

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

STATE OF MARYLAND,

Plaintiff,

v.

KRISTI NOEM, *et al.*,

Defendants.

Case No. 1:26-cv-733-BAH

BRIEF OF AMICI CURIAE HAGERSTOWN CITY COUNCIL MEMBERS CAROLINE ANDERSON, ERIKA BELL, AND TIARA BURNETT, WASHINGTON COUNTY STATE DELEGATE MATT SCHINDLER, HAGERSTOWN RAPID RESPONSE, HAGERSTOWN AREA RELIGIOUS COUNCIL, WASHINGTON COUNTY BRANCH OF THE NAACP, AMICA CENTER FOR IMMIGRANT RIGHTS, AND ACLU OF MARYLAND IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

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STATEMENT OF INTEREST

Amici Hagerstown City Council Members Caroline Anderson, Erika Bell, and Tiara Brunett, Washington County State Delegate Matt Schindler, Hagerstown Rapid Response, Hagerstown Area Religious Council, Washington County Branch of the NAACP, Amica Center for Immigrant Rights, and the ACLU of Maryland, reflect a broad cross-section of the local community that will be impacted by the resolution of Plaintiff’s Motion for Preliminary Injunction (the “Motion”) and whose interests are at the heart of this litigation.¹ *Amici* provide a local and practical perspective of the many impacts of the proposed detention center, and thus shed significant light on the Court’s balancing of the equities and consideration of whether the issuance of an injunction is in the public interest.

INTRODUCTION

Amici are Washington County-area elected officials and area organizations comprising community members with a strong stake in whether and how the U.S. Department of Homeland Security (“DHS”) operates a large-scale detention site in their community. DHS has failed to provide *Amici* and the communities they represent any concrete information about U.S. Immigration and Customs Enforcement’s (“ICE”) massive, rushed detention center project, let alone advance notice that would allow meaningful consideration of the full impacts on the surrounding people and communities. Based on the tightly constrained information released about the scale of the proposed detention center in their community in a facility not designed for human habitation, as well as reporting about experiences from other jurisdictions and warnings from former officials about the misleading nature of representations being made by DHS,² *Amici*

¹ A listing of *amici* and their specific interests is attached as Appendix A.

² See, e.g., Ben Conarck, *Former ICE officials question promises on planned detention facility for Western Maryland*, Baltimore Banner, Mar. 25, 2026, <https://www.thebanner.com/politics-power/immigration-detention-healthcare-maryland-5XW26UX2MFG2TDLWL4QLNNIZXI/>

community members have grave and increasingly urgent concerns and questions about the impacts on local infrastructure (water, sewage, roads, and waste management), community-based resources, and public health.³ To the extent local officials have solicited community feedback, the responses have been overwhelmingly opposed to further action based on local impact, further supporting *Amici*'s position.⁴

The National Environmental Policy Act ("NEPA") and other laws are intended to protect against exactly this scenario. At present, the community – including key elected officials like *Amici* Hagerstown and Washington County representatives – has had no meaningful opportunity for input or collaboration to mitigate potential harms. *Amici* respectfully urge the Court to grant the requested preliminary injunction enjoining Defendants from further construction or operation of the Williamsport warehouse as a detention center. Doing so serves the public interest, allowing the public to evaluate Defendants' plans and for the Court to ensure that no irreparable harm occurs while this litigation is pending.

ARGUMENT

I. Because DHS Failed to Comply With NEPA, Local Residents Have No Concrete, Reliable Information About How DHS Will Implement Its Massive, Rushed Immigration Detention Project in Their Community.

Amici incorporate by reference the State's recounting of the rushed timeline and secrecy that has shrouded the proposed Williamsport Detention Center⁵ and reiterate that DHS has failed to provide any meaningful public notice of its specific plans for this site. There are no public documents proposing a layout of the detention center at the Williamsport warehouse, no public

³ *Amici* are similarly concerned with the environmental impacts discussed by Plaintiff and other *amici*.

