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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12 EASTERN DIVISION – RIVERSIDE
13

14 L.T., SEVAK MESROBIAN, JOSE MAURO
SALAZAR GARZA, AND J.M., on behalf of
15 themselves and all others similarly
situated; COALITION FOR HUMANE
16 IMMIGRANT RIGHTS,
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Plaintiffs,
18
v.
19 U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT; TODD M. LYONS, Acting
20 Director, U.S. Immigration and Customs
Enforcement; JAIME RIOS, Acting
21 Director of Los Angeles Field Office,
Enforcement and Removal Operations,
22 U.S. Immigration and Customs
Enforcement; U.S. DEPARTMENT OF
23 HOMELAND SECURITY; KRISTY NOEM,
Secretary, U.S. Department of
24 Homeland Security,
25
Defendants.
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Case No. 5:26-cv-00322-SSS-RAO
**[PROPOSED] BRIEF OF AMICUS
CURIAE THE STATE OF
CALIFORNIA, BY AND
THROUGH ROB BONTA,
ATTORNEY GENERAL, IN
SUPPORT OF PLAINTIFFS’
MOTION FOR PRELIMINARY
INJUNCTION**

Date: April 10, 2026
Time: 2:00 pm
Courtroom: 2
Judge: Hon. Sunshine Sykes
Action Filed: Jan. 26, 2026

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INTRODUCTION

The Adelanto ICE Processing Center (Adelanto) was overwhelmed as it went from holding seven individuals in November 2023 to detaining 1,570 people on July 8, 2025. Most newly arrived individuals came in as part of an unprecedented and surreal period for California which started in early June 2025 when the federal government conducted raids across Los Angeles; detained hundreds of immigrants at work; arrested protestors; and using the federalized National Guard and the Marines, turned the streets of Los Angeles into a battlefield.¹

The California Attorney General’s office reviews civil immigration detention facilities across the state, including Adelanto, pursuant to California Assembly Bill 103 (AB 103). A.B. 103, 2017-2018 Reg. Sess. (Cal. 2017). By virtue of this statutory mandate to review and report on conditions of confinement, how those conditions affect due process, and the standard of care afforded at immigration detention facilities, the Attorney General’s office is intimately familiar with the conditions at Adelanto.

During its latest review on July 8-9, 2025, the Attorney General’s office found, among other things, a facility that was overwhelmed with the rapid population increase; insufficient staffing; failures to attend to urgent medical needs, to care for individuals with chronic conditions, and to ensure specialty care referrals; and use of force concerns. The Attorney General’s office also heard many reports from individuals about a lack of access to medical care; issues with water and improperly cooked food; issues with housing conditions; and the unavailability of phones for prolonged periods, which may impact detained individuals’ due process rights by limiting their ability to communicate with counsel. While the Attorney General’s office has previously reported on these issues, there is an added

¹ Karma Dickerson and Jonathan Lloyd, *Timeline: How Immigration Enforcement Operations Unfolded in Los Angeles*, NBC4 Los Angeles (updated July 7, 2025), <https://tinyurl.com/5n87wfwc>.

1 urgency because three men detained at Adelanto died between September 2025 and
2 February 2026.

3 Based on its experience and the ongoing deaths, Amicus Curiae believes that
4 without court intervention and preliminary relief, the conditions complained of by
5 Plaintiffs will continue to exist unabated.

6 **INTEREST OF AMICUS CURIAE**

7 The State of California, by and through Rob Bonta, Attorney General (Amicus
8 Curiae) has strong interests in this litigation. First, Amicus Curiae has an interest in
9 the health and safety of persons held in detention within the State. *United States v.*
10 *California*, 921 F.3d 865, 884-885 (9th Cir. 2019).

11 Second, Amicus Curiae is statutorily mandated to review and report on
12 conditions of confinement within immigration detention facilities. Cal. Gov't Code
13 § 12532(a), (b)(1)(A)-(B), (b)(2). Based on this work, Amicus Curiae is uniquely
14 positioned to provide valuable information and perspective to this Court, beyond
15 what attorneys from the parties can provide. *N.G.V. Gaming Ltd. v. Upstream Point*
16 *Molate, LLC*, 355 F.Supp.2d 1061, 1067 (N.D. Cal. 2005) (internal quotation marks
17 and citation omitted); *Sonoma Falls Developers, L.L.C. v. Nev. Gold & Casinos,*
18 *Inc.*, 272 F.Supp.2d 919, 925 (N.D. Cal. 2023) (internal quotation marks and
19 citations omitted). Amicus Curiae is also in the position to assist this Court in a case
20 of general public interest by providing the Court with unique factual findings
21 beyond what the parties can provide. *Miller-Wohl C. v. Comm'r of Lab. & Indus.*
22 *State of Mont.*, 694 F.2d 203, 204 (9th Cir. 1982).

23 Third, Amicus Curiae also has a strong interest in ensuring that federal
24 agencies refrain from actions that—like those at issue in this matter—are
25 unconstitutional, discriminatory, and arbitrary and capricious. Since many of
26 Amicus Curiae's residents are being held at Adelanto, Amicus Curiae has a strong
27 interest in ensuring federal agencies' treatment of those within the State of
28

1 California is constitutional considering the increased immigration enforcement and
2 detention.²

3 BACKGROUND

4 In fiscal year 2017, “more people died in immigration detention . . . than in
5 any year since 2009,” due to conditions “linked to dangerously inadequate medical
6 care.”³ Three of those deaths occurred at Adelanto.⁴ Following increased
7 immigration enforcement during the first Trump Administration, years-long
8 troubling conditions inside the facilities,⁵ including deaths at Adelanto,⁶ the
9 California Legislature enacted AB 103, codified as California Government Code
10 Section 12532.

11 AB 103 requires the California Attorney General to review and report on “the
12 conditions of confinement” and “of the standard of care and due process provided”
13 to detained individuals held at “private locked detention facilities in which
14 noncitizens are being housed or detained for purposes of civil immigration
15 proceedings in California.” Cal. Gov’t Code, § 12532(a), (b)(1)(A)-(B), (b)(2).
16 Through AB 103, Amicus Curiae is responsible for bringing transparency to the
17 health and safety of those detained in the seven privately-operated civil immigration
18 detention facilities in the state, including Adelanto and its next-door facility, Desert
19 View Annex.

