

**June 6, 2018**

**The Honorable Mitch McConnell  
Majority Leader  
317 Russell Senate Office Building  
Washington, D.C. 20510**

**The Honorable Paul Ryan  
Speaker of the House  
U.S. House of Representatives  
Washington, D.C. 20515**

**The Honorable Charles Schumer  
Democratic Leader  
322 Hart Senate Office Building  
Washington, D.C. 20510**

**The Honorable Nancy Pelosi  
Democratic Leader  
U.S. House of Representatives  
Washington, D.C. 20515**

**CC:**

**The Honorable Kevin McCarthy  
H-107, The Capitol  
Washington, D.C. 20515**

**The Honorable Dick Durbin  
711 Hart Senate Building  
Washington, D.C. 20510**

**RE: DHS and ICE Oversight- Worksite Raids**

Dear Leader McConnell, Leader Schumer, Speaker Ryan and Leader Pelosi,

On April 5<sup>th</sup>, Immigration and Customs Enforcement (ICE) conducted a raid on the Southeastern Provision meat processing plant in Bean Station, TN. The raid, the largest worksite enforcement raid in the last decade, resulted in the arrest of at least 97 individuals and affected hundreds of families in Eastern Tennessee. The Bean Station raid is one of several large-scale enforcement operations that has taken place this year in communities and workplaces across the country leaving families separated, local economies disrupted, and communities terrified.

On May 9<sup>th</sup>, days before the 10-year anniversary of the massive worksite raid in Postville, IA, Iowans were faced with another worksite raid. ICE entered Midwest Precast Concrete in Mt. Pleasant, IA and arrested 32 workers, reportedly on “suspicion of immigration violations.” Organizations and residents in Iowa continue to come together, to obtain information and legal assistance for their loved ones to ensure due process for those arrested.

This administration has shown increased vitriol towards the immigrant community and communities of color and we see these increased enforcement actions as a direct result of these sentiments. These raids have torn families apart and left families wondering if they will ever be able to see their loved ones again or if they have been lost to Trump’s deportation machine.

We, the undersigned organizations are extremely troubled by the return of mass worksite raids and the increase of rogue worksite enforcement actions taken by ICE and DHS. The facts emerging from the Bean Station raid paint a troubling picture of how ICE and DHS are conducting enforcement operations. We ask that you review the matters at hand and work to ensure that ICE and the Department of Homeland Security (DHS) are held accountable for their actions and that the workers and their families are afforded

due process and access to justice. Finally, we urge Congress to speak out against the practice of worksite raids overall and demand that DHS discontinue these enforcement actions.

Legal teams in Tennessee are speaking with impacted families and individuals who witnessed the raid, and have noted that just before the raid occurred, streets were barricaded and helicopters flew overhead as ICE began the action. Once inside, ICE is reported to have targeted workers by perceived ethnicity. Some of the Individuals arrested during the raid were U.S. citizens or had proper work authorization but ICE would not immediately accept verification of these facts. Questions about whether or not a person had the ability to work legally in the U.S. came only after being taken into custody.

After the arrests, rapid response legal teams were also denied access to the workers, leaving families wondering about their loved one and violating the right to due process. In addition to the legal challenges, it is reported that ICE denied individuals access to needed medical assistance while in their custody.

The following day, over 500 children did not show up for school in the nearby Morristown, TN community where most of the impacted families reside. Teachers and administrators in the community found themselves organizing to address student and parent fears and concern for their family members. The community of Morristown held public forums and vigils to address the challenges ahead and came together as a community to support each other and gather more information about what would come next.

**In the days following the enforcement action, stories of impacted families have emerged:**

- One of the women detained in the raid has lived in the United States for 24 years and raised three U.S. citizen children in Tennessee, ages 9, 12, and 13 years old. Her children have experienced great stress and trauma having been separated from their mother for several weeks. They are left wondering whether she will be deported.
- The mother of a sixteen-year old boy was also detained during the raid. When the young man learned his mother had been arrested that day he said the news “broke him to pieces.” His mother was his sole caretaker and since the raid, he has been under the care of his aunt, after moving to another county and transferring schools.
- There are many families who had multiple relatives working in the plant who were arrested on April 5<sup>th</sup>. One young woman reports that six of her family members were detained, including her husband and her stepfather. These families are facing compounding challenges as multiple income-earners have been removed from their households.

In January, Deputy Director, Thomas Homan, announced a 400% increase in worksite enforcement actions and what has happened in Eastern Tennessee is a direct result of that promise. In the end, of the at least 97 individuals arrested, 32 individuals were released with pending cases, 54 were sent to immigration detention centers, 10 individuals continue to be held on federal charges and 1 individual held on a state related charge. ICE and DHS’ actions in carrying out this raid were alarming and according to several accounts, filled with due process violations. ICE has not only increased their capacity for interior enforcement actions, but has also increased the rogue and unjust nature of their actions simply to fill deportation quotas.

