

COVID-19 IN IMMIGRATION DETENTION

Monthly Analysis & Update

September 28, 2020

Freedom for Immigrants (FFI) hosts an interactive detention map that includes real time mapping of Immigration and Custom Enforcement's (ICE) response to COVID-19. The map is populated with information drawn from news reports, publicly available databases, survey responses, and reporting from our National Detention Hotline¹ and independent member and affiliate organizations in the Freedom for Immigrants (FFI) visitation network². We recognize the effort and risk that goes into documenting this information and appreciate all who contribute, most importantly those who have shared their experience while detained in the U.S. immigration system.

Executive Summary

Information included in this update was collected between August 14 and September 28. During this period, confirmed cases of COVID-19 increased significantly. ICE's actions directly lead to the deaths of three detained people due to complications from COVID-19: Fernando Sabonger-Garcia, a 50-year-old man of Honduran origin; Cipriano Chavez-Alvarez, a 61-year-old man of Mexican origin; and Romien Jally, a 56-year-old man originally from the Marshall Islands. Prior to their deaths, Sabonger-Garcia and Chavez-Alvarez had been detained at ICE facilities in Texas and Georgia that were the site of recent deaths in custody and which have long histories of medical neglect and abuse. Despite enhanced medical vulnerabilities due to their age and underlying medical conditions, known concentrations of COVID-19 in facilities where they were detained, the presence of family members willing to care for them, and, in one case, a judicial directives ordering release, ICE insisted on keeping all three men detained. Since the onset of the COVID-19 pandemic, approximately half of the confirmed deaths in ICE custody have been of individuals above the age of 50 transferred into ICE custody after completing a criminal sentence or being paroled from criminal custody. Freedom for Immigrants (FFI) continues to express concern that the true rate of COVID-19 in detention and its concordant death toll is greater than what ICE publicly reports. ICE continues to omit information on how testing is prioritized and how someone who has tested positive for COVID-19 is removed from the agency's list of "active cases" of COVID-19. FFI continued to document widespread instances in which the total number of active COVID-19 cases at facilities with high concentrations of the virus dropped to

¹ The Freedom for Immigrants National Detention Hotline is a dedicated phone line where immigrants in ICE detention, as well as their loved ones or advocates, can reach FFI trained volunteers; in response to COVID-19, our volunteers now conduct a specialized intake designed to assess the readiness and efficacy of COVID-19 response measures in each ICE facility.

² Freedom for Immigrants convenes a national network of local visitation programs around the country focused on human rights monitoring, advocacy, and abolition. The network includes approximately 4500 volunteers who support people detained and their families in over 50 immigrant prisons and jails in nearly 30 states.

zero or near-zero, raising concerns that ICE adjusts its count of “active cases” of COVID-19 due to absence of symptoms or because individuals have been released or deported, and not due to negative tests. FFI continued to document suppression of access to COVID-19 testing and ICE’s attempts to under-report the true number of COVID-19 cases in specific facilities. People in detention reported additional instances in which people who had tested positive for COVID-19 were housed with people who had tested negative or had not yet been tested. FFI received widespread reports regarding use of solitary confinement as a means of quarantine, and a fear of reporting COVID-19 symptoms as a result. ICE continued to conduct transfers to and from facilities with known concentrations of COVID-19. New information emerged demonstrating that ICE conducted a mass transfer to the Immigration Centers of America facility in Farmville, Virginia as pretext to move personnel to the DC metro area to conduct policing over June anti-racism protests. This transfer directly caused a COVID-19 outbreak at the facility, leading to at least one death in custody. For the first time since the pandemic began, ICE resumed immigration enforcement, conducting sweeps and arresting people in their homes and communities, resulting in an increase in book-ins. The agency continued facilitating transfers from local and state correctional institutions, resulting in an increase of confirmed cases of COVID-19 in several detention facilities. As countries relax border closings, ICE accelerated deportations, including long-haul deportation flights to East Africa. ICE deported a key witness in an on-going investigation into sexual assault at the El Paso Service Processing Center in El Paso, Texas and attempted to deport a woman who received a forced hysterectomy at the hands of a doctor contracted by ICE. People in detention reported dire conditions in facilities impacted by wildfires and Hurricane Laura, including poor air quality, flooding, and loss of electricity and running water. FFI received an uptick in reports of barriers to communication, including disruptions in access to communications at facilities facing public scrutiny due to new COVID-19 outbreaks or allegations of abuse. FFI continued to document horrific medical neglect and abuse at the hands of medical providers, including denial of wheelchairs to detained people unable to walk; a Local Visitation Group in FFI’s national visitation network, the South Georgia Immigrant Support Network (SGISN), joined other local and state advocacy groups in documenting allegations of forced hysterectomies. People in detention continued to organize peaceful protests, speaking out against prolonged detention, dangerous conditions, and systemic racism. FFI documented retaliation, including use of force, solitary confinement, and transfers.

Deaths

During this period, ICE confirmed the deaths of two people in its custody. ICE attributed the cause of death for three individuals to complications from COVID-19. Both of the individuals who died in ICE custody were 50 and 61, respectively, underscoring the vulnerability of older adults to complications from COVID-19. Eight of the 17 deaths in ICE custody since April 2020 were of people aged 50 and above. Family members of several people who died in ICE detention continue to pursue wrongful death lawsuits against ICE. **FFI continues to express concern that the true death toll of COVID-19 within immigration detention is under-counted due to lack of information regarding**

the fate of people exposed to COVID-19 in detention and then released or deported, including releases and deportations of people who are actively ill from the virus.

Deaths in Custody

Immigration and Customs Enforcement (ICE) confirmed the August 28 death of Fernando Sabonger-Garcia, a 50-year-old man of Honduran origin at the Conroe Regional Medical Center in **Conroe, Texas** due to complications from COVID-19.¹ Prior to being transferred to the hospital, Sabonger-Garcia had been detained at the Joe Corley Detention Center. Sabonger-Garcia entered ICE detention via transfer from U.S. Marshals Service custody (USMS). Sabonger-Garcia's death of complications from COVID-19 is the second to occur at the Joe Corley facility since the onset of the COVID-19 pandemic.² On May 13, the USMS confirmed the death of Alonzo Garaza-Salazar at the Joe Corley facility, which detains people on behalf of both ICE and the USMS.³

On September 21, the Stewart County Coroner Sybil Ammons confirmed the death due to complications from COVID-19 of Cipriano Chavez-Alvarez, a 61-year-old man of Mexican origin, at the Piedmont Columbus Regional Midtown Hospital.⁴ Prior to his death, Chavez-Alvarez was detained at the Stewart Detention Center in **Lumpkin, Georgia**. According to Ammons, Chavez-Alvarez had been hospitalized since August 15, and suffered from hypertension, gout, and sleep apnea.⁵ Chavez-Alvarez is the third person detained at the Stewart facility to die in ICE custody this year, and the second within a period of approximately one month.⁶ Chavez-Alvarez entered ICE custody after a federal judge ordered his release from federal prison stating that his ability to defend himself from severe injury or death from COVID-19 would be "substantially diminished" while locked up due to underlying medical conditions.⁷ Despite the fact that Chavez-Alvarez's family was able to care for him, ICE took him into custody upon his release from federal prison.

On September 26, Romien Jally, a 56-year-old man from the Marshall Islands and detained by ICE at the Winn Correctional Center in **Winnfield, Louisiana**, died from complications of COVID-19⁸.

Wrongful Death Investigations

There have been seven deaths at the Stewart facility since 2017, including that of Jeancarlo Alfonso Jimenez-Joseph, a 27-year-old long time U.S. resident of Panamanian origin, who died by suicide while in solitary confinement at Stewart on May 15, 2017.⁹ Prior to his death, Jimenez-Joseph alerted facility staff that he was having suicidal thoughts and called a federal suicide prevention hotline.¹⁰ Jimenez-Joseph's family brought a wrongful death lawsuit against ICE, alleging negligence and failure to observe suicide prevention protocols on the part of ICE and its contractors. On September 17, 2020, a federal judge denied ICE's motion to dismiss the family's wrongful death lawsuit.¹¹ Although Jimenez-Joseph's death was not related to COVID-19, the judge's ruling could help to bolster efforts of families whose loved ones' died from medical neglect at Stewart during the pandemic to seek accountability and justice. The wrongful

death investigation brought by the family of Onoval Perez-Montufa, a 51-year old man who died after testing positive for COVID-19 during his detainment at Glades County Detention Center in **Moore Haven, Florida**, remains ongoing.