20 ² Gabrielle LaMarr LeMee, *ICE Wants to Expand Detention Capacity in California. This*
21 *New Facility Will Be the Largest in the State*, Los Angeles Times (June 19, 2025),
22 <https://tinyurl.com/2t6w3y2u> (estimating that with the addition of the newly opened California
23 City detention facility in late-August 2025, the state’s capacity to hold immigrants will increase
24 by 36 percent, “bringing the count of available beds to 9,700.”); Mathew Miranda, *California ICE*
Detention Doubles in One Year. One center surges from 3 to 1,800, The Sacramento Bee (Feb. 6,
2026), <https://tinyurl.com/4hbnfw72> (reporting that over 6,400 people are being held each day
throughout California’s immigration detention facilities, which is more than double the average
from one year ago).

25 ³ Clara Long et al., *Code Red: The Fatal Consequences of Dangerously Substandard*
Medical Care in Immigration Detention, Human Rights Watch (Jun. 20, 2018),
26 <https://tinyurl.com/2mryey8w>.

27 ⁴ *Id.*; U.S. Immigr. & Customs Enf’t, *FOIA Reports: List of Deaths in ICE Custody: Data*
from Oct. 1, 2003 to June 5, 2017, 1-17, <https://tinyurl.com/2hfrry9r>.

28 ⁵ The Cal. Coal. For Universal Representation, *California’s Due Process Crisis: Access to*
Legal Counsel for Detained Immigrants (June 2016), <https://tinyurl.com/mvpfctze>.

⁶ U.S. Immigr. & Customs Enf’t, *supra*, note 4, at 1.

1 Since the passage of AB 103, Amicus Curiae, together with civil immigration
2 detention and healthcare experts, has inspected Adelanto five times (in 2018, 2019,
3 2021, 2023, and 2025); published four reports detailing its findings; and is in the
4 process of publishing a fifth report.⁷

5 ARGUMENT

6 Amicus Curiae files this brief in support of Plaintiffs’ motion for preliminary
7 injunction focusing on one of the four factors at issue: whether preliminary relief is
8 in the public interest. *Winter v. Nat. Res. Def. Council*, 555 U.S. 7, 20 (2008);
9 *Stuhlberg Int’l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir.
10 2001) (standard for temporary restraining order is the same for preliminary
11 injunction). The public interest is particularly relevant where the impact of the
12 dispute reaches beyond the parties and carries the potential for public
13 consequences. *Stormans, Inc. v. Selecky*, 586 F.3d 1109, 1139 (9th Cir. 2009);
14 *Golden Gate Rest. Ass’n v. City & Cnty. of S.F.*, 512 F.3d 1112, 1126–27 (9th Cir.
15 2008). Third-party harms relevant to the public interest analysis include, among
16 others, public health harms. *Washington v. United States Food & Drug Admin.*, 668
17 F. Supp. 3d 1125, 1142 (E.D. Wash.), *opinion clarified*, 669 F.Supp.3d 1057 (E.D.
18 Wash. 2023) (concluding that public interest favored injunctive relief “[b]ased on
19 the public health and administrative considerations at issue in this case.”).

20 **I. AS DEMONSTRATED BY AMICUS CURIAE’S FOUR REPORTS, THE** 21 **CONDITIONS COMPLAINED OF BY PLAINTIFFS HAVE BEEN PRESENT AT** 22 **ADELANTO FOR YEARS.**

23 The conditions discussed throughout Plaintiffs’ motion for preliminary
24 injunction echo the conditions of confinement observed and reported in Amicus

25 ⁷ See Cal. Dep’t of Just., *Immigration Detention in California* (Feb. 2019),
26 <https://tinyurl.com/5cedp2xn>; Cal. Dep’t of Just., *Immigration Detention in California* (Jan.
27 2021), <https://tinyurl.com/bddhswt2>; Cal. Dep’t of Just., *Immigration Detention in California: A*
28 *Review of Detention Facilities’ Response to COVID-19 as of Fall 2021* (July 2022),
<https://tinyurl.com/fdaf49jk>; Cal. Dep’t of Just., *Immigration Detention in California: A*
Comprehensive Review with a Focus on Mental Health (Apr. 2025),
<https://tinyurl.com/4hn9v7h4>.

1 Curiae’s past four AB 103 reports. Throughout its prior reports, Amicus Curiae
2 documented Adelanto’s failures in its provision of medical and mental health care,
3 and conditions of confinement; and how those conditions affect due process.

4 From its first report published in February 2019, Amicus Curiae raised several
5 concerns related to reports of Adelanto’s failure to adhere to U.S. Immigration and
6 Custom Enforcement’s (ICE) Performance-Based National Detention Standards
7 (PBNDS).⁸ These concerns were echoed by federal government oversight reports⁹
8 and lawsuits filed in 2017 and 2018.¹⁰ For example, on September 27, 2018, a
9 report by the U.S. Department of Homeland Security’s (DHS) Office of the
10 Inspector General (OIG) addressed three deaths and six unsuccessful suicide
11 attempts at Adelanto during federal fiscal year 2017.¹¹ The three 2017 deaths
12 occurred between March and May, there were also two deaths in 2015, and one
13 death in 2012.¹² In Adelanto’s February 2019 National Commission on
14 Correctional Health Care accreditation audit, it was found that at intake, those with
15 major diagnoses were not adequately processed, resulting in nursing staff failing to
16 take follow-up baseline blood sugar levels for two diabetics.¹³

17 **A. Prior Issues Related to Medical Care**

18 In its 2021 report, when Adelanto had a population count similar to its present
19 count, Amicus Curiae found several issues related to the provision of health care.¹⁴
20 Amicus Curiae found incomplete health care records and compromised patient
21 confidentiality caused by staff including medical and mental health history details
22 in custody detention files.¹⁵ Amicus Curiae also found inadequate care for chronic

23 _____
24 ⁸ See Cal. Dep’t of Just. (Feb. 2019), *supra*, note 7, at i-iv, 121-128.