**We urge you to hold DHS accountable and investigate the execution of the raid that occurred on April 5<sup>th</sup> at the Southeastern Provision meat processing plant in Bean Station, TN and ask the following questions of ICE and DHS:**

- (1) Which law enforcement agencies participated in the raid? What were the roles of each agency during the raid? Were any National Guard Officers present during the raid?
- (2) Why did the IRS decide to involve ICE in this case? How does the IRS bringing ICE into the investigation serve any function in furtherance of the mission of the IRS? Is the IRS contemplating any future enforcement actions involving ICE personnel?
- (3) How did law enforcement agents participating in the raid determine which individuals to arrest? Was race or ethnicity a factor in deciding which individuals to arrest?
- (4) Did law enforcement agents determine whether each individual arrested had authorization to work prior to arresting him or her?
- (5) Were attorneys and other advocates seeking to assist detained individuals granted consistent and timely access to detainees while they were held at the National Guard Armory (the Armory)? If not, why not? If not, at what time were detained individuals first granted access to counsel?
- (6) How did law enforcement agents determine which individuals to release and which individuals to continue detaining?
- (7) How many individuals were released from the Armory because they were determined to possess valid work authorization?
- (8) When were detained individuals first able to access medical assistance? Was access to medical assistance provided to detained individuals who needed such assistance at the Armory?
- (9) Why were the management personnel of Southeastern Provision not detained and questioned at the time of the raid, if they were named as targets in the search warrant authorizing the raid?
- (10) What is the status of any criminal case pending against Southeastern Provision, its owners, and its individual managers?

**Finally, we urge you to request that DHS take the following steps, which would provide some measure of due process to the individual immigrant workers targeted during the raid:**

- (1) Exercise prosecutorial discretion and immediately release those individuals who are still detained, so that they may pursue their options for immigration relief near their legal representatives, families, and local resources;
- (2) Provide individuals with meaningful access to the courts and legal counsel, including timely and confidential meetings with legal representatives and regular access to a legal library with updated legal materials

- (3) Forego the removal of any individuals who have not had the opportunity to consult with an attorney and/or exhaust all potential legal claims relevant to the raid and their employer; and
- (4) Exercise prosecutorial discretion, by granting relief such as parole, continued presence, or deferred action, to those individuals whose rights were violated during their arrests, pursuant to the 2011 ICE Victim's Memo.

These raids, as seen in Iowa and Tennessee immediately leave families torn apart and devastate communities. Under the current administration and ICE leadership's promises of increased enforcement, we are incredibly concerned that more is to come. We urge Congress to take specific action in response to the raid in Bean Station, TN and to demand transparency from DHS, information for families and justice for workers whose rights have been violated. As the details of the enforcement action in Iowa emerge we also encourage Members of Congress to keep the demands of due process and family unity at the forefront. We demand an end to mass worksite raids that devastate local communities and have economic and human consequences. DHS and ICE must be held accountable for their actions and families need champions in Congress to ensure this is done.

Sincerely,

**National Organizations:**

8th Day Center for Justice  
Adorers of the Blood of Christ, US Region  
Adrian Dominican Sisters, Portfolio Advisory Board  
African American Ministers In Action  
Alianza Americas  
American Federation of Teachers (AFT)  
American Immigration Lawyers Association  
Asian Americans Advancing Justice | AAJC  
Bend the Arc Jewish Action  
Boston Common Asset Management  
CatholicNetwork.US  
Center for Law and Social Policy (CLASP)  
Centro de los Derechos del Migrante, Inc. (CDM)  
Church World Service  
Coalition on Human Needs  
Columbia Law School Immigrants' Rights Clinic  
Communications Workers of America (CWA)  
Conference for Corporate Responsibility Indiana and Michigan  
Conference of Superiors of Men (Catholic)  
Congregation of Sisters of St Agnes  
Congregation of St. Joseph  
Congregation of St. Joseph Immigration Committee  
Council on American Islamic Relations Iowa chapter  
Council on American-Islamic Relations (CAIR)  
Defending Rights & Dissent

Demos  
Disciples Refugee and Immigration Ministries  
Dominicans of Sinsinawa  
Equal Rights Advocates  
Fair Immigration Reform Movement (FIRM)  
Franciscan Action Network  
Franciscan Sisters of Our Lady of Perpetual Help  
Franciscan Sisters of the Poor, US Area  
Freedom for Immigrants  
FSPA  
IHM Sisters Justice, Peace and Sustainability Office  
Immigrant Legal Resource Center  
Institute of the Blessed Virgin Mary  
Intercommunity Peace & Justice Center  
Interfaith Center on Corporate Responsibility  
Interfaith Worker Justice  
Jobs With Justice  
Justice in Motion  
Justice Strategies  
Latin American Development Center-Former DDC  
Latino Commission on AIDS  
Leadership Conference of Women Religious  
Main Street Alliance  
Mi Familia Vota  
MPower Change  
National Center for Law and Economic Justice  
National Coalition of American Nuns  
National Council of Jewish Women  
National Domestic Workers Alliance  
National Employment Law Project  
National Immigrant Justice Center  
National Immigration Law Center  
NDWA/We Belong Together  
New Haven Legal Assistance  
Northwest Coalition for Responsible Investment  
Office of Peace, Justice, and Ecological Integrity, Sisters of Charity of Saint Elizabeth  
Orau  
Our Lady of Victory Missionary Sisters  
Oxfam America  
Presentation Sisters Justice Commission  
School Sisters of Notre Dame - Central Pacific Province  
School Sisters of Notre Dame AM Province JPIC Dept  
Service Employees International Union (SEIU)  
Seventh Generation Interfaith Coalition for Responsible Investment

