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12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA

14 L.T., SEVAK MESROBIAN, JOSE
15 MAURO SALAZAR GARZA, AND J.M.,
16 on behalf of themselves and all others
17 similarly situated; COALITION FOR
HUMANE IMMIGRANT RIGHTS,

18 Plaintiffs,

19 v.

20 U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT; TODD M. LYONS,
21 Acting Director, U.S. Immigration and
22 Customs Enforcement; JAIME RIOS, Acting
23 Director of Los Angeles Field Office,
24 Enforcement and Removal Operations, U.S.
25 Immigration and Customs Enforcement; U.S.
DEPARTMENT OF HOMELAND
26 SECURITY; MARKWAYNE MULLIN,
Secretary, U.S. Department of Homeland
Security,

27 Defendants.
28

Case No. 5:26-cv-00322-SSS-SPx

**FIRST AMENDED COMPLAINT
FOR INJUNCTIVE AND
DECLARATORY RELIEF**

CLASS ACTION

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INTRODUCTION

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1. Since the federal government launched its sweeping dragnet of immigration raids in the Central District of California, it has apprehended thousands of people and detained them for days, weeks, or months in inhumane conditions. Individuals are often first taken to a temporary holding facility in downtown Los Angeles and then transported to a for-profit detention complex in the middle of the Mojave Desert where they are mistreated and denied basic human dignity. At the Adelanto ICE Processing Center (“Adelanto”), detained individuals face dangerous conditions and pervasive abuses—disease and illness are rampant, mold grows on the walls, and detained individuals are denied sufficient food, clean drinking water, proper medical care, and disability accommodations. This lawsuit seeks to end the inhumane and illegal conditions faced by immigrants detained at Adelanto—one of the largest immigration detention centers in the United States.

2. The government’s abuses at Adelanto are a core part of its broader scheme to harass, intimidate, punish, and deport immigrants. Defendants target immigrants at a breakneck pace, through a vicious pipeline of incarceration and oppression—first, by racially profiling them and aggressively seizing them off the street¹—then, by imprisoning them in a squalid, cramped temporary holding facility known as B-18, located in the basement of a federal building in downtown Los Angeles²—and finally, by transferring them to Adelanto, where they are left to endure intolerable conditions as they await their immigration case—or agree to deportation. These abusive

¹ See *Vasquez Perdomo v. Noem*, 790 F. Supp. 3d 850, 886-87 (C.D. Cal. 2025), appeal dismissed sub nom. *Perdomo v. Noem*, No. 25-4312, 2025 WL 4053187 (9th Cir. Nov. 21, 2025) (describing one such seizure); *id.* at 889-91, 897 (finding plaintiffs were likely to succeed in demonstrating the government had a pattern of seizing people without reasonable suspicion based on “[a]pparent race or ethnicity; [s]peaking Spanish or speaking English with an accent; [p]resence at a particular location, or occupation . . . [or] [t]ype of work done”).

² *Id.* at 867 (noting that “[i]ndividuals taken to B-18 are being kept in small, windowless rooms with dozens or more other detainees in cramped quarters[,]” “are also routinely deprived of food, and some have not even been given water other than what comes out of the combined sink and toilet in the group detention room”).

1 practices seek to force detained immigrants to surrender important statutory and
2 constitutional rights and send a message to other immigrants to “self-deport.”
3 Defendants’ actions at Adelanto are part of a policy and practice that seeks to degrade,
4 dehumanize, and demonize immigrants, stripping them of dignity in the process.

5 3. The government’s decision to abruptly repopulate Adelanto—which has
6 long been the subject of investigation and condemnation for its unsafe conditions—
7 has only intensified the urgent need to protect the health and safety of detained
8 immigrants. The number of individuals detained at Adelanto swelled rapidly
9 throughout 2025, surging from three individuals to nearly two thousand.³ As of April,
10 2026, about 1,800 people continue to be held at Adelanto.⁴ As the population has
11 quickly swelled, conditions have rapidly deteriorated.

12 4. As the government began detaining thousands of immigrants at Adelanto
13 in June 2025, a longtime Adelanto detention center staff member warned that the
14 surge was “dangerous” because the facility lacked experienced staff, was generally
15 understaffed, and was “cutting way too many corners.”⁵ When the state agency
16 authorized to inspect detention facilities visited Adelanto that month, it warned that
17 detained individuals faced “alarming” conditions and that detained individuals with
18 disabilities were being subjected to “abuse and neglect.”⁶ Detained individuals
19 described being treated like “dogs in cages.”⁷

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21
22 ³ *Ice Detention Trends*, Vera (April 2, 2026), <https://www.vera.org/ice-detention-trends>.

23 ⁴ *Adelanto ICE Facility: Data Shows Staggering Solitary Confinement Numbers*,
LAist (April 3, 2026), <https://laist.com/brief/news/politics/adelanto-solitary-confinement-data>.

24 ⁵ Jenny Jarvie & Nathan Solis, *Moldy Food, Dirty Towels: Critics Warn of Inhumane*
25 *Conditions at California’s Largest Detention Center*, L.A. Times (June 20, 2025),
<https://www.latimes.com/california/story/2025-06-20/unsanitary-overcrowded-and-inhumane-red-flags-raised-about-conditions-in-adelanto-detention-center>.

26 ⁶ “*They Treat Us Like Dogs in Cages*”: *Inside the Adelanto ICE Processing Center*,
27 Disability Rights California (July 17, 2025), <https://www.disabilityrightsca.org/drc-advocacy/investigations/inside-the-adelanto-ice-processing-center> [hereinafter *They Treat Us Like Dogs in Cages*].

28 ⁷ *Id.*

1 5. In choosing to apprehend and confine thousands of immigrants at
2 Adelanto, Defendants assumed legal responsibility for the lives and well-being of
3 those in their custody—yet have knowingly failed to provide for detained individuals’
4 basic needs and have instead deliberately harmed and endangered their health.
5 Detained individuals are routinely denied necessary medical care and disability
6 accommodations, and face unsanitary conditions without access to adequate food and
7 clean drinking water.

8 6. Countless detained individuals have suffered medical issues with limited
9 access to proper care. One detained individual had the top of his finger bitten off and
10 developed an infection that went untreated. Another has inconsistent access to his
11 epilepsy medication and regularly experiences seizures that receive delayed medical
12 attention or none at all. Detained individuals with disabilities are left to fend for
13 themselves. Elderly detained individuals with mobility issues are forced to sleep on
14 top bunks despite their difficulty climbing up ladders.

15 7. Detained individuals routinely request medical care and other basic
16 needs, but are consistently ignored by Adelanto staff, or told that their issue is not
17 serious enough to warrant medical attention. Even if they eventually see a medical
18 professional, the medical care is dangerously substandard. In 2025, at least two
19 detained individuals who suffered medical emergencies died under circumstances that
20 raise serious questions about the provision of adequate medical care and conditions
21 at Adelanto.⁸ In the first four months of 2026, two more individuals detained at
22 Adelanto died.⁹

23
24 ⁸ See Meg James, *Deaths in ICE custody raise serious questions, lawmakers say*, L.A.
25 Times (Nov. 22, 2025), <https://www.latimes.com/california/story/2025-11-22/ice-custody-deaths-raise-congress-member-questions-ismael-ayala-uribe>.

26 ⁹ See Casey Tolan et al., *How understaffing and DHS policy drives rising deaths in*
27 *ICE detention centers*, CNN (May 15, 2026),
28 <https://www.cnn.com/2026/05/15/us/ice-immigration-detention-centers-medical-care-deaths-invs-vis> (describing a pattern of rising fatalities in ICE custody across the country—many of which appear to be related to “substandard treatment by at-times understaffed medical teams dealing with escalating detainee populations.”).

1 pursuant to 28 U.S.C. § 1346 because the United States is a defendant. Defendants
2 do not have sovereign immunity for purposes of this action. *See* 5 U.S.C. § 702.

3 12. An actual controversy exists between the parties within the meaning of
4 28 U.S.C. § 2201(a), and this Court may grant declaratory relief, injunctive relief, and
5 other appropriate relief pursuant to 28 U.S.C. §§ 2201–02 and the Court’s inherent
6 equitable powers.

7 13. Venue properly lies in the Central District of California pursuant to 28
8 U.S.C. § 1391(e)(1). All Defendants are agencies, or officers of agencies, of the
9 United States, and at least one Defendant resides in this District. In addition, because
10 Plaintiffs are detained at Adelanto ICE Processing Center in this District, where
11 Defendants’ unlawful actions have caused and will continue to cause harm unless
12 enjoined, a substantial part of the events giving rise to the claims have occurred and
13 continue to occur in this District.

14 **PARTIES**

15 ***Individual Plaintiffs***

16 14. **Plaintiff L.T.**¹⁰ is a resident of Santa Ana, California. He has lived in
17 California since 1989. Mr. L.T. was born in 1964. On November 14, 2025, he was
18 arrested by Defendant ICE in Santa Ana, California. He has been at Adelanto since
19 November 18, 2025. Mr. L.T. suffers from serious medical and mobility issues that
20 continue to go unaddressed and untreated at Adelanto. He was paralyzed on the right
21 side of his body due to a stroke he had approximately three years ago and he continues
22 to have serious mobility issues as a result. At Adelanto, he has been denied physical
23 therapy and cortisol shots, causing his body to stiffen. He has been placed in an
24 upstairs unit, made to walk in chains which caused a fall, and has been denied a
25 shower chair. Mr. L.T. also has a stomach aneurysm and a tumor on his spine, and
26 he worries about their progression without treatment.

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28 ¹⁰ This Court previously granted L.T. leave to proceed under pseudonym. *See* ECF
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1 15. **Plaintiff Sevak Mesrobian** is a resident of Glendale, California, who
2 came to the United States in approximately 1990. He was arrested by Defendant ICE
3 in Glendale while running errands for his mother. He was taken to Adelanto on July
4 24, 2025, where he has been since. He suffers from epilepsy and seizures for which
5 he requires prescription medication. Adelanto staff do not consistently provide the
6 medication Mr. Mesrobian needs to control his seizures. When he has seizures, he
7 either does not receive medical attention or receives delayed and deficient care. He
8 was once made to walk to the infirmary on his own after suffering a seizure and fell
9 and hit his head. On another occasion, after experiencing a seizure, Mr. Mesrobian
10 was locked by himself in a medical holding cell, where he suffered another seizure
11 with no medical assistance. While hospitalized and in critical condition due to
12 seizures, he always has his arm and leg handcuffed to the bed for the duration of his
13 hospital stay, including for up to five days in one instance. Since the filing of the first
14 complaint in January 2026, Mr. Mesrobian continues to experience inconsistent
15 access to his epilepsy medication and has been hospitalized at least two more times
16 for seizure episodes.

17 16. **Plaintiff Jose Mauro Salazar Garza** is a resident of California who has
18 lived in the United States since 1981. He has six children in the United States, the
19 youngest of whom is eleven. Mr. Salazar Garza has been detained at Adelanto since
20 January 2025, and he serves as the Christian preacher in his unit. Mr. Salazar Garza
21 was previously detained at Desert View Annex (“DVA”) and, in August 2024,
22 another detainee bit off part of his right pinky finger. When Mr. Salazar Garza was
23 transferred to Adelanto in January 2025, his right hand was swollen and painful from
24 what he suspected was an infection. His infected finger eventually burst while he was
25 sleeping. Later, when Mr. Salazar Garza contracted a staph infection on his arm and
26 hip, Adelanto staff waited multiple days until his entire arm was swollen and
27 discolored to transport him to the hospital for surgery. In the past several months,
28 Mr. Salazar Garza’s hand has started to feel the way it did in early 2024, with pain at

1 the amputation site and a tingling sensation up and down his arm. Given his past
2 experiences at Adelanto, Mr. Salazar Garza fears repeated infections with delayed
3 access to medical care. He has also been waiting for months for a bunionectomy and
4 orthopedic shoes to relieve chronic pain in his feet.

5 17. **Plaintiff J.M.**¹¹ is a resident of Moreno Valley, California, who has lived
6 in the United States since 2005. Mr. J.M. was detained by Defendant ICE in March
7 2025. He was initially taken to DVA and then transferred to Adelanto in June 2025,
8 where he was detained until he was released on April 28, 2026.¹² Mr. J.M. suffers
9 from cardiac arrhythmia. In November 2025, he was taken outside of Adelanto for a
10 heart ultrasound, and the cardiologist ordered him to wear a heart monitor. When he
11 returned, Adelanto staff only allowed Mr. J.M. to wear the heart monitor if he stayed
12 in isolated medical segregation. After spending about five days alone in the medical
13 cell, Mr. J.M. could no longer tolerate the isolation, and he elected to return to his
14 regular cell without his heart monitor. In December 2025, he was scheduled for a
15 follow up appointment at an outside hospital to learn the results of the heart
16 monitoring. He was transported to the hospital, but when he arrived, he was informed
17 by the hospital staff that Adelanto staff had cancelled the appointment. He never
18 learned the results of the heart monitoring and was never rebooked for another
19 appointment. Based on his own experience and what he has witnessed, while in
20 detention, Mr. J.M. constantly feared that if he suffered a cardiac episode, he would
21 not receive timely medical assistance, if he received any medical assistance at all.
22 Although he has been released, the government has redetained other individuals it has
23 released, including a named plaintiff in *Vasquez Perdomo v. Noem*, 148 F.4th 656
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26 _____
27 ¹¹ This Court previously granted J.M. leave to proceed under pseudonym. *See* ECF
28 28.

¹² J.M. was detained at Adelanto at the time the original complaint was filed. *See* ECF
1 ¶ 17.

1 (9th Cir. 2025).¹³ If Mr. J.M. were to be redetained, he would again be subject to
2 inhumane conditions and at risk of nonresponsive and/or inadequate medical care.

3 ***Organizational Plaintiff***

4 18. **Plaintiff Coalition for Humane Immigrant Rights (“CHIRLA”)** is a
5 nonprofit organization with its principal place of business in Los Angeles, California.
6 CHIRLA was founded in 1986 to advance the human and civil rights of immigrants
7 and refugees. Since then, CHIRLA has become one of the largest and most effective
8 advocates for immigrant rights, organizing, educating and defending immigrants and
9 refugees in the streets, in the courts, and in the halls of power. CHIRLA brings this
10 suit both on behalf of its members, *see Vasquez Perdomo*, 148 F.4th at 676
11 (concluding CHIRLA had associational standing), and on behalf of itself, *see*
12 *Immigrant Defs. L. Ctr. v. Noem*, 145 F.4th 972, 987-89 (9th Cir. 2025) (concluding
13 similar legal service provider had organizational standing).

14 19. As a membership organization, CHIRLA serves approximately 50,000
15 members across California, including both U.S. citizens and noncitizens of varying
16 immigration status. Most members are low-income. Many members are day
17 laborers, car wash workers, street vendors, and domestic workers. CHIRLA’s
18 membership is predominantly Latino but includes people from around the world.
19 CHIRLA has members in every county in the District. As part of CHIRLA’s mission
20 to promote civic engagement and lively democratic debate, CHIRLA educates its
21 membership as well as the broader community through know-your-rights
22 programming, workshops, social media, and educational literature about a variety of
23 social services and benefits, including immigration law, financial literacy, workers’
24 rights, and civic engagement. CHIRLA’s members plan local advocacy campaigns,

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27 ¹³ See Brittny Mejia, *Federal judge orders release of Pasadena man who is plaintiff*
28 *in lawsuit against immigration raids*, L.A. Times (Apr. 23, 2026),
<https://www.latimes.com/california/story/2026-04-23/federal-court-orders-release-of-lawsuit-plaintiff>.

1 share information, and discuss issues that affect them, their families, and their local
2 communities.

3 20. CHIRLA brings suit on behalf of its members—including those already
4 detained at Adelanto and those at risk of being detained. Multiple CHIRLA members
5 have faced medical neglect and lived through inhumane conditions while detained at
6 Adelanto. At least one CHIRLA member is currently detained at Adelanto. Other
7 CHIRLA members risk similar mistreatment. Because many CHIRLA members are
8 immigrants, many members are at risk of being detained at Adelanto in these
9 conditions.

10 21. In addition to being a membership organization, CHIRLA also brings this
11 suit because its provision of legal services has been impaired by Defendants' actions.
12 CHIRLA provides pro bono legal services to members and clients in removal
13 proceedings, including numerous clients who are or have been detained at Adelanto.
14 CHIRLA staff first conduct intakes to screen prospective clients for representation
15 eligibility. CHIRLA then either chooses to represent the individuals in removal or
16 other proceedings or refers them to other providers. Additionally, CHIRLA
17 coordinates the Los Angeles Rapid Response Network ("LARRN"), whose purpose
18 is to assist community members in the wake of immigration enforcement actions.
19 CHIRLA operates a hotline where individuals impacted by immigration enforcement
20 seeking support can request referrals for immigration lawyers and other support
21 services through the LARRN.

22 22. CHIRLA's core business activities, including its provision of legal
23 services to detained individuals, have been impacted by Defendants' policies and
24 practices challenged herein. In the last year, CHIRLA has received hundreds of phone
25 calls requesting assistance for people detained at Adelanto. As a result of the
26 pervasive medical neglect at Adelanto, people are no longer just calling about
27 representation in immigration proceedings—they are often seeking help with complex
28 medical issues and access to healthcare, including prescription medications.

1 CHIRLA’s hotline operators now spend additional time on intakes to record
2 information about medical issues, meaning they spend less time screening a potential
3 client’s legal claims, spend more time on intakes overall, and conduct fewer intakes
4 and referrals than they would otherwise be able to.

5 23. Pervasive medical neglect at Adelanto has also made it more difficult to
6 prepare a client’s removal defense. CHIRLA’s legal staff cannot represent people
7 who are dead, so responding to their clients’ medical needs becomes a necessary part
8 of representing them in their immigration cases. It takes longer to prepare a client’s
9 removal defense because CHIRLA’s legal staff must take on additional work and
10 devote additional time to addressing medical needs. In addition, when a client’s health
11 is declining, attorney meetings become more taxing on the client, hindering
12 CHIRLA’s representation.

13 24. The representation CHIRLA staff provide, and CHIRLA’s ability to
14 retain clients, has also been impacted because many individuals who initially wanted
15 to challenge their arrest and detention have grown desperate under inhumane
16 conditions and are either considering abandoning their claims for relief and agreeing
17 to “self-deport,” or have already done so. CHIRLA has lost prospective clients who
18 have given up on asserting their claims because the conditions at Adelanto are so dire.
19 If CHIRLA’s clients—actual and prospective—feel pressured into giving up their
20 claims before CHIRLA attorneys get a chance to defend them, CHIRLA cannot
21 properly serve them. It also means that CHIRLA’s attorneys prepare cases that are
22 never adjudicated, wasting limited resources.

23 25. CHIRLA’s activities—imperative to an organization that seeks due
24 process and fair treatment for its members and clients—have thus been impaired by
25 Defendants’ actions. Because of the barriers to its work imposed by Defendants’
26 policies and practices, CHIRLA would need to hire additional staff, requiring it to
27 conduct additional fundraising in order to support its core business activities and long-
28 standing mission, and/ or divert existing staff resources away from other projects.

Defendants

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2 **26. Defendant Immigration and Customs Enforcement (“ICE”)** is a
3 component agency of the U.S. Department of Homeland Security. Defendant ICE is
4 responsible for the criminal and civil enforcement of immigration laws, including the
5 detention and removal of immigrants. Defendant ICE is responsible for ensuring
6 immigrants are kept in conditions that comply with the Constitution and the law.
7 Defendant ICE has contracted with the GEO Group, Inc. (“GEO”)—one of the largest
8 for-profit prison corporations in the country—to run and manage the Adelanto ICE
9 Processing Center. GEO facility administration, staff, and other personnel at
10 Adelanto are agents of Defendant ICE. Defendant ICE is an agency within the
11 meaning of 5 U.S.C. § 551(1).

12 **27. Defendant Todd Lyons** is the Acting Director of ICE and the current
13 senior official performing the duties of the Director of ICE. Defendant Lyons is
14 responsible for Defendant ICE’s policies, practices, and procedures, including those
15 relating to the detention of immigrants and the conditions under which they are held.
16 Defendant Lyons is a legal custodian of Plaintiffs and the members of the putative
17 class. He is sued in his official capacity.

