

**IMMIGRANT
ACTION
ALLIANCE**



TOGETHER WE WILL END IMMIGRATION DETENTION

**FREEDOM
FOR IMMIGRANTS**



**Americans for
Immigrant Justice**

August 26, 2021

SENT VIA EMAIL AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED

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Re: Violations of Womens' Civil Rights, Toxic Chemical Spray, Sexual Voyeurism, and other Abuses at the Glades County Detention Center (Florida)

Dear PREA Joint Intake Coordinator, Inspector Cuffari, and Officer Culliton-Gonzalez:

The following organizations—Americans for Immigrant Justice, Freedom for Immigrants, Immigrant Action Alliance, Southern Poverty Law Center, American Civil Liberties Union (ACLU) of Florida, Florida Immigrant Coalition, Doctors for Camp Closure National, Doctors for Camp Closure Florida Chapter, Detention Watch Network, QLatinx, Legal Aid Service of Broward County, United We Dream, Florida Prisoner Solidarity, Community Justice Project, Bergen County Immigrant Strategy Group, Florida Indigenous Alliance, Community Hotline for Incarcerated People, Florida Legal Services, Sabarish P. Neelakanta Law Firm, Abolish ICE NY-NJ Coalition, Human Rights Defense Center, Dignity Power, Inc., and the National Immigration Project of the National Lawyers Guild—submit this multi-individual civil rights complaint on behalf of seven women currently detained at, or recently released from, Glades County Detention Center (“Glades”):

- 1) Petrona Lopez (A#029 393 387)
- 2) Marlissa Joseph (A#216 358 618)
- 3) Lunise Clerveaux (A# 042 892 088)
- 4) Danielle Harris (A# 216 654 262)
- 5) Iris Martinez Napper (A# 096 564 294)
- 6) Anonymous
- 7) Anonymous

Concerningly, a full six months after community-based organizations and legal service entities submitted a 35-page civil rights complaint naming a myriad of human rights violations taking place inside Glades, ICE leadership and Glades County officials with oversight authority have summarily disregarded these concerns, enabling these more recent violations to take place. Toxic chemical spray exacerbating the spread of COVID-19 and with links to infertility continues to pose serious health risks, as does medical neglect towards those suffering serious ailments or ill with COVID-19. Lack of release for those whose illness places them at great risk of severe illness or death due to COVID-19 remains a critical issue. Sanitation supplies remain insufficient, PPE extremely limited, and large-scale incoming transfers from all over the country are taking place at an alarming rate without proper safety protocols. Facing all of these dangers, those bravely speaking out continue to suffer retaliation for their public reporting. In fact, not

only have the coalitions' grave concerns gone ignored, but individuals who participated in the February complaint were retaliated against with off-camera physical assault mirroring the abuse others reported repeatedly in prior complaints. ICE leadership's response to advocates that video evidence had been reviewed and found lacking was negligent and dismissive.¹

Into these deplorable conditions, recent weeks have seen mass transfer of individuals, including large groups of women who report living conditions which are unsanitary, hostile, and unsafe. These women report that previously named concerns remain ongoing, such as continued exposure to toxic chemical spray in confined spaces, acute medical neglect, deplorable conditions, and insufficient protections from COVID-19, while raising additional concerns unique to women in the facility such as sexual voyeurism by male guards; unannounced entries in violation of privacy and Prison Rape Elimination Acts (PREA) abuse prevention policies; sexually abusive behavior from medical staff; racist verbal abuse; violent and threatening interactions; and hygiene products withheld abusively. Sexually inappropriate behavior and intentional humiliation from Glades County Sheriff's Office's guards and psychiatric staff, in particular, is creating a hostile and unsafe environment for women detained. This environment puts their lives and well-being at constant risk. Such disregard for the welfare of those in their custody includes violations of ICE's own detention standards and COVID-19 protocols, CDC guidance, PREA protocols, and the U.S. Constitution.²

The following reports are made by seven women both currently detained and recently released. Reports by those who remain in detention are submitted both named and anonymously due to concerns of retaliation. Some of these individuals are willing to be identified in the case of a formal investigation.