⁹ *Id.* at 21-23.

¹⁰ *Id.* at 23.

¹¹ *Id.*

25 ¹² See Long, *supra*, note 3; see also U.S. Immigr. & Customs Enf’t, *supra* note 4, at 1, 3,
26 5.

¹³ Cal. Dep’t of Just. (Feb. 2019), *supra*, note 7, at 54.

¹⁴ Cal. Dep’t of Just., (Jan. 2021), *supra*, note 7, at 51-61.

¹⁵ *Id.* at 52-53.

1 illnesses.¹⁶ For example, chronic care was managed by a registered nurse; however
2 registered nurses are not adequately trained to manage the complexities of chronic
3 disease and a nursing model that oversees chronic healthcare patients long-term is
4 not in accordance with good medical practice.¹⁷ Further, care was not documented
5 within the rest of the patients' medical records in Adelanto's electronic records
6 system, creating two different records systems.¹⁸ The 2021 report also found
7 delayed care and inadequate continuity of care.¹⁹

8 Amicus Curiae's July 2022 report focused on challenges and responses by
9 facilities to the COVID-19 pandemic.²⁰ During its November 12, 2021 inspection,
10 Amicus Curiae found Adelanto with a population of less than five percent of its
11 past population, after suspending intake in September 2021 as a result of an
12 injunction in a lawsuit seeking relief from dangerous COVID-19-related conditions
13 inside Adelanto.²¹ As a result of Adelanto's population decrease and other court
14 orders, some COVID-19-related precautions such as social distancing;²² facility-
15 wide testing practices;²³ and vaccination rates²⁴ were generally accomplished at
16 Adelanto. However, in other issues such as twice-daily temperature and system
17 checks of high-risk individuals, Adelanto was not fully compliant.²⁵

18 **B. Prior Issues Related to Mental Health Care**

19 In its 2021 report Amicus Curiae found that while approximately 20 percent
20 of the population received mental health services, Adelanto was understaffed,

21 ¹⁶ *Id.* at 34, 52-53.

22 ¹⁷ *Id.* at 52, 53.

23 ¹⁸ *Id.* at 52, 53.

24 ¹⁹ *Id.* at 53-54.

25 ²⁰ See Cal. Dep't of Just., (July 2022), *supra*, note 7, at 1-3.

26 ²¹ *Id.* at 10, 13, 27; see also *Roman v. Wolf*, No. EDCV 20-00768 TJH (PVCX), 2020 WL
27 5797918 (C.D. Cal., Sept. 29, 2020), *aff'd in part, vacated in part, remanded to*, 977 F.3d 935
28 (9th Cir. 2020); and Amended Adelanto Population Reduction Order, *Roman v. Wolf*, No. EDCV
20-00768 TJH (PVCX), Dkt. No. 914 (C.D. Cal. Jan. 11, 2021).

²² Cal. Dep't of Just., (July 2022), *supra*, note 7, at 27.

²³ *Id.* at 33

²⁴ *Id.* at 37.

²⁵ *Id.* at 35.

1 offered no meaningful therapy services, and provided delayed care.²⁶ Further, the
2 2021 report found failures to adequately review individuals in restricted housing,²⁷
3 and in handling individuals placed in suicide watch, among other issues.²⁸
4 Relatedly, a significant number of individuals with mental health conditions were
5 found to be placed in restricted housing where their conditions worsened.²⁹ Amicus
6 Curiae further determined that understaffing was a barrier to accessing mental
7 health services.³⁰

8 Amicus Curiae’s fourth report, published in April 2025, focused primarily on
9 the provision of mental health care.³¹ The 2025 report was based on a November
10 2023 inspection which found Adelanto with a dramatically reduced population as a
11 result of further court actions related to COVID-19; with the facility housing only
12 seven individuals.³² In the 2025 report, Amicus Curiae found that, with seven
13 detained persons and approximately 30 healthcare staff, Adelanto was overall
14 providing adequate mental health and medical care.³³

15 Even then, Amicus Curiae identified several issues, like conflicting diagnoses
16 provided by mental health staff and prescriptions that did not match diagnoses,
17 throughout Adelanto and its annex Desert View, which operate together and share
18 staff.³⁴ Amicus Curiae also found that mental health staff sometimes demonstrated
19 inconsistencies in record-keeping and in care and psychotherapy sessions.³⁵ It was
20 also concerning that detention staff failed to consult with medical and mental health
21 staff, and to consider an individual’s mental health condition, before calculated uses
22

23 ²⁶ Cal. Dep’t of Just., (Jan. 2021), *supra*, note 7, at 34, 54, 57-60.

24 ²⁷ *Id.* at 54.

25 ²⁸ *Id.* at 58.

26 ²⁹ *Id.* at 60.

27 ³⁰ *Id.* at 61.

28 ³¹ See Cal. Dep’t of Just., (Apr. 2025), *supra*, note 7, at 4-8. **Error! Hyperlink reference not valid.**

³² *Id.* at 26.

³³ *Id.* at 33, 40.

³⁴ *Id.* at 37.

³⁵ *Id.* at 37, 38.

1 of force and before placing a person into disciplinary segregation.³⁶

2 Importantly, Amicus Curiae’s medical, mental health, and detention experts
3 all noted that if the population dramatically increased, as it now has, the staffing
4 levels seen in November 2023 would be far below those necessary to provide
5 adequate care.³⁷

6 **C. Prior Issues Related to Use of Force**

7 In its 2021 report Amicus Curiae found concerning use of force instances
8 related to mental health. Amicus Curiae’s mental health expert identified a total of
9 seven use of force incidents out of 37 that involved individuals in mental health
10 crisis.³⁸ In one instance, a person attempted to hang himself while on suicide watch
11 and officers used pepper spray to contain him.³⁹ The 2021 report also found
12 instances where individuals were disciplined when they attempted to commit
13 suicide by hanging.⁴⁰ One was written up for destruction of facility property for
14 tearing a sheet to fashion a noose, and another for assaulting a detention officer
15 during the struggle to cut him down.⁴¹ In its 2025 report, Amicus Curiae identified
16 an instance where medical staff communicated a recommendation to avoid using
17 chemical agents during a use of force incident at Adelanto, but detention staff still
18 used a chemical spray.⁴²

19 **D. Prior Issues Related to Due Process**

20 In its 2021 report, Amicus Curiae reported that Adelanto failed to comply with
21 the PBNDS’ requirement that facilities maintain up-to-date law library materials,
22 leaving individuals at Adelanto facing significant barriers to obtaining the materials
23 and assistance they needed for their immigration cases.⁴³ For example, legal

24 ³⁶ *Id.* at 48.