18 **28. Defendant Jaime Rios** is the Acting Director of ICE’s Los Angeles Field
19 Office, Enforcement and Removal Operations, which is the ICE Field Office with
20 jurisdiction and responsibility over Adelanto. Defendant Rios is responsible for
21 Defendant ICE’s policies, practices, and procedures, including those relating to the
22 detention of immigrants and conditions under which they are being held. Defendant
23 Rios is a legal custodian of Plaintiffs and members of the putative class. He is sued
24 in his official capacity.

25 **29. Defendant Department of Homeland Security (“DHS”)** is a federal
26 executive agency responsible for, among other things, enforcing federal immigration
27 laws and overseeing immigration to the United States. Defendant DHS is a legal
28

1 custodian of Plaintiffs and members of the putative class. Defendant DHS is an
2 agency within the meaning of 5 U.S.C. § 551(1).

3 30. **Defendant Markwayne Mullin** is the Secretary of DHS. Defendant
4 Mullin is responsible for administering and enforcing the nation’s immigration laws
5 pursuant to 8 U.S.C. § 1103(a). In this role, he oversees component agencies,
6 including Defendant ICE and U.S. Customs and Border Protection (“CBP”).
7 Defendant Mullin is sued in his official capacity.

8 **FACTUAL ALLEGATIONS**

9 **A. Adelanto is a for-profit prison complex with a history of abuse, neglect and**
10 **unsafe conditions.**

11 31. A former state prison, Adelanto is a sprawling detention complex located
12 in the Mojave Desert in San Bernardino County.¹⁴ For over a decade, Adelanto has
13 often functioned as the primary long-term immigration detention center in the Central
14 District. It has the capacity to detain 1,940 people,¹⁵ making it the largest immigration
15 detention facility in the Central District and one of the largest in the country.¹⁶

16 32. The facility is owned by one of the largest for-profit prison and detention
17 companies in the U.S., GEO.¹⁷ Defendant ICE contracts with GEO to run Adelanto
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20 ¹⁴ Sarah Tory, *‘If you don’t want us, tell us to go back’ The making of a California*
21 *prison town*, High Country News (May 15, 2017),
22 <https://www.hcn.org/issues/49-8/how-adelanto-came-to-host-californias-biggest-immigration-detention-facility/> (noting Adelanto was a state prison for twenty years).

23 ¹⁵ *Adelanto ICE Processing Center*, The GEO Group.,
24 <https://www.geogroup.com/facilities/adelanto-ice-processing-center/> (last visited Jan. 25, 2026).

25 ¹⁶ See *Detention Facilities Average Daily Population*, Transactional Recs. Access Clearinghouse (TRAC), (Apr. 2, 2026)
26 <https://tracreports.org/immigration/detentionstats/facilities.html> [hereinafter *TRAC Report*].

27 ¹⁷ *Id.* (discussing ownership); Lauren-Brooke Eisen, *Private Prison Companies’ Enormous Windfall: Who Stands to Gain as ICE Expands*, Brennan Ctr. for Just. (Oct. 1, 2025), <https://www.brennancenter.org/our-work/analysis-opinion/private-prison-companies-enormous-windfall-who-stands-gain-ice-expands> (noting GEO is one of the two largest private prison companies in the United States).
28

1 and detain immigrants there, including the Individual Plaintiffs.¹⁸ GEO purchased
2 the former prison in 2010 for \$28 million,¹⁹ and Defendants opened the facility as an
3 immigration detention center in 2011.²⁰ Since then, detained individuals, advocates,
4 and government entities charged with oversight have repeatedly raised concerns about
5 substandard conditions.

6 33. Adelanto consists of two buildings that house detained individuals: East
7 and West.

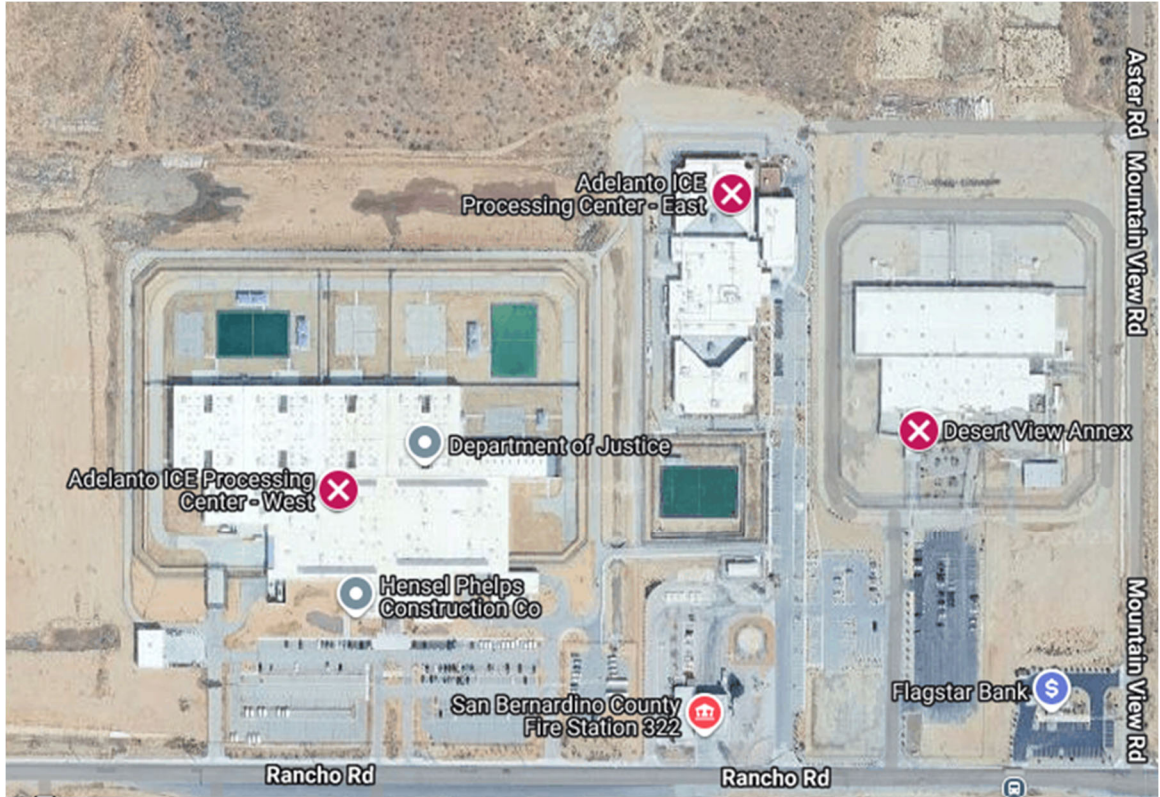
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19 ¹⁸ See *Contract No. 70CDCR20D00000009 between the GEO Grp., Inc. and U.S.*
20 *Immigr. & Customs Enf't 2* (Oct. 16, 2019),
21 https://www.ice.gov/doclib/foia/detFacContracts/70CDCR20D00000009_org_AdelantoDetFac_AdelantoCA.pdf [hereinafter *2019 Adelanto Contract*] (“establish[ing]
22 detention, transportation and medical services in the Los Angeles Area of
23 Responsibility at Adelanto Detention Facility and the Desert View Modified
24 Community Correctional Facility”); *Modification P00018 to Contract No.*
25 *70CDCR20D00000009 between the GEO Grp., Inc. and U.S. Immigr. & Customs*
26 *Enf't 2* (Dec. 19, 2019),
27 [https://www.ice.gov/doclib/foia/detFacContracts/70CDCR20D00000009_P00018-
19_AdelantoDetFac_AdelantoCA.pdf](https://www.ice.gov/doclib/foia/detFacContracts/70CDCR20D00000009_P00018-19_AdelantoDetFac_AdelantoCA.pdf).

25 ¹⁹ *Natasha Lindstrom, GEO Group finalizes \$28 million purchase of Adelanto*
26 *prison*, Victorville Daily Press (June 7, 2010),
27 [https://www.vvdailynews.com/story/news/2010/06/07/geo-group-finalizes-28-
million/37086482007/](https://www.vvdailynews.com/story/news/2010/06/07/geo-group-finalizes-28-million/37086482007/).

27 ²⁰ *Immigration Detention in California: A Comprehensive Review with a Focus on*
28 *Mental Health*, Cal. Dep't of Just., 26 (2025),
<https://oag.ca.gov/system/files/media/immigration-detention-2025.pdf>. [hereinafter
Immigration Detention in California].

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(Aerial screenshot taken from Google Maps)

34. Though not the subject of this lawsuit, the compound also includes an additional ICE detention center known as the Desert View Annex (“DVA”).²¹ Adelanto and DVA “share most of the same staff,” including “[m]ost of the administrative, executive, medical, and mental health staff” and “essentially operate together[.]”²² Detained individuals are often transferred between them.

35. The current contract between Defendant ICE and GEO, signed in 2019, provides GEO over two billion dollars to operate the Adelanto and DVA facilities for five years, for over \$400 million a year.²³ GEO makes an estimated \$85 million

²¹ Rebecca Plevin, *Adelanto approves GEO plan to expand capacity at detention center*, Victorville Daily Press (Feb. 20, 2020), <https://www.vvdailynews.com/story/news/local/delanto/2020/02/20/adelanto-approves-geo-plan-to/62935425007/>.

²² *Immigration Detention in California*, supra note 20, at 26, 28.

²³ *2019 Adelanto Contract*, supra note 18, at 1, 5; McKenna Mobley, *Extension granted for Adelanto ICE Center to remain open until December, possibly longer*, Victorville Daily Press (Oct. 22, 2024),

1 annually on its Adelanto contract with Defendant ICE, and expects to profit an
2 additional \$31 million annually with the detention center operating at full capacity.²⁴
3 In 2024, ICE exercised its option to extend the contract for five years, until 2029.²⁵

4 36. Adelanto is subject to ICE’s 2011 Performance-Based National Detention
5 Standards (“PBNDS”).²⁶ ICE’s Adelanto contract with GEO mandates compliance
6 with the PBNDS and the American Correctional Association Standards (“ACAS”).²⁷

7 37. Yet Defendants have consistently failed to comply with the PBNDS—
8 Adelanto has long been plagued by substandard conditions, medical neglect, and
9 abuse.²⁸

10
11 [https://www.vvdailynews.com/story/news/2024/10/22/adelanto-immigration-
12 customs-enforcement-ice-detention-center-to-remain-open-
california/75780811007/.](https://www.vvdailynews.com/story/news/2024/10/22/adelanto-immigration-customs-enforcement-ice-detention-center-to-remain-open-california/75780811007/)

13 ²⁴ Pablo E. Paez, *The GEO Group Announces Funding Extension for Adelanto ICE*
Processing Center Contract, The GEO Group., (May 20, 2024),
14 [https://investors.geogroup.com/news-releases/news-release-details/geo-group-
15 announces-funding-extension-adelanto-ice-processing](https://investors.geogroup.com/news-releases/news-release-details/geo-group-announces-funding-extension-adelanto-ice-processing); Pablo E. Paez, *The GEO*
Group Reports Second Quarter 2025 Results and Announces \$300 Million Share
Repurchase Program, The GEO Group., (Aug. 6, 2025),
16 [https://investors.geogroup.com/news-releases/news-release-details/geo-group-
17 reports-second-quarter-2025-results-and-announces-300.](https://investors.geogroup.com/news-releases/news-release-details/geo-group-reports-second-quarter-2025-results-and-announces-300)

18 ²⁵ Pablo E. Paez, *The GEO Group Announces Exercise of Five-Year Option Period*
for Adelanto ICE Processing Center Contract, The GEO Group, (Oct. 4, 2024),
19 [https://investors.geogroup.com/news-releases/news-release-details/geo-group-
20 announces-exercise-five-year-option-period-adelanto.](https://investors.geogroup.com/news-releases/news-release-details/geo-group-announces-exercise-five-year-option-period-adelanto)

21 ²⁶ See U.S. Immigr. & Customs Enf’t, *Performance-Based National Detention*
Standards (2011) [hereinafter *PBNDS*],
22 [https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf.](https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf)

23 “These standards, and a successive revision in 2016, codified changes resulting from
24 federal laws, DHS regulations, and ICE policies that had been established since the
25 2008 standards.” U.S. Government Accountability Office, *DHS Should Define Goals*
and Measures to Assess Facility Inspection Programs (May 2025).

26 ²⁷ *2019 Adelanto Contract*, *supra* note 18, at 2 (“All services shall be furnished in
27 compliance with the following regulations/policies/standards: 2011 Performance
28 Based National Detention Standards (PBNDS 2011) as revised in DEC 2016[;]
American Correctional Association (ACA) Standards”).

29 ²⁸ See, e.g., Jarvie & Solis, *supra* note 5 (“Adelanto has for years been the focus of
30 complaints from detainees, attorneys and state and federal inspectors about
31 inadequate medical care, overly restrictive segregation and lax mental health
32 services.”); Andrea Castillo, *Immigrants detained at Adelanto staged a peaceful*
protest. Guards in riot gear pepper-sprayed them, L.A. Times (June 26, 2020),
33 [https://www.latimes.com/california/story/2020-06-26/immigrants-detained-at-
34 adelanto-staged-a-peaceful-protest-guards-in-riot-gear-pepper-sprayed-them](https://www.latimes.com/california/story/2020-06-26/immigrants-detained-at-adelanto-staged-a-peaceful-protest-guards-in-riot-gear-pepper-sprayed-them); *Inside*
the Adelanto detention facility: Troubled history, vows for reform, LAist (Oct. 11,
35 2016),

1 38. State and federal entities have repeatedly documented and warned of
2 serious conditions issues.²⁹ In 2015, the DHS Office for Civil Rights and Civil
3 Liberties (“CRCL”), charged with investigating civil rights complaints,³⁰ visited
4 Adelanto and warned that medical leadership “was not competent and that negligent
5 medical care was occurring as a result.”³¹

6 39. In 2017, the same office determined that “the medical care at Adelanto
7 was seriously deficient and did not meet the 2011 PBNDS” and the refusal to hire
8 competent medical leadership and correct this “critical failure” “more likely than
9 not . . . led to the inadequate detainee medical care that contributed to medical
10 injuries, including bone deformities and detainee deaths, and continue[d] to pose a
11 risk to the safety of other detainees[.]”³²

12 40. In 2018, CRCL found that Adelanto placed an “alarming” number of
13 detained individuals with serious mental illness in solitary confinement and isolated
14 many for “shockingly” long periods of time.³³ The report recommended that “at-risk
15

16
17 <https://laist.com/shows/take-two/inside-the-adelanto-detention-facility-troubled-history-vows-for-reform> (documenting Adelanto’s troubled history from 2011–15);
18 Christina Fialho & Victoria Mena, *Abuse in Adelanto: An Investigation into a California Town’s Immigration Jail*, Det. Watch Network, 4, 12 (Oct. 2015),
19 <https://www.detentionwatchnetwork.org/sites/default/files/reports/CIVIC%20DWN%20Adelanto%20Report.pdf> (reporting deficient food, hygiene, and medical care).

20 ²⁹ See, e.g., *Immigration Detention in California*, *supra* note 20, at 26, 28 (identifying concerns at Adelanto “that the number of health staff vacancies and the need to manage existing staff across two facilities may impact care”).

21 ³⁰ See *Civil Rights and Civil Liberties Results and Reports*, U.S. Dep’t of Homeland Sec., <https://www.dhs.gov/reports-office-civil-rights-and-civil-liberties> (last visited Jan. 25, 2026).

22
23 ³¹ *Corrections Expert’s Report on Adelanto Correctional Facility*, Dep’t of Homeland Sec. Off. for C.R. & C.L., 25 (Nov. 16, 2017),
24 <https://embed.documentcloud.org/documents/6278922-HQ-Part2-Copy/?mode=text&embed=1>.

25 ³² *Id.*; see also Tom Dreisbach, *Despite Findings Of ‘Negligent’ Care, ICE To Expand Troubled Calif. Detention Center*, NPR (Jan. 15, 2020),
26 <https://www.npr.org/2020/01/15/794660949/despite-findings-of-negligent-care-ice-to-expand-troubled-calif-detention-center>.

27 ³³ *CRCL Report*, *supra* note 31, at 35; see also Nick Schwellenbach, *Confidential Report Warned ICE of ‘Inhumane’ Use of Solitary Confinement*, Project on Gov’t Oversight (Sept. 12, 2019), <https://www.pogo.org/investigates/confidential-report-warned-ice-of-inhumane-use-of-solitary-confinement>.

1 detainees . . . immediately be removed from the facility and transferred to other
2 facilities with well-functioning medical programs.”³⁴

3 41. The DHS Office of Inspector General later found “serious violations” at
4 the facility “relating to safety, detainee rights, medical care.”³⁵ The Office concluded
5 that Adelanto failed to provide access to adequate medical and mental health care,
6 presented rampant suicide hazards, and relied on improper and overly restrictive use
7 of solitary confinement for disciplinary purposes.³⁶ These findings were rejected by
8 Adelanto leadership, and no corrective action was taken.³⁷

9 42. That same year, Disability Rights California (“DRC”), the state agency
10 charged with protecting people with disabilities,³⁸ toured Adelanto and after multi-
11 day inspections, issued a sixty-four-page report detailing conditions of abuse for
12 people with disabilities and mental health issues. Detained individuals were
13 “subjected to punitive, prison-like conditions” that “result[ed] in the abuse and
14

15 ³⁴ *CRCL Report*, *supra* note 31, at 33; Veronica Venture, Deputy Officer & Dana
16 Salvano-Dunn, Compliance Branch Dir., Dep’t of Homeland Sec. Off. for C.R. &
17 C.L., *Memorandum to Matthew Albence Re: Adelanto Corr. Facility Complaint Nos.*
18 *17-03-ICE-0103, 16-06-ICE-0627, 17-07-ICE-0456, 17-08-ICE-0299, 17-09-ICE-*
19 *0356, 17-09-ICE-0407, 17-09-ICE-0366, and 17-10-ICE-0401* (Apr. 25, 2018),
20 [https://www.documentcloud.org/documents/6331345-CRCL-Adelanto-Docs-Part-](https://www.documentcloud.org/documents/6331345-CRCL-Adelanto-Docs-Part-1/?mode=document&q=shockingly#document/p49)
21 [1/?mode=document&q=shockingly#document/p49](https://www.documentcloud.org/documents/6331345-CRCL-Adelanto-Docs-Part-1/?mode=document&q=shockingly#document/p49).

22 ³⁵ Dept. Homeland Sec. Off. Inspector Gen., *Management Alert—Issues Requiring*
23 *Action at the Adelanto ICE Processing Center in Adelanto, California* 0, 2 (Sept. 27,
24 2018),
25 <https://www.oig.dhs.gov/sites/default/files/assets/2018-10/OIG-18-86-Sep18.pdf>.

26 ³⁶ *Id.* at 2-11.

27 ³⁷ U.S. House of Representatives, Comm. on Homeland Sec., Majority Staff, *ICE*
28 *Detention Facilities: Failing to Meet Basic Standards of Care* 11 (Sept. 21, 2020),
[https://democrats-](https://democrats-homeland.house.gov/imo/media/doc/Homeland%20ICE%20facility%20staff%20report.pdf)
homeland.house.gov/imo/media/doc/Homeland%20ICE%20facility%20staff%20rep
ort.pdf (“The Committee visited Adelanto as part of its review in 2019 and was met
with resistance when asking about these findings. When pressed, Adelanto leadership
continued to reject CRCL’s findings that health care leadership put detainees at risk
and did not believe that fundamental or systematic change was necessary.”).

³⁸ Disability Rights California is the California agency “designated under federal law
to protect and advocate for the rights of Californians with disabilities.” *About Us*,
Disability Rts. Cal., <https://www.disabilityrightsca.org/about-us> (last visited Jan. 25,
2026); *see* 29 U.S.C. § 794e (providing for state protection agencies to “protect the
legal and human rights of individuals with disabilities”); Cal. Welf. & Inst. Code
§ 4902(b)(1) (authorizing the protection and advocacy agency to “[i]nvestigate any
incident of alleged abuse or neglect of any person with a disability”).

