



IMMIGRATION

Inmate at Krome detention center tests positive for COVID-19. Here's how ICE kept it quiet

BY MONIQUE O. MADAN

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These tips will help immigrants prepare for interviews with U.S. Citizenship and Immigration Services officials for green card, visa, citizenship, asylum or status adjustment applications.

BY **MARTA OLIVER CRAVIOTTO** ✉ | **DANIEL SHOER ROTH** ✉

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The detainee, a 29-year-old Mexican national, was taken to a nearby Miami-area hospital on March 9 for a non-related coronavirus issue. A few weeks later, the detainee began experiencing flu-like symptoms and ultimately tested positive, according to a congressional notice sent out Tuesday.

The detainee is still at the hospital and has not returned to the detention center since being transported for medical care. Anybody who was in contact with the detainee was quarantined, the notice said.

For weeks — and as recently as Monday — U.S. Immigration and Customs Enforcement has repeatedly told the Herald that no detainees in their custody in Florida have tested positive for the virus. However, the agency got around having to disclose that any detainee was sick with COVID-19 because the detainee was technically no longer on the premises — but rather at a hospital, federal sources say.

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“While that is true that no detainee currently at the detention center tested positive for COVID-19, it’s also not completely accurate as testing is not conducted on site and detainees are sent to an off-site hospital to be tested,” a federal official who has first-hand knowledge of the situation inside the detention center said.

The official added: “It is believed that one of the officers that tested positive contracted the illness because that officer guarded the detainee who tested positive for COVID-19. That information is not being shared with any employees.”

Some members of Congress have also said that they believe the illness was spread inside the detention center.

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On Monday, the Herald reported that two employees who work at the Krome detention center tested positive for the coronavirus. The two guards work for Akima Global Services, the government contractor that operates the facility for ICE.

Federal sources say additional AGS officers have since “tested positive and many more of the officers are either pending testing or pending results.”

For about a month, ICE has published [on its website](#) the number of confirmed coronavirus cases for its detainees and federal employees nationwide. As of Tuesday afternoon, 19 detainees and seven ICE detention center employees nationwide have tested positive for the virus.

However, those numbers do not reflect the number of third-party contractors who work at ICE facilities who have tested positive for COVID-19, or detainees who are at hospitals with the illness. The new detainee cases announced Tuesday were posted on ICE’s website — except one: the case of the Krome detainee, who was the only detainee noted in the Congressional briefing to be at a hospital. ICE said the exclusion was an oversight and that it has since been added to the list.

It also doesn’t mention of how many people at their facilities have been tested or are being monitored for the virus.

The agency told the Herald last week “that isn’t something we have to provide.” An ICE spokesman on Sunday added that it isn’t ICE’s role to publish or discuss information about a third party who works at at ICE facility. According to the ICE data, as of March 2, the agency had [222 detention centers across the country](#), and at least 217 of them contract out to a third-party.



Monique O. Madan @MoniqueOMadan · Apr 7, 2020

Replying to @MoniqueOMadan

Congress was informed this morning about 7 new detainee cases – Krome in Miami-Dade being one of them, per [@Haleaziz](#). Those cases are still not on their website. [twitter.com/Haleaziz/statu...](https://twitter.com/Haleaziz/status...)

Hamed Aleaziz @Haleaziz

NEW: ICE notified congress this morning a surge of new COVID-19 cases in custody: 7 additional detainees in Louisiana Michigan New Jersey Pennsylvania Arizona and

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Here's what was sent to Congress this a.m:

"As of April 6, 2020, six (6) additional individuals in U.S. Immigration and Customs Enforcement (ICE) custody have tested positive for COVID-19:

- a 24-year-old Guatemalan national at La Palma Correctional Center in Arizona;
- a 25-year-old Indian national at LaSalle Correctional Center in Louisiana;
- a 67-year-old Cuban national at St. Clair County Jail in Michigan;
- a 29-year-old Brazilian national at Essex County Jail in New Jersey; and
- a 29-year-old Bangladeshi national at Pike County Correctional Center in Pennsylvania.

Additionally, a 29-year-old Mexican national in ICE custody at a Miami-area hospital has tested positive for COVID-19. The individual was transferred from the Krome Detention Center to a

54 1:54 PM - Apr 7, 2020

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According to ICE, the agency did not disclose the positive COVID-19 case regarding the Krome detainee to a Herald reporter when asked because the detainee was not at the moment in ICE custody at the detention center, but rather at a hospital.

Frank LoMonte, director of the Brechner Center for Freedom of Information at the University of Florida, says there's no absolute legal compulsion for agencies to give out statistics, that they are only obligated to respond if they're presented with a Freedom of Information Act request.

