

March 20, 2020

John Tsoukaris
Field Office Director
Newark Field Office
Immigration and Custom Enforcement (ICE)
970 Broad St. 11th Floor
Newark, NJ, 07102
John.Tsoukaris@ice.dhs.gov

Re: Emergency measures to stop the spread of COVID-19 in New Jersey immigration detention centers.

Dear Director Tsoukaris,

We, the undersigned New Jersey-based immigrant rights advocates, religious organizations, service providers and concerned community groups, call on ICE's Newark Field Office to implement the following urgent steps to reduce the devastating impact COVID-19 (Coronavirus) will cause among immigrant detainees in the state of New Jersey:

- **Responsibly release all immigrant detainees currently in ICE custody in the state of New Jersey.**
- **Suspend all ICE check-ins.**
- **Suspend all enforcement activity throughout the state of New Jersey.**
- **Suspend deportations and transfers of detainees.**

The current worldwide health crisis caused by the spread of the coronavirus poses an unprecedented challenge to the safety of detainees under your responsibility. The pandemic will cause irreparable damage to people in detention if these recommendations are not implemented. ICE must use its discretion to take all necessary measures to better protect immigrant detainees. In particular, ICE must fully comply with the recommendations of the World Health Organization (WHO) and the Center for Disease Control (CDC) regarding prevention, testing, treatment and mitigation.

Information recently provided by ICE available at <https://www.ice.gov/covid19> is confusing and provides no clarity on plans to combat the deadly coronavirus in facilities that contract with ICE. The reliance on ill-prepared medical service contractors, local, state and federal health entities will inevitably lead to the spread of the pandemic as was the case between September 2018 and August 2019 when detentions centers faced a mumps epidemic. The disease spread rapidly from 5 cases to 900 cases and accounted for one third of all mumps cases in the US. As [documented by the CDC](#), this is evidence of ICE and its contractors' inability to meet the needs of immigrant detainees even in an outbreak of a small scale.

The mishandling of a tuberculosis (TB) outbreak, a disease that shares similarity with COVID-

19, in immigration detention is [well documented in New Jersey](#). A [study published by the National Institute of Health](#) indicates that people detained by ICE are a high-risk population for TB. In fact, the TB infection rate in US immigration detention is 10 times higher than the rate in the general population. It's been argued that the spread of COVID-19 [will make it more complicated to control TB](#).

The coronavirus pandemic is like nothing we have seen before. It is clear that we are facing a new set of challenges that will require a variety of well-thought-out responses. Keeping people locked up in confined areas not only goes against advice from public health experts but also common sense. We are concerned that this will lead to unprecedented tragedies, especially given ICE's history of lack of transparency, the high number of deaths in detention, and documented poor medical and mental health services.

In addition, the ongoing frequent lockdown put in place by ICE is the perfect environment for the spread of highly contagious diseases such as COVID-19. ICE's decision to recommend "cohorting" in a detention setting amounts to de facto solitary confinement, a practice that is currently under strict regulation after the adoption of a new state law. For these reasons the Cuyahoga County Court in Ohio recently ordered the release of inmates from the county jail who were at risk becoming very ill or dying if they contract COVID-19. As demonstrated by the NIH study cited above, any decision to delay the release of detainees to their families is misguided and inevitably leads to further contamination of the larger healthy population.

In addition to releasing immigrant detainees to their families, deportations and the transfer of individuals between detention facilities should be suspended immediately. All around the world we see recommendations to limit travel and to take steps to decrease the spread of the virus. In addition to tearing families apart, deporting and transferring detainees during a public health crisis will inevitably lead to the further spread of COVID-19 throughout the world and across ICE's large network of detention facilities.

We, New Jersey-based immigrant rights advocates, religious organizations, service providers and concerned community members urge ICE Newark Field Office to exercise the discretion and authority that they indisputably have to make the right decision to save lives.

Copy to:

- Matthew Albence, Acting Director, DHS/ICE Washington DC
- Governor Phil Murphy
- Senator, Robert Menendez
- Senator, Cory Booker
- House Homeland Security Committee
- Homeland Security Advisory Council (HSAC)
- Assistant Field Office Director Michael Anderson (Essex)
- Assistant Field Office Director Jose Simao (Elizabeth)

Signatory organizations:

- American Friends Service Committee
- American Civil Liberties Union-New Jersey ACLU-NJ)
- American Lawyers Associations – New Jersey Chapter
- Anakbayan North Jersey
- Anakbayan Rutgers
- Rev. Anya Sammler-Michael, Senior Co-Minister at Unitarian Universalist Congregation at Montclair
- Beacon Unitarian Universalist Congregation
- Bergen County Immigration Strategy Group
- Borderless Existence
- Brooklyn Defender Services
- Casa Esperanza
- Center for Undocumented Students at Saint Peter's University
- Central Unitarian Church Social Action Team
- Centro Comunitario CEUS
- Church World Service Jersey City
- Congregation Shomrei Emunah
- Faith in New Jersey
- First Friends of NY & NJ
- GABRIELA New Jersey
- Group Cajola
- Hawk Mountain Earth Center
- In Full Color
- International Migrants Alliance
- Jersey City Slam
- Kitsap Advocating for Immigrant Rights & Equality
- Latin American Legal Defense and Education Fund (LALDEF)
- Make the Road New Jersey
- Meltingpot Jersey City
- Migrante New Jersey
- National Day Laborer Organizing Network (NDLON)
- New Jersey-08 for Progress
- New Jersey Alliance For Immigrant Justice
- New Jersey DSA Immigrant Justice Working Group
- New Jersey Policy Perspective
- New Labor
- New Sanctuary Coalition
- Northern New Jersey Sanctuary Coalition
- Randi Mandelbaum, Distinguished Clinical Professor of Law at Rutgers Law School
- Reform Jewish Voice of New Jersey
- Saint Aeden's Migrant Center
- Saint Peter's University Social Justice Program
- SEIU 32BJ

- Sr. Veronica Roche, Sister of Saint Joseph
- Unidad Latina en Accion NJ
- Unitarian Universalist Faith Action
- Wind of the Spirit