

Listening Session Notes: HB 1470 Private Detention Facilities

December 6, 2023, December 19, 2023, and January 20, 2024

These sessions were not recorded, and all notes were taken during the live sessions.

Registered attendees:

136 total registered guests including:

- Interpreters
- Department of Health Staff
- Other State Agencies
- Local Health Jurisdictions
- Members of the Public

Listening Session Topics:

During the listening sessions the Department of Health (DOH) provided a brief introduction of the history of the private detention facility law, what the law gave DOH the authority to require, who would implement the requirements in the proposed rule, the timeline that DOH proposes for rulemaking activities, and how the public can stay involved.

DOH asked the community to provide input on:

- Ways to do more communication and community outreach.
- What types of personal belongings detainees should be allowed to retain.
- What types of personal hygiene items should be offered to detainees.
- The types of clothing that should be provided to detainees.
- How often laundry services should be provided.
- Access and cleaning of shared spaces.
- Additional items that DOH should consider while drafting rule language.

Community Outreach and Communication

- There is fear of retaliation for participating in rulemaking or engaging with government agencies.
- Have a pre-recorded presentation that can be listened to with options for feedback.
- Look at options where there is not a required registration for meetings or where at least the names and emails would be anonymous when signing up for the listening sessions.
- Need to create a safe physical in person space for people to participate.
- Reach out to the councils within the city – for example, [South Tacoma Neighborhood Council](#) - they have Facebook and X (Twitter) or the City of Tacoma has a [spotlight on South Tacoma site](#).
- Churches are a good place to get/give information and assistance. Organizations that help refugees might be in contact with local churches, mosques, and synagogues where you could reach a population of people who at least theoretically should be concerned about these issues.
- Community markets and events. Not just public markets but the ones for each culture, like the Vietnamese market on Portland Ave or the Puyallup Night Market, Summer Market, etc. DOH could potentially have an information booth set up. Also, local college events like UW Tacoma, and community colleges would be a good idea to investigate.
- Work with unions to further spread the word.
- Post informational flyers at mental health facilities and behavioral health reception areas.

- Create a private Facebook event then link the event to a recorded basic presentation with different options like a survey or paper form.
- Sign up for a booth at the [South Sound Sustainability Expo](#) that is in April 2024. Vendor registration opens February 1, 2024.
- To invite detainee participation, you could be outside of the facility and engage with them as they are released.
 - The best time to stand outside the facility is 2pm-6pm weekdays.
- Reach out to radio stations like 95.3 to schedule an interview.

Personal Belongings

- Personal belongings are all materials that are on a person when they are detained, and materials sent, or mailed to them from their loved one that will allow them to maintain physical and mental health.
- It seems that in addition to rules specifying what belongings detainees are allowed to keep, we may need a rule to specify that staff are expected to treat those belongings with respect and avoid damaging them or losing them when transporting detainees to other facilities.
- The rule should mention that confiscated items must be returned in good condition when the detainee is released or deported.
- Keep the rule vague- let detainees decide for themselves.
- The rule needs to have specific requirements so that inspectors or investigators can have something to measure up against.
- They should keep their own shoes, blankets, sheets, soap, toothbrush, watches, personal directory or phone, combs or other hair implements, clothes, legal documents, photos, personal letters, small knickknacks or things that reflect their culture or religion, skin products, doctor prescribed medications, wedding rings, floss, manicure sets, and any device used for music or games.

Personal Hygiene

- All personal hygiene products should be provided for free and should be replaced every 2-3 weeks.
- Personal hygiene items should be replaced for free when needed, for example someone with long hair may go through shampoo at a faster rate, but at minimum should be replaced at a specific frequency.
- All hygiene items should be full sized, of decent quality, and be non-toxic/scent free to avoid allergies.
- Suggest products that maintain dignity, including variety of feminine products, and deodorant. Menstruation products like tampons and sanitary napkins should be in at least the quantity and size needed for an average sized menstruating person.
- All detainees should have deodorant, baby wipes, lotion, shampoo, body soap, hand soap, hair conditioners, body lotion, toilet paper, bath towels, face towels or wash rags, hand sanitizer, dental floss, toothpaste, toothbrush, shaving items, hair ties, brush, and comb.

Laundry Services & Clothing

- Detainees should have access to laundry services every day to ensure soiled clothing is regularly cleaned.
- Suggest looking at adult care facilities and seeing what standards they use.
- Detainees should have access to laundry services at minimum twice a week.
- Proper laundry handling services should be provided. For instance, not mixing towels for cleaning floors and tables with people's uniforms, towels, and underwear.
- Laundry services should be provided using hypoallergenic detergents.
- At minimum, sheets should be laundered once a week but recommend more often in areas where detainees experience menstrual cycles.
- At minimum, blankets should be laundered once a month.

- Detainees should be issued new clothes as they enter the facility and clothing should be replaced when worn out.
- Clothing is segregated by color, suggestion that all clothing be one color.
- Weather appropriate clothing is a must.
- Clothing should be assigned to an individual and not be interchangeable with other detainees.
- Detainees should be issued 7 complete sets of clothes and 2 pairs of shoes.

