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House Democrats call for transgender immigrants to be released

After two fatalities, House Democrats tell ICE to improve the detention conditions or release LGBTQ+ detainees.

By Alexandra Kelley



 Spencer Platt/Getty Images

Story at a glance

Although they make up just 0.1 percent of the immigrant detainee population, transgender immigrants are 97 times more likely to be assaulted in custody and constitute 12 percent of all incidents.

Congress has repeatedly demanded better care for LGBTQ+ immigrants.

The latest letter to the Department of Homeland Security states that if ICE cannot ensure their safety, the transgender immigrants should be released.

More than 40 House Democrats have called for the release of transgender immigrant detainees in Immigration and Customs Enforcement (ICE) custody amid reports of heightened sexual and physical assault.

Representatives such as Eleanor Holmes Norton (D-D.C.), Jerry Nadler (D-N.Y.), Pramila Jayapal (D-Wash.), Joe Kennedy (D-Mass.), Ayanna Pressley (D-Mass.), and Joaquin Castro (D-Texas) signed a letter to Department of Homeland Security Acting Secretary Chad Wolf and Acting Director Matthew T. Albence demanding the release of transgender immigrants from ICE custody.

The effort was spearheaded by Representative Mike Quigley (D-Ill.). The letter was delivered on January 14.

In a press release, Quigley stated that LGBTQ+ immigrants are 97 times more likely to face sexual harassment and victimization in immigration detention than straight or cisgender immigrants, noting that two transgender women, Roxsana Hernandez Rodriguez and Johana Medina León, have died in ICE custody.

A large part of the Democrats' argument to release transgender detainees is that the Trump administration has yet to instill guidelines to protect this demographic when they as a population are more vulnerable to various types of assault.

“Trans men and women experience a higher threat of sexual violence and are too frequently placed in solitary confinement. If ICE cannot provide appropriate and humane accommodations for these migrants, they must release them from detention. No one else should have to lose their lives because of ICE’s cruel mismanagement,” Quigley says in his letter.

The petition also cites standards of care for transgender immigrants that have not been met, such as safe facilities with proper medical care. The letter indicates that ICE has not complied with these requirements, and therefore all transgender detainees must be released from custody.

Statistics show that while transgender immigrants and asylum-seekers only make up 0.1 percent of the total detained population, LGBTQ+ detainees make up twelve percent of all reported sexual assaults.

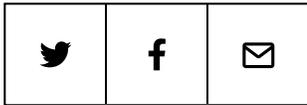
Letters from Congress advocating the release of LGBTQ+ detainees have been sent since May 2018 to then-Secretary Kristin Nielsen. This was catalyzed by the death of Roxana Hernandez Rodriguez, who died in custody of HIV-related complications, and a year later with the death of Johana Medina León, who died after requesting medical care multiple times.

Rep. Nadler specifically said that “Unfortunately, transgender migrants are particularly vulnerable to sexual harassment, physical and mental abuse, and medical neglect while in ICE detention. Rather than protect this vulnerable population, ICE detains them and places them at risk of abuse, medical neglect and sexual harassment in ICE custody.”

The representatives have requested a detailed plan with a deadline of Jan. 27 for how ICE will accommodate LGBTQ+ immigrants along with semi-monthly reporting to ensure compliance.

The request concludes with Quigley stating that “The United States is bound by domestic and international law to protect — not punish — vulnerable populations escaping from persecution. We demand that ICE abide by these laws by immediately bringing facilities detaining transgender individuals into compliance, and by arranging for release for transgender individuals at risk of sexual abuse and assault in ICE custody.”

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