



7488 Calzada De La Fuente  
San Diego, California 92154

Otay Mesa  
Detention  
Center



AFSC San Diego

# COMPOUNDING SUFFERING DURING A PANDEMIC: A Case Study in ICE's Detention Failures



**Cover Page:** Photograph was captured by Pedro Rios (AFSC) at the vigil held on May 10, 2020 in memory of Carlos Escobar Mejia at the Otay Mesa Detention Center in San Diego, CA. An image of Mr. Escobar holding a child was projected on the detention center's sign.

## **Acknowledgements**

The work of the organizations that collaborated on this project would not be possible without the migrants, immigrants, refugees and the families that shared their story with us. We thank them for allowing us to accompany them in their struggle. A special thank you to AFSC inters Kimberly Taylor and Destenie Reyes for their assistance in co-authoring and conducting research for this report.

## **In memory of those who have lost their lives this year while in ICE custody**

Carlos Ernesto Escobar Mejia, El Salvador  
Kuan Hui Lee, Taiwan  
James Thomas Hill, Canada  
Luis Sanchez-Perez, Guatemala  
Onoval Perez-Montufa, Mexico  
Santiago Baten-Oxlaj, Guatemala  
Choung Won Ahn, South Korea  
Oscar Lopez Acosta, unknown country of origin  
Ramiro Hernandez-Ibarra, Mexico  
Maria Celeste Ochoa Yoc de Ramirez, Guatemala  
David Hernandez Colula, Mexico  
Unknown, Cuba  
Ben James Owen, Britain  
Samuelino Pitchout Mavinga, Angola  
Cipriano Chavez-Alvarez, Mexico  
Romien Jally, Marshall Islands

For more information regarding deaths at adult ICE prisons, visit:  
<https://www.aila.org/infonet/deaths-at-adult-detention-centers>

*"We're gonna try to do everything on our behalf so that people know the truth about the situation that happened with Sr. Escobar."*

-Migrant detained at OMDC  
Testimony obtained by PSF

## About Contributors

The **American Friend Service Committee's (AFSC)** U.S.-Mexico Border Program advances human rights and self-determination of migrant communities through base-building, alliance-building, documentation and policy-impact. We support local community-based organizing campaigns, train and accompany community-based leadership to educate, advocate, mobilize, and organize constituents to secure just and humane immigration policies. Using a human rights framework and in collaboration with community partners, we advance policies affecting immigration and border issues and build alliances to protect migrant and non-migrant rights. Our goal is to engage community partners and leaders to monitor and document instances of civil and human rights abuses by law enforcement agencies. The objective of documenting law enforcement activity is to change policies and practices that violate human rights and change the public discourse away from militarization of border communities, towards just and humane immigration policies that benefit workers and their families.

**Detention Resistance (DR)** is a group of community members, activists, organizing against the inhumane detentions and human rights abuses at the Otay Mesa Detention Center. We are an abolitionist, non-institutional, autonomous collective organizing in accompaniment with migrants and refugees. Detention Resistance is a transformative space for movement-building alongside invisibilized voices as part of a transborder struggle with the goal of abolishing colonial walls, by exposing the violence, oppression, and exploitation experienced by our community in and out of prisons/detention centers and across nations, with the aim of empowering ourselves and each other to reclaim our right to free movement and life.

**Pueblo Sin Fronteras (PSF)** is a transborder organization made up of human rights defenders of diverse nationalities and immigration statuses that promotes accompaniment, humanitarian assistance, leadership development, recognition of human rights, and coordination of know-your-rights training along migrant routes, as well as monitoring and raising awareness of human rights abuses against migrants and refugees in Mexico and the United States. Our accompaniment does not end at the border, it continues in the immigration detention centers of the United States and the communities in Mexico and the US.

## INTRODUCTION

Families have been torn apart since the creation of [Immigration and Customs Enforcement](#) (ICE) in 2003. The restructuring of the government's homeland security branch was a direct result of the attacks on the US on September 11, 2001. The intensification of the need for increased border security, which continues to this day, can also be seen as a response to fear. This fear of "others," of migrants, of all non-white foreign-born individuals is also a reflection of the systemic racism uniquely challenging this country. The global pandemic has further heightened the existing US racial and class divides

Unfortunately, the Trump Administration has consistently attacked immigrant and migrant communities even during the pandemic. This report provides an overview of the immigration detention system, and thoroughly analyzes the impact of COVID-19 on individuals in ICE detention at the Otay Mesa Detention Center (OMDC), and the government's failure at providing the necessary protections, including releasing people from immigration prisons that have experienced a high number of COVID-positive cases.

