

**CHRONICLING  
25 YEARS OF  
VIOLATIONS**

**ICE Detention at Plymouth  
County Correctional Facility**

**SEPTEMBER 2024**

# ACKNOWLEDGEMENTS

This report was jointly written by Boston University School of Law's Immigrants' Rights and Human Trafficking Program ("IRHTP") and Prisoners' Legal Services of Massachusetts ("PLS"). The IRHTP team included Sarah Sherman-Stokes, Clinical Associate Professor and Associate Director of IRHTP, and Boston University law students Gabriela Chavez ('26) and Kristen Cain ('26). The PLS team included attorney Leah Hastings and legal intern, Katrina Weinert.

This project would not have been possible without the work and research assistance of additional law students at BU IRHTP, including Karla Alvarado ('25), Lili Chavez ('25), and Sadie Keller ('25), and PLS interns Praagna Kashyap and Natalia Rodriguez and legal intern Jalon Fowler.

This report also benefited greatly from the suggestions of outside reviewers and those who contributed documentation for this report, including but not limited to Heather Arroyo, Elizabeth Nguyen, Heather Yountz, and Laura Rótolo.

Finally, the authors are grateful to the more than sixty courageous individuals detained at Plymouth who agreed to speak with us about their experiences in ICE custody. People detained at Plymouth have been advocating for change, including closure, for many years. They have refused to remain silent in the face of mounting abuses, and have in many cases spoken out at significant personal risk.

***We are honored to share their voices and stories here.***



**Boston University** School of Law



# TABLE OF CONTENTS

<b>Executive Summary</b>	<b>iii</b>
<b>Introduction</b>	<b>1</b>
<b>Methodology</b>	<b>3</b>
<b>Governing Standards and Mechanisms of Accountability</b>	<b>5</b>
<b>History of Violations at Plymouth</b>	<b>11</b>
<b>Summary of Our Investigation</b>	<b>15</b>
Treatment by Plymouth Staff and Employees	16
Food	20
Environmental Conditions	24
<u>Temperature and Climate</u>	24
<u>Sanitation</u>	28
<u>Overcrowding</u>	31
Medical and Mental Health Care	33
<u>Medical Care</u>	33
<u>Dental Care</u>	40
<u>Personal Hygiene</u>	42
<u>Mental Health Care</u>	45
Access	49
<u>Phone, Mail, and Visitation</u>	49
<u>Language Access</u>	55
<u>Attorney, Library, and Court Access</u>	59
Detainee Grievance Process	62
Solitary Confinement	66
<b>Recommendations</b>	<b>71</b>
<b>Conclusion</b>	<b>75</b>
<b>Endnotes</b>	<b>76</b>

# EXECUTIVE SUMMARY

I wish people knew the **suffering** we go through here.

*Carlos*

Consistent complaints over the last twenty-five years reveal a **disturbing pattern of systemic abuse and mistreatment** of ICE detainees at Plymouth County Correctional Facility. Limited oversight and accountability mechanisms have enabled Plymouth to continue to receive federal funding while simultaneously violating the rights of individuals detained in ICE custody.

Today, individuals detained in ICE custody at Plymouth continue to face unsafe conditions, racism and retaliation from staff, inadequate food, medical care, dental and mental health care, and restricted access to legal counsel and loved ones.

Despite over two decades of documented violations at Plymouth, **ICE and Plymouth have continued to renew their contract**. The most recent ICE contract renewal expanded Plymouth's immigrant detention capacity by 35%, alarming advocates and individuals who have directly experienced Plymouth's decades-long deficiencies. Plymouth is now the only remaining jail in Massachusetts to detain noncitizens in ICE custody and has capacity to detain 402 individuals.

For the first time, this report provides a detailed summary of **twenty-five-years of documented violations at Plymouth**. Drawing on over two decades of formal and informal investigations and inquiries, reviews by outside agencies and documented internal grievances, this report reveals an **alarming disregard for the safety and wellbeing of those detained at Plymouth**.

This report adds to that history the voices and experiences of more than sixty men detained by ICE at Plymouth. These interviews confirm that the aforementioned issues persist; **civil rights violations at Plymouth are a feature, not a bug**. Despite decades of complaints, reports and investigations, the abuses faced by ICE detainees at Plymouth are pervasive and intractable.

We anticipate that ICE and Plymouth will renegotiate their contract at the end of **September 2024**. In light of these unrelenting violations, this report makes several key recommendations in advance of this contract renegotiation. Full recommendations can be found starting on page 71.

# EXECUTIVE SUMMARY

In the **immediate** term, we recommend significant changes related to conditions and treatment, healthcare, communications, access to loved ones and counsel, transparency, and accountability:

## Conditions and Treatment

- Provide sufficient hot water and fresh, fully-cooked, adequate food in all units.
- Immediately implement in-cell temperature monitoring and provide sweatshirts and sweatpants at no cost.
- Allow unimpeded access to nail clippers and other essential personal hygiene items.
- Provide detained people with access to programming.
- Compensate detained people for their labor.
- End the use of solitary confinement.

## Medical, Dental and Mental Health Care

- Respond to all medical, mental health and dental health requests within 24 hours, ensuring urgent cases are seen by medical staff immediately.
- Make timely referrals to specialty care providers when indicated.
- Provide medication on a schedule that is accessible to detainees.
- Ensure privacy and confidentiality for all detainees when speaking with medical, dental and mental health providers.
- Immediately discontinue the use of Q5 (“suicide watch”) and all forms of isolation or segregation in response to mental health crises.

## Communication, Visitation, and Legal Access

- Allow free incoming and outgoing phone or video calls with loved ones.
- Allow contact visitation with loved ones, and end the imposition of a 30-minute time limit.
- Provide equitable and unimpeded access to interpretation and translation for all limited English proficient (LEP) detainees.
- Allow free incoming legal phone and video calls, and offer Jurislink “local” rates to legal service providers.
- Deliver legal mail within 24 hours of receipt and notify the sender of any rejections.
- Only open legal mail in the presence of the detained recipient.
- Pass state-funded universal representation for noncitizens in removal proceedings.

## Transparency and Accountability

- Regular unannounced visits by the Office of the Immigration Detention Ombudsman (“OIDO”) and state and federal elected officials with unimpeded confidential access to detained individuals.
- Install a private application allowing detained people to submit grievances directly to Plymouth and OIDO on their individual tablets.
- End Plymouth County Sheriff’s Department denial and obstruction of public access to public records related to the detention and incarceration of people at Plymouth County Correctional Facility.

In the **longer** term, we recommend several key moves toward decarceration. These recommendations include:

- An **immediate end** to ICE transfers into and out of Plymouth.
- **Clear written criteria** from ICE for granting detainees parole from detention.
- The **termination of Plymouth’s contract** with ICE, closure of ICE units, and release of those detained back to their communities.
- State legislation **terminating all existing ICE contracts** in the State of Massachusetts and prohibiting the formation of new contracts.
- **Divestment from surveillance and policing**, and investment in non-carceral approaches to community safety.



Being detained at Plymouth is **torture**. They make this a horrible place so that people do not fight their deportation.

*Robenson*

## **Introduction**

There are currently over 36,300 people detained by Immigration and Customs Enforcement (ICE) in jails and detention centers across the United States.<sup>1</sup> As of August 2024, 389 of them are detained at Plymouth County Correctional Facility in Plymouth, Massachusetts.<sup>2</sup>

Immigration detention has a long history in Massachusetts. As early as 1906, the government detained noncitizens it had flagged for “additional review” in a freight shed in Boston Harbor.<sup>3</sup> These included children traveling alone, individuals with physical or mental illness, people with “inadequate or questionable documentation,” and uneducated, poor, criminalized, “sexually deviant,” or politically radical immigrants.<sup>4</sup> Plagued by overcrowding and inadequate medical care, the freight shed was later replaced by the East Boston Immigration Station in 1920.<sup>5</sup> Amid increasing national origin-based restrictions and racialized quotas, any immigrants who were not from Western Europe were far more likely to face scrutiny, and detention there.<sup>6</sup> The East Boston Immigration Station detained and processed more than 23,000 noncitizens during the thirty years it remained in operation.<sup>7</sup>

Over recent decades, immigrant detention in Massachusetts has taken on a different form, but retains many of the conditions and systemic flaws of early detention in the state. Soon after ICE was created in 2003, the agency established bed space contracts with four county jails across the state of Massachusetts: Suffolk County House of Corrections,<sup>8</sup> Bristol County House of Corrections,<sup>9</sup> Franklin County Jail and Plymouth County Correctional Facility.<sup>10</sup> Today, Plymouth County Correctional Facility (Plymouth) is the only Massachusetts jail to continue detaining immigrants on behalf of ICE.<sup>11</sup> Those detained are overwhelmingly low-income immigrants of color from Central America, South America, and the Caribbean, as well as African, Asian, and Eastern European immigrants in smaller numbers.

Like the freight shed, and East Boston Harbor Station after it, Plymouth’s history as a site of immigrant detention over the past twenty-five years has been a troubled one. In November 2021, the Office for Civil Rights and Civil Liberties (CRCL) launched an investigation of Plymouth following numerous complaints alleging violations related to medical neglect, brutality, access to counsel, religious accommodations, and inadequate food and nutrition, among others.<sup>12</sup> In September 2022, CRCL released a report with over seventy priority recommendations, each based on a distinct violation of applicable detention standards.<sup>13</sup> Subsequently, in early 2023, legal advocacy groups filed a civil rights complaint with the Massachusetts Attorney General’s Office Civil Rights Division.<sup>14</sup> This report situates CRCL’s investigation and recommendations, the Massachusetts Attorney General’s Office Civil Rights Division’s now-pending inquiry, and countless hours of testimony from detained people in the context of over two decades of abuse, neglect, and substandard conditions of confinement.



This report is particularly timely, as ICE and Plymouth’s most recent contract renewals have not only extended the timeline for ICE detention at Plymouth, but have also expanded Plymouth’s capacity. In April 2024, ICE negotiated an additional unit with 139 beds, expanding Plymouth’s detention capacity by 35%.<sup>15</sup> This renewal and expansion comes at a moment in which the extensive documentation of violations at Plymouth is pushing up against the outer limits of existing oversight and accountability mechanisms.

First, we begin below by describing our methodology, and approach to this project. Next, we describe the governing standards and mechanisms of accountability for ICE detention. In the third section, we set forth a twenty-five-year timeline of documented abuses against those in ICE custody at Plymouth. Next, we summarize the findings of our interviews with more than sixty men detained at Plymouth, and the continued abuses they report. Finally, we make recommendations related to transparency and accountability, conditions, treatment, communications, and access to counsel in the immediate term. In the longer term, we urge steps towards decarceration – including the termination of the contract between ICE and Plymouth.



## Methodology

This report is the summation of an eight month long project to document the current conditions of ICE detention at Plymouth. It builds upon the work of currently and formerly detained people and their loved ones, organizers, advocates, attorneys, members of Congress and other stakeholders to vindicate the rights of those detained.<sup>16</sup>

On January 26, 2024, a group of lawyers, law students, legal workers and interpreters traveled to Plymouth to speak with people detained by ICE.<sup>17</sup> This stakeholder visit spanned the three primary units where ICE detainees were held at the time: DN3 and DS3, each with a capacity of sixty-two, and C3, with a capacity of one hundred and thirty-nine.<sup>18</sup> Detainees were required to sign up in advance to speak with us, and prior to the visit, in compliance with ICE’s own guidance, Plymouth staff posted sign up sheets the team had prepared, which explained who we were and why we were visiting, in English and Spanish.<sup>19</sup> The stakeholder visit team provided ICE and Plymouth with informational materials in English to approve for distribution to detained people, with Spanish, Haitian Creole, and Portuguese translations available for review upon request. Email communications with ICE and Plymouth during the weeks leading up to January 26 indicated that the group would be approved for a visit as well as a tour of the facility.<sup>20</sup> Upon arrival, however, officers informed the team that a tour would not be taking place due to vague “staffing” issues.<sup>21</sup>

Despite the advance and well-intentioned efforts of the stakeholder visit team, there were notable limitations to our ability to incorporate the full range of detained peoples’ experiences and perspectives. Some detained individuals refrained from signing up to speak with us out of fear of retaliation. Others did not speak English or any of the other three languages (Spanish, Haitian Creole, and Portuguese) for which interpretation was available. A significant number spoke with us, but, out of fear, asked that we refrain from publishing the information that they shared, resulting in its omission from this report. It is likely that still more individuals did not speak with us because they were unaware of our visit, or had been sent to another unit or facility prior to our arrival.

**My cellmate had been injured for a long time and wasn’t getting treatment. When I saw that you were coming to interview us, I said to him, ‘You should sign up!’ But he didn’t want to. He was afraid it would hurt his case. People are afraid– they think if they speak to someone they will lose their case, or something bad will happen.**

*Carlos*



Notwithstanding these limitations, the stakeholder visit team spoke with sixty men<sup>22</sup> detained by ICE and asked them detailed questions about their experiences in detention at Plymouth. These included whether they had access to sufficient food, hygiene services, medical and mental health care, legal services, heating and air conditioning, and communication with family and legal counsel. We also asked about the use of suicide watch and solitary confinement. After obtaining written releases from those who wished to participate, each detainee was interviewed individually, by one to two members of the stakeholder visit team.<sup>23</sup> We followed up with longer form interviews with eight of these individuals, conducted in-person at Plymouth on June 24, 2024. Each of these interviews lasted for between thirty and ninety minutes.

The men we spoke with shared a number of significant concerns including regarding jail conditions, insufficient and/or inedible food, excessively cold temperatures in their cells, lack of access to medical care, lack of language access, inability to communicate with loved ones, and lack of access to legal resources. They also spoke to a pervasive culture of verbal abuse, racism, intimidation, and retaliation. These concerns are strikingly consistent with those reported by ICE detainees at Plymouth over the last twenty five years, across multiple formal and informal complaints and investigations– despite promises of improvement and alleged improvements to oversight, conditions, and procedures at Plymouth.



# Governing Standards and Mechanisms of Accountability

## *Governing Standards for Conditions of ICE Detention at Plymouth*

*This section briefly describes the standards and regulations available to protect the rights of ICE detainees, as well as their limited scope and force.<sup>24</sup>*

### **The National Detention Standards**

Plymouth's Intergovernmental Service Agreement (IGSA) with ICE guarantees that a minimum number of beds at Plymouth will be reserved for individuals detained by ICE in exchange for payment by ICE at a mutually agreed-upon rate.<sup>25</sup> As a county jail that incarcerates a combination of pre-trial state and federal detainees, state-sentenced prisoners, and ICE detainees, Plymouth is classified by ICE as a "non-dedicated detention facility."<sup>26</sup> Accordingly, Plymouth is contractually bound to uphold the "most current edition of the ICE National Detention Standards."<sup>27</sup>

The National Detention Standards (NDS) cover a range of treatment and conditions, including medical care, mental health care, phone and legal access, visitation, use of segregation, food, sanitation, and grievance processes.<sup>28</sup> The first NDS were issued in 2000 by the Department of Homeland Security's predecessor, the Immigration and Naturalization Service.<sup>29</sup> The most current version, the NDS 2019, was deemed "ICE's most consequential set of standards" by an American Bar Association report for "lowering the bar" to accommodate ICE's increasing reliance on contracts with local jails for bedspace.<sup>30</sup>

The NDS remain difficult to enforce, unevenly enforced, and inadequate.<sup>31</sup> If a jail holding ICE detainees wishes to avoid compliance with a particular standard, it need only apply for a waiver— which ICE is known to grant generously.<sup>32</sup> Additionally, though ICE detention contracts may incorporate a quality-assurance surveillance plan (QASP), "close to 90% of IGSA's do not— leaving unclear what, if any, consequences detention facilities may face for failing to comply with contractual standards."<sup>33</sup>

### **ICE Directives**

Over recent decades, ICE has issued a number of internal directives establishing policies and procedures related to issues ranging from solitary confinement to the transfer and release of individuals detained individuals identified to have "serious mental illnesses."<sup>34</sup> The ICE Health Service Corps (IHSC) has issued additional directives related to medical and mental health care for individuals in ICE custody, which have only been made accessible after FOIA requests and litigation.<sup>35</sup>

**We are just products to them, for them to trade and make money.**

*Santiago*

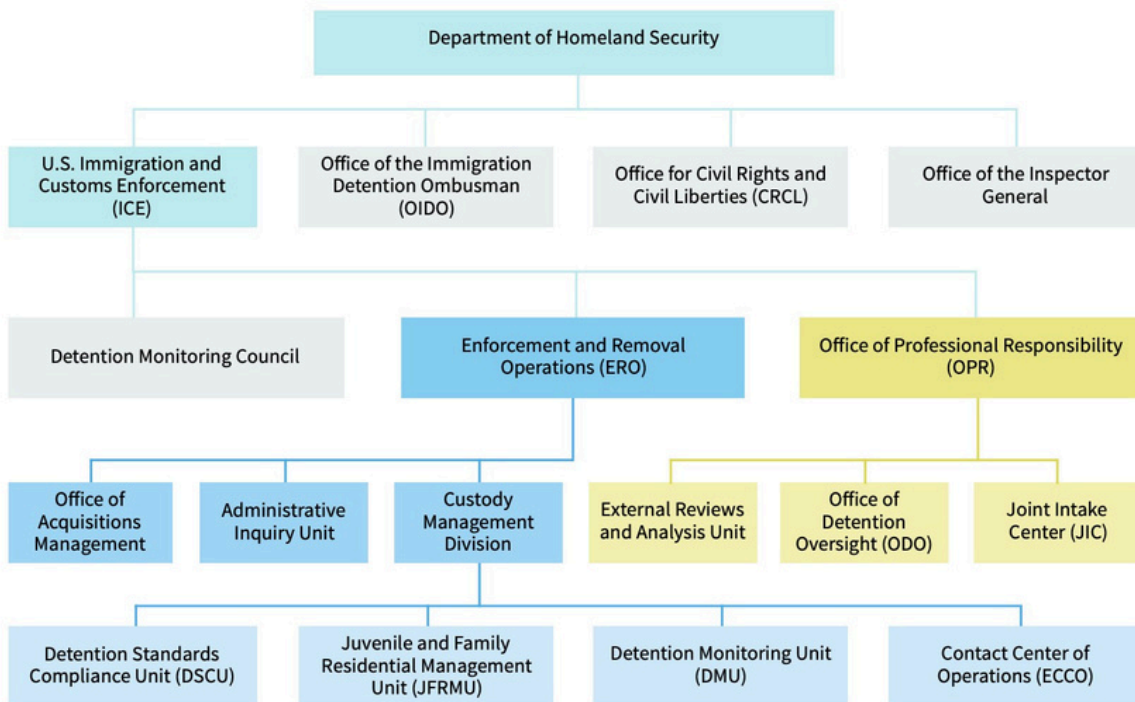
## Code of Massachusetts Regulations

As a Massachusetts county jail, Plymouth’s conditions of ICE detention are additionally governed by Chapters 900-979 of Title 103 of the Code of Massachusetts Regulations (CMR).<sup>36</sup> Although regulations have the same force of law as statutes, only 34 of those set forth in 103 CMR 900-979 are explicitly “required.”<sup>37</sup> The remainder may be treated as recommendations.<sup>38</sup> Though repeat violations of required regulations may be addressed under the Declaratory Judgment Act, there are no implied private rights of action for regulations.<sup>39</sup> County jails additionally enjoy significant leeway when it comes to obtaining waivers and exceptions for violations.<sup>40</sup>

In addition to 103 CMR 900-979, county jails are obligated to comply with public health and safety standards prescribed in 105 CMR 205, 105 CMR 451, 105 CMR 480, 105 CMR 500, 105 CMR 590, and the 2013 Food Code.<sup>41</sup> Where required by statute, county correctional facilities are broadly obligated to adhere to state and local fire, health, safety and building codes, but only to the extent that “compliance would not interfere with... the security and confinement” of incarcerated persons.<sup>42</sup>

## Mechanisms of Accountability

*Mechanisms for holding ICE detention centers accountable are limited, at best; at worst, they provide cover for continued abuse and impunity and divert detained people’s energy away from the organizing necessary to advance more transformative demands. Agencies and offices both within the Department of Homeland Security (“DHS”) and outside DHS take on an oversight and accountability role when it comes to monitoring the conditions of confinement in ICE detention. The map below shows the primary federal agencies responsible for oversight within DHS.<sup>43</sup>*



*Oversight of Immigration Detention: An Overview, Am. Immigr. Council (May 2022)*

## *Federal Oversight*

I called a grievance line to make a report, but they told me **I couldn't do it in Spanish.**

*Jesus*

### **DHS Office of the Inspector General**

The DHS Office of the Inspector General (“OIG”) investigates allegations of misconduct by DHS programs and contractors, ranging from corruption and financial crimes to retaliation, use of force, and custodial death investigations.<sup>44</sup> The OIG is required by statute to provide semi-annual reports to Congress, which are published on the office’s website.<sup>45</sup>

In 2018 and 2019, the OIG released reports lambasting the existing ICE oversight system for rubber-stamped inspections and inconsistent enforcement, and drew a direct line between these and years of the same unabated abuses and violations.<sup>46</sup> Despite the implementation of OIG-recommended changes, however, advocacy groups have noted little impact on the material conditions of detention.<sup>47</sup>

### **DHS Office for Civil Rights and Civil Liberties**

The Office for Civil Rights and Civil Liberties (“CRCL”) receives and investigates complaints of discrimination, violation of due process or disability rights, abuse, and language access in connection with DHS and ICE activities.<sup>48</sup> If CRCL decides that a complaint merits investigation, it will first make a referral to OIG.<sup>49</sup> If OIG declines to investigate, CRCL may carry out its own investigation or direct another office within DHS to do so.<sup>50</sup> Though CRCL can make recommendations following its investigation, with limited exceptions, CRCL has no enforcement authority.<sup>51</sup> Like OIG, CRCL is required by statute to submit regular reports to Congress. However, there are often significant delays between CRCL’s completion of an investigation and public release of its recommendations, significantly limiting its potential to mobilize stakeholders towards timely action.<sup>52</sup>

**I haven’t called [any agencies] with complaints, but I’ve seen others do it. I don’t have faith that it will change anything. It just puts a target on your back. It doesn’t help to shut ICE down.**

*Robenson*

### **DHS ICE Office of Detention Oversight**

Unlike the preceding oversight and investigatory bodies, the Office of Professional Responsibility– which encompasses the Office of Detention Oversight (“ODO”)– falls under ICE’s supervision.<sup>53</sup> The ODO was created in 2009 as part of a series of detention reforms aimed at creating an additional layer of oversight independent from the existing ICE inspections processes.<sup>54</sup> Following a 2019 Congressional Hearing and a DHS OIG report detailing the ineffectiveness of Nakamoto Group<sup>55</sup> inspections, the ODO– whose reviews garnered marginally less criticism– was given full responsibility to conduct biannual, pre-announced inspections of ICE facilities starting in October 2022.<sup>56</sup>

Currently, the ODO conducts annual inspections of all detention centers, but is permitted to rotate the standards audited so long as compliance with each standard is evaluated at least once every three years.<sup>57</sup> ODO inspection teams typically consist of a mix of ODO employees and contractors from Creative Corrections.<sup>58</sup> Copies of ODO inspection reports can be found on ICE’s website.<sup>59</sup>

### **DHS Office of the Immigration Detention Ombudsman**

The United States Congress established the Office of the Immigration Detention Ombudsman (“OIDO”) in 2019 through Section 106 of the Consolidated Appropriations Act.<sup>60</sup> OIDO engages in individual and systemic advocacy and issues recommendations in response to complaints.<sup>61</sup> It also has the power to conduct unannounced inspections and refer individuals to USCIS for relief.<sup>62</sup> OIDO publishes annual reports to Congress, and began posting its inspections publicly as of 2022.<sup>63</sup>

## **State Oversight**

*While immigration detention itself is federal, Plymouth remains subject to state and local oversight as well. This section focuses on mechanisms of accountability most relevant to violations reported at Plymouth.*

### **Massachusetts Department of Corrections Commissioner**

103 CMR 903 requires that the Massachusetts Department of Corrections (“DOC”) Commissioner visit and inspect each county jail at least once every six months, and “as often as deemed necessary” to ensure compliance with required provisions.<sup>64</sup> Notably, the Commissioner may choose to designate an employee of a Sheriff’s Office to evaluate a county jail’s compliance with regulations as county correctional standards auditor.<sup>65</sup> The Commissioner is tasked with making recommendations and submitting written inspection reports on the basis of these inspections to “appropriate agencies and officials.”<sup>66</sup>



### **Massachusetts Department of Public Health**

The Massachusetts Department of Public Health (“DPH”) Community Sanitation Program conducts bi-annual inspections of prisons and jails across Massachusetts to evaluate their compliance with relevant health and safety regulations and make recommendations based on any violations identified.<sup>67</sup>

### **Massachusetts Office of the State Auditor**

Pursuant to Massachusetts General Laws Chapter 11 Section 12, the Office of the State Auditor performs a review of healthcare and deaths at prisons and jails across Massachusetts at least once every three years– and more frequently at the state auditor’s discretion– to evaluate their compliance with the governing regulations.<sup>68</sup>

### **Massachusetts’ Attorney General**

The Massachusetts’ Attorney General’s Office (MA AGO) is the lead law enforcement agency in the state of Massachusetts, and consists of six bureaus with focus areas ranging from consumer protection and labor rights to defending “state agencies, officials, and employees... sued in the context of their agency duties.”<sup>69</sup> The Civil Rights Division, under the Bureau of Public Protection and Advocacy, has discretion to investigate reported civil rights violations against Massachusetts residents and visitors alike– including those held in state and county carceral facilities– and is currently engaged in an inquiry regarding ICE detention conditions at Plymouth.<sup>70</sup> The Attorney General also decides whether the DOC Commissioner may seek “an order to close the facility or for other appropriate relief” from the county Superior Court in response to a county jail’s persistent noncompliance with regulations.<sup>71</sup>

**The guards always let us know when there is going to be an inspection...** Every time there’s an inspection, the [officers in] ‘white shirts’ wake everyone up early, saying ‘Clean this! Fix that!’ They go cell by cell, telling people to take down any clothes they have washed [by hand] and hung. They have the workers paint the night before, and clean everything. Recently a group came, and one of these officers walked around with the people inspecting the facility, acting all friendly. That same officer acts angry **when they are not around**. Sometimes he won’t even respond when you ask him a question.