1 neglect of people with disabilities[.]”³⁹ DRC concluded that Adelanto had an
2 “inadequate mental health care and medical care system[.]” failed to comply with
3 disability laws and Defendant ICE’s detention standards, and underreported suicide
4 attempts.⁴⁰

5 43. During the COVID-19 pandemic, after detained individuals reported that
6 use of a toxic cleaning chemical was causing them to experience “headaches, nausea,
7 nosebleeds, fainting, eye irritation, skin irritation, and breathing issues[.]” the U.S.
8 Environmental Protection Agency investigated⁴¹ and issued a warning to GEO about
9 its use of a registered pesticide “in a manner inconsistent with its labeling.”⁴² A court
10 ultimately required the government to “immediately” “stop the use of a toxic and
11 noxious chemical that is harming Adelanto’s detainees[.]” *Roman v. Wolf*, No. EDCV
12 20-00768 TJH (PVCX), 2020 WL 5797918, at *5 (C.D. Cal. Sept. 29, 2020), *aff’d in*
13 *part, vacated in part, remanded*, 977 F.3d 935 (9th Cir. 2020).⁴³

14 44. The same court also ruled that the government’s “callous disregard of its
15 detainees’ constitutional right to reasonable safety” during the pandemic merited an
16 injunction ordering a drastic reduction in the number of people detained at Adelanto.

18 ³⁹ Aaron J. Fischer, Pilar Gonzalez & Richard Diaz, *There Is No Safety Here: The*
19 *Dangers for People with Mental Illness and Other Disabilities in Immigration*
20 *Detention at GEO Group’s Adelanto ICE Processing Center*, Disability Rts. Cal.,
2-4 (Mar. 2019), [https://www.disabilityrightsca.org/system/files/file-](https://www.disabilityrightsca.org/system/files/file-attachments/DRC_REPORT_ADELANTO-IMMIG_DETENTION_MARCH2019.pdf)
21 [attachments/DRC REPORT ADELANTO-](https://www.disabilityrightsca.org/system/files/file-attachments/DRC_REPORT_ADELANTO-IMMIG_DETENTION_MARCH2019.pdf)
[IMMIG DETENTION_MARCH2019.pdf](https://www.disabilityrightsca.org/system/files/file-attachments/DRC_REPORT_ADELANTO-IMMIG_DETENTION_MARCH2019.pdf) [hereinafter *No Safety Here*].

⁴⁰ *Id.* at 2-3.

⁴¹ U.S. Env’t Prot. Agency, *Inspection Report 2* (July 29, 2020),
22 https://earthjustice.org/wp-content/uploads/final_inspection_report_1.pdf.

⁴² U.S. Env’t Prot. Agency, *Notice of Warning 3* (Mar. 2, 2021),
23 https://earthjustice.org/wp-content/uploads/now_geo_final_1.pdf; *see also Private*
24 *Prison Company Poisoned Immigrants at Adelanto for A Decade*, Earthjustice (Mar.
22, 2021), [https://earthjustice.org/press/2021/private-prison-company-poisoned-](https://earthjustice.org/press/2021/private-prison-company-poisoned-immigrants-at-adelanto-for-a-decade)
25 [immigrants-at-adelanto-for-a-decade](https://earthjustice.org/press/2021/private-prison-company-poisoned-immigrants-at-adelanto-for-a-decade).

⁴³ *See also* Jaclyn Diaz, *GEO Group sickened ICE detainees with hazardous*
26 *chemicals for months, a lawsuit says*, NPR (Mar. 25, 2023),
27 [https://www.npr.org/2023/03/25/1165890634/geo-group-lawsuit-adelanto-ice-](https://www.npr.org/2023/03/25/1165890634/geo-group-lawsuit-adelanto-ice-detainees-chemical-exposure)
28 [detainees-chemical-exposure](https://www.npr.org/2023/03/25/1165890634/geo-group-lawsuit-adelanto-ice-detainees-chemical-exposure); *Ligaya Ronduen, et al. v. The Geo Group, Inc., et al.*,
5:23-cv-00481, Dkt. 491 (C.D. Cal. Dec. 16, 2025) (denying defendants’ summary
judgment motion and ordering case alleging negligence, premises liability,
concealment, and misrepresentation over GEO’s use of chemical to proceed to trial).

1 *Roman v. Wolf*, No. EDCV 20-00768 TJH (PVCX), 2020 WL 1952656, at *8, 12
2 (C.D. Cal. Apr. 23, 2020), *aff'd in part, vacated in part sub nom. Hernandez Roman*
3 *v. Wolf*, 829 F. App'x 165 (9th Cir. 2020), *and supplemented*, 2020 WL 5797918
4 (C.D. Cal. Sept. 29, 2020). The court found inadequate COVID-19 testing and
5 quarantining procedures, a lack of access to hand sanitizer, gloves, and masks, and a
6 lack of routine disinfecting, and accordingly concluded that “class members face[d]
7 irreparable harm to their constitutional rights and health[.]” *Id.* The Ninth Circuit
8 largely affirmed the injunction, agreeing that “the Government likely failed to meet
9 its constitutional duty to provide reasonably safe conditions to Plaintiffs,” and that its
10 “inadequate response reflected a reckless disregard for detainee safety[.]” *Roman v.*
11 *Wolf*, 977 F.3d 935, 943 (9th Cir. 2020).

12 45. Given Adelanto’s infamous history of medical neglect and unsafe
13 conditions, there have been various efforts to close the facility.⁴⁴ Members of
14 Congress sent letters to Defendants ICE and DHS seeking closure of the facility in
15 2015, 2023, and 2024,⁴⁵ and it was reportedly on the brink of closure in late 2023,
16 with the government only renewing its contract for a few months at a time.⁴⁶

17
18 ⁴⁴ For instance, the Shut Down Adelanto Coalition, a collective of over twenty
19 immigrants’ rights organizations in the Inland Empire and surrounding areas, has
20 documented conditions abuses at Adelanto and DVA and advocated for the just
21 closure of these facilities. *See Shut Down Adelanto*, Inland Coal. for Immigr. J.
22 <https://ic4ij.org/issues/shut-down-adelanto> (last visited Jan. 25, 2026); *About Us*,
23 Shut Down Adelanto, <https://shutdownadelanto.org/>; Inland Coal. for Immigr. J., *Shut*
24 *Down Adelanto Conditions and Updates Report* (Nov. 2023).

25 ⁴⁵ *See Letter from Members of Congress to Director Saldaña, Inspector General*
26 *Horowitz, and Inspector General Roth* (July 14, 2015),
27 <https://embed.documentcloud.org/documents/2165708-adelanto-letter/>; *Letter from*
28 *Members of Congress to Secretary Mayorkas* (Dec. 18, 2023),
[https://chu.house.gov/sites/evo-subsites/chu.house.gov/files/evo-media-](https://chu.house.gov/sites/evo-subsites/chu.house.gov/files/evo-media-document/12_21_23_final-letter-to-dhs-urging-closure-of-adelanto-ice-detention-facility-version-4-12-21-2023-02-50-pm.pdf)
[document/12_21_23_final-letter-to-dhs-urging-closure-of-adelanto-ice-detention-](https://chu.house.gov/sites/evo-subsites/chu.house.gov/files/evo-media-document/12_21_23_final-letter-to-dhs-urging-closure-of-adelanto-ice-detention-facility-version-4-12-21-2023-02-50-pm.pdf)
[facility-version-4-12-21-2023-02-50-pm.pdf](https://chu.house.gov/sites/evo-subsites/chu.house.gov/files/evo-media-document/Letter%20to%20DHS%20and%20DOJ%20Urging%20Closure%20of%20Adelanto%20ICE%20Processing%20Center.pdf); *Letter from Members of Congress to*
Secretary Mayorkas and Secretary Garland (Sept. 26, 2024),
[https://chu.house.gov/sites/evo-subsites/chu.house.gov/files/evo-media-](https://chu.house.gov/sites/evo-subsites/chu.house.gov/files/evo-media-document/Letter%20to%20DHS%20and%20DOJ%20Urging%20Closure%20of%20Adelanto%20ICE%20Processing%20Center.pdf)
[document/Letter%20to%20DHS%20and%20DOJ%20Urging%20Closure%20of%20](https://chu.house.gov/sites/evo-subsites/chu.house.gov/files/evo-media-document/Letter%20to%20DHS%20and%20DOJ%20Urging%20Closure%20of%20Adelanto%20ICE%20Processing%20Center.pdf)
[Adelanto%20ICE%20Processing%20Center.pdf](https://chu.house.gov/sites/evo-subsites/chu.house.gov/files/evo-media-document/Letter%20to%20DHS%20and%20DOJ%20Urging%20Closure%20of%20Adelanto%20ICE%20Processing%20Center.pdf).

⁴⁶ *See Andrea Castillo, One of California’s largest ICE detention centers could close.*
Staff urge Biden to keep it open, L.A. Times (Dec. 19, 2023),
[https://www.latimes.com/politics/story/2023-12-19/adelanto-immigration-detention-](https://www.latimes.com/politics/story/2023-12-19/adelanto-immigration-detention-facility-potential-closure)
[facility-potential-closure](https://www.latimes.com/politics/story/2023-12-19/adelanto-immigration-detention-facility-potential-closure); *Andrea Castillo, Once on the brink of closure, Adelanto*

1 46. Adelanto held fewer than a dozen detained individuals at a time between
2 2020 and early 2025.⁴⁷ During this time, Defendant ICE continued to pay GEO for a
3 guaranteed minimum of 640 beds.⁴⁸ After the court approved a settlement lifting
4 restrictions on new intakes at Adelanto on June 11, 2025, *Roman*, 5:20-cv-00768-
5 TJH-PVC Dkt. 2708, Defendants began immediate full intake.⁴⁹ Adelanto went from
6 holding approximately 153 detained individuals to over 1,200 within a week.⁵⁰

7 **B. Defendants Control the Policies and Practices at Adelanto.**

8 47. As the entity deciding to detain people at Adelanto, the federal
9 government is legally responsible for conditions there. The Immigration and
10 Nationality Act envisions that federal immigration officials will “arrange for
11 appropriate places of detention[,]” 8 U.S.C. § 1231(g)(1), and work with states and
12 localities to establish “acceptable conditions of confinement[.]” 8 U.S.C. § 1103
13 (a)(11)(B).⁵¹ As a practical matter, Defendants have extensive control over conditions
14 at Adelanto and the power and authority to immediately remedy inhumane conditions.

15 _____
16 *facility will resume detaining immigrants*, L.A. Times (Jan. 29, 2025),
17 <https://www.latimes.com/california/story/2025-01-29/adelanto-immigration-facility-to-resume-housing-migrants>; see also *Immigration Detention in California*, *supra*
18 note 20, at 26 (describing six-month contract extensions).

18 ⁴⁷ Mobley, *Adelanto ICE Processing Center started the year with three detainees. Now, there are 1,200*, Victorville Daily Press (June 17, 2025),
19 <https://www.vvdailypress.com/story/news/local/2025/06/17/adelanto-ice-processing-center-now-at-1200-detainees/84246496007/>.

20 ⁴⁸ *Immigration Detention in California*, *supra* note 20, at 26.

21 ⁴⁹ See *The GEO Group Provides Update on Recent Court Settlement Allowing for Immediate Full Intake at Company-Owned 1,940-Bed Adelanto ICE Processing Center in California*, The Geo Group. (June 10, 2025),

22 <https://investors.geogroup.com/news-releases/news-release-details/geo-group-provides-update-recent-court-settlement-allowing>;

23 Mobley, *Adelanto ICE Processing Center started the year with three detainees. Now, there are 1,200*; *ICE Detention Trends*, Vera Inst. Just., <https://www.vera.org/ice-detention-trends> (showing over a thousand detainees on June 10, 2025).

24 ⁵⁰ *TRAC Report*, *supra* note 16 (reporting 153 detainees at Adelanto on June 9, 2025); *Jarvie & Solis*, *supra* note 5 (reporting 1,218 on June 18, 2025). Estimates of the number of detained individuals around June 2025 vary. *Compare ICE Detention Trends*, Vera Inst. Just., <https://www.vera.org/ice-detention-trends> with *TRAC Report*, *supra* note 16.

27 ⁵¹ See Alina Das, *The Law and Lawlessness of U.S. Immigration Detention*, 138 Harv. L. Rev. 1186, 1195 (2025) (noting that “the legislative and regulatory history suggests that these provisions were intended to . . . direct the Agency to protect the rights of people in detention”).

1 ICE is responsible for setting the policies that govern detention conditions at Adelanto
2 and has done so, largely through the PBNDS.⁵² ICE ultimately directs and controls
3 every material aspect of the Adelanto facility’s operations, and GEO performs
4 services at ICE’s direction and under ICE’s published standards.

5 48. GEO confirms this relationship, identifying its “Client” as ICE and stating
6 that all services are “provided in accordance with standards required [by] ICE” and
7 performed “on behalf of U.S. Immigration and Customs Enforcement.”⁵³

8 49. ICE ERO “has primary responsibility for overseeing the compliance of
9 ICE detention facilities with applicable detention standards.”⁵⁴ As such, ICE ERO is
10 responsible for overseeing GEO’s “performance and adherence to all contract
11 requirements.”⁵⁵ ICE Field Office Directors “are responsible for managing detention
12 operations in their geographic area.”⁵⁶ ICE ERO’s Los Angeles office is responsible
13 for identifying deficiencies and corrective action at Adelanto.⁵⁷

14 50. Defendants have ICE staff onsite at Adelanto, including staff responsible
15 for monitoring detention conditions and compliance with detention standards on an
16 ongoing basis and reviewing detainee grievances weekly.⁵⁸ “ICE ERO also

17 ⁵² See *PBNDS*.

18 ⁵³ See GEO Group, Adelanto ICE Processing Center,

19 <https://www.geogroup.com/facilities/adelanto-ice-processing-center/>

20 ⁵⁴ United States Government Accountability Office, *ICE Needs to Strengthen
Oversight of Informed Consent for Medical Care* (Oct. 2022),

21 <https://www.gao.gov/assets/730/723449.pdf>; Dept. Homeland Sec. Off. Inspector
Gen., *Concerns about ICE Detainee Treatment and Care at Detention Facilities*, (Dec.
11, 2017).

22 <https://www.oig.dhs.gov/sites/default/files/assets/2017-12/OIG-18-32-Dec17.pdf>
 (“ERO staff are responsible for monitoring conditions of confinement at these
Facilities.”).

23 ⁵⁵ *Letter from The GEO Group to Senator Warren* at 48 (Feb. 27, 2019),

24 [https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-
Senator-Elizabeth-Warren-Letter.pdf](https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-Senator-Elizabeth-Warren-Letter.pdf).

25 ⁵⁶ Dept. Homeland Sec. Off. Inspector Gen., *ICE’s Inspections and Monitoring of
Detention Facilities Do Not Lead to Sustained Compliance or Systemic
Improvements*, (June 26, 2018).

26 <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>

27 ⁵⁷ ECF 54-1 at ¶¶ 11-12; ECF 54-2 at ECF 47.

28 ⁵⁸ ECF 54-1 at ¶ 9; ECF 54-2 at ECF 21, 62; see also Ryanne Mena, *What it’s like to
visit the ICE detention center in Adelanto*, *The Sun* (Nov. 6, 2025) (“Asked specific
questions about detainees’ conditions inside Adelanto, a GEO Group spokesperson

1 permanently assigns an independent Detention Services Manager (“DSM”) whose
2 sole responsibility is to ensure contractor and ICE staff compliance with all ICE
3 detention policy, procedures and national detention standards.”⁵⁹ This ICE employee,
4 also known as a Detention Standards Compliance Officer, “routinely maintain[s] a...
5 presence at facilities to conduct ongoing compliance reviews and assist the facility in
6 developing and monitoring corrective actions to ensure compliance”⁶⁰ and
7 “conduct[s] daily scheduled and unscheduled audits and reviews of contractor
8 performance.”⁶¹ Once this ICE employee identifies deficiencies and proposes

9
10
11
12 said . . . ‘In all instances, our support services are monitored by ICE, including by on-
13 site agency personnel, and other organizations within the Department of Homeland
14 Security to ensure compliance with ICE’s detention standards and contract
15 requirements regarding the treatment and services ICE detainees receive. In the event
16 issues are identified, we quickly resolve all of ICE’s concerns as required by ICE’s
17 Quality Assurance Surveillance Plan.”); Leticia Juarez, Federal lawsuit alleges
18 inhumane conditions at Adelanto ICE Processing Center, (Jan. 27, 2026).

19 [https://abc7.com/post/federal-lawsuit-alleges-poor-conditions-adelanto-ice-
20 processing-center/18480494/](https://abc7.com/post/federal-lawsuit-alleges-poor-conditions-adelanto-ice-processing-center/18480494/) (same); Julia Barajas & Elly Yu, ‘Being here breaks
21 people’: Inside solitary confinement at Adelanto, (May 12, 2026).

22 [https://laist.com/news/politics/solitary-confinement-adelanto-immigrant-detention-
23 center-lawsuit-break](https://laist.com/news/politics/solitary-confinement-adelanto-immigrant-detention-center-lawsuit-break) (similar).

24 ⁵⁹ *Letter from The GEO Group to Senator Warren* at 48 (Feb. 27, 2019),

25 [https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-
26 Senator-Elizabeth-Warren-Letter.pdf](https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-Senator-Elizabeth-Warren-Letter.pdf); see also [https://www.ice.gov/detain/facility-
27 inspections](https://www.ice.gov/detain/facility-inspections) (“To ensure compliance with each contract’s terms and conditions and the
28 applicable detention standards, ... ICE ERO Detention Service Managers (DSMs)
and Detention Standards Compliance Officers (DSCOs) monitor detention conditions
through daily on-site compliance reviews to identify deficiencies, areas of concern,
contract and facility issues, and to facilitate corrective actions.”).

⁶⁰ U.S. Gov’t Accountability Off., GAO-21-414, *ICE Efforts to Address COVID-19
in Detention Facilities* (June 2021), <https://www.gao.gov/assets/gao-21-414.pdf>.

⁶¹ *Letter from The GEO Group to Senator Warren* at 48 (Feb. 27, 2019),
[https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-
Senator-Elizabeth-Warren-Letter.pdf](https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-Senator-Elizabeth-Warren-Letter.pdf); see also U.S. Gov’t Accountability Off., GAO-
23-105196, *ICE Needs to Strengthen Oversight of Informed Consent for Medical
Care at 27* (Oct. 2022), <https://www.gao.gov/assets/730/723449.pdf>. (noting ongoing
monitoring occurs “daily, monthly, and quarterly”); see also *Dept. Homeland Sec.
Off. Inspector Gen., ICE’s Inspections and Monitoring of Detention Facilities Do Not
Lead to Sustained Compliance or Systemic Improvements*, (June 26, 2018).

<https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>
28 (“In the facilities they monitor, DSMs provide a needed service for ICE ERO Custody
Management by assessing compliance with standards nearly daily or weekly.”).

1 corrective action, implementing “corrective actions are a[n] [ICE] field office
2 responsibility.”⁶²

3 51. In 2019, there were 55 full-time ICE staff with offices at Adelanto.⁶³
4 Adelanto was built to have space for approximately 158 ICE ERO employees onsite,
5 including three Detention Standards Compliance Officers.⁶⁴

6 52. In addition, ICE assigns an ICE Immigration Health Services Corp
7 (“IHSC”) employee to oversee the medical services provided at the facility, including
8 by conducting site visits and “reviewing a sample of medical files to assess facilities’
9 compliance with clinical standards for medical care.”⁶⁵ IHSC is responsible for
10 “ensur[ing] that the medical care meets detention standards.”⁶⁶

11 53. ICE also has control over staffing plans at Adelanto. Facility staffing
12 occurs according to a “Government-approved Contractor Staffing Plan” and any
13 changes must be approved by the ICE Contracting Officer responsible for
14 administering ICE’s Adelanto contract with GEO.⁶⁷ The ICE Contracting Officer’s
15 Representative is notified of vacant positions at Adelanto on a monthly basis.⁶⁸

17 ⁶² Dept. Homeland Sec. Off. Inspector Gen., *ICE’s Inspections and Monitoring of*
18 *Detention Facilities Do Not Lead to Sustained Compliance or Systemic*
Improvements, (June 26, 2018).