Sisters of Bon Secours, USA  
Sisters of Charity of the Blessed Virgin Mary  
Sisters of Charity, Halifax  
Sisters of Mary Reparatrix  
Sisters of Mercy of the Americas - Institute Justice Team  
Sisters of Mercy of the Americas, Mid-Atlantic Community  
Sisters of Mercy of the Holy Cross USA Province  
Sisters of Mercy South Central Community  
Sisters of Mercy West Midwest Community  
Sisters of Notre Dame de Namur Base Communities  
Sisters of Notre Dame de Namur Ohio Province Office Justice Peace Care of Creation  
Sisters of Providence - MJP  
Sisters of St. Francis of Philadelphia  
Sisters of St. Joseph, TOSF  
Sisters of the Holy Cross  
Skye Advisors  
South Asian Americans Leading Together (SAALT)  
Southern Poverty Law Center  
Sugar Law Center for Economic & Social Justice  
T'ruah: The Rabbinic Call for Human Rights  
United Food and Commercial Workers International Union  
United Food and Commercial Workers International Union, AFL-CIO, CLC  
United We Dream  
Workplace Fairness

**State and Local Organizations:**

A2D2 Ann Arbor inDivisible for Democracy  
AKIN - Allies of Knoxville's Immigrant Neighbors  
Arkansas United Community Coalition  
Asian Americans Advancing Justice- Asian Law Caucus  
Austin Sanctuary Network  
CASA  
Causa Oregon  
Centro Hispano de East Tennessee`  
Church Women United in New York State  
Club Nueva Vision de Cheranastico  
Coalition for Humane Immigrant Rights (CHIRLA)  
Community Development Project at the Urban Justice Center  
Community Legal Center  
Community Legal Services in East Palo Alto  
Conexión Américas  
Dominican Sisters ~ Grand Rapids  
Dominican Sisters of Mission San Jose

Dominican Sisters of San Rafael  
El CENTRO de Igualdad y Derechos  
ENLACE - Latino Law Student Association at the University of Tennessee College of Law  
Equal Justice Center (TX)  
Faith and Justice Worker Center  
First Unitarian Universalist Church of Austin Social Action Committee  
Friends of Broward Detainees  
Georgia Rural Urban Summit  
Greater New York Labor-Religion Coalition  
Hospital Sisters of St. Francis, Springfield IL  
Illinois Coalition for Immigrant and Refugee Rights  
Immigrant Family Support Network - Wichita  
Intercommunity Justice and Peace Center  
Iowa Citizens for Community Improvement  
Jobs with Justice of East Tennessee  
JPIC Committee of the Sisters of St. Francis of Philadelphia  
Justice & Peace Office, Sisters of St. Joseph of Concordia, Kansas  
Justice Center of Southeast MA  
Kindred Futures  
KIWA (Koreatown Immigrant Workers Alliance)  
Knox County Democratic Party  
Latino Student Success Coalition (Knox County/East TN)  
Legal Aid Society of Metropolitan Family Services - Chicago  
Main Street Alliance of Iowa  
Maine AFL-CIO  
Make the Road New York  
Massachusetts Immigrant and Refugee Advocacy Coalition (MIRA)  
New York Immigration Coalition  
Northwest Workers' Justice Project  
OneAmerica  
Pennsylvania Immigration and Citizenship Coalition  
Potter Bolanos LLC  
Province of St. Joseph of the Capuchin Order  
Reformed Church of Highland Park  
Region VI Coalition for Responsible Investment  
Santa Clara County Wage Theft Coalition  
Services, Immigrant Rights & Education Network (SIREN)  
Sisters of Saint Francis of Perpetual Adoration  
Sisters of Saint Joseph of Chestnut Hill, Philadelphia, PA  
Sisters of St. Francis Charitable Trust, Dubuque  
sisters of St. Francis of the Providence of God  
Sisters of St. Joseph of Boston  
Sisters of St. Joseph of Concordia KS  
Sisters of St. Joseph of Rochester

Sisters of St. Joseph of Springfield  
Sisters of the Good Shepherd  
Sisters of the Humility of Mary, Villa Maria, PA  
Sisters of the Presentation of Mary  
Sisters of the Presentation, Dubuque, Iowa  
Surge Reproductive Justice  
Tennessee Immigrant and Refugee Rights Coalition (TIRRC)  
Trinity Church of Austin - UCC & UMC  
Trinity Church of Austin Sanctuary Committee  
University of Tennessee- Knoxville Latin American Student Organization (LASO)  
Wilco Justice Alliance (Williamson County, TX)  
Worker Justice Center of New York, Inc.  
Workplace Justice Project, Loyola College of Law Clinic  
YWCA Clinton