Increase in Confirmed COVID-19 Cases Inside Immigration Detention

The number of confirmed cases of COVID-19 in ICE detention continues to increase. ICE reports regional clusters, with active cases of COVID-19 confirmed across multiple facilities in **Louisiana, Florida, Texas, and Georgia** and a new outbreak of COVID-19 at one of its largest facilities in **California**. ICE’s public reporting on confirmed cases of COVID-19 continues to exclude reporting on COVID-19 cases among its contract staff or to provide updated information regarding COVID-19 testing among its direct-hire staff. FFI continues to document numerous inconsistencies in ICE’s reporting on confirmed cases of COVID-19. In particular, **FFI noted multiple instances in which the number of active cases of COVID-19 ICE reported at specific facilities – including facilities that were recently reported as having very high number of COVID-19 cases, such as the Immigration and Centers of America facility in Farmville, Virginia - dropped to zero reported active cases overnight, even as confirmed cases of COVID-19 rose in nearby facilities.** This raises serious questions and concerns regarding how ICE is determining that people in its custody who have tested positive for COVID-19 are then determined to be COVID-19 negative or if people who are COVID-19 positive in custody are removed from ICE’s list of “active” cases due to release or deportation (see below section on *Testing* for more detail).

ICE’s Reporting of Confirmed Cases

As of September 28, ICE confirmed 6,145 positive cases of COVID-19 across 100 facilities since the beginning of the COVID-19 pandemic. **This represents an increase of 1,895 cases and the addition of 15 new facilities since FFI’s last update on August 13.**

ICE continued to report on the total number of “confirmed cases currently under isolation or monitoring.” **As of September 28, ICE reported 602 cases of COVID-19 at 56 facilities.** The highest concentration of confirmed cases reported by ICE “currently under isolation or monitoring” in facilities designed to detain people for 72 hours or more are: the Jackson Parish Correctional Center in **Jonesboro, Louisiana** (with 85 current reported cases and 91 time); the Adelanto ICE Processing Center in **Adelanto, California** (with 57 current reported cases and 73 over time); the Eden Detention Center in Eden, Texas (with 49 current reported cases and 54 over time); Richwood Correctional Center in **Monroe, Louisiana** (with 43 current reported cases and 116 over time); and the York County Prison in **York, Pennsylvania** (with 33 current reported cases and 84 over time). **FFI continues to express concern with the integrity of ICE’s reporting on current numbers of COVID-19 cases at specific facilities (detailed below).**

ICE also reported several regional clusters of COVID-19 – in which it confirmed active cases of COVID-19 across several facilities in a state. As of September 28, reported

regional clusters of COVID-19 in **Florida** (with 23 active cases of COVID-19 reported across five facilities); **Louisiana** (with 192 active cases of COVID-19 reported across 8 facilities); **Texas** (with 119 active of COVID-19 reported across 19 facilities); and **Georgia** (with 36 active cases of COVID-19 reported across three facilities).

In several instances, the number of COVID-19 cases confirmed by ICE rose dramatically in a short period of time:

- From August 24 to September 9, the number of confirmed cases of COVID-19 ICE reported at the La Palma Correctional Center in **Eloy, Arizona** spiked from 123 to 366.
- From August 18 to September 22, the number of confirmed cases of COVID-19 ICE reported at the Stewart Detention Center in **Lumpkin, Georgia** spiked from 159 to 341. According to a September 16 press report, almost 80% of all of the COVID-19 cases in Stewart County represent people in detention at the Stewart facility.¹²
- From August 21 to September 24, the number of confirmed cases of COVID-19 ICE reported at the Jackson Parish Correctional Center in **Jonesboro, Louisiana** rose from seven to 91.
- From August 24 to September 24, the number of confirmed cases of COVID-19 ICE reported at the York County Prison in **York, Pennsylvania** rose from eight to 84.
- From August 16 to September 22, the number of confirmed cases of COVID-19 ICE reported at the Broward Transitional Center in **Pompano Beach, Florida** rose from 72 to 146.
- From September 15 to September 22, the number of confirmed cases of COVID-19 ICE reported at the Adelanto ICE Processing Center in **Adelanto, California** rose from 13 to 73. By September 27, Gabriel Valdez, assistant field office director of enforcement and removal operations for ICE, confirmed 81 cases among people detained at Adelanto - more than 10% of the detained population.¹³

As of September 28, ICE reported 45 confirmed cases of COVID-19 among staff assigned to its jails and prisons – **a number which ICE has not updated since June 18. ICE continues to exclude reporting on confirmed cases of COVID-19 among its contract staff**, despite numerous calls from advocates, medical professionals, and members of Congress to provide this information.

Continued Omissions, Inconsistencies and Inaccuracies in ICE Reporting

FFI continued to document omissions, inconsistencies and inaccuracies in ICE's reporting on current or cumulative cases of COVID-19 at specific facilities. This includes instances in which ICE reported active cases of COVID-19 among people in its custody at facilities that do not appear on the agency's official Facility Locator. This includes:

- Golden State in **California** – as of September 24, ICE reports two active cases of COVID-19 at the facility. However, it does not appear on either the Facility

- Locator or ICE's monthly datasheet of Authorized Dedicated Facilities. Golden State operates contractually as an annex of the Mesa Verde ICE Processing Facility in Bakersfield, California (which is a 30 minute drive away).¹⁴
- Moore Detention Facility in **Texas** - as of September 21, ICE reported 20 active cumulative cases of COVID-19 at the Moore facility. However, it does not appear on ICE's Facility Locator or in monthly datasheet
 - San Juan Staging Facility in **Puerto Rico** – as of September 21, ICE reported one cumulative case of COVID-19 at the facility. However, it does not appear on either the Facility Locator or monthly datasheet.
 - Sheriff Al Cannon Detention Center in **South Carolina** - as of September 21, ICE reported one cumulative case of COVID-19 at the facility. However, it does not appear on either the Facility Locator or monthly datasheet.

ICE still does not provide information on how the agency determines to remove a person from its tally of “COVID-19 cases currently in custody, under isolation, or monitoring.”

Advocates, including Freedom for Immigrants, continue to raise concerns that ICE and its contractors chose to remove people from its tally of people subject to medical isolation and/or monitoring due to the person's release from custody, deportation, or due to an absence of COVID-19 symptoms, instead of negative tests, despite the well-documented risk of proliferation of COVID-19 through asymptomatic carriers.

FFI documented numerous instances in which reported rates of current COVID-19 cases decreased dramatically in short amounts of time, including at facilities which were previously the site of some of the largest concentrations of COVID-19 in the country. **This raises serious concerns that these reported decreases in current cases of COVID-19 were based on a combination of the factors listed above. Advocates also report instances where greater numbers of individuals share they remain actively sick with confirmed COVID-19 than there are reported cases at certain facilities, raising concerns about potentially falsified information:**

- On August 21, the number of active cases of COVID-19 reported at the Immigration Centers of America facility in **Farmville, Virginia** plummeted from 247 to two. **As of September 21, ICE reports no active cases of COVID-19 at the Farmville facility.**
- On August 26, the number of active COVID-19 cases reported at the Rio Grande Detention Center in **Laredo, Texas** dropped from 158 to two. As of September 24, ICE reports only one active case of COVID-19 at the Rio Grande Facility.
- On September 4, the number of active COVID-19 cases reported at the Stewart Detention Center in **Lumpkin, Georgia** dropped from 112 to 10. As of September 24, ICE reports only five current cases of COVID-19 at the Stewart facility.

Additional examples in which number of active COVID-19 cases reported at specific facilities dropped dramatically overnight include:

- On August 14, the number of active cases of COVID-19 cases reported at the Pine Prairie ICE Processing Center in **Pine Prairie, Louisiana** dropped from 33 to zero.
- On August 14, the number of active COVID-19 cases reported at the Folkston ICE Processing Center in **Folkston, Georgia** dropped from 48 to 10.
- On August 28, the number of active COVID-19 cases reported at the Stewart Detention Center in **Lumpkin, Georgia** dropped from 137 to 108.
- On August 28, the number of active COVID-19 cases reported at the Winn Correctional Center in **Winnfield, Louisiana** decreased from 39 to eight.
- On September 4, the number of active COVID-19 cases reported at the Webb County Detention Center in **Laredo, Texas** decreased from 66 to four.
- On September 4, the number of active COVID-19 cases reported at the Nye County Jail in **Tonopah, Nevada** dropped from 25 to zero.
- On September 14, the number of active COVID-19 cases reported at the Mesa Verde ICE Processing Facility in **Bakersfield, California** dropped from 53 to two.

