



March 10, 2020

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Sent via email

Re: Protecting people at NWDC from COVID-19

Dear Ms. Asher and Mr. Langford:

We are writing to urge you to immediately develop and implement proactive plans for the prevention and management of COVID-19 at the Tacoma Northwest Detention Center (NWDC), including the release of people who are at high risk of serious illness if they are infected. We would like to receive a response within the next two weeks to hear how you are protecting the health of the people in your custody and the people who work at the NWDC.

People in detention are highly vulnerable to outbreaks of contagious illnesses. They are housed in close quarters and are often in poor health. Without the active engagement of NWDC's administration, they have little ability to inform themselves about preventive measures, or to take such measures if they do manage to learn of them.

Critically, ICE should proactively grant the release of people who are at high risk of serious illness if they are infected. *See* 8 C.F.R. 212.5(b)(1)-(2) (providing for the release of people with "serious medical conditions in which continued detention would not be appropriate" and pregnant women). According to the Tacoma-Pierce County Public Health Department, the high risk category includes people 60 and older, those with underlying health conditions including heart disease, lung disease, or diabetes, people who have weakened immune systems, and people who are pregnant. *See, 4 cases of COVID-19 in Pierce County as of March 8, 2020*, Tacoma-Pierce County Health Department.

We ask that you immediately reach out to the Washington State Department of Health, and the Tacoma-Pierce County Health Department to develop plans to address the virus at the detention

center. This is an urgent matter. Having an appropriate, evidence-based plan in place can help prevent an outbreak and minimize its impact if one does occur. Not having one may cost lives.

While the plan should be developed collaboratively by your agencies, the Washington State Department of Health, and the Tacoma-Pierce County Health Department together, some of the critical issues that must be addressed are:

- **Vulnerable Populations:** The plan must provide for additional precautions for those who are at high risk of serious illness if they are infected, such as pregnant people, people 60 and over, and people with chronic illnesses, compromised immune systems, or disabilities, and people whose housing placements restrict their access to medical care and limit the staff's ability to observe them. We urge ICE to grant the release of people in this category or to grant them with humanitarian parole.
- **Prohibiting transfers in and out of NWDC:** Given that Washington State is the epicenter of the COVID-19 outbreak in the United States, transferring people to the facility and out of the facility increases the risk of exposure to infection and spread of the illness across the country. ICE should end transfers into and out of NWDC until the spread of the virus is contained.
- **Screening and testing of the people in your custody:** The plan must include guidance, based on the best science available, on how and when to screen and test people at NWDC for the virus.
- **Education of the people in your custody:** People housed in detention centers need to be informed about the virus and the measures they can take to minimize their risk of contracting or spreading the virus. Like the general population, they must be educated on the importance of proper handwashing, coughing into their elbows, and social distancing to the extent they can. Information about the spread of the virus, the risks associated with it, and prevention and treatment measures must be based on the best available science. This information must be available in multiple languages.
- **Education of the staff:** Correctional, administrative, and medical staff all must be educated about the virus to protect themselves and their families, as well as the people in their custody.
- **Provision of hygiene supplies:** The most basic aspect of infection control is hygiene. There must be ready access to warm water and adequate hygiene supplies, both for handwashing and for cleaning.
- **Housing of persons exposed to the virus:** The plan must describe how and where people at NWDC will be housed if they are exposed to the virus, are at high risk of serious illness if they become infected, or become sick with it. *This should not result in prolonged, widespread lock-downs.* Any lock-downs or interruptions in regular activities, such as exercise or visits and phone calls with families or attorneys, should be based solely on the best science available and should be as limited as possible in scope and duration.
- **Staffing plans for services provided by those who are detained:** Many tasks at NWDC, such as food preparation and basic sanitation, are performed by those in custody.

The plans for an outbreak must also address how necessary tasks performed by people in detention will continue if large numbers of them are ill.

- **Data collection:** The collection of data regarding COVID-19 will be part of the public health response. As with any contagious disease, data collection is critical to understanding and fighting the virus. NWDC must be part of this process. The same information that is tracked in the community must be tracked at your facility, including the number of people in the high risk category, confirmed cases, mortality, and plans for prevention.

We respectfully request that you respond with your policy and plan for preventing an outbreak of COVID-19 at NWDC by March 23.

Sincerely,

s/ Michele Storms

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