

United States Senate

WASHINGTON, DC 20510

May 22, 2017

The Honorable John F. Kelly
Secretary of Homeland Security
Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, D.C. 20528

Dear Secretary Kelly:

We are writing to express our concerns about reports we have received regarding healthcare access provided to people confined in immigration detention facilities. As you know, the United States maintains the largest immigration detention infrastructure in the world, detaining approximately 380,000 to 442,000 persons per year.^[1] Therefore, we would appreciate if you could explain your policies and practices to provide adequate healthcare access to people in immigration detention.

As you know, inadequate medical, dental and mental health care provided to detainees present serious risks to their lives and health, causes unnecessary suffering, and in several cases, preventable death.^[2] Domestic standards in U.S. laws—whether through the Constitution or U.S. Immigration and Customs Enforcement (ICE) guidelines—provide protections to all immigration detainees regardless of whether or not they have been charged with a crime. However, we have received multiple reports of detainees ending up hospitalized due to delays in treatment, or because they did not receive needed medication, or because of the lack of treatment plans provided for people with serious mental illness after being released from detention facilities.^[3]

We therefore request that your agency provide a response to these incidents and make plans moving forward, specifically in regards to the following questions:

^[1] Community Initiatives for Visiting Immigrants in Confinement (CIVIC). Immigration Detention Map & Statistics. <http://www.endisolation.org/resources/immigration-detention/>

^[2] Dickerson, Caitlin. "Trump Plan Would Curtail Protections for Detained Immigrants." *The New York Times*, April 14, 2017, <https://www.nytimes.com/2017/04/13/us/detained-immigrants-may-face-harsher-conditions-under-trump.html>; Valencia, Milton J. and Sacchetti, Maria. "Out of Sight, Detainees Struggle to be Heard." *Boston Globe*, December 10, 2012, <https://www.bostonglobe.com/metro/2012/12/10/secret-prisoners-insensitivity-and-little-public-accountability-lead-misery-immigration-detention/AZ3wnUXvtmUaGDybDHYG5J/story.html>

^[3] New York Lawyers for Public Interest. 2017. *Detained and Denied: Healthcare Access in Immigration Detention*. http://www.nylpi.org/wp-content/uploads/2017/02/HJ-Health-in-Immigration-Detention-Report_2017.pdf

1. Please describe your current procedures regarding health intake assessments for newly arrived detainees, and for discharge planning to people released from immigration detention to ensure continuity of care.
2. Please explain your current procedures for dealing with detainees' complaints and concerns regarding pain and other acute medical concerns.
3. How does the Department of Homeland Security (DHS) handle detainees with vital medical treatment needs—such as dialysis and blood transfusions—to ensure that treatment is provided in a timely and consistent manner?
4. Will preventive care—such as immunization, mammograms, pap smears, and screening for prostate cancer—be provided to long-term detainees in a consistent and timely manner?
5. For children held in detention with their parents, what appropriate child wellness services are being provided to ensure healthy child development?
6. Please describe the policies, guidance and procedures, including training, that you have in place to ensure that detainees who are limited English proficient have access to qualified interpreters and translation services when they seek medical services from healthcare professionals.^[4]
7. Given the negative psychological effects of confinement and solitary confinement,^[5] what types of access do detainees have to thorough psychiatric evaluations, regular counseling, and comprehensive discharge plans?
8. How will your agency make efforts to increase transparency in decisions to deny or delay requests for off-site and specialized medical care?
9. During their time in detention facilities, do detainees have access to exercise and healthy dietary options to prevent the worsening of chronic conditions like diabetes?
10. Please explain your process for reviewing and auditing individual detention facilities' provision of medical care, including how often such reviews occur, and what steps are taken where deficiencies are uncovered.

Healthcare access for detainees is one of many concerns we have about immigration detention facilities. Kindly respond to the questions contained in this letter within 30 days.

Thank you for your attention to this matter. We look forward to hearing from you soon.

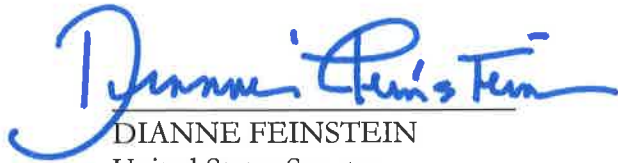
Sincerely,

KIRSTEN GILLIBRAND
United States Senator

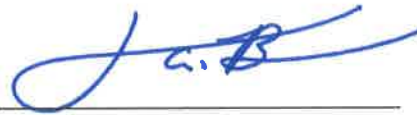
JEFFREY A. MERKLEY
United States Senator

^[4] Flores, Glenn. 2005. "The Impact of Medical Interpreter Services on the Quality of Health Care: A Systematic Review." *Medical Care Research and Review* 62(3): 255-299.
<http://stepup.ucsf.edu/sites/stepup.ucsf.edu/files/The%20Impact%20of%20Medical%20Interpreter%20Services%20on%20the%20Quality%20of%20Health%20Care.pdf>

^[5] New York Lawyers for Public Interest. 2017. *Detained and Denied: Healthcare Access in Immigration Detention*.
http://www.nylpi.org/wp-content/uploads/2017/02/HJ-Health-in-Immigration-Detention-Report_2017.pdf; Planas, Roque. "Immigrant Detainee Dies By Suicide In ICE Custody In Georgia." *Huffington Post*, May 16, 2017,
http://www.huffingtonpost.com/entry/immigrant-detainee-suicide-georgia_us_591b28c9e4b07d5f6ba69077



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