FFI also documented numerous apparent inaccuracies in ICE’s reporting on cumulative cases of COVID-19 at specific facilities. While numbers of current cases of COVID-19 ICE records at individual facilities can reasonably be expected to decrease and increase over time, the total number of cumulative cases recorded since the outset of the pandemic logically should never decrease. **However, in several instances, ICE reported declines in the total number of cumulative cases at individual facilities:**

- On August 19, the number of cumulative cases of COVID-19 ICE reported at the Wakulla County Jail in **Crawfordville, Florida** decreased from 29 to 28.
- On August 24, the number of cumulative cases of COVID-19 ICE reported at the Port Isabel Detention Center in **Los Fresnos, Texas** decreased from 133 to 132.
- On August 25, the number of cumulative cases of COVID-19 ICE reported at the LaSalle ICE Processing Center in **Jena, Louisiana** decreased from 25 to 24.
- On August 27, the number of cumulative cases of COVID-19 ICE reported at the Otay Mesa Detention Center in **San Diego, California** decreased from 168 to 167.
- On September 4, the number of cumulative cases of COVID-19 ICE reported at the Webb County Detention Center in **Laredo, Texas** decreased from 86 to 84.
- On September 16, the number of cumulative cases of COVID-19 ICE reported at the San Luis Regional Detention Center in **San Luis, Arizona** decreased from 12 to 11.

FFI continues to document instances of delays in ICE updating its website to match local data reporting:

- On September 18, a local health spokesperson reported an outbreak at Caroline Detention Facility in **Bowling Green, Virginia**; a local newspaper found that “ICE’s website does not reflect the volume the local district suggests... an ICE

spokesperson said there may be a delay in reporting because data has to be validated before it's posted online."¹⁵

- On September 14, an attorney representing people detained at the Adelanto ICE Processing Center in **Adelanto, California** reported that they and several colleagues had received reports of a potential COVID-19 outbreak at the facility and that at least one dorm was in lockdown. ICE did not publicly report on active cases of COVID-19 at the Adelanto facility until September 16.

Testing

During this period, ICE continued to expand its COVID-19 testing for people in custody. However, the agency only releases information on the cumulative number of tests administered as opposed to numbers of tests administered per facility or information on the number of people currently in custody who have received COVID-19 tests. **This makes it impossible to discern the current rate of COVID-19 transmission in custody. FFI continues to express strong concern that the true COVID-19 transmission rate in ICE detention is much higher than reported.**

FFI documented widespread reports of continued limitations to access to testing and a seemingly ad hoc approach to how testing is prioritized based on facility. People detained in some facilities reported that testing is allocated only to those displaying severe COVID-19 symptoms while people detained in other facilities reported that tests are allocated primarily to people facing imminent deportation regardless of symptoms. FFI continues to document reports of additional facilities where people ill with COVID-19 type symptoms do not receive testing, even upon request. FFI documented additional instances, including in **New Mexico**, in which ICE refused offers from local health authorities to provide additional COVID-19 tests in jails and prisons facing severe COVID-19 outbreaks. In several instances, court orders to implement mass testing at specific facilities revealed significantly higher concentrations of COVID-19 than previously reported.

ICE's Reporting of Administered COVID-19 Tests

ICE continued to expand the number of COVID-19 tests administered to people in detention. **As of September 18, ICE reported that it had administered COVID-19 tests for 39,443 people over time** - representing an increase in 16,853 since FFI's last update on August 13 and a test positive rate of approximately 15.4%. As of September 18, ICE reports 20,097 people in its custody (a decrease of 1,021 since FFI's last update August 13).

Since ICE reports cumulative number of tests over time and does not provide information on how many people currently in its custody have received recent COVID-19 tests, or how tests are allocated by facility, **it is impossible to discern overall percentage of people currently in ICE custody who have received COVID-19 tests, or the percentage of people currently in custody who are COVID-19 positive.** FFI continues

to express concern that the total percentage of people in ICE detention who have contracted COVID-19 is significantly higher than 15.4% due to ICE's choice to prioritize allocating tests to people subject to deportations; restrictions on access to testing; inconsistencies in ICE's public reporting; and prevalence modeling conducted by peer organizations.

Continued Limitations to Test Access

According to a September 10 press report, ICE continues to receive 5,000 test kits a month, and the majority of these are reserved for screening people as they enter detention or before boarding deportation flights.¹⁶ According to the same report, private contractors facing particularly acute concentrations of COVID-19 in their facilities are required to procure additional tests to make up any short falls. Reports that tests are predominantly allocated to people facing imminent deportation:

- On August 25, a person detained at the LaSalle County Regional Detention Center in **Encinal, Texas** reported that COVID-19 tests are administered only to people in the process of being deported, despite the presence of many people in quarantine exhibiting severe COVID-19 symptoms.¹⁷

FFI continued to receive numerous reports of instances in which ICE and its contract staff otherwise limited access to testing for people in detention, including for people with severe COVID-19 symptoms.

- On September 14, an attorney representing people detained at the Adelanto ICE Processing Center in **Adelanto, California** reported that they and several colleagues had received reports of a potential COVID-19 outbreak at the facility and that at least one dorm was in lockdown. The same attorney reported also hearing from people in detention that facility staff were only administering tests to people who have a fever, even in the event that a person presented other symptoms. The attorney reported that their client, who was experiencing chills, weakness, muscle aches, and a cough, was denied access to a test. When the detained person asked to see a nurse they were given salt to gargle with and told that their symptoms were due to poor air quality.
- Advocates with Immigrant Action Alliance reported that people detained at the Glades County Detention Center in **Moore Haven, Florida** are denied access to COVID-19 testing, even when presenting severe symptoms.
- On September 11, advocates with Louisiana Advocates for Immigrants in Detention reported that people detained at the Jackson Parish Correctional Center in **Jonesboro, Louisiana** said that COVID-19 testing is denied to people who request it, unless they exhibit very severe COVID-19 symptoms, despite that fact that the majority of people who requested tests (including people asymptomatic for COVID-19) had tested positive.

FFI also documented reports in which ICE and its contract staff appeared to suppress reporting about the true number of positive COVID-19 tests at specific facilities:

- A September 14 press report by *The Intercept* cited allegations from Dawn Wooten, a nurse employed at the Irwin County Detention Center in **Ocilla Georgia**, that facility officials restricted access to COVID-19 tests, including for people exhibiting severe COVID-19 symptoms.¹⁸ At the time of the publication of *The Intercept's* report, ICE stated that 31 people detained at Irwin had tested positive for COVID-19 since the onset of the pandemic. However, Wooten alleged that the true number of positive COVID-19 tests was 50 or higher as of early July based on reports from other colleagues working in the medical unit and her personal knowledge of the health of people in detention. Wooten alleged that the true number of COVID-19 positive tests was systemically under-reported by management at Irwin to both ICE and higher-ups at LaSalle Corporation, a private prison company which manages Irwin. Irwin also reported an instance in which a person in one dorm tested positive. Although protocol dictated that everyone in the dorm should have been tested, only the person's direct bunkmate received a COVID-19 test.

FFI also continued to document instances in which local or state health authorities offered to provide additional testing capacity to specific facilities, but were rebuffed by ICE or their contract staff:

- According to a September 10 report by *Reveal News*, officials with the New Mexico Department of Health sent 500 COVID-19 tests to boost testing capacity at the Otero County Processing Center in **Chaparral, New Mexico**.¹⁹ However, according to Secretary of New Mexico Department of Health Kathy Kunkel, staff with both ICE and Management and Training Corporation, a private prison company which manages the Otero facility, refused to return calls from Department of Health staff acknowledging receipt of the tests or respond to calls from State officials for ICE to halt transfers into the Otero facility as well as offers from State officials to develop a testing plan to ensure that everyone detained in Otero received a test. In a statement to *Reveal News*, Kunkel said that she had no idea if the 500 test kits the Department of Health sent to the Otero facility had ever been used.

In several instances, mass testing at specific facilities revealed significantly higher concentrations of COVID-19 than previously reported:

- On August 14, a federal judge ordered ICE officials to administer rapid result COVID-19 tests to everyone detained at the Mesa Verde ICE Processing Center in **Bakersfield, California** who had not already tested positive.²⁰ The ruling followed revelations that ICE and its contract staff had deliberately limited access to COVID-19 tests at Mesa Verde out of concern that the facility could not

implement adequate quarantines in the event of high numbers of positive COVID-19 tests.²¹ As of August 16, 54 of the 106 people detained at Mesa Verde had tested positive for COVID-19.²²

- On September 21, lawyers representing people detained at the Adelanto ICE Processing Center in **Adelanto, California** reported that mass testing had been implemented at the facility in response to a growing number of confirmed COVID-19 cases. The lawyers reported that 20 of the 53 people who had tested positive to date have underlying medical vulnerabilities. The same lawyers reported that 304 total tests are pending. By September 27, ICE confirmed 81 cases among people detained at Adelanto - more than 10% of the detained population.²³

Cohorting and Isolation

ICE continues to implement “cohorting” throughout its detention network – in which groups of people who are suspected or confirmed of having been exposed to COVID-19 are grouped together for a period of isolation and observation. ICE uses “cohorting” against the guidance of medical experts who say that the practice should only be used as a “last resort,” and amid widespread concerns that ICE’s implementation of cohorting is accelerating the proliferation of COVID-19. FFI continued to document instances in which, people who had tested negative for COVID-19 remained cohorted with people who had tested positive for the virus. In instances where ICE implements individual quarantines, people in detention report that this effectively functions as solitary confinement as they are often denied medical care, and express fear of reporting COVID-19 for this reason.

