



GOVERNMENT
ACCOUNTABILITY
PROJECT

1612 K Street NW, Suite 1100
Washington, DC, 20006
(202) 457-0034
whistleblower.org



Institute for the Elimination of Poverty & Genocide

9 Gammon Ave SE
Atlanta, GA 30315
projectsouth.org

October 4, 2022

VIA ELECTRONIC MAIL

Joseph V. Cuffari
Inspector General
Office of Inspector General
Department of Homeland Security
Washington, DC 20528-0305

**Re: Status of Investigations into September 2020 Disclosures of Whistleblower
Dawn Wooten and Immigrant Women Detained at Irwin County Detention Center**

Dear Inspector General Cuffari,

The Government Accountability Project and Project South, along with the 73 undersigned organizations, seek a status report on the ongoing investigations by your office into the whistleblower disclosures and retaliation complaint of nurse Dawn Wooten, along with the complaints of multiple women detained in ICE custody at the Irwin County Detention Center (ICDC), submitted to your office in September 2020. This month marks two years since these women disclosed health and safety violations at ICDC,¹ including failures to protect workers and immigrants from COVID-19 as well as nonconsensual invasive gynecological procedures performed on detained women.²

The importance of the complaints Ms. Wooten and the women detained at ICDC made regarding conditions at the facility cannot be understated.³ Following their critical reports of severe abuses,

¹ Project South, Letter to Department of Homeland Security Office of Inspector General et al, *Re: Lack of Medical Care, Unsafe work Practices, and Absence of Adequate Protection Against COVID-19 for Detained Immigrants and Employees Alike at the Irwin County Detention Center* (Sept. 14, 2020), <https://projectsouth.org/wp-content/uploads/2020/09/OIG-ICDC-Complaint-1.pdf> (including by reference additional whistleblower retaliation complaint filed with DHS OIG on behalf of Ms. Wooten by Government Accountability Project and Project South).

² Project South, *Violence & Violation: Medical Abuse of Immigrants Detained at the Irwin County Detention Center* (Sept. 14 2021), https://projectsouth.org/wp-content/uploads/2021/09/IrwinReport_14SEPT21.pdf; [Oldaker v. Giles, 2021 U.S. Dist. LEXIS 145563, 2021 WL 3412551](#)

³ The story of the public disclosures of Ms. Wooten and the complaints of the detained women went viral and prompted intense Congressional inquiry. *See e.g.*, House Committee on Oversight and Reform, Press Release, *Chairs Thompson and Maloney Announce Subpoena Regarding Allegations of Mistreatment at Irwin County*

DHS Secretary Mayorkas in May 2021 ordered Immigration and Customs Enforcement (ICE) to sever its contract with ICDC, stating “We will not tolerate the mistreatment of individuals in civil immigration detention or substandard conditions of detention.”⁴ By the first anniversary of their disclosures, no noncitizens in ICE custody were detained at the facility.

We acknowledge that your office has taken important investigative action regarding some parts of Ms. Wooten’s disclosures, namely, concerns of inappropriate medical care and inadequate response to the COVID-19 pandemic at the facility. The subsequent report issued January 3, 2022 validated Ms. Wooten’s concerns that ICDC and ICE management fell short in their COVID-19 safety guidance.⁵

However, two years after initial disclosures, at least two DHS OIG investigations remain open: an investigation into the approval process for gynecological procedures at ICDC referred to the OIG Office of Investigations, and an audit focusing on how surgical procedures are authorized and approved for detained immigrants across all ICE detention facilities.⁶ In addition, two other reports on the violations at Irwin County Detention Center have been released which raise even more questions and point to the urgency of this matter.

