To: Andrew Lorenzen-Strait, Deputy Assistant Director, Custody Programs, Office of Enforcement and Removal Operations  
Kevin Landy, Assistant Director, Office of Detention Policy and Planning  
Claire Trickler-McNulty, Deputy Director, Office of Detention Policy and Planning  
Thomas S. Winkowski, Principal Deputy Assistant Secretary  
Jon Gurule, Phoenix Director of ICE ERO

LGBTQ & Immigrant Rights Advocates Urge Immediate Release of Transgender Woman Raped in AZ Immigration Jail

A coalition of LGBTQ and immigrant rights organizations are calling on the Department of Homeland Security today to immediately release Marichuy Leal Gamino, a transgender woman who was sexually assaulted last week at Eloy Detention Center, a for-profit private immigration detention facility in Arizona.

Marichuy, who has been housed with men at Eloy for over a year, was sexually assaulted by her cellmate after she repeatedly attempted to report harassment and threats of abuse to detention center staff. Immediately after the assault, Marichuy reported the abuse but the facility staff—despite clear guidelines in the Prison Rape Elimination Act—instead tried to cover up the attack by pressuring Marichuy to sign a statement claiming the rape was consensual.

Transgender Law Center, Puente, Arcoiris Liberation Team, and the National Center for Transgender Equality, together with other advocates, have been in communication with the Department of Homeland Security to express our distress at Marichuy’s situation and have urged them to investigate and release Marichuy immediately.

“Marichuy’s story illustrates why the mass detention of immigrants must end,” said NCTE Director of Policy Harper Jean Tobin. “Thousands of LGBT immigrants like Marichuy are needlessly jailed each year, and hundreds of transgender women are routinely placed in men’s jails despite the obvious danger this creates.”

Francisco Luna of the Arcoiris Liberation Team says, “ICE has shown that they are incapable of ensuring Marichuy’s protection from future assaults or retaliation for reporting the awful sexual abuse she has survived. We see no other solution than for ICE to immediately release her, where her community can help her heal.”
“ICE has yet again shown that they are not capable of detaining transgender women with minimum levels of safety and dignity. As a result, they should not be detaining transgender women, period,” says Transgender Law Center’s Soros Justice Fellow Olga Tomchin.

The report of the latest rape in ICE custody comes as advocates anticipate executive action from the White House to reform U.S. deportation policies. LGBTQ and immigrant rights advocates, joined this week by Congressional Equality Caucus, have called for greatly expanded relief from deportation that includes LGBTQ individuals and families and a shift from mass detention to more humane and cost-effective community programs.

Sincerely,
Puente Movement
Transgender Law Center
Arcoiris Liberation Team
National Center for Transgender Equality
National Day Laborer Organizing Network
National Center for Lesbian Rights
National Gay and Lesbian Task Force
AIDS Legal Referral Panel
Arizona Queer Undocumented Immigrant Project
Asian Americans Advancing Justice – Asian Law Caucus
Asian Pacific Islander Legal Outreach
Association of Latino/as Motivating Action (ALMA)
Astraea Lesbian Foundation for Justice
Black and Pink
BreakOUT!
California Rural Legal Assistance Foundation
Canvass for a Cause
Causa Justa :: Just Cause
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)
Coloradans For Immigrant Rights, a project of the AFSC
Community Initiatives for Visiting Immigrants in Confinement (CIVIC)
Conversations With Friends – ending isolation by visiting and supporting immigrants in Detention (MN)
Cornell Law School LGBT Clinic
Desiree Alliance
Detention Watch Network
Dream Action NIU
El/La Para TransLatinas
Equality New Mexico
Essie Justice Group
Familia: Trans Queer Liberation Movement
Florence Immigrant & Refugee Rights Project
FreeState Legal
Friends of Adelanto Detainees
GetEQUAL
Inland Empire Immigrant Youth Coalition
Latin@ Youth Action League
Media Literacy Project
National Coalition of Anti-Violence Programs
Our Family Coalition
Out4Immigration
Pangea Legal Services
Public Counsel
Queer Detainee Empowerment Project
Queer Youth Exploring Spirituality of Wesley United Methodist Church
Rainbow Defense Fund – Tucson, AZ
Salvadoran American National Network
Scarlet Umbrella Southern Art Alliance & SNaPCo
Southerners on New Ground (SONG)
Sylvia Rivera Law Project
Texans United for Families
Third Wave Fund
Trans Pride Initiative
Transgender Resource Center of New Mexico
United Court of the Sandias
United Families
United Latin@ Pride
United We Dream
University of North Texas
Young Women United