

# **Courting Catastrophe:**

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## **How ICE is Gambling with Immigrant Lives Amid a Global Pandemic**

*Informe disponible en español*



**DETENTION  
WATCH NETWORK**



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# Acknowledgements

Primary authors of this report were Setareh Ghandehari and Gabriela Viera with edits and suggestions from Silky Shah and Aimee Nichols.

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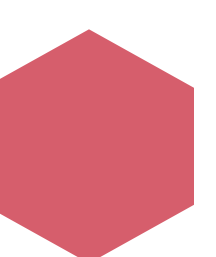
Translation by: Gabriela Viera and Gabriela Marquez-Benitez

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## About Detention Watch Network

Detention Watch Network (DWN) is a national coalition of organizations and individuals building power through collective advocacy, grassroots organizing, and strategic communications to abolish immigration detention in the United States. Founded in 1997 by immigrant rights groups, DWN brings together advocates to unify strategy and build partnerships on a local and national level.

Visit [www.detentionwatchnetwork.org](http://www.detentionwatchnetwork.org)



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# Summary

Under ordinary circumstances, Immigration and Customs Enforcement (ICE) custody has proven to be deadly for the people detained at the agency's network of over 200 jails and detention centers across the country. Now facing a global health crisis, ICE's shameful record of medical negligence, limited and rotten food provisions, poor sanitation, and demonstrated inability to properly respond to past infectious disease outbreaks means that there is a serious risk of COVID-19 outbreaks at immigration detention centers. These facilities threaten the lives of the people deprived of their liberty inside and the surrounding communities outside.

# Recommendations

It is imperative that ICE take the following actions immediately to protect our collective health:

- Immediately release all detained immigrants to mitigate the spread of COVID-19
- Cease all enforcement operations to prevent new people from being detained and ensure that immigrants are not afraid to seek medical attention
- Eliminate all check-ins and mandatory court appearances to comply with social distancing recommendations
- Ensure all facilities where people are detained in ICE custody, be it county jails or dedicated facilities, are prioritizing the health and wellbeing of people detained, including a waiver of all costs associated with soap, sanitizer, and other hygiene products and a commitment to making these supplies widely available.





# Introduction

Amid an ongoing global pandemic caused by the novel coronavirus,<sup>1</sup> COVID-19, ICE can and should immediately release all people from its custody. Public health experts agree that the best way to prevent the spread of COVID-19 is to promote good hygiene with proper and frequent hand washing, and to practice social distancing. People locked up in immigration detention are extremely vulnerable to the spread of infectious disease because they are unable to take these necessary and basic precautions to protect themselves.<sup>2</sup> This fact is compounded by ICE's horrific record of medical negligence and inability to provide basic necessities imperative to maintaining healthy immune function and sanitation.



Photo: Alonso Yañez

## Lack of Sanitation and Basic Necessities

People in immigration detention face an egregious lack of basic necessities to maintain their physical and mental health under normal circumstances. According to countless reports from advocates as well as the Department of Homeland Security's Office of Inspector General (OIG), ICE fails to provide adequate hygienic products critical to halting the spread of illness.<sup>3</sup> OIG inspectors have reported that bathrooms at the Stewart Detention Center in Georgia lacked hot water, and individuals at both Stewart and the Hudson County Jail in New Jersey were not provided with adequate supplies of toilet paper, soap, shampoo, and toothpaste.

Despite guidance from the Centers for Disease Control and Prevention (CDC) and a broad range of medical professionals recommending that people practice extra care in washing their hands, using hand sanitizer and disinfecting surfaces,<sup>4</sup> there have been numerous reports of ICE failing to take these basic precautions inside detention centers.<sup>5</sup> Hand sanitizer is not available and access to soap continues to be limited. One of the primary recommendations to slow the spread of COVID-19 is the practice of social distancing, keeping at least six to ten feet away from others. This is impossible to comply with in ICE facilities where immigrants are housed together in shared living quarters. Denying immigrants the ability to take even the most basic precautions to protect themselves is of grave concern.