25 ³⁷ *Id.* at 33.

26 ³⁸ Cal. Dep’t of Just., (Jan. 2021), *supra*, note 7, at 46.

27 ³⁹ *Id.*

28 ⁴⁰ *Id.* at 47.

⁴¹ *Id.*

⁴² Cal. Dep’t of Just., (Apr. 2025), *supra*, note 7, at 48.

⁴³ Cal. Dep’t of Just., (Jan. 2021), *supra*, note 7, at 50-51.

1 materials found in Adelanto’s law libraries as of August 7, 2019, including court
2 cases, were significantly outdated with the most recent materials dated November
3 2017.⁴⁴ Attorneys who were surveyed for the 2021 report explained that the
4 conditions under which they were able to communicate with their clients limited
5 their ability to represent clients at Adelanto.⁴⁵ Issues with attorney-client
6 communication led to a 2020 preliminary injunction,⁴⁶ eventually leading to a
7 settlement agreement establishing free confidential legal calls, including outside
8 regular telephone hours; and allowing individuals at Adelanto to make unrecorded,
9 unmonitored phone calls from their housing units.⁴⁷

10 **II. AMICUS CURIAE’S FINDINGS AND OBSERVATIONS DURING ITS MOST**
11 **RECENT VISIT TO ADELANTO IN JULY 2025 ECHO THE ISSUES RAISED IN**
12 **PLAINTIFFS’ MOTION.**

13 Amicus Curiae inspected Adelanto on July 8-9, 2025, about one month after
14 the COVID-related injunction ended on June 2, 2025, and weeks after ICE began
15 terrorizing the streets of Southern California and detaining many of its residents.
16 Below is a summary of some of Amicus Curiae’s findings related to detention and
17 medical staffing, medical care, water and food, use of force, living conditions, and
18 due process. These findings echo the issues raised by Plaintiffs and will be
19 discussed in more detail in Amicus Curiae’s upcoming report.

20 **A. Insufficient Detention Staff for the Overwhelming Increase in**
21 **Population**

22 The PBNDS require staffing levels at each facility that ensure sufficient
23 supervision for those detained.⁴⁸ Amicus Curiae’s immigration detention expert

24 ⁴⁴ *Id.* at 50.

25 ⁴⁵ *Id.* at 49.

26 ⁴⁶ *Torres v. U.S. Dep’t of Homeland Sec.*, (C.D. Cal., Apr. 24, 2020, No. 5:18-cv-2604-
27 JGBSHKx) 2020 WL 3124305, at *1.

28 ⁴⁷ *Torres v. U.S. Dep’t of Homeland Sec.*, (C.D. Cal., Oct. 16, 2025. No. 5:18-cv-02604-
JGBSHKx), Dk. 233 (Order); *see also Settlement Protects Access to Counsel and Phone Calls in*
Immigration Detention, Immigrant Defenders Law Center (Aug. 22, 2025),
<https://tinyurl.com/4a9mc8hk>.

⁴⁸ U.S. Immigr. & Customs Enf’t, *Performance-Based National Detention Standards 2011*
(PBNDS), <https://tinyurl.com/mw4we3ty>, 2.4 Facility Security and Control, Part V, § E, p. 82;
PBNDS, 2.11 Sexual Abuse and Assault Prevention and Intervention, Part IV, § E, p. 151.

1 found that detention staffing levels were inadequate to meet the needs of the surge
2 of individuals housed at Adelanto as of July 8, 2025. Despite Adelanto's failure to
3 provide Amicus Curiae with requested documentation regarding staffing, interviews
4 with both facility staff and those detained painted a concerning picture.⁴⁹

5 During the July 2025 inspection, Adelanto appeared overwhelmed by the
6 number of individuals it was housing. Adelanto went from holding seven
7 individuals during Amicus Curiae's November 2023 inspection, to 475 before the
8 COVID-related injunction ended on June 2, 2025, to detaining 1,570 persons on
9 July 8, 2025, plus 517 at Desert View Annex.⁵⁰ In staff interviews, facility staff
10 stated they were caught off guard by the number of new admittees during the surge
11 in immigration arrests in June 2025. Individuals at both Adelanto and Desert View
12 frequently attributed issues with food, recreation time, and grievances to
13 insufficient staffing at the facilities. Individuals also reported that they did not see
14 an increase in detention officers in conjunction with the population increase in the
15 first weeks of June 2025.

16 **B. Insufficient Healthcare Staff for the Overwhelming Increase in**
17 **Population**

18 Amicus Curiae's medical expert also found that medical staffing levels were
19 inadequate to meet the needs of the population surge at Adelanto as of July 8, 2025.
20 Despite Adelanto's failure to provide Amicus Curiae with requested documentation

21 ⁴⁹ Amicus Curiae also reviewed a federal oversight report published two months after the
22 State's visit, that provided insight as to the staffing at Adelanto. *See* U.S. Immigr. & Customs
23 Enf't, Office of Detention Oversight, *Inspection 2025-001-082: Adelanto ICE Processing Center,*
24 *Adelanto, California* (Sept. 16-18, 2025), <https://tinyurl.com/ODOAdelantoSept2025>.