*"It's very downgrading as a human being [being locked in prison]. It breaks my heart to go through this situation especially being taken away from my home and separated from my family. What hurts the most is my 11-year-old son who is now depressed and needs to see a psychologist due to our separation. I cannot wait for this nightmare to end, I don't know if my life will ever be the same."*

*-Migrant Detained at OMDC  
Testimony obtained by AFSC*

## WHY ARE PEOPLE BEING DETAINED BY ICE?

The Immigration and Nationality Act (INA) created four different reasons a non-citizen could be detained within the US. The first states that any individual awaiting removal may be detained, however if detention isn't required the individual may ["be released on bond or on their own recognizance."](#) Secondly, individuals who have been charged with certain crimes are subject to detention following serving time in a criminal facility. The INA states that any applicants for admission, such as "aliens" arriving at a designated port of entry" in addition to individuals ["who have not been admitted or paroled into the United States"](#) may also be detained and are subject to removal. Finally, an individual may be detained for [90 days](#) following any removal hearings and allows permission for continued detention after those 90 days.

If there is no warrant at the time of the arrest, immigration officers have 48 hours to decide if the individual can be held unless there is ["an emergency or other extraordinary circumstance"](#). In addition, those individuals seeking asylum that prove a credible fear of persecution or torture may be released on parole in special circumstances if they do not present a threat of security or flight risk, including if they have a serious medical condition or ["continued detention is not in the public interest."](#)

Currently, there are over [200 detention facilities](#) within the US that are used in relation to immigration. As of 2020, an average of [27,668](#) detainees were held within these facilities on any given day; these numbers include asylum seekers, minors, migrants, and other individuals awaiting trial for possible deportation. Nearly 70% of detention centers are owned by private corporations. CoreCivic, formerly the Corrections Corporation of America, has run the Otay Mesa Detention Center since the company acquired the land in the late 1990s.

Under the current administration we have witnessed the increasing trend of detaining individuals in immigrant prisons even if they have received a positive credible fear interview and/or even if they are *not* deemed a threat to the community or a flight risk. This is a direct result of the administration's overemphasized anti-immigrant agenda.

In response, CoreCivic planned to increase its profit margin by [expanding](#) – grossly choosing profit over human life. Since 2017, this company has received over [\\$280 million](#) from ICE detention contracts.

## WHAT HAPPENS AFTER SOMEONE IS DETAINED?

After an individual is detained, the person must await trial through an Immigration Court, under the Executive Office of Immigration Review, which is a part of the Department of Justice. It is important to note that immigration judges are not independent in the same way that they are in the criminal context, for example. During this waiting period, the individual may be transferred within or between facilities across the US. If the court determines that the individual has been involved in a deportable crime, may be a threat to public safety, or has violated the terms of a visa, they may be [deported](#).

The length of time spent in [detention](#) is growing too, as the average length in 2017 was 34 days, an increase from 22 days in 2016. According to the [Pacific Standard](#), this number increased to an average of 46 days in July 2019. The most [recent data](#) on the average length of detention at Otay Mesa Detention Center comes from 2012 and is listed at 21 days, and as of 2015, OMDC was listed as a long-term facility, meaning individuals are typically held more than 20 days at a time.

However, it is common for adults to be held in immigration prisons past the 20 days. Many times, these longer-term cases are of those individuals who do not have legal representation and are representing

themselves. Migrants in custody can appeal their cases to the Board of Immigration Appeals (BIA) or to the US Court of Appeals. It is not uncommon for adults to be held in custody for 2 or 3 years as they maneuver through the court process, file appeals, and/or wait for ICE to obtain proper travel documents. During the pandemic, Detention Resistance have supported a migrant who has been detained for almost two years. There are many others like him who are indefinitely in detention.

## COVID-19 AND OMDC

At the beginning of the pandemic, OMDC held some of the highest numbers within the United States of confirmed positive COVID-19 cases amongst detainees and facility staff. In July 2020, ICE confirmed [169 detainees](#) and 11 ICE staff tested positive for the novel coronavirus since March. The Freedom for Immigrants initiative has tracked COVID-19 positive cases within detention centers as well as their conditions amid COVID-19 since March 23.

