

September 28, 2023

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Department of Homeland Security
Washington, D.C. 20528

Patrick J. Lechleitner
Senior Official Performing the Duties of the Director
Immigration and Customs Enforcement
Washington, D.C. 20536

Via email

Re: Closure of ICA-Farmville Detention Center

Dear Secretary Mayorkas and Acting Director Lechleitner,

On behalf of the undersigned organizations, we urge you to close the private immigration detention facility operated by Immigration Centers of America (ICA) in Farmville, Virginia and release everyone detained inside the facility. The intergovernmental service agreement (IGSA) between the Town of Farmville and U.S. Immigration and Customs Enforcement (ICE) for the ICA-Farmville Detention Center was set to expire on September 30, 2023.¹ We demand that you allow the IGSA to end, do not pursue a direct contract with the company ICA, and immediately release everyone currently detained inside the facility.

You have stated that your agencies will not “tolerate the mistreatment of individuals in civil immigration detention or substandard conditions of detention,” and previously terminated contracts with facilities known for systemic abuse.² The long history of impunity for rights abuses in ICA-Farmville shows that the facility surpasses your criteria for immediate closure. For over a decade, ICA-Farmville has been a site of well-documented brutality, abuse, and neglect of immigrants in custody. Individuals detained at ICA-Farmville have suffered numerous instances of indiscriminate use of pepper spray, persistent use of force by officers, and unjustified use of restraints—including at least one instance, reported internally by ICE, in which

¹ ICE, ICA, and the Farmville Town Council have negotiated the contract and signed extension agreements in secret, without public notice. As such, the current expiration date is not publicly known.

² U.S. Immigration and Customs Enforcement, “ICE to Close Two Detention Centers,” May 20, 2021, <https://www.dhs.gov/news/2021/05/20/ice-close-two-detention-centers>. Secretary Mayorkas has testified to Congress that he is concerned about the “overuse of detention.” See “Biden official defends Trump-era immigration policy,” The Hill, May 26, 2021, <https://thehill.com/policy/national-security/555551-mayorkas-defends-trump-era-covid-policy-immigration-enforcement/>.

an individual was pepper sprayed while fully restrained and subjected to torturous treatment.³ In addition to retaliation and use of force by staff, people detained at the facility have been subject to extremely harsh and abusive conditions, including punitive use of solitary confinement, overcrowding, inadequate medical and mental health care, meager and barely edible food, and limited access to counsel and family members. Those who have been detained inside ICA-Farmville, advocates, lawyers, government agencies, and journalists have witnessed, investigated, and detailed the horrors of confinement at the facility, creating a long paper trail of abuse.⁴

In the summer of 2020, ICE transferred people from COVID-19 hotspots to ICA-Farmville so it could circumvent restrictions for deploying agents to police growing racial justice protests in Washington, DC.⁵ As a result, ICA-Farmville became the site of the largest COVID-19 outbreak in an immigration detention center at the time, leading to the preventable death of James Hill and 93% of people detained at the facility testing positive for COVID-19.⁶ Between August 2020 and July 2022, a federal judge enjoined ICE from transferring anyone into the facility, and the facility—normally with well over 700 people—had no one detained inside in August of 2022.⁷ Despite the fact that the facility remained nearly empty for several months, the federal government continued to waste significant amounts of public funds, sending millions of dollars to ICA each month.⁸

During a recent Farmville Town Council Meeting on September 13, 2023, over 80 community members called on the Town of Farmville to not renew its IGSA with ICE – which was set to

³ La Colectiva, Sanctuary DMV, Detention Watch Network, Advancement Project, and the National Immigrant Justice Center, “New Documents Illuminate a Dark Pattern of Abuse in ICA-Farmville” (August 2020), <https://lacolectiva.org/farmvilleabuse>.

⁴ See Detention Watch Network, National Immigration Project, and Free Them All VA, “Anthology of Abuse: 13 Years at the Farmville Detention Center” (July, 13 2023), https://nipnlg.org/sites/default/files/2023-07/2023_anthology-of-abuse.pdf.

⁵ Antonio Olivo and Nick Miroff, “ICE Flew Detainees to Virginia so the Planes Could Transport Agents to D.C. Protests. A Huge Coronavirus Outbreak Followed,” Washington Post (September 11, 2020), https://www.washingtonpost.com/coronavirus/ice-air-farmville-protests-covid/2020/09/11/f70e1e-e861-11ea-bc79-834454439a44_story.html.

