

Congress of the United States
Washington, DC 20515

November 28, 2018

Acting Director Ronald D. Vitiello
U.S. Immigration and Customs Enforcement
Department of Homeland Security
500 12th Street SW
Washington, D.C. 20536

Dear Acting Director Vitiello:

We are deeply saddened by the recent death of Mergensana Amar, a Russian asylum seeker detained in the custody of the U.S. Immigration and Customs Enforcement (ICE) at the Northwest Detention Center in Tacoma, Washington.

The federal government has a solemn duty to care for and protect those within its custody, including individuals detained by ICE. News of Mr. Amar's death follows a report condemning conditions in ICE's Adelanto Detention Center in California.¹ The report recounts nooses found hanging in cells, lack of adequate mental health services, and access to medical care at the facility.² In light of this report, we are particularly alarmed by tragic news of Mr. Amar's suicide, and are concerned with ICE practice and protocol for preventing such deaths moving forward.

We request that you provide information to our offices regarding the circumstances surrounding the treatment and care for Mr. Amar, and what improvements you will make to avoid other similar tragedies in the future. Please provide the following information and answers to questions by Tuesday December 11, 2018:

- A copy of any detainee death reviews and reports related to Mr. Amar.
- A detailed timeline of where Mr. Amar was located within the Northwest Detention Center (segregation/solitary confinement, general population, health unit, or elsewhere), and rationale for each instance in which he was moved.
- A copy of any review of Mr. Amar's placement in segregation, as required by the September 2013 ICE Segregation Memo.
- A detailed timeline of exactly what medical services were provided, when they were provided, and the results of any medical evaluations.

¹ Department of Homeland Security, Inspector General, cited in *Management Alert - Issues Requiring Action at the Adelanto ICE Processing Center in Adelanto, California*, Sept. 27, 2018.

<https://www.oig.dhs.gov/sites/default/files/assets/2018-10/OIG-18-86-Sep18.pdf>

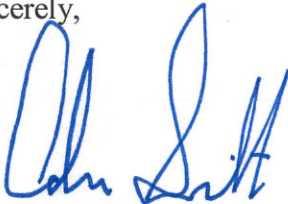
² Jordan, Miriam, *Inspectors Find Nooses in Cells at Immigration Detention Facility*, Oct. 2, 2018.

<https://www.nytimes.com/2018/10/02/us/oig-inspector-general-adelanto-immigrants-nooses.html>

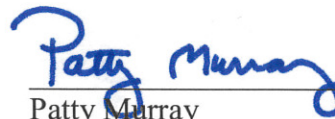
- A copy of the court order ICE obtained for involuntary hydration as well as any records that indicate how ICE used this order.
- ICE stated that Mr. Amar “remained in good physical health prior to this incident” – by what measures was he determined to be in good physical health? Who determined that he was in good physical health?
- Did ICE conduct mental health checks? How often, by whom, and in what manner?
- At any point in time, did anyone question whether Mr. Amar was a threat to his own safety? If so, at what point was this determined by ICE and what was the rationale? If a determination was made that he was a threat to his own safety, what actions were taken and procedures followed to prevent Mr. Amar from harming himself?
- While he was on hunger strike, was Mr. Amar threatened with force feeding? Was Mr. Amar denied privileges, such as access to the law library, telephone, television, or other privileges while he was on hunger strike?
- Based on your death review findings related to Mr. Amar, what changes, improvements to policy and protocol, and best practices will you implement to ensure the health and safety of detainees, and to prevent similar health related tragedies from occurring again.

It is imperative that there be transparency and a thorough understanding of the circumstances and actions taken leading up to Mr. Amar’s death. We look forward to hearing from you promptly.

Sincerely,



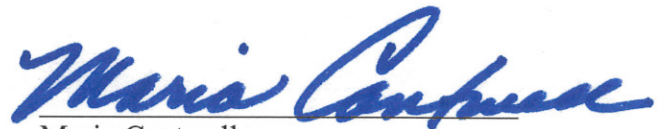
Adam Smith
Member of Congress



Patty Murray
United States Senator



Pramila Jayapal
Member of Congress



Maria Cantwell
United States Senator