⁴ See, e.g., April Delaney, *People of Maryland's Sixth District Speak Out Against ICE's Washington County Warehouse*, Press Release, Mar. 6, 2026, <https://mcclaindelaney.house.gov/media/press-releases/people-marylands-sixth-district-speak-out-against-ices-washington-county> (noting that out of nearly 5,000 responses to a survey soliciting community positions on the proposal, more than 80% expressed opposition).

⁵ Dkt. 15-1, pp. 14-16.

documents proposing anything regarding its operations, nor even DHS's plans to transform the warehouse from a low-occupancy building designed for products to a large-scale detention center housing human beings with rapid turnover. Indeed, as of March 23, 2026, months after DHS purchased the facility, Hagerstown's Mayor confirmed that DHS had not contacted the City or communicated at all about DHS's plans, and highlighted his unanswered questions and concerns on four separate fronts: infrastructure, emergency services, economic impacts, and lack of legal process.⁶

The limited information available leaves dire open questions for *Amici* elected officials and other community members trying to understand what is coming. As a result, community members are relying on representations in DHS's national Detention Reengineering Initiative and floodplain notice, which convey that DHS intends to convert the Williamsport warehouse into a regional processing center, with a stated daily population of up to 1,500 people, with average stays of three to seven days.⁷

That *Amici* are compelled to cobble together DHS's plans for their community by looking to other detention center locations underscores how completely DHS has failed to comply with NEPA's requirements in letter or spirit. As a result, *Amici* are left with many questions and no answers. As detailed in the letter to DHS in response to its floodplain notice drafted by some *Amici*, those questions include: How will the massive increase in sewage be handled? What is the impact

⁶ At a recent community forum, Mayor Bill McIntire spoke at length about these concerns. See Tri-State Alert, *Hear From the Stakeholders Themselves-This is the Roundtable Discussion on the Washington County Processing Center that Happened this Afternoon*, Mar. 23, 2026, <https://tristatealert.com/hear-from-the-stakeholders-themselves-this-is-the-roundtable-discussion-on-the-washington-county-processing-center-that-happened-this-afternoon/>.

⁷ See U.S. Immigr. & Customs Enf't, *ICE Detention Reengineering Initiative*, 1, <https://www.governor.nh.gov/news/updated-documents-department-homeland-security> (last accessed March 18, 2026). *Amici* do not assume that DHS holds itself to its estimate of up to 1,500 people at the facility. Comparatively, a proposed facility in Social Circle, Georgia, is expected to house anywhere from 7,500 to 10,000 detainees in a facility with just over 200,000 square feet larger than the Williamsport warehouse. Social Circle, Georgia, *Updated Statement Regarding ICE Detention Facility* 2/19/2026, <https://www.socialcirclega.gov/Home/Components/News/News/241/16>.

on emergency services? Will already understaffed emergency services lose its staff to DHS? Will the detention center impact the nearby creek and other waters leading to the Potomac? Will Williamsport, Hagerstown, or other areas suffer adverse economic impacts? Will floodlights impact the lives of nearby residents? How will this detention center impact nearby schools and senior centers? All of these questions remain unanswered by DHS.

These are exactly the kinds of questions that the NEPA process is supposed to help answer, on a reasonable timeline *before* work starts, and without the ambiguity, secrecy or uncertainty that has plagued the Williamsport project. Instead, *Amici* and other community members have been forced to try to piece together and guess at DHS's plans based on vague and shifting claims, news reports, and this litigation. All on an unnecessarily rushed timeline that has foreclosed *Amici's* ability to weigh in with meaningful and informed feedback about the myriad potential impacts.

II. Notwithstanding the many outstanding questions, the nature and scale of the project has enormous implications for the local community's long-term development, infrastructure, and community health and resources.

