



July 25, 2020

Via Email Only - thomas.r.decker@ice.dhs.gov

Field Office Director Thomas Decker
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
201 Varick Street
New York, NY 10014

Dear Director Decker:

As the immigration legal service providers for the New York Immigrant Family Unity Project (NYIFUP), The Bronx Defenders, Brooklyn Defender Services and The Legal Aid Society together represent the majority of the people detained by U.S. Immigration and Customs Enforcement at the Bergen County Correctional Facility. We write to you in alarm, after a growing number of our clients have reported that the air conditioning systems in several units of the jail have failed, and that they are enduring oppressive and dangerous conditions of heat and lack of ventilation. The few fans placed in the units are wholly inadequate to ensure proper cooling and air flow. It is unclear whether the facility is providing access to cold water or showers - and doing so in a safe manner given the ongoing pandemic.

The temperatures will reach the mid-90s this weekend, with heat indexes even higher. Such temperatures are dangerous without air conditioning. These conditions would be intolerable under ordinary circumstances. But given that air circulation and ventilation are essential to prevent the spread of COVID-19, which has affected staff and detainees at Bergen County Jail and continues to spread in the surrounding community, these conditions place our clients at imminent risk. The lockdowns and prolonged confinement to small cells, imposed to protect people from the spread of the virus, are adding to the extreme discomfort, given the limited air circulation in those small spaces.

We ask that you release our clients immediately to ensure the health and safety of the detainees as well as jail staff. We can provide a list of our clients, with their alien registration numbers, upon request, and are available over the weekend to coordinate their safe releases.

Sarah Deri Oshiro, The Bronx Defenders
Andrea Saenz, Brooklyn Defender Services
Hasan Shafiqullah, The Legal Aid Society

*cc: Undersheriff Orestes Alvarez, Bergen County Correctional Facility -- oalvarez@bcsd.us
NYCEROAttorneyInquiries@ice.dhs.gov; Waveney.L.Boyd@ice.dhs.gov; Hector.Medina@ice.dhs.gov;
Joanna.Delgado@ice.dhs.gov; Paul.Sanichar@ice.dhs.gov*