⁶ Mica Rosenberg, “Special Report: Almost Home – COVID-19 Ensnarers Elderly ICE Detainee from Canada,” Reuters (August 14, 2020), <https://www.reuters.com/article/us-health-coronavirus-immigrationcanadi/special-report-almost-home-covid-19-ensnarers-elderly-ice-detainee-from-canadaidUSKCN25A1FL>.

⁷ According to a Reuters investigation, DHS sent an internal memo in August 2022 recommending that nine detention facilities be closed or downsized, including ICA-Farmville. See Ted Hesson, “Exclusive: Biden officials kept immigration jails despite internal cost concerns,” Reuters (September 27, 2023), <https://www.reuters.com/world/us/biden-officials-kept-immigration-jails-despite-internal-cost-concerns-2023-09-27>.

⁸ National Immigrant Justice Center, “The Dark Money Trail behind Private Detention: Immigration Centers of America-Farmville” (October 7, 2019), https://immigrantjustice.org/sites/default/files/content-type/research-item/documents/2019-10/NIJC-policy-brief_ICA-Farmville_Oct2019.pdf; National Immigrant Justice Center, “Cut The Contracts: It’s Time To End ICE’s Corrupt Detention Management System” (May 16, 2021). ICE pays millions for empty beds in facilities such as ICA-Farmville because it uses “guaranteed minimum” payments in its contracts, whereby ICE agrees to pay detention facility operators for a fixed number of detention beds regardless of whether it uses them. See U.S. Government Accountability Office, “Immigration Detention: Actions Needed to Improve Planning, Documentation, and Oversight of Detention Facility Contracts,” GAO-21-149 (February 12, 2021), <https://www.gao.gov/products/gao-21-149>.

expire on September 15. The Town Council received the renewal documents from ICA the same day of the public meeting, only two days in advance of the expiration date, and passed a unanimous motion to determine the feasibility of withdrawing the town from the IGSA that evening.⁹ However, after meeting with ICA and communicating with ICE contracting officers the following day, the town signed the renewal documents on September 15th, extending the period of performance under the IGSA for a brief period until September 30, 2023.¹⁰

Closing ICA-Farmville is consistent with President Biden’s commitment to end privatized immigration detention.¹¹ In response to a question about the detailed findings by a National Public Radio (NPR) investigation of negligence and abuse in ICE detention, a White House spokesperson confirmed that “President Biden continues to support moving away from the use of private detention facilities in the immigration detention system.”¹² As the IGSA for the operation of ICA-Farmville is set to expire, we urge you to allow the contract to end, shut the facility down in a just manner, and immediately release everyone currently detained at the facility.

Sincerely,

{in} Visible Magazine at the University of Virginia
Abolish ICE NY NJ
ACLU People Power - Fairfax
African Communities Together
Alianza Americas
American Civil Liberties Union of Virginia
American Friends Service Committee (AFSC)
American Jewish Committee
Americans for Immigrant Justice
Anti-Detention Alliance Club at Cornell
Asian Americans Advancing Justice | AAJC
Asian Student Union at the University of Virginia
Ayuda
AZ Immigration Alliance
Bend the Arc: Jewish Action
Black and Brown United in Action

⁹ Free Them All VA, “ICA-Farmville Update — 9/15/23 /// Actualización sobre ICA-Farmville — 15/9/23” (September 15, 2023), <https://medium.com/free-them-all-va/ica-farmville-update-9-15-23-actualizaci%C3%B3n-sobre-ica-farmville-15-9-23-b34b9e50c18a>.

¹⁰ Email correspondence Farmville, ICA & ICE (September 2023) FOIA – ICA 1, <https://s3.documentcloud.org/documents/23990807/email-correspondence-farmville-ica-ice-september-2023-foia-ica-1.pdf>.

¹¹ Joel Rose, “Biden Has Yet to End the Business of Detaining Immigrants As He Promised, Critics Say,” National Public Radio (June 14, 2021), <https://www.npr.org/2021/06/14/1006349508/biden-has-yet-to-end-the-business-of-detaining-immigrants-as-he-promised-critics>.

