

Congress of the United States
Washington, DC 20515

February 10, 2026

Dear Washington County Board of County Commissioners:

We write to express our serious concern regarding today's vote to declare unwavering support for the Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE). Further, we want to voice our strong opposition to ICE's plans to convert a large warehouse near Hagerstown into an immigration detention facility.

We recognize that immigration enforcement is a federal responsibility. However, land use, zoning, and the protection of public health, safety, and general welfare are squarely within the authority and responsibility of Washington County. As the County's governing body, the Board of County Commissioners is charged with applying existing zoning regulations to promote orderly development, prevent incompatible land uses, manage density, protect surrounding property values, and guide growth in accordance with the County's comprehensive plan. Those responsibilities are not preempted by the Supremacy Clause, nor waived by federal interest in a particular site, particularly when the proposed use represents a dramatic departure from the facility's original design and intended purpose.

The proposed conversion of a warehouse into a detention facility capable of holding up to 1,500 people raises serious risks to public health and order. Immigration detention is a civil system, yet it has been increasingly used to detain individuals indiscriminately. ICE's own data shows that nearly three-quarters of detainees pose no risk to public safety. Indeed, many being detained are longtime Maryland residents with deep community ties. We and other members of the Maryland Congressional Delegation have personally sought to conduct oversight of existing ICE facilities in Maryland and have encountered significant barriers to transparency, while receiving credible reports of deplorable and inhumane conditions.

In addition to these humanitarian concerns, establishing such a facility in a warehouse not designed for residential confinement would pose substantial public health and safety risks and place added strain on local hospitals, emergency responders, and already stressed infrastructure, including roads, utilities, and water systems. Expanding detention capacity risks entrenching a system that undermines due process, destabilizes communities, and normalizes conditions that Maryland has repeatedly found unacceptable.

We have also remained directly engaged with residents of Washington County on this issue. As you know, two of us – Senator Van Hollen and Congresswoman McClain Delaney – recently took part in a demonstration in downtown Hagerstown where hundreds of local residents made their opposition to this facility loud and clear. We are aware that, while public comments are not permitted at your meetings, some of these residents have submitted written statements and personally delivered a series of questions to the Commissioners. It is our understanding that the following questions have remained unanswered by the Board of County Commissioners (BOCC). We agree that these questions deserve answers.

1. Does the BOCC hold concerns that the same inhumane practices being brought to light around the country – i.e., lack of potable water, access to medical care and medication, sanitary conditions, legal counsel – will occur at a Washington County facility?
2. In supporting this effort, what plans does the BOCC have to ensure that human rights violations are not occurring in your jurisdiction?
3. Has the BOCC studied the impacts of the facility on the surrounding area? What additional resources will this demand from utilities, water, road traffic, sanitation, etc.?
4. What steps, if any, did the BOCC take to oppose or challenge the federal government's decision to use an industrially zoned warehouse to detain hundreds of individuals—and if no such steps were taken, how does the BOCC reconcile your lack of opposition with its stated commitment to public safety, environmental management, and human conditions?
5. What steps, if any, did the BOCC take to ensure that the federal government complied with Section 106 of the National Historic Preservation Act and any other applicable historical preservation measures, requiring that federal agencies solicit community input and operate transparently when planning projects that affect historic properties?

As mutual representatives of the residents of Washington County, we urge the Washington County Board of County Commissioners to carefully and rigorously apply its existing zoning laws, land-use regulations, and comprehensive planning standards to any proposal to convert this warehouse into a detention facility. Doing so is essential to protecting public health and safety, ensuring orderly development, and upholding the County's responsibility to its residents.

We look forward to receiving your responses to the questions above and we stand ready to engage further as you evaluate the significant local, legal, and humanitarian implications of this proposal.

Sincerely,



Chris Van Hollen
United States Senator



Angela D. Alsobrooks
United States Senator



April McClain Delaney
Member of Congress