September 11, 2013

Via U.S. Mail (Certified and Registered) and Email to hbennett@keysso.net

Ms. Heather Bennett
Records Custodian
Monroe County Detention Center
5525 College Rd.
Key West, FL 33040

Re: Public Records Request to Monroe County Detention Center

Dear Ms. Bennett:

This is a Public Records Act request, made pursuant to Chapter 119, Florida Statutes, and Article 1, Section 24 of the Florida Constitution, for a copy of the following public records:

1. All contracts Monroe County Detention Center (MCDC) has entered into with the United States Department of Homeland Security (DHS) and/or the United States Immigration and Customs Enforcement (ICE), including all Intergovernmental Service Agreements (IGSAs);

2. All inspection reports by Federal government agencies since the IGSA with ICE was first executed;

3. All inspection reports of MCDC prepared, conducted and/or otherwise executed by Sheriffs since the IGSA with ICE was first executed;

4. All corrective action plans;

5. All incident reports involving immigrant detainees for the last five years;

6. All grievances filed by immigrant detainees for the last five years;

7. All contracts MCDC has entered into with Armor Correctional Health Services;

8. All contracts MCDC has entered into with Aramark Food Services;

9. All contracts MCDC has in its possession relating to or regarding medical care of immigrant detainees housed at MCDC;

A non-profit organization dedicated to protecting and promoting the basic human rights of immigrants
10. All contracts MCDC has in its possession relating to or regarding dental care of immigrant detainees housed at MCDC;

11. All policies or procedures relating to or regarding disciplinary segregation of immigrant detainees and prisoners;

12. All policies or procedures relating to or regarding administrative segregation of immigrant detainees and prisoners;

13. All incident reports relating to or regarding sexual abuse\(^1\) of MCDC personnel or independent contractors, immigrant detainees and prisoners for the last five years;

14. All incident reports relating to or regarding any sexual activity taking place between immigration detainees or prisoners and MCDC personnel and/or independent contractors with MCDC;

15. All incident reports involving sexual abuse at MCDC for the last five years;

16. All personnel records of MCDC personnel or independent contractors with MCDC suspected of sexual misconduct with immigrant detainees and prisoners for the last five years;

17. All videos of use of force by MCDC personnel against immigrant detainees and prisoners for the last five years;

18. All incidents regarding the use of pepper spray against immigrant detainees and prisoners in the last five years;

19. All deaths of immigrant detainees in the last five years;

20. All policies and procedures relating to or regarding the writing privileges for immigrant detainees and prisoners;

21. All policies and procedures relating to or regarding the use of mail for immigrant detainees and prisoners;

22. All policies and procedures relating to or regarding the filing of grievances by immigrant detainees and prisoners;

\(^1\) For purposes of this public records request, we use the term “sexual abuse” generally to encompass all forms and degrees of sexually-based harm, including but not limited to all types of sexual contact—both attempted or accomplished—through force, threats, coercion, or intimidation; sexual assault; sexual harassment; unwelcome sexual advances; and gestures or actions of a derogatory or offensive sexual nature.
23. All policies and procedures relating to or regarding the access to sunlight provided to immigrant detainees and prisoners;

24. All policies and procedures relating to or regarding recreation for immigrant detainees and prisoners, including but not limited to the amount and duration of access to the outdoors afforded to each immigrant detainee and each prisoner;

25. All policies and procedures relating to or regarding educational programming opportunities for immigrant detainees and prisoners;

26. All policies and procedures relating to or regarding provision of food and clothing for immigrant detainees and for prisoners;

27. All policies and procedures relating to or regarding provision of hygiene products to immigrant detainees and for prisoners, including but not limited to toothpaste, toothbrushes, dental floss, soap and shampoo;

28. All policies and procedures relating to or regarding access for immigrant detainees and for prisoners to showers, baths and/or other bathing facilities;

29. All policies and procedures relating to or regarding access to religious services by immigrant detainees and prisoners;

30. All policies and procedures relating to or regarding access to mental health and substance abuse counseling for immigrant detainees and prisoners;

31. All policies and procedures relating to or regarding access by immigrant detainees and prisoners to legal counsel, including but not limited to how and when visitation with legal counsel occurs and whether immigrant detainees visits with their legal counsel are recorded by audio or visual means;

32. All policies and procedures relating to or regarding visitation with immigrant detainees and prisoners, including but not limited to where, when and how long such visitation is allowed;

33. All policies and procedures relating to or regarding the use of force by MCDC personnel against immigrant detainees and prisoners, including but not limited to how and when restraint chairs are used;

34. All records relating to or regarding attempted suicides by immigrant detainees and prisoners since MCDC entered into an IGSA with ICE;

35. All records relating to or regarding suicides by immigrant detainees and prisoners since MCDC entered into an IGSA with ICE; and
36. A copy of the detainee handbook, including but not limited to a description of the facility’s rules and sanction, disciplinary system, mail and visiting procedures, grievance system, services, programs, and medical care.

Americans for Immigrant Justice (AI Justice) is a non-profit law firm that provides free, direct legal services to immigrants, refugees, and asylum-seekers, both detained and non-detained. I would first like an estimate of the cost of producing these records, before any work is done that will result in charges to me. If the cost will be $50 or less, the estimate is unnecessary; please just send me the records with an invoice and I will send payment as soon as possible. If the cost will be more than $50, please send me an invoice with a written description of the estimated charges, and I will decide whether I want the records produced. If I approve the charges, I will send payment as soon as possible.

In accordance with section 119.07(1)(c) of the Public Records Act, please determine if you or anyone else in your agency has custody of these records. In accordance with section 119.07(1)(e) of the Public Records Act, if you claim that any record is exempt from public disclosure, please state in writing both the statutory citation to any exemption which you claim is applicable and the specific reasons for a conclusion that the requested record is exempt. In accordance with section 119.07(1)(d) of the Public Records Act, if you claim that any portion of any record is exempt, please redact that portion of the record that you believe is exempt, state in writing both the statutory citation to any exemption you believe is applicable and the specific reasons for a conclusion that the portion of the record is exempt, and produce the remainder of the record.

If the documents are available electronically, I request that they be produced in electronic format, such as via email or on a CD, to reduce costs. Please do not hesitate to contact me with any questions or concerns at (305) 573-1106, extension 1380 or ljimenez@aijustice.org. Thank you for your time and attention to this matter.

Sincerely,

[Signature]

Losmin Jimenez, Esq.