Grouping People with COVID-19 Symptoms or Who Have Tested Positive for COVID-19 with General Population

FFI continued to document numerous instances in which people exhibiting COVID-19 symptoms or have tested positive for COVID-19 are grouped with the general population:

- On August 17th, a person formerly detained at Bluebonnet Detention Center in **Anson, Texas** confirmed post-deportation he remained actively sick with COVID-19. This individual submitted numerous reports to FFI over a one month period prior to his deportation, including reports that he and 16 others were cohorted together and all tested for COVID-19 after transfer to Bluebonnet from a facility with no known active cases. The person reported that, post-testing, all 16 individuals remained quarantined together for weeks afterwards, even though two individuals tested negative and the remaining 15 were confirmed to have contracted COVID-19. This continued, unnecessary exposure placed those who had not yet contracted the virus at great risk.
- On August 21, a person detained at the Wakulla County Jail in **Crawfordville, Florida** reported that people displaying symptoms of COVID-19, including loss

of smell and shortness of breath are not tested or quarantined in a timely manner.²⁴ The same person reported that multiple people who tested positive were then quarantined but did not receive treatment.

- On September 14, a person detained at the Krome North Service Processing Center in **Miami, Florida** reported that they had tested positive for COVID-19 and that people with and without COVID-19 symptoms are being transferred through the facility.²⁵ The same person reported that people are housed together regardless of symptoms.
- On September 21, lawyers representing people detained at the Adelanto ICE Processing Center in **Adelanto, California** reported that people with negative COVID-19 test results are sometimes housed with people who are either awaiting test results or who have tested positive for COVID-19. The lawyers also reported that laboratory tests may take as long as 3-5 days to process.
- According to a September 24 report by the *Miami Herald*, immigrants detained in facilities in South Florida who have tested positive for COVID-19 are taken out of medical isolation to attend court hearings.²⁶ People in detention reported instances in which people who tested positive for COVID-19 were required to attend court hearings alongside people who had not tested positive for COVID-19 or who had tested negative.

Solitary Confinement as Means of Quarantine

People in detention continue to report widespread instances in which individual “quarantines” effectively amount to solitary confinement. People in detention continued to report fear of seeking medical assistance for COVID-19 symptoms due to concerns that they would be placed in solitary confinement, where they are even more vulnerable to medical neglect, abuse, and face added barriers to external communication. People in detention reported similar fears of seeking medical help from external hospitals and care providers for concern that they would be placed in solitary confinement for a period of two weeks or more upon their return. Mental health and humanitarian protection experts continue to decry solitary confinement as a means of medical isolation in all forms of detention.²⁷

- An August 24 report from *The Intercept* reported multiple accounts from people detained at the La Palma Correctional Center in **Eloy, Arizona** regarding prolonged stints in solitary confinement after exhibiting COVID-19 symptoms, being exposed to someone who had tested positive for COVID-19, or after themselves testing positive.²⁸
- On August 13 a person detained at the Imperial Regional Detention Facility in **Calexico, California** reported that they had spent five days in solitary confinement for medical observation. They reported suffering from asthma, coughing, and chest pain prior to being detained at these conditions had worsened during detention.²⁹

Transfers and Book-Ins

ICE continued to carry out transfers to and from its facilities and to conduct transfers from local, state, and federal jails and prisons to immigration detention, despite clear documentation that all forms of transfers have accelerated the proliferation of COVID-19 within detention and in communities in both the United States and abroad. Enforcement activity also increased, resulting in more book-ins to ICE detention. During this period, new evidence emerged that, in at least one instance, ICE transferred people to facilitate the movement of ICE personnel to police anti-racism protests, triggering one of the largest outbreaks of COVID-19 in ICE detention since the onset of the pandemic.

Increase in ICE arrests

During this period, ICE increased its enforcement activity. Since mid-July, ICE has made more than 2,000 arrests.³⁰ Many of those arrested have been transferred to facilities with significant concentrations of COVID-19. In some instances, ICE has carried out arrests at sensitive locations, including places of worship, in apparent violation of federal policy. For example, on September 10, ICE arrested Binshar Siahaan, an Indonesian asylum seeker who had sought sanctuary at the Glenmont United Methodist Church in Silver Spring, Maryland. Siahaan was then transferred to the Stewart Detention Center in **Lumpkin, Georgia.**³¹

Transfers From Local, State, and Federal Jails and Prisons to ICE Detention

Advocates, including Freedom for Immigrants, continue to raise concerns regarding transfers of people completing criminal sentences at local, state, and federal jails and prisons to immigration detention. In many cases, these transfers account for the majority of new arrivals to ICE detention, and a driving factor of new or increased COVID-19 outbreaks in specific facilities. **At least seven of 17 people who have died in ICE custody since the onset of the COVID-19 pandemic arrived in ICE detention via transfer from state or federal jails or prisons:**

- From August 20 to August 30, the number of confirmed COVID-19 cases reported at the Aurora Contract Detention Facility in **Aurora, Colorado** increased from 24 to 31.³² In a statement, Alethea Smock, a local ICE spokesperson, reported that the Aurora facility had received people transferred from out-of-state facilities in the weeks leading up to the increase in cases.³³ According to California-based advocates, at least some of the people transferred to Aurora were exiting custody of the California Department of Corrections after completing criminal sentences or receiving parole. This includes Patrica Waller, a domestic violence survivor of Belizean origin and Tien Pham, a refugee of Vietnamese origin, both of whom were transferred to Aurora after being granted parole from the California Department of Corrections and Rehabilitation (CDCR).³⁴

- In at least one instance, CDCR transferred a person who had fought wildfires in California while serving a criminal sentence to ICE custody. On August 6, CDCR transferred Kao Saelee, a 41-year-old refugee of Laotian origin, to the Pine Prairie ICE Processing Center in **Pine Prairie, Louisiana**.³⁵ Saelee's family is of Mien descent, an ethnic minority that the Laotian government does not recognize as citizens. Saelee therefore faces statelessness and indefinite detention in Louisiana in the midst of a pandemic.
- On August 17, a person detained at the Northwest Detention Center in **Tacoma, Washington** reported that they had been transferred to the Tacoma facility from the Coyote Ridge Corrections Center in Connell, Washington. The person reported that they had viewed a newspaper article reporting a large outbreak of COVID-19 at Coyote Ridge³⁶, yet continued to observe people transferred from Coyote Ridge to ICE detention in Tacoma.
- On August 21, a person detained at the Wakulla County Jail in **Crawfordville, Florida** reported that people were transferred into ICE detention from a local county jail without any testing or quarantine measures.³⁷ The same person reported that 40 people contracted COVID-19 at Wakulla County after these transfers and did not receive treatment unless their case was severe enough to warrant a respirator.

Transfers Linked to Outbreaks of COVID-19

FFI continued to document instances in which transfers either directly cause or are strongly correlated with outbreaks of COVID-19. In our last report, FFI provided an overview of how transfers directly lead to a large outbreak of COVID-19, resulting in at least one death, at the Immigration Centers of America facility in **Farmville, Virginia**.³⁸ Although a judge ordered an injunction directing ICE to halt transferring additional people into the facility on August 11,³⁹ on September 9 ICE filed a motion to lift this ruling, stating that the agency needed to preserve the ability to transfer people to the Farmville facility to alleviate overcrowding and ensure social distancing at other facilities.⁴⁰ This was the same reasoning ICE used to justify the June 2 transfers of 74 people into the Farmville facility on June 2 – an action which directly led to 339 COVID-19 cases among people in detention and the death of James Thomas Hill, a 72-year-old of Canadian origin. However, on September 11, the *Washington Post* published an investigation referencing an anonymous DHS official stating that ICE's primary motivation for the June 2 transfers was to facilitate the movement of ICE personnel to the Washington, D.C. metro area so they could police anti-racism protests.⁴¹ ICE has since retracted its motion to lift the ban on transfers into the Farmville facility following a spike in active cases of COVID-19 at the nearby Caroline Detention Facility in **Bowling Green, Virginia**, where ICE had proposed to isolate detained immigrants prior to intake at Farmville.⁴²