A project to transform an uninhabitable warehouse into a mass detention center meant to hold humans and rapidly operationalize that mass detention center has major consequences for local community members. Currently, the Williamsport warehouse is a "825,620 sq. ft. one story shell building" with a fire pump room and an electrical room.⁸ The structure, as it stands today, is clearly not fit to meet the sanitary and medical needs of 1,500 or more adults, children, and families. Transforming the current building into a facility that can safely house, feed, and support sanitation needs of 1,500 or more people logically requires a significant amount of construction and logistical support, along with significant staffing, such as correctional officers, administrators,

⁸ Washington Cnty. Div. Plan Rev. & Permitting, Permit Issuance Report at 3 (Aug. 1–31, 2021), <https://perma.cc/D43B-6749> (last visited Mar. 18, 2026).

medical providers, food and laundry services, all of which would presumably enter and leave the proposed facility every day.

A. The proposed addition and operation of a massive detention site would fundamentally and permanently alter *Amici's* community, and threatens to overwhelm local water, wastewater, waste, and transportation infrastructure.

Amici are deeply invested in the quality of life in this community, not just as it is today, but as to what it could be in the future. Operating an unplanned, large-scale detention site threatens longstanding plans for community and economic development. DHS has indicated the site will house up to 1,500 people each day, with rapid churn of three to seven days, such that between at least 78,000 to 182,500 people could enter the detention center every year. For context, the town of Williamsport, immediately adjacent to the warehouse, has a total population of 1,950 people.⁹ Washington County has an estimated population of 157,000 covering 467 square miles.¹⁰ Over the course of a single year, DHS is proposing to move up to the equivalent of the *entire population of Washington County* in and out of a single facility – or more.

Amici who serve as elected representatives of these communities note that these localities have invested significant resources and effort into forming coherent and comprehensive plans about their future development, informed by formal assessments of local needs, capacity, and community member participation.¹¹ Now, without *any* local input or participation, ICE has initiated a rushed, massive detention project that could profoundly impact these long-term plans and community goals. It creates new concerns about the long-term effects on the region's reputation and prospects for investment, and the ability of local businesses to attract and retain

⁹ Census Reporter, Williamsport, MD, <https://censusreporter.org/profiles/16000US2485100-williamsport-md/> (last visited Mar. 18, 2026).

¹⁰ United States Census Bureau, *Quick Facts Washington County, Maryland*, <https://www.census.gov/quickfacts/fact/table/washingtoncountymaryland/PST045224> (last visited Mar. 18, 2026).

¹¹ *See, e.g.*, Washington County, Maryland, *Washington County, MD Comprehensive Plan 2040*, <https://www.washco-md.net/planning-zoning/comp-plan-2040/> (last visited Mar. 18, 2026).

employees. Williamsport, for example, is a small town that has sought to attract more tourists, emphasizing its rich history and the Chesapeake & Ohio Canal National Historic Park.¹² Williamsport's Mayor has stated that "the proposed ICE facility is going to hurt the town's efforts for years to come because town officials are already getting questions about whether businesses want to continue in town or want to come to the area."¹³ Local residents have echoed these concerns, stating that the new detention center "is a real challenge to the economic viability" of the town, coming at a pivotal time on the heels of other setbacks from the COVID-19 pandemic and recession.¹⁴

Amici and others who have made their homes here deserve a voice in what happens. Instead, community members like Ms. Nica Sutch, who has lived in the area for more than 30 years and "who thought she would remain in her home forever," are confronting the prospect of suddenly living across the street from a large-scale human warehouse that DHS apparently intends to open in a few weeks or months.¹⁵ Although Ms. Sutch has not "heard anyone that's actually for it," she is now contemplating leaving as a direct result of DHS's reported plans.¹⁶

Moreover, a project of this scale and purpose simply cannot avoid impacting local infrastructure. As explained by Hagerstown Mayor Bill McIntire, this facility "represents a significant and immediate burden on the regional infrastructure."¹⁷ *Amici* are deeply concerned about a number of infrastructure impacts, including, for example, wastewater and waste

12 Julie E. Greene, *Washington County Commissioners vote 4-0 to support ICE*, Herald-Mail Media, Feb. 10, 2026, <https://www.heraldmillmedia.com/story/news/local/2026/02/10/washington-county-commissioners-approve-resolution-supporting-dhs-ice/88603413007/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epti=z11xx77p117050c117050v11xx77d--71--b--71--&gca-ft=170&gca-ds=sophi>.

