



August 31, 2020

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

**RE: SUPPORT AB 3228 (Bonta) Private Detention Facilities and Request for Meeting**

Dear Governor Newsom,

Our organizations write to express our support for AB 3228, a much-needed bill focused on accountability in private detention facilities in our state. As you are aware, there are several private detention facilities still in operation in our state, including immigrant detention facilities where conditions have only worsened during COVID-19. Our organizations are committed to preserving the health, safety and human rights of everyone in California, particularly those in the immigrant community.

California is home to four privately operated civil detention facilities that hold up to almost 4,000 individuals at any given time, with future plans to expand to as many as 7,000. To date, there have been COVID-19 infections reported at each of these facilities, with an outbreak of over 160 individuals occurring at the Otay Mesa detention facility that was reportedly one of the largest in the country.<sup>1</sup> Most recently, over half of the detainees in the Mesa Verde detention facility tested positive for COVID-19.

We remain deeply disturbed by ongoing reports of abuse and misconduct by private prison corporations like the GEO Group and CoreCivic, particularly with respect to the blatant violations of detention standards that have been documented in their facilities.

For example, it has been reported that a private operator, CoreCivic, attempted to require detainees in the Otay Mesa Facility to sign legal waivers before providing them personal protective equipment. Detainees who protested this requirement were subsequently pepper

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<sup>1</sup> Otay Mesa COVID-19 Outbreak Now the Largest At A US Immigration Facility  
<https://www.kpbs.org/news/2020/apr/14/otay-mesa-detention-center-now-largest-immigration/>

sprayed.<sup>2</sup> Accounts from the Adelanto detention facility operated by the GEO Group reveal that detainees were exposed to hazardous chemicals in the poorly ventilated facility, resulting in serious health conditions.<sup>3</sup> In the Mesa Verde detention facility also operated by the GEO Group, a 74-year-old man with a documented history of suicide attempts was placed in solitary confinement with improper supervision. The man was later found dead of an apparent suicide.<sup>4</sup>

Each of these circumstances would not have occurred had these operators abided by the clear detention standards in place in their contracts, yet there is no accountability or consequences for their behavior. This needs to end.

California can and must protect its most vulnerable residents in detention and prevent the spread of COVID-19 from these facilities to surrounding communities. We believe signing AB 3228 is an important step in protecting the rights of individuals in detention and sending a clear message that private companies that violate their own standards of care for health and safety - particularly during this pandemic - will face accountability.

We respectfully request a meeting with your staff to discuss the importance of this bill and share our perspective and concerns.

Sincerely,



Orville Thomas  
Director of Government Affairs  
California Immigrant Policy Center

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<sup>2</sup> 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>

<sup>3</sup> 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/>

<sup>4</sup> “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>