

COVID-19 IN IMMIGRATION DETENTION

Monthly Analysis & Update

November 23, 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 network.² 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 October 23 and November 23. During this period, Freedom for Immigrants (FFI) noted a marked deterioration in conditions and adherence to public health protocols in detention. ICE reported new outbreaks at facilities that the agency had previously reported as successfully containing COVID-19, including the Otay Mesa Detention Center in **San Diego, California** and the Aurora Contract Detention Facility in **Aurora, Colorado**, as well as regional clusters of COVID-19 across several facilities in **Texas, Utah, Arizona, Louisiana, Georgia, and Florida**. Although ICE significantly expanded its testing access, FFI continues to assert that the rate of COVID-19 transmission reported in ICE detention is significantly higher than publicly reported due to continued lack of transparency in how the agency prioritizes testing across facilities; errors and omissions in ICE's data; information as to how the agency determines that someone in detention who has tested positive for COVID-19 no longer represents an "active" case; and prevalence modeling conducted by peer organizations. FFI continued to receive reports that more people at specific facilities had tested positive for COVID-19 than ICE had publicly reported. ICE continues to appear to prioritize testing to facilitate deportation—and not to contain the virus and save lives. ICE continued to detain people who had tested positive for COVID-19 alongside those who had not been tested or had tested negative for the virus, accelerating the spread of the virus. ICE also continued to rely on solitary confinement as a means of quarantine. ICE significantly expanded its enforcement activity during this period, including re-

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.

detention of people who had either been released from immigration detention or granted early release from custody in state Departments of Corrections. This enforcement activity directly undercuts efforts of state and federal actors to protect all communities from COVID-19 by reducing detention levels, at a time when COVID-19 transmission is at a record high nation wide. ICE also continued to use transfers between its facilities as a means of facilitating mass deportation of Black and brown immigrants, including conducting a second mass deportation flight to several countries in Western and Central Africa within a one-month period. FFI continued to receive widespread reports of use of force and torture to coerce people, including asylum seekers of Cameroonian origin, into signing deportation papers. Some of those deported had open asylum cases and were witnesses to abuses and potential crimes committed by ICE officials. FFI continued to document instances in which transfers were directly linked to new outbreaks of COVID-19. Although the number of judicial releases reported by ICE nearly doubled during this period, FFI continued to document deliberate attempts to stop release on bond in several facilities in California, as well as racially disparate outcomes for bond approval. People who had contracted COVID-19 while in detention reported ongoing, significant health impacts, including difficulty breathing and loss of taste and smell after their release. Conditions in detention appeared to worsen during this period, and people in detention reported widespread lack of access to essential supplies, including in facilities that had previously taken small steps to implement basic public health protocols earlier in the pandemic. FFI received several reports that facilities which had previously provided limited free phone minutes to people in detention are no longer doing so. FFI documented continued, widespread, and severe medical neglect. During this period, more women came forward to report non-consensual medical procedures at the hands of a doctor contracted to provide services to the Irwin County Detention Center in Georgia. People detained at the Adelanto Service Processing Center in California also reported the use of a new toxic chemical disinfectant causing severe reactions, including difficulty breathing, coughing, dizziness, and headaches. ICE continued to retaliate against internal organizing, including solitary confinement, repression of information, and threats of use of force. More than eight months into the COVID-19 pandemic, ICE demonstrates increasingly reckless behavior that flies in the face of public health guidelines and puts people in detention and the public at risk. Congress must act to mandate that ICE immediately enact a moratorium on transfers and deportations; dramatically reduce detention levels; and ensure free access to basic supplies in detention.

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 **Texas, Utah, Arizona, Louisiana, Georgia, and Florida** and a new outbreaks of COVID-19 at facilities that had previously contained COVID-19 outbreaks, including the Otay Mesa Detention Facility in **San Diego, California**. ICE's public reporting on confirmed cases of COVID-19 continues to exclude reporting on COVID-19 cases among its contract staff and updated information regarding COVID-19 testing among its direct-hire staff. FFI continues to raise strong concerns that the number of active COVID-19 cases is higher than publicly reported. Advocates continue to report

instances in which greater numbers of individuals in detention share that they remain actively sick with confirmed COVID-19 cases at certain facilities, raising concerns about suppression of or potential falsification of COVID-19 reporting.

ICE's Reporting of Confirmed Cases

As of November 19, ICE confirmed 7,339 positive cases of COVID-19 across 113 facilities since the beginning of the COVID-19 pandemic. **This represents an increase of 596 cases and the addition of 14 new facilities since FFI's last update on October 23.**

ICE continued to report on the total number of “confirmed cases currently under isolation or monitoring.” **As of November 19, ICE reported 429 cases of COVID-19 at 61 facilities.** As of November 19, 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 El Paso Service Processing Center in **El Paso, Texas** (with 42 current cases of COVID-19 and 292 over time); the Aurora Contract Detention Facility in **Aurora, Colorado** (with 39 current cases of COVID-19 and 130 over time); El Valle Detention Facility in **Raymondville, Texas** (with 34 current cases of COVID-19 and 92 over time); and Florence Correctional Center in **Florence, Arizona** (with 27 current cases of COVID-19 and 57 over time).