13 *Id.*

14 *Id.*

15 Tracee Wilkins, *et al.*, *Maryland's First ICE Detention Center: What's Planned and Why a Neighbor Says She'll Move*, NBC News, Mar. 23, 2026, <https://www.nbcwashington.com/investigations/marylands-first-ice-detention-center-whats-planned-and-why-a-neighbor-says-shell-move/4080129/>.

16 *Id.*

17 Tri-State Alert, *supra*.

management systems, but emphasize here one of the region’s most pressing needs: water supply. Mayor McIntire puts it plainly: “A facility of this size will stretch our water resources because of our anticipation of future economic growth here. This is not a political statement. It is an engineering reality.”¹⁸

The water supply of Hagerstown, which sells to Williamsport, is already strained, as it operates out of a facility built in 1928.¹⁹ As of 2023, the city water plant’s primary lines “are fragile and too small to handle increased volumes of water[,]” and “because other distribution lines in the system are ‘operating at maximum pressure’” the primary lines cannot handle more flow.²⁰ If the current water treatment plant breaks down, there would be less than a full day’s worth of water supply.²¹ The addition of the proposed detention center would create an even heavier burden on top of a system that is already at capacity. Local reporting reveals that the Williamsport warehouse’s current approved water allocation is 800 gallons per day, with a 2-inch domestic service line and 10-inch fire line, that cannot be used for potable water.²² Hagerstown, Maryland city officials estimated that the “water demand [for the facility] could range between 75,000 and 150,000 gallons per day, depending on occupancy and services such as showers, laundry and food preparation.”²³ That means the facility will need 27,375,000 to 54,740,000 gallons per year, which is at least 100 times the current allocation for the warehouse. City staff also confirmed that “no application for additional water allocation has been submitted for the ICE facility.”²⁴ *Amici* and

18 *Id.*

19 Dave McMillion, ‘A community problem’: County’s future water demands expected to cost up to \$100 million, *Herald-Mail Media*, Apr. 28, 2023.

20 *Id.*

21 *Id.*

22 Jessica Swann, *Hagerstown outlines water allocation process for ICE facility*, *LocalNews1.org*, Feb. 20, 2026.

23 *Id.*

24 *Id.*

other Washington County residents rely on that water system every single day. Further burdening such a vital and fragile system poses unacceptable risks.

The concerns of *Amici*, particularly *Amici* governmental officials, are also informed by the experiences of other jurisdictions that have communicated directly with DHS about similar rushed projects and concluded that DHS was not providing timely, well-informed, correct, realistic, or otherwise reliable information about the impact on local infrastructure. For example, on or around December 31, 2025, local officials in the town of Social Circle, Georgia, learned of DHS’s plans to construct a “mega center” in their community via news reports, and immediately began asking federal officials for information about this proposal and particularly the impact on local water and sewer facilities in light of the locality’s limited capacity.²⁵ Over the course of several months, local officials repeatedly requested to be informed directly of DHS’s plans, and reiterated the need for local consultation and planning.²⁶ When DHS finally met with local officials, it represented that the plan to house “anywhere from 7,500 to 10,000 detainees” and employ approximately 2,000 to 2,500 staff members “will have ‘no adverse effect on the community and surrounding properties[.]’”²⁷ A statement by City officials, however, detailed significant errors and omissions as to the impact on local infrastructure that City officials deemed “unsatisfactory.” For example, the materials provided to the City by DHS show that “DHS referenced a wastewater analysis to support its claims of available capacity; however, a portion of that capacity was attributed to [a

25 City of Social Circle, Georgia, *City of Social Circle Statement Regarding Reports of a Proposed ICE Detention Facility*, Press Release, Dec. 31, 2025, <https://www.socialcirclega.gov/Home/Components/News/News/215/16>.