Additionally, the number of confirmed positive cases that ICE has reported within OMDC and its staff seemingly do not tell the full story. According to detainees, these numbers do not include those who have tested positive for COVID-19 in the units run by the [U.S. Marshal Service \(USMS\)](#) at OMDC. Numbers as of May 2020 suggest that at least an additional [66 detainees](#) may have contracted the novel coronavirus as well.

As of September 28, [6,145 COVID-positive](#) cases have been recorded across all ICE detention facilities.

On May 6, OMDC reported the first [COVID-related death](#) in a U.S. immigration detention facility after Mr. Carlos Escobar Mejia was admitted to a hospital in San Diego in late

April. According to a statement ICE provided on May 7, Mr. Escobar Mejia was only given a COVID-19 test on the day he was admitted to the hospital, despite his documented at-risk [conditions](#) of hypertension and diabetes and other detainees noting his apparent “[deteriorating](#)” and immobile state while ICE transferred him between units at OMDC. As of April 2020, there have been 17 deaths of adults while in ICE custody.

Multiple reports from detainees at OMDC state that many of them have not been tested for COVID-19 despite showing and reporting symptoms. Of those who have been tested, several report that they are not notified of their results or are verbally notified of results only to find their medical file denotes a contradicting [test result](#). Advocacy organizations are concerned about ICE improperly reporting COVID-positive cases. There are a few facilities that have gone from having positive cases to zero cases overnight. This is a strong indication of a very likely example of under-reporting.

During the threat of COVID-19 some detainees have been released on judges’ orders due to [medical risk](#). On April 30, Judge Sabraw [directed](#) ICE and CoreCivic to identify and release individuals that were at-risk due to pre-existing medical conditions and age that would classify them as “medically vulnerable.”

This was a direct result of [litigation filed](#) by the ACLU of San Diego and Imperial Counties. The final list provided by ICE and CoreCivic identified 51-69 individuals that were more at-risk of contracting COVID-19. In Judge Sabraw’s ruling, he described the detention center’s conditions as “unconstitutional under the Fifth Amendment because the conditions of their confinement place subclass members at substantial risk of serious illness or death.” Approximately 100 individuals were released from OMDC as a result of that order.

*“We don’t have the care we need. We don’t have masks. We had to rip up shirts to make some and they said we were going to pay for ripping them.”*

-Migrant Detained at OMDC  
Testimony obtained by PSF

***“Having to deal with being humiliated by the nurses who treat us poorly for the simple fact of being undocumented.”***

-Migrant Detained at OMDC  
Testimony obtained by PSF

## **MAKING THE PANDEMIC “SAFE”**

Since March 2020, the government and private companies, such as CoreCivic at OMDC, have stated that they have been making continued efforts to maintain detainee and staff safety within detention centers during the COVID-19 outbreak.

In ICE’s general statement regarding COVID-19 and its detention practices, ICE notes that its Enforcement and Removal Operations (ERO) created a task force that encouraged the release of 900 detainees due to medical risk only after individual review. They also cite that ERO and CBP have apprehended fewer individuals as a result of the novel coronavirus, which has decreased their detained population by 7,000 since March. ICE goes on to state its intention to screen new detainees and quarantine them before admitting them to the general detention population, maintain a detention population of 70% its operating capacity, and staggering meal and recreational times. The [statement](#) also notes that ICE will provide soap, hand sanitizer, and paper towels and “encourages” the detainees to tell staff as needed but does not guarantee personal protective equipment (PPE). CoreCivic, the private company that runs

OMDC as well as numerous other detention facilities in the United States also provided a general [COVID-19 statement](#). They reference “increased disinfecting of high-touch areas,” “[purchasing] COVID-19 testing kits,” “developing a plan to separate high-risk individuals,” “additional stores of [PPE],” “adequate supplies for cleaning and disinfecting,” and “face masks provided to all staff and those in [their] care.” Although these promises have been made, specific plans of action have not been provided and detainees have provided vastly different accounts of the conditions within OMDC.