In addition to the lack of access to basic hygiene, conditions inside ICE detention centers put immigrants at heightened risk to contract illnesses. ICE serves food that is often moldy or expired, creating conditions for deteriorating health and immune function.<sup>6</sup> At the Essex County Correctional Facility in New Jersey, inspectors found slimy and foul-smelling lunch meat and moldy bread in kitchen refrigerators. Similarly, at the Adelanto ICE Processing Center in California, inspectors found spoiled chicken and other expired food. Further, the well-documented verbal and physical abuse, extensive use of isolation,<sup>7</sup> and lack of access to the outdoors in facilities contribute to mental and physical stress that lowers immune function.<sup>8</sup> Coupled with a callous disregard for the health of detained immigrants when they seek medical attention, these conditions exacerbate the potential for the rapid spread of COVID-19 in ICE facilities.<sup>9</sup>

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# Troubling Record of Medical Negligence and Deaths

ICE has repeatedly shown to be incapable of adequately responding to outbreaks of contagious diseases and providing the proper care for people in custody.<sup>10</sup> Outbreaks of mumps,<sup>11</sup> scabies,<sup>12</sup> and other highly contagious diseases have been documented to spread aggressively in detention facilities.<sup>13</sup> In October 2018, the Texas Department of State Health Services reported five confirmed cases of mumps among immigrants transferred between two ICE detention centers. By August 2019, there were 898 reports of mumps cases in 57 facilities. According to the CDC report, 84 percent of patients were exposed while in custody. This rapid spread of mumps foretells what could happen when people inside ICE custody are exposed to COVID-19.

**“This rapid spread of mumps foretells what could happen when people inside ICE custody are exposed to COVID-19.”**

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ICE has proven time and again that it is unable and unwilling to adequately care for people in need of medical attention. Recent investigations into deaths in immigration detention, *Code Red: The Fatal Consequences of Dangerously Substandard Medical Care in Immigration Detention*,<sup>14</sup> *Fatal Neglect: How ICE Ignores Deaths in Detention*<sup>15</sup> and *Systemic Indifference: Dangerous and Substandard Medical Care in US Immigration Detention*,<sup>16</sup> have found that inadequate medical care has contributed to nearly half of all deaths in ICE custody and that the agency lacks urgency and transparency when reporting deaths. Since 2003 there have been 207 deaths in ICE detention. In the last few months we have seen a troubling spike in the number of reported deaths of immigrants in ICE custody. As of March 23, 2020, 10 people have died in ICE custody in fiscal year 2020, more than the number of lives lost the entire previous fiscal year. In April 2019, a 54-year-old man died in his ICE cell in Arizona due to complications from the flu.<sup>17</sup> Another man died from symptoms of liver cirrhosis after repeatedly informing ICE of his conditions and pleading for medical care.<sup>18</sup>



Photo: Steve Pavey



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# Public Health Risk

Grouping people inside jails, prisons and detention centers puts our collective health at risk. Facility staff and people newly detained or recently transferred can spark outbreaks by bringing the virus into facilities, while staff can also take it back into their communities when they go home.<sup>19</sup> Over 3,000 medical professionals have warned that it is only a matter of time before the virus spreads throughout jails, detention centers and surrounding communities.<sup>20</sup> As long as ICE keeps people locked up and continues to engage in enforcement operations that bring new people into detention centers, the risk of spreading the virus grows exponentially.

Relying on ICE to manage a COVID-19 outbreak would not only risk the lives of the people in custody, but also increase the threat of spread to the general public. Despite extremely high levels of funding, the agency has proven incapable of providing proper medical care for people in its custody. ICE insists that it is instituting and following appropriate procedures to address the pandemic and is seeking supplemental funding for continued operations and additional quarantine facilities.<sup>21</sup> But ICE is not a medical provider, nor should it serve as one under any circumstances. ICE has long perfected a pattern of deceptively requesting funding increases to improve conditions in its facilities. As a result, the agency's budget has grown by the billions and ICE's network of jails has rapidly expanded along with it,<sup>22</sup> while OIG reports continue to condemn their conditions. An agency whose explicit mission is to terrorize immigrant communities will not prioritize nor understand how to address a public health crisis. Healthcare is best provided by medical professionals in appropriate clinical settings.

