



Georgia | Alabama Chapter  
American Immigration Lawyers Association



SPLC  
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The CENTER for  
VICTIMS of TORTURE



April 17, 2020

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We, the undersigned healthcare and public health professionals, and leaders of community, non-profit, and faith-based organizations ask for your commitment to flattening the curve of the rate of infection of COVID-19 in Georgia and protecting all communities in the state by facilitating the coordinated release of the people currently detained in Immigration and Customs Enforcement (ICE) custody in Georgia.

In addition to the surge in COVID-19 cases that immigrant detention is poised to cause, regional hospitals in South Georgia that have historically provided emergency healthcare to people in immigrant detention are already in the midst of responding to a public health crisis.<sup>1</sup> **This pandemic calls for a coordinated evacuation of immigrant detention centers in Georgia.**

We ask that you immediately act to protect the health of detained persons, facility staff, healthcare workers, and communities throughout South Georgia by:

1. Contacting ICE leadership (Thomas P. Giles, cc'd) and requesting the immediate and orderly release of the people detained in the Robert A. Deyton Detention Facility, Stewart Detention Center, Irwin County Detention Center, and the Folkston ICE Processing Center;
2. Advising on the steps necessary to preserve the public health of detained individuals, facility staff, healthcare workers, and the larger community during a coordinated release; and
3. Sending health inspectors to the aforementioned detention centers, to monitor conditions, and report on COVID-19 response plan implementation.

<sup>1</sup> As of April 15, 2020 there were **1,893 confirmed cases** across the Phoebe Healthcare system in Albany, with another 169 patients awaiting test results. Of the confirmed cases, 67 people had died, and 161 people were hospitalized. At Phoebe Sumter Medical Center, eight people had died from COVID -9, and 27 people were still hospitalized. At Phoebe Worth Medical Center, two people had tested positive for COVID-19. At Valdosta's South Georgia Medical Center (SGMC) 20 patients had tested positive for COVID-19 and five patients had died. There were 59 confirmed cases in Lowndes County and 14 inpatients waiting for their test results. At Tift Regional Medical Center, as of March 31, there were 15 patients with COVID-19. A nurse employed by the Tift Regional Medical Center is currently in critical condition following exposure to the virus.

Immigrant detention centers represent a dangerous vulnerability in Georgia's attempts to contain the novel coronavirus. Once introduced into these facilities, COVID-19 spreads at an exponential rate.<sup>2</sup> We are reaching out to you now because we have not received meaningful community engagement, coordination, or transparency from ICE, despite multiple attempts to contact the Atlanta ICE field office.<sup>3</sup> This is a public health emergency.

There have been 17 publicly confirmed cases of COVID-19 at Stewart Detention Center in Stewart County,<sup>4</sup> as well as reported cases of COVID-19 at Irwin County Detention Center (ICDC) in Irwin County, Robert A. Deyton Detention Facility in Clayton County and the Folkston ICE Processing Center in Charlton County.<sup>5</sup> The number of cases is likely greater than the number publicly confirmed: at each of these detention centers, individuals have reported symptoms and been denied diagnostic tests.

ICE does not operate hospitals, and immigration detention facilities are not sufficiently equipped to address the serious medical issues that arise as a result of infection with COVID-19. As with all serious medical issues among persons in detention, ICE will be forced to rely upon hospitals in neighboring counties for emergency medical care, further burdening already stressed facilities.

ICE has implied that there is no significant difference between the risk a person runs of contracting COVID-19 while detained and not detained. Thousands of doctors have refuted this unfounded, speculative and disingenuous assertion<sup>6</sup> for many reasons, not the least of which is that there can be no meaningful social distancing in ICE custody.<sup>7</sup>

Conditions in these detention centers are set to rapidly accelerate Georgia's growing public health crisis. Hospitals throughout Georgia, whose **healthcare workers and staff are already risking**

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<sup>2</sup> Given the infection rate, Dr. Carlos Franco-Paredes, Director of Infectious Diseases Fellowship Training Program at University of Colorado Anschutz Medical Campus explains, "for an immigration detention center that holds 1500 detainees, we can estimate that 500-650 may acquire the infection. Of these, 100 - 150 individuals may develop severe disease potentially requiring admission to an ICU. Of these, 10-15 individuals may die from respiratory failure. Many will need to be transported to nearby hospitals, effectively placing greater strain on an already burdened healthcare system."

<sup>3</sup> "Letter to release individuals at Stewart Detention Center,"

[https://docs.google.com/document/d/1cMXvBL6v-AoRVc7IUCdogeW-A\\_ic9DNWYm48ljXUo-I/edit](https://docs.google.com/document/d/1cMXvBL6v-AoRVc7IUCdogeW-A_ic9DNWYm48ljXUo-I/edit); "An open letter to immigration authorities regarding COVID-19 in Georgia,"

<https://innovationlawlab.org/general/an-open-letter-to-immigration-authorities-re-covid-19-in-georgia/>; "Letter to immigration authorities re COVID-19 in Georgia,"

[https://www.splcenter.org/sites/default/files/ltr\\_to\\_ice\\_and\\_wardens\\_re\\_covid-19\\_-\\_2020.03\\_-\\_final.pdf](https://www.splcenter.org/sites/default/files/ltr_to_ice_and_wardens_re_covid-19_-_2020.03_-_final.pdf)

<sup>4</sup> These cases include ten staff and seven detained individuals.