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 **Texas, Utah, Arizona, Louisiana, Georgia, and Florida.**

As of November 19, 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. However, in some instances, ICE's third party contractors disclosed positive test results of its contractors to other sources, including very high rates of positive testing:

- On November 17, local press outlets reported that 64 employees of private prison company GEO Group working at the Aurora ICE Detention Facility in **Aurora, Colorado** are currently positive for COVID-19.ⁱ Previously, only 50 GEO staff working at the Aurora facility had tested positive during the entire pandemic. This significant rise in the number of GEO employees who have tested positive for COVID-19 corresponds with a rapid spike in overall cases of COVID-19 at the Aurora facility. On October 29, the Colorado chair of the American Immigration Lawyers' Association stated that approximately 30% of all people detained at the facility were infected.ⁱⁱ (see below section on *Cohorting and Isolation* for more information on the outbreak at the Aurora facility).



ICE also continues to exclude from its reporting numbers of confirmed COVID-19 cases among people held in the custody of other agencies co-located at its facilities. For example, ICE excluded reporting of the number of people held in U.S. Marshalls Service (USMS) Custody at the Aurora Contract Detention Center in **Aurora, Colorado** from its reporting on the most recent COVID-19 outbreak at the center. As of November 20, the USMS reported that 29 people held in the agency's custody at the Aurora facility had contracted COVID-19.ⁱⁱⁱ

Continued Lack of Transparency in How ICE Determines if a Person Can Be Removed from List of "Active Cases"

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:

- On November 9, the number of active cases of COVID-19 ICE reported at LaSalle ICE Processing Center in **Jena, Louisiana** dropped from 19 to one.
- On November 3, the number of active cases of COVID-19 ICE reported at the El Paso Service Processing Center in **El Paso, Texas** dropped from 35 to 13.
- On October 30, the number of active cases of COVID-19 ICE reported at the Winn Correctional Center in **Winnfield, Louisiana** dropped from 39 to 12.
- On October 30, the number of active cases of COVID-19 ICE reported at the River Correctional Center in **Ferriday, Louisiana** dropped from 41 to nine.
- On October 27, the number of active cases of COVID-19 ICE reported at the Richwood Correctional Center in **Richwood, Louisiana** dropped from 45 to three.

Advocates also report instances where there are a greater number of COVID-19 positive individuals in detention at certain facilities than ICE is reporting, raising concerns about potentially falsified information.

- On November 17, advocates with Immigrant Action Alliance, an advocacy group in regular contact with people detained in ICE facilities in southern Florida, reported that, although ICE reported only one active cases of COVID-19 at the Glades County Detention Center in **Moore Haven, Florida**, people detained at

the facility reported that multiple people in one dorm had been quarantined after testing positive for COVID-19.

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

- On October 22, a man in ICE detention at Calhoun County Jail in Battle Creek, Michigan tested positive for COVID-19.^{iv} ICE did not display an increase in COVID-19 cases at the facility on the ICE website until October 27.

According to a report by the Vera Institute, ICE also removed several facilities with previously confirmed cases of COVID-19 from its public reporting without explanation, including the Don T Hutto Residential Center in **Taylor, Texas**.^v

Testing

During this period, ICE dramatically expanded 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 also continued to document instances in which testing was prioritized for people facing imminent deportation, and denied to people exhibiting severe COVID-19 symptoms. FFI also documented instances in which people were not informed of their COVID-19 test results, causing additional emotional distress and confusion.

ICE's Reporting of Administered COVID-19 Tests

ICE reported a dramatic expansion in the number of COVID-19 tests administered to people in detention. **As of November 13, ICE reported that it had administered COVID-19 tests for 62,080 people over time** - representing an increase in 9,975 since FFI's last update on October 22 and a test positive rate of approximately 11.7%.

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.**

According to a study released in October, the monthly COVID-19 case ratio in ICE detention between April and August was 13.4% times higher than the case ratio in comparison to the U.S. population.^{vi} According to an epidemiological model built by the Vera Institute Center on Immigration and Justice, "...there is no scenario in which the

data ICE has reported to the public reflects the true scope of the spread of COVID-19 in detention.”^{vii}

FFI continues to express concern that the total percentage of people in ICE detention who have contracted COVID-19 is significantly higher than 11.7% 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

FFI continued to document widespread limitations to testing access; even in the event that the person requesting a test had been directly exposed to COVID-19 or was displaying severe COVID-19 symptoms. At the same time, a person on board a November 11 deportation flight to several countries in West and Central Africa reported that they and several others had been tested prior to deportation, suggesting that **ICE is continuing to utilize testing as a means of facilitating deportations**, not contain the virus and save lives.

Additional instances in which ICE limited access to testing include:

- The American Civil Liberties Union of Michigan reported that guards at the Calhoun County Jail in **Battle Creek, Michigan** waited a full week to alert medical staff that a man who had been pleading for medical intervention had been displaying COVID-19 symptoms.^{viii} Rather than testing him, medical staff instructed the man to return to the general population and continue his work duties in the cafeteria. He was finally tested six days later, when he was too ill to get out of bed.
- On November 12, a transgender woman detained at the Krome Service Processing Center in **Miami, Florida** reported that someone she had been in close contact with tested positive for COVID-19.^{ix} She requested a COVID-19 test and was denied. The person further reported that they were not isolated.
- On October 27, a person detained at the Dodge County Jail in **Juneau, Wisconsin** reported that they had not received a response to repeated requests for a COVID-19 test.^x

FFI also documented instances in which people who had received COVID-19 tests were denied access to test results, causing additional stress, confusion, and trauma. In a November 17 press release, Eunice Cho, Senior Staff Attorney at the American Civil Liberty Union’s National Prison Project stated that the ACLU has documented widespread instances in which people are subjected to solitary confinement while awaiting COVID-19 test results, without being informed of those results.^{xi}

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 despite clear evidence 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 placed in cells known to be used as punishment and denied medical care.