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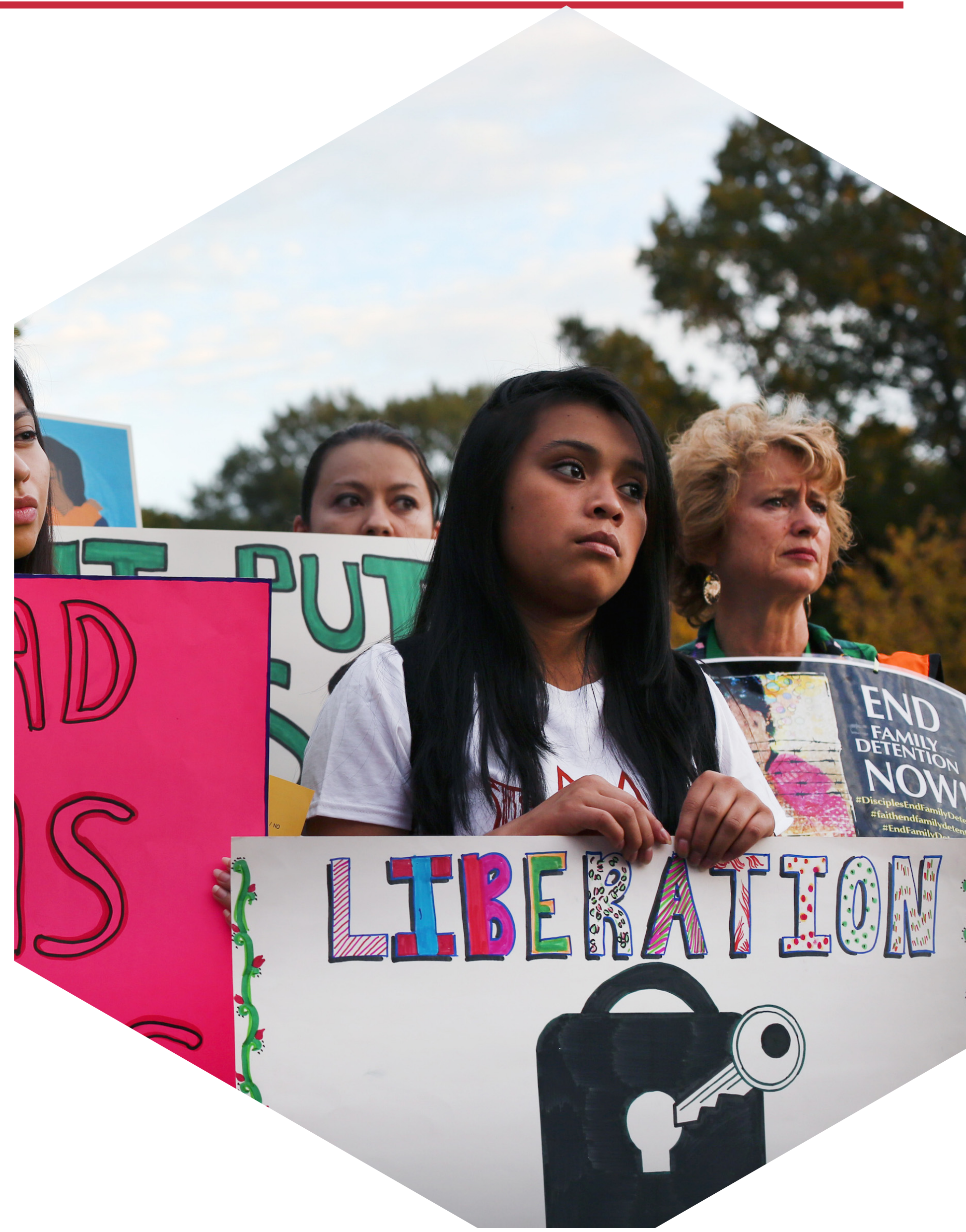
Photo: Steve Pavay



# Recommendations

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# Conclusion

Communities across the country have already witnessed the devastating impacts of immigration detention. We've seen the deterioration of the mental and physical health of those held in ICE facilities. Now, facing a global pandemic, the lives of everyone in its custody are in even more jeopardy. It's clear that more resources for or dependence on ICE, an agency that is not intended to provide medical care or respond to health needs, is not the solution. Doctors, advocates, government officials, and even a former ICE Director<sup>23</sup> have been sounding the alarm. ICE should immediately use its authority to release all people in detention – for their sake and for ours.



Photo: Fernando Lopez



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# Endnotes

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