Toxic chemical spray

"Do you know something? Last night, they were spraying a chemical, and it's not fair. Yesterday, we were coughing a lot because we couldn't take the vapor and smell of the chemical.

¹ On March 5, a meeting took place between ICE Field Office Director Mr. Ripa and advocates from Americans for Immigrant Justice, Freedom for Immigrants, and Immigrant Action Alliance, at which Mr. Ripa informed advocates that a cursory review of video evidence had found no wrongdoing. This is a completely inappropriate response to a request for immediate investigation into the pattern and practice of off-camera assault taking place inside Glades County Detention Center for those who speak up publicly.

² 2019 National Detention Standards for Non-Dedicated Facilities, U.S. Immigration and Customs Enforcement, <https://www.ice.gov/doclib/detention-standards/2019/nds2019.pdf>. (hereinafter "2019 NDS"); U.S. Immigration and Customs Enforcement, Enforcement and Removal Operations COVID-19 Pandemic Response Requirements (Version 5.0, October 27, 2020), <https://www.ice.gov/doclib/coronavirus/eroCOVID19responseReqsCleanFacilities.pdf>. (hereinafter "PRR"); Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities, Center for Disease Control and Prevention (Updated Dec. 31, 2020) https://www.cdc.ca.gov/ccjbh/wp-content/uploads/sites/172/2020/04/CDC_guidance-correctional-detention.pdf. (hereinafter "CDC Guidance"); Order Adopting in Part Magistrate Judge's Report and Recommendation, *Gayle v. Meade*, No. 1:20-cv-21553-MGC, ECF No. 76 at 6-7 (S.D. Fla. Apr. 30, 2020). (as a result of the evidence the record as of April 30, 2020, this Court concluded conditions at Glades constituted "a violation of the Petitioners[] Fifth and Eighth Amendment rights.").

The new women say that it's not good that they sprayed this chemical because there are women who are allergic or have other illnesses." Anonymous report, August 17, 2021

The use of highly toxic chemical disinfectant sprayed throughout the facility further exacerbates the spread of COVID-19 by spreading aerosol droplets and causes detained individuals to experience headaches, coughing, and difficulty breathing. In addition to placing general population and individuals who have contracted COVID-19 at even greater risk, studies note potential long term health consequences, including for women and men's fertility.³

For example, Marlissa Joseph, who has chronic asthma, reported on August 18, 2021, that the chemical disinfectant that is sprayed in the women's pod is very strong and causes her shortness of breath. She explained that the chemical is sprayed after every meal, usually at approximately six a.m., twelve p.m., and six p.m. Ms. Joseph and the other women are not permitted to leave the pod while the chemical dissipates. When she complained to the doctor at the facility about the use of the chemical disinfectant, the doctor brushed off her complaint.

Lunise Clerveaux, who was detained for several months at Glades, also reports that the toxic chemical "turns the air gray" and lingers. When the chemical was sprayed, the women would scatter around the pod and away from the areas that were sprayed. Ms. Clerveaux herself would hide under her bed sheet until the "gray cloud" went away a bit more. She recounts that she could see the gray air leaving the pod when guards would open the door to enter or exit.

Ms. Clerveaux also reports that the ventilation in the pod is so poor that when pepper spray was used in neighboring pods, the women's pod would feel the effects of pepper spray for days. Women would cough, rinse their eyes, and cover their faces with blankets for several days.

Multiple CRCL complaints have been filed naming this issue. In fact, Immigrant Action Alliance first filed a CRCL complaint on this issue on May 23, 2020, citing the serious respiratory distress the chemical spray caused among people with asthma, bronchitis, and other medical conditions. The complaint reported that after the spray is used, people with asthma struggled to breathe, used their inhalers more frequently, and some people suffered from shortness of breath and/or headaches. Subsequent CRCL complaints named that the manner of aerosol fumigation and lack of ventilation were in violation of appropriate protocols and EPA policies. In fact, toxic chemical spray with the same basic compound, HDQ Neutral, is the subject of two current EPA

