

In April 2020, several medically vulnerable detained immigrants at Irwin County Detention Center and Stewart Detention Center, represented by Asian Americans Advancing Justice-Atlanta, the Southern Poverty Law Center, and Kilpatrick Townsend filed a petition for habeas corpus and complaint for injunctive relief in the Middle District of Georgia, alleging that their detention was unconstitutional because it exposed them to an unreasonable and potentially deadly risk of contracting COVID-19. The petition included allegations about the individuals' underlying health conditions, unmet medical needs, and experiences begging for medical treatment, as well as the jails' failure to address the risk of mass transmission. During the litigation, other detained individuals also agreed to testify about similar experiences with poor medical care and ICE's failures to protect them from COVID-19. The following are the petitioners' and other individuals' experiences at Irwin from April – July 2020 in their own words.

PETITIONERS ARE AT HIGH RISK FOR SEVERE ILLNESS FROM COVID-19 AND THEIR MEDICAL NEEDS GO UNMET AT IRWIN

Ansumana Jammeh (diagnosed with diabetes requiring insulin, regular blood pressure checks, and a special diet):

“[Medical staff] erroneously tell me that I am not in the system as ‘diabetic.’... [I was told] that I should not even bother coming to medical, because I am ‘not’ diabetic and [medical] won’t do anything to correct this mistake.” The pill cart comes “once a day, at 4am when everyone is sleeping ... I am on the second floor of my dorm unit, so getting my pills has become a race against the clock. If I take even a few extra minutes to make it to the door where the pill cart is located, I lose my chance to get my insulin because the pill cart does not wait for anyone.”

Joseph Lloyd Thompson (diagnosed with 5.2 cm heart/stomach aneurysm, diabetes, hypertension, chronic back pain):

Has been hospitalized approximately 10 times in ICE custody. “I’m always shackled when I’m taken to the hospital. There’s no follow up to my hospitalizations [despite recommendations that I receive surgery]. I’m just hospitalized again when I have chest pains.” “I was handcuffed and shackled throughout my hospital stay. It was so difficult to use the bathroom. They only removed the shackles for me to shower.”

Karen Lopez* (diagnosed with heart condition that caused a stroke and requires a pacemaker; Multiple Sclerosis (“MS”)):

“Due to my stroke and MS, I also had to see a neurologist at a hospital. The neurologist ordered additional tests in order to prescribe me medication, but ICE has not taken me to see the neurologists in order to get these tests done.” ICE has not given her the medication or recommended diet for her MS.

Kimberly Salazar* (diagnosed with asthma that requires an inhaler, hypertension, pre-diabetes, previously tuberculosis):

“Since I arrived at [Irwin] in December 2019, I have been consistently asking for an inhaler for my asthma. I repeatedly explained that I suffer from asthma, struggle to breathe, and feel pressure on my chest ... Despite this, I received an inhaler for the first time on approximately Monday, April 11.”

Nilson Fernando Barahona Marriaga (diagnosed with diabetes requiring diet and exercise, and hypertension):

“There have been times when I have a headache, chest pain, and dizziness, or I simply want to get my blood pressure checked, and my medical requests have gone unanswered ... While being at [Irwin], my blood sugar reading has been as high as over 300.”

Shelley Dingus (diagnosed with asthma requiring albuterol inhaler two times per day, chronic obstructive pulmonary disease (“COPD”), eczema, migraines, history of hysterectomy requiring hormone replacement): Full range of medications are not consistently available. “Around mid-June 2020, I requested albuterol for my inhaler. I made this request in time, with anticipation that my inhaler will soon run out of medication. I let staff know that I had 16 puffs left on my inhaler and continued to make them aware as the number of puffs lowered as each day passed. Some days after my initial request, I ran out of albuterol. About 4 or 5 days after being without medication, they eventually gave me someone else’s inhaler.”

Sonia Cabrera Benitez (diagnosed with asthma, breast tumor biopsied in detention): “When I was first detained, I told the medical staff that I have asthma. I told them that I needed medication for it but they never really checked me for my asthma or provided me with medication. I often get asthma attacks in the morning, but I haven’t made medical requests because I hear about how medical requests get ignored ... I have resorted to using the hot water in the shower to create hot air to help

me breathe.” “A member of the medical staff told me that a follow up medical visit would be scheduled so that they can conduct tests to confirm my asthma diagnosis. As of today, they still have not conducted any tests to confirm my diagnosis, nor have they provided me with any asthma medication.”

