

VERONICA ESCOBAR
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Congress of the United States
House of Representatives
Washington, DC 20515

WASHINGTON OFFICE:
1505 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4831

EL PASO OFFICE:
221 N. KANSAS STREET, SUITE 1500
EL PASO, TX 79901
(915) 541-1400

<http://escobar.house.gov>

August 24, 2020

Chad F. Wolf
Acting Secretary
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528

Matthew T. Albence
Acting Director
U.S Immigration and Customs Enforcement
500 12th St., SW
Washington, D.C. 20536

Joseph V. Cuffari
Inspector General
Office of Inspector General/MAIL STOP 0305
Department of Homeland Security
245 Murray Lane SW
Washington, D.C. 20528

Dear Acting Secretary Wolf, Acting Director Albence, and Inspector General Cuffari:

I write regarding concerning allegations of sexual assault and harassment raised by current and former detainees at the El Paso Processing Center dating back to November 2019. These shocking allegations must be addressed immediately, including ensuring that no future assault occurs against detainees at the El Paso Processing Center.

Specifically, a recent complaint alleges a pattern and practice of repeated sexual assault and harassment at the El Paso Processing Center by guards. For example, one detainee alleges three instances of abuse at the hands of an officer – on two such occasions the officer took her to camera blind spots where he forcibly kissed and touched her. Another alleges six incidents of sexual harassment including an officer telling her to engage in sexual activity for necessities like a clean uniform. A third detainee alleges that an officer rubbed his genitals while watching him shower. The complaint also alleges that after two of the victims reported their assault, they experienced retaliation. Since the complaint was filed, three new reports have emerged of such sexual assault, including one from a victim who is currently detained, and another who has

already been deported.¹ Because of such retaliation, instances of assault at the El Paso Processing Center may be much higher than reported or alleged.

Immigration and Customs Enforcement (ICE) regulations and policy directives provide for a zero tolerance for sexual assault in ICE detention facilities, and we have been informed that the Department of Homeland Security (DHS)'s Office of Inspector General, and ICE's Office of Professional Responsibility are conducting investigations into these allegations. It is imperative that DHS prevent retaliation against these survivors, preserve all physical and electronic evidence during the time period in question, release the victims still in custody to a sponsor, and halt their deportation in order to make the victims available to investigators for questioning. In that vein, please provide my office with the responses to the following:

1. Has ICE moved to protect detainees who have filed complaints of sexual assault at the El Paso Processing Center from removal while the investigation is ongoing and made those detainees available to the Inspector General?
2. Given the severity of the allegations and the retaliation that has already allegedly occurred against two individuals, the El Paso Processing Center is not safe for the detainees reporting sexual assault at the Center. Will ICE release detainees who have made complaints on an alternative to detention program at this time to ensure there is no further retaliation?
3. The El Paso Processing Center is operated under contract with Global Precision Systems (GPS), a private detention management organization.² Under ICE directives, GPS has a contractual obligation to prevent, detect, and respond to allegations of sexual assault.³
 - a. Please provide copies of contracts and any other documents governing the agreement between the ICE and GPS to operate the El Paso Processing Center.
 - b. Did GPS notify ICE of any reports of sexual assault or harassment at the El Paso Processing Center from November 2019 to date?
 - i. If so, please provide any such reports or other communications raising concerns about sexual assault or harassment at the El Paso Processing Center.
 - ii. If so, when did ICE first learn of these reports? How many cases were reported in that period, disaggregated by month?
 - c. Are the employees who are accused still working in the facility given the serious allegations?

¹ Lomi Kriel, *ICE guards 'systematically' sexually assault detainees in an El Paso detention center, lawyers say*, TEXAS TRIBUNE AND PRO PUBLICA (Aug. 14, 2020), <https://www.texastribune.org/2020/08/14/texas-immigrant-detention-ice-el-paso-sexual-abuse/>

² *Id.*

³ 6 C.F.R. 115.111, ICE Directive 11062.2

- d. What other steps are being taken to ensure that GPS meets its contractual requirements to prevent, detect, and respond to allegations of sexual assault at El Paso Processing Center? For example, will GPS be required to take preventative measures such as removing the camera blind spots referenced in the complaint?
 - e. When did ICE last conduct a facility inspection or audit of the El Paso Processing Center, including for compliance with ICE directives regarding sexual assault? For any such inspections or audits conducted in the last two years, please provide inspection or audit reports.
4. Is GPS under contract to manage detention services at any other ICE facilities? If so, please provide any reports or communications raising concerns about sexual assault or harassment at such facilities in the last two years.

In addition to written responses to the questions above, I request an immediate telephonic briefing on the status of such investigations and the steps taken to prevent retaliation described above. The United States has an obligation to protect migrants in our care. When any allegation is made that details a violation of that standard of care it is our duty to seek the truth and hold violators to account.

Thank you for your attention to this important matter.

Sincerely,



Veronica Escobar
Member of Congress