25 ⁵⁰ Parties reached a settlement agreement in late-2024 and following preliminary approval
26 of the settlement, the court ordered a temporary lift of the ban on new intakes on January 24,
27 2025, allowing Adelanto to house up to 475 people. *Roman v. Wolf*, No. EDCV 20-00768 TJH
28 (PVCX), Dkt. No. 2636 (C.D. Cal. Dec. 23, 2024) (settlement agreement and release); *see Roman*
v. Wolf, No. EDCV 20-00768 TJH (PVCX), Dkt. No. 2670 (C.D. Cal. Jan. 24, 2025) (temporarily
lifting ban on new intakes at Adelanto, pending final approval of the settlement agreement). The
final approval of the settlement agreement was granted on June 2, 2025, allowing Adelanto to
once again house up to 1,950 people. *Roman v. Wolf*, No. EDCV 20-00768 TJH (PVCX), Dkt.
No. 2704 (C.D. Cal. June 2, 2025). *See also*, *Miranda, supra*, note 2 (explaining that ICE reported
a daily average of three persons held at Adelanto in January 2025, and that in January 2026, it
reported a daily average of 1,800).

1 regarding medical staffing, interviews with facility staff and detained individuals,
2 and file review, revealed serious concerns. Like detention staff, medical staff also
3 explained they were caught off guard by the escalation in population.

4 When Amicus Curiae inspected the facility in 2019 (and Desert View Annex
5 was not open), it determined that healthcare “staffing was lean for the size of the
6 facility” that then housed 1,683 individuals.⁵¹ In the 2023 inspection, Adelanto
7 reported having a medical director, a clinical physician, and Advanced Practitioner
8 Providers for seven people plus Desert View Annex.⁵² Amicus Curiae learned
9 during the July 2025 inspection that Adelanto had a medical director, one full-time
10 physician, one part-time physician, and three full-time and one part-time (on an as-
11 needed basis) Advanced Practitioner Providers. Given the facility’s population
12 increase, and the fact that healthcare staff also serve Desert View Annex, Amicus
13 Curiae was concerned about medical staffing levels. A concern which worsened by
14 Adelanto’s inability to produce assurances that staffing levels had been increased to
15 correspond with the increase in population.

16 **C. Amicus Curiae Found Concerning Health Care Issues**

17 Amicus Curiae’s medical expert reviewed medical files and identified several
18 instances of individuals with serious medical issues who did not receive timely
19 emergency care. For example, one person reported that they were vomiting blood
20 and received a referral for immediate care by the triage nurse but was not treated by
21 any medical staff until they saw a physician one-and-a-half weeks later. Another
22 individual requested medical care for chest pain, was promptly attended to by a
23 nurse, but did not receive follow up care by a practitioner or physician. This
24 individual was next attended to by medical staff 17 days later for neurological
25 symptoms and was then transferred to a hospital.

26 Based on file review, the medical expert found several instances where

27 ⁵¹ Cal. Dep’t of Just., (Jan. 2021), *supra*, note 7, at 51.

28 ⁵² Cal. Dep’t of Just., (Apr. 2025), *supra*, note 7, at 40.

1 individuals were provided referrals to outside care for necessary specialized
2 treatment but never received the treatment. This is despite the PBNDS' requirement
3 that every facility shall directly or contractually provide its population with
4 specialty health care.⁵³ One individual was referred for ophthalmology care three
5 weeks prior to Amicus Curiae's visit and had still not been seen. Another person
6 had not been seen for a scheduled three-month follow-up from a neurosurgery visit
7 four months prior to Amicus Curiae's visit. And an individual with an infectious
8 disease only received a referral for consultation 24 days after arrival to Adelanto,
9 while another individual with the same infectious disease never received such a
10 referral.

11 Generally, reviewed medical files did not contain notes recording the steps
12 taken by medical staff to refer individuals to outside care. As a result, it was
13 difficult to determine whether the steps taken by Adelanto to ensure referrals for
14 outside care were timely completed, creating a risk that an individual's medical
15 condition worsened while waiting for a response from outside medical providers.

16 Discharge planning was also of concern. Despite the PBNDS' requirement
17 that facilities provide detailed transfer summaries, medication, and referrals to
18 community-based providers as medically appropriate,⁵⁴ medical staff interviewed
19 indicated that medical records were only provided upon request and were unable to
20 confirm that all individuals released or transferred received a required copy of their
21 medical records.

22 Detained individuals expressed many concerns related to medical care. Very
23 few of these individuals reported receiving the necessary medical screening within
24 12 hours of arrival, or receiving the comprehensive health assessment within 14
25 days, as required under the PBNDS.⁵⁵ Additionally, several individuals reported

26 ⁵³ PBNDS, *supra*, note 48, 4.3 Medical Care, Part V, § A, p. 260.

27 ⁵⁴ PBNDS, *supra*, note 48, 4.3 Medical Care, Part V, § BB, pp. 278-279.

28 ⁵⁵ PBNDS, *supra*, note 48, 4.3 Medical Care, Part V, § J, p. 266 (12-hour requirement for the initial medical assessment); PBNDS, *supra*, note 48, 4.3 Medical Care, Part V, § M, p. 268 (continued...)

1 they only received their necessary medications after excessive delays, despite the
2 PBNDS requirement.⁵⁶ Individuals also reported that they were unable to access
3 requested medical appointments and did not receive necessary and timely medical
4 treatment, even for emergency medical care. For example, of those individuals who
5 reported requesting medical services, only a few reported they received the help
6 they needed. One individual explained that despite reporting flu-like symptoms of
7 the same kind as experienced by others in their housing unit, they did not receive
8 treatment until they started coughing up blood.

9 The issues related to medical care are particularly concerning in light of the
10 three men who died between September 2025 and February 2026 while being
11 detained at Adelanto.

12 **D. Issues Related to Food and Water**

13 Despite the requirements under the PBNDS regarding the preparation and
14 presentation of food, and expectations that those detained must be “provided
15 nutritionally balanced diets” and “sufficient space and time . . . to eat meals in a
16 relatively relaxed, unregimented atmosphere,”⁵⁷ Amicus Curiae found issues with
17 water and received reports of issues with food.

18 Despite the PBNDS’ requirement that clean, potable drinking water must be
19 available at all times,⁵⁸ individuals reported to Amicus Curiae that drinking water is
20 murky and dirty. During its tour of Adelanto, Amicus Curiae observed for itself
21 murky water coming out of the drinking water tap in the women’s housing unit.