*Carlos*

“Usually **we are locked up** when there is an inspection. The inspectors are always accompanied by [officers in] white shirts.<sup>72</sup> **They know they are not going to let anyone complain to them directly.**”

*Emiliano*



Twice, I spoke with someone visiting from some agency. **Nothing changed.** There was **no follow-up.** Sometimes people come to interview us, and I can tell it's **just to see who is complaining.** I told the woman who came to interview us about how the captain forces people to throw away their extra bread. I said, ‘it isn’t just, how they take our food.’ She said ‘oh, it’s probably just so rats and flies don’t come in.’ When I heard that, I didn’t want to tell her anything else, because I realized she was just looking out for [the facility].

*Carlos*

The COs tell us when there is going to be an inspection. But **the inspectors don’t talk to detainees.**

*Robenson*

These are things that may seem insignificant alone, but **over time, they build.**

*Emiliano*

## **History of Violations at Plymouth**

There is a long and well-documented history of mistreatment of immigrant detainees at Plymouth. For more than twenty-five years, detained individuals have spoken about abuse, neglect, and poor conditions of confinement in the facility. Some of these complaints have made it into official reports and investigations, couched in the legalistic language of standards, policies, and regulations. Many more were preserved by family, community members, and advocates intent on bearing witness. The sections below chart this twenty-five year accumulation of inspections, complaints, and testimony, both primary and secondary, that formed the foundation for our visits and interviews.

### **1998-2007**

Pursuant to an Intergovernmental Support Agreement (“IGSA”), the federal government first began holding immigrant detainees at Plymouth County Correctional Facility in **1998**.<sup>73</sup>

A **2002** INS review of Plymouth found Plymouth “deficient,” noting that immigrant detainees in administrative or disciplinary segregation were not allowed access to visitors.<sup>74</sup> Additionally, the review notes that the facility did not allow legal services presenters to meet with a small group of detainees to discuss their cases privately, the grievance process was not fully explained in the detainee handbook, and that medication was being distributed by untrained staff.<sup>75</sup>

In **2003**, a delegation from the American Bar Association Commission on Immigration Policy, Practice and Pro Bono visited Plymouth, and again noted numerous complaints.<sup>76</sup> Some of these complaints included a lack of privacy when speaking with legal counsel, limited telephone access, no access to a law library, issues with receiving mail, limited recreation space, lack of access to medical care and long wait times, and concerns about the conditions for those in disciplinary segregation.<sup>77</sup> The **2003** INS review mirrored similar complaints noting that providers were still unable to meet with a small group after presentations, lists of pro bono organizations were not posted in living areas, detainees in administrative or disciplinary segregation were still unable to receive visitors, there was no system for taking and delivering phone messages to detainees, and that detainees were not being provided with “seasonally appropriate” clothing.<sup>78</sup>

Between **2004 and 2008**, Massachusetts Department of Public Health Inspections revealed continued problems at Plymouth, including overcrowding, and concerns related to cleanliness and hygiene.<sup>79</sup> An inspection conducted in **2004** by DHS found that Plymouth was “deficient” in its visitation standards.<sup>80</sup> Visitation hours were not found to be “tailored to the detainee population and demand for visitation,” detainees in administrative and protective segregation did not have the same phone access as the general population, and detainees in special housing did not have visitation, except for counsel and clergy.<sup>81</sup> A **2005** DHS inspection found that the grievance policy was still not properly explained in the handbook and that the handbook did not explain how to obtain razors and did not give detainees the opportunity to shave before going to court.<sup>82</sup> A **2006** DHS inspection found that there was not sufficient notice nor sign up opportunities for legal presentations, that detainees in administrative or disciplinary segregation were not allowed visitors, and that Plymouth staff did not provide adequate notification about transfers and transfer procedures to detainees and their attorneys.<sup>83</sup>

The ACLU additionally documented troubling abuses during **2006** and **2007**, including a detainee with a kidney condition who was denied medical care for months, until he was unable to walk. Only once an attorney was involved was he finally provided with required medication for a pre-existing kidney condition.<sup>84</sup> The report also documented the case of a detainee who sustained a head injury while being forced into segregation.<sup>85</sup>

A **2007** ICE Enforcement and Removal Operations (ERO) Inspection concluded that Plymouth deserved a rating of “Superior,” despite numerous troubling comments revealing that there were “documented or substantiated cases of staff harassing, disciplining, penalizing, or otherwise retaliating against a detainee who lodges a complaint” and that “seasonally-appropriate clothing must be purchased.”<sup>86</sup>

### **2008-2017**

In **2008**, the ACLU issued a comprehensive report documenting poor conditions and harsh treatment for ICE detainees held across jails in Massachusetts, including at Plymouth.<sup>87</sup> The report detailed significant due process concerns, dangerous conditions of confinement, inadequate medical and dental care, harsh treatment by correctional officers and jail employees, retaliation for complaints, use of solitary confinement and inadequate food, among other complaints. The ACLU included in their report a number of recommendations to different stakeholders, including to jails themselves, to ensure the safety, health and due process rights of those detained. The ACLU also made recommendations to ICE, including to decrease the number of persons detained by ICE, promulgate enforceable detention standards, and to improve oversight, accountability and transparency of jails where immigrants are held, including at Plymouth.<sup>88</sup>

In **September 2009**, a Detention Oversight Compliance Inspection found 42 deficiencies at Plymouth.<sup>89</sup> Plymouth reported that these deficiencies were corrected, though a November 2012 Office of Detention Oversight Compliance Inspection found similar deficiencies, including access to legal materials, health and safety, and medical care.<sup>90</sup>

## **2018-Present**

Complaints about conditions at Plymouth, and the rights of those held there, have continued to grow over the last six years.

In **September 2021**, Prisoners' Legal Services and Boston Immigration Justice Accompaniment Network (BIJAN)– joined by more than sixty community organizations, legal clinics and nonprofit organizations– urged that ICE immediately release immigrant detainees from Plymouth because of endemic conditions complaints, including lack of medical services, limited family and attorney access, retaliation and threats, physical and verbal abuse, insufficient access to hot water, inadequate interpretation services and denial of religious accommodations.<sup>91</sup>

At the same time, the “All Eyes on Plymouth” campaign– including members of BIJAN, Alliance Mobilizing Our Resistance (AMOR), and the FANG Collective– held a march from Plymouth Rock to Plymouth County Correctional Facility, followed by a rally outside of the jail during which family and community members testified to their experiences and those of their loved ones inside.<sup>92</sup> Organizers demanded an end to all transfers in and out of Plymouth, improved access to visitation and communications for detained people, and for all inspections to be unannounced going forward.<sup>93</sup> Additional demands included the release of all immigrant detainees and the termination of Plymouth's contract with ICE.<sup>94</sup>

In **November 2021**, in response to “a quick succession of serious allegations” by detained individuals, advocates, and community groups, CRCL conducted two in-person “spot checks” at PCCF.<sup>95</sup> Based on these visits, CRCL decided to conduct a full investigation.<sup>96</sup>

A **January 3, 2022**, letter from Massachusetts Senators Ed Markey and Elizabeth Warren to DHS Secretary Alejandro Mayorkas and ICE Acting Director Tae Johnson echoed the concerns raised in these complaints to CRCL, and by CRCL itself. In it, the Senators posed direct questions to Mayorkas and Johnson related to food, access to hot water, medical care, access to personal hygiene essentials, language, communications, and attorney access, the grievance process, religious accommodations, and COVID precautions.<sup>97</sup>

In a **January 5, 2022**, “Retention Memorandum” to ICE, CRCL detailed thirteen separate complaints it had received during the previous six months from detained individuals at Plymouth.<sup>98</sup> These included inadequate medical care, inadequate access to hot water, insufficient food, retaliation and abuse by Plymouth staff, and inadequate access to legal counsel, among other grievances.<sup>99</sup>

Two days later, on **January 7, 2022**, thirteen individuals detained at Plymouth lined up to speak with BIJAN hotline volunteers over the phone and share testimony about the conditions they were being held under, despite knowing that these calls were subject to recording and monitoring.<sup>100</sup>



On **January 28, 2022**, BIJAN, PLS, AMOR, Never Again Action Boston, and individuals directly impacted by ICE detention at Plymouth submitted a follow-up letter to CRCL, supplementing earlier complaints with additional reported violations and requesting that CRCL “proceed with an in-person inspection with vigilance and urgency.”<sup>101</sup>

In early **February 2022**, despite advocates’ requests for an in-person visit, CRCL opted to conduct a “virtual on-site investigation,” citing concerns about rising COVID cases at Plymouth.<sup>102</sup> CRCL issued initial, unpublished recommendations to ICE later that month.<sup>103</sup>

Despite Senator Warren and Senator Markey’s request for a response to their letter by **January 19, 2022**, ICE did not respond until **February 24, 2022**.<sup>104</sup> Then-Acting Director Tae Johnson’s one-page response consisted of boilerplate language assuring the Senators that ICE took “the health, safety, and welfare of those in its custody very seriously” and followed CDC recommendations.<sup>105</sup> The letter did not acknowledge, much less answer, Markey and Warren’s specific questions.<sup>106</sup> In fact, it made no mention of Plymouth at all.<sup>107</sup>

In **March 2022**, CRCL received allegations of retaliation against a combined 39 detained people at Plymouth, including “verbal mistreatment by officers and medical staff, housing unit searches during which officers threw detainees’ belongings on the ground and/or threw belongings away... uncooked food, and officers urinating in the closet where the detainees’ cleaning supplies are kept, and in the showers used by the detainees.”<sup>108</sup> These allegations prompted an additional “spot check” in May 2022, likely contributing to the delay in CRCL’s anticipated timeline for completion.<sup>109</sup>

On **September 29, 2022**, CRCL sent Plymouth and ICE an 18-page memorandum summarizing the findings of its investigation into Plymouth, and issuing priority and non priority recommendations. CRCL requested that ICE “formally concur or non-concur” with all priority recommendations, “and provide an implementation plan for all accepted recommendations within 120 days of issuance.”<sup>110</sup> Though CRCL urged ICE to “consider” additional non-priority recommendations, it did not disclose these recommendations and required no formal response to them.<sup>111</sup>

It took close to a year for CRCL to make the memorandum public.<sup>112</sup> Despite multiple unanswered attempts to follow-up with CRCL via email, advocates who filed the underlying complaints remained unaware of the memorandum’s publication until a member of a participating organization located it in the DHS Publications Library.<sup>113</sup> Even with heavy redaction, the published recommendations were expansive, identifying violations related to use of force, retaliation, medical and mental health care, hygiene, legal access, language access, and general health and safety.

On **March 6, 2023**, Detention Watch Network submitted a letter to President Joe Biden, Senator Mayorkas, and then-Acting Director Johnson, along with over 150 other organizations, calling for an end to twelve detention contracts that were set to expire in 2023— among these, Plymouth.<sup>114</sup>

On **March 9, 2023**, the Harvard Immigration and Refugee Clinical Program– alongside BIJAN, PLS, MLRI, MIRA Coalition, New Haven Legal Assistance Association, and the American Friends Service Committee Immigrant Rights Program– filed a complaint with the Massachusetts Attorney General Civil Rights Division based on the experiences of ICE detainees at Plymouth.<sup>115</sup> The complaint expressed concerns about detained people’s access to mail and phone communications, visitation, counsel, and language services, among other potential civil rights violations, situating these within the Federal and Massachusetts Constitutions, federal and state regulations, the Massachusetts Civil Rights Act, Title VI of the Civil Rights Act of 1964, and ICE’s own policies and detention standards.<sup>116</sup>

In **December 2023**, the Attorney General’s office shared that this complaint was under review, and an inquiry was underway.<sup>117</sup>

In **August 2024**, the Harvard Immigration and Refugee Clinical Program– alongside BIJAN, BU IRHTP, PLS, MLRI, MIRA Coalition, New Haven Legal Assistance Association, and the Northeast Justice Center– filed a second complaint with the Attorney General’s office, building on the complaint filed in March 2023 and underscoring the continuing civil rights violations occurring at Plymouth.<sup>118</sup> The complaint expressed deep concern with Plymouth’s recent expansion of ICE detention capacity despite its failure to resolve the issues highlighted in CRCL’s Expert Recommendations Memorandum and Harvard’s 2023 Civil Rights Complaint, including violations related to access to counsel, language access, poor facility conditions, medical neglect, religious discrimination, lack of adequate grievance reporting processes, and retaliation.<sup>119</sup>

## **Summary of Our Investigation**

### ***2024 Stakeholder Visit and Interviews***

As mentioned above, on January 26, 2024 a group of attorneys, law students, legal workers, and interpreters conducted a stakeholder visit at Plymouth. During this stakeholder visit, the visitation group conducted interviews with 60 men detained at Plymouth, across the three units in which ICE detainees are held.

On June 24, 2024, members of this group returned to conduct more in-depth interviews with eight of the 60 men previously interviewed. Our notes, and their stories, bear uncanny parallels to grievances previously documented by the ABA in 2003, the ACLU in 2008, BIJAN and PLS in 2021, CRCL in 2022, and the civil rights complaint to the MA AGO in 2023.<sup>120</sup> These interviews, and our subsequent research into the past twenty-five years of documented grievances against Plymouth by ICE detainees, show a remarkably consistent– and in some cases, escalating– pattern of abuse and mistreatment.

The following sections summarize the grievances highlighted during visits to Plymouth on January 26, 2024 and June 24, 2024. In consideration of the intractable problems present at Plymouth that continue to endanger the civil rights, civil liberties, and health and safety of immigrant detainees there, we urge significant reforms in the near term and, in the long term, that the contract between ICE and Plymouth be terminated.

# TREATMENT BY STAFF AND EMPLOYEES OF PLYMOUTH

---

## National Detention Standard 2.8 – Use of Force and Restraints:

“The use of force is authorized only after all reasonable efforts to resolve a situation have failed... Physical restraints shall be used to gain control of an apparently dangerous detainee only under specified conditions.”<sup>121</sup>

## National Detention Standard 2.10 - Staff-Detainee Communication:

“Facility staff will address detainees in a professional and respectful manner.”<sup>122</sup>

**2008**

“They look at us like we’re **animals**.” -2008 ACLU Report

“**You can’t win**. They are all together.  
You can’t beat them.” -2008 ACLU Report

**2021**

“This facility is, in many ways, **worse than Bristol**.” -Partner of “F”<sup>123</sup>

“There’s **nobody that checks them**, or checks their power... People need to know what’s going on in there.” -Kayode<sup>124</sup>

**2022**

“There’s no respect for us.” -Kymani

“These people see you for the simple fact that they have the power, and they treat you extremely badly. They are too racist... Here, really, of all the detention centers– because I spent five years in prison– **I think the place that I suffered the most is this**.” -Miguel

“Even if you’re trying to sign [your deportation] and get out of here, they’re not even trying to let you... they basically want you to suffer, no matter what.” -Gonzalo

“Seven of us got transferred over here [from Bristol County]. Supposedly, it's supposed to be better, but **it's worse**. I'm in between like, how can a place get shut down and they transfer you to something that's even worse?” -Sareek

“I asked to speak to a supervisor and she said that when I get to lock-up I can speak to a supervisor... We went back and forth talking. She then pulled out the spray and she asked my cellie to leave the room. I said, ‘please don’t spray me.’ I grabbed a towel to cover my nose. She said she gave me too many chances and sprayed me in the face. I tried to hide my face to avoid the spray and one officer grabbed me from behind and slammed me to the floor. I hit my face on the stool chair. I started bleeding. I was on my knees and **started bleeding from my mouth and nose**. She continued to spray. The CO grabbed me and **slammed me on the floor** again. I tried to run to the door to get access to the camera, but there was an additional CO outside. He pushed the door towards me to keep me in the room. They **grabbed me and pulled me to the ground** and said ‘put your hands behind your back,’ which I did. The Lieutenant sprayed me close range in my face once my hands were behind my back. I was lying on the floor and an officer **put his knee on my back** and someone put **their finger between my neck and jaw** and after that they handcuffed me and they twisted my feet for no reason at all. While I was bleeding they put a hood over my face. **I faded away, I think I passed out.**” - Anonymous Detained Individual

**2023**

“**There’s racism** in there, too... Whenever you go down the hall, go into the courtroom, you can feel it.” - Alejandro

“I was **pepper sprayed and dragged out of my cell**. I was put in a restraint chair and they brought me over to the hole... This is all because I’m refusing to be removed when I shouldn’t be. I explained all of this to them and they still decided they were gonna spray me for refusing to be removed.” - “M”<sup>125</sup>

The person who helps with phone numbers is **racist**. She covers her nose when she walks by, and treats everyone poorly.

*Andres*

Detainees interviewed during the stakeholder visit complained repeatedly about Plymouth staff. In particular, many detainees complained of discriminatory and racist treatment by Plymouth employees. Detainees reported that multiple correctional officers at Plymouth had refused to speak to them in Spanish, or had refused to secure an interpreter for them. Other detainees reported that staff members refused to help non-English speaking detainees, and threw paper at detained men who spoke Spanish. Detainees also complained that the Plymouth social worker yelled at them and belittled them because they were immigrants. Many detainees expressed that correctional officers and Plymouth staff had racial preferences and treated Black and darker-skinned detainees much worse than white-appearing or lighter skinned detainees. Similarly, detainees who spoke English reported receiving better treatment than those who did not.

Detainees also reported several instances of name calling by Plymouth staff. One detainee reported being called “mother fucker” multiple times by a correctional officer at Plymouth. Another detainee, who had sustained a broken nose, reported that he was referred to repeatedly as “dog face” by Plymouth staff.

Detainees also reported concerning behavior in the shared bathroom area, where toilets and showers are located. Detainees reported a correctional officer urinating all over the shared bathroom and blaming detainees for the mess. Multiple detainees reported that a correctional officer often “pulled away the curtain while detainees used the toilet”. Detainees reported that they believe this was done “to harass them.”

This concerning behavior by staff and employees at Plymouth is not new. In September 2022, CRCL noted that, “[Plymouth] should improve investigation of detainee allegations of staff verbal abuse and derogatory, discriminatory comments and ensure progressive discipline and corrective training is provided to instances of staff mistreatment of detainees.”<sup>126</sup>

Some of the guards are good people. Others swear at us, or are racist, and give us nasty looks with hate on their faces. **Some of them complain, ‘I’m stuck here with this shit’ – ‘shit’ meaning us, immigrants.** They say, ‘report me, so I can get out of here.’ I understand that we all have problems. And I don’t know if some of them have had bad experiences with Latinos outside. **But they shouldn’t bring that in here with them.**

*Emiliano*



There are guards that are **racist** - for nothing, **they'll threaten you**. They make fun of us for not speaking English and they **treat us all the same – badly**.

*Jesus*

They walk around **yelling** at people... Sometimes they **keep us locked in** extra – ten or fifteen minutes – **as punishment for taking too long**. There are guards with a good heart, but some are very bitter.

**It's much worse for people who don't speak English.**

*James*

One of the COs curses, screams, and **disrespects us...** another is **very abusive** and **ignores fights** [between detained people], which only lets them get worse.

*Naadir*

The officers call us **delinquents** and treat us like **criminals**. When they are coming through our cells, they throw our things on the floor like **animals**; they treat us like **trash**. **Racist treatment is the norm**.

*Diego*

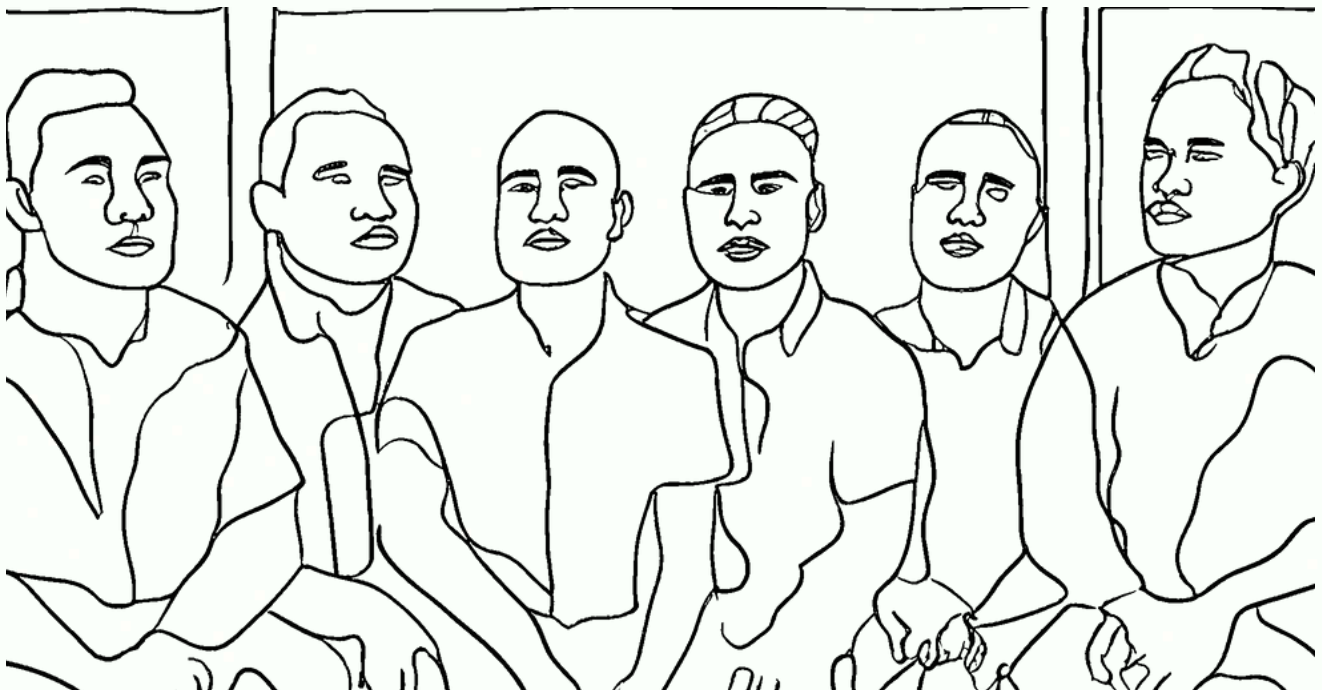
**Some treat us well, some treat us bad.**

*Jean*

The majority of COs are white. The **white COs will make fun of non-white COs**. The non-white COs will sometimes vouch for detainees, but can't say too much without being accused of favoritism.

*Carlos*

*Robenson*



# FOOD

---

## National Detention Standard 4.1 - Food Service:

“The facility shall provide detainees with nutritious, attractively presented meals, prepared and served in a sanitary and hygienic food service operation.”<sup>127</sup>

“The [food service administrator (“FSA”)] shall base menu selections on a nutritional program meeting or exceeding minimum U.S. recommended daily allowances. The FSA shall consider the ethnic and religious diversity of the facility’s detainee population when developing menu cycles.”<sup>128</sup>

“Sanitary guidelines are observed, with hot foods maintained at a temperature of at least 135 degrees F and foods that require refrigeration maintained at 41 degrees F or below.”<sup>129</sup>

“Detainees with certain conditions—chronic or temporary; medical, dental, and/or psychological— shall be prescribed special (therapeutic) diets, supplemental meals, or snacks as appropriate by authorized medical staff.”<sup>130</sup>

**2009**

“ODO interviewed 15 ICE detainees at PCCF... Six of the detainees were not satisfied with the food service at the facility. Specifically, **the detainees complained the food tasted bad, small portions were served, and food temperatures were not always adequate.**” -2009 ODO Quality Assurance Review

**2015**

“Three detainees alleged... **the portions are too small.**” -2015 ODO Compliance Inspection

**2018**

“Several detainees complained that they did not like the food and the menu selection.”  
-2018 Nakamoto Group Inspection

“Several detainees stated that **the meal servings were too small.**” -2018 Nakamoto Group Inspection

**2019**

“Several detainees complained that they did not like the food and that potatoes were served too often.” -2019 Nakamoto Group Inspection

**2021**

“The food is served in **extremely small portions. It is not enough.** The food is cold when it gets to me every day. Breakfast is only sweet things and **I worry about the long term health problems.**” - “L”<sup>131</sup>

“Mr. [redacted] alleged that the facility **doesn’t have hot water** with which to cook food.” -2022 CRCL Complaints Memo

“Mr. [redacted]... alleged that the facility’s food was inadequate and **does not provide proper nutrients.**” -2022 CRCL Complaints Memo

“Mr. [redacted] made several allegations concerning the conditions of detention at PCCF, including... [that] **detainees are served spoiled food...** [and] are not accommodated with requested religious meals.” -2022 CRCL Complaints Memo

**2022**

“You don’t feed the dogs some of this stuff that they feed us.” -William

“The breakfast **has got mold** on it. They gave us old salad, the salad is old, like literally you can smell it. **It stinks.**” -Samuel

“The food isn’t good... My family is not socioeconomically well off, they don’t have the money to send me for my canteen. And so **I’ve become very thin here,** because I don’t eat the food... it’s harmful for me and for many people here. I’m sorry to say this, but **if I eat the food here I have to sit on the toilet afterwards.**” -Antonio

“A lot of these guys, they don’t even try to buy a soup, because a soup costs a dollar... One soup. You know, they’re trying to save their money so they can take it back to their country...

