-mega-warehouses-immigration-detention-rcna257454>. See *Immigration Detention Expansion in Trump's Second Term*, AM. IMMIGR. COUNCIL 24-25 (Jan. 2026), <https://www.americanimmigrationcouncil.org/wp-content/uploads/2026/01/immigration-detention-report.pdf>.

¹⁰ See e.g., Douglas MacMillan & Marianne LeVine, *Riots and Abuse Troubled These Former Prisons. ICE Plans to Reopen Them*, WASH. POST (Sept. 7, 2025), <https://www.washingtonpost.com/immigration/2025/09/07/ice-detention-prisons-immigrants-trump/>.

¹¹ Maanvi Singh, Coral Murphy Marcos, & Charlotte Simmonds, *2025 Was ICE's Deadliest Year in Two Decades. Here are the Thirty-two People Who Died in Custody*, THE GUARDIAN (Jan. 4, 2026), <https://www.theguardian.com/us-news/ng-interactive/2026/jan/04/ice-2025-deaths-timeline>.

¹² See e.g., ACLU, Am. Oversight, & Physicians for Hum. Rights, *Deadly Failures: Preventable Deaths in U.S. Immigration Detention* (June 25, 2024), <https://phr.org/our-work/resources/deadly-failures-preventable-deaths-in-u-s-immigration-detention>.

individuals are dying in shocking numbers.¹³ Rather than accepting responsibility for deaths in government custody and providing detailed facts about the circumstances of each death, the Department of Homeland Security (DHS) has attempted to smear deceased individuals' reputations by emphasizing details about their immigration status and their alleged wrongdoing in the United States.¹⁴

The Administration also repeatedly has alleged, contrary to all evidence, that ICE detention conditions and medical care are adequate.¹⁵ These false claims have been made despite the fact that ICE has not paid third-party medical providers since October 2025, allegedly leading to the denial of medical care and essential treatment.¹⁶ Even ICE internal audits have documented significant failures to meet medical care standards.¹⁷ At Camp East Montana—where three detained individuals recently died in just over one month¹⁸—ICE auditors determined medical care contractors had, in some cases, failed to fill out medical charts and do intake screenings and did not “identify emergent or past chronic medical conditions, mental illness issues such as suicidal/homicidal ideation or intent that could lead to detainee life-safety issue.”¹⁹

All available evidence debunks any suggestion that current detention conditions and medical care in immigration detention are adequate. According to agency records, individuals

[s-immigration-detention/](#); and Sen. Durbin, S. Comm. on the Judiciary, *Senate Judiciary Committee Ranking Member Releases Revealing Investigative Report On Inadequate Care In Customs And Border Protection Facilities* (Jan. 24, 2025), <https://www.durbin.senate.gov/newsroom/press-releases/senate-judiciary-committee-ranking-member-releases-revealing-investigative-report-on-inadequate-care-in-customs-and-border-protection-facilities>.

¹³ See Alice Miranda Ollstein & Ruth Reader, *ICE is Hiring Dozens of Health Workers as Lawsuits, Deaths in Custody Mount*, POLITICO (Oct. 20, 2025), <https://www.politico.com/news/2025/10/20/ice-is-hiring-dozens-of-health-workers-as-lawsuits-deaths-in-custody-mount-00614485> (“The push by [DHS] to hire more than 40 doctors, nurses, psychiatrists, pharmacists and health administrators follows the revelation that nearly as many immigrants have died in custody so far this year than over the course of the Biden administration, according to government records.”).

¹⁴ See e.g., *Illegal Alien from Bulgaria Passes Away at North Lake Processing Center, Natural Causes Suspected*, U.S. IMMIGR. AND CUSTOMS ENFORCEMENT (Dec. 18, 2025), <https://www.ice.gov/news/releases/illegal-alien-bulgaria-passes-away-north-lake-processing-center-natural-causes>.

¹⁵ See e.g., Angela Kocherga & Michel Martin, *Concerns About Conditions at Texas Detention Center Grow After 3 Die in Custody*, NPR (Jan. 20, 2026), <https://www.npr.org/2026/01/20/nx-s1-5682238/concerns-about-conditions-at-texas-detention-center-grow-after-3-die-in-custody>; and Press Release, *DHS Sets the Record Straight on Media and Activist Lies about ICE Broadview Processing Center Conditions*, Dep’t of Homeland Security (Nov. 5, 2025), <https://www.dhs.gov/news/2025/11/05/dhs-sets-record-straight-media-and-activist-lies-about-ice-broadview-processing>.

¹⁶ Judd Legum, *ICE Has Stopped Paying for Detainee Medical Treatment*, POPULAR INFO. (Jan. 20, 2026), <https://popular.info/p/ice-has-stopped-paying-for-detainee>.

¹⁷ See e.g., Douglas MacMillan et al., *Sixty Violations in Fifty days: Inside ICE’s Giant Tent Facility at Ft. Bliss*, WASH. POST (Sept. 16, 2025), <https://www.washingtonpost.com/business/2025/09/16/ice-detention-center-immigration-violations/> (“The ICE inspection report, which is not public and has not been previously reported, raises significant new concerns about the safety of workers and detainees at one of the Trump administration’s marquee immigration projects.”).