Three former guards at OMDC are [suing](#) CoreCivic in regard to conditions surrounding its response to COVID-19. These lawsuits describe lack of protections around OMDC detainees and staff being unable to social distance, continuing transfers within units and other detention centers without quarantining detainees, not being provided with adequate PPE and disinfecting supplies, and the resulting hunger strikes detainees held in response to the unsanitary and unsafe conditions. The former guards suing CoreCivic quit their jobs because they felt unsafe after administration discouraged them from [wearing masks](#).

Multiple sources, including a [lawsuit](#) from someone detained and a [visit](#) from Representative Juan Vargas, describe how it is impossible to social distance within OMDC because of crowded dorms, common areas, and facilities. [ICE continues to transfer individuals](#) between its facilities as well, stating they are quarantining new individuals before admitting them to the detention center’s general population, although detainees state this is not the case.

News reports state that OMDC has not enforced employees’ use of PPE, lack proper hygiene products, and encouraged detainees to use the same towels when cleaning surfaces ranging from toilets to door handles and phone receivers. When detainees noted to staff that there was no hand sanitizer in dispensers, their requests for [replacements were denied](#) “because authorities worried they could be used for homemade alcohol.”

On April 10, migrants were first provided with a single-use face mask only if they signed a liability waiver written in English in exchange. Although they no longer have to sign a waiver, many migrants have noted that they are only given a new single-use face mask at as infrequently as everyone to three weeks.

On April 16, CoreCivic released a statement denying use of any waivers, and emphasizes that the use of masks, [“complements but does not replace other critical steps”](#) such as proper hygiene and social distancing. CoreCivic also published the [educational flyer](#) that was used to educate individuals on how to use a mask during COVID-19, which instructs individuals that “any mask that is soiled, torn, or saturated should be thrown away in standard garbage bin as long as you don’t show any of the symptoms of COVID-19”.

However due to the infrequency of how often migrants are provided with single-use masks, it is inevitable that they become damaged before receiving a replacement. Migrants have shared that their masks frequently ripped after being worn for a day or less, and that they were denied a replacement when requested from staff. In protest of inadequate conditions during COVID-19, migrants have been protesting through hunger strikes, including 35 detainees who went on hunger strike on April 4 after CoreCivic allowed a migrant with a fever to [continue working in the kitchen](#).

In the La Palma ICE facility in Arizona, also run by CoreCivic, and a detention center some migrants and guards are transferred between with OMDC, migrants stated they were forced to clean medical areas and a cell of a COVID-positive individual without gloves. They also [stated](#) that they were not given any PPE while passing other migrants from other units in the halls and were punished for protesting conditions through “verbal threats” and “indefinite lock-ins.” Numerous detainees made statements regarding people being sent to solitary confinement as a form of retaliation, with some being confined to a single-cell for up to two weeks.

The conditions in OMDC have worsened to the point where detainees have "[accepted the fact they are going to die](#)" in the facility. One [lawsuit](#) notes that within four days, the number of COVID-positive cases in OMDC increased from 18 to 111 individuals – an increase of 517%.

The migrants detained continue to demonstrate their resiliency through their motivation for politically organizing themselves while in the facility. They have collectively discussed the conditions of their surroundings, and the ways that the facility staff and ICE officers violated the orders issued by the State and the CDC. They not only had to endure being detained in general, but they had to then experience retaliation at the hands of CoreCivic staff. Individuals were sent to solitary confinement, threatened, banned from accessing their commissary (which is how they are able to purchase soap), and some were even pepper sprayed. This was all in response to their organized advocacy, including writing letters to elected officials and Governor Newsom, demanding that they be treated with dignity. Their efforts, along with migrants in other prisons, led to the passing of AB 3228.

## Access to Personal Protective Equipment

The CDC and public health officials issued orders requiring social distancing and the use of face masks in an effort to limit the spread of COVID-19. However, CoreCivic and ICE failed to provide these basic methods of protection from the fatal virus. In late April advocates were accompanied by Assemblywoman Lorena Gonzalez in an effort to deliver over 800 face masks to those in OMDC. However, they were not accepted by CoreCivic even after numerous conversations with the facility warden.

At the time it had been well documented that people in the facility were not being given masks. According to a female detained, the pod she was in had over 70 people and they had no masks. This echoed what others experienced in other pods and units. While migrants were given masks initially in April, many were not provided masks again until mid-May that people were given disposable masks. By the end of July, they were being given cloth masks.