**They’ve got to go hungry** and eat the three plates that they give them here, all processed food where it’s just fucking up our stomach, ‘cause that’s all they give us every single day. This – **it’s like, this is all built for so they can break us and we can sign [our deportation] faster.**” -Gonzalo

The food is very bad. So, so bad. So many raw potatoes. The rice is hard and inedible. It's not sufficient calories. **Never in six months of being here have I been fed enough calories.** Never once in six months have I had eggs or chicken. Just bread, bread and more bread. If we do get meat, it's **like dog food.** Some people have resources to buy additional food at the commissary, but I don't have those kinds of resources. **There are days that I can't eat and I eat nothing.**

*Jesus*

Concerns about adequate nutrition are long standing at Plymouth. In 2008, the ACLU raised concerns about inadequate food and water, and Plymouth's failure to accommodate those needing special religious/dietary meals.<sup>132</sup> These concerns were also previously raised in January 2022 by Senators Markey and Warren.<sup>133</sup> Despite a long and documented history of concerns about food and water at Plymouth, complaints persist regarding the quality and sufficiency of the food provided, as well as reliable access to hot water. Reliable access to hot water in the unit is critical so that those detainees with the financial means to do so can supplement their diets with dry soup from the canteen.

Despite these standards and assurances, of the sixty detained people interviewed, one third of them (or 21), raised significant concerns about their food, nutrition and diet. Detainees reported insufficient hot water, insufficient caloric intake, undercooked food and rotten milk. Eight detainees reported often feeling hungry, even immediately after a meal. A diabetic detainee requiring a special diet was instructed that he needed to "purchase" necessary supplemental food at the canteen.

One day, when they gave us **raw potatoes**, our whole unit went on **hunger strike.** It got better for a few days after that, but now **it's back how it was before.** The rice– not just the rice, all the food– comes **undercooked.** The bread is just dough.

Where I was [detained] before, there was a unit where [the guys] wrecked all the beds. That's when the food got better.

*Carlos*

The food is not well cooked. **Raw rice, raw potatoes.** Rice, potatoes, and beans are what they give me as a vegetarian. They give us a lot of bread. **Almost everything is grains and starches.**

*Emiliano*

The halal meals are too small. I get kosher meals instead, but **it's still not enough.**

*Naadir*

**They don't feed us enough** so we have to buy food [from the commissary] but then **the guards throw out the food if you keep it in your cell.** What are we supposed to do?

*Diego*

The halal meals are **too small**, so I get kosher.

*Robenson*

Canteen here is **double the price of where I was detained before.** Some people who don't have enough money to purchase food from the canteen will try to **hold onto extra bread** from the meals. But the captain comes around with a bag and **makes them throw it away.**

*Carlos*

**They give us better food when they know there will be an inspection.**

*Emiliano*

**We only use hot water for drinking,** we just have to let it cool down. **It's the only clean water that we can drink.**

*Jesus*

I have **intolerance to certain foods.** Once, when I realized they sent me the regular meal, I went up to the supervisor and **told him that I hadn't received my therapeutic diet.** He said, 'what do you want me to do, order you carne asada?' and **the others laughed.**

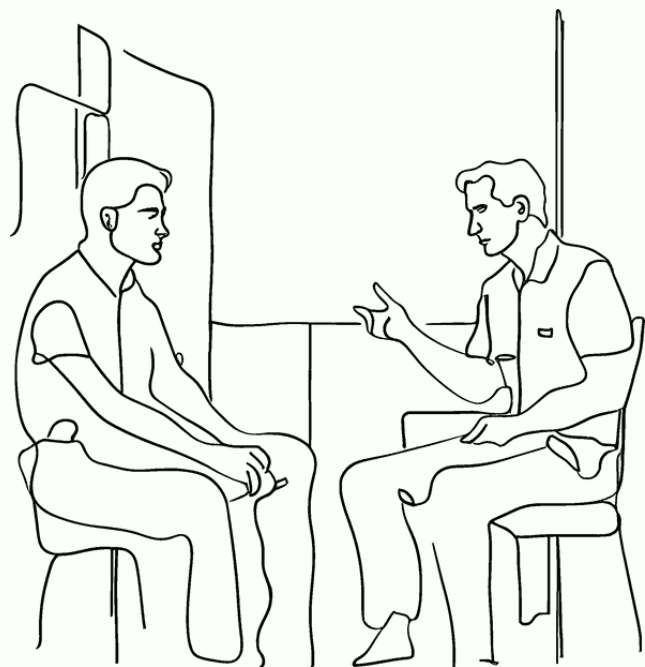
*Carlos*

**The food is not good.  
It's not healthy.**

*Andres*

The sink **water isn't clean,** and there isn't enough hot water for everyone. There's been **three fights over hot water alone.**

*Naadir*



# ENVIRONMENTAL CONDITIONS

## TEMPERATURE AND CLIMATE

---

### **National Detention Standard 1.1 - Environmental Health and Safety:**

“The facility shall ensure appropriate temperatures, air and water quality, ventilation, lighting, noise levels, and detainee living space, in accordance with any applicable state and local jail/prison standards.”<sup>134</sup>

### **National Detention Standard 4.4 - Personal Hygiene:**

“At no cost to the detainee, all new detainees shall be issued clean, indoor/outdoor, temperature-appropriate, presentable clothing during in-processing... Additional clothing shall be issued as necessary for changing weather conditions or as seasonally appropriate.”<sup>135</sup>

**2003**

“[One detainee] stated that **cells are too cold**, and he made himself a hat from the sleeve of his tee-shirt to keep his head warm [but] the authorities confiscated it as contraband.”

-2003 ABA Delegation

**2021**

“i know that somewhere in the CMRs it states that the temperature in the cells should be somewhere in the 65 degrees F range and it is definitely lower than that. **there is no reason why the heat should not be on** especially when the evening temp is starting to dip into the 30 degree range.” -November 2021 grievance

“increase the heat to a proper setting with in regulations. **you’re own cos are wearing winter hats and coats on the unit.**” - December 2021 grievance

“The cold is getting very bad. There are **no clothes for the cold**. I’ve covered the vent, but **it’s still very, very cold**. I’m afraid that this will not improve as the weather outside gets colder. Right now, the only way to warm up is exercise.”

- “L”<sup>136</sup>

## 2022

“i had to wear socks on my hands just to write this cause its so fucking cold.”

- February 2022 grievance<sup>137</sup>

“its winter and its etremely cold. i have gotten sick from these conditions because of the heat not being turned on. Its **uncomfortable and inhuman**. It was so cold lastnight **I could not even sleep.**” -November 2022 grievance

“the heating or ventilation system is [n]ot working at all **we have asked to have the heat turned on numerous times** and it has not been turned on **the whole cell block is ice cold** and this is an issue that needs to be addressed ASAP we’ve spoken with the area Lts and they keep saying its already on but the vents are completely off”  
-November 2022 grievance

“[D]etainees stated that **PCCF does not issue jackets, sweatshirts or sweatpants, or any other type of cold weather clothing.** Detainees stated that **to get a sweater, they must purchase one from the commissary.**” -2022 CRCL Expert Recommendations

## 2023

“these cells are really col **its unbearable** we can’t sleep at night and we have to mention it to multible LT’S please **we need the heat turned up**, its so cold its been five days we been complaining.” -January 2023 grievance

“whats going on with the heat **its pretty much winter and the jail got the ac blowing** this is **cruel and inhumane** and is a **torture tactic** we been asking for the heat for weeks... **the COs agree with us and are coming in with windbreaker coats and jackets.**” -November 2023 grievance

## 2024

“g sw is sooo cold, **pleas turn [u]p the heat this is punishmet.**” - January 2024 grievance

“**they won’t give me anothere blanket** or move me to a different cell, cuz I’m on me[n]tal health watch... **yall got the cold air on, like come [on] it’s cold as fuck outside** and its winter time.” -January 2024 grievance

“IT IS TOO COLD ESPECIALLY AT NIGHT. PLEASE ASK MAINTENANCE TO KINDLY RAISE THE ROOM TEMPERATURE.” -  
January 2024 grievance

**You're only allowed one blanket. If you have more than one, they take it away. You have to pay for a long sleeved shirt or sweater.**

*Antonio*

Our stakeholder visit took place in January of 2024, when average daily temperatures in Plymouth, MA were 34 degrees Fahrenheit.<sup>138</sup> Despite this, seventeen of the sixty men interviewed reported cold to freezing temperatures inside their cells.

Detainees reported that air conditioning appeared to be on within their cells, and that cold drafts often entered their cells. Detainees are not provided with anything to cover their cell windows and detainees reported that cold air seeped in, especially at night. One detainee reported using newspaper and a soap bar to try to cover holes in the window, but was ordered to remove this in advance of the group's visit.

Detainees are provided only one sheet for their beds, which they reported did not keep them warm. Detainees are also provided with a short sleeve shirt and pants, which they also reported was insufficient to keep them warm. They reported that warmer clothes (for example, a sweatshirt, long sleeve shirt, hat or sweatpants), must be purchased at the canteen. Some detainees interviewed were wrapping towels and t-shirts around their heads to stay warm but were reprimanded by Plymouth staff for doing so. Multiple detainees interviewed reported that they had become sick from the cold temperatures.

The 2022 CRCL report noted that detainees at Plymouth were not provided with suitable clothing for cold weather. CRCL recommended that, "Plymouth should comply with NDS 2019, 4.4 Personal Hygiene... and issue climatically suitable, outdoor, temperature-appropriate clothing such as sweat suits and jackets or coats to detainees."<sup>139</sup> Moreover, both the NDS 2019 and the memorandum note that such clothing should be issued *at no cost to the detainee*.<sup>140</sup> Despite this, Plymouth continues to deprive detained people of warm clothing.

Cold cells have reportedly been used as punishment at Plymouth as far back as 2008, at which time detainees at Plymouth complained of a "cold room" where temperatures were freezing and detainees were denied blankets.<sup>141</sup> Individuals placed in disciplinary segregation often have their canteen access suspended as punishment, making it impossible for those subject to cold conditions in solitary confinement to purchase warm clothing if they have not already done so.

**It was extremely cold in the winter. I had to make hot water bottles and sleep with them under my sheets.**

*Emiliano*



**The air conditioning is too cold. It makes people sick.**

*Carlos*

The **winters are very cold**. The heat only comes on in the middle of the night.

*Robenson*

There is **always cold air blowing** into our cells - but you can't have **more than one blanket**.

*Diego*

There was **never heat during the winter** time, just cold air blowing in.

*Jesus*

They turn up the heat **when there are visitors**.

*Angel*

**It's cold as fuck in the cells.**

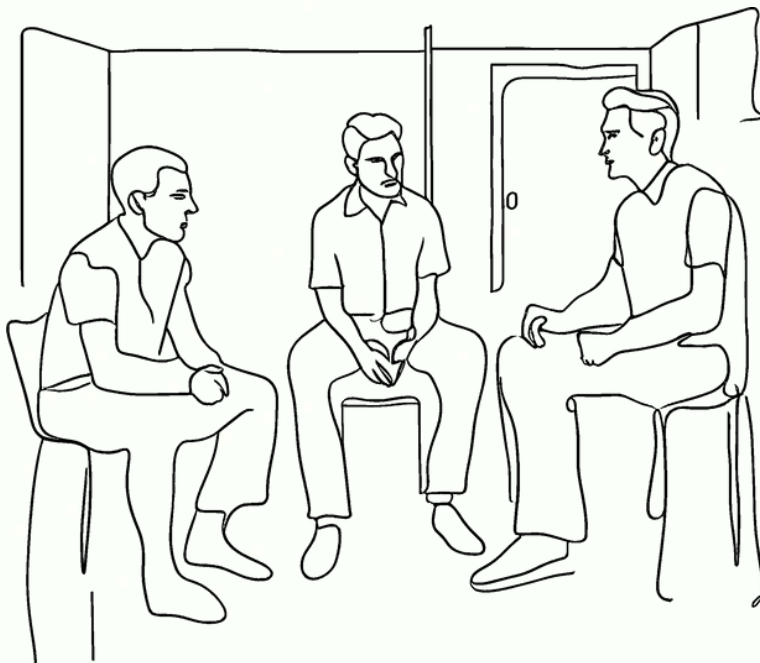
*Davi*

Sometimes **people try to block the cold air** by putting a towel in the window, but **when the guards see, they tear it down**.

*Carlos*

**In the winter, they turn on the air conditioning** in the rooms. Now [during the summer], I don't know if they do, because the common areas are cool, but the cells are hot. **It's like they turn the air conditioning on when it is cold, and turn it off when it is hot.**

*Carlos*



There's no heat. **It's freezing in the cells.**  
We have to cover where the air comes in. We used soap and toilet paper. **But they removed that all yesterday, because you were coming.**

*Santiago*

# SANITATION

---

## **National Detention Standard 1.1 - Environmental Health and Safety:**

“This detention standard protects detainees, staff, volunteers, and contractors from injury and illness by maintaining high facility standards of cleanliness and sanitation, safe work practices, and control of hazardous substances and equipment.”<sup>142</sup>

“Facility cleanliness and sanitation shall be maintained. All surfaces, fixtures, and equipment shall be kept clean and in good repair. Suitable and sufficient cleaning equipment and supplies shall be available throughout the facility.”<sup>143</sup>

## **National Detention Standard 5.6 – Voluntary Work Program:**

“Where allowed by the facility, detainees may participate in a work program to earn money. While working, detainees shall have basic Occupational Safety and Health Administration (OSHA) protections.”<sup>144</sup>

“Detainees shall receive monetary compensation of not less than \$1.00 per day for work completed in accordance with the facility’s standard policy.”<sup>145</sup>

**2008**

“[T]he water has a **rusty** and **dirty** smell.” -2008 ACLU Report

“Two detainees at Plymouth told us that a **jail prepares for inspections by making prisoners clean and paint areas**, and that when inspectors visit, the kitchen uses disposable trays instead of the plastic ones regularly used.” -2008 ACLU Report

**2011**

“One detainee **complained about the ventilation** in his cell” -2011 ERO Inspection

## 2021

“The workers here **aren’t getting paid**. The only credit they get is a little time outside their rooms. Clothes do not come back from the laundry clean. They come back smelling very bad, so I’ve resorted to washing my own clothes, but **worry about those who are not able to do so**” - “L”<sup>146</sup>

“Mr. [redacted] made several allegations concerning the conditions of detention at PCCF, including [that] the facility is **unsanitary and unsafe**.” -2022 CRCL Complaints Memo

## 2022

“this place is **infested with rats**... everywhere i turn i see rats yuck.” -January 2022 grievance

“The ventilation, you know, hot air is being forced out of these vents that are, packed with dust. That dries up the room. And then in the morning, **I’ve been waking up with my nose bleeding**.” -Henry

“The metal beds have **rust**, the sheets get **rust**, the mattress[es] are paper thin. The lamps have **rust**, and sometimes if you are lucky you find **black mold**. It is our job to clean the cells, which is not a problem, but we cannot clean rust. The showers... you will find **yellow bacteria** building up and climbing up the walls as well as **black mold** around the trim of the ventilations”<sup>147</sup>

They paid people when I was detained in Texas, **but here?** A worker only has the right to be out of their cell a little longer than the rest of us. Occasionally an extra plate of food. **Usually nothing**. Even so, [the guards] walk around correcting [their work], ordering them to do things.

*Carlos*

**They do not pay us. We mop, sweep, pass out mail, wipe off the tables, twice a day, for no pay. They say to be grateful for more out of cell time. That's their form of payment.**

*Robenson*

Beginning in at least 2008, cleanliness and hygiene were reported problems at Plymouth.<sup>148</sup> A 2020 Massachusetts Department of Public Health Inspections report noted blocked and/or dusty vents, dirty showers, dirty walls, dirty and damaged ceiling tiles, and leaky plumbing in ICE units.<sup>149</sup> CRCL, in their 2022 Expert Recommendation Memorandum, similarly noted that, “[s]everal detainees reported that the shower and bathroom areas are dirty or filthy.”<sup>150</sup> CRCL advised that “[Plymouth] should ensure that preventive maintenance inspections and shower cleanings are completed on a regular basis.”<sup>151</sup>

**Everyone cleans their own cell, but some guys do cleaning in the unit. It's the rule, when we finish eating, we don't clean up after ourselves, we just get sent to our cells. And then the workers clean the tables.**

*Carlos*

Notably, DPH, CRCL, and the NDS have been silent on *who* is responsible for maintaining “cleanliness and sanitation.” Although detainees are in charge of keeping their own cells clean, a small subset of detained “workers” are additionally tasked with cleaning tables, bathrooms, and floors, serving food, and distributing clean laundry. Despite multiple federal oversight agency inspections claiming that there is no voluntary work program at Plymouth, and that detainees do not work, the use of detained labor to maintain the ICE units has been a documented practice at Plymouth since at least 2003.<sup>152</sup> Detained people perform this “work” without pay— instead, they have been told their compensation is the time they get to spend outside of their cells while cleaning. Rarely, they may receive an extra plate of food. When an impending inspection is announced to the unit, it is the detained workers who are tasked with extra cleaning and ordered to make cosmetic repairs to the walls and flooring in advance of outside visitors.

**I'm a worker - I'm responsible for keeping this place clean. I try to keep it really clean, because I have to live here. But the officers will do things on purpose to dirty it - like peeing on the floor.**

*Diego*

# OVERCROWDING

---

## **National Detention Standard 1.1 – Environmental Health and Safety:**

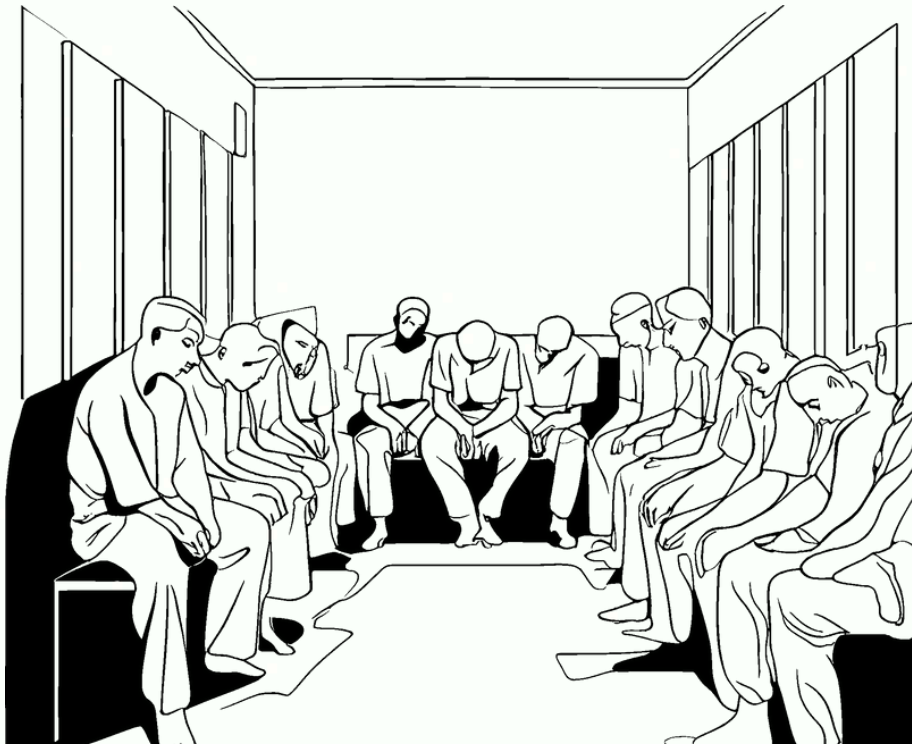
“The facility shall ensure appropriate temperatures, air and water quality, ventilation, lighting, noise levels, and detainee living space, in accordance with any applicable state and local jail/prison standards.”<sup>153</sup>

**I think the whole floor will soon be ICE. Everyday, 3-6 new people are coming in. The COs joke all the time, that **immigration [detention] is where the money is at...** hopefully they do not open up another unit.**

*Robenson*

**There’s not enough space.**

*Carlos*



A 2017 Commission on Accreditation for Corrections (CAC) inspection of Plymouth noted that the jail failed to provide multiple-occupancy spaces and cells with 25 square feet or more of unencumbered space per person.<sup>154</sup> Nonetheless, inspectors waived this standard, stating that they “fe[lt] that programming and facility schedules ensure that these units do not adversely affect the quality of life.”<sup>155</sup> As of December 2022, only one in five incarcerated people in Massachusetts had access to programming.<sup>156</sup> ICE detainees, a significant percentage of the people incarcerated at Plymouth, have no access to programming whatsoever.<sup>157</sup>

A May 2020 letter to Plymouth’s superintendent from an Environmental Health Inspector with the Massachusetts Department of Public Health (DPH) Community Sanitation Program (CSP) stated, “In regards to the issue of overcrowding, the CSP appreciates the limitations of correctional facilities and the need to accommodate the ever-increasing population; however, we remain concerned with the overcrowded conditions.”<sup>158</sup>

CRCL’s 2022 recommendations likewise noted Plymouth’s failure to comply with local public health regulations with regard to overcrowding, and urged the jail to “immediately assess, evaluate, and if necessary, adjust the number of detainees housed in each unit and any cells within the unit to comply with the applicable standards for square feet per occupant.”<sup>159</sup> It is worth noting that a typical cell in Plymouth is shared by two people, and has historically held up to five; there is very limited space to sit or move around inside the cells.<sup>160</sup> In a February 2024 inspection, DPH once again observed inadequate floor space and double-bunked cells across ICE and non-ICE units at Plymouth.<sup>161</sup>

In April 2024, against CRCL’s recommendation and despite multiple consecutive years of Massachusetts DPH inspections noting unresolved concerns about overcrowding, Plymouth opened an additional ICE unit, Unit E-3. In doing so, the jail increased its detention capacity from 263 to 402 individuals—close to one-third of the total beds in the largest correctional facility in the state.<sup>162</sup>

**I am afraid they will open another unit. There are more and more people coming in. It is getting very crowded.**

*Naadir*

# MEDICAL AND MENTAL HEALTH CARE

## MEDICAL CARE

---

### National Detention Standard 4.3 - Medical Care:

“Every facility shall directly or contractually provide its detainee population with the following:

1. Initial medical, mental health and dental screening;
2. Medically necessary and appropriate medical, dental and mental health care and pharmaceutical services at no cost to the detainee;
3. Comprehensive, routine and preventive health care, as medically indicated;
4. Emergency care;
5. Specialty health care;
6. Timely responses to medical complaints;
7. Hospitalization as needed within the local community; and
8. Staff or professional language services necessary to allow for meaningful access for detainees with limited English proficiency (LEP), and effective communication for detainees with disabilities, during any medical or mental health appointment, sick call, treatment, or consultation.”<sup>163</sup>

“The facility shall have procedures to ensure that all request slips are received and triaged by the medical staff within 24 hours of receipt of the request.”<sup>164</sup>

**2003**

“One detainee was **still waiting after requesting to see a doctor approximately four months earlier.**” -2003 ABA Delegation

“[O]ne detainee noted that if he has a headache at 5 p.m. and requests aspirin, **he will not receive the aspirin until the next day.**” -2003 ABA Delegation

**2008**

“Immigrants detained at Plymouth... **reported waiting several weeks** between the time they asked to see a doctor and the time they were called by the medical staff.” -2008 ACLU Report

**They respond quicker for a maintenance repair call** than for an inmate who writes a sick call.” -2008 ACLU Report

“I came in here brand new and **I’m going to leave like I’m a hundred years old.**” -2008 ACLU Report

“There are no doctors.” -2008 ACLU Report

“**They’ve ruined me.** What am I going to do when I get out? **How will I support my family?**” -2008 ACLU Report

**2015**

“One detainee alleged he submitted a sick call request regarding a wound on his arm and **never received medical care.** [Another] alleged medical services **stopped giving him medication** for hypertension.” -2015 ODO Compliance Inspection

**2018**

“One detainee claimed that he was **not receiving medical care.**” -2018 Nakamoto Group Inspection

**2019**

“One detainee claimed that he needed glasses... Two detainees complained that their **sick call requests were not being responded to...** One detainee complained that he could not get an ace bandage for his leg... [Another] stated that he had multiple problems and **needed to see the medical staff.**” -2019 Nakamoto Group Inspection



## 2021

“Mr. [redacted]... stated that ‘staff (including medical) do not consistently wear masks’ and **‘officers continuously make comments that COVID-19 is fake/a hoax.’**”-2022 CRCL Complaints Memo

“Mr. [redacted] alleged that he had received **inadequate medical care** for asthma, diabetes, high cholesterol, and high blood pressure at the facility.” -2022 CRCL Complaints Memo

“Mr. [redacted] made several allegations concerning the conditions of detention at PCCF, including... [that] **it takes the medical unit two weeks to process requests for medical attention.**”  
-2022 CRCL Complaints Memo

“Mr. [redacted]... **expressed fear** that the retina in his right eye was detaching, which he stated was **the cause of his blindness in his left eye** and **emphasized that time was of the essence in diagnosing and treating his right eye.** Mr. [redacted] further stated that doctors at the prison where he was incarcerated prior to his ICE detention were ‘monitoring his right eye since they suspected it would have the same issues as the left eye.’” -2022 CRCL Complaints Memo

## 2022

“One time I requested to be taken to the hospital to get [my knee] checked out. And they took me... but **these people treated me like I was the biggest criminal the U.S. had ever seen. They shackled my feet, shackled my hands, they me.** I’m just a detainee, simply. And so this problem with the knee? I still have it. But **I am too afraid to go outside to the hospital** because I don’t want to continue being treated in this way, like a dog basically... **[I]t’s been an incredibly painful process, to go to the hospital, to deal with this one medical issue.**” -Antonio

“Since I arrived, I’ve put in requests because I have a fracture in my foot. I sent a request for them to do some tests and check me. **Six months later, they have never given me any results.** I just put in another request, put in another request... They say okay, they’re going to give me 3, 4 pills in the morning, 3, 4 pills in the afternoon for the pain. **That’s all they’re doing, giving drugs.**” -Mateo

“Around October of this year, I fell in the yard here and I fractured my right hand... **To this day, I have not received any therapy....** Really what they do is give me Tylenol. Tylenol, Tylenol, Tylenol. That’s the only thing.” -Miguel

“**Even if you put in a medical slip,** if you don’t wake up in the morning, tell the nurse or something that you put a slip in, they won’t even take it. **They’ll take it and throw it in the trash.**”  
-Samuel

“Things have gotten ridiculous with lack of treatment. **It’s obvious that they are retaliating because of complaining...** I don’t trust my medical treatment”<sup>165</sup>

“Detainees reported to CRCL during interviews that **they often miss the morning medication pass** because they are **usually still sleeping** at that time.” -2022 CRCL Expert Recommendations

2023

“They sometimes take **weeks to answer one sick call**, even if you write as an emergency.” -  
Alejandro

“My **face was covered in the pepper spray**. It burned. I couldn’t see... I asked for something to wash my face off. **I was denied**. I asked for my asthma pump. **I was denied my asthma pump**. I never received anything to properly clean the solution off. I tried cleaning it with water, it did not work. Both my shoulders hurt, my left knee is swollen, and my right ankle hurts. I’m still having to cough from the solution, and I have a humongous headache. **I haven’t seen anyone from medical**. No one came to ask me how I’m doing.” - “M”<sup>166</sup>

I have **abscesses all over my belly and my neck** because of the water here. I’ve had to **wait weeks** for medical attention. **People are going to die** if things continue the way they are. There’s a Dominican man here with a blood coagulation illness. He is **yellow because he’s so sick**. They have to help him or he will die; **but they won’t**.