¹⁸ Laura Strickler & Daniel Arkin, *Third Immigrant Detainee at Facility in El Paso Has Died, ICE Says*, NBC NEWS (Jan. 19, 2026), <https://www.nbcnews.com/news/us-news/third-immigrant-detainee-facility-el-paso-died-ice-says-rcna254783>.

¹⁹ Douglas MacMillan et al., *Sixty Violations in Fifty days: Inside ICE’s Giant Tent Facility at Ft. Bliss*, WASH. POST (Sept. 16, 2025), <https://www.washingtonpost.com/business/2025/09/16/ice-detention-center-immigration-violations/>.

who have died had COVID-19, kidney disease, heart disease, and diabetes, among other treatable diseases.²⁰ An analysis of phone calls to 911, from 10 of the largest detention facilities during the first six months of the Trump Administration, described a system overwhelmed by unmet medical needs and attempts to obtain urgent care.²¹ Of the 400 emergency calls, 50 involved possible cardiac events, 26 described seizures, and 17 were for head injuries.²² Seven involved suicide attempts or self-harm, such as overdoses or hangings, and six alleged sexual abuse, including at least one reported incident of staff-on-detainee abuse.²³

Doctors also have reported that federal immigration agents are interfering with medical care of detained immigrants who are referred to hospital settings for emergency care. Administrators at a hospital in Los Angeles, for example, reported that federal agents told doctors not to reach out to family members to determine what type of medication a person was on and would not allow private consultations between detained individuals and doctors.²⁴

Reports and lawsuits continue to document dangerous detention conditions in detention facilities.²⁵ Consider the February death of Maksym Chernyak, who was detained at the Krome facility in Miami and died in custody after suffering a stroke in February.²⁶ Staff waited more than 40 minutes before calling 911. Later that day, it was determined he had irreversible brain damage, and he died two days later.²⁷ The death was especially heartbreaking in that, according to a medical expert, “[t]here was this neurological emergency—someone who was not responsive after a seizure—and a medical professional did not activate 911 for 45 minutes.”²⁸ Reports have also emerged of pregnant women who have miscarried or bled for hours without access to care or

²⁰ See generally, *Death Reporting*, U.S. IMMIGR. AND CUSTOMS ENFORCEMENT <https://www.ice.gov/detain/detainee-death-reporting>. See also Alice Miranda Ollstein & Ruth Reader, *ICE is Hiring Dozens of Health Workers as Lawsuits, Deaths in Custody Mount*, POLITICO (Oct. 20, 2025), <https://www.politico.com/news/2025/10/20/ice-is-hiring-dozens-of-health-workers-as-lawsuits-deaths-in-custody-mount-00614485>.

²¹ Dhruv Mehrota & Dell Cameron, ‘They’re Not Breathing’: Inside the Chaos of ICE Detention Center 911 Calls, WIRED (June 25, 2025), <https://www.wired.com/story/ice-detention-center-911-emergencies/>.

²² *Id.*

²³ *Id.*

²⁴ Jill Replogle, *At A Boyle Heights Hospital, ICE Agents Call The Shots, Doctors Say*, L.A. PUB. PRESS, (Oct. 13, 2025), <https://lapublicpress.org/2025/10/boyle-heights-hospital-ice/>.

²⁵ See e.g., Compl., *Gomez Ruiz et al. v. ICE et al.*, No. 25-09757 (N.D. Cal. Nov. 12, 2025); and Sen. Durbin, S. Comm. on the Judiciary, *What Is It Really Like to Be in ICE Detention? Exclusive Insights From Two Florida Immigration Detention Facilities* (Jul. 18, 2025), <https://www.judiciary.senate.gov/imo/media/doc/DURBIN%20REVEALS%20DEVASTATING%20INSIGHTS%20INTO%20FLORIDA%20ICE%20DETENTION%20FACILITIES%20IN%20EXCLUSIVE%20SITE%20VISIT.pdf>.

²⁶ Syra Ortiz Blanes & Claire Healy, *Two Men in ICE Custody Died of ‘Natural’ Causes. Were Their Deaths Preventable?*, MIAMI HERALD (May 7, 2025), <https://www.miamiherald.com/news/local/immigration/article304966226.html>.

²⁷ *Id.*

²⁸ *Id.*

were shackled while miscarrying.²⁹ DHS recently acknowledged that the South Louisiana ICE Processing Center alone has been the site of four miscarriages.³⁰

It is unacceptable that record numbers of people are dying in ICE custody. The Department must comply with detention standards at every facility detaining immigrants and stop its efforts to restrict congressional oversight of detention facilities, including by unlawfully requiring Members of Congress to alert ICE seven days prior to detention visits, a policy recently blocked by a federal court,³¹ and failing to provide mandated reporting with details about the deaths.³² Each death in ICE custody is a tragedy and, based on the evidence available from agency records, 911 calls, and medical experts, many could have been prevented if not for this Administration's decisions. To address these urgent concerns, we request that you provide answers to the following questions and information requests by February 27, 2026:

1. What actions has ICE taken to address the rising deaths of detained individuals in custody, including any changes to medical screening, suicide prevention, emergency response, or mortality review procedures? Please provide copies of any supporting records.
2. What is the legal rationale for excluding facilities like Alligator Alcatraz, or any other state or local facilities operating pursuant to a similar partnership with ICE, from ICE's inspection, reporting, or detention-standards compliance structure? Please provide copies of any legal analysis and supporting records.
3. Are detainees who are held in state or local facilities like Alligator Alcatraz included in ICE's required detainee-death notification and review procedures? If ICE considers these individuals outside the review process, please provide copies of any legal analysis and supporting records.
4. What oversight offices are currently responsible for monitoring ICE detention conditions?
 - a. For each office, describe its current staffing levels, investigative authorities, role in the detainee-death review process, and jurisdiction, including any limitations on oversight of facilities that are not integrated into ICE's detention-tracking systems.
 - b. For each office, outline current authority, or lack of authority, to inspect, monitor, or evaluate detention facilities operated by state or local governments.

²⁹ See e.g., Daniella Silva, *Pregnant Women Describe Miscarrying and Bleeding Out While in ICE Custody, Advocates Say*, NBC NEWS (Oct. 22, 2025), <https://www.nbcnews.com/news/us-news/pregnant-women-describe-miscarrying-bleeding-ice-custody-advocates-say-rcna238849>; and Sen. Durbin, S. Comm. on the Judiciary, *Louisiana Fact Sheet* (May 19, 2025), <https://www.judiciary.senate.gov/imo/media/doc/SENATE%20JUDICIARY%20COMMITTEE%20RANKING%20MEMBER%20REVEALS%20DEVASTATING%20INSIGHTS%20INTO%20ICE%20DETENTION%20IN%20EXCLUSIVE%20SITE%20VISIT.pdf>.

³⁰ Rachel Uranga, *Pregnant Immigrants Held For Months In Detention Despite Rules Against It*, LA TIMES (Dec. 3, 2025), <https://www.latimes.com/california/story/2025-12-03/she-spent-her-pregnancy-in-a-detention-center-she-not-alone>.

³¹ Kyle Cheney and Josh Gerstein, *Judge Says Administration Must Let Lawmakers Make Unannounced Visits to ICE Detention Facilities*, POLITICO (Feb. 2, 2026), <https://www.politico.com/news/2026/02/02/ice-detention-congress-visit-00759990>.

³² Zach Montague, *Judge Allows Policy Restricting Lawmakers' Access to ICE Facilities*, THE N.Y. TIMES (Jan. 19, 2026), <https://www.nytimes.com/2026/01/19/us/politics/ice-detention-lawmakers-oversight.html>; Justin Glawe, *SCOOP: ICE Has Failed to Disclose Info About 8 Immigrants' Deaths, Defying Congress*, ZETEO (Jan. 27, 2027), <https://zeteo.com/p/ice-immigrant-deaths-detention-fail-report>.

5. Provide records describing the role of ICE's Office of Professional Responsibility (OPR) with respect to death investigations and the status of investigations regarding each detained individual who has died since January 20, 2025.
 - a. Please include any records describing changes to OPR's Office of Detention Oversight detention facility inspections, including any changes to the number of required inspections and guidance for facility inspections, since January 20, 2025.
6. Provide all records since January 20, 2025, related to changes or future changes in any of ICE's detention standards, including communications with contractors regarding changes to detention standards.

Please also respond immediately to pending oversight letters related to detention expansion, the dismantling of internal oversight offices, and ICE's hiring practices.³³

We look forward to your prompt response and attention to this important request.

Sincerely,



Richard J. Durbin
United States Senator



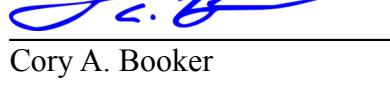
Angela D. Alsobrooks
United States Senator



Richard Blumenthal
United States Senator



Ron Wyden
United States Senator



Cory A. Booker
United States Senator



Chris Van Hollen
United States Senator

³³ Letter from Sen. Durbin to Sec'y Noem and Sec'y Hegseth (May 1, 2025), <https://www.judiciary.senate.gov/imo/media/doc/2025-05-01%20Letter%20to%20DoD%20and%20DHS%20re%20Detention%20Expansion.pdf>; Letter from Sens. Peters, Murray, & Durbin to Sec'y Noem (July 18, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-0718-Joint-Letter-to-DHS-Secretary-Noem-on-CRCL-OIDO-and-CISOMB-Final.pdf>; and Letter from Sen. Durbin to Sec'y Noem (Oct. 21, 2025), <https://www.judiciary.senate.gov/imo/media/doc/2025-10-21%20Letter%20to%20DHS%20re%20ICE%20Hiring.pdf>.

Tammy Duckworth

Tammy Duckworth
United States Senator

Elizabeth Warren

Elizabeth Warren
United States Senator

Martin Heinrich

Martin Heinrich
United States Senator

Patty Murray

Patty Murray
United States Senator

John Hickenlooper

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cc: The Honorable Joseph V. Cuffari
Inspector General, Department of Homeland Security