³ Anthony Luz, Paul DeLeo, Nathan Pechacek, and Mike Freemantle, *Human health hazard assessment of quaternary ammonium compounds: Didecyl dimethyl ammonium chloride and alkyl (C12-C16) dimethyl benzyl ammonium chloride*, REGULATORY TOXICOLOGY AND PHARMACOLOGY (July 5, 2020), <https://doi.org/10.1016/j.yrtph.2020.104717> ("DDAC and C12-C16 ADBAC are irritating/corrosive to skin at high concentrations, and are acutely toxic via the oral, dermal (C12-C16 ADBAC only), and inhalation exposure routes.")

investigations of detention facilities in California⁴ and Washington.⁵ As shared in the February 2021 civil rights complaint, information obtained by an anonymous source indicates that Glades County Officials have directed the toxic chemicals be administered at a much more highly concentrated state than allowable by the manufacturer or the EPA. These earlier civil rights complaints named medical hardships resulting directly from the spray, including nosebleeds, vomiting, and additional difficulties breathing for those suffering with COVID-19. Well over a year later, the use of toxic chemical spray in confined spaces persists, posing a serious health threat and long-term consequences for these women, including potential infertility.

Sexual misconduct by guards: Voyeurism and Unannounced Entry

Based on reports our organizations have received, there is alleged sexual misconduct taking place inside the Glades County Detention Center that could amount to violations under the Prison Rape Elimination Act (PREA).

According to the accounts of several women, male guards allegedly enter the women's pod without announcing themselves, which is a violation of policy and their personal privacy. Showers are open inside the women's quarters, with unannounced entries leading to circumstances in which the women report being watched while they shower and made to feel very unsafe.

For example, Lunise Clerveaux was selected to answer a PREA survey around June 2021 and knew male guards should be announcing themselves when they enter the pod. However, more often than not, the guards enter without announcing themselves when they call women for medical or other reasons. Ms. Clerveaux believes that male guards do not feel that they need to announce themselves when they walk in with female guards.

Ms. Clerveaux also reported, and it was substantiated by a second woman, that male guards watch the women from the guard tower, looking down into the dorm space and bathrooms. The light in the guard tower would be turned off, so she could only see the outline of the male guards standing by the glass, looking at her. It happened several times that she would step out of the wet and moldy shower to dry and dress herself outside of the shower, and she would look up and see up to three male guards standing by the glass watching her. She states, "If there's an opportunity for them to look, they look."

⁴ Andrea Castillo, "Prison company violated federal pesticide law in misuse of disinfectant inside immigration detention center," *Los Angeles Times*, March 22, 2021, [https://www.latimes.com/california/story/2021-03-22/prison-company-violated-federal-\[...\]in-misuse-of-disinfectant-inside-immigration-detention-center](https://www.latimes.com/california/story/2021-03-22/prison-company-violated-federal-[...]in-misuse-of-disinfectant-inside-immigration-detention-center).

⁵ Tina Vasquez, "EPA warns an immigrant detention center to stop cleaning microwaves with pesticides," *The Counter*, August 11, 2021, <https://thecounter.org/ice-processing-detention-center-immigration-tacoma-pesticides-covid/>.

These conditions and inappropriate behavior enable voyeurism, which constitutes sexual abuse according to the Prison Rape Elimination Act (PREA), where inappropriate visual surveillance of a nude detainee is explicitly named in the definition of sexual abuse.⁶

The NDS 2019 standards specify that, per DHS PREA Standards, ICE detention facilities must adhere to a zero-tolerance policy for all forms of sexual abuse and assault. Moreover, the 2019 PREA audit of Glades says that “staff of the opposite gender... announce their presence when entering an inmate housing unit”; eyewitness accounts refute that this is happening. Glades’ receipt of passing marks on their 2019 PREA audit indicates either there have been significant changes in the facility or investigators did not get an accurate account of what was taking place. These formal allegations of sexual misconduct must be investigated immediately to ensure the women’s safety inside the facility.

Racist verbal abuse

Danielle Harris has reported filing multiple grievances about discrimination from officers. One officer called her “monkey,” “low life,” and “porky pig.” Despite this racist verbal harassment, Glades staff responded to her multiple grievances by calling her a liar. One Lieutenant said in response that she could pursue mental health counseling if she had concerns about her treatment at the facility.

