

March 30, 2020

Governor Jay Inslee
Office of the Governor
PO Box 40002

Olympia, WA 98504-0002

ALSO POSTED TO: <https://www.governor.wa.gov/contact/contact/send-gov-inslee-e-message>

Dear Governor Jay Inslee:

We are Public Health faculty at the University of Washington with medical, correctional health care, and epidemiological experience and expertise.

We write with concerns about the health conditions at GEO Group's Northwest Detention Center in Tacoma. We recommend the Governor's office use its public health powers to compel GEO Group to answer some specific questions about the conditions in its facility. Given the clear and present danger posed by the coronavirus 2019 (COVID-19) outbreak, and because the health of the people of Washington state is at risk (including detainees and community-based detention center personnel), we believe you have standing to compel GEO Group to immediately answer your interrogatories regarding conditions at the facility.

We have three concerns:

- 1) Any detention in a congregate environment is riskier than having people staying at home, the theory behind your order to all Washingtonians to "stay home, stay healthy."
- 2) There is evidence to support concerns that even before the current pandemic, basic medical services at the NW Detention Center were insufficient for the conditions in the facility--and therefore we must conclude the current circumstances are well beyond the facility's capacity.
- 3) The U.S. Centers for Disease Control and Prevention (CDC) issued specific orders for detention facilities on March 23, 2020 [[Interim Guidance on Management of Coronavirus Disease 2019 \(COVID-19\) in Correctional and Detention Facilities](#)]. Given the existing crowded conditions and limited medical capacity at the NW Detention Center, we consider it highly unlikely that GEO Group can implement the CDC guidance in a rapid and thorough manner. Anything less will gravely endanger the health and lives of detainees, and create a potentially disastrous situation.

In light of the CDC's guidance (referenced above), we request you compel GEO Group to produce an immediate response to the following questions:

1. What is the configuration for the ways in which detainees are housed, and is it in compliance with the CDC guidance? Are people being kept at least 6 feet apart in all settings?
2. Are sufficient stocks of hygiene supplies, cleaning supplies, personal protective equipment (PPE) and medical supplies on hand and available, in compliance with CDC guidelines referenced above? Are there sufficient respirators, masks, eye protection and gloves available for workers, including the detainees compelled to work in the facility? What alternative resources or procedures will be used in event of protective equipment shortages?

3. Has GEO Group established communications and coordination plans during the pandemic, specifically for regular reporting of testing and case management to Pierce County Department of Health, and the Washington Department of Health? Has the disaster plan been updated and communicated with partner jurisdictions? What steps has GEO Group and Immigration and Customs Enforcement (ICE) Health Service Corps taken to collaborate with regional hospitals to integrate its response should an outbreak occur? What are plans for safely transferring ill detainees to hospital facilities?
4. Are GEO Group's personnel practices in compliance with CDC guidance? Are staff encouraged to stay home when sick? Since many detainees are themselves required to perform functions in the facility that otherwise would be conducted by paid staff, what is the policy to allow them to "stay home?" What is the policy in relation to staff who are at higher risk of severe illness with COVID-19, and are these in compliance with CDC guidance? Has everyone in the facility been offered flu vaccination within the past 3 weeks? Is flu vaccine being offered to all newly arrived individuals? In the past 3 weeks, have all staff been advised to get a flu vaccination?
5. Has GEO Group complied with cleaning and disinfection guidance from CDC?
 - a. It is recommended routine practices immediately include intensified efforts to clean surfaces several times per day, especially in common areas, including doorknobs, light switches, sink handles, countertops, toilets, telephone, and so on. Is this being done?
 - b. Is shared equipment cleaned several times per day and on a conclusion-of-use basis (e.g., radios, service weapons, keys, handcuffs)?
 - c. Are proper hygiene practices maintained for food preparation and food delivery systems? How about in housekeeping and laundry areas?
 - d. Is COVID-19 advisory signage posted throughout the facility?
6. What are prevention practices for detainees? Are temperature checks being conducted, in accordance with CDC guidance? Is isolation being conducted for people with symptoms, as recommended by CDC?
7. Does GEO Group and/or ICE Health Service Corps plan to isolate or quarantine individuals in its custody who are exposed to or become infected with COVID-19? How many individuals does the facility have the capacity to place in isolation or quarantine? What will be the nature of isolation and quarantine settings (e.g., individual vs. cohort isolation, cohort size and distancing, rooms or cells with solid walls/doors vs. barred enclosure, airflow, dedicated bathrooms, face mask and hygiene resources, placement of individuals with higher risk of severe illness, etc.)?
8. Are COVID-19 testing practices and policies in compliance with CDC guidance?
 - a. How many people held at the NW Detention Center have been tested? What proportion of total detainees and total community-based staff have been tested?
 - b. What is ICE Health Service Corps capacity and protocol for future testing?
9. CDC advises no detainee transfers at this time. ICE transported more than 50 persons from the Northwest Detention Center to Yakima last week. What was the compelling public safety reason for this transfer that overshadowed the need to protect the public

health of the Yakima community? There should be no plans for further dispersal of detainees from either Tacoma or Yakima.

Governor, the NW Detention Center has the capacity to detain 1,575 people, and as such is one of the largest detention facilities under ICE jurisdiction. It is clear that infectious disease can run rampant in detention centers, evidenced by the recent action undertaken by ICE to quarantine 5,200 detainees following exposure to mumps and chickenpox.¹ Rates of communicable disease in ICE facilities are exacerbated by the overcrowded and unsanitary conditions present in processing and detention centers.²

We recommend the State of Washington act now to allow detainees, most of whom pose no threat to the community, to return to their homes. There may be some without local residences, in which case safe evacuation quarters should be offered. In no case should detainees be deported across borders.

We respectfully request a response from the Office of the Governor by April 2, 2020 detailing the plan to mandate a response from GEO Group.

Thank you for your attention to this urgent matter.

Sincerely,

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Statements are made by the signing individuals and do not necessarily represent positions of their affiliated institutions.

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¹ Priscilla Alvarez, "Mumps and Chicken Pox Exposure Leads to 5,200 Immigrants Quarantined in ICE Custody," *CNN*, June 19, 2019, <https://www.cnn.com/2019/06/14/politics/mumps-chicken-pox-quarantine-ice/index.html>.

² Priscilla Alvarez.