22 Almost every person interviewed complained about the quality of the food.
23 Individuals at Adelanto explained that before June 2025, their meals were provided
24 at the dining halls, but after the surge in detentions, they ate in their housing area
25 (14-day requirement for a comprehensive health assessment).

26 ⁵⁶ PBNDS, *supra*, note 48, 4.3 Medical Care, Part V, § U, p. 273.

27 ⁵⁷ PBNDS, *supra*, note 48, 4.1 Food Service, Part II, p. 228; *see also* Part V, § D-F, p.
28 232-237.

⁵⁸ PBNDS, *supra*, note 48, 4.1 Food Service, Part V, § D, p. 232.

1 where food frequently arrived cold, undercooked, or rotten. These individuals also
2 reported irregular mealtimes, forcing them to choose between eating and outdoor
3 time. Individuals further explained that meals can arrive after bedtime or during
4 population counts, and that sometimes, they had to use the same spoon for weeks.
5 While Amicus Curiae could not verify these accounts, this was a common theme
6 across housing units.

7 **E. Issues with Adelanto’s Use of Force and Pepper Spray**

8 Amicus Curiae reviewed records of use of force incidents at Adelanto and
9 found a significant use of pepper spray. Eight of the 11 reported use of force
10 incidents at Adelanto between January 1 and July 7, 2025, occurred in the month of
11 June, after the increase in population. Facility staff used pepper spray in six of the
12 reported incidents. One person reported that while individuals were awaiting the
13 intake process, they complained and asked to be moved to a housing unit. In
14 response, a detention officer pepper sprayed them, filling a room which contained
15 about 50 people. The individuals reported rashes for weeks after the incident. While
16 this incident is concerning on its own, it is especially noteworthy
17 because Adelanto has been sued in the past for pepper spraying people as a control
18 measure in enclosed areas.⁵⁹ Although Amicus Curiae could not definitively
19 confirm that this incident occurred in the manner described, a use of force incident
20 report prepared by Adelanto at around the same time described to Amicus Curiae,
21 specified that facility staff deployed pepper spray to subdue multiple individuals in
22 the dining room. This report however, blamed the incident on an individual striking
23 a detention officer in a struggle over a pallet of food.

24 Like in prior inspections, two of the use of force incidents involved detained

25 ⁵⁹ *Rivera Martinez v. GEO Group* (C.D.Cal., May 25, 2018, No. 5:18-cv-01125) ECF No.
26 1 (complaint). The suit, filed by eight individuals detained at Adelanto settled in January 2020.
27 See *Rivera Martinez v. GEO Group* (C.D.Cal. Jan. 30, 2020, No. 5:18-cv-01125) ECF No. 205
28 (Notice of Conditional Settlement); see also Rebecca Plevin, *Asylum-Seekers Allegedly Pepper-Sprayed at Adelanto Detention Center Settle with GEO Group*, Palm Spring Desert Sun (Feb. 6, 2020), <https://tinyurl.com/yc6tsvwf>.

1 individuals who appeared to be experiencing mental health episodes. In one
2 incident, facility officers used calculated force to remove a person from Adelanto
3 and transport him to an outside mental health facility. Detention officers used
4 pepper spray on him and did not report summoning or consulting mental health
5 staff before or during the incident. The PBNDS mandate that detention officers
6 consult with appropriate medical or mental health staff prior to a calculated use of
7 force on a person with special needs, which includes those with mental health
8 conditions, that may impair their ability to understand their situation.⁶⁰

9 In the other incident, an individual consumed a handful of unidentified pills
10 and ignored officers' commands to stop. Detention officers used pepper spray on
11 this person, placed them in mechanical restraints, and transferred them to the
12 medical unit. The PBNDS mandate that restraints for medical or mental health
13 purposes may be authorized only by the facility's designated Clinical Medical
14 Authority or initiated by qualified medical personnel with an authorization soon
15 after the restraint.⁶¹ The incident report did not indicate that mental health or
16 medical personnel were consulted or utilized in the restraint of this individual.

17 **F. Reported Concerns Related to Housing Conditions**

18 Despite the PBNDS' requirement to provide for basic necessities, like the
19 provision and replacement of clothing,⁶² Amicus Curiae received many reports
20 indicating that Adelanto failed to meet this standard. Those housed at Adelanto and
21 Desert View Annex before June 2, 2025, reported that conditions worsened after
22 the population surged. Individuals who arrived during or after the influx reported
23 receiving only one pair of underwear and one uniform—versus the “at least two”
24 required.⁶³ Individuals also reported not receiving new or laundered clothes for
25 weeks and having to handwash their own clothing. Several individuals explained

26 ⁶⁰ PBNDS, *supra*, note 48, 2.15 Use of Force and Restraints, Part V, § F, p. 205.

27 ⁶¹ PBNDS, *supra*, note 48, 4.3 Medical Care, Part V, § Y, p. 275.

28 ⁶² PBNDS, *supra*, note 48, 4.5 Personal Hygiene, Part V, § B, p. 328; Part V, § H, p. 330.

⁶³ PBNDS, *supra*, note 48, 4.5 Personal Hygiene, Part V, § B, p. 328.

1 they wore borrowed shoes to their interviews with Amicus Curiae because their
2 own shoes had fallen apart and not been replaced.

3 The PBNDS require that facility staff must ensure that staff and detained
4 individuals maintain a high standard of facility sanitation and general cleanliness,
5 which includes daily dusting, mopping and trash disposal; but that those detained in
6 the facility are only required to maintain their immediate living areas by making the
7 bed, stacking loose papers and keeping the floor around their spaces neat.⁶⁴ During
8 the July 2025 inspection, Adelanto did not have a detainee volunteer work program,
9 and individuals were responsible for cleaning their housing units. The July 2025
10 inspection occurred about one month after the influx in population and several
11 weeks after Amicus Curiae requested access. Thus, while Amicus Curiae was
12 unable to assess for itself the conditions of the facility during that time, several
13 individuals painted a grim picture. Many individuals across housing units reported
14 that only days before Amicus Curiae’s inspection, Adelanto was extremely dirty,
15 with bags of trash piled up in the hallways, dirty surfaces in the housing units and
16 bathrooms, and hallways and tables covered in dirt and debris.