On June 3, 2021, Project South along with National Immigration Project of the National Lawyers Guild, and Citizens for Responsibility and Ethics in Washington, released a report titled, “Deliberate Indifference: Records show ICE’s systemic failures at Georgia detention facility at the center of gynecological abuse investigations.”⁷ This report summarizes documents received through FOIA requests. Findings include:

- **An outside gynecologist billed ICE for at least 71 invasive procedures from 2015 to 2020.** The doctor also submitted bills for 71 other invasive procedures, such as dilation and curettage and laparoscopy, and for 448 office visits by detained immigrants over five years.
- **Violations of ICE detention standards for medical care and vetting medical providers.** Inspection reports found numerous violations of ICE detention standards and other deficiencies, including an inability to "validate if peer reviews" by an "external state physician" had been completed for "independently licensed medical professionals" providing care to people detained at ICDC.

Detention Center (Nov. 25, 2020), <https://oversight.house.gov/news/press-releases/chairs-thompson-and-maloney-announce-subpoena-regarding-allegations-of>; José Olivares & John Washington, “*He Just Empties You All Out*”: Whistleblower Reports High Rates of Hysterectomies at ICE Detention Facility (Sept. 15, 2020), *The Intercept*, <https://theintercept.com/2020/09/15/hysterectomies-ice-irwin-whistleblower/>

⁴ Department of Homeland Security, Press Release, *ICE to Close Two Detention Centers* (May 20, 2021), <https://www.dhs.gov/news/2021/05/20/ice-close-two-detention-centers>

⁵ Office of Inspector General, Department of Homeland Security, *Medical Processes and Communication Protocols Need Improvement at Irwin County Detention Center* (Jan. 3, 2022), <https://www.oig.dhs.gov/sites/default/files/assets/2022-01/OIG-22-14-Jan22.pdf>

⁶ *Id.* At 6.

⁷ Citizens for Responsibility and Ethics in Washington (CREW), National Immigration Project of the National Lawyers Guild, Project South, *Deliberate Indifference: Records show ICE’s systemic failures at Georgia detention facility at the center of gynecological abuse investigations* (June 3, 2021), <https://projectsouth.org/wp-content/uploads/2021/06/ICE-ICDC-Report.pdf>

- **Recurring deficiencies relating to healthcare, detention conditions, and mistreatment of people detained at the facility**, including the lack of medical and mental healthcare, unsanitary conditions, lack of prenatal care for women and the aggressive use of solitary confinement in violation of ICE detention standards.
- **A history of complaints lodged with ICE by the Mexican Consulate and advocates, with claims of abuse and neglect at ICDC going back as far as 2018.**

On September 16, 2021, Project South, Georgia Detention Watch, Georgia Latino Alliance for Human Rights and South Georgia Immigrant Support Network released an extensive report with Harvard Immigration and Refugee Clinic and Harvard Law School Immigration Project titled, “Violence and Violation: Medical Abuse of Immigrants Detained at Irwin County Detention Center.”⁸ This report features firsthand testimonies from 14 immigrant women formerly detained at ICDC who underwent gynecological procedures without their full knowledge and consent.

Immigrant women who bravely came forward with the abuse they faced, detailed and supported by records obtained through FOIA and public reporting, are still waiting for answers and accountability. Equally concerning is that the investigation into Ms. Wooten’s whistleblower retaliation complaint has not been completed despite multiple extensions granted to your office beyond the 180-day statutory deadline for issuance of findings. In the absence of a resolution, Ms. Wooten continues to face explicit blocklisting and has paid an enormous economic, psychological, and emotional toll for her courage to alert oversight agencies like your office, Congress, and the public to the harms occurring at ICDC.⁹

Without the disclosures of Ms. Wooten and the immigrant women who shared their horrific experiences, the abuses your office is investigating might have continued unabated. Given the importance of the complaints and the time that has passed, we ask that you provide a status report or issue final reports in the pending investigations.