26 City of Social Circle, Georgia, *Updated City of Social Circle Statement Regarding Reports of a Proposed ICE Detention Facility*, Press Release, Feb. 4, 2026, <https://www.socialcirclega.gov/Home/Components/News/News/231/16> (“City officials were also informed that the Department of Homeland Security has conducted an engineering evaluation of city utilities, and that economic impact reports are currently being prepared. These reports are not yet finalized. The City of Social Circle has not been asked for, nor has it provided, any input related to this evaluation or planning process.”).

27 City of Social Circle, Georgia, *Updated Statement Regarding ICE Detention Facility 2/19/2026*, Press Release, Febr. 18, 2026, <https://www.socialcirclega.gov/Home/Components/News/News/241/16>.

facility which] is not owned by the City of Social Circle, is not located within the city limits, is in a different county, and does not connect to the City's utility system[.]”²⁸ Moreover, DHS formulated its remaining available capacity with reference to a sewer treatment plant not yet built, nor operational by the time DHS proposed to begin intake.²⁹

Of particular concern to *Amici*, the City of Social Circle described at length how DHS's purported solutions to the City's specific concerns about water infrastructure failed to actually resolve them: “While the proposal is certainly creative, it does not resolve the fundamental issue: the total additional water demand required for a facility of this scale simply exceeds what the City's system is capable of providing.”³⁰ As of March 17, 2026, local officials were so concerned by DHS's persistent inability to answer basic questions that they cut off water access to the site.³¹ Against this backdrop, ICE's representations that “Sites [including Hagerstown] have undergone community impact studies and a rigorous due diligence process to make sure there is no hardship on local utilities or infrastructure prior to purchase” ring hollow.³²

In addition to *Amici*'s concerns about water, waste disposal and wastewater, *Amici* seek answers about the significant new burdens on all forms of regional transportation infrastructure and the increased congestion in the area, given DHS's reported plans for rapid turnover at a massive detention site. The surrounding infrastructure, specifically major highways I-81 and I-70

28 *Id.*

29 *Id.*

30 *Id.*

31 Tia Lynn Ivey, *Social Circle Shuts Off Water to Stop ICE Detention Center from Moving Forward*, Morgan Citizen County, Mar. 17, 2026, https://www.morgancountycitizen.com/news/social-circle-shuts-off-water-to-stop-ice-detention-center-from-moving-forward/article_716793c8-70ac-4b2f-950e-fbc1bd3ff0f3.html.

32 Rebecca Turco, *What's Next for the Planned Immigration Detention Center Near Hagerstown?*, WJLA, Mar. 12, 2026, <https://wjla.com/news/local/story/ice-dhs-immigration-warehouse-turned-immigration-detention-center-hagerstown-maryland-trump-administration-governor-wes-moore-us-district-court-construction-retrofitting-legal-process-court-case-sue>.

are already overburdened. Plans to widen I-81 are not slated to begin until 2027.³³ Increasing traffic flow on these already busy interstate highways will increase traffic congestion, compromise air quality, and risk more car and truck accidents. Amici also worry that DHS will overwhelm the area's tiny regional airport and significantly harm local air travel.

B. *Amici* are concerned about harmful impacts on local community resources that are already stretched to the limit, particularly those relating to health, mental health, public health, and emergency services.

Any major, new detention site does not operate in a vacuum. It affects and becomes part of the community around it, and the community absorbs the increased need. In a recent public statement, Hagerstown Mayor McIntire addressed this point, noting: “The city of Hagerstown’s police, fire and emergency medical services exist to protect our community. Any significant increase in regional population density, regardless of its source, has a direct impact on response times, resource allocation and the safety of every resident we serve.”³⁴ Indeed, of particular concern to *Amicus* Delegate Matt Schindler, nearly all of the county’s fire and rescue and emergency medical services teams are volunteers.³⁵ *Amici* share these concerns, and also wonder how the staffing needs of the new detention center will cause staff attrition from local and state services that already struggle with low staffing.

Similarly, in this largely rural area, existing health infrastructure is already significantly limited. *Amicus* Hagerstown Rapid Response includes among its members medical professionals Dr. Jennifer Janus and other Washington County medical professionals, who expressed their concerns in an open letter, highlighting existing limitations on emergency services capacity. They

³³ Julie Greene, *I-81 widening project schedule on track, cost increases \$67M in months*, The Herald-Mail, Jan. 28, 2026.