17 **G. Issues Related to Due Process**

18 Amicus Curiae received reports of serious concerns with individuals’ ability to
19 access phones for personal and legal calls. Many individuals reported that phone
20 calls are limited to only a few minutes, that there are not enough phones, and that
21 many of them do not work. Individuals also reported that phones are shut off at
22 random times throughout the day. During Amicus Curiae’s tour of Adelanto,
23 several individuals reported that phones in their housing unit do not work all
24 morning from Monday through Thursday, and all day on Fridays. Facility staff
25 confirmed that phones are shut off whenever a person is being removed from the
26 facility—although they reported that such shutdowns happen for shorter periods of

27 _____
28 ⁶⁴ PBNDS, *supra*, note 48, 1.2 Environmental Health and Safety, Part V, § A, p. 21.

1 time. This is the same practice Amicus Curiae reported on in its 2021 report.⁶⁵
2 Amicus Curiae remains concerned that this policy impedes detained individuals’
3 ability to contact family and legal representatives.

4 **III. DEATHS OF THREE MEN HELD AT ADELANTO.**

5 While most individuals arrived during the month before Amicus Curiae’s
6 inspection, and their medical and detention files did not contain much information,
7 everything indicated Adelanto was a ticking timebomb. Unfortunately, following
8 Amicus Curiae’s July 2025 inspection, three deaths occurred inside Adelanto.

9 On September 22, 2025, Ismael Ayala Uribe died at the age of 39, after one
10 month of detention at Adelanto.⁶⁶ According to his family, Mr. Ayala was relatively
11 healthy when he entered the facility, but about two weeks after arriving, he reported
12 feeling sick with a cough and fever.⁶⁷ Days later, he was rushed to the facility
13 medical center in a wheelchair after “shaking and complaining of pain in his
14 rear.”⁶⁸ The media reported that while this condition was characterized as life-
15 threatening by facility staff, nevertheless, an hour and a half later, he was cleared to
16 return to his housing unit after receiving medication.⁶⁹ ICE reported that Mr. Ayala
17 died in an external hospital three days later, after a transfer for surgery for an
18 abscess.⁷⁰

19 On October 23, 2025, Gabriel Garcia Aviles died, at the age of 54, about a
20 week after entering detention in Adelanto.⁷¹ Despite ICE’s determination that he
21 died of natural causes and alcohol withdrawal, Mr. Garcia-Aviles’ family stated he

22 _____
23 ⁶⁵ Cal. Dep’t of Just., (Jan. 2021), *supra*, note 7, at 43.

24 ⁶⁶ U.S. Immigr. & Customs Enf’t, *Detainee Death Report: Ayala Uribe, Ismael*,
<https://tinyurl.com/cfprfzfm>.

25 ⁶⁷ Ruben Vives and Jenny Jarvie, *A Former DACA Recipient Died in ICE Custody. Did*
Officials Ignore His pleas for Help?, L.A. Times (Sept. 24, 2025),
<https://tinyurl.com/LATUribeAyala>.

26 ⁶⁸ *Id.* at note 66.

27 ⁶⁹ *Id.* at 67.

28 ⁷⁰ *Id.* at note 66.

⁷¹ U.S. Immigr. & Customs Enf’t, *Detainee Death Report: Garcia Aviles, Gabriel*,
<https://tinyurl.com/5a66tymy>.

1 was healthy prior to his detention, and reported that when they visited him at the
2 hospital shortly before his death, he was intubated, and had blood on his forehead
3 and lips, broken teeth, a cut on his tongue, and bruising on his body.⁷²

4 On February 27, 2026, Alberto Gutierrez Reyes died, at the age of 48, about
5 seven weeks after being detained in Adelanto.⁷³ According to ICE, he “reported no
6 significant concerns” upon an initial medical exam, and only “reported feeling
7 faint” on February 25, after which he was transferred to an outside hospital.⁷⁴
8 However, his family reported personally witnessing his skin and eyes appearing
9 yellow as he complained of feeling unwell,⁷⁵ and they stated Adelanto knew of his
10 diabetes and high cholesterol.⁷⁶ According to family and counsel, Mr. Gutierrez
11 Reyes began feeling sick on February 18, 2026, and repeatedly asked for medical
12 attention from Adelanto, filing several medical requests—yet no medical assistance
13 was provided.⁷⁷ On February 24, 2026, the last time he spoke to his family, he
14 reported still feeling unwell and hoped he would get to see a doctor soon.⁷⁸ His
15 family never heard from him again, and was only informed of his death from
16 another person detained at Adelanto.⁷⁹

17 **IV. ICE’S SECURITY CLASSIFICATION ADVERSELY IMPACTS CONDITIONS** 18 **OF CONFINEMENT.**

19 Throughout the years inspecting civil immigration detention facilities, Amicus
20 Curiae has interviewed many individuals across facilities who were transferred to
21 ICE custody following a prison sentence, and the 2021 report specifically focused

22 ⁷² *Id.*; Izzy Ramirez, *Ten Days After Adelanto Internment, This Beloved Grandfather Died*
23 *in Custody*, L.A. Taco (Nov. 4, 2025), <https://lataco.com/second-death-adelanto-custody>.

24 ⁷³ U.S. Immigr. & Customs Enf’t., *Detainee Death Notifications* (Mar. 4, 2026),
<https://tinyurl.com/5bxraezj>.

25 ⁷⁴ *Id.*

26 ⁷⁵ Taylor S. Mitchell, *ICE Denies Wrongdoing in Death of Man in California Immigration*
Facility, Huffington Post (Mar. 4, 2026), <https://tinyurl.com/3sy3ucde>.

27 ⁷⁶ Marc Cota-Robles, *Westlake Man Dies While in ICE Custody at Adelanto Detention*
Center, LA Councilmember Says, ABC7 News (Mar. 3, 2026), <https://tinyurl.com/3ujtp644>.

