

Remarks on Behalf of a Group of Immigrant Legal Service Providers and Civil Rights Organizations in San Diego on the Escalating and Deadly Spread of COVID19 at Otay Mesa Detention Center

Press Conference

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My name is Dorien Ediger-Seto and I am a Senior Attorney at the National Immigrant Justice Center, based in San Diego.

I speak on behalf of a group of non-profit legal service providers and civil rights organizations who work with people in federal immigration and criminal custody in the San Diego area. We are: the National Immigrant Justice Center, Immigrant Defenders Law Center, Al Otro Lado, The Bail Project, Jewish Family Service of San Diego, Casa Cornelia Law Center, and the ACLU of San Diego and Imperial Counties.

Our clients are asylum seekers and long term residents of the United States. They are the spouses, daughters, parents, and grandparents of US citizens. They are teachers, farmworkers, and soccer players. Before he was detained, one volunteered at his kid's local high school, passing out juice at track meets.

We come together to emphasize the dire situation that our clients are facing inside Otay Mesa Detention Center. The disease has spread rapidly throughout the detention center. *Nine* days ago, a single Core Civic employee tested positive for COVID19. As of today, *at least four* housing units are on quarantine, ICE has confirmed that least *5* detainees have tested positive, and we know of many more with symptoms.

As COVID-19 has spread across the world, this country, through California, and into Otay Mesa Detention Center, we have collectively received dozens of phone calls from detained clients and their family members asking for help, telling us of poor conditions inside the detention center and of rampant misinformation, rumors, and fear.

Our clients are sick, anxious, and frustrated that their conditions of confinement make it impossible for them to protect themselves from COVID19. For many clients, language barriers exacerbate the isolation of detention: even when information is disseminated in Spanish, those who speak neither English nor Spanish are left without accurate information about how to stay safe, and—more disturbingly—are unable to easily and accurately convey their medical vulnerabilities and symptoms when they do get sick. As attorneys, ICE does not inform us when our clients fall ill.

Inside detention, there is inconsistent access to cleaning and disinfectant supplies. Because common eating areas are now shut down, many are forced to eat in their cells, where toilets are located in the open air. Meals are often very late, as less detainees are willing to accept \$1 a day to work in the kitchen and risk potential infection from fellow asymptomatic workers. Posters recommending that detainees socially distance are posted, but maintaining a six foot distance is impossible in an environment where 70-80 people are housed in a single pod. Our clients do not have access to masks.

One of our clients has been symptomatic for over a week. He told guards but was ignored for four days, leaving his cellmates to care for him. After one guard threatened him with disciplinary action when he was too sick to stand for head count, a supervisor finally sent him to the medical department. At medical, he has been denied extra blankets by medical staff even as he experiences full body chills. Nobody listens when he tries to tell staff that he cannot breathe.

Another person detained at Otay told their lawyer "if this virus comes to us, if it happens, we will die, because there is no medication, there is nothing." Last weekend, one of the housing units—an entire pod—went on a hunger strike to protest the conditions inside and the lack of information.

We have listened to the public health experts, and we know that if nothing changes, the situation will only become more dire.

There is no justification for continued civil immigration enforcement and detention in the midst of this pandemic. As Otay Mesa Detention Center has shown, once COVID19 is in a detention facility, it spreads rapidly and cannot be controlled. The only way to stop rampant transmission is to release people from custody so that they may quarantine with their families and friends. With significant delays in even scheduling bond hearings before the immigration court, it is up to federal agencies to act quickly to release people from detention, both here and across the country.

Let us be clear: Human beings at Otay Mesa will die if ICE continues to detain them at current levels. These deaths are preventable and unnecessary. Deportation is already a death sentence for many of our clients. But nobody deserves to die simply for waiting for their day in court.

The situation is dire, but there is still time to prevent a public health catastrophe. ICE has the authority to release people **today**. So does Border Patrol and the US Department of Justice.

Pre-trial detention cannot, and should not, be a death sentence.

Thank you.