

## DETENTION IN YOUR DISTRICT

**STATE:** California

**CONGRESSIONAL DISTRICT:** 51

**FACILITIES:** Imperial Regional Detention Facility  
Otay Mesa Detention Center

**CAPACITY:** 1,600 (approx.)

### Overview & Planned Expansion

In 2018, news outlets [reported](#) on ICE's intention to double capacity at the Otay Mesa Detention Facility, with the addition of 1,500 beds. In October 2019, California Governor Gavin Newsom signed state bill [AB 32](#) into law. The law states that private prison companies operating in the state may not renew or expand existing contracts for the purposes of immigration detention. Although the law went into effect on January 1, 2020, Immigration and Customs Enforcement signed [contracts](#) for four new facilities on December 20, 2019. The contracts are for an initial period of five years, with the option of two five year extensions. In November 2019, 21 members of congress released an open [letter](#) to the Department of Homeland Security (DHS) and Immigration Customs and Enforcement (ICE), expressing concern that the terms of the original solicitation appear to eliminate meaningful competition in favor of the three existing private prison companies operating in California, with the purpose of undermining AB 32.

### Imperial Regional Detention Facility

The Imperial Regional Detention Facility (Imperial) [operates](#) under an Intergovernmental Service Agreement (IGSA) between the city of Holtville and ICE. Imperial has [capacity](#) to detain up to 704 men and women, and an average daily population of 663 as of fiscal year 2017. The facility is owned by the city of Holtville and operated by private prison firm Management and Training Corporation (MTC). According to ICE's [budget overview](#) for fiscal year 2019, the facility has a minimum 640 bed guarantee with a per diem rate of \$142.60, and a per diem rate of \$96.43 for any additional beds. Imperial's contract is not publicly available. However, in a February 2019 report, the Auditor of the State of California said that the city [received](#) its first invoice from ICE in September 2014. ICE's Office of Enforcement and Removal Operations (ERO) facility list shows that Imperial's contract was set to [expire](#) in September 2019. According to an [October 2019](#) press report, the facility was operating under a one-year extension through September 2020. In [December 2019](#), MTC signed a direct contract with ICE to continue facility operations.

### Documented Abuses

In February 2019, the California Attorney General [reported](#) significant language barriers at the facility, especially for people who spoke languages other than English or Spanish. More specifically, the California Attorney General noted that despite a 40% Punjabi speaking population, facility staff rarely made use of telephonic interpretation services. Instead, detained immigrants have to translate for each other, compromising the accuracy and confidentiality of communications between detained people and facility staff.

Advocates have raised concerns regarding prolonged detention and medical neglect at Imperial. According to the LA Times, as of November 2018, the [longest detained](#) immigrant in the United States was a Mexican national who has been at the Imperial Regional Detention Facility since 2012. Also, per a January 2019 report by Human Rights First (HRF), a Honduran man has been [detained](#) at the facility for over four years. The same HRF report also identifies instances of [medical neglect](#) at the facility. For example, the organization reports that ICE failed to provide a man detained at Imperial at with the appropriate diabetes medication for an 11 day period.



*Credit: US Immigration and Customs Enforcement*

### Key Areas of Concern

- Deaths in custody
- Medical neglect
- Sexual assault
- Ineffective government oversight
- Unsanitary conditions
- Limited access to food

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A May 2017 [report](#) by Human Rights Watch (HRW) and Freedom for Immigrants conducted reviews of medical records of persons who had experienced health crisis while in ICE detention jointly with independent medical professionals. The organizations noted “spotty and poor administration of antibiotics” at Imperial.

Imperial facility staff have failed to report allegations of abuses and standard violations. According to an [inspection](#) conducted by ICE’s Office of Detention Oversight (ODO), in 2015, facility staff failed to report 230 out of 589 grievances alleging staff misconduct to ICE’s Office of Professional Responsibility (OPR) for appropriate action. The Nakamoto Group, a private company ICE contracts with to conduct third party inspections of its facilities, conducted an [inspection](#) of Imperial in January 2019. The facility passed the inspection with no deficiencies noted. However, the inspection also noted nine recorded allegations of sexual assault, two suicide attempts and at least one hunger strike between January 2018 and January 2019.