*Diego*

I submitted a request for medicine, **but I never heard back**.

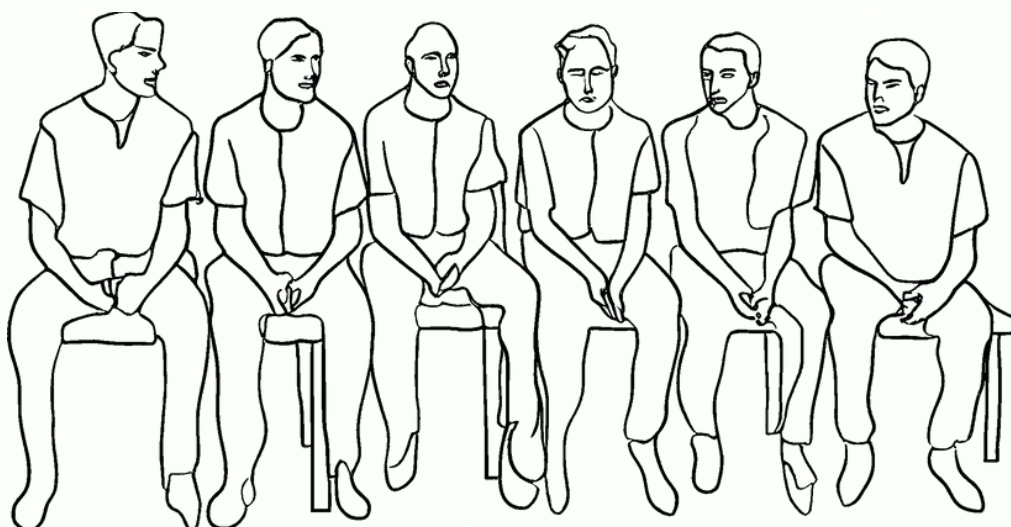
*Andres*

One time, I put in a slip but **didn't wake up in time** [for sick call], and she **put the slip in the trash**.

*Robenson*

I got better medical care while I was in **federal custody**.

*James*



The nurses sometimes don’t want to talk to you if **you don’t speak English**.

*Emiliano*

They don’t close the door during medical visits, so **I don’t feel like I can speak freely**.

*Naadir*

**People submit a request for medical, and they say, ‘oh, we haven’t checked for it yet, we’ll check.’ So then [that person] ha[s] to submit it again. But sometimes people send requests multiple days in a row, daily, because they are in pain, and the nurse gets angry. She’ll say, ‘this is the same person who requested [care] yesterday,’ shake her head, and hand the paper to the guard to rip up.**

*Carlos*

Complaints regarding medical care, dental care and mental health care are pervasive at Plymouth.

Of the sixty men interviewed, sixteen expressed concerns regarding access to medical care. Significantly, most of the sixteen complained of delayed responses or a total lack of response from Plymouth staff when they had medical needs. One detainee mentioned they formally requested medical care over one month prior and had not received adequate care. As one detainee said, “many of us fill out requests for medicine and never receive it or receive it when it is too late.” In another interview, a detainee reported that he had requested medical services more than 10 times, before he was finally provided with an appointment with a doctor. He said the doctor asked very few questions and did not prescribe any medication to alleviate his symptoms. Another detainee explained that, right before Christmas, he had fallen off the top bunk bed in his cell, badly injuring himself. He reported that Plymouth staff told him he had to wait for the holidays to pass before he could see a doctor. The NDS state that all facilities shall provide, “[t]imely responses to medical complaints.”<sup>167</sup>

Similar concerns were raised by Senators Markey and Warren in their January 2022 letter to DHS/ICE.<sup>168</sup> And, in the 2022 CRCL Expert Recommendation Memo, CRCL recommended significant changes to Plymouth’s medical care. CRCL noted that detainees were not being sent to specialty care providers as they should be, that providers’ orders were not consistently carried out by Plymouth staff, documentation is inconsistent, medication is often missed and there is an inadequate sick call policy. In response, CRCL recommended timely referral to specialists; that providers orders should be timely carried out; that Plymouth providers should perform a comprehensive assessment based on detainees’ complaints and medical history and document their assessments and plan of care; detainees referred to the provider should be evaluated timely by the provider based on the medical urgency and, among other recommendations, that all Plymouth sick call requests should be triaged by a nurse and addressed in a timely manner based on the level of urgency and per their sick call procedure.<sup>169</sup> Despite these thorough recommendations, significant problems related to medical care persist at Plymouth.

**All the forms, including to request medical, are only available in English. I asked to see medical about pain in my throat, and still had no response after 3 weeks.**

*Manuel*

Even though there are non-white people working in medical, **the system is still biased and racist.** The people who run it **don't have patience for new guys and non-English speakers.** They often get frustrated when detainees don't hear or don't understand when their name is called. **They rush people through medical appointments** and try to have them done in 10-15 minutes.

*Robenson*

If you're sick and you want to see the nurse, you have to fill out a slip. But **by the time you get the medicine, you no longer need it,** you're not even sick anymore.

They are **not giving me adequate care** for my arthritis. I was getting Meloxicam in El Paso.

*Juan*

*Carlos*

I have **submitted three or four slips** about my skin condition, but they just tell me to use the lotion on the canteen list.

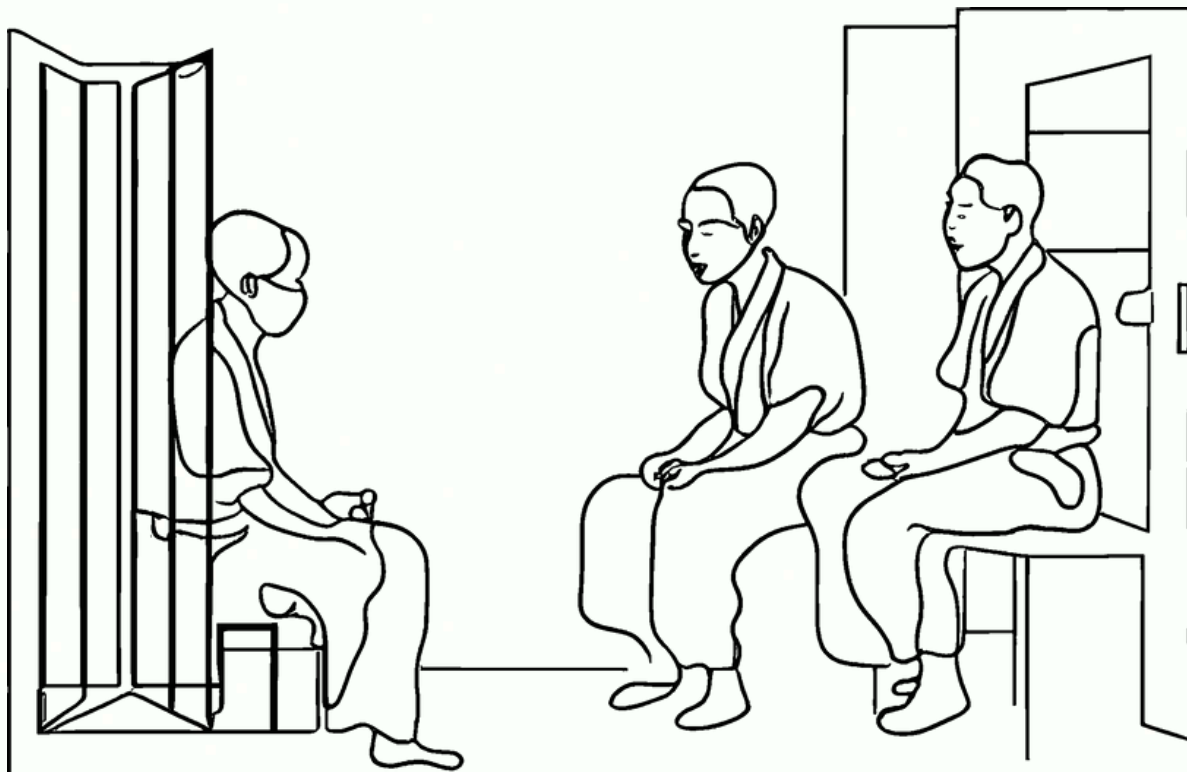
Since I came here, I have asked to see an optometrist. **I have been here since November. They just saw me last week.**

I didn't ask for medicine the two times I was sick, because I didn't want the pills they give. A lot of people were sick, but **no one wanted to go to the doctor because the pills don't help.**

*Emiliano*

*Robenson*

*Angel*



If you have a headache, you have to submit a form to get medicine, but **it takes two days just for someone to come see you.** My friend had the flu, and it took three days.

*Luis*

I need eye drops, but **I haven't seen the doctor.** I don't really understand the process.

*Daniel*

I was denied care because I refused to take the blood pressure medication, **out of fear it would interact with my psych medications.**

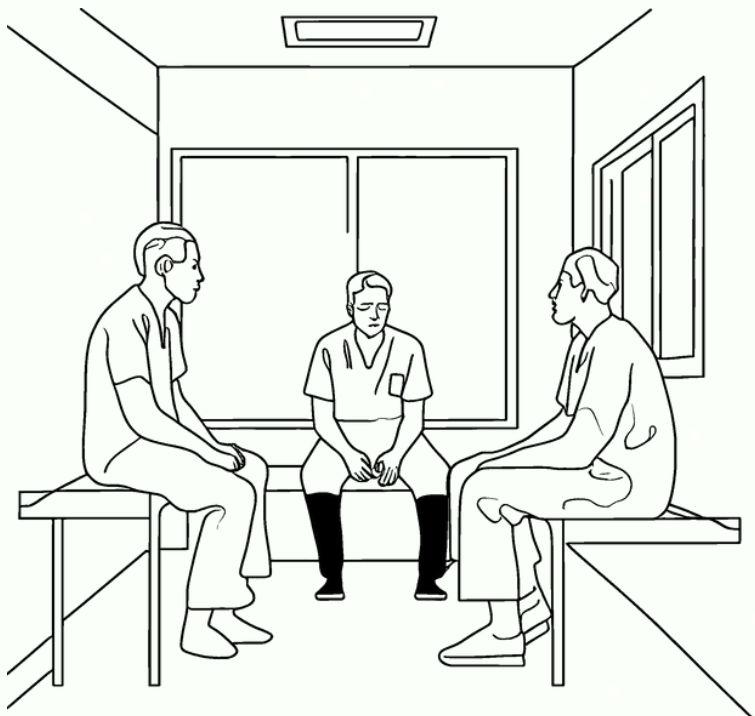
*Naadir*

**I fell off the top bunk, and they told me I had to wait until after the holidays for physical therapy.** I have not been able to exercise since December 20. The bone is not broken, but **the pain is high.** They said 'just send a request.' **I sent them, in Spanish and English.** I have also requested to see a dermatologist. But **they just keep giving me more ibuprofen.**

*Jesus*

It's been bad. I have a blood issue, and I had a surgery scheduled at Boston Medical Center. **I needed to get it done.** I let medical know, and they said they would find out if I did have it, but **they never helped me.** [Another time] I had a pimple that got infected. I put in 10 slips. **No one helped.**

*Jean*



# DENTAL CARE

---

## National Detention Standard 4.3 - Medical Care:

“Emergency dental treatment shall be provided for immediate relief of pain, trauma, and acute oral infection.”<sup>170</sup>

**2003**

“One detainee reported that he had to wait three months to see a dentist.”  
-2003 ABA Delegation

**2010**

“[Detainees] expressed some concerns regarding the wait for non-emergency dental care.” -2010 ODR Inspection

**2022**

“I put in for the dentist, nobody ever called me.” -Samuel

**2023**

“Let’s say you have a toothache and you’re trying to talk to the lieutenant doing the rounds. You knock on the door, he just keeps walking. You push the button and ask the CO to tell the lieutenant to come back, and they say, ‘if you keep pushing the button on the intercom, I’m gonna send you to the hole.’” -Alejandro

Six detainees reported concerns related to untimely and inadequate dental care. One detainee reported that he lost a tooth over one month ago. He put in a request to see the dentist as soon as the tooth fell out, but he reported that he has not seen a dentist despite his request. He reports that he cannot eat comfortably. Another detainee did not hear his name called when the dentist arrived, and Plymouth staff refused to give him another appointment for the rest of his stay at Plymouth. The NDS state that, “[e]mergency dental treatment shall be provided for immediate relief of pain, trauma, and acute oral infection.”<sup>171</sup>

**People have tooth problems, tooth pain, and have to wait two or three months to get their tooth pulled.**

*Carlos*



# PERSONAL HYGIENE

---

## **National Detention Standard 2.1 – Admission and Release:**

Staff shall provide detainees with articles necessary for maintaining proper hygiene. The facility will replenish all hygiene supplies as needed at no cost to the detainee.”<sup>172</sup>

## **National Detention Standard 4.4 - Personal Hygiene:**

“ICE/ERO requires that all facilities provide detainees with regular exchanges of suitable and clean clothing, linens, blankets, and towels for as long as they remain in detention.”<sup>173</sup>

There are **three [nail] clippers for over one hundred people** in the entire unit. People can only check them out from 8am-9 am on Saturdays. **Fifty people sign up for the clippers each week, but only ten people get to use them.** And then they restart the list, so people have to sign up again for the next week and don't realize it.

*Robenson*



## 2022

“**I’ve already put in two medical slips to**, to have medical cut my toenails, you know. That are very long. And they’re so long that they– you know, uh, it’s very embarrassing to say this. **But, I have to bite them off**, you know. Because we have **no nail clippers.**” - Henry

“My nails, my fingernails and my toenails– I can’t even wear socks because it’s going through the socks. **I put in for the doctor... to cut my nails and to this day, for four months now, I put that in and nobody ever got in touch with me** for nail clipping. They gave us this file stuff, but that’s not working, because the nails are too long.” -Samuel

“**I have a nail infection right now.** My nails are long. I’ve not been getting to cut it.” -Ali

“**We can’t even order soap.** And then the water that we use, the water that we use is breaking out our skin. **Everybody’s like, you know, got rashes and stuff.**” -Kymani

“We don’t have nail clippers, **we don’t have anything here.**” -Ronaldo

“I can’t afford deodorant- **they don’t give you deodorant.** I can’t afford toothpaste- **the toothpaste they give you, you can actually use as glue** on the walls. It literally will hold anything up. So it has been difficult...just to... **it drives you mentally unstable**, because you find yourself sometimes thinking... you know, I just want to be done, you know. **It zaps you.**” -William

“**There is only 1 soap issued per person per week.** They have to do everything with this: wash hands, shower, and wash dishes. **It is insufficient.**”<sup>174</sup>

“Detainees reported during interviews that they were **not able to access nail clippers** in their housing units to clip their fingernails and toenails which was **causing health issues with their feet** such as ingrown toenails, nail fungus, etc.” -2022 CRCL Expert Recommendations

“Multiple detainees reported to CRCL that they do not use the current issued bar soap issued by the facility because **it is overly drying to the skin.**” -2022 CRCL Expert Recommendations

“All the interviewed detainees stated, and the staff confirmed, that **deodorant is not issued at PCCF.**” -2022 CRCL Expert Recommendations

“Several detainees reported that **the shower and bathroom areas are dirty or filthy...**” -2022 CRCL Expert Recommendations

**They see us as less-than, and it impacts the care they give us... The simplest things, they forget. Like the list to cut your nails.**

*Emiliano*

Several detainees also reported not having access to nail clippers. This was a concern previously highlighted in the letter from Senators Warren and Markey who asked, pointedly, “How often are detainees allowed to cut their nails?”<sup>175</sup> During our stakeholder visit in January 2024, one detainee interviewed stated that he had not been able to clip his nails in 18 days; another detainee stated that he had not had access to a nail clipper for 21 days.

In their 2022 Expert Recommendation Memorandum, CRCL also noted a pervasive problem with nail clipper access. In the memo, CRCL advised that, “Plymouth should establish a check-out or other system that allows detainees reasonable access to nail clippers and provide Barbicide or a comparable disinfectant to clean the nail clippers between uses.”<sup>176</sup> In the same memorandum, CRCL noted, “UPDATE: During the May 5-6, 2022 spot check Plymouth was planning on implementing a new nail clipper policy that would allow detainees to utilize nail clippers in the housing unit on a check out basis.”<sup>177</sup> Despite these assurances in May 2022, it appears that reliable access to nail clippers remained elusive as of January 2024.

**There's no soap in the canteen, so they make us use their soap. It is killing my skin.**

*Robenson*

**The access to nail clippers is not frequent enough. It has been 18 days since I was called to use them.**

*Mojtab*

**I haven't been able to cut my fingernails.**

*Daniel*

**I've gone 21 days without nail clippers.**

*Lorenzo*



# MENTAL HEALTH CARE

---

## **National Detention Standard 2.9 – Special Management Units:**

“Detainees with a serious mental illness (SMI), as defined in Standard 4.3 “Medical Care,” should not be automatically placed in an SMU on the basis of such mental illness. Every effort shall be made to place detainees with an SMI in a setting in or outside of the facility in which appropriate treatment can be provided, rather than an SMU.”<sup>178</sup>

## **National Detention Standard 4.5 – Significant Self-Harm and Suicide Prevention and Intervention:**

“Deprivations and restrictions placed on suicidal detainees must be kept at a minimum. Suicidal detainees may be discouraged from expressing their intentions if the consequences of reporting those intentions result in punitive treatment. Placing suicidal detainees in conditions of confinement that are worse than those experienced by detainees in the general population may result in the detainee not discussing his or her suicidal intentions and falsely showing an appearance of a swift recovery.”<sup>179</sup>

“A mental health provider shall assess the detainee to determine whether a suicide smock is necessary.... Under no circumstances shall detainees be held without clothing.”<sup>180</sup>

**Mental health services don't exist. They just want to make sure they are not on the news and that we don't hurt ourselves.**

*Santiago*

**2008**

“[Jorge] reports that the [suicide watch] room was **extremely cold** and that he was **made to remove all of his clothes** and **given only a paper gown to wear.**” - 2008  
ACLU report

**2017**

“Inmates are locked in ‘Q5’ alone, **naked or nearly naked**, and **without a mattress**. As an additional indignity, there is no toilet in ‘Q5.’ Instead, inmates **must defecate in a hole in the floor**. Human beings **endure these deplorable conditions for days**, **never receiving therapy**, before **they are asked if they still need help**. **Anyone who answers that they do is held there longer.**” -Marty<sup>181</sup>

**2021**

“Mr. [redacted] further claimed that he was bipolar and suffers from depression and anxiety, **conditions which have been exacerbated since his arrival at PCCF.**” -2022 CRCL Complaints Memo

**2022**

“A lot of men have issues. People start walking around, talking to themselves– **they don’t know who to talk to...** There’s dudes in here who won’t eat. It’s not like they are on hunger strike, but **they’re so stressed out it’s hard for them to eat**. It’s complicated up in here, know what I’m saying? You don’t know who to talk to. **You don’t know who to talk to.**” -Samuel

**I told them 'I can't stay, I'm gonna go crazy or kill someone if I stay here.' It was a figure of speech, but they put me on suicide watch... 11 days. No cell mattress. I slept on the floor, with one blanket, cold.**

**Suicide watch just makes the situation worse.**

*Robenson*

Of those interviewed, nine detainees raised concerns regarding mental health care. Detainees reported both inadequate and overzealous mental health “treatment.” On one hand, one detainee reported that he had requested to meet with a psychologist “over three weeks ago” and had received no response. Another detainee who was able to meet with a psychologist had that meeting ended abruptly after answering that he was neither suicidal nor homicidal. The detainee expressed that he would have liked additional care but because he answered “no” to those questions, he was sent away.

Meanwhile, other detainees reported overzealous, punitive, and counter-therapeutic responses to any perceived mental health symptoms. Multiple detainees reported that detainees who ask for mental health services are often immediately sent to solitary confinement. As a result, although many report heightened anxiety and “depression” due to the “animal-like” conditions at Plymouth, detainees are hesitant to ask for help when they need it.

Concerns about inadequate and punitive mental health services are long standing at Plymouth. In 2008, the ACLU reported that those in mental health crises were placed in disciplinary segregation and not provided timely medication as prescribed. The ACLU further reported that an isolation cell was used as a disciplinary measure, and justified as a mental health treatment protocol.<sup>182</sup>

**There's no privacy in mental health visits. I met with a social worker in the unit, and asked if we could go to a more private area, but she refused.**

*Naadir*

**I've been having a lot of trouble sleeping. I worry about losing my mind. I asked for something to help me sleep, like medication. But I did not get anything.**

*Manuel*

The psychologist is **rarely available.**

*Angel*

I've seen **people with mental issues** get sent [to solitary] after acting out.