** Indicates petitioners who filed under pseudonym*

PEOPLE DETAINED AT IRWIN OFTEN MUST BEG FOR MEDICAL CARE

Rodolfo Garcia:** Contracted COVID-19 while detained. “[The COVID-19 symptoms] started with a headache ... I told the nurse to take my temperature because I was not feeling right. And she didn’t have anything to take a temperature with ... I ... couldn’t sleep because my body was aching ... I pushed the button to the tower and told them to please call medical, that I was not feeling well. I grabbed a crate that was laying there, and I sat on it because I was so weak ... my feet were swollen, my hands were swollen, my knees ... They stuck one of those ... Q-tip swab[s] up my nose ... which made me sneeze a lot and I sneezed all over them. I hope they don’t get it ... Because they were not wearing any protective gear otherwise than latex gloves and a mask ... I had vomiting. I had diarrhea. And they weren’t paying any attention much to me. I kept banging on the door ... at times I had to beg for Tylenol ... I’ve been having vomiting for the last few days, diarrhea. I had an accident yesterday here, ma’am, in the bathroom, and it got all over the wall. I had — I kept calling them, and nobody came. I had to clean it up myself. It took like an hour, hour and a half. They gave me some disinfectant, you know, and they gave me a roll of toilet paper to clean up my — my Number 2 that I got all over the wall.”

Ansumana Jammeh: “I was taken to the emergency room due to intense pain in my abdomen. It took me several hours of begging ICE, telling them that my pain was severe and serious, before they finally made the call to transport me to the hospital. An MRI was performed and showed that I had inflammation in my intestine. When discharged from the hospital ... Irwin staff said that most medications [prescribed by the hospital] were not approved by ICE.” “[T]hey waited several days before agreeing to examine me when I was complaining of bleeding resulting from my hemorrhoids.”

Joseph Lloyd Thompson: “I remember having severe chest pains while in my cell. I pressed the buzzer to request assistance, but nobody came. I was on the top bunk and I fell to the ground. My cellmate had to bang on the door of the cell for attention.”

Karen Lopez: “[After my unconsented-to mammogram], I began getting sick, feeling very weak for several days. I reported this to medical staff, but they didn’t react until I began having severe chest pains and breathing difficulty, and my blood pressure dropped significantly. They finally took me to the emergency room at around midnight where I was stabilized and returned to Irwin hours later.”

Kimberly Salazar: “I made a medical request because my cough is so painful and intolerable ... they brought me to medical to ask me about fungus on my feet. I asked why they didn’t want to address my cough and tuberculosis and they said they were only interested in my feet.”

Sonia Cabrera Benitez: “I submitted a medical request to see the doctor because of I had blurry vision, dizziness, and headaches. The only response I received was to drink more water. I was told that a medical appointment would be scheduled, but I never heard back. I also made a medical request on approximately April 8, 2020, because I am suffering from a lot of stomach pains. I feel two small bumps in my stomach and I have an odd pain on the right side of my chest ... I still have yet to receive any follow up.”

Glendy Gonzalez:** “I’m a diabetic ... and I also have infection on my leg due to that ... I was crying for help. They completely ignore me. Because it was very painful, and I asked them for Tylenol. They keep denying. And after maybe a month, they tried to — more than a month, they try — see the doctor ... I beg one time to the nurse to please check my blood because I feel sick, and she say, ‘Oh, I don’t have the money to check your blood.’”

*** Indicates detained individuals who were non-party deponents*

IRWIN COUNTY DETENTION CENTER’S EGREGIOUS FAILURES TO RESPOND TO COVID-19

Kimberly Salazar: “On approximately April 25, I began feeling unwell and submitted a medical request. I felt an extreme fatigue like I’ve never felt before ... I also had a very painful scratch in my throat, felt feverish, and got the chills. I was taken to medical on approximately April 28. I told the nurse my symptoms but she said that it was just indigestion and she gave me a white liquid she said is for indigestion. ...I was taken to medical again around May 4 or 5 after submitting another medical request for a separate medical issue ... The nurse gave me antibiotics and told me that once I finish the 5-day treatment of antibiotics, medical would evaluate me again[, but] medical did not follow up with me When I saw medical on May 19, I described my fever and symptoms, but they only told me that they would provide me with medication for my throat that night before bed. I was not tested for COVID-19.”

Nilson Barahona Marriaga: “I am choosing to engage in a hunger strike to protest the terrible conditions we are detained in and to advocate for the release of us who are medically vulnerable. The day I started striking, the warden said that if others and I continued with our hunger strike, our access to water would be shut off.”

Sonia Cabrera Benitez: “[W]e are very afraid of COVID-19 and the guards are not keeping us informed or safe. The guard told us that if we submit any additional complaints, that we would be transferred to a higher security pod with disciplinary charges.”

Shelley Dingus: “In recent days, ICE has given them a spray gun containing Lysol which they have been using without any concern for detainees like me who suffer from asthma. Since this practice started, my asthma has gotten much worse, and I have had to rely on my inhaler to keep breathing.”

Ansumana Jammeh: “[I] was asked to follow closely behind another detainee who was coughing and complaining of respiratory issues. The Irwin guard ordered me to stand behind this detainee and follow less than two feet away from him. I refused because I was concerned that they were not letting me maintain distance from this man who was clearly sick. But the Irwin guard got upset and I felt forced to do it to avoid any problems.”

Glendy Gonzalez: “I asked one of the officer myself. I asked them if we can get tested for the COVID-19. Her answer was: Well, even if you [were] citizens, we don’t get to get those tests, what makes you think that you can have that?”