19 <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>

20 ⁶³ *Letter from The GEO Group to Senator Warren* at 48 (Feb. 27, 2019),
21 [https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-](https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-Senator-Elizabeth-Warren-Letter.pdf)
22 [Senator-Elizabeth-Warren-Letter.pdf](https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-Senator-Elizabeth-Warren-Letter.pdf); *see also U.S. Gov’t Accountability Off., GAO-23-105196*, ICE Needs to Strengthen Oversight of Informed Consent for Medical Care (Oct. 2022), <https://www.gao.gov/assets/730/723449.pdf> (organizational chart demonstrating that ICE has several divisions and units devoted to compliance).

22 ⁶⁴ ECF 54-2 at ECF 21.

23 ⁶⁵ *Letter from The GEO Group to Senator Warren* at 48 (Feb. 27, 2019),
24 [https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-](https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-Senator-Elizabeth-Warren-Letter.pdf)
25 [Senator-Elizabeth-Warren-Letter.pdf](https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-Senator-Elizabeth-Warren-Letter.pdf); *U.S. Gov’t Accountability Off., GAO-23-105196* at 3 *ICE Needs to Strengthen Oversight of Informed Consent for Medical Care* (Oct. 2022), <https://www.gao.gov/assets/730/723449.pdf>; ECF 54-2 at ECF 22, 32, 63.

26 ⁶⁶ *U.S. Gov’t Accountability Off., GAO-25-107580, DHS Should Define Goals and*
27 *Measures to Assess Facility Inspection Programs* (May 2025),
<https://www.gao.gov/assets/880/877950.pdf>.

27 ⁶⁷ ECF 54-2 at ECF 17-18, 61.

28 ⁶⁸ *Id.*

1 54. DHS itself has identified at least two forms of control it has to correct
2 deficiencies at a facility like Adelanto: through the inspection process and the quality
3 assurance tools in facilities contracts.⁶⁹ It has also concluded that ICE fails to use
4 either tool and that “ICE does not adequately hold detention facility contractors
5 accountable for not meeting performance standards.”⁷⁰

6 55. ICE conducts routine and congressionally mandated inspections of
7 facilities like Adelanto,⁷¹ yet does not consistently enforce compliance with detention
8 standards through the inspection process.⁷² Assessing how effective ICE’s
9 inspections are in ensuring compliance with detention standards, the DHS Office of
10 the Inspector General (“OIG”) previously reported that “ICE does not adequately
11 follow up on identified deficiencies or consistently hold facilities accountable for
12 correcting them, which further diminishes the usefulness of inspections.”⁷³ DHS OIG
13 further concluded that: “[A]ll [contracted] and ODO inspections are scheduled in
14 advance and announced to the facilities, which, according to ICE field staff, allows
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16 ⁶⁹ Dept. Homeland Sec. Off. Inspector Gen., *ICE Does Not Fully Use Contracting*
17 *Tools to Hold Detention Facility Contractors Accountable for Failing to Meet*
Performance Standards, (Jan. 29, 2019),
18 <https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf>.

19 ⁷⁰ Dept. Homeland Sec. Off. Inspector Gen., *ICE Does Not Fully Use Contracting*
Tools to Hold Detention Facility Contractors Accountable for Failing to Meet
Performance Standards, (Jan. 29, 2019),
20 <https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf>.

21 ⁷¹ ECF 54-1 at ¶¶ 7-9, 11; U.S. Gov’t Accountability Off., GAO-25-107580, *DHS*
Should Define Goals and Measures to Assess Facility Inspection Programs, at 8-9
22 (May 2025) <https://www.gao.gov/assets/880/877950.pdf> (describing multiple kinds
of DHS inspections, including those conducted by DHS OIG, ODO, DSM, and
IHSC); Dept. Homeland Sec. Off. Inspector Gen., *ICE Does Not Fully Use*
Contracting Tools to Hold Detention Facility Contractors Accountable for Failing to
Meet Performance Standards, at 6 (Jan. 29, 2019),
23 <https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf>
24 (discussing various inspection processes).

25 ⁷² Dept. Homeland Sec. Off. Inspector Gen., *ICE’s Inspections and Monitoring of*
Detention Facilities Do Not Lead to Sustained Compliance or Systemic
Improvements, (June 26, 2018),
26 <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>.

27 ⁷³ Dept. Homeland Sec. Off. Inspector Gen., *ICE’s Inspections and Monitoring of*
Detention Facilities Do Not Lead to Sustained Compliance or Systemic
Improvements, (June 26, 2018),
28 <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>.

1 facility management to temporarily modify practices to ‘pass’ an inspection.”⁷⁴
2 When DHS OIG conducted an unannounced inspection at Adelanto and found nooses
3 in cells, improper segregation, and inadequate medical care, it directed its
4 recommendation to ICE—not GEO—reflecting Defendants’ understanding that ICE
5 has the power to correct conditions and make changes. DHS OIG stated: “ICE must
6 ensure the Adelanto Center complies with detention standards” and that “[m]itigation
7 and resolution of these issues require ICE’s immediate attention and increased
8 engagement with the center and its operations.”⁷⁵

9 56. DHS OIG concluded that ICE similarly fails to use its contractual tools to
10 ensure compliance.⁷⁶ For each facility, ICE’s Contracting Officer Representative
11 administers the contract by “reviewing monthly reports provided by the contractor,
12 staffing plans, approving new hires, review and audit invoices, issuing contract
13 discrepancies reports and reviewing and accepting contractor submitted corrective
14 action plans (CAPS).”⁷⁷ The Contracting Officer Representative also “oversee[s] the
15 day-to-day management of each contract facility” and is “responsible for ensuring the
16 contractor complies with the terms of the contract.”⁷⁸

19 ⁷⁴ Dept. Homeland Sec. Off. Inspector Gen., *ICE’s Inspections and Monitoring of*
20 *Detention Facilities Do Not Lead to Sustained Compliance or Systemic*
Improvements, (June 26, 2018).

21 <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>.

22 ⁷⁵ Dept. Homeland Sec. Off. Inspector Gen., *Management Alert—Issues Requiring*
Action at the Adelanto ICE Processing Center in Adelanto, California, (Sept. 27,
2018),

23 <https://www.oig.dhs.gov/sites/default/files/assets/Mga/2018/oig-18-86-sep18.pdf>.

24 ⁷⁶ Dept. Homeland Sec. Off. Inspector Gen., *ICE’s Inspections and Monitoring of*
Detention Facilities Do Not Lead to Sustained Compliance or Systemic Improvements
OIG-18-67, (June 26, 2018).

25 <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>.

26 ⁷⁷ *Letter from The GEO Group to Senator Warren* at 48 (Feb. 27, 2019),
[https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-](https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-Senator-Elizabeth-Warren-Letter.pdf)
[Senator-Elizabeth-Warren-Letter.pdf](https://wearegeo.com/wp-content/uploads/2019/04/GEO-Full-Response-to-U.S.-Senator-Elizabeth-Warren-Letter.pdf).

27 ⁷⁸ Dept. Homeland Sec. Off. Inspector Gen., *ICE Does Not Fully Use Contracting*
Tools to Hold Detention Facility Contractors Accountable for Failing to Meet
Performance Standards, at 5 (Jan. 29, 2019),

28 <https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf>.

1 57. If a contractor fails to comply, ICE has the power to engage in informal
2 resolution, issue a Discrepancy Report documenting deficiencies, require a corrective
3 action plan, withhold payment, or impose financial penalties.⁷⁹ Yet it has rarely
4 imposed financial penalties on its contractors. It did so only twice in a three-year
5 period, “despite documenting thousands of instances of the facilities’ failures to
6 comply with detention standards.”⁸⁰ “Instead of holding facilities accountable
7 through financial penalties, ICE issued waivers to facilities with deficient conditions,
8 seeking to exempt them from complying with certain standards.”⁸¹ Beyond
9 contractual remedies, the government has the power get a new contractor or
10 administer detention itself.⁸² When Adelanto was subject to a period of intense public
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15 ⁷⁹ ECF 54-2 at ECF 51-55 (GEO responding to ICE’s identification of deficiencies
16 with corrective action plan); Dept. Homeland Sec. Off. Inspector Gen., *ICE Does Not*
17 *Fully Use Contracting Tools to Hold Detention Facility Contractors Accountable for*
18 *Failing to Meet Performance Standards*, at 6, (Jan. 29, 2019),
<https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf>
19 (“If the facility is not compliant, a Discrepancy Report may include a
20 recommendation for financial penalties, such as a deduction in or withholding of ICE
21 payment to the contractor”).

20 ⁸⁰ Dept. Homeland Sec. Off. Inspector Gen., *ICE Does Not Fully Use Contracting*
21 *Tools to Hold Detention Facility Contractors Accountable for Failing to Meet*
22 *Performance Standards*, (Jan. 29, 2019),
<https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf>.

21 ⁸¹ Dept. Homeland Sec. Off. Inspector Gen., *ICE Does Not Fully Use Contracting*
22 *Tools to Hold Detention Facility Contractors Accountable for Failing to Meet*
23 *Performance Standards*, (Jan. 29, 2019),
<https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf>.

23 ⁸² See Ryan J. Foley & Michael Biesecker, *ICE replaces contractor at largest*
24 *detention camp after scrutiny of living conditions*, AP News (March 13, 2026),
25 [https://apnews.com/article/ice-detention-facility-camp-east-montana-conditions-](https://apnews.com/article/ice-detention-facility-camp-east-montana-conditions-contract-c7d369ed5fcbe19d87868b9b337f5211)
26 [contract-c7d369ed5fcbe19d87868b9b337f5211](https://apnews.com/article/ice-detention-facility-camp-east-montana-conditions-contract-c7d369ed5fcbe19d87868b9b337f5211); Brittany Gibson, *ICE targets Plan B*
27 *after backlash to mega-jails plan*, Axios (May 7, 2026),
28 <https://www.axios.com/2026/05/07/ice-immigrant-detention-private-contractors-ICE-Detention-Reengineering-Initiative>,
https://www.governor.nh.gov/sites/g/files/ehbemt971/files/media/media_document/merrimack-nh-detention-reengineering-initiative-final.pdf (indicating ICE intends to purchase ten existing facilities where it operates).

1 scrutiny, ICE renewed the contract for only six-month periods at a time.⁸³ More
2 recently, ICE has been in discussions with GEO to purchase GEO facilities.⁸⁴

3 58. In sum, Defendants exercise pervasive operational control over Adelanto:
4 they set the standards, employ on-site personnel to enforce them, approve staffing
5 plans, adjudicate complaints about GEO staff, have inspection and contractual
6 processes through which they could order remedial action, and have authority to
7 enforce, extend, modify, or terminate the contract. ICE is not a passive purchaser of
8 bed space—it is the entity that dictates and controls the conditions of confinement at
9 Adelanto and bears responsibility for the treatment of every person detained there.

10 **C. As thousands are detained at Adelanto, detainees are subject to punitive**
11 **conditions and medical neglect.**

12 59. After the government launched sweeping immigration raids in June 2025,
13 it began detaining the thousands of people it apprehended throughout the Central
14 District, transferring many of them initially to B-18 and then to Adelanto for long-
15 term detention.

16 60. Reports of unsafe and abusive conditions at Adelanto immediately
17 surfaced.⁸⁵ Detained individuals were “forced to sleep on the floors of common areas
18 without blankets and pillows.”⁸⁶ Others “spent days in the facility before they were
19 provided with clean clothes and underwear.”⁸⁷ A longtime Adelanto staff member

20 _____
21 ⁸³ *Immigration Detention in California*, *supra* note 20, at 26 (describing six-month
contract extensions).

22 ⁸⁴ See Brittany Gibson, *ICE targets Plan B after backlash to mega-jails plan*, *Axios*
(May 7, 2026),

23 <https://www.axios.com/2026/05/07/ice-immigrant-detention-private-contractors>;
ICE Detention Reengineering Initiative,
24 [https://www.governor.nh.gov/sites/g/files/ehbemt971/files/media/media_document/](https://www.governor.nh.gov/sites/g/files/ehbemt971/files/media/media_document/merrimack-nh-detention-reengineering-initiative-final.pdf)
[merrimack-nh-detention-reengineering-initiative-final.pdf](https://www.governor.nh.gov/sites/g/files/ehbemt971/files/media/media_document/merrimack-nh-detention-reengineering-initiative-final.pdf) (indicating ICE intends to
25 purchase ten existing facilities where it operates); Ryan J. Foley & Michael
Biesecker, *ICE replaces contractor at largest detention camp after scrutiny of living*
26 *conditions*, *AP News* (March 13, 2026), [https://apnews.com/article/ice-detention-](https://apnews.com/article/ice-detention-facility-camp-east-montana-conditions-contract-c7d369ed5fcbe19d87868b9b337f5211)
[facility-camp-east-montana-conditions-contract-](https://apnews.com/article/ice-detention-facility-camp-east-montana-conditions-contract-c7d369ed5fcbe19d87868b9b337f5211)
[c7d369ed5fcbe19d87868b9b337f5211](https://apnews.com/article/ice-detention-facility-camp-east-montana-conditions-contract-c7d369ed5fcbe19d87868b9b337f5211).

27 ⁸⁵ See, e.g., Jarvie & Solis, *supra* note 5.

28 ⁸⁶ *Id.*

⁸⁷ *Id.*

1 warned that the population surge was “dangerous[,]” as they “have no staffing for this
2 and not enough experienced staff[,]” are “cutting way too many corners, and it affects
3 the safety of everybody in there.”⁸⁸

4 61. After five members of Congress gained access to Adelanto on June 17,
5 2025, they reported that “[w]hat [they] saw and heard at Adelanto” was “disturbing”
6 and “confirmed [their] worst fears” about “[a]larming reports of inhumane conditions
7 and lack of access to legal counsel[.]”⁸⁹ “[D]etainees told [them] that they have gone
8 days without changing their clothes, and they have been unable to use the telephone
9 to call their families or a legal representative.”⁹⁰ “Some detainees told lawmakers
10 they were held inside Adelanto for 10 days without a change of clothes, underwear or
11 towels.”⁹¹

12 62. Days later, when DRC inspected Adelanto to investigate reports of abuse
13 and neglect, it concluded—as it had before—that conditions were “alarming” and
14 “that ICE and GEO Group are subjecting people with disabilities to abuse and
15 neglect.”⁹²

16 63. DRC identified urgent health and safety concerns and widespread rights
17 violations, including: “(1) inadequate access to medical treatment, such as life-saving
18 medication and wound care, and exposure to widespread respiratory illnesses; (2)
19 inadequate access to food and water, including extreme delays in meal distribution,
20 provision of food that results in significant health issues, and a shortage of drinking
21 water; (3) inadequate access to clean clothes, with many remaining in soiled clothing
22 for long periods of time; and (4) minimal opportunities to contact family.”⁹³

23 ⁸⁸ *Id.*

24 ⁸⁹ *Reps. Chu, Sánchez, Takano, Kamlager-Dove, and Rivas Successfully Gain Access*
25 *to Adelanto ICE Facility, Demanding Accountability and Answers*, U.S.
26 Congresswoman Judy Chu (June 17, 2025),
[https://chu.house.gov/media-center/press-releases/rep-chu-sanchez-takano-](https://chu.house.gov/media-center/press-releases/rep-chu-sanchez-takano-kamlager-dove-and-rivas-successfully-gain)
[kamlager-dove-and-rivas-successfully-gain](https://chu.house.gov/media-center/press-releases/rep-chu-sanchez-takano-kamlager-dove-and-rivas-successfully-gain).

27 ⁹⁰ *Id.*

28 ⁹¹ Jarvie & Solis, *supra* note 5.

⁹² *They Treat Us Like Dogs in Cages*, *supra* note 6.

⁹³ *Id.*

1 64. In the fall of 2025, Ismael Ayala-Uribe and Gabriel Garcia Aviles—two
2 individuals detained at Adelanto—suffered medical emergencies and died within
3 weeks of one another after reportedly being denied proper treatment.⁹⁴ Following
4 these deaths, forty-three members of Congress sent a letter to then-ICE Secretary
5 Noem and Defendant Lyons expressing concern that the deaths “raise serious
6 questions about ICE’s ability to comply with basic detention standards, medical care
7 protocols, and notification requirements, and underscore a pattern of gross negligence
8 that demands immediate accountability.”⁹⁵ In 2026, two more individuals at Adelanto
9 died while in ICE custody: Alberto Gutierrez-Reyes, who had diabetes and high
10 cholesterol, and José Guadalupe Ramos-Solano who had diabetes, hypertension, and
11 hyperlipidemia.⁹⁶

12 65. Despite the fact that detained individuals, advocates, journalists, and
13 government entities have long sounded the alarm about poor conditions and deficient
14 medical care, Defendants continued to detain more and more people at Adelanto. By
15 November 2025, there were 1,786 people detained at Adelanto.⁹⁷

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18 ⁹⁴ See James, *supra* note 8.

19 ⁹⁵ *Letter from Members of Congress to Secretary Noem and Acting Director Lyons*,
20 (Nov. 21, 2025), <https://min.house.gov/sites/evo-subsites/min.house.gov/files/evo-media-document/11.21.25-dhs-detainee-deaths-oversight-letter.pdf> [hereinafter *Nov. 2025 Congressional Letter*]; see also Rep. Judy Chu, Rep. *Chu Leads 31 Members Demanding Accountability Following Death of ICE Detainee* (Oct. 16, 2025), <https://chu.house.gov/media-center/press-releases/rep-chu-leads-31-members-demandingaccountability-following-death-39>.

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22 ⁹⁶ Coral Murphy Marcos, *Family of detainee who died under ICE custody says he was denied medical care*, *The Guardian* (Mar. 6, 2026), <https://www.theguardian.com/us-news/2026/mar/06/detainee-died-ice-custody-california>; Roque Planas, *José Guadalupe Ramos, a Mexican national, dies in ICE detention in LA*, *The Guardian* (Mar. 30, 2026), <https://www.theguardian.com/us-news/2026/mar/30/mexican-man-dies-ice-detention-los-angeles>.

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25 ⁹⁷ See *TRAC Report*, *supra* note 16. Even Defendant ICE’s internal inspection
26 department noted the influx of detainees may have contributed to declining
27 compliance with federal detention standards. See U.S. Immigr. & Customs Enf’t Off. Prof. Resp., *Adelanto ICE Processing Center Inspection 2025-001-082* (Sept. 2025) (“In January 2025, a federal judge lifted a COVID era intake ban, and the facility reopened in June 2025, going from approximately 400 detainees to 1800 overnight. The sudden influx may have contributed to the rise in deficiencies.”).

1 66. The massive influx of people at Adelanto has intensified the urgency of
2 concerns about the health and safety of detained individuals. Among other dire issues,
3 Defendants subject the nearly two thousand detained individuals at Adelanto to: (1)
4 inadequate medical care; (2) a lack of reasonable accommodations; and (3) punitive
5 conditions that are worse than prison, including being forced to spend hours locked
6 in small cells, in unsanitary conditions, without access to clean drinking water and
7 sufficient food, stuck with a futile grievance process, and subjected to coercive and
8 retaliatory practices.

9 **1. Medical Care at Adelanto is Grossly Inadequate and Dangerous**

10 67. Defendants fail to provide adequate medical care as required by law and
11 by their own policies, subjecting numerous detained individuals to shocking levels of
12 medical neglect and a deliberate indifference that exposes people in their custody to
13 risk of serious illness and even death.⁹⁸

14 68. Civil immigration detainees are entitled to adequate medical care. *Doe*
15 *v. Kelly*, 878 F.3d 710, 722 (9th Cir. 2017). Facilities must “provide a system of ready
16 access to adequate medical care[,]” in which patients can alert medical staff to their
17 problems and staff are competent enough to diagnose and treat those problems or refer
18 patients to others who can. *Hoptowitz v. Ray*, 682 F.2d 1237, 1253 (9th Cir. 1982).