FFI documented additional instances in which transfers are correlated with an increase in COVID-19 cases:

- FFI documented numerous transfers from facilities with confirmed cases of COVID-19 into the Otero County Processing Center in **Chapparral, New Mexico** in mid-August:
 - On August 18, ICE transferred one person from the Essex County Jail in **Essex, New Jersey** to Otero. At the time of the transfer, ICE reported four active cases of COVID-19 at the Essex facility and no cases in Otero.
 - On August 19, ICE transferred one person from the Krome North Service Processing Center in **Miami, Florida** to Otero. At the time of the transfer, ICE reported 19 active cases at the Krome facility and no active cases at Otero.
 - On August 20, ICE transferred one person from the Stewart Detention Center in Lumpkin, Georgia to Otero. At the time of the transfer, ICE reported five active cases of COVID-19 at the Stewart facility and zero cases at Otero.
 - **By September 14, ICE reported two new active confirmed cases at Otero.**
- FFI documented numerous transfers from facilities with confirmed cases of COVID-19 in Florida and Louisiana into the Port Isabel Service Processing Center in **Los Fresnos, Texas** in late August:
 - On August 25, ICE transferred one person from the Baker County Jail in **Macclenny, Florida** to Port Isabel. At the time of the transfer, ICE reported one active case at Baker and no confirmed cases at Port Isabel.
 - On August 26, ICE transferred one person from the LaSalle Detention Facility in **Jena, Louisiana** to Port Isabel. At the time of the transfer, ICE reported 14 active cases of COVID-19 at the LaSalle facility and no confirmed cases at Port Isabel.
 - **By September 7, ICE reported seven active confirmed cases at Port Isabel.**
- On September 3, a person detained at the Baker County Sheriff's Office **Macclenny, Florida** reported that, after people were transferred into the Baker facility from the Krome Detention Center in **Miami, Florida**, people at Baker began exhibiting symptoms of COVID-19.⁴³ The person stated that facility staff did not test these people but instead moved them into quarantine pods and – in at least one case – solitary confinement.

*Transfers To/From Facilities with High Numbers of Confirmed Cases of COVID-19
To/From Facilities with No Confirmed Cases of COVID-19*

FFI documented 16 instances during this period in which ICE transferred people from facilities with active cases of COVID-19 to facilities with no active cases, including:

- On August 19, ICE transferred one person from the Prairieland Detention Facility in **Alvarado, Texas** to the Kay County Jail in **Newkirk, Oklahoma**. At the time

of the transfer, ICE reported nine active cases of COVID-19 at the Prairieland facility and no confirmed cases at the Kay County Jail.

- On August 25, ICE transferred one person from the Catahoula Correctional Center in **Harrisonburg, Louisiana** to the Pine Prairie ICE Processing Center in **Pine Prairie, Louisiana**. At the time of the transfer, ICE reported 14 active cases of COVID-19 at Catahoula and no confirmed cases Pine Prairie.
- On August 26, ICE transferred one person from the Stewart Detention Center in **Lumpkin, Georgia** to Pine Prairie ICE Processing Center in **Pine Prairie, Louisiana**. At the time of the transfer, ICE reported 137 active cases at the Stewart facility and none at Pine Prairie.
- On September 17, ICE transferred one person from the Houston Contract Detention Facility in **Houston, Texas** to the Montgomery Processing Center in **Conroe, Texas**. At the time of the transfer, ICE reported 15 current cases of COVID-19 cases at the Houston facility and none at Montgomery.
- On September 25, ICE transferred six people from the Port Isabel Detention Center in **Los Fresnos, Texas** and one person from the El Valle Detention Facility in **Raymondville, Texas** to the Okmulgee County Jail in **Okmulgee, Oklahoma**. At the time of the transfers, ICE reported 7 current cases of COVID-19 cases at Port Isabel, 14 current cases at El Valle, and zero at Okmulgee.

FFI also documented 41 instances during this period in which ICE transferred people from facilities with zero active cases to facilities with confirmed cases of COVID-19, including:

- On August 25, ICE transferred one person from the Otay Mesa Detention Center in **San Diego, California** to the Prairieland Detention Facility in **Alvarado, Texas**. At the time of the transfer, ICE reported no active cases of COVID-19 at Otay and nine active cases at Prairieland.
- On August 26, ICE transferred one person from the Montgomery Processing Center in Conroe Texas to the Prairieland Detention Facility in **Alvarado, Texas**. At the time of the transfer, ICE reported no active cases of COVID-19 at the Montgomery facility and 9 active cases at Prairieland.
- On September 1, ICE transferred one person from the Torrance County Detention Facility in **Estancia, New Mexico** to the El Paso Service Processing Center in **El Paso, Texas**. At the time of the transfer, ICE reported no active cases of COVID-19 at the Torrance facility and 13 active cases in El Paso.
- On July 8, ICE transferred one person from the Bristol County Jail in **Bristol Massachusetts** to the Adams County Detention Center in **Natchez, Mississippi**. At the time of the transfer, ICE reported no active cases of COVID-19 at the Bristol facility and 32 active cases at the Adams facility.
- On September 17, ICE transferred one person from the Yuba County Jail in **Marysville, California** to the Adams County Detention Center in **Natchez, Mississippi**. At the time of the transfer, ICE reported no active cases of COVID-19 at the Yuba facility and 14 active cases at Adams.

- On September 17, ICE transferred one person from the Hardin County Jail in **Eldora, Iowa** to the Adams County Detention Center in **Natchez, Mississippi**. At the time of the transfer, ICE reported no active cases of COVID-19 at the Hardin facility and 14 active cases at Adams.
- On September 23, ICE transferred 21 individuals from Pine Prairie ICE Processing Center in **Pine Prairie, Louisiana** to Jena/LaSalle ICE Processing Center in **Jena, Louisiana**. At the time of the transfer, ICE reported no active cases of COVID-19 at the Pine Prairie facility and three active cases at Jena/LaSalle. On September 25, despite the fact there was already growing public outrage about the mass transfers on September 23, ICE transferred at least another eight individuals from Pine Prairie to Jena, which by then was reporting four active cases (see section on *Internal Organizing and Retaliation* for more information about these transfers).
- On September 26, ICE transferred one person from the Buffalo Detention Facility in **Batavia, New York** to the El Valle Detention Center in **Raymondville, Texas**. At the time of the transfer, ICE reported no active cases of COVID-19 at the Buffalo facility and 14 active cases at El Valle.

Circular Transfers

During this period, FFI documented several instances of “circular transfers” – in which an individual is transferred between multiple facilities only to end up back where they started. The “circular transfers” FFI identified during this period all began on or around August 26 in facilities in the geographic area impacted by Hurricane Laura⁴⁴:

- On August 26, an individual was transferred from Stewart Detention Facility in **Lumpkin, Georgia** (which had 137 active cases confirmed by ICE) to the Pine Prairie ICE Processing Center in **Pine Prairie, Louisiana** (which had zero active cases). On August 31, the same person was transferred back to the Stewart facility.
- On August 26, nine women were transferred from the South Louisiana ICE Processing Center in **Basile, Louisiana** to the LaSalle ICE Processing Center in **Jena, Louisiana**; both facilities reported active confirmed cases on that date. On September 1, all nine women were transferred back to the South Louisiana facility, where ICE had just recently reported zero active cases.
- On August 26, an individual was transferred from Stewart Detention Facility in **Lumpkin, Georgia** to the Prairieland Detention Facility in **Alvarado, Texas**. On September 8, the same person was transferred back to Stewart Detention Facility.
- On August 26, an individual was transferred from Allen Parish Jail in **Oberlin, Louisiana** to the Richwood Correctional Center in **Monroe, Louisiana**. On September 17, the same person was transferred back to the Allen Parish Jail, despite the fact that ICE confirmed 37 active confirmed cases of COVID-19 at Richwood and zero at Allen Parish.

Missing in Detention

FFI continued to document instances in which people went “missing” from ICE’s Online Detainee Locator System (ICE Locator) for prolonged periods. Advocates, including FFI, continue to raise concerns that people are removed from the Locator System upon testing positive for COVID-19, upon transfer from detention centers to local hospitals due to acute illness from COVID-19, and upon transfer to alternative facilities in response to internal organizing. Family members also express great difficulty in locating their loved ones during times in which they are missing from the ICE Locator, raising concerns they are left to wonder if they may be acutely ill or dead.