Prior to being provided with PPE, some people detained made efforts to protect themselves by making their own masks, however, they were met with resistance. Some were threatened with solitary confinement for "destroying federal property" when they were making masks from their uniform sleeves.



Image Credit: Jeff Valenzuela, Pueblo Sin Fronteras

*"We're all sick and supposedly there shouldn't be more than three people in one room but there are eight. I've been sick with a cough, fever, my body aches and all they gave me was ibuprofen which doesn't do anything. Many of the officers are racist and even more towards the African women."*

*-Migrant Detained at OMDC  
Testimony obtained by PSF*



## Testing for COVID-19

In August, one individual described a specific interaction with facility staff in which he was told that OMDC was the facility that was being used to house those in ICE custody that had contracted COVID, and that migrants were being transferred to OMDC from other facilities.

Other migrants described the way in which they had to self-administer COVID-19 tests while at OMDC. A recorded testimony from July 14 describes migrants being given cotton Q-Tips to swab both nostrils. It is likely that the test results are flawed since the facility staff did not effectively guide migrants on how to properly conduct the tests; migrants witnessed some migrants not washing their hands before swabbing.

At least one migrant was asked to either take the self-administered test or to sign a waiver relieving CoreCivic from any liability. This same individual shared that some had experienced symptoms earlier in April but were denied access to testing when they made a request.

## Medical Neglect

Even though the government declares that those in its custody are provided with adequate medical care, there are numerous accounts of guards and other facility staff, including ICE officers, that blatantly

In FY2019, there were on average **48,850** migrants detained per month across the US, with the average length of stay at **36.2** days. The average length of stay at OMDC was **87** days.

There are over **200** immigrant prisons in the US.

For real-time reporting on COVID-19 and ICE detention, visit [Freedom For Immigrant's COVID-19 tracking project](#).

*"It was gross negligence on behalf of CCA staff, administration, and medical. Señor Escobar, to begin with, had underlying medical conditions and he had almost a month complaining to medical staff about how he felt. And for about 3 weeks, the last 3 weeks, he didn't really come out of his room anymore because of how he felt. He would keep telling medical, I think he went a couple of times to medical and they never really took him to the hospital to check him out. Number one, they know that this COVID-19 is going around and that they have to take special care of people with underlying medical conditions. I'm not a doctor, but I believe that anybody in this situation, in their right mind, right and correct sane mind, would have taken him to the doctor, to the hospital, or would have actually done a real check-up."*

*-Migrant Detained at OMDC  
Testimony obtained by PSF*

disregard migrants when they request to be seen by a medic.

According to individuals in communication with DR and PSF, CoreCivic staff would not always flag individuals for COVID testing even when they were experiencing multiple symptoms. On May 6, Detention Resistance spoke to a man that has asthma and bronchitis. He began experiencing COVID-related symptoms after his 50-year-old cellmate tested positive. He informed the guards and was told to gargle saltwater and to remain hydrated; he had symptoms for 16 days. This migrant remained in the pod with at least 20 other people who also had symptoms. It is very likely that he and others might also have tested positive for COVID-19.

On July 23, DR documented an incident where a CoreCivic guard took a migrant's

wheelchair away, claiming that it was per the doctor's orders. Physical touch amongst those detained is prohibited, therefore this man's cellmates could not help him with his mobility. He would sit in his cell day in and out.

Other testimonies describe alarming situations in which individuals had abrupt changes in prescribed medication without prior knowledge, as well as confusion in regard to medication provided, or withheld.

### **Access to Nutritious Meals**

Food provided by ICE and Border Patrol to adults and children in their custody has been widely criticized primarily for lacking the recommended nutritional values.

In April, activists began documenting the shift in the quality of food being offered at the Otay Mesa Detention Center. During phone calls and through letters migrants reported being fed mainly cold sandwiches for all meals.

On May 6, during a call with Detention Resistance, a migrant shared that CoreCivic staff had promised that they would be provided with fruit daily, however they had only been given fruit 3 times in a period of two weeks.

Throughout the month of June, almost every call received by Detention Resistance involved some complaint about the food, including being fed rotten bologna sandwich meat, and the effects the meals were having on those detained. Some mentioned experiencing stomach aches, weight loss and vomiting.

