

September 11, 2020

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

RE: SUPPORT AB 3228 Private Detention Facilities (Bonta)

Dear Governor Newsom,

We, the undersigned philanthropies, write in support of AB 3228 (Bonta), a bill seeking accountability for health and safety in all private immigrant detention facilities in California. This measure is particularly urgent now during the COVID-19 pandemic.

In early May 2020, an immigrant man died of COVID-19 at Otay Mesa. Sadly, detainees housed alongside him believe the detention facility's negligence resulted in the man's death.¹ In fact, numerous reports, including one issued by the State Attorney General's office, have documented inadequate medical care in these private facilities.² **AB 3228 would require (1) immigration detention facilities to adhere to the standards they have agreed to in their contracts and (2) would provide a private right of action to individuals who suffer harm when such facilities fail to abide by the standards they set forth in their contracts.**

This measure is necessary to ensure the health and safety of California. Given the close proximity in which immigrants are detained and the inadequate health care they receive, the threat of increased contamination of COVID-19, as well as other infectious diseases, is quite high. Yet, the effects of such transmission are not only borne by immigrants inside detention facilities, but also by the surrounding communities in which those facilities operate. Such communities are often rural and already lack resources.

Philanthropies have worked with the state on private public partnerships, most recently on the California Immigrant Resiliency Fund in which many of the undersigned contributed \$50M to provide relief to immigrants during the pandemic. We hope to continue to work with you in support of California's immigrant population and strongly urge you to sign AB 3228.

¹ <https://theintercept.com/2020/05/24/ice-detention-coronavirus-death/>

² The California Department of Justice's Review of Immigration Detention in California, February 2019, <https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/immigration-detention-2019.pdf>

² Kate Morrissey "Detainees at Otay Mesa detention centers were offered masks but only if they signed contracts" The San Diego Tribune, April 10, 2020 <https://www.sandiegouniontribune.com/news/immigration/story/2020-04-10/otay-mesa-detention-center-gets-masks-but-asks-detainees-to-sign-contract-first>; Rebecca Plevin "Immigrants, advocates, members of Congress decry chemical use at ICE facility in Adelanto", Palm Springs Desert Sun, June 27, 2020 <https://www.desertsun.com/story/news/politics/immigration/2020/06/27/immigrants-members-congress-decry-chemical-use-ice-facility-adelanto/3273095001/>; "Death of 74-year-old in immigration jail is seen as suicide", The Associated Press, May 19, 2020 <https://abcnews.go.com/Health/wireStory/death-74-year-immigration-jail-suicide-70774858>

Sincerely,

Fred Blackwell, Chief Executive Officer, The San Francisco Foundation

Leslie Dorosin and Rebekah Saul Butler, Co-Executive Directors, Grove Action Fund

Antonia Hernández, President and Chief Executive Officer, California Community Foundation

Chet P. Hewitt, President and Chief Executive Officer, The Center at Sierra Health Foundation

Michele Lord, President, NEO Action Fund

Jacqueline Martinez Garcel, Chief Executive Officer, Latino Community Foundation

Christopher Punongbayan, Executive Director, California Change Lawyers

Nicole Taylor, President and Chief Executive Officer, Silicon Valley Community Foundation