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

FFI continued to receive widespread reports in which people who had tested positive for COVID-19 were detained in the same housing units as people who had tested negative for COVID-19 or who had not been tested:

- According to an October 26 press report, people detained at the Nevada Southern Detention Center in **Pahrump, Nevada** who had tested positive for COVID-19 were not being removed from dormitories housing up to 90 people each.^{xii}
- A person detained at the Aurora Detention Facility in **Aurora, Colorado** reported that people who had tested positive for COVID-19 continued to be detained alongside people who had tested negative. The same person reported that they had received a COVID-19 test but were never notified of the results, and assumed they were only experiencing symptoms of a common cold until they began to experience severe shortness of breath. Even then, the person reported that they were not put in isolation.^{xiii}
- On October 23, a person detained at the Adelanto ICE Processing Center in **Adelanto, California** reported that they were brought into a housing unit reserved for infected people, despite not exhibiting any symptoms of COVID-19.^{xiv} The person reported that they began exhibiting symptoms approximately three days after arriving into the unit. The person reported that when they saw a nurse she expressed confusion as to why they were being held in that unit. The nurse then administered a COVID test, which returned with a positive result.

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.^{xv}

- According to a press report, when officials at the Nevada Southern Detention Center in **Pahrump, Nevada** isolate someone arriving into the facility or who has tested positive to COVID-19, they are sent to a solitary confinement cell and let out for only 30 minutes three times a week.^{xvi}
- On November 9, a person detained at the Port Isabel Detention Center in **Los Fresnos, Texas** reported that they were put in isolation after testing positive for COVID-19.^{xvii} The person reported that people often fear reporting COVID-19 symptoms because, if they test positive, they are put in isolation and may miss court dates.
- On November 13, a person detained at the Dodge County Jail in **Juneau, Wisconsin** reported that they had gone more than a week without access to any recreation facilities and that he had not been outside in more than a month.^{xviii} The person reported that facility staff use COVID-19 as a pretext for forcing people into isolation.

Arrests, Transfers and Book-Ins

ICE significantly ramped up its enforcement activity during this period. In many cases, ICE's enforcement activity directly undermined efforts of state governments to protect their communities from COVID-19 by reducing detention levels in jails and prisons under the purview of the state department of corrections. ICE continued to carry out transfers to and from its facilities and 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 COVID19 within detention and in communities in both the United States and abroad. ICE continued to use transfers as a means of consolidating people from specific national groups to facilitate their deportation.

Increase in ICE arrests and Re-Detention

ICE significantly increased its enforcement activity during this period, including continued efforts to re-detain people previously released from detention in an effort to reduce detention levels to comply with public health guidance. **In some instances, these re-arrests came nonsensically – and cruelly – mere days after a person's initial release.** Recent waves of re-detention directly undermine efforts to keep communities safe, at a time when COVID-19 levels are at their peak in many areas:

- According to an October 28 article by the *Miami Herald*, ICE released Dayron Naranjo-Alvarez, an asylum seeker of Cuban origin, from custody at the Jackson

Parish Correctional Center in **Jonesboro, Louisiana**, on October 21, only to re-detain him on October 27.^{xix} At the time of Naranjo-Alvarez's re-arrest, he was staying with his brother in Louisville, Kentucky. ICE officers conducting the arrest informed that he had been "erroneously released" and that he would be forced to remain in detention until his deportation, despite the fact that Cuba is currently not accepting deportation flights.

In other instances, ICE re-detained people released from custody of the state department of corrections via laws passed to reduce incarceration levels, resulting in an effect where detention levels are merely redistributed between facilities.

- On November 4, a **New Jersey** law went into effect allowing for the early release of incarcerated people near the end of their sentences.^{xx} The law contains provisions to facilitate the early release of people in New Jersey Department of Corrections custody who have a year or less remaining of their sentences, with carve outs for people who are serving sentences for murder and some sexual offenses. However, ICE immediately re-detained 88 non-citizens granted release under the Bill.^{xxi} As reported by family members to Pax Christi, many of these people were transferred to ICE detention facilities in Louisiana and Texas, including facilities that are the site of high concentrations of COVID-19. Four of those individuals have since tested positive for COVID-19.

These transfers from the New Jersey Department of Corrections to ICE detention facilities in the South mirrors a broader trend of ICE transfers from North to South. Advocates in contact with people at the Cumberland County Jail in Portland, Maine noted that, beginning in June 2020, the Cumberland facility began holding people for very short periods of time before transferring them to ICE jails in the South. Advocates noted that the Cumberland jail tends to have its highest levels of detention over the weekend, but by Tuesday or Wednesday, the jail is empty. Advocates cited a specific example in which a man arrived at the Cumberland jail after being arrested for driving under the influence. Although the judge ordered only that he pay a \$40 fine, ICE arrested him and transferred him to detention in Louisiana, where he is awaiting deportation.

At the same time, ICE continued to facilitate more widespread transfers from local, state, and federal jails and prisons, including continued transfers from California Department of Corrections to ICE detention.

Transfers to Facilitate Mass Deportations

ICE continued to utilize transfers between its facilities as a means of facilitating mass deportations of Black and Brown immigrants. On November 12, ICE conducted a second large-scale deportation immigrants to countries in Central and Eastern Africa, including Cameroon, and Angola. Although the exact number of people on the flight is unconfirmed, advocacy group Louisiana Advocates for Immigrants in Detention reports that at least 20 people of Cameroonian origin were on board the flight. Prior to the

deportation flight, ICE transferred immigrants from countries in Africa detained at several detention facilities throughout the country to the Prairieland Detention Facility in **Alvarado, Texas**. People on board the November 12 flight were ultimately deported via charter air from Alliance Airport in Fort Worth, Texas.