19 69. The very nature of detention is harmful to human health, and detained
20 immigrants are likely to have health conditions requiring care.⁹⁹ Yet Defendants do
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22 ⁹⁸ *PBND*, *supra* note 26, at 257-59 (providing standards for medical care, including
23 “access to appropriate and necessary medical, dental and mental health care,
24 including emergency services” “provided by a sufficient number of appropriately
25 trained and qualified personnel”).

26 ⁹⁹ See Caitlin Patler et al., The health-related experiences of detained immigrants with
27 and without mental illness, 11 *J. Migration & Health* (2025),
28 <https://doi.org/10.1016/j.jmh.2025.100302> (evaluating health dangers of immigrant
detention); Altaf Saadi et al., Duration in Immigration Detention and Health Harms,
JAMA Network (2025),
<https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2829506> (same);
Patler & Saadi, Risk of Poor Outcomes with COVID-19 Among U.S. Detained
Immigrants: A Cross-Sectional Study, *J. Immigr. Minority Health* 23, 863–866
(2021), <https://doi.org/10.1007/s10903-021-01173-z> (“Among 529 detained

1 not have proper, functioning systems for providing medical care at Adelanto.
2 Specifically, they lack the following systems, all of which are required by law: (1) a
3 medical intake screening process to identify emergencies, contagious diseases, and
4 other health and medication needs at the outset;¹⁰⁰ (2) a sick call system for evaluating,
5 triaging, and responding to detainees who are sick and request care;¹⁰¹ (3) a proper
6 system for responding to emergencies promptly;¹⁰² (4) a proper system for providing
7 consistent access to prescription medication;¹⁰³ and (5) sufficient competent staff to
8 administer these systems, respond to medical needs, and properly diagnose and treat
9 medical issues.¹⁰⁴

10 70. Under their own standards, Defendants are required to provide, among
11 other forms of care, “access to a continuum of health care services, including
12 screening, prevention, health education, diagnosis and treatment,” “[t]wenty-four
13 hour emergency medical and mental health services[,]” and treatment, monitoring,
14 and care for those with chronic conditions.¹⁰⁵ They are also required to comply with

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17 immigrants, 42.5% had at least one chronic health condition; 15.5% had multiple
chronic conditions.”).

18 ¹⁰⁰ Proper intake screening as a component of constitutionally adequate medical care
is well-established. *Pablo Sequen v. Albarran*, 810 F. Supp. 3d 1084, 1131 (N.D.
19 Cal. 2025) (citing *Doe v. Kelly*, 878 F.3d 710, 722–23 (9th Cir. 2017)) (“the Ninth
Circuit has repeatedly held that detainees must . . . receive medical intakes”); *Madrid*
20 *v. Gomez*, 889 F. Supp. 1146, 1204–05 (N.D. Cal. 1995) (intake screening).

¹⁰¹ Detention facilities must “provide a system of ready access to adequate medical
care.” *Hoptowit v. Ray*, 682 F.2d 1237, 1253 (9th Cir. 1982).

21 ¹⁰² “[T]he [facility] must provide an adequate system for responding to emergencies.”
Hoptowit, 682 F.2d at 1253. “If outside facilities are too remote or too inaccessible
22 to handle emergencies promptly and adequately, then the prison must provide
adequate facilities and staff to handle emergencies within the prison.” *Id.*

23 ¹⁰³ Constitutionally adequate medical care includes the right to access needed
medication. *Pablo Sequen*, 810 F. Supp. 3d at 1131 (N.D. Cal. 2025); *Lopez v. Smith*,
24 203 F.3d 1122, 1132 (9th Cir. 2000); *Coleman*, 912 F. Supp. at 1309–10.

25 ¹⁰⁴ “Access to the medical staff has no meaning if the medical staff is not competent
to deal with the prisoners' problems. The medical staff must be competent to examine
26 prisoners and diagnose illnesses.” *Hoptowit*, 682 F.2d at 1253. *See also Ruiz v. ICE*,
No. 3:25-CV-09757-MMC, 2026 WL 851980, at *7 (N.D. Cal. Mar. 27, 2026)
27 (ordering adequate and qualified staff); *Plata v. Schwarzenegger*, 2005 WL 2932253,
at *5–12 (N.D. Cal. Oct. 3, 2005) (same); *Madrid*, 889 F. Supp. at 1257 (same);
Jensen v. Shinn, 609 F. Supp. 3d 789, 865 (D. Ariz. 2022) (same).

28 ¹⁰⁵ *PBNDS*, *supra* note 26, at 257–59.

1 “Centers for Disease Control and Prevention (CDC) guidelines for the prevention and
2 control of infectious and communicable diseases.”¹⁰⁶

3 a. Lack of Medical Intake Screening Process

4 71. Defendants lack a proper, functioning, and comprehensive medical intake
5 screening process. The lack of screening and adequate treatment at Adelanto has
6 resulted in several outbreaks of contagious diseases among detained individuals. In
7 the fall of 2025, several detained individuals contracted staph infections. Defendants
8 did not provide disinfectants during the staph outbreak. About fifteen individuals
9 were hospitalized. Mr. Salazar Garza was among those hospitalized. Despite his
10 repeated complaints of swelling in his arm, Adelanto staff waited three days—until
11 his entire arm was swollen and discolored—before transporting him to the hospital
12 for surgery. While he was recovering from the infection, he remained handcuffed to
13 his hospital bed for nearly a week.

14 72. In December 2025, another unit was quarantined due to an outbreak of
15 chickenpox. Many people are constantly sick with some sort of virus; they have wet
16 coughs and what sounds like persistent sinus infections, but often go without
17 medicine. Defendants’ failure to implement proper screening and sanitation measures
18 to prevent and contain disease, coupled with their failure to adequately address and
19 treat outbreaks when they do happen, jeopardize the health of all detained individuals.

20 b. Lack of Timely and Ongoing Medical Care

21 73. Defendants lack a functioning system at Adelanto whereby detainees can
22 submit requests for medical attention and Defendants will provide timely medical
23 care, including urgent care, specialty care, and treatment for chronic medical
24 conditions. As a direct result of Defendants’ failure to implement a functioning
25 system, there is a pervasive lack of medical treatment at Adelanto, with detained
26 individuals waiting days, weeks, or months for time-sensitive medical treatment.

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¹⁰⁶ *Id.*

1 74. According to Defendants’ own policies, detained individuals are
2 supposed to be “able to request health services on a daily basis” and “receive timely
3 follow up.”¹⁰⁷ Detained individuals are told to fill out a request form, in writing or
4 via a tablet. However, these requests are sometimes not available on paper, or staff
5 do not come by to pick them up for several days. And given that units of about eighty
6 detained individuals share two tablets, there can be a long wait to get access to the
7 tablets.

8 75. Even if medical care is provided, because Adelanto lacks an adequate
9 medical system and sufficient competent staff, such care often occurs only after a long
10 delay, and the quality of care is inadequate. For instance, Plaintiff J.M. suffers from
11 cardiac arrhythmia, and after an off-site cardiologist recommended he wear a monitor
12 for his heart, staff at Adelanto required him to stay in medical solitary if he wanted to
13 use it. After about five days alone, he could not take the isolation anymore and asked
14 to be returned to his cell without completing the full heart monitor observation the
15 doctor had recommended.

16 76. In December 2025, Plaintiff Salazar Garza became ill with a fever and
17 was vomiting, at times feeling too weak to stand and even slipping in and out of
18 consciousness. For four days, and despite repeated requests that he be taken to the
19 medical unit, he stayed in his four-man cell, vomiting into the toilet by his bed at all
20 hours of the day and night. When he was finally transported to the medical unit, he
21 was prescribed a special diet that was not available for another two days. By the time
22 he recovered from the illness, he had lost eleven pounds.

23 77. Another detained individual had rectal pain and constipation that was so
24 intense he had difficulty standing or using the bathroom—yet it was months before
25 they gave him a painkiller stronger than Tylenol, and nearly half a year before he had
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28 ¹⁰⁷ *PBNDS*, *supra* note 26, at 257.

1 a colonoscopy. When he complained about his pain, which he described as eight or
2 nine out of ten, one of the guards in his unit threatened to pepper spray him.

3 78. Plaintiff L.T.'s spinal tumor was diagnosed approximately three months
4 prior to his detention. Because the tumor is next to a spinal nerve, he was told that if
5 it grows and is left untreated, it has the potential to cause a rapid onset of serious,
6 debilitating effects, including complete loss of control in his lower body and bowels.
7 He also has an abdominal aneurysm that requires monitoring. Although he was
8 recently taken for a stomach and spinal ultrasound at Adelanto, he has not received
9 the results and worries that the tumor or aneurysm could be worsening without
10 treatment and proper monitoring via CT scans.

11 79. While Plaintiff Salazar Garza was at DVA, a detained individual
12 experiencing a psychiatric episode bit off part of his finger. When he was transferred
13 to Adelanto months later, his hand was so swollen and painful that he found it difficult
14 to tie his shoes and brush his teeth. For months, medical staff at Adelanto did not
15 address what turned out to be a severe infection, and one night while Mr. Salazar
16 Garza was sleeping, the end of his finger burst, expelling black pus. He notified a
17 guard, but he was not brought to the medical unit, or even given materials to clean
18 and bandage the wound. It was days before medical staff provided antibiotics, and
19 even longer before he was transported to the local hospital for treatment. Plaintiff
20 Salazar Garza still experiences a changed sensation in his hand, as well as tingling
21 down his hand and forearm, and he fears repeat infections.

22 c. Lack of System for Responding to Emergencies Promptly

23 80. Defendants lack a proper system for promptly responding to medical
24 emergencies and routinely fail to do so—and when they do, the care they provide is
25 often substandard.

26 81. When detained individuals faint or collapse it often takes a long time for
27 the medical team to respond, if they respond at all—even where people are bleeding
28 or have urinated themselves. Detained individuals report that people faint often.

1 82. On one occasion, Plaintiff Mesrobian, who suffers from epilepsy,
2 experienced a seizure and hit his head. Instead of providing immediate care, staff
3 locked him in a medical holding tank with no medical supervision. By the time
4 medical staff came to check on him, he was having another epileptic episode.

5 83. On another occasion, after having a seizure, Plaintiff Mesrobian was
6 taken to the medical segregation unit for three days, which he described as feeling
7 like solitary confinement. At one point during his isolation, he had a seizure due to
8 his epilepsy.

9 84. During the first or second week of January 2026, Plaintiff Mesrobian was
10 again hospitalized for seizures. The seizure began while he was lying on his bed.
11 Guards then dragged him off of his bed and onto the floor where he remained for three
12 to five minutes, hitting his head on the bunks while he seized. For about twenty-five
13 minutes, he was not administered oxygen and by the time the Emergency Medical
14 Technicians from the hospital arrived, he was turning purple from lack of oxygen.
15 When he regained consciousness, his mouth was sore from having bitten his tongue.
16 He was taken to the hospital and brought back to Adelanto the same day. The next
17 morning, he had another seizure and was hospitalized for five days.

18 85. On multiple occasions, detained individuals who have experienced acute
19 medical issues have been removed from the unit and never returned.

20 d. Lack of System for Consistently Administering Medication

21 86. Defendants also lack a proper, functioning system for providing
22 consistent, timely access to prescription medication. Defendants routinely fail to
23 provide detained individuals with the medication they need to manage their medical
24 conditions.¹⁰⁸ One detained individual who has high blood pressure and diabetes was
25 not given consistent access to her medication and was hospitalized several times.¹⁰⁹

26 _____
27 ¹⁰⁸ *They Treat Us Like Dogs in Cages*, *supra* note 6.

28 ¹⁰⁹ George B. Sánchez-Tello, *After ICE arrests come health scares for the detained*,
CalMatters (Dec. 2, 2025), <https://calmatters.org/commentary/2025/12/ice-health-scares-for-detained/>.

1 Another “reported that he needed to take diabetes medication twice per day but had
2 only received it twice over the ten days he had been detained.”¹¹⁰ Mr. Mesrobian has
3 sometimes missed his anti-seizure medication because he is asked to take his pills
4 before he has been given food to take with the medication, and he suffers serious side
5 effects like vertigo, nausea, and abdominal pain if he takes the medication on an
6 empty stomach. Because his medication is most effective when taken regularly,
7 missed doses put Plaintiff Mesrobian at increased risk of life-threatening seizures.

8 87. Plaintiff L.T. has high blood pressure and diabetes and needs numerous
9 medications each day—yet he often receives his medications at the wrong times.
10 While he is supposed to receive the medications twice a day, his evening dose is often
11 delayed and he will not receive it until midnight or the next day. In addition, although
12 he was previously receiving physical therapy and cortisol shots in his spine to help
13 with pain management and recovery from his stroke, since being detained, he has not
14 received physical therapy or cortisol shots and is not being rehabilitated from his
15 stroke.

16 e. Lack of Sufficient Competent Staff

17 88. Adelanto suffers from staffing shortages impacting the medical and
18 mental health care that Defendants are required to provide under the Constitution and
19 their own standards. In June 2025, Adelanto staff reported that there were only three
20 psychologists for a population of nearly 1,400, and admitted that “the facility was not
21 adequately staffed to respond to the sudden surge.”¹¹¹ During a July 2025 inspection,
22 the State of California learned that to serve a population of over two thousand,
23 Adelanto had only five full-time and two part-time medical staff: one medical
24 director, one full-time physician, one part-time physician, and three full-time and one
25 part-time (on an as-needed basis) Advanced Practitioner Providers (meaning Nurse
26 Practitioners and Physician Assistants). ECF 44-1 at 10–11. These staff also serve

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28 ¹¹⁰ *They Treat Us Like Dogs in Cages*, *supra* note 6.

¹¹¹ *They Treat Us Like Dogs in Cages*, *supra* note 6.

1 DVA. *Id.* California’s immigration detention expert and medical expert found that
2 detention staffing levels were inadequate to meet the needs of the surge of individuals
3 housed at Adelanto as of July 8, 2025. *Id.* at 9–10. In response to the state’s request,
4 Adelanto was unable to “to produce assurances that staffing levels had been increased
5 to correspond with the increase in population.” *Id.* at 11. The lack of staffing places
6 the health and lives of detained individuals at Adelanto at serious risk.

7 f. The Lack of Medical Care Systems Endangers All Detainees

8 89. Defendants’ failure to provide medical care can have fatal consequences.
9 On September 22, 2025, 39-year-old Ismael Ayala-Uribe died after receiving
10 deficient medical care at Adelanto. Staff were aware that he was having a medical
11 emergency and flagged his condition as potentially life-threatening. But after being
12 seen by Adelanto’s internal medical team, he was taken back to his cell. He was not
13 transported to the hospital until three days later, where he died.¹¹²

14 90. Just a month later, 56-year-old Gabriel Garcia-Aviles died after being
15 detained at Adelanto for only about a week.¹¹³ His cause of death remains unclear.

16 91. In 2026, two more detained individuals died. Forty-eight-year-old
17 Alberto Gutierrez Reyes died in late February 2026 after he was denied medical
18 care.¹¹⁴ At the end of March 2026, 52-year-old José Guadalupe Ramos-Solano, who
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22 ¹¹² See James, *supra* note 8; U.S. Immigr. & Customs Enf’t, Detainee Death Report:
23 AYALA Uribe, Ismael (2025),
24 <https://www.ice.gov/doclib/foia/reports/ddrIsmaelUribeAyala.pdf> [hereinafter Death
25 Report]; Wendy Fry & Jeanne Kuang, *California gave counties power to inspect ICE
26 detention centers. They’re not using it*, L.A. Times (Oct. 3, 2025),
27 [https://www.latimes.com/california/story/2025-10-03/california-gave-counties-
power-to-inspect-ice-detention-centers-theyre-not-using-it](https://www.latimes.com/california/story/2025-10-03/california-gave-counties-
28 power-to-inspect-ice-detention-centers-theyre-not-using-it).

¹¹³ James, *supra* note 8; Izzy Ramirez, *Ten Days After Adelanto Internment, This
Beloved Grandfather Died In Custody*, L.A. Taco (Nov. 4, 2025),
<https://lataco.com/second-death-adelanto-custody>.

¹¹⁴ Coral Murphy Marcos, *Family of detainee who died under ICE custody says he
was denied medical care*, The Guardian (Mar. 6, 2026),
[https://www.theguardian.com/us-news/2026/mar/06/detainee-died-ice-custody-
california](https://www.theguardian.com/us-news/2026/mar/06/detainee-died-ice-custody-
california).

1 suffered from diabetes, hypertension, and hyperlipidemia, was found unresponsive in
2 his bed and pronounced dead.¹¹⁵

3 92. As a result of the lack of systems for healthcare provision and inadequate
4 staffing, the Individual Plaintiffs and the putative class suffer ongoing and imminent
5 harm. Individuals who have ongoing medical issues have not received treatment.
6 And those who are not currently suffering from a medical issue are endangered by the
7 lack of functioning systems and risk harm daily—the lack of a proper medical
8 screening process, for instance, means that any individual could be subjected to a
9 contagious disease, and any individual could experience a sudden injury or illness
10 requiring timely emergency care.¹¹⁶ See *Parsons v. Ryan*, 754 F.3d 657, 679 (9th Cir.
11 2014) (citing *Brown v. Plata*, 563 U.S. 493, 531 (2011)) (“[I]nadequate health care in
12 a prison system endangers every inmate.”).

13 93. This case is not about Defendants’ failure to provide medical care to any
14 one individual on any one occasion—it is about Defendants’ failure to implement
15 proper, functioning systems to provide constitutionally adequate medical care.¹¹⁷ See
16 *Brown*, 563 U.S. at 506. Plaintiffs allege systemwide deficiencies in the provision of
17 medical and mental health care that, taken as a whole, subject sick and mentally ill
18 prisoners in California to ‘substantial risk of serious harm’ and cause the delivery of
19 care in the prisons to fall below the evolving standards of decency that mark the
20 progress of a maturing society.”); *Parsons*, 754 F.3d at 673, 690 (affirming the district
21 court’s finding that “the problems identified in the provision of health care are not
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24 ¹¹⁵ Roque Planas, *José Guadalupe Ramos, a Mexican national, dies in ICE detention*
25 *in LA*, *The Guardian* (Mar. 30, 2026), [https://www.theguardian.com/us-](https://www.theguardian.com/us-news/2026/mar/30/mexican-man-dies-ice-detention-los-angeles)
26 [news/2026/mar/30/mexican-man-dies-ice-detention-los-angeles](https://www.theguardian.com/us-news/2026/mar/30/mexican-man-dies-ice-detention-los-angeles).

26 ¹¹⁶ As discussed above, there have been staph and chickenpox outbreaks that have
27 been poorly contained.

27 ¹¹⁷ Issues with the medical care system at Adelanto may be attributable in part to
28 ICE’s months-long failure to pay outside medical providers for detainee care. See
[https://www.cbsnews.com/atlanta/news/ice-stopped-paying-for-detainee-medical-](https://www.cbsnews.com/atlanta/news/ice-stopped-paying-for-detainee-medical-care-as-population-surged/)
[care-as-population-surged/](https://www.cbsnews.com/atlanta/news/ice-stopped-paying-for-detainee-medical-care-as-population-surged/).

1 merely isolated instances but, rather, examples of systemic deficiencies that expose
2 all inmates to a substantial risk of serious harm.”).

3 **2. Defendants Fail to Identify Disabilities and Provide Reasonable**
4 **Accommodations to Disabled Detained Individuals**

5 94. Under Defendants’ own standards, Defendants are required to “act
6 affirmatively to prevent disability discrimination.”¹¹⁸ This includes identifying
7 obvious disabilities and providing reasonable accommodations to those who request
8 assistance with their disability.¹¹⁹

9 95. Under the Rehabilitation Act, Defendants have an affirmative duty to
10 “assess the potential accommodation needs of [detainees]” and provide reasonable
11 accommodations. *Pierce v. District of Columbia*, 128 F. Supp. 3d 250, 272 (D.D.C.
12 2015); *Updike v. Multnomah Cnty.*, 870 F.3d 939, 949 (9th Cir. 2017) (citations
13 omitted) (“Title II and § 504 include an affirmative obligation for public entities to
14 make benefits, services, and programs accessible to people with disabilities.”).

