



A
PROJECT
OF



August 10, 2023

The Honorable Antony J. Blinken
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Secretary Blinken:

I write to express my alarm to the humanitarian crisis in the Dominican Republic (DR), where seven out of ten people in prison are being held on an order of preventive detention, likely including U.S. citizens and/or permanent residents. This crisis and the lack of attention from the State Department represents a glaring inconsistency and is cause for grave concern. It is beyond time for leadership from Washington to address this crisis and ensure the Dominican government restores due process and respects the rule of law.

This March, in your closing remarks to the Summit for Democracy, you said that the “distinguishing characteristic” of a democratic society is to “look inward” and “recognize our challenges” so that we may strive to do better by our people.¹ It is time for the Dominican Republic to look inward and confront the humanitarian crisis that has been brewing for decades.

In 1999, the Organization of American States’ (OAS) Inter-American Commission on Human Rights (IAHCR) reported that 70 percent of prisoners in the DR were detained on a preventive basis, held without charge or formal indictment.² This year, the Dominican National Office of Public Defense (ONDP) released a report showing that in almost 25 years, nothing has changed: seven out of ten people are behind bars on an order of preventive imprisonment.³ Worse yet, the DR’s prisons are at 164 percent capacity and detainees face “cruel, inhuman, degrading treatment and lack of access to medical care.”⁴

¹ Secretary Antony Blinken, “Summit for Democracy Closing Remarks,” [Department of State](#), 3/30/23

² Inter-American Commission on Human Rights, “Chapter VI: The Right to Personal Liberty,” [Organization of American States](#), 10/7/1999.

³ Teresa Casado, “Informe de Defensa pública revela el hacinamiento y tratos crueles en las cárceles del país,” [El Día](#), 4/12/2023.

⁴ “Prisons in the Dominican Republic are overcrowded by 64%,” [Dominican Today](#), 4/13/2023.

Nelson Mandela famously stated “No one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones.” It is fitting that these words are on the front of the United Nations System Common Position on Incarceration. Mandela’s legacy is also invoked by the UN Standard Minimum Rules for the Treatment of Prisoners, also known as the “Nelson Mandela Rules,” which urges “alternatives to pretrial detention” as a means to “promote increased access to justice and legal defense mechanisms.”⁵ As the primary funder of criminal justice programs through the United Nations, it is incumbent on America’s leaders to ensure member states are adhering to basic principles of due process.

Yet the crisis in the Dominican Republic has gone unnoticed for years. In 2021, U.S. Agency for International Development (USAID) Administrator Samantha Power visited the Dominican Republic to demonstrate our “long-standing commitment to the Dominican Republic” and “support for President Abinader’s reform agenda.”⁶ Indeed, the Dominican Republic shares an important bilateral relationship with the U.S. I echo Administrator Power’s remarks that “both of our countries benefit when we work together to increase prosperity, improve security, and strengthen democracy.”

The first step in this process must be to confront the reality facing the thousands of Dominicans that are behind bars on a preventive basis. That is why my organization, the Hispanic Leadership Fund, announced this week the launch of the Dominican Justice Initiative (*Iniciativa Dominicana de Justicia*). Our goal is to raise awareness and put an end to the excessive use of preventive imprisonment in the Dominican Republic. We demand action from our government to acknowledge, address, and take action on this humanitarian crisis.

As you are more than aware, democracies are fragile, particularly for our neighbors to the south. Erosion of due process and a blatant disregard for the rule of law are the hallmarks of regimes that are sliding towards authoritarianism. This administration has recently criticized countries like El Salvador, Nicaragua, Guatemala, and others for alleged violations of human rights and other signs of backsliding towards autocracy. Addressing the situation in Guatemala, U.S. Ambassador to the OAS Francisco O. Mora stated, “Any time democracy is undermined in our region, we cannot and should not stand by and do nothing. We made a commitment to hold one another accountable.”⁷ It is time to bring that accountability to the Dominican Republic.

⁵ United Nations, “[United Nations System Common Position on Incarceration](#),” *UN Office on Drugs and Crime*, 4/1/2021

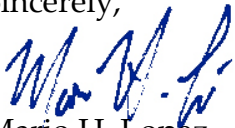
⁶ “Administrator Samantha Power’s Trip to the Dominican Republic,” *USAID*, 10/9/2021

⁷ “OAS Permanent Council Addresses Situation in Guatemala” *U.S. Mission to the Organization of American States*, 7/19/2023

The ties between the Dominican Republic and the United States are marrow deep. From Little Santo Domingo in Miami to Manhattan's Washington Heights, communities of Dominican Americans are an important part of the cultural fabric of Latinos across this great country. In the DR itself, hundreds of thousands of U.S. citizens and legal permanent residents hold dual citizenship – a reflection of our two countries' close ties. That also means that there is a strong likelihood that U.S. citizens and/or U.S. legal permanent residents are being swept up in this humanitarian crisis, and are denied basic due process rights while they languish in an overcrowded Dominican prison. It is because of this special relationship, and not in spite of it, that we need to address this humanitarian crisis head on. We cannot afford another 25 years with no change.

There are endless touchpoints for us to reinvigorate accountability into our relationship with the DR, whether it's through multilateral organizations like the UN and OAS, through important agreements like the Caribbean Basin Security Initiative (CBSI) and the Dominican Republic-Central America FTA (CAFTA-DR), or in advance of critical meetings like the 2024 Ibero-American Conference and 2025 Summit of the Americas in the DR. The outrageous violations of human rights and due process going on in the DR can no longer be willfully left off the bilateral agenda with the United States. I look forward to being a resource for you and hope to see you on the road to progress.

Sincerely,



Mario H. Lopez

Hispanic Leadership Fund / Dominican Justice Initiative

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Honorable Samantha Power
Administrator
U.S. Agency for International Development