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February 26, 2025

The Honorable Chuck Grassley
Chairman Senate Judiciary Committee
135 Hart Senate Office Building
Washington, D.C. 20510

Chairman Grassley:

We request that the Senate Judiciary Committee hold an urgent hearing on the Trump Administration's recent decision to detain immigrants in the custody of the Department of Homeland Security (DHS), including many who are seeking asylum, in Federal Bureau of Prisons (BOP) facilities.

As Members of this Committee outline in the attached letter to Attorney General Bondi, the Administration's decision to revive this policy, which led to widespread allegations of mistreatment and unconstitutional detention conditions during the first Trump Administration, "threatens the safety and well-being of BOP staff, incarcerated individuals, and immigrant detainees."¹

The urgency of our request is reinforced by the attached statement, which a veteran BOP employee in California shared with us out of profound concern for their fellow colleagues and for the immigrants being placed in federal prisons. The statement, which is anonymized to protect the employee's identity, outlines in blunt terms the ramifications for BOP personnel, who are already overstretched and will bear the brunt of implementing this policy, and for immigrant detainees, who are being held in federal prisons without due process in unconstitutional detention conditions. As the employee concludes: "To put it plainly, this is inhumane."²

It is imperative that the Committee move urgently to address these developments before this policy becomes entrenched and does irreparable harm. We appreciate your immediate attention and look forward to working with you and the broader Committee on this pressing issue.



Adam B. Schiff
United States Senator

Sincerely,



Alex Padilla
United States Senator

¹ Letter to Attorney General Pam Bondi by Members of the Senate Judiciary Committee (Feb. 25, 2025), <https://www.judiciary.senate.gov/imo/media/doc/Letter%20to%20AG%20Bondi%20re%20BOP%20facilities%20for%20ICE.pdf>.

² Written Statement, Federal Bureau of Prisons Employee (Feb. 24, 2025).

STATEMENT

I am a veteran employee of the Bureau of Prisons (BOP), and I'm sharing this account of what is happening at BOP because I am deeply concerned for what it will mean for my colleagues, as well as the undocumented detainees being brought to our facilities.

On Friday, February 7, 2025, the leadership of BOP circulated new guidance that BOP employees must accept new undocumented detainees when dropped off by DHS.

We have already seen this new directive take effect at certain BOP facilities. On February 2, 2025, ICE agents dropped off buses of immigrant detainees at the BOP facility in downtown Los Angeles. I have also been told that detainees have been brought to the federal facility in Miami, where they showed up in paper jumpsuits. I'm sure there are others. Employees have been told that they can't turn them away and have to make room to house them. We have not been trained or employed for this purpose, and we don't know what these individuals are being detained for. BOP resources are being used to shuttle detainees, which is not where our limited resources should be going.

BOP is actively recruiting employees for temporary duty to Berlin, New Hampshire, which speaks to the fact that they do not have adequate staffing in place on the ground to undertake a major endeavor like this.

In 2018, detainees were brought to USP Victorville after a deal was reached between DHS and BOP. The results were a disaster for both detainees and prison officials. There were reports of detainees receiving insufficient medical care, employees stretched thin and working overtime, and instances of violence resulting from a lack of adequate staff resources. There were threats of suicide by some detainees, several of whom were reportedly exercising their legal right to seek asylum in this country. This put my BOP colleagues at risk.

There is no reason to believe that our facilities won't have the same problems—or worse—this time around. BOP is operating in the red and plagued by waste, fraud, and abuse. We are understaffed and underfunded, and I am concerned that Acting Director William Lothrop is throwing BOP employees under the bus in order to ink a deal with DHS just to bring in funding.

Let me be clear, BOP facilities are not immigration detention facilities. Our employees have not been trained to house detainees of this nature. We are equipped to handle individuals who have had due process and are coming to pay their debt to society. The needs and situations of immigrant detainees are very different, and this is not in line with our employment contracts.

On top of these concerns, I am alarmed that the civil rights of these detainees are not being upheld. They haven't been charged or convicted, and we are literally putting them in prison. I

can't imagine what it would be like to be plucked up off the street and thrown into prison with no due process. In standard immigrant detention facilities, detainees are able to see their families and communicate with their attorneys. Because they are not regular BOP inmates, migrant detainees can't be put into the Sentry system which means they aren't able to use resources like the True Links phone system. I am concerned that they are not able to contact their families or attorneys if they can't call outside the facilities while detained. This also raises other questions like how are we tracking them in the system? How are they being entered?

From what I understand, migrant detainees are usually kept separate from the general inmate population. If there is to be a major influx of detainees brought into BOP facilities, inmates will likely need to be moved around, which will drain our resources even further.

To put it plainly, this is inhumane. It seems like both fear of Donald Trump and the need for revenue are driving these decisions. But the bottom line is that BOP employees did not sign up for this. We have not been trained for this. We are not being paid for this. And it is not in our contracts. This abuse of resources and of my colleagues seems to be for nothing more than political gain.

Bureau of Prisons Employee
February 24, 2025