*"About 45 minutes ago we were assaulted by the officers, they threatened to pepper spray us. They took two of our friends to solitary confinement just because we were protesting because we want a response from ICE. ICE hasn't shown their face, they haven't responded to anything."*

-Migrant Detained at OMDC  
Testimony Obtained by PSF

*"The more questions we asked, the more upset they became, even arrested four women in total, using the excuse of them being the leaders of everything that was happening as fast as us not wanting to sign these documents. Told all the first not to defend the people that were going to be taken away to stay in our rooms, otherwise we would get pepper sprayed. So many officers came to our pod aggravating us and yelling at us. Some of the girls ran to the phones calling their lawyers and families, they wouldn't let us use the phones and also yelled at them to hang up the phones of they would get pepper sprayed."*

-Migrant Detained at OMDC  
Testimony Obtained by PSF



This was still the case in late June, as migrants at OMDC were still being fed cold bologna sandwiches 3 times a day.

Migrants that require modified diets due to health-related issues were provided the same meals. One diabetic migrant was only given meals consisting of carbohydrates, sandwiches and pasta – all of which can be fatal to diabetics. Food is a basic necessity, and not meeting that bare minimum demonstrates ICE and CoreCivic's inability to view and treat migrants as human beings that are deserving of having their basic needs met.

### ***Use of Force and Retaliation***

Retaliation against migrants demanding better treatment while in government custody has been widely documented throughout the years. Efforts to silence migrants have continued during the pandemic.

On April 10, CoreCivic guards entered a female unit and pepper sprayed the women. The women were not threatening the guards, and they were not combative in any way, they were targeted for questioning a waiver they were being asked to sign as a condition for receiving a face mask.

This quick escalation is unjustifiable and, unfortunately, an example of how

(Continues on page 12)

# #FREETHEMALL!!!

@LIZAR\_TISTRY

**We are calling on California Governor Gavin Newsom to save lives by doing the following:**

- 1 Use power, including mass clemency and emergency release, to free people in state prisons
- 2 Stop transfers from California custody to ICE and between California prisons
- 3 Stop the expansion of immigration detention in California
- 4 Hold the detention industry accountable



SAN QUENTIN STATE PRISON  
SAN QUENTIN



YUBA COUNTY JAIL  
MARYSVILLE

"I WANT CAPTAIN GARZA & GOV. NEWSOM TO SUPPORT US... THEY SAID THEY WOULD CHANGE OUR MASKS TWICE A WEEK BUT THEY HAVEN'T CHANGED THEM IN THREE MONTHS. I ALSO ASK THAT OUR FAMILIES BE ABLE TO HAVE LONGER VISITS WITH US. MY FAMILY DRIVES 3 1/2 HOURS FROM MARIN BUT THEY'RE ONLY ALLOWED TO VISIT ME FOR 1/2 AN HOUR. I ASK THAT THE GOVERNOR FREE US ALL."

ANONYMOUS PERSON INCARCERATED AT YUBA COUNTY JAIL

SACRAMENTO YOUTH DETENTION FACILITY  
SACRAMENTO



DO KIDS BELONG IN JAIL?

WHERE DO THEY BELONG?

AT HOME WITH THEIR FAMILIES!

NO!

SOLANO STATE PRISON  
VACAVILLE



"IT SEEMS LIKE WE'RE JUST WAITING FOR AN OUTBREAK LIKE SAN QUENTIN... WE FEEL LIKE WE'RE A JOKE TO CDCR & GOV. NEWSOM. THAT OUR LIVES DON'T MATTER."

-PEOPLE INCARCERATED AT SOLANO STATE PRISON

FREWAY BANNER DROP, BERKELEY  
FREWAY BANNER DROP, OAKLAND

S.F. I.C.E. PROCESSING BUILDING  
SAN FRANCISCO



"IN 2007, I FINISHED MY TIME IN PRISON & I WAS TRANSFERRED TO I.C.E. I SPENT 7 MONTHS IN I.C.E. DETENTION. TODAY I'M FACING THE POTENTIAL & REALITY OF BEING SEPARATED FROM MY THREE CHILDREN. I'M ASKING I.C.E. TO ALLOW ME TO STAY HERE & STAY AT HOME."