FFI documented 26 instances during this period in which the location of people in immigration detention was listed as “Call Field Office” with no easily retrievable information about exact location for a period of several weeks. This includes:

- On June 30, an individual’s location in the ICE Locator changed from Elizabeth Contract Detention Facility in **Elizabeth, New Jersey** to “Call Field Office.” This status remained the same until it changed back to Elizabeth Contract Detention Facility on September 1, 64 days later.
- On July 7, an individual called the FFI Hotline from the Joe Corley Detention Facility in **Conroe, Texas**. When a FFI volunteer attempted to retrieve that person’s information in the ICE Locator, their location was listed only as “Call Field Office.” This status remained the same until the individual then disappeared from the ICE Locator entirely on September 1, 57 days later. FFI volunteers were able to verify via hotline calls that they remained detained at the Joe Corley Facility. On July 7, a second individual called the FFI Hotline from the Joe Corley facility. When a FFI volunteer attempted to retrieve their information in the ICE Locator, their location was also listed as “Call Field Office.” This status remained the same until the individual then disappeared from the ICE Locator entirely on September 3, 59 days later.
- On July 21, an individual’s location in the ICE Locator changed from being detained at the LaSalle ICE Processing Center in **Jena, Louisiana** to “Call Field Office.” On September 17 (59 days later) their status was listed as at the Krome Service Processing Center in **Miami, Florida**.
- On July 30, an individual detained in Broward Transitional Center in **Pompano Beach, Florida** disappeared from the ICE Locator. On August 3, they re-appeared in the ICE Locator with the status “Call Field Office.” This status did not change until the ICE Locator indicated that they were now detained at the LaSalle ICE Processing Center in **Jena, Louisiana** on September 3, 30 days later.
- On August 15th, an individual’s location in the ICE Locator changed from Winn Correctional Center in **Winnfield, Louisiana** to “Call Field Office.” This status remained the same until the ICE Locator indicated that they were detained at the LaSalle ICE Processing Center in **Jena, Louisiana** on September 3, 15 days later.

In 13 other instances during this period, attempts to locate individuals in the ICE Locator returned no information at all. Instead, the ICE Locator listed people’s status as “Zero matching records.” Examples include:

- On August 7, an individual in detention at the Houston Contract Detention Facility in **Houston, Texas** completely disappeared from the ICE Locator (“zero matching records found”), and did not reappear until September 17th, 41 days later, at the Montgomery Processing Center in Conroe, Texas.
- On August 31, an individual in detention at the Buffalo Detention Facility in **Batavia, New York** completely disappeared from the ICE Locator (“zero matching records found”), and did not reappear until September 17, 18 days later, with the status “Call Field Office.” As of September 21, this status has still not been updated.
- On August 31, an individual in detention at the Pine Prairie Correctional Facility in **Pine Prairie, Louisiana** completely disappeared from the ICE Locator (“zero matching records found”), and did not reappear in the Locator until September 17, 18 days later, as at the Stewart Detention Facility in **Lumpkin, Georgia**.

Deportations

Deportations continued, despite clear evidence that deportations have accelerated the proliferation of COVID-19 in the Caribbean, Central America, and elsewhere. Deportations appeared to accelerate from some facilities during this period as countries and regions began to relax COVID-19 travel restrictions, including long haul deportations to Central and Eastern Africa. ICE also deported or attempted to deport key witnesses in pending investigations regarding gender-based abuses, including sexual assault and forced hysterectomies. FFI continued to receive reports of deportations who were known to have contracted COVID-19 while in detention and who remained ill upon deportation. FFI also continued to receive reports of prolonged detention due to lack of available deportation flights for specific national groups.

Apparent Acceleration in Deportations

According to advocacy group Witness at the Border, ICE conducted 67 deportations flights in August⁴⁵ and at 69 deportations from September 1-20.⁴⁶ On September 22, ICE reported that 54 immigrants were removed from the Essex County Correctional Facility in Essex, New Jersey for deportation.⁴⁷ Advocates with Justice for Migrant Families reported that deportations appear to be accelerating from the Buffalo Service Processing Center in **Batavia, New York** after no activity for many months.

Although the majority of deportations were to destinations in the Western Hemisphere, long-haul deportation flights were also conducted to destinations in eastern Africa:

- On September 18, a group of 39 long-time U.S. residents of Somali origin were deported to Somalia, over the objections of members of Congress, including

Representative Ilhan Omar who raised concerns that at least one of the people subject to deportation had recently tested positive for COVID-19 and the country of Somalia has very few respirators.

Deportation While Ill with COVID-19

People in detention continued to report instances in which people presenting COVID-19 symptoms were subject to deportation:

- On August 14, a person detained at the South Texas Detention Complex in **Pearsall, Texas** reported that people were transferred into the facility and became ill. The person reported that some of these people were then deported.⁴⁸
- On August 16th, a man who was detained in Bluebonnet Detention Center in **Anson, Texas** reported from Mexico that he and all the other individuals in his quarantine who had tested positive for contracted COVID-19 were pressured by facility staff to self-deport, despite remaining actively sick with the virus.

Deportation and Attempted Deportation of Witnesses

On September 14, ICE deported a woman detained at the El Paso Service Processing Center in **El Paso, Texas**.⁴⁹ The woman had been detained at the El Paso facility for over a year and had reported on a pattern of abuse, including instances in which guards sexually assaulted her and other detained women in areas out of view to security cameras. In response to these allegations, DHS' Office of the Inspector General (OIG) launched an investigation and requested that ICE not deport the woman. As of September 15, lawyers who represent the woman are working with Mexican consular authorities to locate her.

On September 16, Pauline Binam, a 30-year-old woman of Cameroonian origin who had previously reported that she was subjected to an unwanted hysterectomy narrowly avoided deportation (for more information on allegations of forced hysterectomies see below section on *Conditions in Detention*).⁵⁰ The medical procedure had been performed on Binam while she was detained at the Irwin County Detention Center in **Ocilla, Georgia** and, after reports of the hysterectomy were made public, ICE attempted to deport her by taking her to the airport to place her on a flight removing her from the country. However, ICE halted Binam's deportation while Binam was at the airport, as she refused to board the flight and Congressional representatives were advocating for her release.⁵¹ ICE officials claimed that the decision to halt Binam's deportation was unrelated to the on-going investigations into forced hysterectomies and was the result of a "paperwork snafu". It later came to light that the circumstances under which ICE was attempting to deport Binam included either invalid or fraudulent foreign authorities that had been used to facilitate deportations in the past. Prior to placing Binam on the flight, ICE presented her with a "laissez-passer" as opposed to a valid Cameroonian passport.⁵² The "laissez-passer" had been issued by Charles Green III, a Methodist minister in Houston listed as "Pending Honorary Consul of Cameroon" on the Texas secretary of

state's website.⁵³ Greene is not listed as a consul on the Embassy of Cameroon's website. According to Binam's mother, Greene never interviewed Binam before issuing the document.⁵⁴ In 2013, Green had issued a Cameroonian "laissez-passer" to a man of Ivorian nationality to facilitate his deportation to Cameroon, despite the fact that man was not Cameroonian and over objections from a district judge.⁵⁵

On September 22, Bakhodir Madjitov, a home health aide and father of three U.S. citizen children, was deported to Uzbekistan three days after filing a lawsuit against ICE agents for physical assault that they inflicted upon him in 2019. He had contracted COVID-19 while in detention.⁵⁶

Prolonged detention due to absence of deportation flights

FFI also documented reports of prolonged detention due to absence of deportation flights. Advocates and legal services providers report that people of Guatemalan origin are particularly vulnerable to prolonged detention due to continued efforts from the Guatemalan government to limit numbers of deportation flights due to concern regarding lack of COVID-19 screening for people subjected to deportations. In a press statement, several men of Guatemala origin detained at the Otero County Processing Center in **Chaparral, New Mexico** alleged that the U.S. government is arbitrarily prolonging their stay after they tested positive for COVID-19.⁵⁷

People in detention reporting additional instances of prolonged detention among other national groups: For example, on August 25, a person detained at the LaSalle County Regional Detention Center in **Encinal, Texas** reported that people in detention of African origin appeared to be subjected to longer periods of detention than people of non-African origin.⁵⁸

Releases

As of September 21, ICE reports 535 releases from immigration detention as a result of court order. This is an increase of only 23 reported judicial releases since FFI's last update on August 14. However, ICE's reported detained population decreased by 1,397 between August 10 (when ICE reported the detained population to be 21,494) and September 18 (when ICE reported the detained population to be 20,097). Given recent increases in enforcement activity, the continued decline in overall population, **raises questions regarding by what mechanisms people are being released from custody and underscores the need for greater transparency in reporting on numbers of people released via parole, bond, subject to supervision or who are subjected to deportation.**

FFI continues to receive reports from people who remain trapped in ICE detention of increased rates of depression and struggles with mental health due to feelings of being "left behind" and the belief that the government views them as expendable and their potential death to complications from COVID-19 as acceptable:

- On September 9, advocates with Justice for Migrant Families reported a significant increase in calls for mental health support from people detained at the Buffalo Service Processing Center in **Batavia, New York**.⁵⁹
- An August 2020 open letter written by asylum seekers of Cuban origin detained at the La Palma Correctional Center in **Eloy, Arizona** reported widespread suicide attempts, self-harm incidents, and other mental health crisis caused by prolonged detention.⁶⁰ The letter cited incidents in which people in detention attempted to hang themselves and swallowed razor blades.
- In mid-August, advocates with the Immigrant Action Alliance (formerly Friends of Miami-Dade Detainees), reported multiple instances in which people detained at the Broward Transitional Center in **Pompano Beach, Florida** went on hunger strike to protest prolonged detention. Immigrant Action Alliance also reported knowledge of at least one recent suicide attempt.