According to transfer data examined by FFI, at least four of the people transferred to Prairieland during this time were transferred from facilities with no reported active cases of COVID-19, despite the fact that Prairieland had four active cases of COVID-19 at the time of the transfer:

- On November 4, two individuals from Cameroon were transferred from Pine Prairie ICE Processing Center in **Pine Prairie, Louisiana**; one individual from Cameroon was transferred from South Louisiana ICE Processing Center in **Evangeline Parish, Louisiana**; and one individual from Ecuador was transferred from Kay County Jail in **Newkirk, Oklahoma**.

Transfers Linked to Outbreaks of COVID-19

People in detention continued to report that transfers and book-ins are a main driver of the continued proliferation of COVID-19 inside detention:

- On November 3, a person detained at the South Detention Complex in **Pearsall, Texas** reported that people continued to be transferred into the facility displaying active symptoms of COVID-19 and that these people were housed with the general population without any testing.^{xxii} The person reported that they noticed a rapid acceleration in the number of people displaying COVID-19 symptoms as a result.
- On October 23, a person detained at the Adelanto ICE Processing Center in **Adelanto, California** reported that the facility continued transferring in more people, despite the fact that many people in detention are displaying COVID-19 symptoms.^{xxiii} The same person reported that he had requested to see a doctor two weeks and was informed that medical staff was too busy to see him.

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

- According to a November 5 press report, a second outbreak of COVID-19 at the Otay Mesa Detention Center in **San Diego, California** began after more than half of a group of approximately 50 people who had been transferred to Otay Mesa from a facility in Arizona tested positive upon arrival.^{xxiv}
- On October 23, ICE transferred an individual from Cuba from Jackson Parish Detention Facility in **Jonesboro, Louisiana** to the Tacoma ICE Processing Center in **Tacoma, Washington**.^{xxv} At the time of the transfer, ICE reported 56 confirmed active cases of COVID-19 at Jackson Parish and no confirmed active cases at Tacoma ICE Processing Center. That same individual was transferred

back to Jackson Parish on November 2. **By November 18, ICE reported 3 new active cases at Tacoma ICE Processing Center.**

- In our last report, we noted that on October 6, ICE transferred an individual from the Wakulla County Jail in **Crawfordville, Florida** to the Baker County Jail in **Macclenny, Florida**.^{xxvi} At the time of the transfer, ICE reported four confirmed active cases of COVID-19 at Wakulla and no confirmed active cases at Baker. **By November 16, ICE reported a new active case at Baker.**
- On October 23, ICE also transferred an individual from Trinidad and Tobago from Port Isabel Detention Facility in **Los Fresnos, Texas** to the Okmulgee County Jail in **Okmulgee, Oklahoma**. At the time of the transfer, ICE reported four confirmed active cases of COVID-19 at Port Isabel and no confirmed active cases at Okmulgee County Jail. **By November 17, ICE has reported 3 new active cases at Okmulgee County Jail.**
- On October 28, ICE transferred an individual from Togo from Adams County Correctional Facility in **Natchez, Mississippi** to the Elizabeth Detention Facility in **Elizabeth, New Jersey**. At the time of the transfer, ICE reported 21 confirmed active cases of COVID-19 at Adams County Correctional Facility and zero confirmed active cases at Elizabeth. On November 4, the same individual was transferred back to Adams County Correctional Facility. **By November 19, ICE reported a new active case at Elizabeth Detention Facility.**

Transfers To/From Facilities with Confirmed Cases of COVID-19 To/From Facilities with no confirmed cases of COVID-19

FFI documented seven 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 November 3, ICE transferred an individual from Mexico from the IAH Secure Adult Detention Center in **Livingston, Texas** to the Montgomery Processing Center in **Conroe, Texas**. At the time of the transfer, ICE reported 6 confirmed active cases of COVID-19 at IAH Detention Center and zero confirmed active cases at Montgomery.
- On November 13, an individual from Angola was transferred by ICE from Prairieland Detention Facility in **Alvarado, Texas**, to the Adelanto Detention Facility in **Adelanto, California**. At the time of the transfer, ICE reported 6 confirmed active cases of COVID-19 at Prairieland and zero confirmed active cases at Adelanto.
- On November 17, ICE transferred an individual from Uzbekistan from IAH Polk Adult Detention Facility in **Livingston, Texas** to the Bergen County Jail in **Hackensack, New Jersey**. At the time of the transfer, ICE reported 6 confirmed active cases of COVID-19 at IAH Detention Facility and zero confirmed active cases at Bergen County Jail.

- On November 20, ICE transferred an individual from Colombia from Pulaski County Jail in **Ullin, Illinois** to the Larkin Community Hospital in **South Miami, Florida**. At the time of the transfer, ICE reported 18 confirmed active cases of COVID-19 at Pulaski County Jail and zero confirmed active cases at Larkin Community Hospital.

