

Congress of the United States
Washington, DC 20515

January 4, 2011

The Honorable Gene Dodaro
Comptroller General
U.S. Government Accountability Office
441 G Street, NW
Washington, D.C. 20548

Dear Mr. Dodaro:

We are writing to request that the Government Accountability Office (GAO) undertake an investigation into the incidence of sexual violence against immigrants in the custody of the Department of Homeland Security (DHS). While we applaud the administration for the steps it has taken to reform our immigration detention system, we are concerned about ongoing reports of sexual abuse at facilities housing immigrant detainees.

In April 2011, Heartland Alliance's National Immigrant Justice Center filed a mass civil rights complaint with DHS reporting several recent incidents of sexual abuse in immigration detention.¹ The victims in these cases report instances of sexual abuse, denials of medical care, long-term solitary confinement and misuse of segregation due to sexual minority status, and a pervasive culture of hostility towards gay and transgender individuals in some facilities.

In October, *Frontline* aired its documentary "Lost in Detention," which detailed the pervasive nature of sexual abuse in immigration detention facilities.² The documentary drew on documents obtained by the American Civil Liberties Union under the Freedom of Information Act which highlight the severity and breadth of the problem. According to government documents, nearly 200 allegations of abuse from detainees in detention facilities across the nation have been reported to DHS since 2007 alone.³ Given that sexual violence is often underreported, as victims are afraid to come forward with their claims, this figure likely understates the severity of the problem.

In spite of these reports, the Department of Justice recently announced that immigration detention facilities will not be covered by the Prison Rape Elimination Act (PREA). Therefore, we respectfully request that the GAO undertake a detailed audit of immigration detention facilities used by DHS to detain immigrants to investigate the incidence of sexual violence. This review should include facilities run by the Immigration Customs Enforcement (ICE), private facilities under contract with ICE to hold immigration detainees, and those public facilities (like county jails) also under contract with ICE. Additionally, please identify what steps DHS is taking to rectify the problem and suggest any actions it needs to consider in order to ensure that sexual abuse does not continue to plague the immigration detention system. Thank you in advance for your cooperation and attention to this request.

¹ http://www.immigrantjustice.org/press_releases/mass-civil-rights-complaint-details-systemic-abuse-sexual-minorities-us-immigration-d.

² <http://www.pbs.org/wgbh/pages/frontline/lost-in-detention>.

³ <http://www.aclu.org/sexual-abuse-immigration-detention>.

Sincerely,



Jared Polis
Member of Congress



Mike Quigley
Member of Congress



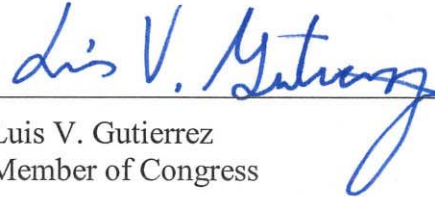
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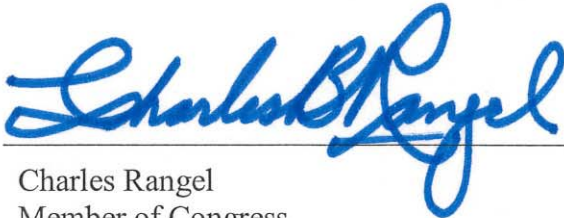
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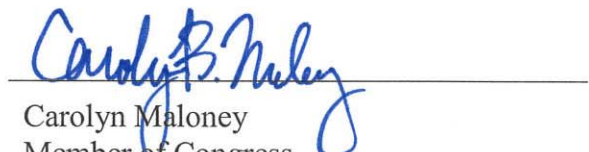

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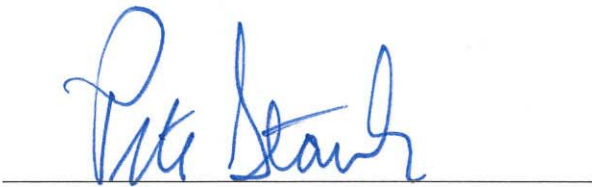

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Member of Congress

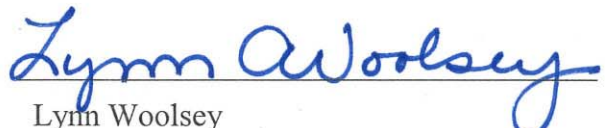

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