"But they absolutely should not be putting out incomplete or misleading numbers that give a false

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He added: “You would expect the sickest people to be taken to the hospital, so if the statistics are excluding those people, then we’re not hearing about the most serious cases. ICE has maybe 50,000 detention beds and half a million people a year are going through those detention centers, so if there’s widespread transmission of COVID-19, that’s potentially a lot of people at risk.”

According to two security guards at Krome, ICE and AGS have yet to give employees any specific information on who has been exposed to the illness.

“In actuality, what they are doing is ordering any officers who have identified themselves of having any interaction with those two employees, to not report for duty, and are removing them from work duties without pay until they can be tested and cleared for work,” said one guard, who asked to remain anonymous.

The guard added: “This unfortunately depends primarily on the infected officers’ recollection of who they might have come into contact with. Thereby inadvertently omitting possibly infected employees by not asking all employees to report any contact they might have had with those positively confirmed officers. They are also refusing to pay to have them tested.”

Said another guard: “Officers and their families are all unnecessarily being endangered by the management team, which is more concerned with incurring the costs of having to pay overtime than officers’ safety. Only now that officers have tested positive are they being forced to take action and have certain officers tested while still omitting the fact to employees, detainees and the public that at least one detainee from Krome is confirmed to have COVID-19.”

Both guards noted that only some staffers are being issued personal protective equipment — and that face masks need to be reused for days at a time.

John Sandweg, former acting director of ICE and former acting general counsel for the U.S. Department of Homeland Security, told the Herald on Monday that “ICE officers, agents and contractors deserve to know the risks they are taking in performing their duty. When this information is held back, these men and women are deprived of an opportunity to weigh in on policies that may make them less safe.”

“ICE should not only disclose the number of confirmed cases but also the number of tests that have been administered in these facilities,” Sandweg said. “ICE must exercise maximum transparency when it comes to officer and employee safety.”

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But detainees [aren't the only ones getting sick](#). According to three federal asylum office workers — government employees who interview detainees inside detention centers for their asylum cases — several employees tested positive for COVID-19 after visiting the Krome office.

Though the Executive Office for Immigration Review lists the Krome immigration court as being open, attorneys and staffers told the Herald it has been closed for more than a week after the government conducted a deep cleaning of the premises.

On Sunday, after nearly 23 years of housing immigration inmates for the federal government, the Monroe County detention center in Key West [abruptly severed its contract with ICE](#). Monroe detainees are regularly transferred to and from immigration court in Miami-Dade for their federal hearings. Sources told the Herald that the frequent trips to the crowded facility in Miami had the sheriff's office uneasy over the possibility that the coronavirus could easily be transmitted.

The influx and constant transfers of inmates across the country has sparked national complaints from immigration advocates, who are asking that immigration detention centers release inmates amid the health crisis. Over the past few weeks, local and state governments across the United States have reduced their jail and prison populations in an effort to prevent a coronavirus outbreak behind bars.

Jessica Schneider, director of the detention program at [Americans for Immigrant Justice](#), a South Florida immigrant legal services organization, said the group "has been receiving disturbing reports from detained clients" about detainees being sick and isolated. When the organization has reached out to federal officials, she said no information is given.

"We have heard that many are presenting with flu-like symptoms and receiving minimal medical care. We have also learned that some are in quarantine and some have been taken to the hospital because they were very ill," Schneider said. "What we haven't received is any kind of confirmation from ICE regarding who has been tested for COVID-19. This lack of information is increasingly troubling as ICE has not set up a method to engage in remote legal visits. We have no way of knowing if a visit to a client is putting us or our families at risk. This leaves immigration attorneys with the unfortunate choice of choosing between our obligations to our clients and our own health and well-being."

Following the news of positive COVID-19 cases at Krome, U.S. Reps. Debbie Mucarsel-Powell, Donna Shalala, Debbie Wasserman-Schultz and Frederica Wilson, sent a letter to Matthew T.

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County Detention Center, can be avoided. The risk to the lives of hundreds of immigrants and federal employees can be mitigated. We urge you to immediately expand the use of parole or GPS monitoring, to all vulnerable individuals without criminal backgrounds or nonviolent charges or convictions detained at these facilities.”

ICE did not respond to inquiries from the Herald on whether this measure has or will be considered.

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Monique O. Madan covers immigration and enterprise; she previously covered breaking news and local government. Her work has appeared in The New York Times, The Boston Globe, The Boston Herald and The Dallas Morning News. She is currently a Reveal Fellow at the Center for Investigative Reporting. She graduated from Miami Dade College and Emerson College in Boston. A note to tipsters: If you want to send Monique confidential information, her email and mailbox are open. The address is 3511 NW 91st Ave, Doral, FL 33172. You can also direct message her on social media and she'll provide encrypted Signal details.

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