

Congress of the United States
Washington, DC 20515

June 29, 2011

The Honorable Janet Napolitano
Secretary of Homeland Security
U.S. Department of Homeland Security
Washington, D.C. 20528

Attorney General Eric Holder
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Secretary Napolitano and Attorney General Holder:

We are concerned about reports of ongoing mistreatment of detained immigrants, as represented by the mass civil rights complaint recently filed by Heartland Alliance's National Immigrant Justice Center on behalf of LGBT immigrant detainees in the custody of the Department of Homeland Security (DHS). The thirteen complainants report instances of sexual abuse, denials of medical care, long-term solitary confinement and misuse of segregation due to sexual minority status, and a pervasive culture of hostility towards gay and transgender individuals in some facilities.

These allegations come on the heels of other recent reports of mistreatment of immigrants in DHS custody, including sexual abuse and medical malpractice. While the Administration has begun to take steps to reform the detention system, DHS must take extra care to protect vulnerable populations in their care because all detainees deserve safe, humane and equal treatment while in Immigration and Customs Enforcement custody.

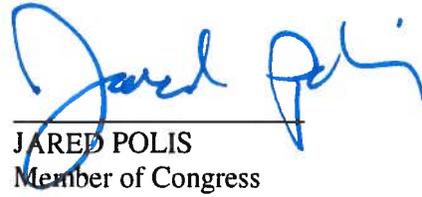
In recent years, our nation's prisons have made progress in preventing and responding to sexual assault and harassment, largely thanks to the Prison Rape Elimination Act. Given the recent reports of abuses in immigration detention centers, it is clear that strong protections against these abuses need to be implemented in these detention centers, as well. We urge implementation of strong standards reflecting the purpose of the Prison Rape Elimination Act in all correctional facilities, including immigration detention facilities. Establishing a zero-tolerance standard for detainee sexual assault and rape, as well as developing standards for the detection, prevention, reduction, and punishment of sexual assault in detention facilities, will ensure critical protections for vulnerable populations and should be implemented immediately.

We urge you to take immediate action to investigate these abuse allegations, review DHS's contracts with the named facilities, provide adequate oversight of detention facilities, and quickly draft standards that will protect sexual minorities and other vulnerable immigrants in DHS custody. If your investigation reveals that facilities are unable to ensure the safety of detained sexual minority immigrants without recourse to segregation, we urge you to employ alternatives to detention for this population.

Sincerely,



JUDY CHU
Member of Congress



JARED POLIS
Member of Congress



MIKE QUIGLEY
Member of Congress



DAVID N. CICILLINE
Member of Congress



FREDERICA S. WILSON
Member of Congress



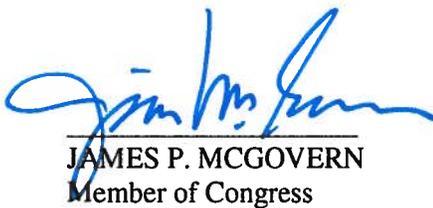
DORIS O. MATSUI
Member of Congress



FRANK PALLONE
Member of Congress



JOHN LEWIS
Member of Congress



JAMES P. MCGOVERN
Member of Congress



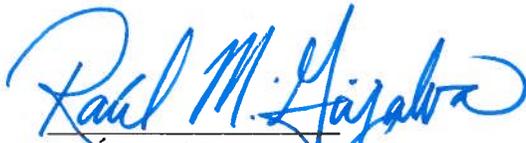
KEITH ELLISON
Member of Congress


YVETTE D. CLARKE
Member of Congress


JIM MCDERMOTT
Member of Congress


LAURA RICHARDSON
Member of Congress

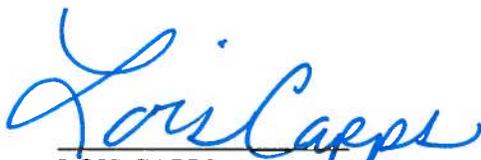

ZOE LOFGREN
Member of Congress


RAÚL M. GRIJALVA
Member of Congress


MICHAEL M. HONDA
Member of Congress


ELEANOR HOLMES NORTON
Member of Congress


HENRY A. WAXMAN
Member of Congress


LOIS CAPPS
Member of Congress


JAMES P. MORAN
Member of Congress



OWEN MOORE
Member of Congress



BARNEY FRANK
Member of Congress



LUIS V. GUTIERREZ
Member of Congress



BARBARA LEE
Member of Congress



NYDIA M. VELAZQUEZ
Member of Congress



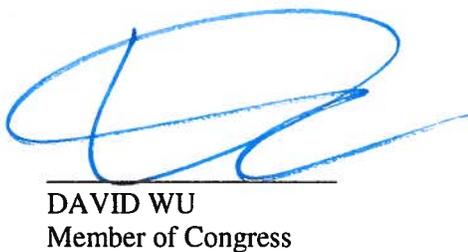
STEVEN R. ROTHMAN
Member of Congress



LUCILLE ROYBAL-ALLARD
Member of Congress



GEORGE MILLER
Member of Congress



DAVID WU
Member of Congress



CHARLES B. RANGEL
Member of Congress



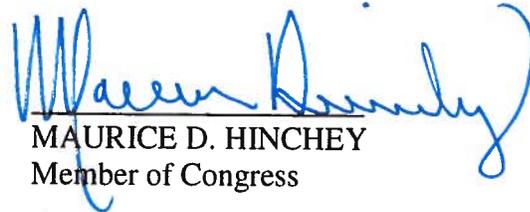
JANICE D. SCHAKOWSKY
Member of Congress



JESSE L. JACKSON, JR.
Member of Congress



BOB FILNER
Member of Congress



MAURICE D. HINCHEY
Member of Congress



TAMMY BALDWIN
Member of Congress



DENNIS J. KUCINICH
Member of Congress



CAROLYN B. MALONEY
Member of Congress



JERROLD NADLER
Member of Congress