-HUGO AGUILAR

FREWAY BANNER DROP, MARIN



GOLDEN STATE MODIFIED COMMUNITY CORRECTIONAL FACILITY  
MCFARLAND

"WE GIVE THIS MESSAGE IN SOLIDARITY TO OUR BROTHERS & SISTERS INCARCERATED THROUGHOUT CALIFORNIA-THE VOICES THAT ARE SILENCED BY THE WALLS THAT HAVE KEPT US SOCIALLY DISTANCED FROM OUR FAMILIES

WELL BEFORE THE VIRUS OF DISCRIMINATION... WHEN THEY FIRST ARRESTED US, THEIR HOLDING CELLS CHARGED \$35 FOR A 3-MINUTE CALL TO TELL OUR LOVED ONES WE WERE KIDNAPPED BY I.C.E. DETENTION IS A DEATH SENTENCE. PROVIDE US WITH ADEQUATE TESTING, PROPER MASKS, SOCIAL DISTANCING, & SANITATION. DESIST FROM EXPLOITING THE BENEFITS OF THE POOR FOR YOUR BENEFIT."

PEOPLE HELD IN DETENTION AT GOLDEN STATE

LANCASTER STATE PRISON  
LANCASTER



"I'M BEGGING YOU TO RELEASE MY FIANCE, TYSON ATLAS. HE'S SUFFERING FROM MANY UNDERLYING ISSUES THAT CAN BE FATAL WITH COVID. HE'S NOT RECEIVING THE ADEQUATE MEDICAL ATTENTION THAT HE NEEDS. IT SHOULD BE HEALTH OVER PUNISHMENT."

-FIANCE OF TYSON ATLAS



ADELANTO DETENTION CENTER  
ADELANTO



OTAY MESA DETENTION CENTER  
SAN DIEGO

"THIS IS WHERE CARLOS ESCOBAR DIED EARLIER THIS YEAR FROM COVID BECAUSE THIS PLACE DOES NOT HAVE ADEQUATE MEDICAL CARE, SOCIAL DISTANCING, OR P.P.E."

MORE INFO @  
bit.ly/  
Oct6freethemall

On October 6<sup>th</sup>, advocates organized a statewide banner drop demanding that Governor Newsom #FreeThemAll. To learn more about AFSC's FTA work, see [here](https://www.afsc.org/).

Image Credit: Elizabeth Niarhos @lizar\_tistry

reactionary responses have become the norm amongst immigration enforcement officers and those they contract. Other forms of retaliation that migrants have experienced have also included being sent to solitary confinement, denying access to phones and commissary. During the pandemic, there have been migrant-led hunger strikes at OMDC. Those that participated were targeted and many were sent to solitary confinement.

Those that provide migrants with emotional support, funds for commissary, and advocacy guidance were also targeted as a strategic way to limit the access to information about the realities of detention at OMDC. Both Detention Resistance and Pueblo Sin Fronteras were targeted and their phones were blocked from June 9th to June 24. Their phone numbers were unblocked only after a campaign encouraging community members to call the detention center. The treatment migrants receive at the Otay Mesa Detention Center is in violation of CoreCivic's own [Human Rights Policy Statement](#) which states that their guidelines are in accordance with the United Nations' standards for prisoner treatment.

## DEPORTATIONS DURING COVID

Despite borders being closed and worldwide travel bans during the COVID-19 outbreak, ICE continues to transfer detainees between facilities, as well as continues to deport individuals to their countries of origin. The *New York Times* reports that hundreds of flights with detainees diagnosed with COVID-19 on board have operated during the outbreak, and over 6,000 individuals have been taken back to El Salvador and Honduras alone since March, as a result of President Trump promising the countries ventilators if they accepted them. As of July 2020, at least eleven countries have stated they have received individuals deported from the US that had a [positive](#) COVID-19 diagnosis. An overall increase in deportation has occurred due to fears created by the novel coronavirus and its impact in detention centers, as individuals fear dying within the facilities due to poor and unhygienic

conditions. Increased numbers of detainees are choosing to abandon their cases and self-deport as a result of these conditions, leading to an increase in [deportation cases](#), and delays within the usual proceedings.

The [Center for Economic and Policy Research](#) (CEPR) states that ICE is unlikely to test deportees for COVID-19 unless the receiving country has made it a condition when admitting the individuals. CEPR has also been tracking hundreds of international flights carrying deportees. The Trump Administration has threatened many of the countries receiving deportees with [visa sanctions](#) but are not adequately prepared to handle the impact COVID-19 could make by readmitting individuals who have picked up the illness within US detention centers.

