

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.<sup>1</sup> 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.<sup>2</sup> 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

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<sup>1</sup> 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.

<sup>2</sup> 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.<sup>3</sup> 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.<sup>4</sup>

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.<sup>5</sup> 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.<sup>6</sup> 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.<sup>7</sup> 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.<sup>8</sup>

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

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<sup>3</sup> 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>.

<sup>4</sup> 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://nipnl.org/sites/default/files/2023-07/2023\\_anthology-of-abuse.pdf](https://nipnl.org/sites/default/files/2023-07/2023_anthology-of-abuse.pdf).

<sup>5</sup> 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](https://www.washingtonpost.com/coronavirus/ice-air-farmville-protests-covid/2020/09/11/f70e1e-e861-11ea-bc79-834454439a44_story.html).

<sup>6</sup> 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>.

<sup>7</sup> 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>.

<sup>8</sup> 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](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.<sup>9</sup> 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.<sup>10</sup>

Closing ICA-Farmville is consistent with President Biden’s commitment to end privatized immigration detention.<sup>11</sup> 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.”<sup>12</sup> 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

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<sup>9</sup> 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>.

<sup>10</sup> 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> .

<sup>11</sup> 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>.

<sup>12</sup> 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