



One Hundred Fifteenth Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515

December 7, 2018

Ronald D. Vitiello  
Acting Director  
U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> Street, SW  
Washington, D.C. 20536

Dear Acting Director Vitiello:

I am writing to express my concern regarding the treatment of Roxsana Hernandez Rodriguez while in Immigration and Customs Enforcement (ICE) custody and to inquire about what ICE is doing to ensure the health and safety of especially vulnerable individuals in detention.

Ms. Hernandez Rodriguez sought asylum at the San Ysidro Port of Entry, was detained at a facility operated by CoreCivic, and died on May 25, 2018, less than two weeks after being taken into ICE custody. According to ICE, the preliminary cause of death was cardiac arrest.<sup>1</sup> However, recent autopsy results revealed more troubling information.

Specifically, the autopsy found that Hernandez Rodriguez died of “severe complications of dehydration.”<sup>2</sup> The report also found that Hernandez Rodriguez suffered through multiple episodes of vomiting and diarrhea while in detention – all of which went untreated until her transfer to Lovelace Medical Center, where she later died. More disturbing, bruising and hemorrhaging were apparent on Hernandez Rodriguez’ hands and wrists – indicative of being tightly handcuffed – and lesions were found on her abdomen, back, and rib cage due to possible blunt force trauma.<sup>3</sup> These revelations suggest both neglectful and abusive treatment.

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<sup>1</sup> U.S. Immigration and Customs Enforcement News Release “ICE detainee from Honduras passes away in New Mexico hospital,” (May 25, 2018), <https://www.ice.gov/news/releases/ice-detainee-honduras-passes-away-new-mexico-hospital>.

<sup>2</sup> Scott Bixby and Betsy Woodruff, “Trans Woman Was Beaten in ICE Custody Before Death, Autopsy Finds,” *The Daily Beast* (Nov. 26, 2018), <https://www.thedailybeast.com/trans-woman-roxsana-hernandez-rodriguez-beaten-in-ice-custody-before-death-pathologist-finds>.

<sup>3</sup> Emanuella Grinberg, “Transgender immigrant who died in ICE custody was beaten and deprived of medical attention, family says,” *CNN* (Nov. 27, 2018), <https://www.cnn.com/2018/11/27/us/transgender-asylum-seeker-wrongful-death-claim/index.html>.

The seemingly preventable death of Ms. Hernandez Rodriguez is just one of 11 deaths at adult immigration detention centers this year.<sup>4</sup> Other serious incidents have been uncovered at immigration detention facilities across the country. In September, for example, the Department of Homeland Security's Office of Inspector General (OIG) released a management alert detailing several troubling violations of ICE detention standards at the ICE Processing Facility in Adelanto, California operated by another contractor, The GEO Group.<sup>5</sup> These detainee deaths and detention standard violations raise serious questions about the treatment of individuals in ICE custody, particularly especially vulnerable individuals and, more broadly, about your agency's oversight of contract detention facilities.

Given these concerns, pursuant to Rule X and Rule XI of the House of Representatives, please respond to the following questions by December 14, 2018:

1. According to an ICE spokesperson, "Any death that happens in ICE custody is a cause for concern, and the agency will continue its full review of this case according to standard protocols."<sup>6</sup>

What are the "standard protocols" for investigating the death of a detainee? Please provide the status of ICE's review of the Hernandez Rodriguez case. When does ICE plan to complete its review? Please provide a copy of this review when completed.

2. Did Hernandez Rodriguez receive medical attention before being transferred to Cibola General Hospital or Lovelace Medical Center? If so, when? If not, why not? Please provide all documents related to her medical care and any incident reports while she was in ICE custody.
3. ICE is required to conduct periodic inspections to evaluate compliance with medical care standards at its facilities. Please provide all relevant documents related to such inspections for the Cibola County Correctional Facility for the past five years.
4. Has ICE taken corrective and/or enforcement actions against CoreCivic because of the death of Hernandez Rodriguez? If so, please specify those actions. If not, why not?

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<sup>4</sup> American Immigration Lawyers Association, "Deaths at Adult Detention Centers" (Nov. 27, 2018), <https://www.aila.org/infonet/deaths-at-adult-detention-centers>.

<sup>5</sup> Department of Homeland Security, Office of Inspector General Management Alert "Issues Requiring Action at the Adelanto ICE Processing Center in Adelanto, California," (Sep. 27, 2018), <https://www.oig.dhs.gov/sites/default/files/assets/2018-10/OIG-18-86-Sep18.pdf>.

<sup>6</sup> Scott Bixby and Betsy Woodruff.

I thank you for your attention to this urgent matter. If you or your staff have any questions, please contact Alison Northrop, Chief Director for Oversight at 202-226-2616.

Sincerely,



BENNIE G. THOMPSON  
Ranking Member