³⁴ Tri-State Alert, *supra*.

³⁵ Nicole Pilsbury, *Plans for ICE Detention Center in Hagerstown Spark Concern Among Lawmakers, Community*, The Diamondback, Mar. 6, 2026, <https://dbknews.com/2026/03/06/ice-detention-facility-hagerstown/>.

noted that “[a] review of 911 calls from ten ICE facilities in the first half of 2025 revealed nearly 400 calls to emergency services,” further observing that “the nearest EMS department has only eight volunteer paramedics. The Meritus Hospital Emergency Department already struggles to see patients in a timely manner, and the presence of such a large facility will adversely impact emergency medical care for residents of the county.”³⁶

Amici faith leaders are likewise concerned about the impact of the detention center on the local faith community, which is already stretched thin trying to meet the physical and spiritual needs of families in Washington County. Faith leaders whose congregations include immigrant families are particularly concerned about how a massive detention site in the community will affect the safety and well-being of these families. *Amici* faith leaders are grappling with the prospect of substantial new in-person visitation, pastoral care, and community support needs and mental health, emotional, and spiritual impacts associated with a massive detention site forcibly placed in the community. As explained by President Kathy Powderly, *Amici* faith leaders see the new detention center as requiring “time and resources that would otherwise be spent tackling poverty, children’s education and well-being, and other important community needs.”³⁷

III. Based on experiences with other immigration detention facilities in this region and publicly-available information *Amici* are particularly concerned about the serious public health risks of large-scale confinement at this site.

Detention settings bring higher risks of communicable diseases both to those housed in the facility and the surrounding community.³⁸ Infectious disease can pass between detained individuals and the community in myriad ways, most obviously, through new detainee admissions,

³⁶ Hagerstown Rapid Response, *Doctors Warn ICE Facility Could Endanger Entire Hagerstown Community*, Mar. 20, 2026, <https://blog.hagerstownrapidresponse.com/p/doctors-warn-ice-facility-could-endanger>. Attached as Exhibit A.

³⁷ See Declaration of Kathy Powderly in Support of Brief of *Amici Curiae* in Support of Plaintiff’s Motion for Preliminary Injunction, attached as Exhibit B.

³⁸ See *D.N.N. v. Nikita Baker, et al.*, No. 25-cv-1613-JRR, ECF 38, p. 14 (D. Md. June 18, 2025).

staff, contracted employees and visitors, as well as through court appearances, transfers between facilities, and releases to the community.³⁹ Indeed, a 2019 study assessing influenza, varicella, and mumps outbreaks in US migrant detention centers noted that “[o]utbreaks in different centers may be related, given the common practice of moving detainees between centers.”⁴⁰

Based on *Amici*’s direct experience and review of publicly-available information—including the ICE Acting Director’s statement aspiring to a detention system that treats humans “like [Amazon] Prime” packages⁴¹—*Amici* have little faith in public representations by DHS about its high standards.⁴² Rather, *Amici* have reason to believe that the unsanitary and unsafe conditions with respect to communicable diseases noted at various large ICE facilities across the region would plague the Williamsport facility. For example, in 2020, 290 of 312 immigrants detained—93%—tested positive for COVID-19 at a Virginia migrant center, causing concern for the local surrounding community, and led to litigation forcing the facility to operate at roughly 25% capacity until the end of the COVID-19 pandemic.⁴³ One of *Amici*’s clients detained at Farmville during that time was hospitalized and put on a ventilator. Another man from Canada died after testing

39 See Gabrielle Beaudry et al., *Creating Supportive Conditions to Reduce Infectious Diseases in Prison Populations*, 9, *BMJ Global Health* (2020), <https://gh.bmj.com/content/bmjgh/5/11/e003201.full.pdf>.

40 Nathan C. Lo, MD, PhD, et al., *Influenza, Varicella, and Mumps Outbreaks in US Migrant Detention Centers*, 180 *JAMA Network*, Vol. 325, No. 2 (Jan. 12, 2021).