ICE put out a national [statement](#) on April 10 highlighting the 1,000+ US citizens and lawful-permanent residents that have been able to return to the US from abroad on returning deportation flights since March 22 during the COVID-19 pandemic, primarily between Central American countries and the US. This statement acknowledges their continued international transfers, which may result in spreading COVID-19 internationally directly from US detention centers.

## CHALLENGES IN PROVIDING SUPPORT

COVID-19 has limited the ways in which advocates and community organizers have been able to help those detained. At the Otay Mesa Detention Center, in-person visitations were postponed for visitors and attorneys. Closing off the detention center was a safety precaution necessary during the COVID-19 pandemic, however it limited the ways in which those imprisoned could communicate with family, friends, attorneys and community advocates. Organizations had to shift to primarily providing support over the phone and in-person but only after migrants are released from detention.

Obtaining information from migrants regarding the conditions of the prisons has

become more challenging during the pandemic. Mail is delayed and in-person visits were postponed and/or limited, leaving those detained with feelings of compounded isolation. These limitations have also been challenging for family members of those detained. One family attempted to deliver over the counter anti-inflammatory medication to their loved one at OMDC in early April. Their family member believed she had COVID but was being denied medical care. They were turned away by facility staff.

Many detained at OMDC stated being unable to find a sponsor, and therefore remained in detention. Challenges in finding housing for migrants post-release are exacerbated during the pandemic. Prior to COVID-19, it was easier to find temporary or semi-permanent housing for migrants via local and national networks of community members supporting migrants. A majority of them were detained during their journey to reunify with family or friends elsewhere in the US. Therefore, when they are released from detention, they need to then figure out how they will get to their final destination, often with little to no money.

Community members supporting people released from detention have had to be creative and resourceful during the pandemic to make it safe for themselves and the migrants they engage with. Volunteers placed plastic wrap and plastic shields in their cars in order to provide migrants with transportation from where ICE releases individuals, either at the San Ysidro port of entry or at OMDC, to either a hotel, airport or bus station. At times volunteers had to resort to using Lyft to get migrants to their destination.

Prior to the pandemic, it was common for community members to host migrants short-term post-release. However, given the severity of the virus at OMDC, people are no longer hosting migrants in their homes. Organizations such as PSF and DR needed to host migrants in hotels. In some cases, the County's Public Health Department

accommodated those that needed to be quarantined two weeks post-release.

Some were given 1 extra disposable mask upon release and volunteers would provide them additional masks, hand sanitizers and other items so they could safely travel to reunify with family, community, and friends.

The Department of Homeland Security has blatantly failed to protect those in its custody. They have grossly failed to treat migrants with decency, respect, as the human beings that they are. However, this department is not the only one at fault — the injustices that migrants are facing in detention is a reflection of systemic racism and white supremacy that are rooted in the creation of this country. To build the future we want, one that is reflective of abolitionist values, we must continue working in solidarity and alongside those directly impacted

## RECOMMENDATIONS

**Stop the transfers to ICE** from jails/prisons and between ICE prisons.

**Free individuals from ICE** custody by providing alternatives to detention for all currently in ICE custody, which includes releasing individuals without bond via an order of release on one's own recognizance.

**Halt the arrest of migrants** in communities and along the border during the COVID-19 pandemic. No one should be imprisoned during a global pandemic.

**Hold ICE and CoreCivic accountable** for failing to protect migrants.

**Abolish** the immigration prison industrial complex, including all forms of profit from the imprisonment of migrants.

[Sign our petition to abolish ICE!](#)



Image Credit: Jeff Valenzuela, Pueblo Sin Fronteras

*“They really don’t care here, at this facility, about people. They really don’t see us as human beings, I believe. I believe they just see us as a way that this facility, since it’s privately owned, makes money off of us being detained. What has to happen? How many people have to die after him? Like when will they start doing something to correct the situation here. How many more people have to get sick? **How many more people have to end up dying before they actually do something and correct the mistake?**”*

-Migrant detained at OMDC  
Testimony obtained by PSF



# CoreCivic

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Otay Mesa  
Detention  
Center

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