*James*

They use suicide watch for people who answer 'yes' to questions like 'do you hear things?' But **they also use it as punishment.** Sometimes I can't sleep because I have so much running through my head. **I want to ask for medicine to help me sleep but I'm afraid they will punish me by sending me to the hole.**

*Carlos*

I've never experienced anything like this. **I'm struggling with it a lot.**

*Daniel*

It's just a room - **no bed, no clothes, no toilet.**

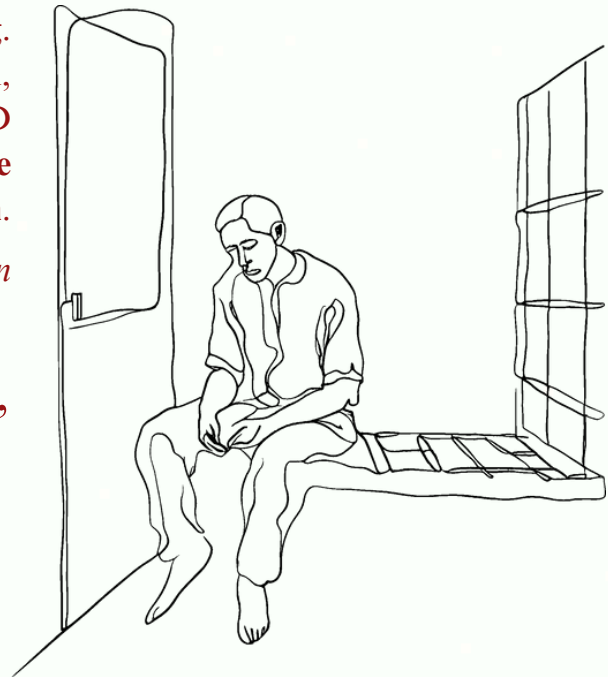
*Santiago*

The mental health care is **horrible.** There's no therapeutic or rehabilitative programming. You have to put in a slip for mental health, but **it takes days.** I told them I had PTSD and ADHD, but **they never gave me medication.**

*Robenson*

I have anxiety and depression, and **I have a hard time getting my medicine.**

*Antonio*



# A C C E S S

## P H O N E , M A I L A N D V I S I T A T I O N

---

### **National Detention Standard 5.4 - Telephone Access:**

“All detainees, including those in disciplinary segregation, shall be permitted to place calls to attorneys, other legal representatives, courts, and government offices (including the DHS Office of the Inspector General, DHS Office for Civil Rights and Civil Liberties, ICE/OPR Joint Intake Center, and embassies or consulates), according to the facility schedule.”<sup>183</sup>

“Facilities shall provide detainees with reasonable and equitable access to telephones.”<sup>184</sup>

“The facility shall maintain detainee telephones in proper working order. Appropriate facility staff shall inspect the telephones daily, promptly report out-of-order telephones to the repair service, and ensure required repairs are completed quickly.”<sup>185</sup>

“Staff will allow detainees to make direct, free calls as described above as soon as possible after the request, factoring in the urgency expressed by the detainee... The detainee shall always be granted access within 24 hours of his or her request.”<sup>186</sup>

“The facility shall take and deliver telephone messages to detainees as promptly as possible.”<sup>187</sup>

### **National Detention Standard 5.1 – Correspondence and Other Mail:**

“All facilities will ensure that detainees can send and receive correspondence in a timely manner, subject to limitations required for the safety, security, and orderly operation of the facility.”<sup>188</sup>

### **National Detention Standard 5.5 – Visitation:**

“The facility’s written rules shall specify time limits for visits: 30 minutes minimum, under normal conditions. ICE/ERO encourages more generous limits when possible, especially for family members traveling significant distances to visit.”<sup>189</sup>

“At facilities where there is no provision for contact visits by minors, upon request, ICE/ERO shall arrange for a contact visit by a detainee’s children, stepchildren, and foster children within the first 30 days.”<sup>190</sup>

**I can't get a hold of the Mexican consulate by phone.**

*Gabriel*

**2003**

“[O]ne detainee reported that he had one visitor and **he was forced to end his visit after just 20 minutes...** [Another] explained that **the 30 minute time limit makes it unreasonable for his family and friends to visit him from out-of-state.**” -2003 ABA Delegation

“Detainees complained that **there are not enough telephones...** and there is **no privacy** because the telephones are in very close proximity to each other... Detainees also report that **the telephone system goes down at times, sometimes for an entire 24-hour period.**”  
-2003 ABA Delegation

“Detainees reported problems in obtaining documents and receiving mail... [C]ourt **documents arrived late** in one instance, and another detainee indicated that it takes at least a week for mail to arrive. A third detainee stated that **legal mail sometimes arrives opened** with a note that reads, ‘Sorry opened by mistake.’” -2003 ABA Delegation

**2009**

“Some detainees complained about **the length of time it takes to register a new name on the outgoing telephone call list.**” -2009 ODO Quality Assurance Review

**2015**

“One detainee alleged **their calls to the consulate or pro bono services are not answered.**” -2015 ODO Inspection

**2019**

“A number of detainees **complained about the telephones...** access to the ICE platform of free calls, including OIG, is **not readily accessible to detainees at all times.**” -2019 Nakamoto Group Inspection



## 2021

“The phone system is **very slow to approve numbers.**” - “L”<sup>191</sup>

“Mr. [redacted] made several allegations regarding the conditions of detention at PCCF, including... [that] **facility staff never mailed a letter he wrote to his attorney** on July 30, 2021 regarding the conditions at PCCF.” -2022 CRCL Complaints Memo

## 2022

“They **suspended my telephone - how was I supposed to call a lawyer** to get help with my case with no telephone? They **suspended my telephone access for 10 days.**” -Antonio

“I did not ask to come to this country. I never asked. But now you want to send me somewhere, I have no idea where... And **then you make me see my son through the glass?** Nine year old kid... **trying to find a way to get through to me to give me a hug?** Come on, man.” -Sareek

“**No more than two people can come in,** supposedly... and only on Sundays and Thursdays. **So everything is something that is not right.**” -Mateo

“A lot of us, we come from other states... So **our family members are far away, we can't see them, you know...** We only get photocopies of our mail. So it's not the same when you get a postcard from a loved one, that put their time to go out and buy this, and love and affection, to send it to you. **To get a photocopy, you know, it's not the same.** And I don't- I don't understand, **how can a piece of paper be a threat to the facility.**” -Henry

“**If your family calls here, they won't answer.** They won't talk to them, you know what I'm saying? Your father calls, sister calls, brother calls, the phone is just ringing, **or they put them on hold so long they have to hang up.** When they call back again they just can't get nobody, you know what I'm saying.” -Samuel

“Multiple detainees reported that **they were blocked from calling telephone numbers on their authorized call lists.**” -2022 CRCL Expert Recommendations

**They don't fix the phones on the wall when they break,** now that there are tablets. But we need working wall phones, because **it takes new guys three to four weeks to get tablets.** We can make free phone calls through tablets, but **sometimes they do not work,** or there are Wi-Fi issues. **It's hard to hear phone calls** when the Wi-Fi is bad. And you can only use the phone on the tablet when you are on rec time.

*Robenson*

## **The caseworkers won't clear numbers on my list, for me to call my family. They only do it every three months.**

*James*

Twelve detainees described challenges related to phone access, and mentioned that staff refused to assist them. They reported that the person responsible for approving phone numbers and helping detained people place phone calls made racist comments directed at detainees, and refused to provide language accommodations. Detainees also reported infrequent and irregular visits by this person to the ICE units, making communication with legal counsel and loved ones difficult. Three detainees reported that they had been unable to communicate with their family members once since arriving at Plymouth.

For years, detained people have complained of delays in phone number approvals, inability to place calls to approved numbers, poor call quality, lack of privacy, and phones in disrepair. In the ACLU's 2008 report on ICE detention in Massachusetts, detainees at Plymouth reported "major problems" communicating with legal service providers and consulates.<sup>192</sup> Similar concerns about restrictions on telephone access were raised by Senators Markey and Warren in their 2022 letter, and in CRCL's 2022 Expert Recommendation Memorandum to ICE, which urged Plymouth to determine why calls to authorize and free posted numbers were reported to be blocked.<sup>193</sup> Plymouth's refusal to allow incoming calls or deliver messages to detained people, documented in 2023 and 2024 complaints to the Massachusetts AGO Civil Rights Division, persists.<sup>194</sup> Detained people seeking to get phone numbers approved continue to experience delays of weeks— and at times, over a month.<sup>195</sup>

Complaints regarding the confidentiality and timeliness of mail processing at Plymouth first surfaced in the 2003 ABA delegation visit.<sup>196</sup> In February 2017, ICE's Detention Management Division granted Boston ICE Field Office's request for a waiver of the requirement that incoming general mail only be opened and searched for contraband in the presence of the detained designated recipient.<sup>197</sup> Advocates' 2023 civil rights complaint cited concerns regarding confidentiality and undue delays in legal correspondence as a result of this continued practice.<sup>198</sup> To date, concerns as to the confidentiality of legal mail persist, and detained people continue to report such mail being opened outside of their presence. Significant delays in mail processing are exacerbated by the fact that all non-legal mail must first be sent to Tampa, FL to be digitally scanned before the scan is sent to the recipient in Plymouth.<sup>199</sup>

Lastly, Plymouth's thirty-minute limit on familial visits and prohibition of contact visits with family continue to take an observable toll on detained individuals. One detained person with family close by told us "ICE detainees do not get contact visits... It is more depressing to see someone behind a glass than not seeing them at all. My mother will cry every time she visits because she can only see me through the glass. You can't hug your family."<sup>200</sup> A number of detained people have family out of state or in surrounding states, but similarly discourage them from visiting, expressing guilt at the idea that their family members would drive a considerable distance only to be permitted to stay for thirty minutes, if they are admitted at all. Despite language in the NDS encouraging detention centers to allot more than thirty minutes for visitation, and to ensure contact visits between detained people and their children, visitation remains a source of greater pain than comfort.

Sometimes I am not able to use the phones. I have an attorney, but the number I have for her doesn't work. I have my hearing tomorrow, but I haven't spoken with her yet. I can only call my wife, I only know her number.

*Daniel*



**The mail system sucks.  
It takes forever.**

*James*

**I am having a hard time reaching my family. They are not picking up the call. The officer knows about my situation. This was not an issue before I got to Plymouth.**

*Mojtab*

I tried to get numbers added to my phone list— my lawyer's number, etc. **It has been three weeks, and still no approval.** We have no phone access during lockdown (from 3:55 until dinner at 7pm), even though other ICE places allow twenty-four hour access.

*Robenson*

I have been trying to get in touch with my sister for over two weeks.

**I need help. I can't communicate with my family.**

*Angel*

*Emmanuel*

**The phones are in bad shape.** Sometimes they don't work, they don't function. The calls cut off. Sometimes it says they haven't added the numbers. **It took a month between me submitting the list and the numbers getting approved.**

*Emiliano*

**They won't let me call my attorney,  
and I don't know my family's  
numbers.**

*Antonio*

I put in a request the day I arrived to get numbers on my phone list. The paper I received says **they didn't put the request in until three weeks later.** They said that I needed to wait like everybody else. I requested four numbers, but they only added two. **I can only call one friend and my lawyer, no family. I have no canteen access because they aren't allowing me to talk to my family.**

*Jean*

**“The tablets cost \$5 per month,  
even without email or text.**

*James*

There **aren't enough telephones.** There are some that don't work. If I'm not mistaken, there are fifteen phones, but **most of them do not work.** Some phones will say 'this number isn't approved,' but then [when you dial it] on another phone, it does work. **I wanted to talk to my family yesterday, but each number I called, it said 'try again later.'**

*Carlos*

We got tablets over two months ago, in November. For \$5.99, we're supposed to get video games, email, text... **We pay for these but it doesn't work.**

*Robenson*



**I have many issues hearing phone calls  
on the tablets, and with the wifi.**

*Naadir*

If you wrote something wrong [on the phone request], **they throw it back to you and make you wait** until the next day. The woman in charge of the phones **wouldn't correct my attorney's number**— it was missing a last name, so **she wouldn't add it.**

*Diego*

# LANGUAGE ACCESS

---

## **National Detention Standards - Foreword - Specific Areas of Change - Language Access:**

“Pursuant to Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” (Aug. 2000), and Title VI of the Civil Rights Act of 1964, facilities are required to identify detainees with limited English proficiency (LEP) (i.e., detainees who do not speak English as their primary language and who have limited ability to read, speak, write, or understand English) and provide LEP detainees with meaningful access to their programs and activities through language interpretation and translation services.

The facilities’ obligation to provide meaningful access to LEP detainees extends to all aspects of detention, including but not limited to **intake, disciplinary proceedings, placement in segregation, sexual abuse and assault prevention and intervention, staff-detainee communication, mental health, and medical care**. Meaningful access may be accomplished through professional in-person or telephonic interpretation and translation services or bilingual personnel. Except in emergencies, other detainees should not be used as interpreters or translators.

Generally, all written materials provided to detainees must be translated into Spanish and other frequently encountered languages. Oral interpretation or other language assistance must be provided to any detainee who speaks a language in which written material has not been translated or who is illiterate...

ICE can assist the facilities with language services (by providing contact and other necessary information) so that the facility can secure interpretation and translation services at no additional cost. ICE will also supply the facility with Spanish translations of frequently used ICE forms. Where necessary, ICE can assist the facility in obtaining translations of pertinent materials and forms in other languages.”<sup>201</sup>

**2019**

“One detainee inquired about getting language assistance for the Arabic language.” - 2019 Nakamoto Group Inspection

**2021**

“A 65-year-old man refused to take food in his cell. At 4 a.m. they came to give him medication. He did not want to share a cell and he **did not speak English. They dragged him and we started telling the COs that he doesn't speak in English.** A racist CO was here and he told other COs to come and take him. They handcuffed him and sat him in the chair and covered his mouth with his shirt and kicked him and tied his ankle in arms and waist. **They put a bag on his face and took him to segregation.**”<sup>202</sup>

**2023**

“They be getting like loud and right in your face. They say ‘**Jesus Christ, I don’t know why these people come here, not even speaking the language.**’ There’s nobody **there to translate.** The guys who have to translate are also in ICE detention, but they’re the ones that have to be helping the COs.” -Alejandro

Over 90% of the detained people we interviewed at Plymouth did not speak English as a primary language.<sup>203</sup> The vast majority of staff employed at Plymouth do not speak any language other than English.<sup>204</sup> Under the NDS, ICE states that it will assist in securing interpretation and translation for detained people “at no additional cost” to counties under contract.<sup>205</sup> Despite this, and the availability of on-demand interpretation via LanguageLine to staff at Plymouth, detainees overwhelmingly reported receiving little to no language support.<sup>206</sup>

Though there is clear language in the NDS prohibiting the use of detained people as interpreters, many of those we interviewed stated that they relied primarily or exclusively on one another to interpret or translate in verbal and written communications with facility staff.<sup>207</sup> One detained person reported that interpretation was provided only during classification and medical appointments, despite the NDS’s requirement that LEP detainees be afforded meaningful access in “all aspects of detention, including but not limited to intake, disciplinary proceedings, placement in segregation, sexual abuse and assault prevention and intervention, staff-detainee communication, mental health, and medical care.”<sup>208</sup> Another detainee reported mistreatment and name calling by a facility staff member who did speak Spanish but refused to communicate with detained people in Spanish.<sup>209</sup>

Plymouth’s failure to ensure meaningful language access is longstanding.<sup>210</sup> During a 2003 delegation visit, the ABA observed a “SWAT team” with “pepper spray and shields” being deployed to restrain and forcibly move detained people. During these incidents, the ABA noted that “the instruction is in English and there generally are no officers present who speak other languages, although other inmates often assist by interpreting.”<sup>211</sup> They additionally noted that the grievance procedure instructions were provided only in English and Spanish.<sup>212</sup>

Language access problems have since persisted at Plymouth. In 2022, CRCL recommended that “ICE responses to written requests from non-English speaking PCCF detainees should either be translated into the language the detainee can read, or the response should be verbally interpreted to the detainee via the language line to ensure understanding and effective communication. Further, there should be a notation on any document that translation was provided for the LEP detainee.”<sup>213</sup> They additionally recommended that “[critical facility and medical] forms should be translated into a language LEP detainees understand, or the language line should be used in all cases to ensure understanding and effective communication of any document the LEP detainee is required to sign. There should be a notation on any document that translation was provided for the LEP detainee.”<sup>214</sup> Though two years have passed since these recommendations were made, there is no evidence that necessary changes have been made to ensure meaningful language access for people detained at Plymouth.

**The guards can't speak Spanish. I have to use a friend to translate.**

**There are no translators inside**

**Plymouth. The caseworker speaks a bit of Spanish, but none of the guards do.**

*Angel*

*Daniel*

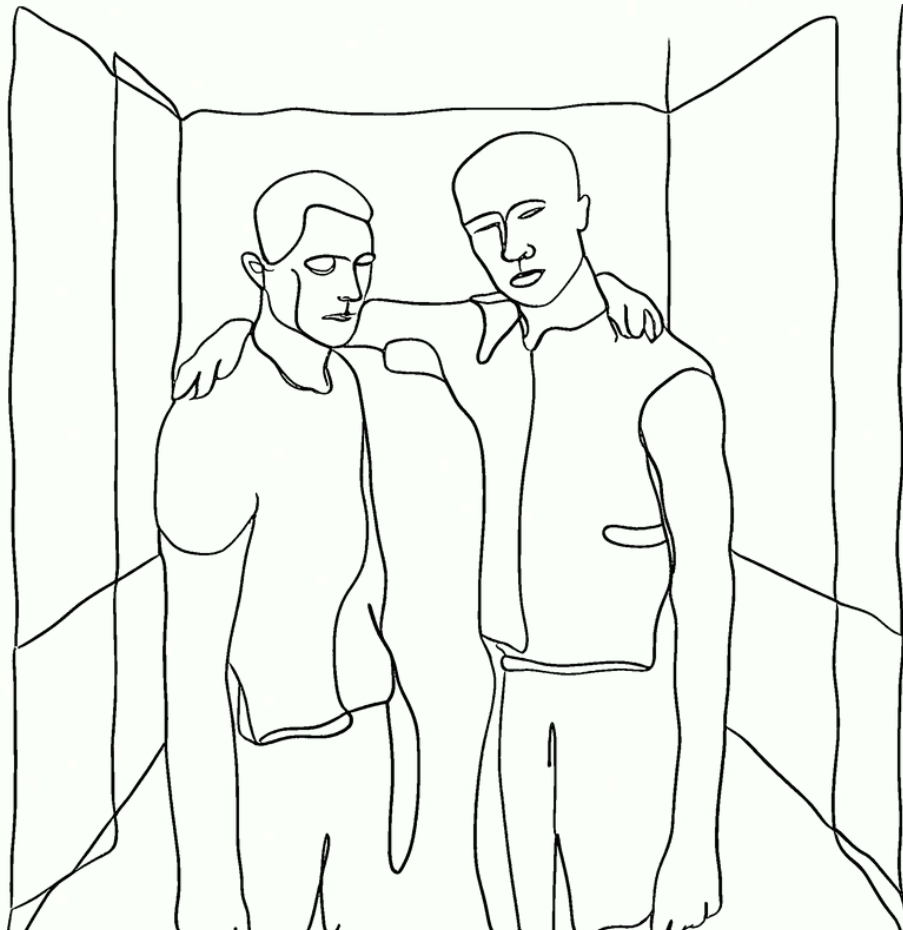
**There's no language access.**

**We help each other.**

*Robenson*

**Another detained person always interprets for me in Farsi.**

*Mojtab*





# ATTORNEY, LIBRARY AND COURT ACCESS

---

## **National Detention Standard 5.4 – Telephone Access:**

“The facility shall ensure privacy for detainees’ telephone calls regarding legal matters. For this purpose, the facility shall provide a reasonable number of telephones on which detainees can make such calls without being overheard by officers, other staff, or other detainees.”<sup>215</sup>

## **National Detention Standard 5.5 - Visitation:**

“Facilities shall allow detainees to meet privately with their current or prospective legal representatives and legal assistants, and also with their consular officials.”<sup>216</sup>

“Visits between legal service providers (or legal assistants) and an individual detainee are confidential and shall not be subject to auditory supervision. Private consultation rooms shall be available for such meetings... [S]taff may observe such meetings visually through a window or camera to the extent necessary to maintain security, as long as the staff member cannot overhear the conversation.”<sup>217</sup>

“The facility’s written legal visitation procedures must provide for the exchange of documents between detainee and legal representative (or legal assistant) even when contact visitation rooms are unavailable. Documents or other written material provided to a detainee during a visit with a legal representative shall be inspected, but not read. Detainees are entitled to retain legal material received for their personal use.”<sup>218</sup>

## **National Detention Standard 6.3 - Law Libraries and Legal Materials:**

“Facilities shall permit detainees access to a law library, and provide legal materials, facilities, equipment, printing and copying privileges, and the opportunity to prepare legal documents.”<sup>219</sup>

“ICE/ERO will provide updated electronic materials to facilities on a regular basis.”<sup>220</sup>

**2003**

“One detainee stated that... he had **serious privacy concerns** during the meetings. He said that he did not feel comfortable discussing issues when others could hear the conversation... [Others reported that] there was **no privacy at all**... and stated that the guards were outside the room during the legal consultation.” -2003 ABA Delegation

“[T]wo detainees reported that they and others have been **unable to speak to their consuls**... One said that he had been trying to reach his consulate for 4 Months.” -2003 ABA Delegation

“[O]nce they gain access to the library and/or computer, [detainees] are disappointed because they believe that the **availability of legal materials is limited and outdated**.”

-2003 ABA Delegation

**2008**

“I heard a **myth** about a legal library but I’m not sure if it’s true.” -2008 ACLU Report

**2021**

“**As we speak, I have no access to my legal paperwork**, the books that I ordered and was waiting for in Bristol, or any of my personal belongings. **I would like some kind of accountability here. No one cares about us.** The Governor of Massachusetts does not care, the Attorney General does not care, Biden does not care, ICE does not care. **Who can help?**” -Anonymous detained person<sup>221</sup>

“**I had to wait 25 days** for my lawyer’s number to be approved.” - “L”<sup>222</sup>

“Mr. [redacted] alleged that the facility... [has] an **insufficient number of computers**, and that the facility **doesn’t have a library** to enable him to prepare for his court hearings.” -2022 CRCL Complaints Memo

“Mr. [redacted] made several allegations concerning the conditions of detention at PCCF, including [that] **PCCF refused to provide him with his legal mail**.” -2022 CRCL Complaints Memo

“Mr. [redacted] made several allegations concerning the conditions of detention at PCCF, including... [that] **the law library is inadequate**.” -2022 CRCL Complaints Memo

**2022**

“**We got no access to counsel**... It’s just recently, now, that they put up a list about... projects to sign up for lawyers. Guys that are needing lawyers... it’s hard for them, ‘cause the system that we’re in, **they don’t even have the help or the information** to try to get a lawyer.” -Gonzalo

“Once I got here, I realized that this facility has nothing to help you to try to help yourself. As far as the law library that they have, the **computer is not updated**– I think that **the computer stayed at like 2018**– so you can't really look at country conditions, and so forth, on it, you can't look at updated cases to see if there's anything that applies to you.” -William

During our interviews, detainees reported difficulty reaching their lawyers, accessing the law library, and ensuring the confidentiality of their communications with lawyers, loved ones, and the court.

In 2003, the ABA noted a lack of privacy when speaking with legal counsel, and multiple issues with accessing legal materials at Plymouth, which detainees reported to be outdated.<sup>223</sup> An INS inspection, also in 2003, found a similar lack of access to legal information.<sup>224</sup> In 2006, DHS observed insufficient notice of legal presentations and pro bono resources.<sup>225</sup> ACLUM’s 2008 report noted considerable confusion among detained people at Plymouth as to whether there was a legal library at all.<sup>226</sup>

In 2022, CRCL described a number of complaints from detainees at Plymouth reporting lack of confidentiality, lack of access to counsel, inability to contact civil rights organizations, and inability to get in touch with an ICE deportation officer.<sup>227</sup> Detainees at Plymouth also reported inadequate access to computers and the law library.<sup>228</sup> Legal materials remained outdated.<sup>229</sup> Then, as now, detained people reported weeks-long delays in Plymouth’s approval of attorney phone numbers.<sup>230</sup>

To this day, despite the NDS and CRCL’s assertion that “detainees must be allowed to retain all legal material,” the Plymouth ICE detainee handbook continues to limit the volume of personal legal material to five inches.<sup>231</sup> Legal and country conditions resources remain inaccessible. Legal phone calls take place in unit common areas where detained people and Plymouth staff can easily overhear confidential attorney-client information, and visits between detained people and attorneys continue to take place between walls thin enough to discern the attorney-client conversation in the adjacent rooms, word for word. Plymouth staff prohibit attorneys from giving any documents or materials to their clients during legal visits, and subject detained people to strip searches after legal visits.

**I received notice of my court date the day after it took place.**

*Angel*

**We are no longer allowed to receive the Globe newspaper, which provided info about country conditions in Haiti, to help people with less access to lawyers. They told us we have access to the tablet, or can get a \$5.99 subscription to AP.**

*Robenson*

**There’s no access to a library or legal resources.**

*Juan*



# DETAINEE GRIEVANCE PROCESS

---

## National Detention Standard 6.2 - Grievance System:

“[E]ach facility must establish a process to review formal complaints and a reasonable time limit for processing, investigating, and responding to grievances and providing written responses to detainees who filed formal grievances, including the basis for the decision. The facility must also prescribe procedures applicable to emergency grievances... Facility policies must include guarantees against reprisal.”<sup>232</sup>

“Staff will not harass, discipline, punish, disclose sensitive information about, or otherwise retaliate against a detainee lodging a complaint.”<sup>233</sup>

**2003**

“One detainee interviewed stated that the prison was **very slow** (2-3 weeks) in responding to grievances.” -2003 ABA Delegation

**2015**

“One detainee alleged he **submitted several grievances** over the last several weeks and **never received a decision/ answer** to the grievances submitted.”- 2015 ODO Compliance Inspection

**2018**

“[One detainee claimed] that his **grievances went unanswered.**” -2018  
Nakamoto Group Inspection

**2019**

“**[I] was maliciously handcuffed** by Lt. Coppentrath in retaliation for writing grievances against him... **[I] never received any answers [to my grievances].**” -  
Guillaume<sup>234</sup>

**2021**

“**He was removed from this unit and facility because he was causing the Officers too much (what they would consider) trouble.** He asked for a clock to be installed in the far end corner of the unit... [because] he is a Muslim and needs to see the clock to tell the time for his prayer.” - Partner of “F”<sup>235</sup>

“Mr. [redacted] made **several allegations** regarding the conditions of detention at PCCF, including... [that] facility staff **retaliate against detainees who speak out or complain** about the conditions; and... the facility cuts off the phone lines and blocks numbers to civil rights organizations.” -2022 CRCL Complaints Memo

**2022**

“**You can write to people, but no one responds.** You can write to the doctor, but no one responds. It makes me think that these people are throwing out the letters of people in detention. Because how is it that all these letters are not getting responses?” -Antonio

“Fellow ICE detainees are afraid to speak up because they have this ideology that it can affect their case and **there could be repercussions against them.**” - Anonymous detained person<sup>236</sup>

## **You can complain but you become a target.**

*Robenson*

In a report following their June 2003 visit to Plymouth, the ABA delegation wrote that they were told “grievances may be filed in Spanish, although the officer who gave us the orientation had never seen that happen, and did not know how it would be handled.”<sup>237</sup> “There are no procedures to guarantee against retaliation,” the report said.<sup>238</sup> Moreover, the delegation explained, “The officers who gave us the tour simply said that [retaliation] wouldn’t happen.”<sup>239</sup>

During our visit in January 2024, five detainees reported concerns about the grievance process in place at Plymouth. These detainees also noted that no interpreters were provided for the grievance process, making it exceptionally difficult for non-English speakers to file timely, detailed and complete grievances.

Concerns related to the grievance process and retaliation were aired publicly in the ACLU’s 2008 report. The ACLU reported that the grievance procedures at Plymouth were “lacking” and detainees complained that they were often sent to isolation or segregation if they complained.<sup>240</sup>

Concerns related to the Plymouth grievance process and possible retaliation by Plymouth staff were also previously raised in the Warren/Markey letter in January 2022.<sup>241</sup> In September 2022, CRCL made suggestions for significant improvements to the detainee grievance system in place at Plymouth. CRCL advised that an electronic grievance system should be set up, and that many detainee grievances were “only partially addressed.”<sup>242</sup> CRCL advised that, “[Plymouth] and ICE must ensure that detainee allegations of staff abuse, misconduct, and retaliation for speaking out against unacceptable facility conditions and associated retaliation are formally and effectively investigated.”<sup>243</sup>

**People are afraid to speak out for fear of punishment. You get threatened with solitary if you complain... One time, three of us went to the captain and asked him, ‘how can we get another hot water machine?’ We told him people were afraid to ask, but there wasn’t enough hot water for everyone in the unit. I said, ‘what if we collect signatures?’ He said ‘I’ll send you to the hole if you do that.’**

*Carlos*

Honestly, I would never file a complaint because **they don't do anything**. So I don't make any complaints.