FFI also documented 18 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 October 26, ICE transferred three individuals from Cuba (2) and Togo (1) the Lasalle Detention Facility in **Olla, Louisiana** to the River Correctional Center in **Ferriday, Louisiana**. At the time of the transfer, ICE reported 0 active cases of COVID-19 at Lasalle Detention Facility and 41 confirmed active cases at River.
- On October 26, ICE transferred an individual from El Salvador from the Torrance 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 0 active cases of COVID-19 at Torrance and 41 confirmed active cases at El Paso.
- On October 28, ICE transferred three individuals from Cuba from the Lasalle Detention Facility in **Olla, Louisiana** to the Jackson Parish Correctional Center in **Jonesboro, Louisiana**. At the time of the transfer, ICE reported 0 active cases of COVID-19 at Lasalle Detention Facility and 41 confirmed active cases at Jackson Parish.
- On October 29, ICE transferred an individual from Ethiopia from the Lasalle Detention Facility in **Olla, Louisiana** to the Richwood Correctional Center in **Monroe, Louisiana**. At the time of the transfer, ICE reported 0 active cases of COVID-19 at Lasalle Detention Facility and 45 confirmed active cases at Richwood.
- On November 18, ICE transferred an individual from Colombia from the McHenry Correctional Facility in **Woodstock, Illinois** to the Pulaski County Jail in **Ullin, Illinois**. At the time of the transfer, ICE reported 0 active cases of COVID-19 at McHenry Correctional Facility and 17 confirmed active cases at Pulaski.

Circular Transfers

During this period, FFI documented nine instances of “circular transfers” – in which an individual is transferred between multiple facilities only to end up back where they started. Some of these instances include:

- On October 5, an individual from Cameroon was transferred from River Correctional Center in **Ferriday, Louisiana** to the Prairieland Detention Center in **Alvarado, Texas**. On October 29, the same person was then transferred back to River Correctional Center.
- On October 7, an individual from Cameroon was transferred from Adams County Correctional Center in **Natchez, Mississippi** to the Prairieland Detention Center

- in **Alvarado, Texas**. On October 29, the same person was then transferred back to Adams County Correctional Center.
- On October 27, an individual from Jamaica was transferred from Baker County Correctional Facility in **Macleenny, Florida** to the Krome ICE Processing Center in **Miami, Florida**. Six days later, on November 2, the same person was then transferred back to Baker County Correctional Facility.
 - On November 4, an individual from Cameroon was transferred from IAH Secure Adult Detention Facility in **Livingston, Texas** to the Prairieland Detention Center in **Alvarado, Texas**. Eight days later, on November 12, the same person was then transferred back to IAH Detention Facility.
 - On November 4, an individual from Cameroon was transferred from Jackson Parish Correctional Facility in **Jonesboro, Louisiana** to the Prairieland Detention Center in **Alvarado, Texas**. Ten days later, on November 14, the same person was then transferred back to Jackson Parish.
 - On November 12, an individual from Cameroon was transferred from Jena/LaSalle Detention Facility in **Jena, Louisiana** to the Prairieland Detention Center in **Alvarado, Texas**. Two days later, on November 14, the same person was then transferred back to IAH Detention Facility.

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 23 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 ranging from five to 186 days. In the vast majority of instances, the country of origin of the affected individuals is Cuba, although it also affected people from Cameroon, Angola, Mali, and Libya. Some of the more egregious examples include:

- On October 26, four individuals from Cuba appeared in the Locator respectively as at River Correctional Center in **Ferriday, Louisiana** (1 individual), and Adams County Correctional Facility in **Natchez, Mississippi** (3 individuals), all after 119 days of being listed as “Call Field Office,” since June 30.
- Between October 27 and 29, three individuals from Cuba appeared in the Locator as at Richwood Detention Facility in **Monroe, Louisiana**, after 120-122 days of being listed as “Call Field Office,” since June 30.

- On October 29, an individual from Cuba appeared in the Locator as at Jackson Parish in Jonesboro, Louisiana, after 87 days of being listed as “Call Field Office” since August 4.
- On October 30, two individuals from Cuba appeared in the Locator as at Allen Parish Detention Facility in **Allen Parish, Louisiana**, after a respective 186 and 123 days of being listed as “Call Field Office,” since April 28 and June 30.
- On November 1, an individual from Mali appeared in the Locator as at Florence Service Processing Center in **Florence, Arizona**, after 118 days of being listed as “Call Field Office,” since July 7.
- On November 18, an individual from Cuba disappeared from the Locator after 96 days of being listed as “Call Field Office,” since August 15 when they had been at Winn Detention Facility in **Winnfield, Louisiana**.

Deportations

During this time, ICE ramped up deportations significantly, including mass deportations of Black and Brown immigrants. ICE also continued to deport witnesses to potential crimes committed by ICE officials and contract staff in detention, including non-consensual medical procedures and use of physical force to compel people into signing their deportation papers. ICE also took steps to prepare for the imminent deportation of asylum seeking families, including 28 children who have been in detention since the onset of the COVID-19 pandemic.

Acceleration in Deportations

ICE dramatically increased its deportation flights during this period. According to advocacy group Witness at the Border, **ICE conducted a record number of deportation flights during this time - documenting at least 77 deportation flights since November 1.**^{xxvii} This included mass deportation flights to countries in West and Central Africa, as well as deportations to Central America and the Caribbean. In some cases, ICE conducted these deportations over the objections of regional governments, including the Government of Guatemala, which requested that ICE halt deportations due to the devastation caused by Hurricane Eta.^{xxviii}

Many of those subjected to deportation during this period arrived in ICE detention after exercising their legal right to claim asylum at a port of entry. Several of those deported had pending asylum claims:

- The November 11 mass deportation flight to several countries in Central and West Africa included an asylum seeker from Cameroon who had a potential avenue to filing an asylum claim in Canada.^{xxix} On October 30, officials with the Canada Border Services Agency agreed to meet him, and potentially open an asylum claim in Canada. However, ICE refused to release him from custody and proceeded with his deportation.

