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Elizabeth Jordan
CREEC Fellow
303.800.6986
ejordan@creeclaw.org

Lawsuit Filed Demanding Homeland Security and ICE Documentation of Conditions at Two Immigration Detention Centers

DENVER (February 7, 2018) – The Civil Rights Education and Enforcement Center (CREEC) has filed a lawsuit seeking the disclosure of documentation of detainee deaths, alleged abuse and other substandard conditions of confinement at the Adelanto and Etowah immigration detention facilities. CREEC is represented pro bono by Thomas B. Kelley and Amber R. Gonzales of Ballard Spahr LLP.

The suit claims that U.S. Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE) have illegally ignored requests for information on conditions at the two immigration detention centers. CREEC filed a series of Freedom of Information Act (FOIA) requests in August and September 2017 seeking information on deaths of people in detention, medical and mental health care conditions, solitary confinement use, and sexual assault allegations at the Adelanto ICE Processing Center, a private facility operated by the GEO Group in Adelanto, California, and the Etowah County Detention Center, a county jail in Gadsden, Alabama.

“Adelanto and Etowah are widely regarded as among the most concerning immigration detention centers in the country,” said Tim Fox, co-executive director of CREEC. “The government cannot ignore its obligation to provide public access to documentation shedding light on the conditions at these facilities.”

The lawsuit alleges that, despite a requirement by law that a response must be provided within 30 days, ICE has failed to respond to any of CREEC’s requests. The lawsuit seeks an order from the court requiring ICE to release the requested documents.

“We’re excited at the opportunity to move the ball toward accountability for how ICE treats human beings it confines without process, and at the same time address the current willingness of the federal government generally to ignore Congress’ guarantee of public access to records of what it is up to,” said Mr. Kelley.

Advocacy groups and media outlets have reported the substandard conditions at Adelanto and Etowah for years. Since 2011, six people have died in ICE custody at Adelanto. In 2017, there were three deaths, including one from apparent suicide. CREEC requested documentation produced by ICE in the wake of these deaths. In the two case records made publicly available in

response to prior FOIA requests from other organizations, ICE records acknowledge that both men who died received unacceptably poor medical care.

Christina Fialho, co-founder and co-executive director of the non-profit Community Initiatives for Visiting Immigrants in Confinement (CIVIC), which monitors and reports on conditions at the Adelanto facility, said, "We have received reports for years that conditions at Adelanto are extremely poor, including inadequate medical care resulting numerous deaths of people in detention. It is vital the public have access to ICE records that document those conditions."

At Etowah, there are claims that hundreds of detainees are held for prolonged periods of time without access to outdoor recreation or direct sunlight. There have been widespread allegations of sexual assault, medical neglect, and substandard medical and mental health care. Due in part to its remote location and the low rates of legal representation among ICE detainees at Etowah, there is very little publicly available information about conditions there, which led to CREEC request for ICE records. "The living conditions and treatment at the Etowah Detention Center are undeniably inhumane. Even DHS agreed recently that the facility should be shut down, and they were on the brink of doing so previously in 2010. As members of the public and Alabama residents, it is our right to have access to the records of what occurs there in order to hold these systems accountable," said Anna Thomas, a member of the Shut Down Etowah campaign, a grassroots campaign committed to exposing and ending the human rights abuses at the Etowah County Detention Center.

[Learn more about the case.](#)

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