Sincerely,

Dana Gold
Senior Counsel and lead attorney for Ms. Wooten
Government Accountability Project
DanaG@Whistleblower.org
202.926.3306

Priyanka Bhatt
Senior Staff Attorney
Project South
Priyanka@projectsouth.org
404.622.0602

⁸ Project South, *Violence & Violation: Medical Abuse of Immigrants Detained at the Irwin County Detention Center* (Sept. 14, 2021), https://projectsouth.org/wp-content/uploads/2021/09/IrwinReport_14SEPT21.pdf

⁹ Sarah Stillman, *The Trials of a Whistle-Blower* (Jan. 21, 2022), The New Yorker Radio Hour, <https://www.newyorker.com/podcast/the-new-yorker-radio-hour/the-trials-of-a-whistle-blower>

Cc: House Speaker Nancy Pelosi
Representative Pramila Jayapal
Representative Jerrold Nadler
Representative Zoe Lofgren
Representative Judith Chu
Representative Jamie Raskin
Representative Bennie Thompson
Representative Kathleen Rice
Representative Carolyn Maloney
Representative Sheila Jackson Lee
Representative Joaquin Castro
Representative Hank Johnson, Jr.
Representative Nanette Diaz Barragan
Representative Adriano Espillat
Representative Veronica Escobar
Representative Juan Vargas
Representative Jimmy Gomez
Representative Lou Correa
Representative Sylvia Garcia
Representative Raul Ruiz
Senator Jon Ossoff
Senator Raphael Warnock
Congressional Hispanic Caucus
U.S. House Committee on Education and Labor
U.S. House Committee on Homeland Security
U.S. House Committee on the Judiciary
U.S. House Committee on Oversight and Reform
U.S. Senate Permanent Subcommittee on Investigations

Organizational Endorsers

African Human Rights Coalition
American Friends Service Committee (AFSC)
Asian Americans Advancing Justice-Atlanta
Asylum Seeker Advocacy Project (ASAP)
Bridges Faith Initiative
CAIR Georgia
Center for Gender & Refugee Studies
Center for Victims of Torture Georgia
Centro Legal de la Raza
Church World Service
Citizens for Responsibility and Ethics in Washington (CREW)
Cobb Immigrant Alliance
Columbia Law School Immigrants' Rights Clinic
Community Asylum Seekers Project
Disability Rights Advocates
Dorothy Day Catholic Worker, Washington DC
El Refugio Ministry
Envision Freedom Fund
Equal Rights Advocates
Equity Forward
Families For Freedom
Fellowship Southwest / Cooperative Baptist Fellowship
Franciscan Action Network
Free Government Information (FGI)
Freedom BLOC
Freedom Network USA
Georgia Human Rights Clinic
Georgia Interfaith Public Policy Center
Georgia Latino Alliance for Human Rights
Haitian Bridge Alliance
Harrington Investments, Inc.
Hispanic Federation
Human Rights First
Immigrant Action Alliance
Immigration Hub
Institute for Justice & Democracy in Haiti
Jacobs Institute of Women's Health
Just Detention International
Justice for Migrant Women
Justice in Motion
La Resistencia
Legal Action Center
Legal Aid Justice Center
Louisiana Advocates for Immigrants in Detention

Mariposa Legal
Migrant Center for Human Rights
Minnesota Freedom Fund
National Council of Jewish Women
National Immigrant Justice Center
National Immigration Law Center
National Immigration Project of the National Lawyers Guild
National Lawyers Guild San Francisco Bay Area Chapter
New Sanctuary Movement of Atlanta
NLG, Atlanta Chapter
Oregonizers
Organic Consumers Association
Owings MacNorlin LLC
Physicians for Human Rights
Presbyterian Church (USA)
Project On Government Oversight (POGO)
RAICES
Raksha, Inc
Restore The Fourth
Siembra NC
Sisters of Mercy of the Americas Justice Team
Sur Legal Collaborative
Surveillance Technology Oversight Project
Tahirih Justice Center
The Center for Victims of Torture
Transformations CDC
Tzedek Georgia
Whistleblower Anti-Bullying Resource Network (WARN)
Witness at the Border