

**A Letter to Introduce New Legislation to Authorize Non-Governmental
Organizations to Oversee Immigration and Customs Enforcement
Treatment and Education of Sexual Assault Victims in ICE**

Date: January 30th, 2022

From: Jose Barahona, Cameryn Brown, Ashley Kibel, & Molly Reidmiller
36 Madison Ave, Madison, NJ 07940

The Honorable Cory Booker
717 Hart Senate Office Building
Washington, DC, 20510

Dear Senator Cory Booker,

We urge you to integrate a legislative clause into the Dignity for Detained Immigrants Act that grants Non-Governmental Organizations (NGO) access to ICE detention centers, so they may provide oversight and prevent human rights infringement from further occurring— specifically the sexual assault of detained populations therein. Due to the lack of progress between the 2019 introduction and reintroduction of the Dignity for Detained Immigrants Act in 2021, we believe that granting NGO access strengthens this legislation and makes significant progress in the narrative of immigrant safety and integration into American society.

The accountability of ICE must be held to the standards of the Prison Rape Elimination Act (PREA) through audits and educating ICE detainees of their rights. According to a Majority Staff Report by the Office of Homeland Security, in late September, “[...] Congress released an alarming new report exposing both egregious conditions in ICE detention centers as well as the agency’s failure to identify and respond to abuses. Following visits to eight ICE detention facilities and interviews with more than 400 people in ICE custody, the Congressional Committee on Homeland Security reported poor physical and mental health care, failure to protect people in detention from Covid, and constrained access to legal services and information” (2020). Currently, there is no oversight of ICE facilities by NGOs and the degree of punishment and reprimand of officers is not nearly as severe as it needs to be. Enacting legislation for NGOs to have unhindered access to ICE facilities allows the monitoring of the physical and mental health of detainees. In addition, organizations entering these facilities have full permission to educate immigrants on their rights and the ability to file a report and more specifically, how to file a report through checks and balances, such as audits. Furthermore, they are tasked with removing stigma, informing immigrants that there are no legal consequences, and providing assistance if they choose to/can seek asylum.

Although we are unlikely to end up in an ICE detention facility as young citizens in college, this topic is important to us for substantive reasons. Most of our parents are immigrants and any one of us or our families could be or could have been in the same situation as those in ICE Detention centers, abused and looking for safety and representation. Additionally, as citizens of New Jersey, we believe in the American spirit: the melding of different cultures to create a diverse and

powerful country; and that means protecting the rights of everyone that wishes to enter. Furthermore, we bear the responsibilities of this country's future and seek to transform the establishments that prevent the United States from progressing. Fighting the abuse of power against immigrants is part of the fight against institutional racism. When authorities target a minority, they must be held accountable for their unjustified actions.

The harsh treatment and sexual assault within facilities that affects detainees can only be mitigated with substantial reporting. Therefore, ICE will be kept in check by allowing NGOs into detention centers and conditions for detainees will improve. More importantly, sexual assault education from NGOs will further deter instances of sexual assault and also give detainees the confidence to speak up. NGOs permitted into ICE facilities will be tasked with outlying, through the detainee's preferred language, clear and concise points in PREA. It is crucial that they are aware of when their rights are being infringed upon. To accentuate the necessity of our clause proposal, under the 34 USC Ch. 303 Prison Rape Elimination Act (PREA), "Insufficient research has been conducted and insufficient data reported on the extent of prison rape. However, experts have conservatively estimated that at least 13 percent of the inmates in the United States have been sexually assaulted in prison. Many inmates have suffered repeated assaults. Under this estimate, nearly 200,000 inmates now incarcerated have been or will be the victims of prison rape. The total number of inmates who have been sexually assaulted in the past 20 years likely exceeds 1,000,000" (2003). If NGOs are allowed access into ICE facilities, the oversight, support and education would unquestionably change their future and the representation of immigration in this country.

With your interest in immigration as an influential senator and leader of social justice, your support will undoubtedly make a difference in the lives of immigrants who desperately need your representation. We cannot thank you enough for your time and we are looking forward to hearing back from you.

Sincerely,

Jose Barahona, Cameryn Brown, Ashley Kibel, and Molly Reidmiller

Works Cited

- Committee on Homeland Security (2020, September 21). United States House of Representatives, Committee on Homeland Security Majority Staff Report. Retrieved December 03, 2021, from <https://homeland.house.gov/imo/media/doc/Homeland%20ICE%20facility%20staff%20report.pdf>
- Prison Rape Elimination Act (2021-2022). House Report, House Appropriations Committee. Retrieved November 17, 2021, from <https://www.congress.gov/congressional-report/117th-congress/house-report/97/1?q=%7B%22search%22%3A%5B%22prea%22%2C%22prea%22%5D%7D&s=1&r=2>