In at least one instance, a federal judge ruled that a person who had contracted COVID-19 in detention could not be released to their family out of concern that release would risk proliferation of the virus outside of detention.⁶¹ This ruling ignores the network of post-release service providers mobilized to provide shelter for a 14 day quarantine period, connection to medical services, and personal protective equipment.⁶²

Oversight

During this period, members of Congress increased in person inspections of ICE facilities, including investigations into allegations of forced hysterectomies at the hands of medical services providers contracted to the Irwin County Detention Center in **Ocilla, Georgia**.⁶³ In-person inspections by elected officials are of critical importance as the DHS OIG continues to conduct only virtual inspections during the pandemic. On September 21, the House Committee on Homeland Security released the results of a year-long investigation into conditions at ICE detention facilities.⁶⁴ The report found significant violations in detention standards and a failure to ensure basic standard of care for people in ICE custody, including failures to implement basic public health protocols to protect people against COVID-19.

Conditions Inside ICE Detention

Conditions inside ICE detention remained dire. FFI continued to document widespread unsanitary conditions, failure of facility staff to observe public health protocols, suppression of information, lack of access to essential supplies, use of force, and retaliation for internal organizing. During this period ICE continued to subject people in its custody to toxic chemical exposure at multiple facilities. Women detained at the Irwin County Detention Center in **Ocilla, Georgia** reported widespread incidents of forced hysterectomies, fueling calls for investigation into medical providers within ICE's network and raising concerns about medical abuse and neglect more broadly. FFI also documented deteriorating conditions in ICE jails impacted by wildfires and hurricanes, including poor air quality and flooding.

Medical Neglect and Abuses

FFI continued to document widespread medical neglect and abuses at the hands of medical practitioners contracted by ICE. On September 14, a Local Visitation Group in FFI's national visitation network, the South Georgia Immigrant Support Network (SGISN) joined advocacy groups Project South, Georgia Detention Watch, and Georgia Latino Alliance for Human Rights in filing a complaint citing reports from Dawn Wooten, a licensed practical nurse employed at the Irwin County Detention Center in **Ocilla, Georgia** that multiple woman detained at the facility were subjected to forced hysterectomies by a particular gynecologist contracted to provide medical services to the Irwin facility.⁶⁵ On September 15, a report by *Prism* revealed the identity of the doctor to be Mahendra Amin, who is based out of **Douglas, Georgia**.⁶⁶ Despite multiple calls from advocates, community members, and policy makers, ICE has refused to publicly state how many women detained at Irwin underwent surgical procedures performed or ordered by Dr. Amin since he began contracting with the facility in 2017 or to meaningfully comply with oversight efforts of policy makers. The use of partial and full hysterectomies constitutes a measure imposed upon one or more persons designed to prevent birth, a practice which is explicitly named under international law as a potential signifier of genocide. Convention for the Punishment and Prevention of Genocide of 1948, art. II., adopted Dec. 10, 1984. Advocates caution that allegations of forced hysterectomies could amount to acts of genocide.⁶⁷ Advocates, including FFI, call for policy makers investigating claims of forced hysterectomies at the Irwin facility to contextualize these reports within broader, systemic reports of medical neglect and abuse in ICE detention,⁶⁸ and to couple calls for oversight and accountability for specific abuses with policy action to end immigration detention.

Additional examples of medical abuse and neglect in ICE detention include:

- On August 14, FFI filed a complaint with DHS' Office for Civil Rights and Civil Liberties (CRCL) on behalf of Charly Eduardo Cruz, who has been detained at the Otay Mesa Detention Center in **San Diego, California** since August 2019. Cruz entered detention with a severe knee injury. Although doctors at the Otay Mesa facility determined that he needed surgery, he did not receive any treatment for a period of five months. After receiving surgery, the surgeon recommended intensive physical therapy, which was denied for a subsequent period of five months. Although a wheelchair was initially provided to Cruz after the received surgery, facility officials then took the wheelchair away without explanation, forcing him to crawl on the floor, rendering him unable to attend legal appointments, and placing him at greater risk for COVID-19 due to inability to access showers and attend to personal hygiene. Cruz states that facility officials ridiculed him for his inability to walk.⁶⁹
- On August 17, a person who was formerly detained at Bluebonnet Detention Center in **Anson, Texas** confirmed he remained very ill in Mexico after being pushed to self-deport while still actively sick with COVID-19. In multiple reports to FFI's hotline pre and post deportation, he named a complete lack of medical care for himself and the others quarantined together while sick with COVID-19.

Amongst the reasons for self-deportation, the individual reported conditions of confinement so egregious that he and others feared dying in detention over deportation.

- On September 9, people detained at the Otay Mesa Detention Center in **San Diego, California** began to report that the facility had suddenly switched medical providers from ICE Health Services Corps to a contract with private prison company CoreCivic. People in detention reported a noted decline in quality of health services as a result, including delays in accessing needed medications and a refusal of CoreCivic staff to honor prescriptions written by ICE doctors. One person in detention reported witnessing another person suffer a mental breakdown as a result, attempt to swallow a battery, and then be sent to solitary confinement.
- On September 23, a lawyer for an individual at Adelanto Detention Facility in **Adelanto, California** reported that their client had been having severe symptoms and fever for five days before he got tested for COVID-19. He was finally tested and his results came back positive 9 days later. He remains very ill with a high fever and sore throat. He is over 60 years old and has complained of respiratory difficulties. All he has received is painkillers. He has not seen any doctor nor has been evaluated.

Impact of Wildfires and Hurricanes

FFI documented deteriorating conditions at ICE jails impacted by wildfires and hurricanes, including facilities in **California** and **Louisiana**. People in detention report poor air quality, flooding, and contaminated water:

- On August 30, local advocates reported that poor air quality was impacting people detained at the Yuba County Jail in **Marysville, California**, as officials rated air quality as at a “purple” level (meaning that people risk emergency conditions if they are exposed for 24 hours or more). Advocates raised concerns that poor air quality could make it more difficult for people to breathe in detention and render them more vulnerable to COVID-19.
- On August 27, the Southern Poverty Law Center reported that ICE had implemented haphazard evacuations at the Allen Parish Correctional Center in **Oberlin, Louisiana** in response to Hurricane Laura, without taking any precautions to screen for COVID-19 and forcing people into detention onto crowded buses.⁷⁰ People detained at ICE jails in **Louisiana** reported unlivable conditions in the wake of the hurricane, including sewage flooding, electricity cuts, lack of food and water, and no air circulation.⁷¹ In some instances, people in detention said they were forced to sleep outside in their underwear.
- On September 16, advocates with Louisiana Advocates for Immigrants in Detention shared a report from a man detained at the Winn Correctional Center in **Winnfield, Louisiana** of ongoing water contamination issues following Hurricane Laura, causing illness among the detained population. He also named that individuals in Hamzat suits were burning items in the facility, with no explanation provided as to what was taking place.

Toxic Chemical Exposure

FFI continued to document toxic chemical exposure in ICE jails in California, Texas, Louisiana, and Washington. ICE continues to use toxic chemical disinfectants despite repeated calls from advocates and policy makers for the agency to immediately discontinue use of these products and release people from its custody.