Use of Force to Coerce People into Signing Deportation Papers

FFI continued to document numerous reports from people in detention that ICE officials and its contract staff used use of force, including physical violence, to compel them into signing their deportation orders:

- On November 5, FFI and the Southern Policy Law Center filed a complaint with the Department of Homeland Security Office of Civil Rights and Civil Liberties detailing additional allegations of use of force and torture to force Cameroonian migrants to sign deportation papers, including forced stripping and instances where groups of as many as eight officials tried to physically force individuals to put their fingerprints on deportation papers.^{xxx}
- Approximately two dozen people of Cuban origin held in ICE detention in **Louisiana** and **Georgia** reported to the *Miami Herald* that ICE agents coerced them into signing a form saying that they wanted to return to Cuba to visit family. Some of the people reported instances of physical violence.^{xxx1} Those reporting these allegations said they feared ICE was compelling them to sign these forms in an effort to circumvent travel restrictions put in place by the Cuban government, which requires visitors to apply for a travel license. On this application, ‘family visits’ are listed as a valid criteria for travel, but there is no section for ‘deportation.’
- On November 5, a person detained at the Prairieland Detention Facility in **Alvarado, Texas** reported that they were forced to provide their fingerprints to sign deportation documents and that they would be deported soon.^{xxxii}
- On November 1, a person detained at the Laredo Processing Center in **Laredo, Texas** reported that they had refused several attempts by ICE officers to compel her to sign deportation papers.^{xxxiii} The person reported that, after refusing to sign papers twice, her Deportation Officer informed her that if she did not sign he would take her to an unknown place where he would force her to sign. The person reported that her Deportation Officer made the same threat to her sponsor.

Deportation and Attempted Deportation of Witnesses

During this period, ICE also continued to deport people in detention who had brought forward allegations of serious abuses in ICE detention and could potentially serve as witnesses in on-going investigations.

- Four parties to the complaint FFI and the SPLC filed with DHS CRCL on November 5 were deported on the November 11 flight to several countries in Western and Central Africa.
- ICE also deported multiple women who brought forward allegations of non-consensual medical procedures, including hysterectomies, while detained at the Irwin County Detention Center in **Ocilla, Georgia**. On November 11, the *Associated Press* reported that ICE had already deported six women who had brought forward allegations of medical abuse at the Irwin facility.^{xxxiv} Attorneys

report that at least seven other women who had brought forward allegations of abuse face imminent deportation.^{xxxv} One of the women facing imminent deportation is a 43-year resident of the United States, who has brought forward evidence that she has a claim to U.S. citizenship.^{xxxvi} ICE began moving to expedite her removal proceedings after allegations regarding medical abuse at Irwin went public.

During this time, lawyers representing asylum seeking families detained at the South Texas Family Residential Center in **Dilley, Texas** warned that the Trump administration is moving to imminently deport 28 children and their families.^{xxxvii} Some of the families have been in detention for more than a year. All families were prevented from seeking asylum due to the “asylum transit ban,” which bars immigrants from seeking asylum if they have traveled through other countries. Federal courts have ruled repeatedly against this policy.^{xxxviii}

Releases

At the same time as ICE reported a dramatic increase in testing, ICE also reported a significant decrease in its population. As of November 13, ICE reports 16,693 people in its custody (a significant decrease of 2,134 since FFI’s last update August 13). **As of November 16, ICE reports 1,022 releases from immigration detention as a result of court orders.** This is a significant increase of 479 reported judicial releases since FFI’s last update on October 22. Many of these releases can be attributed to implementation of court orders mandating ICE to reduce detention levels at the Adelanto Service Processing Center in **Adelanto, California.**^{xxxix} However, advocates noted continued obstructions to release on bond. People in detention also expressed despair that, even in facilities subjected to judicial orders to reduce detention levels, people with criminal charges or convictions in their histories were left behind. ICE also increased its racist and xenophobic messaging around this time, erecting billboards with photographs and personally identifying information of people with criminal charges or convictions in their histories.

Notable Judicial Releases

During this period, ICE continued releases from the Adelanto Processing Center in **Adelanto, California** following judicial orders mandating that detention levels be reduced to 475 people or less.^{xi} In many instances, and in the absence of government assistance, community groups came forward to facilitate these releases by providing temporary shelter in places of worship temporarily closed down due to the COVID-19 pandemic.^{xi}

Sense of Being Left Behind

People detained in facilities subject to judicial orders for release reported that, even in cases where ICE complied with judicial orders to substantially reduce detention levels, people with criminal convictions or charges in their histories remained left behind. This

continues to fuel a mental health crisis for some people in detention, who feel they have been left behind to die.

- On October 23, a person detained at the Adelanto ICE Processing Center in **Adelanto, California** reported, “Lots of people are getting released from Adelanto, but those of us who have criminal issues are staying. That's not right. They are bringing people in who are sick and we are getting sick too. I don't know where they are coming from, but we're just starting to get over the virus. We can't be put in with people who are sick . . . In addition, I am at risk, I have diabetes and high blood pressure. I am afraid.”^{xlii}

Barriers to Release

Advocates and people in detention continued to report various ways in which ICE obstructed lawful avenues for release. Legal services providers, people in detention, and advocates reported widespread confusion regarding who is eligible to release under various orders and government directives, creating a sense that who is released is often random. Advocates noted on-going bias and barriers to release for immigrants of African origin:

- In one instance, a Deportation Officer blocked the posting of bond set by an immigration judge for a person detained at the Adelanto ICE Processing Center in **Adelanto, California** because he intended to transfer the person to Los Angeles to be placed on a deportation flight to El Salvador the next day. The attorney for the person in question already had an appeal on file with the Board of Immigration Appeals, and the advocate posting the bond had already signed the necessary paperwork and handed over the cashier's check.
- During the week of November 16, another Deportation Officer rejected an attempt to post bond for a person detained at the Otay Mesa Detention Center in **San Diego, California**, stating vaguely that he had "not complied with the conditions of his custody review" while refusing to provide any specifics. The attorney of record attempted to contact the officer to resolve the issue, but he did not answer her calls or respond to voicemails or other messages from her.
- Also at Otay Mesa, on November 20, attorneys with Al Otro Lado noted an on-going pattern in which migrants of African origin are repeatedly denied release.^{xliii} In many instances, officials stated that applications for release are missing documentation that was submitted.

