



May 9, 2024

The Honorable Adriano Espaillat
U.S. House of Representatives
2332 Rayburn House Office Building
Washington, DC 20515-3213

Dear Representative Espaillat:

On behalf of the Dominican Justice Initiative, a project of the Hispanic Leadership Fund, I want to respectfully express concerns about your recent comments attacking the U.S. State Department's [2023 Country Reports on Human Rights Practices: Dominican Republic](#).

The [State Department's](#) annual report is focused on documenting "*internationally recognized individual, civil, political, and worker rights, as set forth in the Universal Declaration of Human Rights and other international agreements.*" The report is not something that the State Department invented overnight. Rather, it is the culmination of research led by the Department's Bureau of Democracy, Human Rights, and Labor, and is produced by engaging with U.S. Embassies, partner countries, local civil society organizations, and conducting first-hand interviews, among other sources.

Despite this, and without providing substantiation or evidence, you labeled the report "*excessive and aggressive.*"

We strongly urge you to consider these facts about human rights abuses that take place at the hands of the Dominican government:

- **Abuse of Pretrial Detention:** According to the report, "*Many suspects endured long pretrial detention. A judge could order detention lasting between three and 18 months...with some detentions reportedly lasting years.*" The Dominican National Human Rights Commission (CNDH-RD) has repeatedly [urged](#) the Dominican Public Ministry to address the preventive detention crisis. The CNDH has [reported](#) that over 80% of the prison population within the Dominican Republic are being held under preventive detention, which directly violates both Dominican law and specific international human rights agreements.

- **Inhumane Prison Conditions:** According to the report, the Dominican Republic's prison and detention center system is riddled with, *"harsh and life-threatening conditions in old-model prisons, such as overcrowding, violence, physical abuse, and poor living and sanitary conditions."* These conditions, including [severe overcrowding](#), have been extensively documented and publicly reported. Recent deadly fires at [La Victoria](#), [Higüey](#), along with the riot this past weekend at [Barahona](#), have underscored urgent issues that the Abinader government has failed to address.
- **Inhumane Treatment of Prisoners:** According to the report, the *"National Office of Public Defense, government authorities did not adequately investigate credible allegations of mistreatment in prisons."* The director of the National Public Defense Office, Rodolfo Valentín Santos, has publicly reported *"recurrent"* physical abuse of inmates by prison staff at El Pinto de La Vega. Despite obvious signs of [physical abuse](#), staff labeled injuries as mere *"acts of submission to obedience"* and denied further medical assistance to injured inmates.
- **Arbitrary Arrest:** According to the report, *"Arbitrary arrests and detentions without judicial authorization remained a problem."* Last November, the UN Human Rights Council Working Group on Arbitrary Detention (WGAD) [determined](#) that the Dominican government's actions regarding former Attorney General Jean Rodríguez Sánchez violated multiple articles of both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Dominican officials, in an effort to whitewash their abusive judicial system, dismissed the UN's legal opinion as *"blackmail."*
- **Unlawful Detention of U.S. Nationals:** According to the report, *"During detention operations and at detention facilities, migration officials did not have access to a centralized database to verify nationality or residency status of detained persons."* There is a strong likelihood that U.S. Nationals have been caught up in the Dominican government's preventive detention crisis. Chairman of the U.S. House Foreign Affairs Committee, Michael McCaul expressed concern to Secretary of State Anthony Blinken in a [letter](#) that U.S. citizens and legal permanent residents may be under preventive detention orders in the Dominican Republic.
- **Forced Labor:** According to the report, *"The process for addressing labor violations through criminal courts could take years, leaving workers with limited protection in the meantime."* The Dominican Republic has suffered for years with serious problems of forced labor, which advocates [labeling](#) it as *"modern day slavery."* There are stark reports about the dire living conditions for these exploited workers, often without electricity and running water, when they're forced to work for 12 to 14 hours for less than \$2 a day. In 2022, U.S. Customs and Border Protection

confirmed this concern when it issued a [Withhold Release Order](#) for sugar imports emanating from the Dominican Republic.

- **Human Trafficking, Sex Trafficking and Child Exploitation:** According to the report, “[c]hild pornography was rampant and growing due to the ease of online exploitation” over the government’s failure to “enforce the law effectively.” This follows [the downgrade of the Dominican Republic](#) in June 2023 to the Tier 2 Watch List for the Abinader government’s failure to address human trafficking throughout the country. The [June 2023 Trafficking in Persons \(TIP\) Report](#) specifically called out the Dominican government’s failure to strengthen laws “that would remove the requirement to prove force, fraud, or coercion in sex trafficking cases involving child victims.”

As a Dominican-born Member of Congress who represents a [district](#) where over 30% of the population is of Dominican origin, surely the findings from the Biden administration’s own report can’t be simply dismissed. In fact, the report’s findings support arguments for downgrading the Dominican Republic to Tier 3 on the Watch List under the Trafficking Victims Protection Act (TVPA).

We urge you to consider the reality of the human rights abuses taking place in the Dominican Republic. And if there is evidence that the State Department’s report is falsified, we encourage you to make your findings public and communicate them directly to the Secretary of State.

Sincerely,

Mario H. Lopez
President, Hispanic Leadership Fund/Dominican Justice Initiative