- On August 18, advocates with Equal Voices Network cited reports from the wife of a person detained at the El Valle Detention Center in **Raymondville, Texas** that toxic chemical disinfectants are being sprayed in the facility three times a day, five days a week and that her husband had trouble breathing due to the spray.
- On August 22, advocates with Desert Support for Asylum Seekers cited reports from people detained at the Imperial Regional Detention Facility in **Calexico, California** that facility officials continued to spray toxic chemical disinfectants in the jail, causing itching eyes, body aches, face swelling, headaches, and nausea. One person detained at the Imperial facility said that the spray is deployed at all times of the day and night
- On August 24, a person detained at the Mesa Verde Detention Facility in **Bakersfield, California** reported that the chemicals they use to clean the bathrooms are unlabeled and have triggered nosebleeds over the past several weeks.⁷²
- On August 29, a person detained at the Northwest Detention Center in **Tacoma, Washington** reported that facility staff continue to use chemical disinfectants which cause physical reactions including sore throats, dry coughs, and chest pain.⁷³
- On September 23, an interview was published with a woman who was recently released from the Jackson Parish Correctional Center in **Jonesboro, Louisiana**. She shared that in detention, facility staff had been spraying “something like Clorox” three times a day, covering “everything” and causing individuals to suffer from vomiting, headaches, fainting, and stomach and kidney pain.⁷⁴

Failure to Observe Proper Public Health Protocols

FFI documented widespread instances in which ICE and its contract staff failed to observe proper health protocols to mitigate against the proliferation of COVID-19:

- On August 24, a person detained at the Caroline Detention Facility in **Bowling Green, Virginia** reported that there were 5-6 confirmed cases at the facility at the end of July.⁷⁵ The person stated that despite known confirmed cases of COVID-19 at the facility, staff, including nurses, janitors, and people working in the kitchen, do not wear proper personal protective equipment (PPE). The same person reported protests in response to the inadequate

protective measures and that protesting individuals received threats of retaliation. The person reported that staff told them that their grievance about poor conditions would be denied if they chose to submit it.

- On August 24, a person detained at the Pine Prairie Correctional Center in **Pine Prairie, Louisiana** reported that they were instructed to relocate into a housing unit that had just been used for people quarantining due to exposure to COVID-19.⁷⁶ The person reported that facility staff forced them to move into this new unit less than 20 minutes after people who had been exposed to COVID-19 were moved out.
- On August 29, a person detained at the Northwest Detention Center in **Tacoma, Washington** reported that it is impossible to observe social distancing in the facility.⁷⁷ The same person reported that staff do not respect CDC guidance on proper distancing and sanitation and that people from different housing units frequently interact in common spaces, including the kitchen, at the same time.
- On September 8, a person detained at the Pulaski County Detention Center in **Ullin, Illinois** reported concerns that facility staff displaying COVID-19 symptoms don't wear PPE correctly.⁷⁸ The person reported that one official is displaying severe symptoms and has not been sent home, even though other staff are avoiding working in close proximity to him.
- On September 21, lawyers representing people detained at the Adelanto ICE Processing Center in **Adelanto, California** reported that, prior to the current outbreak of COVID-19 at the facility, people in detention raised repeated concerns about a guard who did not wear a mask and ignored social distancing rules. The lawyers also cited instances in which guards move back and forth between quarantined areas, including between units with people who have tested positive for COVID-19 and people who have tested negative or are awaiting test results. People detained at Adelanto also report receiving masks and varied intervals throughout the COVID-19 pandemic, including being given only one new mask every two weeks, one new mask per week, and receiving three new masks per week.

Unsanitary Conditions and Inadequate Access to Food

FFI continued to document unsanitary conditions, lack of access to necessary supplies, and widespread reports of low quality, inadequate, or religiously inappropriate food, including serving of pork-based meals to detained people who identify as Muslim:

- On August 19, Muslim Advocates reported that officials at the Krome Service Processing Center in **Miami, Florida** have been serving people in detention pre-plated meals that regularly include pork products, including to people in detention who practice Islam, forcing people to choose between violating their faith or eating spoiled food.⁷⁹ In response, Representatives Ilhan Omar, Rashida Tlaib, and Andre Carson called for an investigation.⁸⁰

- On August 20, a person detained at the Port Isabel Detention Center in **Los Fresnos, Texas** reported that food is of low quality and makes it difficult to stay healthy.⁸¹
- On August 29 an attorney serving people detained at the Jackson Parish Correctional Center in **Jonesboro, Louisiana** reported that people in detention were protesting deteriorating conditions, including broken air conditioners, electricity cuts, and overflowing toilets. Although advocates reported that electricity and air conditioning were later restored, people in detention continue to report disruptions to water access and a stench making it difficult to breath.
- On August 21, a person detained at the Wakulla County Jail in **Crawfordville, Florida** reported that they were not given any cleaning supplies to clean their personal sleeping areas.⁸²
- On September 13, advocates with the Immigrant Action Alliance reported that people detained at the Glades County Jail in **Moore Haven, Florida** are being served spoiled food, which is removed upon complaint but not replaced with edible meals. People detained at Glades further reported that their clothes are washed without detergent and are returned smelling sour. People in detention also reported that sinks and toilets are broken, and there is only one working toilet to be shared between 70-90 people.
- On September 15, a person detained at the IAH Secure Adult Detention Center in **Livingston, Texas** reported that people are experiencing hunger and a lack of nutrition.⁸³

Barriers to Communication

FFI continued to document barriers to communication, including disruptions to phone and tablet access for the purposes of communication with legal services providers and prohibitive costs to external communication:

- On August 24, a person detained at the Pine Prairie Correctional Center in **Pine Prairie, Louisiana** reported that phone and tablets had been switched off so they could not make calls out for a period of time.⁸⁴
- According to a September 10 press report, people detained at the Krome Detention Center in **Miami, Florida** reported that, approximately three months ago, the facility began charging people in detention for sending text messages, a service that had been previously free.⁸⁵
- On September 13, advocates with Immigrant Action Alliance report that their Internet has been out at Glades County Jail in **Moore Haven, Florida** for over two weeks, leaving them with no information about the outside world or spread of COVID-19. Although facility officials stated that the disruption in services was due to a technical malfunction, people in detention stated they believe it to be intentional.
- Attorneys representing people detained at the Irwin County Detention Center in **Ocilla, Georgia** reported that calls to clients at the facility were blocked through tables and phones after the news broke regarding forced hysterectomies at that

facility on September 14. According to attorneys, officials at Irwin said the disruption in communication services was due to “scheduled maintenance.”

- On September 22, legal service providers representing people detained at the Adelanto ICE Processing Center in **Adelanto, California** reported an across-the-board disruption in their ability to schedule legal calls with clients after ICE publicly confirmed a COVID-19 outbreak at the facility on September 21. Legal services providers also reported that calls made during the day prior to the call stoppage were of poor sound quality and made it difficult to understand their clients.

Internal Organizing and Retaliation

FFI continued to document internal organizing throughout ICE detention, including hunger strikes in protest of prolonged detention and unsanitary and dangerous conditions. In many cases, ICE retaliated to peaceful internal organizing, including with use of force:

- On August 19, immigrants detained at the Yuba County Jail in **Marysville, California** began a hunger strike over unsanitary and dangerous conditions at the jail.⁸⁶ Organizers of the protest called for ICE and jail officials to take steps to prevent a COVID-19 outbreak at the facility and criticized officials of inadequately screening staff who regularly go in and out of the jail.⁸⁷
- On August 13, *The Gothamist* reported that a person detained at the Essex County Jail in **Newark, New Jersey**, who had spoken with the publication regarding medical neglect faced retaliation from facility officials, including solitary confinement and threatening messages.⁸⁸
- On August 26, FFI, the Southern Poverty Law Center, Immigrant Services and Legal Advocacy, and the Cameroon American Council filed a complaint with DHS CRCL calling for an immediate investigation into use of force and solitary confinement against people organizing peaceful protests at the Pine Prairie ICE Processing Center in **Pine Prairie, Louisiana**. The complaint details retaliation against asylum seekers of Cameroonian asylum seekers who organized hunger strikes in solidarity with the Black Lives Matter movement and in protest against indefinite detention; racist treatment and conditions of confinement; across the board failure to reply to pre se parole applications; and blanket parole denials, particularly to Cameroonians and other Black applicants. On September 23, ICE initiated mass transfers of people involved in internal organizing at Pine Prairie to other facilities in Louisiana and froze the commissary accounts of 15 other people who had participated in the protests (for more information, see earlier section on *Transfers*).⁸⁹

Conclusion

While the national death toll from COVID-19 continues to rise, ICE is adopting a “business as usual” approach by resuming pre-pandemic interior enforcement activity and

rebuffing calls from medical experts and policy makers at all levels of government to release people from its custody. The agency continues to obstruct efforts from policy makers and government watchdogs to investigate allegations of abuse in its custody, including horrific allegations regarding forced hysterectomies as well as broader investigations into medical abuse in ICE detention. The death toll caused by exposure to COVID-19 in ICE detention— both official and unofficial—will continue to mount. Freedom for Immigrants calls on Congress to mandate that ICE release all those from its custody; to ensure immediate, free and adequate access to soap, sanitary supplies, and means of external communication for those in detention; and to immediately suspend transfers and deportations.

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