### Otay Mesa Detention Center

The Otay Mesa Detention Facility (OMDF) is located in San Diego, California. CoreCivic (formerly Corrections Corporation of America), a private prisons corporation, [owns](#) and operates the facility. The facility has [capacity](#) to detain 896 men and women, but had an average daily population of 1027 in fiscal year 2017. According to [press reports](#), CoreCivic first began operating the facility via a lease agreement with the San Diego County Sheriff’s Department in 1977 to build the first immigration detention facility in the county, then known as the San Diego Contract Facility (SDCF). According to a [press report](#), CoreCivic bought the land where OMDF currently stands in 2010, and moved detained people from the SDCF to OMDF in 2015. Per a previously referenced February 2019 [report](#) by the California Attorney General, CoreCivic took over full operations of OMDF in 2015. The facility now operates via a direct contract between ICE and CoreCivic. Although the contract was set to expire in June 2020, CoreCivic signed a new direct contract with ICE in [December 2019](#). This new contract is not publicly available, and it is unclear when it goes into effect.



*Credit: US Immigration and Customs Enforcement*

### Deaths at the Facility

There have been three reported [deaths](#) at OMDF since 2014. In February 2014, Marjorie Bell, an asylum seeker of Jamaican nationality, [passed away](#) of a cardiac attack. An ODO [death review](#) noted deficiencies in medical care standards at the time of Ms. Bell’s death. A 2017 [review](#) of Ms. Bell’s medical documents by independent physicians consulted by HRW and Freedom for Immigrants found that that her death was preventable and that “substandard medical care contributed to [her] death.” According to the report, Ms. Bell had a history of heart attacks. Although she informed OMDF’s nurses about ongoing chest pain on six occasions, staff did not refer her to a physician for treatment.

On May 3, 2016, Igor Zyazin, an asylum seeker of Russian nationality, [passed away](#) while in ICE custody. Mr. Zyazin had a medical history of heart attacks prior to his detention in ICE custody. According to a June 2018 press report, he first [complained](#) about a chest pain while detained at the San Luis Regional Detention Center in Arizona. Although he was given nitroglycerin, his case wasn’t treated as a medical emergency and facility staff did not call 911. Instead, he was transferred to OMDC. He complained about chest pain when he arrived at OMDC, yet medical staff didn’t provide a blood test to determine if he had suffered a heart attack. Mr. Zyazin died of a heart attack the next day. Mr. Zyazin’s death was mentioned in a 2019 [lawsuit](#) filed by the Southern Poverty Law Center (SPLC) on behalf of currently and formerly detained persons alleging significant delays and denials of medical care in ICE custody.

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On October 2, 2019, Nebane Abienwi, an asylum seeker of Cameroonian nationality, [died](#) at the Chula Vista Medical Center in San Diego after being detained at OMDF. According to the press, Mr. Abienwi died of “brain death secondary to basal ganglia hemorrhage.” According to [press reports](#), Mr. Abienwi was pulled off life support despite his family’s wishes.

### Documented Abuses

A 2019 ODO [inspection](#) found that there were at least fourteen hunger strikes within a year at OMDF, including from a man who missed forty meals and was then transferred to a different facility. According to ODO, the men were hunger striking for “reasons regarding their immigration status, and five incidents were for reasons regarding food items that they did not like in their meals.” According to [press reports](#), an individual detained at OMDF went on hunger strike in 2017 after being denied a special diet for high blood pressure condition. In August 2019, Evgenii Ivanov, a man of Russian nationality detained at OMDF, was forced to stop his two-week long hunger strike after ICE [threatened](#) to force feed him and sought a court order to do so.

