

April 22, 2024

Hon. Alejandro Mayorkas  
Secretary of Homeland Security  
US Department of Homeland Security  
2707 Martin Luther King Jr. Avenue SE  
Washington, DC 20528

Patrick Lechleitner  
Acting Director  
US Immigration and Customs Enforcement  
500 12<sup>th</sup> Street SW  
Washington, DC 20536

Dear Secretary Mayorkas and Acting Director Lechleitner,

The undersigned 63 organizations call on the Department of Homeland Security (DHS) to not renew the Immigration and Customs Enforcement (ICE) detention contract at the Torrance County Detention Facility (TCDF) and let the contract expire on May 14, 2024.

Since TCDF reopened in 2019, people detained there have reported ongoing human rights violations and horrific conditions, including an oleoresin capsicum (OC) attack against peaceful hunger strikers,<sup>1</sup> overtly racist mistreatment,<sup>2</sup> and due process violations, among dozens of other complaints.<sup>3</sup> Oversight agencies, including the Office of Inspector General (OIG), have found numerous detention violations, including staffing shortages, security lapses, and poor sanitation.<sup>4</sup> In March 2022, OIG took the unprecedented step of recommending the immediate removal of all individuals in ICE custody from TCDF given widespread problems at the facility.<sup>5</sup>

Despite these ongoing problems at TCDF, DHS kept the facility open, and on August 17, 2022, a 23-year-old Brazilian asylum-seeker named Kesley Vial undertook a fatal suicide attempt. He was

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<sup>1</sup> *Santa Fe Dreamers Project et al. v. CoreCivic, Inc. et al.*, Complaint For Declaratory Relief and Damages, [https://www.aclu-nm.org/sites/default/files/field\\_documents/complaint\\_for\\_declaratory\\_relief\\_and\\_damages\\_1.pdf](https://www.aclu-nm.org/sites/default/files/field_documents/complaint_for_declaratory_relief_and_damages_1.pdf).

<sup>2</sup> Nov. 5, 2021 Letter from Innovation Law Lab, NIP, ACLU-NM, Haitian Bridge Alliance, and AIC Letter to ICE Officials, [https://innovationlawlab.org/media/TorranceLetter\\_11.5.21.pdf](https://innovationlawlab.org/media/TorranceLetter_11.5.21.pdf).

<sup>3</sup> Ongoing Due Process Violations and Human Rights Abuses at the Torrance County Detention Facility, Aug. 21, 2023, [https://innovationlawlab.org/media/TCDF\\_Complaint-8\\_21\\_2023\\_Redacted.pdf](https://innovationlawlab.org/media/TCDF_Complaint-8_21_2023_Redacted.pdf).

<sup>4</sup> TCDF IGSA Contract Modification No. P00014 & Contract Discrepancy Report 12-21-2020 at <https://www.documentcloud.org/documents/23917556-tcdf->; see also, Nakamoto Group, “Annual Inspection of the Torrance County Detention Facility” (July 29, 2021), <https://www.ice.gov/doclib/facilityInspections/TOORANM21-TorranceCoDetFac-CL-07-29-2021.pdf>.

<sup>5</sup> DHS Office of the Inspector General (OIG), Management Alert - Immediate Removal of All Detainees from the Torrance County Detention Facility, OIG-22-31 (Mar. 26, 2022) <https://www.oig.dhs.gov/sites/default/files/assets/2022-05/OIG-22-31-Mar22-mgmtalert.pdf>.

pronounced deceased on August 24, 2022.<sup>6</sup> In September 2022, OIG published another report about TCDF, and again affirmed that no immigrants should be detained at the facility.<sup>7</sup>

People detained at TCDF, their community and advocates, and Members of Congress have persistently documented violations of the 2011 Performance-Based National Detention Standards (PBNS) at the facility.<sup>8</sup> ICE and CoreCivic have repeatedly failed to meet the most basic standards they are contractually obligated to meet at TCDF since the moment it began operations in 2019. The failure to intervene at Torrance will inevitably lead to more loss of life. Accordingly, we urgently call on DHS not to renew its contract at TCDF.

Sincerely,

New Mexico Immigrant Law Center

New Mexico Dream Team

Las Americas Immigrant Advocacy Center

Innovation Law Lab

Detention Watch Network

ACLU of New Mexico

VIDA: Volunteers for Immigrants in Detention - Albuquerque

Somos Un Pueblo Unido

OLE - Organizers in the Land of Enchantment

El CENTRO de Igualdad y Derechos

Youth United for Climate Crisis Action/YUCCA

The Landing Ministry at St Michael & All Angels Episcopal Church

Albuquerque Faith Works

United Voices for Newcomer Rights

Santa Fe Dreamers Project

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<sup>6</sup> “Death of Brazilian Migrant in ICE Custody Predictable and Preventable Result of ICE and CoreCivic Abuse, Neglect and Dangerous Conditions at Torrance County Detention Facility,” (Aug. 27, 2022) <https://www.nmilc.org/press-release-archive/august-27-2022>.

<sup>7</sup> OIG, “Violations of ICE Detention Standards at Torrance County Detention Facility,” OIG-22-75 (Sept. 28, 2022) <https://www.oig.dhs.gov/sites/default/files/assets/2022-09/OIG-22-75-Sep22.pdf>.

<sup>8</sup> Diana Buda, Daisy Gomez Rivera, and Natalia Ocampo, “*What They’re Doing to Me is an Injustice*”: *Violations of the 2011 Performance-Based National Detention Standards in New Mexico Immigration Detention Facilities*, Colorado College, Mar. 2024, at <https://www.nmilc.org/our-blog/what-theyre-doing-to-me-is-an-injustice>.

Unitarian Universalist Fellowship of Silver City, New Mexico  
Las Cumbres Community Services  
Catholic Charities of Central New Mexico  
Encuentro NM  
ABQ SURJ (Albuquerque Showing Up for Racial Justice)  
Earth Care  
Centro Savila  
St. Michael and All Angels Episcopal Church  
Albuquerque Asylum Seeker Welcome  
Dreams in Action NM  
Immigration Task Force of the United Church of Santa Fe  
Gwenn Robinson MD  
Hope Border Institute  
Estrella del Paso (formerly Diocesan Migrant and Refugee Services)  
Annunciation House, Inc.  
El Paso Catholic Restorative Justice Ministry  
Human Rights First  
National Immigrant Justice Center  
Center for Gender & Refugee Studies  
Robert F. Kennedy Human Rights  
National Immigration Project (NIPNLG)  
Center for Victims of Torture  
Al Otro Lado  
American Friends Service Committee (AFSC)  
Public Counsel  
NETWORK Lobby for Catholic Social Justice  
Bridges Faith Initiative  
Mariposa Legal  
Rocky Mountain Immigrant Advocacy Network  
Minnesota Freedom Fund

Americans for Immigrant Justice

Utah Health & Human Rights

Florence Immigrant & Refugee Rights Project

Inter-Faith Committee on Latin America (IFCLA)

ISLA: Immigration Services and Legal Advocacy

NorCal Resist

Imperial Valley Equity and Justice Coalition

Interfaith Movement for Human Integrity

SOLACE San Diego

Border Butterflies Project

Inland Coalition for Immigrant Justice

First Friends of New Jersey & New York

Free Migration Project

California Collaborative for Immigrant Justice

Dolores Street Community Services

Wind of the Spirit Immigrant Resource Center

The Immigrant and Non-Citizen Rights Clinic, CUNY School of Law

Immigrant Defenders Law Center