*Jesus*

I won't file grievances. I'm afraid it will harm or delay my case, and **I am scared to be deported without my kids**.

*Diego*

The grievance papers are **only in English**.

*Manuel*

I know of one guy who got put in solitary after complaining. He's gone now. **Telling the truth only gets you thrown in solitary, so I don't say anything.**

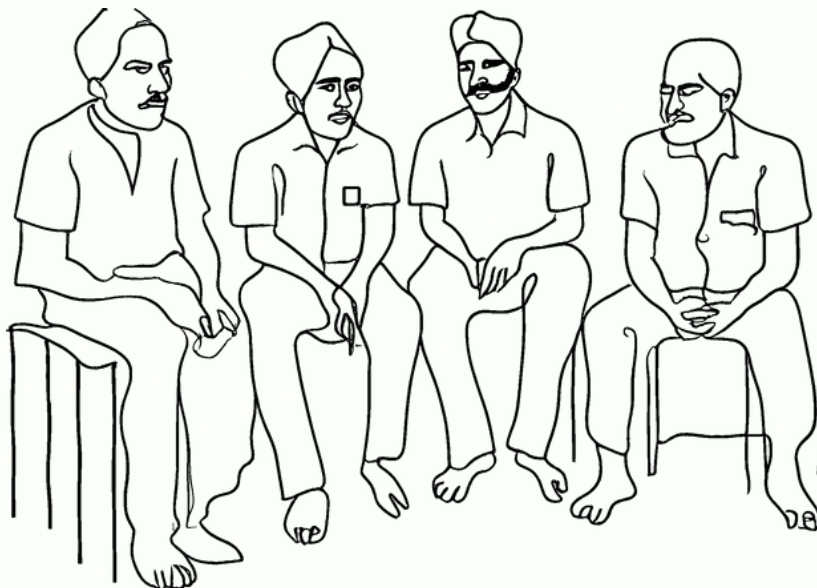
*Diego*

One of the COs **threatened to send us to solitary** if we submitted a group grievance about the cold temperatures.

*Angel*

COs protect each other, sometimes **by throwing grievances away**.

*Robenson*



**The grievance kiosk is difficult to use.** It takes forever to type, because if you want to go back and change something, you have to delete the entire thing.

*Naadir*

# **SOLITARY CONFINEMENT**<sup>244</sup>

---

## **National Detention Standard 2.9 - Special Management Units:**

“This detention standard protects detainees, staff, contractors, volunteers, and the community from harm by segregating certain detainees from the general population in Special Management Units (SMUs) through Administrative Segregation for detainees segregated for administrative reasons and Disciplinary Segregation for detainees segregated for disciplinary reasons.”<sup>245</sup>

“[An] administrative segregation order shall be provided to the detainee within 24 hours of placement in administrative segregation, and its contents communicated to him or her in a language or manner the detainee can understand.”<sup>246</sup>

“A detainee may be placed in disciplinary segregation only by order of the Institutional Disciplinary Panel (IDP), or its equivalent, after a hearing in which the detainee has been found to have committed a prohibited act and only when alternative dispositions would inadequately regulate the detainee’s behavior.”<sup>247</sup>

“Detainees with a medical or mental illness, or identified as being a suicide risk or on a hunger strike, shall be removed from segregation if IHSC or facility medical staff determine that the segregation placement has resulted in deterioration of the detainee’s medical or mental health, and an appropriate alternative is available.”<sup>248</sup>

**2008**

“If you complain, they send you to the hole.” -2008 ACLU Report



**2012**

“[D]etainees [in solitary] are **not given copies of the decisions for placement** or review of their status.” -2012 ODO Compliance Inspection

**2014**

“They called it a 23 hour lockdown, but during the hour out, you had **no other human contact-** not even staff... As you are aware we are made to eat and **sleep in a concrete and steel bathroom...** In my particular case they never **turned off the light.** My window was covered on the outside with some type of white plastic so that **we could not attempt any type of visual communication** with whatever may have been out there.” -D.L.<sup>249</sup>

**2019**

“Two detainees stated that they had been **locked down for more than 24 hours** last week.” -2019 Nakamoto Group Inspection

**2022**

“**Why would you put me in the SHU just because I’m telling you I’m stressed out?** I need to talk to some type of doctor, some type of evaluation.” -Samuel

**2023**

“**When you get aggravated, they threaten to send you to the hole.** When you ask why, they say they don’t need a reason. And when you say you want to talk to their superior, they say, ‘who do you think they’re gonna believe?’” -Alejandro

The use of Special Management Units (SMUs) and administrative, or disciplinary, segregation, is contemplated by the 2019 NDS. These practices are commonly referred to as “solitary confinement” or “segregation.” The harms of solitary confinement are well documented, and include “a range of adverse health effects, including post-traumatic stress disorder (PTSD), self-harm, and suicide risks.”<sup>250</sup> Prolonged confinement can lead to brain damage, hallucinations, confusion, disrupted sleep, and reduced cognitive function.<sup>251</sup> In recognition of these risks and harms, ICE claims that it has taken a series of steps to limit the use of solitary confinement and ensure proper oversight.<sup>252</sup> Among these, a 2013 directive asserts that ICE will place detained people in solitary “only when necessary” and after “careful consideration of alternatives,” and will subject vulnerable populations— including mentally ill and pregnant people— to solitary as nothing short of a “last resort.”<sup>253</sup>

At Plymouth, the use of solitary confinement (“Unit G”)<sup>254</sup> is far more akin to a first-line response, with devastating impacts on vulnerable detainees— particularly mentally ill, disabled, and LGBTQ+ individuals. There are reports of disagreement even among staff regarding the reasons for which individuals are issued disciplinary tickets and placed in solitary. Sixteen of the sixty men interviewed either had themselves been placed in solitary while at Plymouth, or knew of another detainee who had been. Those who themselves had been placed in solitary reported abysmal conditions, including constant bright lights, no exercise, and no access to phones. One detainee reported becoming extremely depressed and having no access to hot water. Another characterized solitary confinement at Plymouth as “a true hole.”

**I was put in solitary when I stood up for someone. It was a dirty cell. They would check in on me every thirty min. There was no TV... Rec was at any time of day, after 24 hours, sometimes 26 or 27. I lost my canteen access for 45 days after.**

*Robenson*

Detainees reported that the use of solitary at Plymouth is arbitrary and unpredictable. One detainee explained that he was sent to solitary for using swear words at a Corrections Officer who refused to provide him with a shirt. Many detainees said they had been threatened with solitary confinement if they complained about the conditions inside Plymouth. One detainee was put in solitary confinement for four days after complaining to the lieutenant guard at Plymouth. His friend, a fellow ICE detainee who interpreted for him and defended him, was also placed in solitary confinement for eight days.

Solitary confinement and segregation have been used as punishment since at least 2008 at Plymouth. In the ACLU report that year, half a dozen Plymouth detainees reported that, “If you complain, they send you to the hole.”<sup>255</sup> The ACLU report further highlighted the case of a detainee at Plymouth who, after refusing to sign his deportation papers without speaking to a lawyer, was placed in disciplinary segregation where he was locked in a cell for 23 hours each day, and made to urinate and defecate without a proper toilet.<sup>256</sup> Another detainee was taken to solitary confinement at Plymouth, stripped naked and taunted with obscenities for hours, after wearing an unsanctioned religious garment.<sup>257</sup>

Since the passage of the Massachusetts Criminal Justice Reform Act (CJRA) in 2018, Plymouth has insisted that it does not have “restrictive housing,” thereby relieving it from compliance with the protections the Act affords to incarcerated individuals confined to their cells for twenty-two or more hours per day.<sup>258</sup> In practice, numerous incarcerated individuals at Plymouth, including ICE detainees, have reported that their out-of-cell time while in solitary rotates, resulting in periods of over twenty-four hours during which they are caged. Others report being allowed out of their cells for two and a half hours per day, just below the threshold of restrictive housing that would subject the jail to stricter protective measures.

Plymouth was careful to note in its response to a 2020 Restrictive Housing Oversight Committee inquiry that “observation for mental health evaluation shall not be considered restrictive housing.”<sup>259</sup> However, the detained people we spoke with made little distinction between suicide watch and solitary confinement. Both were experienced as punitive and inhumane.

**Some people get sent there because they’re at fault, but many are not - the officers use it as a punishment.**

*Diego*

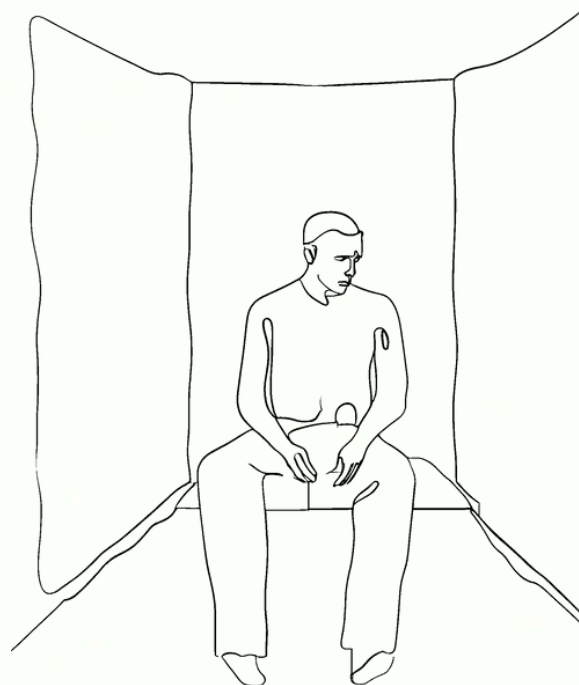


“There was a fight today, and they threatened people with solitary. **I know a few people who have been held there— one for a week.**

*Angel*

**One of my friends was sent to the hole** because he cursed out a CO and slammed the door after the CO told him to put on a shirt.

*James*



“I’ve never been to solitary, but I’ve been threatened with it. **I hear they used it as punishment.** They only let you out one or two hours a day.

*Carlos*

I know another detainee who had words with a guard and was sent there for one week. **I’ve heard it’s horrible.**

*Juan*

One guy who went to solitary didn’t have long sleeves. He said **it was cold.**

*Andres*

**The first day, I couldn’t leave the cell.** After the first day, I got two hours per day for recreation, phone access, showers, etc. But it was at a different time each day, **so often I was locked in the cell for over 24 hours. It was cold and dirty, and they kept the lights on all day, so you couldn’t sleep.**

*Robenson*

# RECOMMENDATIONS

Following extensive consultation with individuals detained at Plymouth, organizers, community groups, lawyers, and other stakeholders, we make the following recommendations to Plymouth, ICE and relevant oversight agencies. **Recommendations include reforms that we hope to see in the near term, as well as more systemic moves towards decarceration and, ultimately, a cancellation of the contract between ICE and Plymouth.**

## Conditions and Treatment

- **Plymouth must** provide fresh, fully-cooked, nutritionally adequate food to all units. Plymouth must provide equitable offerings to those requiring religious meals. Therapeutic diets must be made readily and consistently available to individuals requiring accommodations.
- **Plymouth must** be required to supply sufficient hot water in all units, which will reduce conflict and allow detained people to supplement their diets with food purchased from the canteen.
- **Plymouth must** immediately implement in-cell temperature monitoring and provide jackets, sweatshirts, and thermal tops and bottoms to all detained and incarcerated people without charge.
- **Plymouth must** allow unimpeded access to nail clippers and other essential personal hygiene items.
- **Plymouth must** allow and provide space for detained people to organize self-directed educational programming and self-improvement groups, in collaboration with community volunteers and with the support of volunteer visitors.
- **Plymouth must** pay detained people for their labor.
- **Plymouth must** end the use of solitary confinement.

## Access to Medical, Dental, and Mental Health Care

- **Plymouth must** respond to all medical, mental health and dental health requests within 24 hours and ensure urgent cases are seen by medical staff immediately.
- **Plymouth must** make timely referrals to speciality care providers when indicated.
- **Plymouth must** evaluate and improve their sick-call process, which is currently unreliable and not timely.
- **Plymouth must** provide medication during daytime hours, on a schedule that is accessible to detainees.
- **Plymouth staff must** ensure privacy and confidentiality for consults with medical, dental and mental health providers.
- **Plymouth must** immediately discontinue the use of Q5 and all forms of isolation or segregation in response to mental health crises.

## Communication, Visitation, and Legal Access

- **Plymouth must** allow free incoming and outgoing phone or video calls between detained or incarcerated people and their loved ones.
- **Plymouth must** allow contact visitation with loved ones, and end the imposition of a 30-minute time limit on visits.
- **Plymouth must** provide equitable and unimpeded access to interpretation and translation for all limited English proficient (LEP) people in custody.
- **Plymouth must** be required to accept incoming phone calls and phone messages by attorneys for detained individuals.
- **Plymouth must** provide free, same day video calls for attorneys, paralegals, and BIA-accredited representatives to communicate with detained individuals, and provide Jurislink “local” rates to all legal services providers who provide free legal services to individuals detained at the facility.
- **Plymouth must** deliver legal mail within 24 hours of receipt.
- **Plymouth must** notify the sender of legal mail to a client at the facility if it has rejected the mail or refused to deliver it and the reason why.
- **Plymouth must** end its practice of opening legal mail outside of the recipient’s presence.
- **The Massachusetts state legislature must** pass state-funded universal representation for noncitizens in removal proceedings.

## Transparency and Accountability For Ongoing Violations and Failure to Meet Detention Standards

- **State and federal elected officials must** commit to regular unannounced visits, and demand unimpeded confidential access to detained individuals.
- **OIDO must** conduct regular, unannounced inspections with unfettered confidential access to detained individuals.
- **Plymouth must** install a private application allowing detained people to submit grievances directly to PCCF and OIDO on their individual tablets, in light of repeated reports of Plymouth staff throwing away paper grievances and of unit kiosks glitching or timing out when detained people attempt to submit grievances digitally.
- **Plymouth County Sheriff’s Department must** cease its obstruction of public access to public records related to the detention and incarceration of people at Plymouth County Correctional Facility, which has included outright denial and the imposition of exorbitant fees.

**They are working together, the staff and the inspectors. The COs know when the inspectors are coming. They are asking us to paint tables and clean up. The inspection visits need to be unannounced.**

*Robenson*

**In the longer term, we recommend several key moves toward decarceration:**

- **ICE must** immediately, and indefinitely, end all transfers into and out of Plymouth—including but not limited to transfers from county jails and state/federal criminal custody.
- **ICE must** provide written clarification and documentation of ICE’s criteria for granting parole and determining the suitability of parole sponsors.
- **Plymouth’s contract with ICE must** be terminated, and those detained must be released back to their communities. The units in which ICE detainees were held must be permanently closed. Plymouth has long used financial concerns as justification for extending and expanding its contracts with ICE and the United States Marshal Service.<sup>260</sup> At the same time, in setting aside bedspace for federal detention, Plymouth has additionally demonstrated that this space is not needed for the incarceration of pre-trial or state sentenced individuals. Plymouth would be well-positioned to adjust to the loss of federal funding that will accompany the cancellation of its ICE contract by shrinking its overall carceral footprint.
- **Massachusetts must** pass legislation terminating all existing ICE contracts with state and county-level law enforcement, and prohibiting future contracts between ICE and state or county-level law enforcement— including local police, sheriffs, State Police, county jails, and the Department of Corrections.

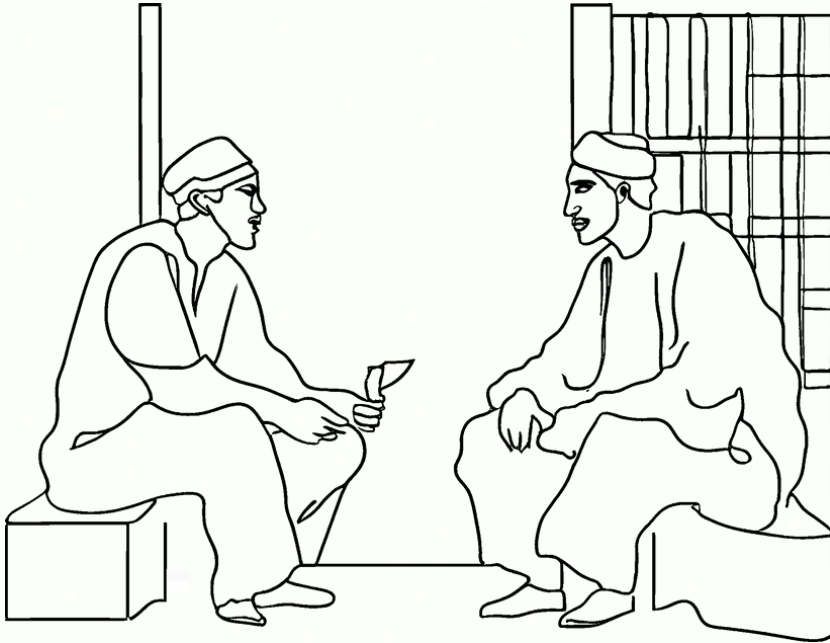
Detention standards and regulations are a useful tool for articulating and exposing the violence of detention. As written and applied— and as documented over the last twenty five years at Plymouth— they are incapable of remedying it. Plymouth could comply with every applicable standard tomorrow, and the experience of detention would remain traumatic and dehumanizing for those who endure it. The only way to truly protect noncitizen community members from the harms of detention is to prevent their detention in the first place.

Our final recommendation is that the Commonwealth of Massachusetts take measures to meaningfully invest in community safety and divest from surveillance and policing. This includes the passage of a five-year moratorium on all prison and jail construction, the abolition of gang databases that feed immigration detention (such as the Boston Regional Intelligence Center, “BRIC”), and increased funding for non-carceral responses to immigration, conflict and mental health crises.

**I want to go home. They should release  
everybody. I don’t want this place to get better.**

**I want this place to get shut down.**

*Robenson*



We should have **longer visitations, more hot water, and a grievance app** on the tablets. They should treat people with good medical, and have better privacy policies.

*Naadir*

People are going to die if things continue the way they are. My hope for this place is that it is closed; **there is no hope for this place.**

*Diego*

**If they close this, where will they send us -- the next worst place?**

*James*

There has to be a change in the mentality of everyone [who works here]. It starts with the individual... **[I want] the people who work here to realize [we] are human beings, just like them.** Maybe we made a mistake, but at the end of the day, **we are also fathers, sons, brothers.**

*Emiliano*

Mentally, the way we suffer here, it's hard to describe. **Spending all this time in this jail, it takes a toll. I didn't do anything wrong to be here** - I was threatened with death and tortured [in my home country]. The mistreatment here is more psychological than physical. My hair has been falling out because of it.

*Jesus*

Even if I'm not here [to benefit], **I want things to be better for other people.** I hope it changes here, because it isn't good. They don't give you any rights to anything, to do anything... I don't know how to use a computer. I only reached sixth grade. I couldn't even speak Spanish well when I finished 6th grade. But I keep learning, reading, teaching myself. We need a school to learn English and read, so that even when we are deported, we can carry those skills with us-- a certificate, something to drive us to keep learning each day.

*Carlos*

**I think they should shut this place down.**

*Naadir*

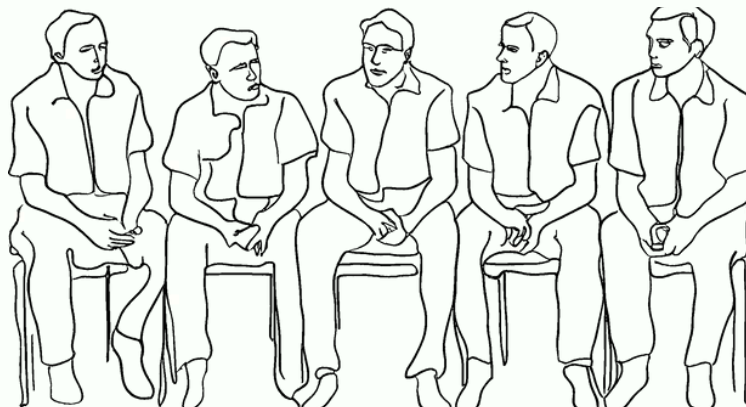


# CONCLUSION

Less than three weeks before our second round of interviews in June 2024, the ODO conducted a Follow-Up Compliance Inspection of Plymouth County Correctional Facility.<sup>261</sup> At the conclusion of this inspection, the ODO reported “no deficiencies.”<sup>262</sup> The ODO stated that there were “no allegations of discrimination, mistreatment, or abuse” by the detained people interviewed.<sup>263</sup> Further, the ODO stated that, “all detainees reported satisfaction with facility services.”<sup>264</sup> The ODO awarded Plymouth a renewed facility rating of “Superior.”<sup>265</sup>

The contrast between the testimony of detained people and the conclusions drawn by county, state, and federal oversight bodies is as striking as the similarities between detained people’s experiences over the past twenty-five years. This consistency is made even more striking by the frequency of turnover among the detained population at Plymouth. Of the sixty individuals we interviewed in January, at least eleven had been deported, nine transferred, and five released by the time we returned in June.<sup>266</sup> Many more had simply disappeared from the system. As a result, the full scope and reach of the harms suffered by detained people elude quantitative measure. Even after release, formerly detained people bear deep mental, emotional, and physical scars as a result of their experiences while detained at Plymouth, the effects of which persist far longer even than the time they spent detained there. The ripples of these experiences reach the lives of their partners, children, parents, families, friends, and communities – our communities.

More than a report about the need for better mechanisms for accountability and oversight, this is a report about the inherent contradictions of accountability and oversight in a system whose very purpose is to use one form of state violence – incarceration – to coerce compliance with another form of state violence – deportation. For more than two decades, relentless abuses at Plymouth have been documented by ICE detainees, organizers, advocates, lawyers and various regulatory bodies. As one detainee we interviewed reflected, “Massachusetts says we are so diverse and love immigrants. But you cannot love immigrants when you have ICE detainees in your state.”<sup>267</sup> It is far past time to cancel the one remaining ICE contract in the state of Massachusetts.



# End notes

1. *Immigration Detention Quick Facts*, TRANSACTIONAL RECS. ACCESS CLEARINGHOUSE, <https://trac.syr.edu/immigration/quickfacts/> (last updated Aug. 11, 2024).
2. *Detention Facilities Average Population*, TRANSACTIONAL RECS. ACCESS CLEARINGHOUSE, <https://trac.syr.edu/immigration/detentionstats/facilities.html> (last updated Aug. 5, 2024).
3. East Boston Immigration Station Study Report, BOSTON LANDMARKS COMMISSION 14 (2010), [https://www.cityofboston.gov/images\\_documents/ebis\\_studyreport\\_as\\_amended\\_tcm3-18168.pdf](https://www.cityofboston.gov/images_documents/ebis_studyreport_as_amended_tcm3-18168.pdf).
4. *Id.* at 18-19.
5. *Id.*
6. *East Boston (detention facility)*, DENSHO ENCYCLOPEDIA, [https://encyclopedia.densho.org/East\\_Boston\\_\(detention\\_facility\)/#cite\\_note-ftnt\\_ref5-5](https://encyclopedia.densho.org/East_Boston_(detention_facility)/#cite_note-ftnt_ref5-5) (last visited July 24, 2024).
7. East Boston Immigration Station Study Report, *supra* note 3, at 26.
8. Tori Bedford, *Suffolk County Sheriff Breaks Contract with ICE*, WGBH (Oct.8,2019) <https://www.wgbh.org/news/local/2019-10-08/suffolk-county-sheriff-breaks-contract-with-ice>.
9. Shannon Dooling, *ICE Terminates Contracts with Bristol County Sheriff*, WBUR (May20,2021) <https://www.wbur.org/news/2021/05/20/ice-terminates-contracts-bristol-county-sheriff-hodgson>.
10. See *History of ICE*, U.S. IMMIGR. AND CUSTOMS ENF'T <https://www.ice.gov/history>(lastupdatedMay8,2024); ICE Out of Massachusetts, ACLU MA ACTION TEAM 7 [https://my.lww.org/sites/default/files/ice\\_out\\_of\\_ma\\_meeting\\_ppt.pdf](https://my.lww.org/sites/default/files/ice_out_of_ma_meeting_ppt.pdf) (last visited July 24, 2024); IGSA Cont. between U.S. Marshals Serv. and Plymouth Cnty. Sheriff's Dep't (Jul. 7, 1996) [https://www.ice.gov/doclib/foia/isa/r\\_droigsa080040plymouthcountymaasofmodification1.pdf](https://www.ice.gov/doclib/foia/isa/r_droigsa080040plymouthcountymaasofmodification1.pdf); IGSA Cont. between U.S. Dep't of Homeland Sec. and Bristol Cnty. Corr. Facility (Oct. 1, 2003), <https://www.ice.gov/doclib/foia/isa/bristolcounty.pdf>; IGSA Cont. between Immigr. and Customs Enf't and Suffolk Cnty. Sheriff's Dep't (Dec. 12, 2005).
11. See Sarah Betancourt, *Franklin County Shuts Ice Detention Center*, PRISONER LEGAL SERVS. OF MASS. (Apr. 28, 2021) <https://plsma.org/franklin-county-shuts-ice-detention-center/>; Tori Bedford, *supra* note 8; Shannon Dooling, *supra* note 9.
12. Memorandum from Dana Salvano-Dunn, Dir., Compliance Branch, Off. for Civ. Rights and Civ. Liberties and Zazy Ivonne Lopez, Deputy Dir., Compliance Branch, Off. for Civ. Rights and Civ. Liberties to Corey A. Price, Executive Assoc. Dir., Enf't and Removal Operations, U.S. Immigr. and Customs Enf't, *Plymouth County Correctional Facility Expert Recommendations* (Sept. 29, 2022) [hereinafter 2022 CRCL Expert Recommendations], [https://www.dhs.gov/sites/default/files/2023-08/2022.09.29\\_CRCL%20Expert%20Rec%20Memo%20to%20ICE\\_Plymouth%20County\\_Redacted\\_508.pdf](https://www.dhs.gov/sites/default/files/2023-08/2022.09.29_CRCL%20Expert%20Rec%20Memo%20to%20ICE_Plymouth%20County_Redacted_508.pdf); Memorandum from Dana Salvano-Dunn, Dir., Compliance Branch, Off. for Civ. Rights and Civ. Liberties and Att'y Advisor, Legal Couns. Div., Off. of the Gen. Couns. to Tae D. Johnson, Acting Dir., U.S. Immigr. and Customs Enf't and Kerry E. Doyle, Principal Legal Advisor, Off. of the Principal Legal Advisor, U.S. Immig. and Customs Enf't, *Plymouth County Correctional Facility (PCCF) Complaints* (Jan. 5, 2022) [hereinafter 2022 CRCL Complaints Memo], [https://www.dhs.gov/sites/default/files/2022-08/2022.01.05%20CRCL%20Retention%20Memo%20to%20ICE%20-%20Plymouth%20Facility%20PCCF%20-%20Redacted\\_508.pdf](https://www.dhs.gov/sites/default/files/2022-08/2022.01.05%20CRCL%20Retention%20Memo%20to%20ICE%20-%20Plymouth%20Facility%20PCCF%20-%20Redacted_508.pdf).
13. 2022 CRCL Expert Recommendations, *supra* note 12.
14. Letter from Immigration Advocates to Att'y Gen. Andrea Campbell, Off. of the Mass. Att'y Gen., *Re: Request for Investigation into Civil Rights Violations as to Individuals Detained at Plymouth County Correctional Facility* (Mar. 9, 2023) [hereinafter 2023 Mass. AGO Civil Rights Complaint], <http://harvardimmigrationclinic.org/files/2023/03/Massachusetts-Civil-Rights-Complaint-against-Plymouth-County-Correctional-Facility-3-9-23-2.pdf>; Letter from Immigration Advocates to Att'y Gen. Andrea Campbell, Off. of the Mass. Att'y Gen., *Re: Supplemental Information Regarding Review of Civil Rights Violations as to Individuals Detained at Plymouth County Correctional Facility* (Aug. 8, 2024) [hereinafter 2024 Supplement to Mass. AGO Civil Rights Complaint], [http://harvardimmigrationclinic.org/files/2024/08/MA-AG-Complaint-Summer-2024\\_FINAL.pdf](http://harvardimmigrationclinic.org/files/2024/08/MA-AG-Complaint-Summer-2024_FINAL.pdf) ; Letter from Edward J. Markey and Elizabeth Warren, U.S. Senators, to Alejandro Mayorkas, Sec'y of Homeland Sec., Patrick J. Lechleitner, Dir. of Immigr. and Customs Enf't, Shoba Sivaprasad Wadhia, Off. for Civ. Rights and Civ. Liberties, and Joseph V. Cuffari, Inspector Gen. of the Dep't of Homeland Sec. (Aug. 8, 2024) [hereinafter 2024 Follow-Up Letter from U.S. Senators], [https://www.warren.senate.gov/imo/media/doc/warren\\_markey\\_pccf\\_follow-up\\_letter.pdf](https://www.warren.senate.gov/imo/media/doc/warren_markey_pccf_follow-up_letter.pdf).

