



September 3, 2020

**VIA Email to the Office of the Governor and Author**

The Honorable Gavin Newsom  
Governor of California  
State Capitol  
Sacramento, CA 95814

**RE: AB 3228 (Bonta) – Private detention facilities – REQUEST FOR SIGNATURE**

Dear Governor Newsom:

**The League of Women Voters of California writes to request your signature on AB 3228 (Bonta)**, which would require private detention facility operators comply with and adhere to the detention standards of care and confinement agreed on in the facility's contract for operations.

Several federal and state reports have documented troubling conditions at detention facilities and published these findings:

- 1) U.S. Immigration and Customs Enforcement (ICE) does not adequately hold detention facility operators accountable for not meeting performance standards.<sup>1</sup>
- 2) Conditions of confinement fail to address the unique characteristics of immigration detention center populations.<sup>2</sup>
- 3) At the Adelanto ICE Processing Center in California, operators violated performance standards that posed significant health and safety risks, such as, nooses in detainee cells, improper and overly restrictive segregation, and untimely and inadequate detainee medical care.<sup>3</sup>

In the wake of COVID-19, accountability in private detention facilities is an urgent issue to protect public health and human life. As of June 11, 2020, at the

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<sup>1</sup> Office of Inspector General, Dept. of Homeland Security, "ICE Does Not Fully Use Contracting Tools to Hold Detention Facility Contractors Accountable for Failing to Meet Performance Standards" (January 29, 2019). Retrieved at <https://www.oig.dhs.gov/reports/2019/ice-does-not-fully-use-contracting-tools-hold-detention-facilitycontractors-accountable-failing-meet-performance-standards/oig-19-18>

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

<sup>3</sup> Office of Inspector General, Dept. of Homeland Security, "Management Alert – Issues Requiring Action at the Adelanto ICE Processing Center in Adelanto, California" (September 27, 2018). Retrieved at <https://www.oig.dhs.gov/sites/default/files/assets/Mga/2018/oig-18-86-sep18.pdf>

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Otay Mesa Detention Center in San Diego, which currently houses around 600 detainees, there have been 162 confirmed cases, one death and 15 detainees currently under isolation and monitoring. There are also 11 confirmed cases of COVID-19 among ICE employees at the facility.<sup>4</sup>

The League supports elimination of private detention facilities. While these facilities are in operation we must ensure that operators comply with all applicable standards. The League also supports due process for all persons, including the right to a fair hearing, right to counsel, right of appeal and right to humane treatment. With ICE's history of not holding the operators accountable and documented cases of inhuman treatment, chaptering AB 3228 is critical to establishing an environment in private detention facilities that protects the safety, rights, and health of undocumented Californians.

**To protect the lives of undocumented Californians, especially during the current pandemic, the League of Women Voters of California strongly urges your signature on AB 3228 (Bonta).** This legislation will ensure that private detention facility operators abide by and uphold basic human rights and standards in the treatment of those detained.

Sincerely,



Carol Moon Goldberg  
President

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<sup>4</sup> ICE Guidance on COVID-19. Retrieved at <https://www.ice.gov/coronavirus>