Iris Martinez Napper also reported significant discrimination against Latino immigrants inside the facility. She stated they are subjected to verbal abuse whenever they request anything they need, with particularly abusive treatment coming from Officer Livingston, specifically, who subjects her and others to regular racist and sexist comments, including “bitch/puta.”

Petrona Lopez, an indigenous woman whose primary language is Akateko, reports that officers discriminate against her and other indigenous women due to their ethnicity. Officers make fun of the way she and several other indigenous women speak; for instance, calling one woman “dirty.” Ms. Lopez reports that a staff person working commissary called a Mexican woman stupid, in addition to using another derogatory term.

Additionally, women in ICE custody in B1 are also housed with those in county custody and are subjected to racist verbal abuse, such as, “You need to go back to your country” or “Hit me so that you can actually get deported.” Danielle Harris recounts that another woman in the pod said to her and another Haitian woman, “You look like you climbed the wall to come here.” Lunise Clerveaux reports hearing women say, “go back to your country,” and have heard the women in ICE custody being called “wall climbers.” The guards allow these statements to be made without consequence, creating a hostile environment for immigrants detained at Glades. Ms. Clerveaux

⁶ Voyeurism, which is defined as the inappropriate visual surveillance of a detainee for reasons unrelated to official duties. Where not conducted for reasons relating to official duties, the following are examples of voyeurism: staring at a detainee who is using a toilet in his or her cell to perform bodily functions; requiring an inmate detainee to expose his or her buttocks, genitals, or breasts; or taking images of all or part of a detainee’s naked body or of a detainee performing bodily functions. (DHS PREA, § 115.6)

believes the guards often favor the women who are in county custody, and when arguments break out between women in ICE custody and county custody, the guards often side with the women in county custody and offer the women in ICE custody the possibility of solitary confinement for “safety.”

One woman reported that there is a Muslim woman currently detained at Glades who wears a hijab, and the officers have yelled at her, “You with the blanket on your head!” Glades has a long record of anti-Muslim discrimination, and the sheriff’s office and the county were even subject to a lawsuit over their obstruction of Muslim individuals from practicing their faith in 2018-2019, and this continued discrimination shows one more instance where Glades persists in harming detained individuals.

According to CRCL’s mandate, allegations of discrimination based on race, ethnicity, national origin, religion, sex, sexual orientation, gender identity, or disability which occur in ICE custody must be investigated. These have clearly taken place in Glades.

Medical neglect, including violation of COVID-19 safety protocols

“If they aren’t going to treat us [for our medical issues], we want to be free. We have our families; we aren’t alone. I have my older children who can help me access care.”

Petrona Lopez, August 13, 2021

The women report a lack of medical care amounting to medical neglect: lack of basic COVID-19 precautions, lack of medical care for documented needs, and denial of medications and physical therapy. In some cases, they are even denied initial evaluations for severe medical issues because the medical department simply does not answer their sick calls.

Violation of COVID-19 precautions. The facility has recently received in-transfers of women from the Northeast, and as a result, the women’s pod, B1, is becoming overcrowded. Many of the women who were transferred to Glades have chronic medical conditions, yet ICE needlessly flew them to Florida when they should have released these women to their communities. Cells that previously had one or two people assigned to them now have at least four or five. The cells contain beds that are bolted to the floor, so the women can’t move them in order to better distance themselves. One woman notes that her sleeping area, which contains six beds, is full. There is another wing at Glades with additional dormitories, yet Glades has not opened it and spread people out to allow for social distancing. To make matters worse, there is no ventilation in the women’s pod, yet we know COVID-19 to be an airborne virus.

Furthermore, some women who were recently transferred into Glades report not even being tested for COVID-19 upon arrival to the facility. Women currently detained at Glades also report that the detention center is not implementing a standardized quarantine period for all new in-transfers. For example, three women each experienced different quarantine lengths after arriving at Glades. One woman who arrived at Glades in early July 2021 was quarantined for seven (7) days; another woman was in quarantine for three (3) days; and a third woman who arrived at Glades in mid-July 2021 was quarantined for just two (2) days.