15. Emails on file with authors; *see also Massachusetts Sheriff's Association - OCR CY18 - Operational Capacity Report*, MASS.GOV, <https://www.mass.gov/doc/plymouth-ocr-2018-2022/download> (last visited Sept. 9, 2024).
16. *See* 2023 Mass. AGO Civil Rights Complaint, *supra* note 14; 2024 Supplement to Mass. AGO Civil Rights Complaint, *supra* note 14; 2024 Follow-Up Letter from U.S. Senators, *supra* note 14; Sean Cotter, *Immigrant Advocates Call for End to ICE Contract with Plymouth Jail*, BOSTON GLOBE (Aug. 18, 2024) <https://www.bostonglobe.com/2024/08/18/metro/ice-immigration-contract-plymouth/>.
17. Members of the stakeholder visit team included lawyers, law students, and legal workers from law schools and nonprofit organizations, as well as a Haitian Creole interpreter. Most of the team spoke Spanish; one member spoke French, and another spoke Portuguese.
18. Declaration of Assistant Field Off. Dir. Keith Chan, *Lafortune v. Moniz*, 1:24-cv-10346-DJC, at\*3(D.Mass. Jan. 17, 2023) (on file with author). ICE ERO Boston Assistant Field Office Director Chan asserts in his 2023 declaration that DN-3 and DS-3 each had capacity to hold seventy detained individuals. However, public information on file with the state indicates that DN-3 and DS-3 each have a capacity of sixty-two, not seventy. *See Massachusetts Sheriff's Association - OCR CY18*, *supra* note 15.
19. *Stakeholder Procedures for Requesting a Detention Facility Tour and/or Visitation*, U.S. IMMIGR. & CUSTOMS ENF'T, <https://www.ice.gov/doclib/publicadvocate/pdf/access-directive-stakeholder.pdf> (last visited July 5, 2024).
20. Email from Keith Chan, ICE ERO Boston Deputy Field Office Director, to Leah Hastings, PLS MA Attorney (Jan. 4, 2024) (on file with authors); Email from Monica Vogelsang, Head Administrative Clerk to Leah Hastings, PLS MA Attorney (Jan. 24, 2024) (on file with authors).
21. Email from Monica Vogelsang, *supra* note 20.
22. Plymouth's IGSA with ICE does not place gender-based limitations on the population it is allowed to detain. *See* Intergovernmental Service Agreement, U.S. Dep't of Homeland Sec. Immigr. and Customs Enf't Off. of Det. and Removal and Plymouth Cnty. Corr. Facility, 3 (Sep. 16, 2008) (on file with author) ("The Service Provider shall provide male/female beds on a space available basis."). However, as far as the stakeholder visitation team is aware, the jail exclusively detains immigrants whom Plymouth and/or ICE has identified as male. Transgender and gender non-conforming people at Plymouth often report using male pronouns for their own safety while detained.
23. Of the sixty people initially interviewed, a number of them asked that their personal information not be shared and so their experiences are represented only in the broadest numerical terms, without any identifying information.
24. We recognize that the available legal frameworks for detention conditions include Constitutional standards as well as federal and state statutes, such as the Federal Torts Claims Act and Massachusetts Torts Claims Act. Given the focus of this report on the intractability of abuses and conditions issues, and the extent to which oversight has shown itself to be incapable or unwilling to address them, we chose to rely primarily on agency standards and administrative regulations. These standards are specific, discrete, and prescriptive, allowing for a clear articulation of the distance between what oversight promises and what it has delivered.
25. 2008 Intergovernmental Service Agreement, *supra* note 22, at 5. IGSA's are the most common contract type used by ICE, with approximately thirty percent of the detained people nationwide being held at a non-dedicated IGSA-contracted facility. *See* Policy Brief: Cut the Contracts: It's Time to End ICE's Corrupt Detention Management System, NAT'L IMMIGR. JUSTICE CTR. (Mar. 16, 2021), <https://immigrantjustice.org/research-items/policy-brief-cut-contracts-its-time-end-ices-corrupt-detention-management-system>.
26. National Detention Standards for Non-Dedicated Facilities, U.S. IMMIGR. AND CUSTOMS ENF'T, i (rev.2019) [hereinafter NDS 2019], <https://www.ice.gov/doclib/detention-standards/2019/nds2019.pdf>.
27. 2008 Intergovernmental Service Agreement, *supra* note 22, at 5. In 2008, ICE and stakeholders devised an additional, alternate set of standards, the Performance-Based National Detention Standards (PBNDS). These imposed stricter requirements around safety, conditions, and treatment of detained people than the NDS. Both the NDS and PBNDS have been revised at various points over the years, with earlier versions still in effect at some detention centers. *See* ICE Detention Standards: Immigration Detention Facilities' Responsibilities and Detained Individuals' Rights, MA. BAR ASS'N 4 (2022), <https://www.americanbar.org/content/dam/aba/administrative/immigration/detention-guide-for-practitioners.pdf>.
28. NDS 2019, *supra* note 26, at iv.
29. *Id.* at i.

30. ICE Detention Standards: Immigration Detention Facilities' Responsibilities and Detained Individuals' Rights, AM. BAR ASS'N 4 (2022), <https://www.americanbar.org/content/dam/aba/administrative/immigration/detention-guide-for-practitioners.pdf>; *Summary of Changes to ICE Detention Standards*, ACLU NAT'L PRISON PROJECT, [https://www.aclu.org/sites/default/files/field\\_document/summary\\_of\\_changes\\_to\\_ice\\_national\\_detention\\_standards\\_1.pdf](https://www.aclu.org/sites/default/files/field_document/summary_of_changes_to_ice_national_detention_standards_1.pdf) (last visited on Aug. 24, 2024).

31. Altaf Saadi et. al, *Understanding US Immigration Detention*, 22 HEALTH AND HUMAN RIGHTS J. 187 (June 2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7348446/pdf/hhr-22-01-187.pdf> (discussing how ICE detention standards are unevenly applied across the various detention settings, and how the fragmented system of care in ICE and CBP detention operates without clear or transparent oversight, falling short of both human rights and legal standards); see also *ICE Detention Standards*, U.S. IMMIGR. AND CUSTOMS ENF'T, <https://www.ice.gov/factsheets/ice-detention-standards> (Aug. 2023); Heidi Altman, *Testimony Before Congress: End Abusive Immigration Detention*, NAT'L IMMIGRANT JUST. CTR. (Sept. 26, 2019), <https://immigrantjustice.org/staff/blog/testimony-congress-end-abusive-immigration-detention>.

32. *Facility Inspections*, U.S. IMMIGR. AND CUSTOMS ENF'T, [www.ice.gov/detain/facility-inspections](http://www.ice.gov/detain/facility-inspections) (last visited July 7, 2024); Off. of Inspector Gen., *ICE Does Not Fully Use Contracting Tools to Hold Detention Facility Contractors Accountable for Failing to Meet Performance Standards*, U.S. DEP'T OF HOMELAND SEC. (Jan. 29, 2019) <https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf> ("Instead of holding facilities accountable through financial penalties, ICE issued waivers to facilities with deficient conditions...").

33. *Off. of Inspector Gen., ICE Does Not Fully Use Contracting Tools to Hold Detention Facility Contractors Accountable for Failing to Meet Performance Standards*, U.S. DEP'T OF HOMELAND SEC. 7 (Jan. 29, 2019). <https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf> ("Because the QASP contains the only documented instructions for preparing a Discrepancy Report and recommending financial penalties, there is confusion about whether ICE can issue Discrepancy Reports and impose financial consequences absent a QASP.").

34. See ICE Directive: 11065.1: Review of the Use of Segregation for ICE Detainees (U.S. Immigr. and Customs Enf't Sept. 4, 2013) [https://www.ice.gov/doclib/detention-reform/pdf/segregation\\_directive.pdf](https://www.ice.gov/doclib/detention-reform/pdf/segregation_directive.pdf); ICE Directive: 11063.2: Identification, Communication, Recordkeeping, and Safe Release Planning for Detained Individuals with Serious Mental Disorders or Conditions and/or Who Are Determined To Be Incompetent By An Immigration Judge (U.S. Immigr. and Customs Enf't Sept. 4, 2022) <https://www.ice.gov/doclib/news/releases/2022/11063-2.pdf>.

35. See *Litigating Immigration Detention Conditions*, ACLU NAT'L PRISON PROJECT 5 (Mar. 12, 2024) (on file with authors); see *ICE HEALTH SERVICE CORPS (IHSC) INDEX*, <https://s3.documentcloud.org/documents/6795526/IHSC-Index.pdf> (last visited Sept. 9, 2024).

36. These Regulations were promulgated pursuant to Massachusetts General Laws Chapters 124 and 127. 103 MASS. CODE REGS. 900-79 (2024); MASS. GEN. LAWS ch. 124 § 1 and ch. 127 § 1A-B.

37. See 103 MASS. CODE REGS. 901.03 (2024).

38. See *id.*; see 103 MASS. CODE REGS. 920.01 (2024) (explaining that, while county correctional facilities should "strive to meet" regulation standards, these may nonetheless be waivable where "unforeseen circumstances" impact compliance "so as to enable the county correctional system to carry out its paramount function of protecting the safety of the public.").

39. See MASS. GEN. LAWS ch. 231(a) § 2; see also 103 MASS. CODE REGS. 900.03 (2024); *Loffredo v. Ctr. for Addictive Behavs.*, 689 N.E.2d 799, 803 (1998) ("[A] private cause of action cannot be inferred solely from an agency regulation.").

40. See 103 MASS. CODE REGS. 901.05 (2024); 103 MASS. CODE REGS. 973.01 (2024) ("The authority having jurisdiction shall approve any variances, exceptions, or equivalencies that do not constitute a serious life safety threat to the occupants of the county correctional facility.").

41. Mass. Dep't of Public Health Inspection Report of Plymouth Cnty. Corr. Facility (Feb. 27, 2024), <https://www.mass.gov/doc/plymouth-county-correctional-facility-february-8-2024/download>.

42. See 103 MASS. CODE REGS. 900.05 (2024).

43. *Oversight of Immigration Detention: An Overview*, AM. IMMIGR. COUNCIL (May 2022), [https://www.americanimmigrationcouncil.org/sites/default/files/research/oversight\\_of\\_immigration\\_detention\\_an\\_overview.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/oversight_of_immigration_detention_an_overview.pdf).

44. *Oversight of Immigration Detention: An Overview*, *supra* note 43; Office of Inspector General, *Frequently Asked Questions*, U.S. DEP'T OF HOMELAND SEC. <https://www.oig.dhs.gov/about/faqs> (last visited July 5, 2024).

45. Off. of Inspector Gen., *Semiannual Reports to Congress*, U.S. DEP'T OF HOMELAND SEC. <https://www.oig.dhs.gov/reports/semiannual> (last visited July 5, 2024).

46. Off. of Inspector Gen., *ICE's Inspections and Monitoring of Detention Facilities Do Not Lead to Sustained Compliance or Systemic Improvements*, U.S. DEP'T OF HOMELAND SEC. 12 (June 26, 2018) <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf> (“The frequency of repeat deficiencies in the same facilities, and the high number of deficiencies inspectors identify at facilities expose the problems associated with ICE’s inability to consistently follow up on corrective actions. Even well documented deficiencies that facilities commit to fixing routinely remain uncorrected for years.”); Off. of Inspector Gen., *ICE Does Not Fully Use Contracting Tools to Hold Detention Facility Contractors Accountable for Failing to Meet Performance Standards*, U.S. DEP'T OF HOMELAND SEC. (Jan. 29, 2019) <https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf>.
47. Nat'l Immigr. Justice Center, *Beyond Repair: ICE's Abusive Detention Inspection and Oversight System 2* (Nov. 2023) [https://immigrantjustice.org/sites/default/files/content-type/research-item/documents/2023-11/NIJC-Policy-brief\\_ICE-detention-inspections\\_November2023.pdf](https://immigrantjustice.org/sites/default/files/content-type/research-item/documents/2023-11/NIJC-Policy-brief_ICE-detention-inspections_November2023.pdf).
48. *Office for Civil Rights and Civil Liberties*, U.S. DEP'T OF HOMELAND SEC., <https://www.dhs.gov/office-civil-rights-and-civil-liberties> (May 17, 2024); *Oversight of Immigration Detention: An Overview*, *supra* note 43.
49. *Oversight of Immigration Detention: An Overview*, *supra* note 43, at 2.
50. *Id.*
51. *Id.*
52. *Beyond Repair*, *supra* note 47, at 3.
53. *Id.* at 2.
54. *Oversight of Immigration Detention: An Overview*, *supra* note 43, at 9.
55. From 2007 until 2022, ICE contracted with Nakamoto Group, a private third-party company, to monitor detention facilities' compliance with federal standards. In 2018, the OIG released a report finding the Nakamoto inspections over broad, unclear, and inconsistent. Numerous reports and findings have accused Nakamoto Group of rubber-stamping ICE compliance reports. As of October 2022, Nakamoto Group inspection reports are no longer posted on ICE's website. *See* Off. of Inspector Gen., *ICE's Inspections and Monitoring of Detention Facilities Do Not Lead to Sustained Compliance or Systemic Improvements*, U.S. DEP'T OF HOMELAND SEC. 5 (June 26, 2018) <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>; *See* Policy Brief: *Beyond Repair: ICE's Abusive Detention Inspection and Oversight System*, NAT'L IMMIGRANT JUST. CTR. (Nov. 2023), [https://immigrantjustice.org/sites/default/files/content-type/research-item/documents/2023-11/NIJC-Policy-brief\\_IC E-detention-inspections\\_November2023.pdf](https://immigrantjustice.org/sites/default/files/content-type/research-item/documents/2023-11/NIJC-Policy-brief_IC E-detention-inspections_November2023.pdf); Alan Gaynor, *Nakamoto Group Accused of Rubber-Stamping ICE Facility Inspections*, PRISONER LEGAL NEWS (Aug. 2022), <https://www.prisonlegalnews.org/news/2022/aug/1/nakamoto-group-accused-rubber-stamping-ice-facility-inspection-s/>.
56. *See Oversight of ICE Detention Facilities: Is DHS Doing Enough?: Hearing before the Subcomm. on Oversight, Mgmt., and Accountability, of the H. Comm. on Homeland Sec.*, 116th Cong. (2019); Off. of Inspector Gen., *ICE's Inspections and Monitoring of Detention Facilities Do Not Lead to Sustained Compliance or Systemic Improvements*, U.S. DEP'T OF HOMELAND SEC. (June 26, 2018) <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>.
57. Fiscal Year 2021 Report to Congress, OFF. OF DET. OVERSIGHT INSPECTIONS 4 (Mar.23,2022) <https://www.dhs.gov/sites/default/files/2022-05/ICE%20%20Office%20of%20Detention%20Oversight%20Inspections.pdf>.
58. *ICE's Inspections and Monitoring of Detention Facilities Do Not Lead to Sustained Compliance or Systemic Improvements*, OFF. OF INSPECTOR GEN., U.S. DEP'T OF HOMELAND SEC. 6 (Jun. 26, 2018), <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>. Creative Corrections also contracts with DHS to investigate CRCL complaints, conduct Prison Rape Elimination Act (PREA) audits, and review deaths in custody. *See Dep't of Homeland Sec.: ICE / OPR / DOD / CBP*, CREATIVE CORRECTIONS <https://creativecorrections.com/contracts/u-s-department-of-homeland-security> (last visited Aug. 27, 2024).
59. *ODO ICE Facility Inspections*, U.S. IMMIGR. AND CUSTOMS ENF'T, <https://www.ice.gov/foia/odo-facility-inspections> (last visited Sept. 9, 2024).
60. Consolidated Appropriations Act of 2019 § 106(a), 6 U.S.C. § 205.
61. Consolidated Appropriations Act of 2019 § 106(b), 6 U.S.C. § 205.
62. *Id.*
63. *Oversight of Immigration Detention: An Overview*, *supra* note 43, at 5-6.
64. 103 MASS. CODE REGS. 903.01(3), (8) (2009).
65. 103 MASS. CODE REGS. 903.04(3), (8) (2009).

66. 103 MASS. CODE REGS. 903.01(4), (5) (2009).
67. 105 MASS. CODE REGS. 451.0001, 451.0002 (2017); Commonwealth of Mass., *Community Sanitation Program*, MASS.GOV (2024), <https://www.mass.gov/orgs/community-sanitation-program>.
68. MASS. GEN. LAWS ch. 11 § 12. The Massachusetts state regulation that sets forth guidelines for serious illness, injury, or death at county correctional facilities is 103 MASS. CODE REGS. 932.17.
69. Commonwealth of Mass., *Office of the Attorney General*, MASS.GOV (2024), <https://www.mass.gov/orgs/office-of-the-attorney-general>; Commonwealth of Mass., *Bureaus at the Attorney General's Office*, MASS.GOV (2024), <https://www.mass.gov/bureaus-at-the-attorney-generals-office>.
70. Commonwealth of Mass., *File a Civil Rights Complaint*, MASS.GOV (2024), <https://www.mass.gov/how-to/file-a-civil-rights-complaint>; 2023 Mass. AGO Civil Rights Complaint, *supra* note 14 at 2.
71. 103 MASS. CODE REGS. 904.12 (2024).
72. Detained individuals frequently referred to officers' rank (and by extension, level of authority) in terms of the color of their shirts. The higher-ranking supervising officers responsible for overseeing unit officers wore white shirts, and the people we interviewed often referred to them as "white shirts"/"de camisa blanca."
73. Off. of Det. Oversight, *Compliance Inspection for Plymouth Cnty. Corr. Facility, Plymouth, Mass.*, U.S. DEP'T OF HOMELAND SEC. (Nov. 2018) [hereinafter 2018 ODO Compliance Inspection], [https://www.ice.gov/doclib/foia/odo-compliance-inspections/plymouthCoCorrFacilityPlymouthMA\\_Nov\\_6-8\\_2018.pdf](https://www.ice.gov/doclib/foia/odo-compliance-inspections/plymouthCoCorrFacilityPlymouthMA_Nov_6-8_2018.pdf) (the federal government, "began housing detainees at PCCF in 1998 pursuant to an IGSA").
74. Detention and Removal Operations Detention Inspection Form, U.S. IMMIGR. AND NATURALIZATION SERVS, DET. AND REMOVAL (April 18, 2002) (on file with ACLU of Mass.).
75. *Id.*
76. Memorandum from Am. Bar Ass'n Delegation to Plymouth Cnty. Corr. Facility to Anthony Tangemann, Det. and Removals Off., Immigr. and Customs Enf't, Dep't of Homeland Sec., *Report on Observations during a Tour of the Plymouth County Correctional Facility* (Nov. 6, 2003) [hereinafter 2003 ABA Delegation], <https://www.ice.gov/doclib/foia/dfra/2003/plymouthcountycorrectionalfacilityplymouthmajuly232003.pdf>.
77. *Id.*
78. Detention and Removal Operations, Detention Inspection Form, U.S. IMMIGR. AND NATURALIZATION SERVS, DET. AND REMOVAL (April 7-9, 2003) (on file with ACLU of Mass.).
79. Detention and Deportation in the Age of ICE: Immigrants and Human Rights in Massachusetts, ACLU OF MASS. 64 (2008) [hereinafter 2008 ACLU Report], <https://www.aclum.org/sites/default/files/wp-content/uploads/2015/06/reports-detention-and-deportation-in-the-age-of-ice.pdf>.
80. Off. of Detention and Removal, Detention Facility Inspection Form, U.S. IMMIGR. AND CUSTOMS ENF'T (April 19-21, 2004) (on file with ACLU of Mass.).
81. *Id.*
82. Off. of Detention and Removal, Detention Facility Inspection Form, U.S. IMMIGR. AND CUSTOMS ENF'T (June 20-22, 2005) (on file with ACLU of Mass.).
83. Off. of Detention and Removal, Detention Facility Inspection Form, U.S. IMMIGR. AND CUSTOMS ENF'T (June 16, 2006) (on file with ACLU of Mass.).
84. 2008 ACLU Report, *supra* note 79, at 53.
85. *Id.* at 29-30.
86. The rating system at the time spanned At-Risk (worst rating), Deficient, Acceptable, Good, and Superior (best rating). Memorandum from Chief, Det. Standards Compliance Unit to Bruce Chadbourne, Field Off. Dir., Bos. Field Off., *Plymouth County House of Corrections Annual Review* (July 31, 2007), <https://www.documentcloud.org/documents/2063431-plymouth-county-ma-2007-ero-inspection>.
87. 2008 ACLU Report, *supra* note 79.
88. *Id.* at 11-13.
89. Off. of Det. Oversight, *Compliance Inspection for Plymouth County Correctional Facility, Plymouth, Mass.*, U.S. DEP'T OF HOMELAND SEC. (Nov. 2012) [hereinafter 2012 ODO Compliance Inspection], <https://www.ice.gov/doclib/foia/odo-compliance-inspections/plymouth-correctional-Nov27-29-2012.pdf>.