Continued Health Difficulties Post-Release

FFI continued to note on-going health difficulties faced by people who contracted COVID-19 while in detention and were then released. Due to the complete absence of any government-sponsored means of accessing long-term COVID-19 care for people released from detention - or tracking their recovery - FFI remains concerned that the true fatality count of COVID-19 is undercounted:

- On November 9, a person released from the Adelanto Service Processing Center in Adelanto, California on November 6 reported that they contracted COVID-19 while in detention and continued to suffer from lung problems and cannot taste or smell after release.

Conditions Inside ICE Detention

During this period, FFI documented a general degradation in conditions in ICE detention and backsliding on COVID-19 preventive measures, mirroring “pandemic fatigue” outside of detention. People in detention reported backsliding even in facilities that had previously implemented minor reforms in access to personal protective equipment, soap, and sanitizer. At the same time, FFI documented continued failure on the part of ICE and its contract staff to observe basic COVID-19 prevention protocols. FFI also documented an apparent reversal in an early directive to provide limited, free access to phone communication in detention in a range of ICE facilities. FFI also received reports of a new brand of toxic chemical disinfectant at use in at least one facility. Medical neglect remained rampant, as did abuse and retaliation for internal organizing.

General degradation in conditions

People in detention reported a continued, general degradation in conditions, including facility cleanliness, lack of access to essential supplies, and insufficient or low quality food:

- On October 4, advocates with Immigrant Action Alliance reported that toilet paper is being withheld at the Glades County Detention Center in **Moore Haven, Florida**.
- On October 30, a person detained at the Wakulla County Jail in **Crawfordville, Florida** reported that people in detention are barely given chemicals or disinfectant to clean with and at times had needed to clean with only water.^{xliv} The same person reported that there are only two toilets and one shower in a dorm for 20 people.
- On November 4, a person detained at the La Palma Correctional Center in **Eloy, Arizona** reported that people are served food on plates that have been barely washed, and these plates are circulated between areas of the facility on quarantine due to COVID-19 and the general population.^{xlv} The same person reported that, for days at a time, people in detention receive expired ham sandwiches with cookies and spoiled milk.
- On November 13, advocates with Louisiana AID reported that all dorms at the LaSalle ICE Processing Center in **Jena, Louisiana** are on lockdown and there is no soap or shampoo available.

Failure to Observe public health protocols and backsliding on COVID-19 prevention measures

FFI documented continued, widespread failures of ICE and its contract staff to observe public health protocols as well as a backsliding in some facilities that had implemented limited reforms to increase access to PPE and soap within detention.

- In early November, ICE reported a second outbreak of COVID-19 at the Otay Mesa Detention Center in **San Diego, California** since an initial outbreak in spring which resulted in more than 200 positive cases of COVID-19 among the detained population and one death.^{xlvi} On November 5, a person detained at the Otay Mesa facility reported, “There has been another wave of infections of COVID-19 in the facility. Some dorms are quarantined. They are doing the same lack of care as they did at the beginning of the pandemic.”^{xlvii} In a November 5 press report, a person detained at the facility reported that several corrections officers were wearing make-shift PPE, including a hospital gown and what appeared to be a trash bag.^{xlviii} The person noted that guards move between pods in the facility, including between quarantine areas and the general population.
- During an October 22 court hearing regarding an outbreak of COVID-19 at the Wyatt Detention Facility in **Central Falls, Rhode Island**, Warden Daniel W. Martin stated that he suspected the outbreak was linked to either inspectors from the U.S. Marshals Service who were inspecting the facility without masks or an asymptomatic employee.^{xlix} The Warden said that he saw employees wearing masks incorrectly.
- On November 16, U.S. District Judge Vince Chhabria berated officials at the Mesa Verde ICE Processing Center in **Bakersfield, California** for failing to enact even basic safety protocols to prevent another outbreak of COVID-19. Specifically, Chhabria asked why the facility had failed to implement a policy stating that one dorm must remain empty at all times for quarantine purposes.¹ Although the Mesa Verde facility is currently operating at 15% capacity, ICE plans to begin admitting in more people.

Medical Neglect

Medical neglect remained rampant throughout ICE detention. During this period, women continued to come forward alleging non-consensual medical procedures at the hands of a doctor contracted to provide medical services at the Irwin County Detention Center in Ocilla, Georgia. At least 57 women have come forward alleging that they underwent or were pressured to undergo unnecessary medical treatments, and at least 17 of these women state that they received overly aggressive gynecological procedures without their consent.^{li} FFI continued to document widespread denials of medical care for serious medical procedures, withholding of medical records, and substandard care:

- On November 12, a person detained at the LaSalle ICE Processing Center in **Jena, Louisiana** reported that they had been denied surgery to remove painful

- cysts. The person reported that they were in excruciating daily pain which prevented them from being able to conduct basic life functions and that they experienced blood in their urine. The person reported that they were also denied a biopsy to rule out the possibility that the cysts may be, in fact, cancerous tumors.
- On October 30, a person detained at the Joe Corley Detention Facility in **Conroe, Texas** reported that they fear they are suffering from an undiagnosed brain concussion, and that they are experiencing severe daily headaches, dizziness, vomiting. Despite filing multiple requests for care to the medical facility, these concerns remain unaddressed.
 - On October 29, a person detained at the Krome Service Processing Center in **Miami, Florida** reported that, upon arrival, he requested a brace he needed for recovery following an earlier surgery.^{lii} ICE denied this request, as well as access to his asthma inhaler and nasal spray. The person reported that he suffered an asthma attack and seizure as a result and suffers from on-going shortness of breath, shaking hands, and fatigue. Despite repeated requests to see a specialist, he has only seen a technician and is still not receiving necessary physical therapy.
 - On October 29, a second person detained at the Krome Service Processing Center in **Miami, Florida** reported that they had submitted six requests for their medical records without success.^{liii} The person reported that this is preventing them from filing requests for release on medical grounds.