¹² Tom Dreisbach, “A ‘shocking’ 911 call and other key takeaways from NPR’s ICE detention investigation,” National Public Radio (August 24, 2023), <https://www.npr.org/2023/08/24/1195264716/a-shocking-911-call-and-other-keytakeaways-from-nprs-ice-detention-investigatio>.

Bread for the World
California Collaborative for Immigrant Justice
CASA De Virginia
Center for Gender & Refugee Studies
Centreville Immigration Forum
Centro De Trabajadores Unidos
Church World Services - Virginia
Close The Camps NJ
Coalición de Derechos Humanos
Coalition of Asian Pacific Americans of Virginia
Communities United for Status & Protection (CUSP)
Congregation Action Network
Cornerstone
Detention Watch Network
Dissenters at the University of Virginia
Doctors for Camp Closure
Domestic Workers Alliance
Dream Project
Dreamers Mothers In Action (DMIA)
DSA
Edu Futuro
EMGAGE - Muslim Leaders
End Streamline Coalition
Envision Freedom Fund
Faith in New Jersey
Families For Freedom
First Friends of New Jersey & New York
First-Generation, Limited Income Partnership at UVA Executive Board
Flux Poetry and Spoken Word
Free Them All VA Coalition
Freedom for Immigrants (FFI)
Fuego Coalition
Grassroots Leadership
Greenfield Walking Group
Hamkae Korean Community Center
Hartford Deportation Defense
Hispanic Organization of Leadership and Action
Home is Here NOLA
Illinois Coalition for Immigrant and Refugee Rights
Immigrant Justice Network
Immigrant Legal Resource Center
Indian Student Association
Inland Empire Immigrant Youth Collective
Inter-Faith Committee on Latin America (IFCLA)
Japanese student association at UVA
Jewish Community Relations Council

JUNTOS Philadelphia
Juntos, Director
Just Neighbors
Kern Welcoming and Extending Solidarity to Immigrants
Korean American Association of Northern Virginia
La ColectiVA
Latina Institute for Reproductive Justice-Virginia
LatinoJustice PRLDEF
League of United Latin America Citizens - National
Legal Aid Justice Center
Louisiana Advocates for Immigrants in Detention
Mariposa Legal, a program of the COMMON Foundation
Minnesota Freedom Fund
MN8
MPower Change
Multicultural Community Center
Muslim Advocates
Muslims United at UVA
NAKASEC
National Education Association
National Immigrant Justice Center
National Immigration Project (NIPNLG)
Neighbor's Keeper
Never Again Action
New Virginia Majority Education Fund
Nikkei Progressives
Northern New Jersey Sanctuary Coalition
NoVA DSA
NYC-Democratic Socialists of America (DSA) Immigrant Justice Working Group (IJWG)
Orange County Rapid Response Network
Pax Christi Maine
Pax Christi Memphis
Pax Christi New Jersey
Pax Christi New York State
Pax Christi USA
Pax Christi, South Dakota Chapter
Pittsburgh Area Pax Christi
PLUMAS at UVA
Progress Virginia
Public Counsel
Queer Detainee Empowerment Project
Queer Student Union
Robert F. Kennedy Human Rights
Rocky Mountain Immigrant Advocacy Network
Sacred Heart Catholic Community Center
SEIU 512

SEIU32BJ
Shirlington Employment and Education Center
Showing Up for Racial Justice
Sigma Psi Zeta
Sin Barreras
Sisters of Saint Joseph Chestnut Hill, Philadelphia, PA
SplitSeed Productions
Students for Equity and Reform in Virginia
SURJ Northern Virginia
Taiwanese Student Association at UVA
Teaneck Peace and Justice Vigil
Tenants and Workers United
The Commonwealth Institute for Fiscal Analysis
Trans Queer Pueblo
Undergraduate Women in Law at the University of Virginia
UndocUVA
Unitarian Universalists for Social Justice
United Food and Commercial Workers Local 400
United We Dream
UnLocal
Vecindarios901
Virginia Civic Engagement Table
Virginia Coalition for Immigrant Rights
Virginia Coalition of Latino Organizations
Virginia Immigration Intercollegiate Alliance
Virginia Interfaith Center for Public Policy
Virginia League of Planned Parenthood
Virginia Organizing
Virginia Student Power Network
Voces Unidas (RGV)
Washington Defender Organization
Wind of the Spirit Immigrant Resource Center