90. *Id.*
91. Marigo Farr, *Outcry over conditions at Plymouth County Correctional Facility – community groups call for ICE detainees’ release*, THE SCOPE BOS. (Dec. 16, 2021), <https://thescopeboston.org/7428/news-and-features/news/outcry-over-conditions-at-plymouth-county-correctional-fa-cility-community-groups-call-for-ice-detainees-release/>.
92. Joe Difazio, *Protestors march through Plymouth demanding release of immigration inmates at county jail*, THE PATRIOT LEDGER (Sep. 24, 2021), <https://www.patriotledger.com/story/news/2021/09/24/protesters-decry-ice-detentions-plymouth-county-jail/5829699001/>.
93. AMOR RI - Alianza para Movilizar Nuestra Resistencia, *Join us as we March and Rally to Shut Down Plymouth!*, FACEBOOK (Sep. 22, 2021), <https://www.facebook.com/amornetwork/>.
94. *Id.*
95. 2022 CRCL Expert Recommendations, *supra* note 12, at 1.
96. *Id.*
97. Letter from Edward J. Markey and Elizabeth Warren, U.S. Senators to Alejandro Mayorkas, Sec’y of Homeland Sec. and Tae D. Johnson, Acting Dir. of U.S. Immigr. and Customs Enf’t (Jan. 3, 2022) [hereinafter 2022 Letter from U.S. Senators], [https://www.markey.senate.gov/imo/media/doc/pccf\\_oversight\\_letter.pdf](https://www.markey.senate.gov/imo/media/doc/pccf_oversight_letter.pdf).
98. 2022 CRCL Complaints Memo, *supra* note 12.
99. *Id.*
100. Call transcripts and translations on file with the authors.
101. Letter from BIJAN, PLS MA, AMOR, Never Again Action Boston, and families/individuals directly impacted by ICE detention at PCCF to Ryan Farah, CRCL Policy Advisor (Jan. 28, 2022) [hereinafter 2022 Letter from Immigr. Advocates to Ryan Farah] (on file with authors).
102. Email from Ryan Farah, CRCL Policy Advisor to Mario Paredes, PLS MA Attorney (Jan. 31, 2022) (on file with authors).
103. 2022 CRCL Expert Recommendations, *supra* note 12.
104. Letter from Tae D. Johnson, Acting Dir. of U.S. Immigr. and Customs Enf’t, to Ed Markey, U.S.Senator, (Feb. 24, 2022) (on file with authors).
105. *Id.*
106. *Id.*
107. *Id.*
108. 2022 CRCL Expert Recommendations, *supra* note 12, at 2.
109. *Id.*
110. *Id.*
111. *Id.*
112. The listed date of publication has since been revised to reflect the date CRCL sent the memorandum, but the memorandum’s URL still references the original date of publication (“2023-08,” August 2023). *Compare id. with CRCL Expert Recommendation Memo to ICE Concerning Plymouth County Correctional Facility*, U.S. DEP’T OF HOMELAND SEC. <https://www.dhs.gov/publication/expert-recommendation-memo-ice-concerning-plymouth-county-correctional-facility> (last visited Aug. 27, 2024).
113. See Email from Mario Paredes, PLSMA Attorney to Ryan Farah, CRCL Policy Advisor (Oct.14, 2022) (on file with author); Email from Mario Paredes, PLS MA Attorney to Ryan Farah, CRCL Policy Advisor (Nov. 16, 2022) (on file with author); Email from Mario Paredes, PLS MA Attorney to Ryan Farah, CRCL Policy Advisor (Jan. 31, 2023) (on file with author); *see Publications Library*, U.S. DEP’T OF HOMELAND SEC., <https://www.dhs.gov/publications> (last visited July 17, 2024).
114. Letter from Immigration Advocates to Joseph R. Biden, President of the U.S., Alejandro Mayorkas, Sec’y of Homeland Sec., and Tae D. Johnson Acting Dir. of Immigr. and Customs Enf’t, *Re: End Immigration Detention Contracts Expiring in 2023* (Mar. 6, 2023) <https://www.detentionwatchnetwork.org/sites/default/files/2023%20ICE%20Contract%20Expirations%20-%20Organizational%20Letter.pdf>.
115. 2023 Mass. AGO Civil Rights Complaint, *supra* note 14.
116. *Id.*
117. Meeting between the Civil Rights Division of the Office of the Att’y General and immigration advocates (December 4, 2023) (meeting notes on file with author); Sean Cotter, *Immigrant advocates call for end of ICE contract with Plymouth jail*, BOSTON GLOBE (Aug. 18, 2024) <https://www.bostonglobe.com/2024/08/18/metro/ice-immigration-contract-plymouth/>.
118. 2024 Supplement to Mass. AGO Civil Rights Complaint, *supra* note 14.
119. *Id.*

120. The quotes from this section are taken from interviews on January 26, 2024 and June 24, 2024, detainee phone calls to the BIJAN hotline, and grievance reports. Interview notes, call transcripts and translations, and redacted PCCF grievance forms are on file with the authors. Other quotes are also taken from documents dating back to 2003, and can be found in the following sources: 2003 ABA Delegation, *supra* note 76; 2008 ACLU Report, *supra* note 79; Off. of Det. Oversight, *Compliance Inspection for Plymouth Cnty. Corr. Facility, Plymouth, Mass.*, U.S. DEP'T OF HOMELAND SEC. (July 28-30, 2015) [hereinafter 2015 ODO Compliance Inspection], <https://www.ice.gov/doclib/foia/odo-compliance-inspections/plymouthCountyCorrectionalFacilityPlymoutMaJul28-30-2015.pdf>; Cover Letter from Lead Compliance Inspector, The Nakamoto Group Inc. to Assistant Dir. for Det. Mgmt., *Annual Detention Inspection of the Plymouth County Correctional Facility* (June 14, 2018) [hereinafter 2018 Nakamoto Group Inspection], [https://www.ice.gov/doclib/facilityInspections/plymouthCoCorrFac\\_CL\\_06\\_14\\_2018.pdf](https://www.ice.gov/doclib/facilityInspections/plymouthCoCorrFac_CL_06_14_2018.pdf); *Off. of Detention Oversight Quality Assurance Review*, U.S. DEP'T OF HOMELAND SEC. 5 (Sept. 1-3, 2009) (on file with authors) [hereinafter 2009 ODO Quality Assurance Review]; Cover Letter from Lead Compliance Inspector, The Nakamoto Group Inc. to Assistant Dir. for Det. Mgmt., *Annual Detention Inspection of the Plymouth County Correctional Facility* (June 13, 2019) [hereinafter 2019 Nakamoto Group Inspection], [https://www.ice.gov/doclib/facilityInspections/plymouthCoCF\\_CL\\_06-13-2019.pdf](https://www.ice.gov/doclib/facilityInspections/plymouthCoCF_CL_06-13-2019.pdf); 2012 ODO Compliance Inspection, *supra* note 86; Off. of Detention and Removal Annual Review, Immigr. and Customs Enf't (May 6, 2010) (on file with authors) [hereinafter 2010 ODR Inspection]; Off. of Detention and Removal Annual Review, Immigr. And Customs Enf't 75 (Aug. 25, 2011) (on file with authors) [hereinafter 2011 ODR Inspection]; 2022 CRCL Complaints Memo, *supra* note 12; 2022 CRCL Expert Recommendations, *supra* note 12; 2022 Letter from Immigr. Advocates to Ryan Farah, *supra* note 101.

121. NDS 2019, *supra* note 26, at standard 2.8, § I.

122. *Id.* at standard 2.10, § II.A.

123. Beyond Bond Boston (@beyondbondboston), *All Eyes on Plymouth*, INSTAGRAM (Sept. 11, 2021), <https://www.instagram.com/p/CTsiCHwrHtd/?igsh=MWZLYndkejRid29jaw==>.

124. Beyond Bond Boston (@beyondbondboston), INSTAGRAM (Dec. 17, 2021), <https://www.instagram.com/p/CXlsHQtl6g1/?igsh=ejVxeWJqdHMwa3Z2>.

125. Beyond Bond Boston (@beyondbondboston), *Words from our community member today about the physical and medical abuse and neglect he is experiencing inside Plymouth County*, INSTAGRAM (Oct. 25, 2023), <https://www.instagram.com/p/Cy1ZpY8urcd/?igsh=bG8waXhzeHdOY3g>.

126. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 3.

127. NDS 2019, *supra* note 26, at standard 4.1, § I.

128. *Id.* at standard 4.1, § II.D.1.

129. *Id.* at standard 4.1, § II.C.2.b.

130. *Id.* at standard 4.1, § II.G.1.

131. Beyond Bond Boston (@beyondbondboston), *Regarding COVID Conditions at Plymouth*, INSTAGRAM (Dec. 6, 2021), [https://www.instagram.com/p/CXKURRkM\\_Lk/?igsh=MTFhejhiZWg5NDhvcw==](https://www.instagram.com/p/CXKURRkM_Lk/?igsh=MTFhejhiZWg5NDhvcw==).

132. 2008 ACLU Report, *supra* note 79, at 44-45.

133. 2022 Letter from U.S. Senators, *supra* note 97, at no. 1 (“How many meals a day does Plymouth provide to detainees? If a detainee does not have access to commissary funds, are detainees still ensured at least two hot meals every day? a. How does staff ensure all food served is fit for consumption? b. Do detainees have access to hot water? If so, what is the process for requesting hot water for meals or drinks?”).

134. NDS 2019, *supra* note 26, at standard 1.1, § II.I.1.

135. NDS 2019, *supra* note 26, at standard 1.1, § II.I.1.

136. Beyond Bond Boston (@beyondbondboston), *Regarding COVID Conditions at Plymouth*, INSTAGRAM (Dec. 6, 2021), [https://www.instagram.com/p/CXKURRkM\\_Lk/?igsh=MTFhejhiZWg5NDhvcw==](https://www.instagram.com/p/CXKURRkM_Lk/?igsh=MTFhejhiZWg5NDhvcw==).

137. Redacted PCCF grievance forms from incarcerated people at Plymouth, ICE and non-ICE (on file with authors).

138. *Plymouth, MA Weather History*, WEATHER UNDERGROUND, <https://www.wunderground.com/history/weekly/us/ma/plymouth/KMAPLYMO62/date/2024-1-6> (last visited July 15, 2024).

139. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 64.



140. *Id.* at 15, no. 3, 4 (“At no cost to the detainee, all new detainees shall be issued clean, indoor/outdoor, temperature-appropriate, presentable clothing during in-processing,” and “The standard issue of clothing for detainees should be consistent with facility policy but should include not less than one uniform shirt and one pair of uniform pants or one jumpsuit; one pair of socks; one pair of underwear; two brassieres, as appropriate; and one pair of footwear. Additional clothing shall be issued as necessary for changing weather conditions or as seasonally appropriate”).
141. 2008 ACLU Report, *supra* note 79, at 39, 42.
142. NDS 2019, *supra* note 26, at standard 1.1, §I.
143. *Id.* at standard 1.1, § II.I.2.
144. *Id.* at standard 5.6, §I.
145. *Id.* at §II.H.
146. Beyond Bond Boston (@beyondbondboston), *Regarding COVID Conditions at Plymouth*, INSTAGRAM (Dec. 6, 2021), [https://www.instagram.com/p/CXKURRkM\\_Lk/?igsh=MTFhejhiZWg5NDhvcw==](https://www.instagram.com/p/CXKURRkM_Lk/?igsh=MTFhejhiZWg5NDhvcw==).
147. Beyond Bond Boston (@beyondbondboston), *Dispatches from inside Plymouth County Correctional Facility*, INSTAGRAM (Feb. 18, 2022), <https://www.instagram.com/p/CaH-tXxLsUf/?igsh=cHV5eDJwczNtOWM4>.
148. 2008 ACLU Report, *supra* note 79, at 64 (“the Massachusetts Department of Public Health inspections of the facility reveal that Plymouth has problems with overcrowding, cleanliness and hygiene”).
149. 451-20(1)-Plymouth - Plymouth Report-Report 2nd Final Response of 32, Dep’t of Pub. Health 24-26 (March 11, 2020) (on file authors).
150. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 69.
151. *Id.*
152. *Compare* Off. of Detention and Removal Annual Review, Immigr. and Customs Enf’t 33(June16-18,2009) (on file with authors) [hereinafter 2009 ODR Inspection] (“ICE detainees are not authorized to work at this facility.”); 2010 ODR Inspection, *supra* note 119, at 32 (“ICE detainees are not allowed to work at this facility.”); 2011 ODR Inspection, *supra* note 119, at 34 (“ICE detainees are only permitted to do their personal housekeeping.”); Off. of Enf’t and Removal Operations Annual Review, U.S. Immig. And Customs Enf’t 45 (June 14, 2012) (on file with authors) [hereinafter 2012 ERO Inspection] (“ICE detainees do not participate in the work program.”); with 2003 ABA Delegation, *supra* note 76, at 13 (“PCCF only allows immigration detainees to work within their own unit and [they] are not paid for their work... Examples of work that detainees may perform within their unit include serving food, cleaning tables and hair cutting.”).
153. NDS 2019, *supra* note 26, at standard 1.1,§I.1.
154. Standards Compliance Accreditation Audit, Commission on Accreditation for Corrections 30 (June 5-7, 2017) (on file with authors).
155. *Id.*
156. Executive Office of Public Safety and Security, *Cross-TrackingSystem/Programs*, MASS.GOV (Dec.1,2023) <https://www.mass.gov/info-details/cross-tracking-system-programs#program-enrollments>.
157. In 2015, ODO noted a total bed capacity of 1140 at Plymouth, 340 of which were reserved for ICE detainees. 2015 ODO Compliance Inspection, *supra* note 119 at 5. In 2020, Plymouth responded to Massachusetts DPH concerns about overcrowding by citing a total capacity of 1600 based on a Certificate of Inspection issued by the Department of Public Safety, noting that its population average has hovered around 1100. 451-20(1)-Plymouth - Plymouth Report-Report 3-11-20 Response of 32, Dep’t of Pub. Health 27 (Mar. 11, 2020) (on file with authors). Currently, upon information and belief, Plymouth has capacity to detain 402 ICE detainees.
158. Letter from Nicholas Gale, Environmental Health Inspector, CSP, BEH to Joseph D. McDonald, Jr., Sheriff (May 19, 2020) (on file with authors).
159. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 67.
160. 2019 Nakamoto Group Inspection, *supra* note 119.
162. *See* 451-24(1)-Plymouth - Plymouth-Report 2-27-24, Dep’t of Pub. Health (Feb. 27, 2024), at <https://www.mass.gov/doc/plymouth-county-correctional-facility-february-8-2024/download>.
162. *See Massachusetts Sheriff’s Association-OCRCY18*, *supra* note 15; Our History, PLYMOUTH COUNTY SHERIFF’S DEPARTMENT, <https://www.pcsdma.org/about/history.html> (last visited Sept. 9, 2024).
163. NDS 2019, *supra* note 26, at standard 4.3, §II.A.

164. *Id.* at §II.I.
165. Email from Immigration Advocates to Ryan Farah, Policy Advisor, Office for Civil Rights and Civil Liberties, Re: Follow-up on Complaint No. 002463-21 - Inadequate conditions at the Plymouth County Correctional Facility (Jan. 28, 2022) (on file with authors).
166. BeyondBondBoston(@beyondbondboston), *Words from our community member today about the physical and medical abuse and neglect he is experiencing inside Plymouth County*, INSTAGRAM (Oct. 25, 2023), <https://www.instagram.com/p/Cy1ZpY8urcd/?igsh=bG8waXhzeHdOY3g>.
167. NDS 2019, *supra* note 26, at standard 4.3, §II.
168. 2022 Letter from U.S. Senators, *supra* note 97, at no. 2 (“When a detainee requests medical attention or medication (e.g., an inhaler), how long do they wait to receive it? Where does the request go and who approves it? How are requests prioritized?”).
169. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 43-44.
170. NDS 2019, *supra* note 26, at standard 4.3, §II.H.
171. NDS 2019, *supra* note 26, at standard 4.3.
172. NDS 2019, *supra* note 26, at standard 2.1, §II.E.
173. *Id.* at standard 4.4, § I.
174. Email from Immigration Advocates *Re: Follow-up on Complaint No. 002463-21*, *supra* note 164.
175. 2022 Letter from U.S. Senators, *supra* note 97, at no. 3.
176. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 32.
177. *Id.*
178. NDS 2019, *supra* note 26, at standard 2.9, §II.M.1.
179. *Id.* at standard 4.5, § II.H.
180. *Id.* at standard 4.5, § II.I.
181. Kevin Gosztola, *Human Rights Abuses Highlighted in Jailed Activist’s Letter from Plymouth County Correctional Facility*, SHADOWPROOF (Feb. 13, 2017), <https://shadowproof.com/2017/02/13/human-rights-abuses-highlighted-jailed-activists-letter-plymouth-county-correctional-facility/>.
182. 2008 ACLU Report, *supra* note 79, at 30.
183. NDS 2019, *supra* note 26, at standard 2.9, § II.W.
184. *Id.* at standard 5.4, § I.
185. *Id.* at standard 5.4, § II.D.
186. *Id.* at standard 5.4, § II.E.
187. *Id.* at standard 5.4, § II.I.
188. *Id.* at standard 5.1, § I.
189. *Id.* at standard 5.5, § II.F.1.
190. *Id.*
191. Beyond Bond Boston (@beyondbondboston), *Regarding COVID Conditions at Plymouth*, INSTAGRAM (Dec. 6, 2021), [https://www.instagram.com/p/CXKURRkM\\_Lk/?igsh=MTFhejhiZWg5NDhvcw==](https://www.instagram.com/p/CXKURRkM_Lk/?igsh=MTFhejhiZWg5NDhvcw==).
192. 2008 ACLU Report, *supra* note 79, at 49.
193. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 21-22.
194. 2022 Letter from U.S. Senators, *supra* note 97, at no. 5, (“When detainees need to communicate with their attorneys, what restrictions are placed on their access to telephones?”); 2023 Mass. AGO Civil Rights Complaint, *supra* note 14, at 3; 2024 Supplement to Mass. AGO Civil Rights Complaint, *supra* note 14, at 3-4.
195. Interview notes on file with authors.
196. ABA Delegation, *supra* note 76, at 10.
197. Memorandum from Chris Cronen, Field Office Director, Boston Field Office, to Tae D. Johnson, Assistant Director Custody Management Director (Feb. 3, 2017) (on file with authors).
198. 2023 Mass. AGO Civil Rights Complaint, *supra* note 14, at 5-6.
199. Notice of Change to Mail Procedures from PCCF Superintendent A. Moniz to All Inmates/Detainees (June 1, 2024), <https://www.pcsdma.org/forms/481%20PCCF%20A05%20Unit%20Posting%20Notice%20of%20Change%20to%20Mail%20Procedur e%2005.16.2024.pdf>.

200. Quote from Robenson, notes on file with authors.
201. NDS 2019, *supra* note 26, at ii-iii.
202. Email from Immigration Advocates *Re: Follow-up on Complaint No. 002463-21*, *supra* note 164; *see also* 2022 CRCL Complaints Memo, *supra* note 12, at no. 2.
203. Interview notes on file with authors.
204. *Id.*
205. NDS 2019, *supra* note 26, at ii-iii.
206. Interview notes and LanguageLine documentation on file with authors.
207. NDS 2019, *supra* note 26, at ii-iii; interview notes on file with authors.
208. *Id.*
209. Interview notes on file with authors.
210. ABA Delegation, *supra* note 76, at 13-14.
211. *Id.* at 14.
212. *Id.* at 13.
213. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 14.
214. *Id.* at no. 15.
215. NDS 2019, *supra* note 26, at standard 5.4, § II.J.
216. *Id.* at standard 5.5, § I.
217. *Id.* at standard 5.5, § II.G.8.
218. *Id.* at standard 5.5, § II.G.9.
219. *Id.* at standard 6.3, § I.
220. *Id.* at standard 6.3, § II.E.
221. Beyond Bond Boston (@beyondbondboston), Shut Down Plymouth, Instagram (Sept. 6, 2021), <https://www.instagram.com/p/CTgRLnGrh9W/?igsh=MXN4MXc4cHV4NThsNA==>.
222. Beyond Bond Boston (@beyondbondboston), Regarding COVID Conditions at Plymouth, Instagram (Dec. 6, 2021), [https://www.instagram.com/p/CXKURRkM\\_Lk/?igsh=MTFhejhiZWg5NDhvcw==](https://www.instagram.com/p/CXKURRkM_Lk/?igsh=MTFhejhiZWg5NDhvcw==).
223. *Id.*
224. ABA Delegation, *supra* note 76, at 2-5.
225. 2003 Detention Inspection Form, *supra* note 76.
226. 2008 ACLU Report, *supra* note 79, at 36.
227. 2022 CRCL Complaints Memo, *supra* note 12, no. 1, 2, 4, 5, 10.
228. *Id.* at no. 2.
229. Transcribed and translated notes from detainee call to BIJAN (on file with authors).
230. *Id.*; interview notes on file with authors.
231. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 10; *I.C.E. Detainee Handbook*, Plymouth Cnty. Corr. Facility, 36 (last updated Apr. 2023) (on file with authors); *see also* NDS 2019, *supra* note 26, at standard 6.3, § II.K.
232. NDS 2019, *supra* note 26, at standard 6.2, § I.
233. *Id.* at standard 6.2, § II.D.
234. *Tabia v. Lyons*, No. CV 19-12594-RGS, 2020 WL 589452 1 (D. Mass. Feb. 6, 2020)
235. Beyond Bond Boston (@beyondbondboston), *Dispatches from Inside Plymouth County Correctional Facility*, Instagram (Feb. 9, 2022), <https://www.instagram.com/p/CZxv7zisGPC/?igsh=MTJqbTllcjR1OHpnNQ==>.
236. Beyond Bond Boston (@beyondbondboston), *Dispatches from Inside Plymouth County Correctional Facility*, Instagram (Feb. 18, 2022), <https://www.instagram.com/p/CaH-tXxLsUf/?igsh=cHV5eDJwczNtOWM4>.
237. 2003 ABA Delegation, *supra* note 76, at 13-14.
238. *Id.* at 14.
239. *Id.*
240. 2008 ACLU Report, *supra* note 79, at 40.
241. 2022 Letter from U.S. Senators, *supra* note 97, at no. 8 (“Please describe the grievance process and how complaints are addressed. Has Plymouth engaged in any retaliation against detainees who have lodged complaints?”).

242. 2022 CRCL Expert Recommendations, *supra* note 12, at no. 3.

243. *Id.* at no. 3.

244. ICE refers to solitary confinement euphemistically as the “Special Management Unit” (SMU), and characterizes a person’s placement in solitary as “administrative segregation” or “disciplinary segregation,” depending on the stated justification. Detained people usually refer to solitary confinement as “the hole,” or “*el hoyo*.”

245. NDS 2019, *supra* note 26, at standard 2.9,§I.

246. *Id.* at standard 2.9, § II.A.

247. *Id.* at standard 2.9, § II.B.

248. *Id.* at standard 2.9, § II.M.

249. Survivors Speak: Prisoner Testimonies of Torture in United States Prisons and Jails, AM. FRIENDS SERV. COMM. (Nov. 2014), [https://solitarywatch.org/wp-content/uploads/2014/10/Survivors-Speak.pdf?\\_gl=1\\*2tm8bw\\*\\_ga\\*NTcxNDAzMjM3LjE3MjI5NjcMTQ.\\*\\_ga\\_804JP2FBDH\\*MTcyMjk2NzMxNC4xLjEuMTcyMjk2NzMxOS41NS4wLjA](https://solitarywatch.org/wp-content/uploads/2014/10/Survivors-Speak.pdf?_gl=1*2tm8bw*_ga*NTcxNDAzMjM3LjE3MjI5NjcMTQ.*_ga_804JP2FBDH*MTcyMjk2NzMxNC4xLjEuMTcyMjk2NzMxOS41NS4wLjA).

250. Endless Nightmare: Torture and Inhumane Treatment in Solitary Confinement in U.S. Immigration Detention, PHYSICIANS FOR HUMAN RIGHTS, HARVARD IMMIGR. AND REFUGEE CLINICAL PROGRAM, AND PEELER IMMIGRATION LAB 1 (Feb. 2024).

251. *Id.*

252. *Id.*

253. ICE Directive: 11065, *supra* note 34, at 1.

254. Maureen Boyle, *Behind the walls of Unit G at the Plymouth jail*, THE PATRIOT LEDGER (May 17, 2009), <https://www.patriotledger.com/story/news/2009/05/17/behind-walls-unit-g-at/40241884007/>.

255. 2008 ACLU Report, *supra* note 79, at 39.

256. *Id.* at 29.

257. *Id.* at 42.

258. See Act Relative to Justice Reform, ch.69 (2018) (codified as amended in Mass. Gen. Laws ch.4§7), Letter from Patrick C. Lee, General Counsel to Andrew Peck, Undersecretary, Chairman RHOC 2 (Nov. 5, 2020) (on file with authors); Bonnie Tenneriello, *Prison Reform’s Shell Game*, BOSTON REVIEW (Jul. 10, 2024), <https://www.bostonreview.net/articles/prison-reforms-shell-game/> (broadly summarizing the Act’s restrictions on who can be held in “restrictive housing,” why, and for how long).

259. Letter from Patrick C. Lee, General Counsel to Andrew Peck, Undersecretary, Chairman RHOC 2 (Nov. 5, 2020) (on file with authors).

260. See *'Rogues' gallery' strains resources at Plymouth jail*, Seacoast Online (Feb. 17, 2002), <https://www.seacoastonline.com/story/news/2002/02/17/rogues-gallery-strains-resources/51293956007/>; FY19-Reserve-Account-Reporting-Plymouth-County, Corr. Funding Comm’n (Dec. 2019), <https://correctionalfunding.com/wp-content/uploads/2019/12/FY19-Reserve-Account-Reporting-Plymouth-County.docx>; Joe Difazio and Wheeler Cowperthwaite, *Staff shortage, fewer inmates lead Mass. sheriff to end ICE program*, THE PATRIOT LEDGER (Sept. 12, 2021), <https://www.patriotledger.com/story/news/2021/09/10/plymouth-county-sheriff-ending-information-sharing-agreement-ice/8279106002/>.

261. Off. of Det. Oversight, Follow-Up Compliance Inspection for Plymouth Cnty. Corr. Facility, Plymouth, Mass., U.S. DEP’T OF HOMELAND SEC. (June 4-6, 2024), <https://www.ice.gov/doclib/foia/odo-compliance-inspections/2024-PlymouthCountyCF-PlymouthMA-June.pdf>.

262. *Id.* at 7.

263. *Id.*

264. *Id.*

265. *Id.*

266. In March 2024, and again in June 2024, the authors went through the list of individuals interviewed in January and cross checked their A-numbers and other information, such as date of birth and country of origin, against ICE’s Online Detainee Locator System (<https://locator.ice.gov/odls/#/search>) and EOIR’s Automated Case Information System (<https://acis.eoir.justice.gov/en/>). For some, an erroneously recorded A-number or missing date or country of birth derailed these efforts. Many more, for whom we had the correct information, simply did not appear in the records of either system.

267. Quote from Robenson, notes on file with authors.