

November 9, 2023

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Amy Godshall
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Assistant Field Office Director Rothermel,

The American Civil Liberties Union of Florida (ACLU of FL) has recently received reports that the Baker County Detention Center (BCDC) has been providing alarmingly smaller portions of food (a few spoonfuls of beans) as full meals to individuals detained in ICE detention. We have also heard that when people ask for more food, they have been threatened with punitive measures, including solitary confinement.

In response to these urgent and punitive violations of the 2019 National Detention Standards (NDS), we urge you to ensure that BCDC:

1. Immediately provides all detained individuals with substantial, nutritious meals that meet the detention standards;
2. Immediately reverses any punitive or retaliatory measures taken against individuals because they advocated for adequate food or initiated a hunger strike;
3. Refrains from threatening or imposing solitary confinement on any individual for advocating for adequate food or initiating hunger strikes;
4. Refrains from engaging in any other acts of retaliation against individuals advocating for adequate food or engaging in hunger strikes.

We have received reports that on or around November 4, 2023, BCDC delivered lunches consisting of a spoonful of meat, three spoonfuls of beans, and a spoonful of carrots. In response, individuals requested more food and threatened to go on hunger strikes if they were not provided with adequate portions of food. Food portions returned to “normal” for a few days, until November 8, 2023, when BCSO served only a few spoonfuls of food again for a meal. Individuals again threatened to go on hunger strikes if they were not provided adequate portions of food. In response, they were threatened with solitary confinement if they did not stop complaining and threatening to go on hunger strikes.

BCSO's treatment of these individuals and exchanges violate the 2019 National Detention Standards in several ways. First, the NDS require BCDC to feed those detained in their care three nutritious meals each day that are based on a



“nutritional program meeting or exceeding minimum U.S. recommended daily allowances.”¹ A few spoonfuls of beans does not constitute a nutritious, balanced, adequate meal under these standards. It is imperative that Baker immediately begins feeding everyone adequate portions of nutritious food.

Second, the NDS allow for individuals to submit informal/oral grievances, formal/written grievances, and emergency grievances.² Further, the NDS prohibits Baker staff from harassing, disciplining, punishing or retaliating against individuals who exercise their right to file such complaints.³ Here, when individuals were complaining about the small portions of food and asking for more, the guards threatened (and may have imposed) retaliatory and punitive solitary confinement. These threats (and possible implementations) of using solitary confinement in response to such complaints and requests are unacceptable violations of the NDS. It is imperative that individuals at Baker have a process for submitting complaints without fearing retribution and that those complaints are taken seriously.

Third, the NDS do not allow for using solitary confinement in this type of circumstance. The NDS allow for segregation in limited circumstances, such as to protect people or property or when individuals violate facility rules.⁴ Neither of these circumstances was present here, where people were asking for food and asserting their right to go on hunger strikes to protest inhumane conditions (which are allowed under the NDS). It is imperative that Baker does not threaten or implement solitary confinement for such issues, and that guards do not use solitary confinement as a method of retaliation or punishment.

We are deeply concerned about the way BCDC is treating people in their care, especially in light of BCDC’s documented history of disregarding the NDS, and we are committed to investigating these issues. We urge you to investigate this situation and take action to address these violations.

Please reach out to me at agodshall@aclufl.org or 786-363-2731 with any questions or to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Godshall".

Amy Godshall

ACLU of Florida

¹ 2019 ICE National Detention Standards 4.1.

² 2019 ICE National Detention Standards 6.2.

³ 2019 ICE National Detention Standards 6.2.

⁴ 2019 ICE National Detention Standards 2.9.