<sup>5</sup> Freedom for Immigrants, "COVID-19 Reports," <https://www.freedomforimmigrants.org/map>

<sup>6</sup> Jaimie P. Meyer, Carlos Franco-Paredes, Parveen Parmar, Faiza Yasin, & Matthew Gartland, "COVID-19 and the coming epidemic in US immigration detention centres," *Lancet Infect Dis* 2020 (Apr. 15, 2020), available at

[https://www.thelancet.com/pdfs/journals/laninf/PIIS1473-3099\(20\)30295-4.pdf](https://www.thelancet.com/pdfs/journals/laninf/PIIS1473-3099(20)30295-4.pdf); Janus Rose, *Vice*, "Thousands of Doctors Demand ICE Release Detainees to Stop a COVID-19 Disaster,"

[https://www.vice.com/en\\_us/article/4agp4w/thousands-of-doctors-demand-ice-release-detainees-to-stop-a-covid-19-disaster](https://www.vice.com/en_us/article/4agp4w/thousands-of-doctors-demand-ice-release-detainees-to-stop-a-covid-19-disaster)

<sup>7</sup> Women detained at Irwin have reported crowded conditions, including 120 people detained in a trailer separated into four pods, with 30 women per pod, for 23 hours a day. In an open dorm shared by approximately 100 women, a staff person reportedly comes in once a day to disinfect surfaces. People detained at Stewart report they are learning how to keep themselves safe from COVID-19 from the news and phone calls with loved ones. In one unit, an individual reported that immigrants are having to sleep on the floor due to overcrowding. Another individual has stated that immigrants do not have access to cleaning supplies to sanitize their personal belongings. In a recent video, women detained at ICDC report being left to make their own masks from socks and a lack of available test kits for individuals who report possible COVID-19 symptoms. They describe a fear of dying in detention and beg to be released with ankle monitors or on parole or in whatever form might allow them to avoid the inevitable spread of COVID-19 at ICDC. In the video, a mother sobs as she begs to leave ICDC alive so she might see her children again. We cannot dismiss their fears. We know that COVID-19 is deadly. In response to this video, which was recorded by a family member during a video-visitation call, **ICE reportedly cut off the ability of detainees to communicate with anyone outside of the detention center.** In a recent hearing, an ICE attorney submitted this doodle in an attempt to demonstrate social distancing in detention: <https://twitter.com/LCRBOSTON/status/1250209244906995712?s=09>

**their lives on the frontlines of Georgia’s response to the spread of COVID-19**, will struggle to provide healthcare in the event of a sudden surge of COVID-19 cases. This is especially true for healthcare workers and hospitals in South Georgia, where, in the past ten years, seven hospitals have closed, limiting healthcare provision to a smaller number of regional hospitals. Even without the surge in COVID-19 cases that immigrant detention is poised to cause, hospitals in South Georgia that have historically provided emergency healthcare to people in immigrant detention are already responding to a public health crisis.

In the last month, judges across the country have ordered the release of thousands of incarcerated individuals and the Attorney General has called for the Bureau of Prisons to release as many people as possible.<sup>8</sup> ICE has failed to do the same.

ICE is setting on a course toward a predictable and preventable surge of cases that will put the lives of healthcare workers, staff, persons in detention, and local communities at risk. To mitigate the transmission of COVID-19 in Georgia, ICE must collaborate with public health professionals to develop a plan that safeguards the health and well-being of those in their custody, be transparent about the state of their facilities, and release all detainees, while clearly communicating their actions. **We ask your help to bring ICE to the table.**

Community partners like *El Refugio*, *Paz Amigos*, *Casa Alternativa*, and *Black Alliance for Just Immigration (BAJI)* are critical during this time. They are following best practices to ensure that released migrants, shelter staff and volunteers, and the broader community are safe during the COVID-19 outbreak, while developing remote support networks. These organizations and others are prepared to support individuals to safely transition from detention to the homes and communities of support that are waiting to receive them. **Evacuating these detention centers now will save lives.**

We would be happy to discuss these matters further via teleconference with you and your colleagues. Please do not hesitate to contact Ariel Prado at 678 221 4659 or [Ariel@InnovationLawLab.org](mailto:Ariel@InnovationLawLab.org). We look forward to working with you as active and constructive partners in this moment to protect the health and wellbeing of people in ICE’s detention centers, their staff, and communities throughout Georgia.

Sincerely,

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<sup>8</sup> Memorandum of Understanding for the Director of the Bureau of Prisons from the Attorney General, April 3, 2020, <https://www.politico.com/f/?id=00000171-4255-d6b1-a3f1-c6d51b810000> (AG Barr calls for the Bureau of Prisons to “maximize appropriate transfers to home confinement of all appropriate Inmates.”) <https://www.nwahomepage.com/news/wnwa/washington-county-jail-releases-more-inmates-in-covid-19-preparation/> (“Washington County jail releases more inmates in COVID-19 preparation”); <https://www.latimes.com/california/story/2020-03-20/california-releases-more-jail-inmates-amid-coronavirus-crisis> (Amid coronavirus crisis, California releases more inmates); <https://kdvr.com/news/coronavirus/inmates-being-released-early-from-jeffco-detention-facility-amid-coronavirus-concerns/> (Inmates being released early from JeffCo Detention Facility among coronavirus concerns); <https://www.clickorlando.com/news/local/2020/03/19/hillsborough-county-to-free-non-violent-inmates-in-effort-to-prevent-covid-19-spread/> (Hillsborough County to free non-violent inmates in effort to prevent COVID-19 spread)

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