Toxic Chemical Exposure

On October 23, 2020, FFI received nine hotline calls that reported a new chemical disinfectant is in use at the Adelanto ICE Processing Center in **Adelanto, California**. In May, FFI and the Inland Coalition for Immigrant Justice filed a complaint with the Department of Homeland Security Office for Civil Rights and Civil Liberties detailing use of a toxic chemical disinfectant called HDQ Neutral at the Adelanto facility.^{liv} People in detention reported that the chemical was causing nosebleeds, hair loss, headaches, loss of consciousness, shortness of breath, and severe coughing. Although facility officials appeared to have discontinued use of the chemical at the Adelanto facility following intense media and congressional scrutiny, HDQ Neutral appears to have been replaced by a chemical called Diffense, made by the same manufacturer as HDQ Neutral - Spartan Chemical. Diffense that causes many of the same physical side effects as HDQ Neutral:

- On October 23, a person detained at the Adelanto facility reported, “Today it was my duty to do the cleaning and the front of my head started to hurt really badly. It is because of the spray that they are using. I get bloody noses. The other day, when they sprayed everything down, my eyes started burning and watering.”^{lv}

Internal organizing and retaliation

FFI documented continued, widespread internal organizing in protest of prolonged detention; inhumane conditions; failure to implement basic public health measures, and bias in the immigration court system. In many cases, ICE and its contract staff responded to internal organizing with retaliation and abuse. Organizing in ICE detention mirrors

organizing conducted by people held in the custody of the federal Bureau of Prisons, state departments of corrections, and local jails and prisons. According to a November 13 report, incarcerated people have organized at least 106 COVID-19 related protests between March 17 to June 15.^{lvi}

- In November, people detained at the Bergen County Jail in **Hackensack, New Jersey** initiated the second hunger strike at that facility since the onset of the COVID-19 pandemic.^{lvii} Participants in the hunger strike are demanding the federal authorities free them so they can continue their immigration cases at home, where they will be more protected from COVID-19.
- A November 17 *Guardian* article outlined the ways in which COVID-19 has exacerbated existing patterns of abuse and sexual harassment faced by transgender women in ICE custody, including forcing women into solitary confinement for reporting abuse.^{lviii}
- On November 12, a person detained at the Wakulla County Jail in **Crawfordville, Florida** reported that, after 100 people at the jail sent FFI an open letter detailing poor conditions at the facility, guards took away recreational privileges and television.^{lix} The person reported that people do not receive medical attention unless they pass out or aren't able to stand on their own. The same person reported barriers to law library access as well as phone services.
- On November 9, a person detained at the Worcester County Jail in **Snow Hill, Maryland** reported that, after submitting a complaint to DHS CRCL detailing medical neglect, facility officials put him on a “diet” where he was only allowed to eat one or two times per day.^{lx}

Barriers to Communication and Repression of Information

FFI documented widespread barriers to communication. In April 2020, ICE released a directive stating that people in detention are allowed up to 520 minutes of free phone access at facilities where telecommunications are provided by private company Talton Communications. For facilities not served by Talton, ICE said that they would negotiate with other providers to provide 500 minutes or more.^{lxi} After this directive went into place, people in detention reported that, while the directive was implemented unevenly, free phone access seemed to improve. However, in recent weeks, people in detention report that free phone access has limited or gone away completely.

- Staff at the Hardin County Jail in **Eldora, Iowa**, told a local visitation group that “the free minutes are no longer provided by ICE” and suggested that they contact their phone contractor, Telespan Communications, to advocate for them to provide more free minutes.

FFI documented other instances in which ICE officials and contract staff took deliberate steps to limit access to information.

- Advocates reported that, immediately prior to and following the November 11 mass deportation flight to several countries in Western and Central Africa, phone access was disrupted at the Prairieland Detention Facility in **Alvarado, Texas**.

- People on board the November 11 flight - or scheduled for potential deportation in the coming weeks - were transferred to Prairieland in the weeks before the November 11 flight. An attorney representing someone transferred to Prairieland in advance of the November 11 flight reported that they were unable to reach their client, despite placing multiple calls to the facility.
- On November 4, a person detained at the La Palma Correctional Center in **Eloy, Arizona** reported that officers told people detained at the facility that the number of dead and infected people that CNN reports is a lie and that everything is under control.^{lxii}

Conclusion

As the nation experiences a COVID-19 surge and cases reach record levels, ICE is reverting to behavior from the early days of the pandemic, including backsliding on even minor steps to improve access to PPE and sanitary supplies. The agency continues ongoing dangerous practices, such as the cohorting of those positive with COVID-19 with the general population, and to brutally repress peaceful internal organizing while doing all it can to ramp up deportations before the Biden-Harris administration takes office. More than eight months into the pandemic, it is painfully clear that ICE will not take even basic steps to protect people in its custody unless it is compelled to do so. 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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