41 The Guardian, *Ice director wants to run deportations like ‘Amazon Prime for human beings’*, <https://www.theguardian.com/us-news/2025/apr/09/ice-todd-lyons-deporation-amazon>, Apr. 9, 2025.

42 For example, this Court recently noted individuals detained at another ICE detention site in Maryland provided plentiful evidence ICE failed to facilitate the medical care or medications of individuals with broken bones, diabetes, high blood pressure, HIV, and Leukemia. *D.N.N. v. Nikita Baker, et al.*, No. 25-cv-1613-JRR, ECF 170 at 56 (D. Md. Mar. 6, 2026).

43 WDBJ7, *Concerns mount over outbreak at central Virginia immigrant detention center*, <https://www.29news.com/2020/07/30/concerns-mount-over-outbreak-central-virginia-immigrant-detention-center/> (July 30, 2020); *Santos Garcia, et al. v. Alejandro Mayorkas, et al.*, No. 20-cv-821-LMB-JFA, ECF 253-1 (E.D. Va. July 6, 2022).

positive there.⁴⁴ Fears of a similar outbreak were reported by individuals detained at the Caroline Detention Facility in Caroline County, Virginia.⁴⁵

Local Maryland immigration detention facilities were also slow to respond to COVID-19. In *Coreas v. Bounds*, 458 F.Supp.3d 352 (D. Md. 2020), in deciding a motion for preliminary injunction, this Court considered allegations regarding the failure to provide adequate care for immigrants detained with serious health conditions in Howard County Detention Center and Worcester County Detention Center (“WCDC”).⁴⁶ The Court noted the facilities failed to regularly disinfect community spaces and bathrooms, provide individuals held there with cleaning materials, soap, or hand sanitizer, as well as implement social distancing protocols.⁴⁷ The Court also considered the facility’s failure to provide adequate treatment for a plaintiff at high risk of serious illness or death due to having diabetes, and warned that the facility was at serious risk of violating the Constitution.⁴⁸ An individual plaintiff subsequently moved for a preliminary injunction once someone at the jail showed likely symptoms of COVID-19, and the Court granted that motion because it found that the combination of WCDC’s identified deficiencies and unwillingness to test for COVID-19 “reveals likely deliberate indifference to inmate health and safety.”⁴⁹ Despite such inadequate health conditions for immigrants ICE has held in local jails previously,⁵⁰ in *Amicus Amica Center for Immigrant Rights’s* (“Amica Center”) experience, privately or ICE-owned active

44 U.S. Immigr. & Customs Enforcement, *Canadian man in ICE custody passes away in Virginia*, <https://www.ice.gov/news/releases/canadian-man-ice-custody-passes-away-virginia> (Aug. 7, 2020).

45 Hector Alejandro Arzate, *People Detained at ICE Facility Allege COVID-19 Outbreak is Being Mishandled*, DCist, Jan. 13, 2022, <https://dcist.com/story/22/01/13/caroline-detention-facility-accused-mishandling-covid/>.

46 458 F.Supp.3d 352.

47 *Id.* at 424-25.

48 *Id.* at 425, 426.

49 *Coreas v. Bounds*, 458 F.Supp.3d 352, 360 (D. Md. 2020).

50 See Office of Inspector General, *ICE Needs to Address Concerns About Detainee Care and Treatment at the Howard County Detention Center*, <https://www.oig.dhs.gov/reports/2021/ice-needs-address-concerns-about-detainee-care-and-treatment-howard-county-detention-center/oig-21-03-oct20> (Oct. 28, 2020) (DHS Office of the Inspector General finding HCDC had violated ICE detention standards undermining the “provision of a safe and healthy environment”).

ICE detention centers in the region—as the Williamsport warehouse is planned to be—seem to have even *higher* incidents of public health concerns, perhaps due to having less ready access to local public health resources.