15 96. According to DRC, the state agency responsible for protecting people
16 with disabilities, “[s]everal individuals with disabilities reported that they were not
17 being afforded reasonable accommodations.”¹²⁰ It urged Defendants “to immediately
18 address these issues and prevent further abuse and neglect of people with
19 disabilities.”¹²¹

20 97. Since the agency’s inspection in June, Defendants have persisted in
21 failing to properly identify disabilities and provide accommodations. Mr. Mesrobian
22 has been left alone on multiple occasions despite his risk of seizures, leaving him to
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24 ¹¹⁸ See *PBND*, *supra* note 26, at 344–45.

25 ¹¹⁹ *Id.* at 348 (“[I]t is incumbent upon facility staff to identify detainees with
26 impairments that are open, obvious, and apparent. Identification of detainees with
27 potential disabilities (i.e., impairments that are open, obvious, and apparent) may
28 occur through medical or intake screenings, or through direct observation. Staff
should be particularly vigilant for impairments that affect a detainee’s mobility or
ability to communicate.”).

¹²⁰ *They Treat Us Like Dogs in Cages*, *supra* note 6.

¹²¹ *Id.*

1 suffer seizures without any assistance. Elderly detained individuals with mobility
2 issues are made to sleep on top bunks despite having obvious difficulty climbing up
3 a ladder. One elderly detained individual has fallen from the top bunk several times.
4 Although detained individuals have raised this issue with Adelanto staff, Defendants
5 have made no effort to accommodate these individuals or to help detained individuals
6 with obvious mobility issues.

7 98. Mr. L.T., who has speech and mobility limitations resulting from a stroke
8 about three years ago, reports that there is no help for people like him—he has several
9 disabilities for which Defendants have failed to provide reasonable accommodations
10 and assistance. Although Mr. L.T. explained his mobility issues when he first entered
11 Adelanto, staff initially placed him on the second floor, requiring him to climb stairs
12 to get to his cell. When he is taken out of the facility—for example, to go to court or
13 medical appointments—he is handcuffed and unable to use his cane, and his feet are
14 sometimes chained. Once, while being transported in chains, he fell and scraped
15 himself, and he worries about falling again.

16 99. In addition, due to his disability, Mr. L.T. can only shower in the one
17 shower that has a bench. When that shower is broken, staff forbid him from bringing
18 a plastic chair to a different shower.

19 100. Mr. L.T. also suffers from sleep apnea, a serious sleep disorder where he
20 does not get enough oxygen to his brain while he sleeps. Mr. L.T. requested a sleep
21 apnea machine when he initially arrived at Adelanto because without it, he is at a
22 higher risk for heart attack and stroke. Again, the initial doctor he saw during his
23 intake said that it was a good idea for him to be issued a sleep apnea machine, but a
24 “higher up” doctor said that due to protocol, he could not receive one.

25 101. Due to his bunion, for which he is awaiting surgery, Mr. Salazar Garza
26 requires orthopedic shoes to alleviate pain in his foot and leg when he stands and
27 walks. He received a pair of orthopedic shoes at DVA, but by the time he was moved
28

1 to Adelanto, the shoes were worn with holes. Despite his repeated requests, staff at
2 Adelanto have still not provided replacement orthopedic shoes.

3 102. Another detained individual who arrived at Adelanto at the beginning of
4 December had two slipped disks in his spine, causing constant pain even while sitting
5 and lying down. The pain was often so severe he could not sleep. When he requested
6 an additional mattress to help with the pain, he was denied. Before detention, he was
7 managing his pain and other health conditions with several medications, all of which
8 were discontinued when he arrived at Adelanto.

9 103. Defendants also fail to accommodate mental health disabilities. In Mr.
10 Salazar Garza's unit, there is a detained individual who speaks very rarely and has
11 difficulty maintaining basic hygiene, but Adelanto staff do not provide regular
12 support. Mr. Salazar Garza and other people in his unit have taken it upon themselves
13 to assist this individual with keeping his bunk area clean—including clearing out
14 accumulated trash and moldy food. On another occasion, the guards brought an
15 individual who was visibly experiencing mental health issues to a new unit, and rather
16 than offering support to the individual, said to the other detained individuals: "have
17 fun."

18 **3. Defendants Subject Detained Individuals to Punitive Conditions**

19 104. The individuals detained at Adelanto are awaiting civil immigration
20 proceedings. *See Zadvydas v. Davis*, 533 U.S. 678, 690 (2001) (characterizing
21 immigration detention as civil detention). Yet Defendants subject them to punitive
22 conditions which are similar—and in many respects worse, and more restrictive—
23 than those in state or federal prison. The conditions are thus presumptively
24 unconstitutional. *See Jones v. Blanas*, 393 F.3d 918, 932 (9th Cir. 2004).

25 105. Defendants have suggested that the purpose of detention is in part to
26 punish immigrant detained individuals.¹²² Defendant ICE has emphasized that

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28 ¹²² *See, e.g., U.S. Dep't of Homeland Sec., DHS Announces Nationwide and International Ad Campaign Warning Illegal Aliens to Self-Deport and Stay Out* (Feb.

1 immigrants who do not self-deport will be detained and may spend several months in
2 detention.¹²³ Defendant ICE’s website warns: “If ICE arrests you because you didn’t
3 turn yourself in, the agency will detain and remove you — and you may have to spend
4 several months in detention while you’re awaiting removal.”¹²⁴ Another fact sheet
5 reads: “If you don’t self-deport, it’s not a matter of if ICE finds you. It’s a matter of
6 when. . . . ICE will put you in a detention facility. Some people remain in detention
7 for months.”¹²⁵

8 106. Many detained individuals previously incarcerated in state or federal
9 facilities find that being detained at Adelanto is worse than being in prison.
10 Conditions at Adelanto evince not only blatant disregard for detained individuals and
11 their health, but an intention to punish them. The restrictions imposed on detained
12 individuals severely curtail their freedom and amount to punishment: detained
13 individuals are locked in their cells overnight and multiple times each day, constantly
14 surrounded by armed guards, forced to wear prison-like uniforms, have no privacy
15 when they use the toilet or shower, and spend very little time outdoors. They are
16 housed in unsanitary conditions, deprived of sufficient food and clean drinking water,
17 and denied medical care and disability accommodations. The oppressive restrictions
18 on their autonomy, arbitrary rules, and constant monitoring result in needless
19 discipline, confiscation of their limited possessions, and excessive use of solitary
20 confinement. Defendants pressure detained individuals to agree to deportation and
21 retaliate against detained individuals who speak up about conditions.

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24 17, 2025), [https://www.dhs.gov/news/2025/02/17/dhs-announces-ad-campaign-](https://www.dhs.gov/news/2025/02/17/dhs-announces-ad-campaign-warning-illegal-aliens-self-deport-and-stay-out)
25 [warning-illegal-aliens-self-deport-and-stay-out](https://www.dhs.gov/news/2025/02/17/dhs-announces-ad-campaign-warning-illegal-aliens-self-deport-and-stay-out); U.S. Dep’t of Homeland Sec., *CBP*
Home: Assistance to Voluntarily Depart, <https://www.dhs.gov/cbphome> (noting ICE
26 will deprioritize detaining those who intend to self-deport).

27 ¹²³ See U.S. Immigr. & Customs Enf’t, *Self-Deportation* (July 16, 2025),
<https://www.ice.gov/self-deportation>.

28 ¹²⁴ *Id.*
¹²⁵ U.S. Immigr. & Customs Enf’t, *Self-Deportation Fact Sheet* (2025).

<https://www.ice.gov/doclib/selfDeportation/selfDeportationFactSheet.pdf>.

1 107. Under these circumstances, Defendants’ deliberate indifference to
2 detained individuals’ basic needs, their imposition of substandard, inhumane
3 conditions, and their use of retaliatory practices amount to punitive conditions.

4 a. Detained Individuals Are Confined to Their Cells for Hours,
5 Without Sufficient Access to the Outdoors

6 108. Individuals detained at Adelanto live in cells that house up to eight
7 people. They are issued one mattress, one sheet and one blanket—all of which are
8 thin. The toilet in the cell, just feet from the beds, does not have a privacy curtain.



21 *An eight-bed cell at Adelanto West. The facility issues mattresses to individuals to place on top of*
22 *the blue metal bed frames.*¹²⁶

23 109. During the day, detained individuals can generally leave their cells to
24 spend time in a communal dayroom, where the only furniture is metal tables and seats
25 bolted to the floor.

26 110. When detained people leave the dayroom—for example, to walk to lunch
27 in the cafeteria—they must walk in a single file accompanied by guards.

28 ¹²⁶ *They Treat Us Like Dogs in Cages*, *supra* note 6.

1 111. Every day is punctuated by a series of headcounts, where detainees are
2 locked in their cells for at least an hour—often longer—while staff make rounds.
3 Headcounts at Adelanto are more frequent than those in prison. Detained individuals
4 are locked in their cells for a headcount between three and five times each day, for
5 example at 7:30 a.m., 11:00 a.m., 6:30 p.m., 11:00 p.m., and 1:00 a.m. After the last
6 count at 1:00 a.m., detained individuals are locked in their cells until morning.

7 112. During a headcount, detained individuals cannot leave their cells to get
8 drinking water, take a shower, make a phone call, or get food. On information and
9 belief, additional lockdowns on top of the headcounts can sometimes take place up to
10 three times per week. By contrast, California’s prison system requires only two
11 headcounts during waking hours.¹²⁷ Detained individuals who have served time in
12 state prison confirmed that state facilities typically perform headcounts only twice per
13 day, and that they take less than an hour to complete.

14 113. Unlike at state and federal prisons where there is often access to an
15 outdoor yard for multiple hours a day—even several times a day—at Adelanto,
16 detained individuals can only access the outdoor yard for one hour per day.¹²⁸ Even
17 a few years ago, detained individuals at Adelanto reportedly had access to the yard
18 for four hours a day.¹²⁹ Detained individuals feel claustrophobic and hopeless due to
19 the minimal yard time. Compounding this deprivation, while people in state or federal
20 prison can participate in jobs and programs, there are no in-person programs at
21 Adelanto.

22 114. Defendants also often arbitrarily cancel access to the outdoors. After
23 someone allegedly attempted to escape the yard in the fall of 2025, detained
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25 ¹²⁷ See Cal. Dep’t Corr. & Rehab. (CDCR), Department Operations Manual,
26 § 52020.4.1 Frequency of Counts (requiring two “positive counts” of each
incarcerated person during waking hours).

27 ¹²⁸ Detainees are otherwise given limited access to a “mini-yard,” a small area that is
open above but enclosed by tall concrete walls.

28 ¹²⁹ Kelsey Brugger, *Among the Detainees at Adelanto*, Santa Barbara Indep. (Aug. 24,
2017), <https://www.independent.com/2017/08/24/among-detainees-adelanto/>.

1 individuals at Adelanto West were not permitted to use the yard for six weeks. Staff
2 claimed the reason they could not go outside was because there was ongoing
3 construction. Detained individuals saw no construction vehicles during that time.
4 When they were finally allowed to go back outside, the only difference the detained
5 individuals observed was barbed wire on top of the yard. Several detained individuals
6 felt that being deprived of yard access for so long felt like unwarranted punishment
7 for something they did not do. More than once, yard has been cancelled because there
8 is insufficient staff.

9 b. Defendants Fail to Provide Clean Drinking Water and Adequate
10 Food and Nutrition

11 115. Defendants deprive detained individuals of basic needs. Detained
12 individuals have “safety concerns about the water from sinks and drinking fountains,”
13 which they described was “cloudy and has an unusual taste.”¹³⁰ Others have remarked
14 that it tastes like chlorine or Clorox.¹³¹ More recently, detained individuals have
15 noticed the tap water is sometimes brown in color and tastes foul. On information
16 and belief, the sink water is not consistently potable.

17 116. Adelanto staff are aware of problems with the tap water, as they supply
18 the jugs of water in the dayroom for detained people to drink. But the water jugs
19 themselves are often dirty—littered with dirt, residue, hair, sand, bugs, or even mold.
20 When detained individuals raise questions about the potability of the water and
21 cleanliness of the jugs, staff will sometimes clean the jugs for a few days, but after
22 that, the jugs inevitably wind up dirty again.

23 117. In addition, detained individuals have limited access to drinking water, in
24 violation of the PBNDS.¹³² Drinking water runs out frequently. At Adelanto East,
25 for instance, a unit of approximately 114 people receives one ten-gallon container of

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27 ¹³⁰ *They Treat Us Like Dogs in Cages*, *supra* note 6.

¹³¹ *Jarvie & Solis*, *supra* note 5.

28 ¹³² *See PBNDS*, *supra* note 26, at 232 (“Clean, potable drinking water must be available.”).

1 water twice a day. This means that each detained individual is only able to drink
2 about one large glass of water per day, a fraction of recommended daily intake. They
3 sometimes go four or five hours without receiving water and are left thirsty in the
4 desert heat. Guards complain that detained individuals ask for water too often.

5 118. While in medical observation, Plaintiff J.M. asked for water and a nurse
6 responded that she could not give him water because she was busy. After two hours
7 with no response from the nurse, he asked again and was again denied water. The
8 nurse responded: “Don’t start with your bullshit, there is water in the sink,” indicating
9 he should drink from the unfiltered tap water.

10 119. In November 2025, several detained individuals in one unit experienced
11 itchiness across their bodies—even in their scalp. After three or four days, Plaintiff
12 Mesrobian took a clear plastic bottle and held it under the shower and saw that the
13 water in the showers was brown. After letting the guards know, it took four days for
14 staff to fix the issue. Only after the water was resolved did their skin condition begin
15 to clear up.

16 120. Detained individuals regularly do not receive enough food, and the food
17 they do receive is inadequate and insufficiently nutritious, in violation of Defendants’
18 own policies.¹³³ For instance, detained individuals might receive a small carton of
19 milk with a scoop of cereal for breakfast, a small sandwich for lunch, and handful-
20 sized portions of rice and lentils for dinner. Other typical offerings include powdered
21 egg, rice, dry or broken tortillas, and baloney. Many detained individuals go hungry.
22 Mr. J.M. lost approximately fifteen pounds at Adelanto.

23
24
25 ¹³³ See *PBNDS*, *supra* note 26, at 228 (requiring the provision of “a nutritionally
26 balanced diet,” including special diets for religious accommodation); *id.* at 234 (“A
27 registered dietitian shall conduct a complete nutritional analysis that meets U.S.
28 Recommended Daily Allowances (RDA), at least yearly, of every master-cycle menu
planned by the FSA. The dietitian must certify menus before they are incorporated
into the food service program. If necessary, the FSA shall modify the menu in
response to the nutritional analysis to ensure nutritional adequacy.”).

1 121. The food at Adelanto is sometimes uncooked or spoiled. Detained
2 individuals were once served “foul-smelling” lettuce. The fruit is sometimes rotten,
3 and the tuna and chicken are sometimes sour, causing stomachaches and diarrhea.

4 122. Although some detained individuals supplement their diets by purchasing
5 additional food at the commissary, some detained individuals cannot afford this.
6 Detained individuals who have served time in state or federal prison reported that
7 prison food is cleaner and there is more variety.

8 123. The food that detained individuals receive is often mixed together. For
9 instance, staff will serve detained individuals rice and beans on top of cake and salad,
10 rather than beside the other items. This feels unnecessary and disrespectful to many
11 detained people. For detained individuals with food allergies or religious dietary
12 needs, mixing foods raises additional complications.

13 124. Kitchen staff at times do not wear masks when preparing and serving
14 food, in violation of Defendants’ own policies.¹³⁴ Detained individuals have seen
15 rodent excrement in the kitchen, and flies, bugs, and dirty food in the cafeteria.

16 125. On several occasions, detained individuals have gotten food poisoning
17 from the food, particularly items such as spoiled tuna or chicken. When detained
18 individuals have reported concerns about food poisoning, staff have responded
19 skeptically—and concerns about food quality and safety have gone unaddressed.

20 c. Defendants House Detained Individuals in Unsanitary Conditions
21 and Fail to Maintain the Facility

22 126. Detained individuals are subjected to unsanitary conditions, and
23 Defendants fail to adequately maintain the facility and its infrastructure. Detained
24 individuals have seen mold and fungus growing on the bathroom walls and in their
25 dormitories. The walls in Plaintiff L.T.’s unit were often wet, and black-colored mold
26

27 ¹³⁴ *PBND*, *supra* note 26, at 228 (providing that meals shall be “presented in a
28 sanitary and hygienic food service operation” that complies with “governmental
health and safety codes” and protects detainees and staff from illness).

1 grows on the walls in more than one unit. Recently, facility staff painted over the
2 black mold, but did not change any other conditions of the unit that make the walls
3 moist, nor did they treat the walls for mold. When detained individuals put up towels
4 or cardboard to protect themselves from the mold, guards confiscate these items, so
5 detained individuals must sleep next to the mold.

6 127. Adelanto staff do not clean the facility regularly. Detained individuals
7 must therefore clean their own bathrooms and showers. The bathrooms in the units
8 do not contain trash cans and detained individuals were told by the guards that they
9 are not allowed to have one. This has led to trash piling up in the restrooms.

10 128. The detained individuals who contracted staph infections believe they
11 contracted the infection from the showers because they were not properly cleaned.
12 Since then, another unit was quarantined because there was an outbreak of
13 chickenpox, and another unit complained of an outbreak of mold.

14 129. There are showers that only have scalding hot water. For four months,
15 detained individuals in one unit only had two working showers for eighty people. For
16 the past several months, detained individuals have often had to take cold showers
17 because hot water runs out. Shower stalls do not have curtains, meaning detained
18 individuals shower in full view of one another and staff.

19 130. Detained individuals do not have consistent access to clean clothing.
20 When detained individuals send items out for laundry, their clothes are frequently
21 returned still wet, dirty, or with stains on them. Other times, their items are not
22 returned at all. Defendants allow detained individuals to exchange clothing, but these
23 items sometimes are dirty or have stains on them. In one case, an item in the
24 purportedly clean exchange pile had blood stains from another detained individual.

25 131. The mattresses are thin and worn, leaking white dust, and are rarely
26 replaced. The mattresses are so thin they cause bruising and back pain for some
27 detained individuals. Detained individuals reported that the mattresses are of better
28 quality in prison than at Adelanto.

1 132. On information and belief, the medical holding tank for detained
2 individuals awaiting medical treatment is kept in poor condition. There is a toilet and
3 soap dispenser in the tank, but no soap is provided to wash one's hands, and the toilet
4 is filthy. The room is often dirty. On one occasion, Mr. Salazar Garza had to help
5 staff clean up blood and other bodily fluids in the medical unit.

6 133. The facility is often so cold that the sheet and thin blanket each detained
7 person has to sleep with is insufficient to keep them warm. In the women's section,
8 they once ran out of blankets for four days.

9 134. In the room where detained people are brought prior to their court
10 hearings, the temperature is extremely cold, and detained individuals are often forced
11 to wait there for hours at a time, with no apparent justification.

12 d. Detained Individuals Are Separated From Their Loved Ones and
13 Subject to Restrictive Visitation Policies

14 135. Separation from their families has been difficult for many detained
15 individuals, and detained individuals feel that the rules governing visits are punitive.
16 Given the government's campaign targeting immigrants, the immigrant families of
17 those detained are often afraid to visit them at Adelanto. When families do visit, it is
18 for one hour and detained individuals are often only allowed one short hug and kiss
19 at the beginning of the visit. This is especially painful for detained parents whose
20 children do not understand why they are unable to hug their parents. When one
21 detained individual picked up his child, a guard threatened to write him up and take
22 away visitation privileges. By contrast, in the state prison system, incarcerated
23 individuals are allowed to hold their children.¹³⁵ Detained individuals and visitors are
24 also not allowed to go to the restroom during a visit, otherwise their visit is subject to
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26

27 ¹³⁵ Cal. Dep't Corr. & Rehab., *In-Person Visiting Frequently Asked Questions*,
28 <https://www.cdcr.ca.gov/visitors/get-help/in-person-visiting-frequently-asked-questions/> (last visited Jan. 25, 2026) [hereinafter Cal. Corr. FAQ].

1 being suspended or cancelled. Detained individuals have shared that this feels cruel
2 to them and their families who have travelled many hours to visit them.