Access to and Cleaning of Shared Spaces

- At minimum shared spaces should be cleaned daily.
- Cleaned and sanitized at least twice a day.
- Minimal use shared spaces should be cleaned at least once a day. High use shared spaces should be cleaned at least twice a day.
- Cleaning products should be scent free and hypoallergenic for sensitive skin or for those who have allergies.
- Detainees should have access to shared spaces 24/7 with quiet time at night.
- Detainees should have access to a library a couple of times a week, at minimum.
- Detainees should have access to a library during basic business hours like 8am to 5pm / 7 days a week.
- Detainees should have access to a library twice a day.
- Detainees should have access to outside shared spaces daily from dusk to dawn.
- Detainees should have access to outside shared spaces 3 times a day, for a total of 6 hours per day.
- Detainees should have access to internet services during basic business hours like 8am to 5pm.
- Detainees should have unlimited access to internet services.
- Detainees should have access to radio or TV services during basic business hours like 8am to 5pm.
- Detainees should have unlimited access to radio or TV services.
- Detainees should have language access services during extended business hours like 7am to 6pm.
- Detainees should have access to interpretation or translation services when necessary.
- Detainees should be given English lessons every day for 4hrs a day.
- Employees should be required to be at least English/Spanish bilingual.
- Detainees should have access to phone services during extended business hours like 7am to 6pm.

Additional Considerations

- Detainees want humane and dignified treatment, use of personal items, freedom of expression without repression (punished for hunger strikes), better sheets and blankets, internet and computer access, supervision of kitchen system, and legal access.
- People in detention at the Northwest ICE Processing Center say that they want DOH to consider dignified and fair treatment. They request that their opinions be heard, and that DOH keeps the facility accountable for humane conditions via inspections.
- Check to see what [American Immigration Lawyers Association](#) publishes for recommendations are on these subjects.
- Use examples of how DOH inspects industrial kitchens, laundry companies, or other similar inspections and apply those requirements to the private detention facilities.
- Include requirements for wellness activities like yoga.
- Consult with [Disability Rights Washington](#) for help with ADA complaints.
- Ensure that there is community follow up throughout the rulemaking process.
- Create a safe environment for people to participate in rulemaking activities.

- Refer to the [UN Declaration of Human Rights](#): people have a right to protection from threats to health, including the right to healthy nutrition and sanitation, to culturally responsive and social community, to shelter, to daylight, and to education in order that they may be informed of their opportunities to a good life. They have a right to be treated with respect, especially those with physical, mental, social and other disabilities. They have a right to legal counsel and to advance warning when ICE officers will be visiting them. They have a right to freedom of expression without reprisals, and the right to be obtain commissary goods at a reasonable price.
- Review the recommendations made by [Human Rights Watch](#) in reports on conditions found in detention facilities. There are examples of human rights violations as well as recommendations on how to improve conditions.
- It is important to make rules that require accommodations for special individual needs like access to interpretation services regardless of language, prompt and appropriate care for medical conditions, respect for dietary requirements, mobility needs, etc.
- Please consider these rules from environmental justice and climate perspectives. People need to be protected from environmental and climate related hazards. These include extreme heat events, woodsmoke pollution in the winter, wildfire pollution in the summer and fall, flooding risks because of the elevation, and criteria air pollutants (NO₂, SO₂, Ozone, PM_{2.5}) from industries that surround the site.
- Masks should be provided to people recreating outside on days where the air quality is moderate and be required when the air quality is poor.

Additional Comments Shared During the Listening Sessions

- Would like to see DOH keep putting pressure to go inside facilities and conduct investigations, including the possibility of having the attorney general accompany staff during an attempted investigation.
- La Resistencia has been passing on all the information they receive from detainees, their families, and their friends to DOH, but La Resistencia has been meeting resistance when it comes to direct access to detainees.
- Common concerns from complaints received shared by participants:
 - Accidents have happened due to bad shoe quality or missing shoe strings.
 - Detainees have received used underwear when being admitted to the facility.
 - Shower water is freezing.
 - Detainees do not have access to clean drinking water fountains, so they drink water from the sink, however the sink water has too much chlorine.
 - ICE does not make their presence known when they visit the facility so detainees cannot speak to them about their cases.
 - Meals are separated by 8 hours or more and often are raw or badly cooked.
- The detainees need access to spaces where they can participate with their community outside of the facility. They need access to news and social media to increase their connections to the community and raise awareness of their struggles.
- The detainees should have access to education, and representation on their cases for immigration to the US, regardless of their legal or mental challenges.
- The detainees should have access to social programs with others kept inside the facility, such as craft programs.
- The detainees should be actively involved in the assurance of the provisions of HB 1470.
- Common areas should be appropriately heated or cooled for varying temperatures and there should be daily temperature logs maintained.
- Detainees are locked inside and cannot evacuate themselves. In the case of an emergency, there needs to be a detailed and robust evacuation plan in place to evacuate detainees and staff.
- There should be clear safety plans in place for things like extreme weather events, burst pipes, clogged toilets, or poor air quality, etc.
- When detainees are in hospital, they should have the right to have family members visit them.

- Consider hospital requirements to avoid situations like those mentioned in: [Code Red: The Fatal Consequences of Dangerously Substandard Medical Care in Immigration Detention | HRW](#).
- Participants would like DOH to share the notes from these listening sessions.
- La Resistencia passed out questionnaires to detainees to ask them specific questions. DOH should receive those questionnaires in the mail.
- Detainees have asked that a plumber visit because they spent a day with no water, and when it came back the water was muddy and stank- they think this contributes to their stomach aches and getting sick.
- Sleeping pods should be regulated for capacity issues. Some pods have 60 or more people in them.

Questions about the project

Q: *Can we share the questions asked during the listening sessions with the detainees?*

A: Yes, we would appreciate all the information that can be gathered on these topics.

Q: *Have you sat outside the facility to speak to people as they are released?*

A: No, we have not sat outside of the facility. We are looking into what can do and if this will be helpful.

Q: *Have you reached out to AidNW? They are situated outside of the facility.*

A: We have reached out to multiple aid services and formed collaborations when available.

Please visit our [private detention facilities](#) website for more information.