In June 2017, the California legislature enacted [AB103](#), which gave the California Department of Justice the authority and a budget to conduct unrestricted inspection private and public immigration detention facilities. However, on November 2018, the California Attorney General attempted to [inspect](#) the OMDF, but was only allowed to conduct a limited tour and meet informally with detained individuals.

Advocates and reporters have continuously raised [concerns](#) about medical neglect at OMDF, including denial of medical records to attorneys and inadequate medication prescriptions for people who are HIV positive. The previously referenced 2019 SPLC [lawsuit](#) regarding medical neglect in ICE facilities alleges that an asylum seeker detained at the OMDF was denied care for a severe back pain and forced to walk without a mobility aid, causing her condition to worsen. In February 2019, the LA Times reported a collective [grievance](#) by 70 men detained at OMDF. The men alleged that they faced medical neglect and racial discrimination from medical staff. In February 2018, local news outlets [reported](#) that Angelita Garcia, a long time US resident of Mexican nationality was placed in solitary confinement for three months between late 2017 and early 2018. Prior to her incarceration at OMDF, Ms. Garcia was diagnosed with several mental health conditions. In press statements, Ms. Garcia alleged that OMDF staff tortured her psychologically, which led her to attempted suicide

In 2018, Freedom for Immigrants released a [report](#) documenting instances of abuse motivated by hate at immigration detention facilities throughout the country. According to the report, an individual detained at Otay Mesa alleged that he was denied medical services after a nurse said that “illegals only come to the US to steal jobs from white people.”

### Resources

- [SOLACE](#)
- [ACLU of San Diego & Imperial Counties](#)
- [Immigrant Justice Project](#)

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The report also cited an allegation from a detained transgender woman of abuse by correctional officers at OMDF due to her gender identity. The woman alleged that her legal documents, including complaints about the mistreatment she was facing and her pending asylum application, were destroyed by a CoreCivic guard. She further alleged that she was sent to solitary confinement for several months when she reported the destruction of her property. According to an April 2017 multi-individual [complaint](#) submitted by Freedom for Immigrants to the Department of Homeland Security (DHS), OMDF was among the top five facilities that were reported to DHS' Office of Civil Rights and Civil Liberties (CRCL) regarding sexual abuse and sexual harassment between 2010 and 2017.

In 2019, Individuals currently and formerly detained at OMDF [sued](#) CoreCivic for labor violations. One [lawsuit](#) alleges that CoreCivic is in violation of federal labor law by paying detained individuals below minimum wage for work performed at the facility. A second [lawsuit](#) alleges that the company is in violation of human trafficking laws by threatening detained individuals with retaliation and punishment for refusing to participate in "voluntary" work programs. In April 2019, the advocacy group South Asian Advocates Leading Together (SAALT) filed a [complaint](#) to CRCL alleging that two unaccompanied minors from Bangladesh were being detained as adults at OMDF. According to SAALT, DHS failed to properly examine evidence submitted to corroborate the two 17-year-old asylum seekers' age and identity.

### Retaliation Against Advocates

In August 2013, SOLACE, a visitation program affiliated with Freedom for Immigrants, was temporarily [blocked](#) from meeting with immigrants detained at OMDF after reporting medical neglect and sexual abuse at the facility to ICE. Approximately a week after Freedom for Immigrants submitted this complaint, ICE shut down the organization's free pro bono hotline at OMDF and other detention facilities throughout the country.

In November 2018, CoreCivic again [banned](#) the group from visiting detained individuals at OMDF unless members agreed not to speak with members of the media or other groups about conditions inside the facility. In addition, CoreCivic changed their visitation [policies](#) to only allowing visits from people who registered with the facility. This policy change was in direct violation with ICE's detention [standards](#). In response, Freedom for Immigrants submitted a formal [complaint](#) with CRCL stating that the facility was in violation of ICE's regulations. This [resulted](#) in CoreCivic removing the requirement that visitors be placed on pre-approved lists.