28 ⁷⁷ Araceli Martinez Ortega, *Mexican Immigrant Dies in ICE Jail in Adelanto*, *La Opinion*
(Mar. 1, 2026), <https://tinyurl.com/4x9d5fjf> (translated, original version appeared in Spanish).

⁷⁸ *Id.*

⁷⁹ *Id.*

1 on this issue.⁸⁰ Many of these individuals lamented having less freedoms in private
2 civil immigration facilities than in prison. At ICE facilities individuals are classified
3 based on criminal history as low, medium-low, medium-high, or high.⁸¹ Amicus
4 Curiae is aware of cases where those charged with “illegal entry” or “illegal
5 reentry” into the U.S., receive a medium or even a medium-high custody
6 classification based on entry offenses alone.⁸² Unlike correctional systems where
7 incarcerated people can lower their custody scores over time with good behavior,
8 the scores of those held in civil immigration custody tend to remain constant or
9 increase due to disciplinary action, unless the person conducting the classification
10 analysis makes a scoring error and the error is corrected.⁸³

11 In its 2021 report, Amicus Curiae’s immigration detention expert reviewed the
12 file of someone previously incarcerated for a serious crime who—through good
13 behavior—was classified at the lowest custody level in prison, allowed to participate
14 in firefighting crew in the community, and received a work release assignment with
15 minimal supervision.⁸⁴ Upon this person’s release and subsequent detention by ICE,
16 they were placed in high custody based on their original sentence, which severely
17 limited their movement in the facility despite continued good behavior.⁸⁵ These
18 practices are similar across facilities, including at Adelanto.

19 During the July 2025 inspection, Amicus Curiae was concerned that poor
20 maintenance of records contributed to misclassification and other issues at
21 Adelanto. For example, Amicus Curiae requested to review a sampling of custody
22 files that included classification records. However, several of the files reviewed
23 were incomplete and missing classification records. Additionally, during Amicus
24

25 ⁸⁰ Cal. Dep’t of Just., (Jan. 2021), *supra*, note 7, at 19-24.

26 ⁸¹ *Id.* at 19.

27 ⁸² *Id.*

28 ⁸³ *Id.* at 20.

⁸⁴ *Id.* at 21.

⁸⁵ *Id.*

1 Curiae’s review, facility staff were printing records and appeared to be assembling
2 files, suggesting that records were not already maintained.

3 **V. THE PUBLIC INTEREST FAVORS A PRELIMINARY INJUNCTION BECAUSE**
4 **ICE’S CONDITIONS OF CONFINEMENT WILL CONTINUE TO INFLICT**
5 **SERIOUS AND IRREPARABLE HARMS ON INDIVIDUALS DETAINED AT**
6 **ADELANTO.**

7 Based on Amicus Curiae’s experience, the issues challenged by Plaintiffs
8 continue unabated and are likely to continue without an injunction. The public
9 interest favors a preliminary injunction to protect public health and prevent
10 exposure to inadequate medical care and the conditions described above, and to
11 prevent further deaths at Adelanto.

12 The public interest weighs in favor of injunctive relief based on the public
13 health harms caused by defendants. Issues like delayed or poor-quality care and
14 inadequate nutrition, all contribute to the declining health and well-being of those
15 within immigration detention.⁸⁶ As explained above, Amicus Curiae has observed
16 and documented these and several other issues inside Adelanto. Without injunctive
17 relief, these conditions will likely worsen and may contribute to new mental health
18 diagnoses.⁸⁷

19 Mental health impacts of immigration detention extend beyond those inside
20 detention, to their families.⁸⁸ Detention of a family member, especially if they are
21 the breadwinner, causes a chain reaction which jeopardizes other family members’
22 basic needs like food and housing, affects academic performance, and increases
23 mistrust and avoidance of critical public services like law enforcement, and seeking
24 public benefits and emergency or necessary medical services.⁸⁹ Family members

24 ⁸⁶ Myriam Vidal Valero, *U.S. Immigration Policy: Mental Health Impacts of Increased*
25 *Detentions and Deportations*, American Psychological Association (Sept. 2025),
26 <https://tinyurl.com/c3k2bar6>.

26 ⁸⁷ *Id.*

27 ⁸⁸ *Id.*

28 ⁸⁹ *Id.*; see also Caitlin Patler & Gabriela Gonzalez, *Compounded Vulnerability: The*
Consequences of Immigration Detention for Institutional Attachment and System Avoidance in
Mixed-Immigration-Status Families, Oxford University Press (Dec. 2020),
<https://tinyurl.com/2ufz5xvh>.

1 also experience heightened levels of stress, anxiety, and depression; and for
2 children, worry for their loved-ones and an inability to self-regulate.⁹⁰ Since many
3 of those detained, and their families, are residents of California, these ill-effects
4 reverberate statewide through education, public engagement, and even costs related
5 to mental health services.

6 As Plaintiffs argue, oversight by the federal government will not resolve these
7 issues.⁹¹ Despite complaints from individuals held at Adelanto, journalists,
8 community members, members of Congress, and Amicus Curiae’s own reporting,
9 Adelanto continues facing significant issues with the treatment of individuals it
10 detains for civil immigration.

11 **CONCLUSION**

12 Based on Amicus Curiae’s unique experience through its statutory mandate
13 under AB 103, the public interest factor favors the issuance of a preliminary
14 injunction.

15
16 Dated: March 18, 2026

Respectfully submitted,

17
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19 MICHAEL L. NEWMAN
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21
22 *s/ Alex E. Flores*
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24 *Attorneys for the State of California*

25
26 _____
27 ⁹⁰ *Id.*
28 ⁹¹ *L.T. et al., v. ICE, et al.*, 5:26-cv-00322, Dkt. 1 (Complaint for Injunctive and
Declaratory Relief) at ¶¶ 131-138; Dkt. 34 (Motion for Preliminary Injunction) at 7-8, 18-22.

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CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record for State of California, by and through Rob Bonta, Attorney General (Amicus Curiae), certifies that this brief contains 6,677 words, which complies with the word limit of L.R. 11-6.1.

Dated: March 18, 2026

Respectfully submitted,

s/ Alex E. Flores
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