Nor can *Amici* ignore the numerous news reports regarding public health risks at other similar ICE facilities. For example, recently, there was a measles outbreak at a DHS mass detention center in Texas, where at least fourteen people tested positive for measles, and multiple people tested positive for tuberculosis at another massive site in Montana.⁵¹ This is of particular concern in Washington County, where a significant number of residents are unvaccinated due to their religious beliefs. Unsanitary conditions threatening public health at ICE’s detention facility in Ochopee, Florida, colloquially called “Alligator Alcatraz” is a further example.⁵² Reports of the inhumane conditions include “cage-like units full of mosquitoes, unsanitary conditions[,] lack of food and reliable medical treatment . . . limited access to showers, spoiled food, extreme heat and mosquito infestations.”⁵³ A former corrections officer reported that the immigrants inside Alligator Alcatraz “have no sunlight. There’s no clock in there. They don’t even know what time of the day it is.”⁵⁴ Yet another facility plagued by inhumane conditions affecting the community’s public health is Moshannon Valley Processing Center, in Clearfield County, Pennsylvania, which has a capacity for 1,876 detainees, similar to the Williamsport warehouse.⁵⁵ A 2024 analysis found that “[o]f the 77 immigrants interviewed for the report in the spring and summer of 2023, more than

51 Nicole Acevedo, *ICE Confirms a Measles Outbreak in the Nation’s Largest Detention Facility in Texas*, NBC News, Mar. 4, 2026; Colleen Deguzman and Lomi Kriel, *Two cases of tuberculosis detected at El Paso ICE facility*, Texas Tribune, Feb. 7, 2026, <https://www.texastribune.org/2026/02/07/ice-facility-el-paso-tuberculosis/>.

52 Marlene Lenthang & Juliette Arcodia, *Judge hears evidence about ‘Alligator Alcatraz’ environmental concerns*, NBC News, Aug. 6, 2025, <https://www.nbcnews.com/news/us-news/judge-hears-evidence-environmental-concerns-alligator-alcatraz-rcna223356>.

53 *Id.*

54 *Id.*

55 Emily Neil, *‘Inhumane conditions’: Report Finds Pa.’s Largest Immigrant Detention Center ‘Riddled’ with Human Rights Violations*, WHYY, Sept. 6, 2024, <https://whyy.org/articles/temple-juntos-moshannon-valley-processing-center-immigrants-conditions-pennsylvania/>.

half expressed medical or mental health issues, and 50% said they experienced general mistreatment by facility staff.”⁵⁶ Reports of medical neglect include “staff ignor[ing] concerns, delayed treatment, withholding medical care based on inadequate funding, neglect[ing] to get informed consent, or fail[ing] to provide appropriate interpretation for those people who are immigrants who do not speak English.”⁵⁷

Put simply, large detention facilities necessarily affect the local community health infrastructure and resources, and there is strong evidence supporting *Amici*’s concerns about everything from the known higher risks of infectious disease to the record numbers of deaths in ICE detention skyrocketing,⁵⁸ to general unsanitary conditions that create public health risks spilling out into the community.

CONCLUSION

DHS has yet to ensure that local community members have basic information about the proposed warehouse detention facility in their community, and the limited information that has been made available raises significant infrastructure, public health, and community safety concerns. Granting the preliminary injunction enjoining Defendants from proceeding with construction or operation of an immigrant detention center is in the public interest because it allows time for the local community to voice their concerns and for Defendants to adequately examine and mitigate the environmental and community impacts of its project.

⁵⁶ *Id.*

⁵⁷ Cristina de Arana, Alexandra Leone, Bianca Taibe, *In the Shadow of the Valley: The Unnecessary Confinement and Dehumanizing Conditions of People in Immigration Detention at Moshannon Valley Processing Center*, Stephen and Sandra Sheller Center for Social Justice Temple University Beasley School of Law, at 36 (2024).

⁵⁸ Since January 2025, there have been forty-six (46) reported known deaths in ICE custody. Akash Pillai, Drishti Pillai, and Samantha Artiga, *Deaths and Health Care Issues in ICE Detention Centers Under the Second Trump Administration*, KFF, Mar. 25, 2026. This is the largest number of deaths in over two decades. *Id.*

Date: March 26, 2026

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