3 136. Detained individuals also experience issues with communicating with
4 family, lawyers, and their community. Unlike in state prison where detained
5 individuals have their own handheld tablet for communication,¹³⁶ at Adelanto, there
6 are few tablets split among all of the detained individuals in the unit, and detained
7 individuals must compete to get time to speak to their loved ones.

8 137. Detained individuals must also pay to make phone calls or send text
9 messages to communicate with their loved ones. A video call can cost around \$0.21
10 per minute, meaning it costs \$6 for one thirty-minute video call. These costs add up
11 for detained individuals, the majority of whom are low-income, and are not able to
12 earn money while in detention. The charge to contact family unnecessarily limits
13 many detained individuals' contact with the outside world and negatively affects their
14 mental health. Additionally, the tablets are sometimes broken or unavailable: for
15 three or four days after Christmas in 2025, none of the phones or tablets were working
16 and so none of the detained individuals were able to contact their families or attorneys.
17 By contrast, in state prison, incarcerated people are allowed phone calls free of charge
18 and fifteen minutes of free video calls from their tablet every two weeks.¹³⁷

19 e. Defendants Ignore Detained Individuals' Grievances

20 138. According to Defendants' own standards relating to grievances,
21 "[d]etainees shall be able to file formal grievances, including medical grievances, and
22 shall receive written responses, including the basis for the decision, in a timely
23 manner."¹³⁸ The PBNDS also require "three levels of formal grievance review" and
24

25 ¹³⁶ Kate Wolffe, *Almost all people incarcerated in California now have free tablets*,
26 CapRadio (July 19, 2023), <https://www.capradio.org/articles/2023/07/19/almost-all-people-incarcerated-in-california-now-have-free-tablets/#:~:text=Since%20August%202021%2C%20California's%20Department,pe>
27 ople%20incarcerated%20across%20the%20state.

28 ¹³⁷ *Cal. Corr. FAQ*, *supra* note 139.

¹³⁸ *PBNDS*, *supra* note 26, at 414.

1 that “[e]ach facility shall maintain a detained individual grievance log that shall be
2 subject to regular inspection by the Field Office Director and ICE headquarters
3 staff.”¹³⁹ Upon information and belief, Defendants do not follow the Grievance
4 System guidelines required by the PBNDS.

5 139. Defendants fail to meet these standards. Adelanto’s grievance process is
6 slow and often futile. During a September 2025 inspection, the ICE Office of
7 Detention Oversight (“ODO”) noted issues with the grievance process and
8 compliance with federal detention standards at Adelanto, noting that in several cases
9 staff “did not provide a decision within five days of receipt of the appeal[,]” “did not
10 note the outcome of the adjudication[,]” and “did not forward the grievance nor
11 support documentation to the facility administrator[.]”¹⁴⁰

12 140. Detained individuals routinely wait more than a month for a response
13 after filing a grievance. When detained individuals complain about substandard
14 conditions, medical issues, or misconduct, the underlying issues go unresolved even
15 if staff do eventually follow up. In some cases, staff have pressured detained
16 individuals into withdrawing their grievances in order to receive help. When Mr.
17 Mesrobian submitted a grievance about issues receiving his medication, a staff
18 member told him they would informally resolve the problem if he withdrew his
19 grievance. Hoping that his access to medication would improve, Mr. Mesrobian
20 agreed to sign a blank piece of paper without being given the chance to read the
21 grievance withdrawal form. His issues regarding receiving his medications have
22 continued.

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26 ¹³⁹ *Id.* at 417, 419.

27 ¹⁴⁰ ICE Off. Pro. Resp., Off. Det. Oversight, *Adelanto ICE Processing Center*
28 *Inspection 2025-001-082* 6 (Sept. 2025), <https://www.ice.gov/doclib/foia/odo-compliance-inspections/AdelantoProcessingCenterAdelantoCA-September-16-18-2025.pdf> [hereinafter *September 2025 Report*].

1 141. There is a TV that is supposed to broadcast Know Your Rights
2 information for detained individuals, including the facility’s policies, but that TV has
3 been turned off permanently.

4 f. Defendants Punish Detained Individuals through Excessive Use
5 of Solitary Confinement

6 142. According to ICE’s own data, there were 76 people placed in solitary at
7 Adelanto for one or more days during March 2026, and 72 during February 2026.¹⁴¹

8 143. Solitary confinement at Adelanto is more restrictive than in state prison,
9 and feels deeply isolating. While in solitary confinement, detained individuals cannot
10 leave their cell all day, except for one hour to get water, heat up food, make a phone
11 call, shower, or do anything else outside of their cell.

12 144. Detained individuals are allowed to take only one sixteen-ounce cup of
13 water into their solitary cell. They do not have time to clean their cells themselves
14 during their one hour outside their cell, so the cells are rarely cleaned and remain
15 dirty. They cannot receive visits from their families. While in the solitary yard, which
16 is the size of one cell and pictured below, they are unable to eat, drink water, or use
17 the bathroom.

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¹⁴¹ U.S. Immigr. & Customs Enf’t, *ICE Detention Statistics FY 2026 YTD* (Apr. 9, 2026), available at <https://www.ice.gov/detain/detention-management>.



Concrete, fenced-in recreation area for disciplinary segregation unit¹⁴²

145. By contrast, the state prison system allows people who have been placed in solitary for violent assault to spend at least twenty hours outside of their cells each week, including ten hours of outdoor recreation.¹⁴³ Those incarcerated in state prison have access to reading materials, can make regular telephone calls, can have visits with loved ones, and can participate in educational and other services.¹⁴⁴

146. Solitary confinement is frequently used to punish detained individuals who speak out about conditions at Adelanto.

147. In April 2025, several detained individuals went on hunger strike seeking changes to conditions at Adelanto. The strikers sought, among other demands, clean drinking water, properly cooked and better quality food, proper medical care, access to recreational supplies, increased visitation hours and more family contact during visits, healthy items in the commissary, and overall humane treatment. Defendants never responded to their demands, and instead, the guards took many of the hunger strikers to solitary confinement in retaliation for their protest. Mr. Salazar Garza was

¹⁴² *No Safety Here*, *supra* note 39, at 30.

¹⁴³ Cal. Code Regs. Tit. 15, § 3348(i).

¹⁴⁴ Cal. Code Regs. Tit. 15, § 3348(j)1–(l), (g).

1 among those who went on hunger strike and was taken to solitary for about fifteen to
2 twenty days. This instance of retaliation— like all other instances in which staff have
3 retaliated against detained individuals who speak out or raise issues—violated
4 Defendants’ own standards.¹⁴⁵

5 148. On another occasion, when a detained individual asked a guard to use
6 more respectful language toward him, he was ridiculed, written up and given the
7 middle finger by a guard who shouted, “Who the fuck do you think you are?” The
8 detained individual was then placed in solitary confinement for twenty-five days.

9 149. One detained individual was taken to solitary for speaking up about the
10 showers being broken. Being sent to solitary after speaking up about poor conditions
11 of confinement negatively affects detained people’s mental health because it feels like
12 they are being punished for simply asking to be treated with dignity.

13 150. On or around Friday, May 15, 2026, approximately twenty detained
14 individuals at Adelanto began another hunger strike seeking to remedy the poor
15 conditions.¹⁴⁶ The stated impetus for the strike was the mishandling of the four recent
16 deaths at Adelanto, ongoing lack of response to urgent medical needs, smaller
17 portions of food, rising commissary costs, and retaliation and suppression for
18 speaking out about these conditions.¹⁴⁷ Detained individuals fear the same retaliatory
19 practices in response to their hunger strike that previous strikers faced: being sent to
20 solitary confinement, loss of access to the commissary, and withholding access to
21 tablets to contact loved ones.¹⁴⁸

23 ¹⁴⁵ See *PBNDS*, *supra* note 26, at 215–16 (“No staff member shall harass, discipline,
24 punish or otherwise retaliate against any detainee for filing a complaint or grievance.
25 . . . Disciplinary action may not be capricious or retaliatory[.]”); *id.* at 414 (“No
26 detainee shall be harassed, disciplined, punished or otherwise retaliated against for
27 filing a complaint or grievance.”).

26 ¹⁴⁶ Rynne Mena, *Adelanto ICE detainees launch hunger strike to demand improved
27 conditions*, The San Bernardino Sun (May 20, 2026),
[https://www.sbsun.com/2026/05/20/adelanto-ice-detainees-launch-hunger-strike-to-
demand-improved-conditions/](https://www.sbsun.com/2026/05/20/adelanto-ice-detainees-launch-hunger-strike-to-demand-improved-conditions/).

28 ¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

1 g. Defendants Use Coercive and Retaliatory Practices

2 151. Defendants subject detained individuals to various coercive and
3 retaliatory practices that—both in isolation and coupled with the other unsanitary and
4 abusive conditions detained individuals must endure—constitute punitive conditions
5 of confinement.

6 152. Upon information and belief, detained individuals at Adelanto are
7 routinely pressured by Defendants to “self-deport” via voluntary departure—the
8 implication being that if they do not, they will be subject to prolonged detention with
9 little hope of being reunited with the outside world. Detained individuals have been
10 pressured into signing documents.¹⁴⁹ In the context of the conditions individuals must
11 endure at Adelanto, pressuring detained individuals to accept voluntary departure is
12 coercive and deprives them of knowingly and voluntarily exercising their rights.

13 153. Upon information and belief, some detained individuals have agreed to
14 voluntary departure in part because they could no longer endure the conditions at
15 Adelanto.

16 154. In addition, Adelanto staff punish large groups of detained individuals for
17 the actions of a few.¹⁵⁰ If there is a fight or other incident in the unit, the whole unit
18 will sometimes be locked up for prolonged periods of time. On one occasion, after a
19 fight broke out among a few detained individuals in the unit, all thirty individuals
20 present where the fight occurred were pepper sprayed. Then, all eighty men in the
21 unit were locked down for twenty-four hours—a response that felt to detained
22 individuals like a form of punishment. Because they were unable to shower after the
23 incident, several detained individuals experienced coughing, intense eye irritation,
24

25 ¹⁴⁹ Jarvie & Solis, *supra* note 5.

26 ¹⁵⁰ See *PBND*, *supra* note 26, at 216 (“Staff may not impose or allow imposition of
27 the following sanctions: corporal punishment; deprivation of food services, to include
28 use of Nutraloaf or “food loaf”; deprivation of clothing, bedding or items of personal
hygiene; deprivation of correspondence privileges; deprivation of legal access and
legal materials; or deprivation of indoor or outdoor recreation, unless such activity
would create a documented unsafe condition within the facility.”).

1 and even difficulty breathing. During the twenty-four hour lockdown, detained
2 individuals were unable to leave their cells, eat food, get water, or shower.

3 155. Staff also regularly confiscate detained people’s possessions beyond what
4 was issued to them when they first arrived, including any products or clothing that
5 they legally purchased at the commissary with their own money.

6 **D. Despite the blatantly inhumane conditions at Adelanto, Defendant ICE has**
7 **failed to make changes to comply with its own detention standards.**

8 156. Notwithstanding the current conditions at Adelanto, Defendant ICE has
9 failed to remedy the situation and comply with the Constitution and its own detention
10 standards. In fact, it has failed to adequately inspect the facility and most recently
11 awarded it a “good” rating.

12 157. Congress has mandated oversight of immigration detention facilities.¹⁵¹
13 The Office of Detention Oversight (“ODO”), housed within ICE, is responsible for
14 conducting compliance inspections at ICE detention facilities in which noncitizens
15 are housed for periods in excess of 72 hours and which have an average daily
16 population of 10 or more noncitizens—which includes Adelanto.¹⁵² These
17 inspections assess compliance with the PBNDS, among other things. Following each
18 inspection, ODO provides ICE leadership with a Compliance Inspection Final Report
19 citing deficiencies, areas of concern, corrective actions, or best practices. The Final
20 Report is intended to “assist [ICE’s Enforcement and Removal Operations division]
21 in developing and initiating a uniform corrective action plan” and “provide senior
22 executives with an independent assessment of facility operations.”¹⁵³

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26 ¹⁵¹ <https://www.ice.gov/foia/odo-facility-inspections>

27 ¹⁵² U.S. Immigr. & Customs Enf’t, *Office of Detention Oversight Inspections: Fiscal*
Year 2021 Report to Congress 2 (Mar. 23, 2022),
[https://www.dhs.gov/sites/default/files/2022-05/ICE%20-](https://www.dhs.gov/sites/default/files/2022-05/ICE%20-%20Office%20of%20Detention%20Oversight%20Inspections.pdf)
[%20Office%20of%20Detention%20Oversight%20Inspections.pdf](https://www.dhs.gov/sites/default/files/2022-05/ICE%20-%20Office%20of%20Detention%20Oversight%20Inspections.pdf).

28 ¹⁵³ *September 2025 Report*, *supra* note 144, at 4.

1 158. Pursuant to its mandate, ODO should focus inspections on a core set of
2 standards significant to a noncitizen’s life, health, and safety, and should conduct a
3 thorough, line-by-line assessment of each core standard.¹⁵⁴

4 159. Congress specifically appropriates funds for these annual inspections. In
5 response to a 2018 DHS Office of Inspector General (“OIG”) review of ICE’s
6 detention inspection programs, Congress appropriated a budget enhancement of
7 approximately \$6.9 million in fiscal year (“FY”) 2019 for ODO to increase annual
8 inspections.¹⁵⁵ Congress intended this expenditure to be used to ensure ODO engaged
9 in rigorous and independent oversight of ICE facilities.¹⁵⁶

10 160. Congress also required that Defendant ICE’s expenditure of federal
11 detention funds to ICE detention facilities be discontinued “if the two most recent
12 overall performance evaluations received by the contracted facility are less than
13 ‘adequate’ or the equivalent median score in any subsequent performance evaluation
14 system.” Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47, div.
15 C, tit. II, § 213.

16 161. ODO inspected Adelanto on September 16–18, 2025. Despite repeated
17 complaints of substandard medical care and inhumane conditions from detained
18 individuals, journalists, community advocates, and members of Congress, *see supra*
19

21 ¹⁵⁴ *Id.* at 1.

22 ¹⁵⁵ *Id.* at 2.

23 ¹⁵⁶ In 2019, Congress also created the Office of the Immigration Detention
24 Ombudsman (“OIDO”) within DHS, which is independent of ICE and charged with
25 independent complaint review and detention oversight. 6 U.S.C. § 205(b). More
26 specifically, OIDO was established to conduct “unannounced inspections of detention
27 facilities”; “[p]rovid[e] assistance to individuals affected by potential misconduct,
28 excessive force, or violations of law or detention standards”; and “mak[e]
recommendations to address concerns or violations of contract terms identified in
reviews, audits, investigations, or detainee interviews regarding immigration
detention facilities and services[.]” 6 U.S.C. § 205(b); *see* Consolidated
Appropriations Act of 2021, Pub. L. No. 116-260, Div. F, Tit. II, § 215(b) (Dec. 27,
2020), 134 Stat. 1457. Defendants recently shut down OIDO.
See <https://www.npr.org/2026/05/07/g-s1-120834/trump-immigration-detention-ombudsman-shutdown>.

1 *Section A*, Adelanto received a “good” rating, with no medical care deficiencies
2 found.¹⁵⁷

3 162. This is remarkable given the California Department of Justice noted
4 serious issues with the way Adelanto addressed mental-health medical care.¹⁵⁸
5 Rightly, congressional letters have raised questions about “ICE’s negligence in
6 adhering to basic medical standards.”¹⁵⁹ By the time the inspection report was
7 released, there had been two deaths at Adelanto within the span of a month.¹⁶⁰

8 CLASS ALLEGATIONS

9 163. Plaintiffs L.T., Sevak Mesrobian, Jose Mauro Salazar Garza, and J.M.
10 bring this action pursuant to Rules 23(a), 23(b)(1), and 23(b)(2) of the Federal Rules
11 of Civil Procedure, on behalf of themselves and all other people who are similarly
12 situated.

13 164. *The Class*. As to the First and Second Claims (Punitive Conditions and
14 Deliberate Indifference), the individual Plaintiffs seek to represent a class of all
15 people who are now, or who in the future will be, detained at Adelanto ICE Processing
16 Center and in the legal custody of U.S. Immigration and Customs Enforcement (“the
17 Class”).

18 165. *The Disability Subclass*. As to the Third Claim (Rehabilitation Act),
19 Plaintiffs L.T., Sevak Mesrobian, and Jose Mauro Salazar Garza (“Subclass
20 Plaintiffs” or “Subclass Representatives”) also seek to represent a subclass consisting
21 of all people who have disabilities within the meaning of the Rehabilitation Act and
22 are now, or in the future will be, detained at Adelanto ICE Processing Center and in
23 the legal custody of U.S. Immigration and Customs Enforcement (“the Subclass”).

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25 ¹⁵⁷ *September 2025 Report, supra* note 144, at 9.

26 ¹⁵⁸ *See generally*, Cal. Dep’t of Just., Off. of Cmty. Awareness, Response &
27 Engagement, *CARE Community Briefing: Immigration Detention Facilities Report*
(May 22, 2025), <https://oag.ca.gov/system/files/media/care-comm-briefing-slides-052225.pdf>.

28 ¹⁵⁹ *Nov. 2025 Congressional Letter, supra* note 96.

¹⁶⁰ *James, supra* note 8; see also *Death Report, supra* note 116.

1 166. *Numerosity*. The proposed Class and Subclass satisfy the requirements
2 of Rule 23(a)(1) because they are so numerous that joinder of all members is
3 impracticable. There are currently over 1,700 people detained at Adelanto.¹⁶¹ On
4 information and belief, at least fifty of these individuals have disabilities.¹⁶²

5 167. Joinder may also be impossible given the inherently transitory nature of
6 a putative Class and Subclass of detained individuals awaiting their civil immigration
7 proceedings. Plaintiffs and putative Class and Subclass members may be released
8 from custody, transferred to other detention centers, or deported from the United
9 States. The population of detained individuals at Adelanto thus changes on a regular
10 basis. Joinder is also impracticable because many putative Class and Subclass
11 members do not speak English well, and most are unable to bring individual litigation
12 because they lack sufficient resources.

13 168. The Plaintiff Class and Subclass members are identifiable using records
14 maintained in the ordinary course of business by Defendants.

15 169. *Commonality*. The Class and Subclass meet the commonality
16 requirements of Federal Rule of Civil Procedure 23(a)(2) because all class members
17 are subject to Defendants’ common policies or practices with respect to the punitive
18 conditions of confinement at Adelanto and the systemic lack of access to adequate
19 medical care.

20 170. Moreover, there are numerous questions of law and fact common to the
21 proposed Class and Subclass. Such questions include, but are not limited to:

22
23
24 _____
¹⁶¹ As of November 2025, there were 1,786 people detained at Adelanto. *See TRAC Report, supra* note 16.

25 ¹⁶² The precise size of the Subclass is difficult to determine given that Defendants do
26 not publish data on disability needs. Research suggests that nearly half of detained
27 immigrants have chronic conditions, many of which may constitute disabilities. *See Patler & Saadi, supra* note 100 at 863-66. A 2019 report found that “considerable
28 number of Adelanto detainees [had] mental health needs and other disabilities,” estimating that at least 15% of Adelanto’s population had mental health disabilities and that “many more” had “physical, sensory, and other types of disabilities, as well as with acute and chronic medical needs.” *No Safety Here, supra* note 39, at 12.

- 1 a. Whether the conditions at Adelanto are unnecessarily restrictive and/or
- 2 punitive such that they violate the Fifth Amendment; and
- 3 b. Whether Defendants' failure to provide adequate medical and mental
- 4 health care to people detained at Adelanto creates a risk of harm that
- 5 violates the Fifth Amendment.

6 171. As to the Subclass, there are also common questions of law and fact,
7 including but not limited to:

- 8 a. Whether Defendants have inadequate systems to identify and assess the
- 9 disability needs of people detained at Adelanto, such that they violate
- 10 Section 504 of the Rehabilitation Act;
- 11 b. Whether Defendants fail to ensure that people with disabilities receive the
- 12 accommodations and services they require, such that they violate Section
- 13 504 of the Rehabilitation Act; and
- 14 c. Whether Defendants have a policy or practice of failing to respond to
- 15 requests for disability accommodations made by Plaintiffs and members
- 16 of the Subclass.

17 172. *Typicality.* The proposed Class and Subclass meet the typicality
18 requirement of Federal Rule of Civil Procedure 23(a)(3) because the claims of the
19 representative Plaintiffs are typical of the claims of the Class and Subclass as a whole.
20 All individual Plaintiffs, like other putative Class members, are or have been detained
21 at Adelanto and have suffered the same punitive conditions of confinement and lack
22 of access to medical care, as described above. Among other issues, Class members
23 have been subjected to inadequate medical care, a lack of clean drinking water,
24 insufficient food, and unsanitary conditions. Plaintiffs' claims are typical of those of
25 the Class because they are, or have been, detained at Adelanto and have been
26 subjected to punitive conditions of confinement and inadequate medical care.
27 Subclass Plaintiffs, like other Subclass members, have disabilities requiring
28

1 accommodation. Subclass Plaintiffs’ claims are typical because they are detained at
2 Adelanto, have disabilities, and have not received proper accommodations.

3 173. *Adequacy of Representation.* The proposed Class and Subclass meet the
4 adequacy requirements of Federal Rule of Civil Procedure 23(a)(4). Plaintiffs seek
5 the same relief as the other members of the putative Class—namely, a declaration that
6 Defendants’ policies and practices violate the Fifth Amendment and an order
7 enjoining Defendants from subjecting detained individuals to unconstitutional and
8 inhumane conditions. Subclass members similarly seek declaratory and injunctive
9 relief, under the Rehabilitation Act, to remedy the disability discrimination they have
10 experienced. Plaintiffs have no interests that are adverse to the Class as a whole. The
11 proposed Class and Subclass are represented by counsel from Public Counsel,
12 Immigrant Defenders Law Center, the Coalition for Humane Immigrant Rights, and
13 the law firm of Willkie Farr & Gallagher LLP. Counsel has extensive experience
14 litigating class action lawsuits and other complex cases in federal court, including
15 civil rights lawsuits on behalf of detained immigrants.

16 174. Finally, the proposed Class and Subclass satisfy Federal Rule of Civil
17 Procedure 23(b)(2) because Defendants have acted on grounds generally applicable
18 to the whole Class and Subclass by subjecting them to Defendants’ policies, practices,
19 actions, and omissions that form the basis of this complaint. All policies are required
20 to be monitored by a central figure, Defendant ICE, and Defendant ICE is charged
21 with promulgating, disseminating, and enforcing its standard policies applicable to
22 the class as a whole. The injunctive and declaratory relief sought is appropriate and
23 will apply to all members of the class.

24 175. In the alternative, the Class and Subclass also qualify for certification
25 under Rules 23(b)(1)(A) and 23(b)(1)(B) of the Federal Rules of Civil Procedure.
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1 **CAUSES OF ACTION**

2 **COUNT ONE**

3 **PUNITIVE CONDITIONS OF CONFINEMENT**

4 **Violation of the Fifth Amendment Right to Due Process**

5 **(All Plaintiffs)**

6 176. Plaintiffs repeat, re-allege, and incorporate by reference each and every
7 allegation in the preceding paragraphs as if fully set forth herein.

8 177. Under the Due Process Clause of the Fifth Amendment to the U.S.
9 Constitution, the government must provide for the “basic human needs” of the people
10 it confines, including their “food, clothing, shelter, medical care, and reasonable
11 safety.” *See DeShaney v. Winnebago Cnty. Dep’t of Soc. Servs.*, 489 U.S. 189, 200
12 (1989) (first citing *Estelle v. Gamble*, 429 U.S. 97, 103–04 (1976); then citing
13 *Youngberg v. Romeo*, 457 U.S. 307, 315–16 (1982)); *id.* at 199–200 (“[W]hen the
14 State takes a person into its custody and holds him there against his will, the
15 Constitution imposes upon it a corresponding duty to assume some responsibility for
16 his safety and general well-being.”).

17 178. This Constitutional duty cannot be delegated. *West v. Atkins*, 487 U.S.
18 42, 56 (1988).

19 179. Because immigration detention is civil detention, *see Zadvydas v. Davis*,
20 533 U.S. 678, 690 (2001), the government cannot subject detained immigrants to
21 punitive conditions of confinement, that is, conditions that are “express[ly] inten[ded]
22 to punish,” not rationally related to a “legitimate governmental objective,” or
23 excessive to that objective. *Bell v. Wolfish*, 441 U.S. 520, 538 (1979) (quoting
24 *Kennedy v. Mendoza-Martinez*, 372 U.S. 144, 168–69 (1963)).

25 180. The conditions at Adelanto amount to punishment. Defendants have
26 failed to provide basic necessities like sufficient food, clean drinking water, adequate
27 sanitation, and medical care. Defendants have also enacted restrictive and
28 unnecessary limitations on detained individuals’ access to the outdoors, bodily

1 privacy, and visitation with loved ones, and retaliated against those who speak up
2 about conditions.

3 181. These conditions are well-known to Defendants. They have been publicly
4 documented in countless news publications and reports filed by numerous
5 inspection entities. Concerns have been sent directly to Defendants through detained
6 individuals' written grievances and letters from members of Congress.

7 182. There is no legitimate government objective to which these conditions
8 may rationally be connected. Depriving people of basic human necessities like
9 potable drinking water, proper medical care, food, and the outdoors, and caging them
10 in unsanitary units where illness and disease are rampant, while they await their civil
11 immigration proceedings, bears no reasonable relationship to any conceivable,
12 legitimate goal of civil detention. These conditions are intended to punish immigrants
13 *because they are immigrants*.

14 183. Defendants have made several public statements indicating that the
15 purpose of their detention campaign is to punish—demonstrating that these conditions
16 are not reasonably related to any legitimate governmental objective. As one court
17 noted: “Statements from senior officials suggest that harsh conditions of confinement
18 are a deliberate feature of the enforcement program intended to induce self-
19 deportation and to deter illegal immigration.” *See Mercado v. Noem*, 800 F.Supp.3d
20 526, 575–76 (S.D.N.Y. 2025). “Retribution and deterrence are not legitimate
21 nonpunitive governmental objectives.” *Wolfish*, 441 U.S. at 539, n. 20.

22 184. In addition to Defendants' public statements, the abusive and retaliatory
23 behavior of guards and staff, who fail to respond to medical emergencies and retaliate
24 against those who speak up, evinces an intention to punish. *See Mercado*, 800
25 F.Supp.3d at 576 (“[A]busive and demeaning behavior by guards supports an
26 inference that detention facility officials have an express intent to punish.”).

1 185. Taken together, Defendants’ public statements, Adelanto staff’s behavior
2 toward detained individuals, and the extreme nature of the conditions themselves
3 indicate that conditions are punitive.

4 186. In addition, a civil detainee is entitled to ‘more considerate treatment’
5 than his criminally detained counterparts, and conditions “identical to, similar to, or
6 more restrictive than, those in which [] criminal counterparts are held” are presumed
7 to be punitive. *Jones v. Blanas*, 393 F.3d 918, 932 (9th Cir. 2004).

8 187. Because Plaintiffs and the proposed Class have experienced conditions
9 substantially worse than conditions in state and federal prison, conditions at Adelanto
10 should be presumed to be punitive.

11 188. Defendants’ actions have caused—and continue to cause—Plaintiff and
12 the putative Class members to suffer irreparable injury in the form of deprivation of
13 their fundamental rights, along with a range of physical, psychological, and emotional
14 harms. Defendants’ ongoing violations of the Fifth Amendment deprive detained
15 individuals of their rights and coerce some detained individuals into accepting
16 voluntary departure. These violations also directly harm CHIRLA’s provision of
17 legal services to detained individuals. As a result of the violations, the formation and
18 maintenance of the attorney-client relationships with detainees, including at least one
19 CHIRLA member, suffer continual and ongoing harm.

20 189. Plaintiffs and the putative Class members are entitled to injunctive relief
21 to avoid any further injury.

22 **COUNT TWO**
23 **INADEQUATE MEDICAL CARE**
24 **Violation of the Fifth Amendment Right to Due Process**
25 **(All Plaintiffs)**

26 190. Plaintiffs repeat, re-allege, and incorporate by reference each and every
27 allegation in the preceding paragraphs as if fully set forth herein.

28 191. The government may not exhibit “deliberate indifference to [a person’s]
serious medical needs[.]” *Gamble*, 429 U.S. at 104.

1 192. Defendants have deprived, and continue to deprive, Individual Plaintiffs,
2 CHIRLA's prospective and current clients, at least one CHIRLA member, as well as
3 Class members detained at Adelanto, of adequate and necessary health care by,
4 among other actions:

- 5 a. Failing to provide a medical intake screening process to identify
6 emergencies, contagious diseases, and other health and medication needs;
- 7 b. Failing to institute a system of ready access to medical care, including
8 specialty care and treatment for chronic medical conditions;
- 9 c. Failing to administer a proper system for responding to medical emergencies
10 promptly;
- 11 d. Failing to provide a proper, functioning system for providing consistent and
12 timely access to needed prescription medication;
- 13 e. Failing to provide sufficient competent staff to administer these systems,
14 respond to medical and mental health care needs, and properly diagnose and
15 treat medical issues.

16 193. Defendants have been deliberately indifferent to these conditions, the
17 constitutional rights they are violating, and the risk of harm they cause to Plaintiffs
18 and the thousands of other detained individuals at Adelanto.

19 194. Defendants have made the decision to detain Plaintiffs and the Class
20 under conditions that exposed them to a significant risk of serious harm. Although
21 any reasonable official would appreciate the high degree of risk involved in failing to
22 provide proper medical care and contain the spread of disease at a facility housing
23 nearly two thousand people, Defendants have not taken reasonable available measures
24 to abate this risk. In so doing, Defendants have exposed Plaintiffs and the Class to a
25 significant risk of serious harm and violated their rights under the Due Process Clause
26 of the Fifth Amendment.
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COUNT THREE
DISABILITY DISCRIMINATION
Violation of Section 504 of the Rehabilitation Act, 29 U.S.C. § 794
(Plaintiffs L.T., Sevak Mesrobian, and Jose Mauro Salazar Garza, on behalf of
the Disability Subclass)

195. Plaintiffs repeat, re-allege, and incorporate by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

196. At all times relevant to this action, Defendants are executive agencies within the meaning of Section 504 of the Rehabilitation Act, 29 U.S.C. § 794(a). As such, they are required to comply with the provisions of Section 504.

197. Defendant ICE operates a civil immigration detention program at the Adelanto ICE Processing Center, which constitutes a “program or activity” within the meaning of Section 504 of the Rehabilitation Act, 29 U.S.C. § 794(b). This program includes all operations, services, and activities provided to individuals detained at Adelanto, including but not limited to: medical and mental health care; housing and living accommodations; food services; access to outdoor recreation and common areas; visitation and communication with family and counsel; and grievance and disciplinary processes.

198. Defendants are required to reasonably accommodate detained individuals with disabilities, to provide them with auxiliary aids and services, and to ensure effective communication, so they can avail themselves of and participate in all programs and activities offered at Adelanto.

199. Defendants are directly responsible for their deficient monitoring and oversight practices and policies that deny detained individuals with disabilities their right to be free from discrimination.

200. As described above, Defendants have failed to ensure reasonable accommodations for Plaintiff L.T. and members of the Subclass, including providing them with assistance for mobility needs, auxiliary aids and services, and effective communication.

1 201. Defendants must also comply with regulations promulgated by DHS
2 implementing Section 504. *See* 6 C.F.R. Part 15. Adelanto is in violation of many of
3 these regulations, including without limitation by:

- 4 a. Denying members of the Subclass “the opportunity to participate in or
5 benefit from the aid, benefit, or service.” 6 C.F.R. § 15.30(b)(1)(i).
- 6 b. Affording members of the Subclass with “an opportunity to participate in or
7 benefit from the aid, benefit, or service that is not equal to that afforded
8 others.” 6 C.F.R. § 15.30(b)(1)(ii).
- 9 c. Providing members of the Subclass “with an aid, benefit, or service that is
10 not as effective in affording equal opportunity to obtain the same result, to
11 gain the same benefit, or to reach the same level of achievement as that
12 provided to others.” 6 C.F.R. § 15.30(b)(1)(iii).
- 13 d. Providing members of the Subclass with “different or separate aid, benefits
14 or services . . . than is provided to others unless such action is necessary to
15 provide qualified individuals with a disability with aid, benefits or services
16 that are as effective as those provided to others.” 6 C.F.R. § 15.30(b)(1)(iv).
- 17 e. Otherwise denying members of the Subclass “the enjoyment of any right,
18 privilege, advantage, or opportunity enjoyed by others receiving the aid,
19 benefit, or service.” 6 C.F.R. § 15.30(b)(1)(vi).
- 20 f. Using “criteria or methods of administration,” “directly or through
21 contractual or other arrangements,” “the purpose or effect of which” is to
22 subject members of the Subclass to “discrimination on the basis of
23 disability.” 6 C.F.R. § 15.30(b)(4), (b)(4)(i).
- 24 g. Using “criteria or methods of administration,” “directly or through
25 contractual or other arrangements,” “the purpose or effect of which” is to
26 “[d]efeate or substantially impair accomplishment of the objectives of a
27 program or activity with respect to” the members of the Subclass. 6 C.F.R.
28 § 15.30(b)(4)(ii).

- 1 h. Failing to “administer programs and activities in the most integrated setting
2 appropriate to the needs of” members of the Subclass. 6 C.F.R. § 15.30(d).
- 3 i. Failing to conduct an adequate self-evaluation to identify modifications to
4 policies and practices at Adelanto needed to ensure the programs and
5 services at such facilities are readily accessible to and usable by detained
6 individuals with disabilities, and to provide opportunity for input from the
7 disability community in this process. 6 C.F.R. § 15.10; *see generally* 6
8 C.F.R. § 15.1 et seq.

9 202. Plaintiffs L.T., Mesrobian, Salazar Garza and the members of the
10 Subclass they represent are qualified individuals with disabilities as defined in the
11 Rehabilitation Act.

12 203. Because of Defendants’ systemic policy and practice of failing to
13 adequately monitor, oversee, and administer Adelanto, members of the Subclass are
14 subject to continuing and recurring violations of Section 504.

15 204. As a result, Defendants fail to reasonably accommodate members of the
16 Subclass, afford them equal access to detention center activities, programs, and
17 services for which they are otherwise qualified, and otherwise discriminate against
18 the Subclass on the basis of disability.

19 **COUNT FOUR**
20 **ARBITRARY AND CAPRICIOUS & UNLAWFUL AGENCY ACTION**
21 **Violation of Administrative Procedure Act 5, U.S.C. § 706(2)**
22 **(All Plaintiffs)**

23 205. Plaintiffs repeat, re-allege, and incorporate by reference each and every
24 allegation in the preceding paragraphs as if fully set forth herein.

25 206. The APA authorizes this Court to hold unlawful and set aside agency
26 action that is “arbitrary, capricious, an abuse of discretion, or otherwise not in
27 accordance with law; contrary to constitutional right, power, privilege, or immunity;
28 [or] in excess of statutory jurisdiction, authority, or limitations[.]” 5 U.S.C. § 706(2).

1 207. “[A]gencies must follow a regulation if they promulgate one.” *Cnty.*
2 *Legal Servs. in E. Palo Alto v. United States Dep’t of Health & Hum. Servs.*, 780
3 F.Supp.3d 897 (citing *Nat’l Ass’n of Home Builders v. Norton*, 340 F.3d 835, 852 (9th
4 Cir. 2003)). Indeed, an agency’s failure to follow its own rules is contrary to law. *Doe*
5 *v. Noem*, 778 F.Supp.3d 1151, 1160–61 (W.D. Wash. 2025) (“It is contrary to law for
6 an agency to disregard its own regulations and policies.”).

7 208. This principle—often referred to as the *Accardi* doctrine—applies not
8 only to formal agency rules and regulations (such as those codified in the Code of
9 Federal Regulations), but also to informal internal agency rules. *See Morton v. Ruiz*,
10 415 U.S. 199, 235 (1974) (applying *Accardi* to internal IRS manual); *Alcaraz v. INS*,
11 384 F.3d 1150, 1162 (9th Cir. 2004) (observing that “courts have recognized that the
12 so-called *Accardi* doctrine extends beyond formal regulations” and collecting cases).

13 209. Defendant ICE has issued standards governing immigration detention—
14 the PBNDS. Defendants are thus required to comply with the PBNDS standards at
15 Adelanto and DVA.

16 210. Defendants have failed to enforce the PBNDS at Adelanto. Although
17 Defendant ICE monitors Adelanto to ensure compliance with detention standards and
18 contract requirements, Defendants have failed to follow their own policies and
19 standards governing detention.

20 211. First, the decision to repopulate Adelanto in early June 2025 was
21 arbitrary, capricious, an abuse of discretion, and not in accordance with law as it is
22 contrary to Defendant ICE’s “own internal operating procedures,” i.e., the PBNDS.
23 *Church of Scientology of Cal. v. United States*, 920 F.2d 1481, 1487 (9th Cir. 1990)
24 (citing *United States ex. rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954)).

25 212. Defendants made the decision to rapidly increase the number of people
26 detained at Adelanto despite the obvious risks posed by a massive influx of people
27 when the facility lacked experienced staff or adequate medical care. In deciding to
28 approve a massive influx of detainees at the beginning of June 2025, Defendants knew

1 that the strain on Adelanto’s capacity meant they would not be able to comply with
2 the PBNDS. Despite this, they decided to forego compliance with their own
3 standards—risking the health and safety of all detainees. It was highly foreseeable
4 that Defendants’ decision to rapidly increase the number of people detained Adelanto
5 in June 2025 would only compound the facility’s inability to provide adequate
6 medical care. Defendants knew or should have known that the strain on Adelanto’s
7 capacity meant they would not be able to comply with the PBNDS.

8 213. Second, by performing an inadequate investigation of Adelanto, awarding
9 Adelanto a “good” rating, and permitting the facility to continue to operate without
10 requiring remediation of the unconstitutional conditions, Defendant ICE acted
11 contrary to constitutional rights and in excess of its statutory authority, in violation of
12 the APA. Defendants seemingly conducted a check-the-box inspection that was not
13 of the caliber mandated by Congress. The decision to provide Adelanto a “good”
14 rating—and not require remediation of the glaring human rights violations—has
15 allowed Adelanto to operate with numerous unconstitutional health and safety
16 violations in a manner that violates the APA.

17 214. Plainly, the PBNDS require ICE to ensure Adelanto is an environment
18 that protects the safety, rights, and health of detained individuals. As alleged,
19 Adelanto is not such an environment, making ICE’s review of the facility inadequate
20 and its decision to pass the facility an abuse of discretion and contrary to law.

21 215. As alleged, the conditions at Adelanto have caused Plaintiffs and the class
22 to suffer ongoing violations of their Fifth Amendment rights. Defendant ICE’s
23 decision to not require any remediation of the Adelanto facility—permitting these
24 conditions to continue and deteriorate—is contrary to constitutional rights and in
25 violation of 5 U.S.C. § 706(2)(B). It is also in excess of Defendant ICE’s statutory
26 authority—Congress has required ICE to conduct inspections to ensure detention
27 facilities are safe and protecting the rights and health of detained individuals.
28 Defendant ICE’s inspection failed to do this, in violation of 5 U.S.C. § 706(2)(C).

1 9. Preliminarily and permanently enjoin Defendants and their agents from
2 taking retaliatory actions against Plaintiffs and other named participants in this
3 litigation based on their participation in this action;

4 10. Award Plaintiffs reasonable attorneys’ fees and costs, under the Equal
5 Access to Justice Act, 28 U.S.C. § 2412, and any other basis justified under law; and

6 11. Enter such other relief as the Court deems just and proper.

7 **DEMAND FOR JURY TRIAL**

8 Plaintiffs demand a trial by jury on all claims and issues for which a jury trial
9 is available.

10 Dated: May 22, 2026

Respectfully Submitted,

11
12 WILLKIE FARR & GALLAGHER LLP

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COALITION FOR HUMANE IMMIGRANT RIGHTS

By: /s/ Carl Bergquist
Carl Bergquist
Adam Reese