These practices recklessly endanger the health of women at Glades, particularly considering Glades' documented mishandling of the COVID-19 pandemic (see, for example, our CRCL Complaint submitted February 22, case number 21-06-ICE-0274). During the COVID-19 pandemic, Glades has failed to provide adequate personal protective equipment (PPE), sanitation, soap and other hygiene products; has mixed people who have tested positive for COVID-19 or who have been exposed to the virus with people who had tested negative or had not yet been tested; has restricted access to COVID-19 testing; and has sprayed toxic chemicals in enclosed spaces, contributing to virus spread and harming detained people's health. Moreover, ICE has transferred people to Glades without implementing appropriate quarantine or medical screening.

This continual noncompliance with CDC guidance and ICE's own protocols has led to hospitalizations and at least one reported death, with other individuals reported to have been removed from the facility while urgently ill, with their welfare and whereabouts then unaccounted for by prior unit mates. The failure to test women for COVID-19 upon arrival or to appropriately quarantine or allow social distancing shows that the longstanding patterns of reckless endangerment continue, putting these women at imminent risk of becoming severely ill or dying from COVID-19.

Unaddressed medical need. Petrona Lopez, who was transferred from Maryland to Glades in May of this year, reports that she has diabetes, high blood pressure, and extreme back pain due to an operation for colon damage in 2019 for which she has not yet received the physical therapy recommended by physicians. In fact, Ms. Lopez was informed that the exact reason she was transferred to Glades approximately three months ago was to receive this physical therapy, yet over three months later she has not received any type of proper medical attention since she was transferred. Ms. Lopez was informed she would have a doctor's appointment on August 14, 2021 to address her medical concerns, but this appointment never took place.

Prior to surgery, Ms. Lopez used a wheelchair due to herniated disks that severely restricted her mobility. Shortly after surgery, she was taken into ICE custody and denied the follow-up care the surgeon ordered to prevent permanent disability. On November 13, 2020, Freedom for Immigrants filed a civil rights complaint on her behalf due to medical neglect in her prior facility, which likely precipitated the transfer. She continues to be denied the physical therapy she requires to regain her mobility and continues to experience significant pain in her left leg as well as numbness and tingling sensations. The only treatment Ms. Lopez is provided by the Glades medical staff is the occasional pain medication and the topical cream Bengay. Glades staff told her, "This is a jail and not a prison; we aren't going to give you therapy." In fact, she says warm water compresses have been helping her cope with the pain, but guards have been confiscating her warm water during inspections.

Ms. Lopez recently has been experiencing additional pain in her arm, knees, pain in her opposite leg, and fatigue. For example, she says it's hard to raise her arms in the morning due to this pain. Ms. Lopez put in a sick call request in an effort to speak to medical staff about her chronic pain and was told she is on a "wait list." However, she was also told the pain she feels "is normal for her age," dismissing her concerns.

These ongoing denials of physical therapy that Ms. Lopez is facing as well as her decreased mobility have taken a toll on her mental health. She feels extremely stressed and increasingly

depressed. She says, “Everyone is yelling. I don’t sleep. I feel so tired and stressed...If they aren’t going to treat us [for our medical issues], we want to be free. We have our families; we aren’t alone. I have my older children who can help me access care.”

Ms. Lopez also has diabetes, high blood pressure, and is elderly, all of which significantly elevate her risk of severe illness or death due to COVID-19 and are qualifying factors for release under *Fruihat*. However, her requests for release are repeatedly denied, despite the presence of four U.S. based children and a religious community willing to assume both financial and social responsibility for her well-being. This failure to release those medically vulnerable is a widespread pattern and practice inside of Glades which was raised to CRCL and ICE leaderships’ attention in the February 2021 complaint.

Denial of medications.

“My medications were taken away. After the fall I had, my head and ears are hurting. I suffer from vertigo, and they are not giving me my medications for this. My daughter had to call because they are not giving me anything. I have requested three sick calls since last week and it wasn't until my daughter called that they brought me a form to fill it out and check if they can see me.” Anonymous, July 27, 2021

A woman who was transferred from York to Glades in early July 2021 describes how Glades abruptly took her off her prescribed psychiatric medication—trazadone (for depression and PTSD) - claiming they do not have it at the facility. Glades has only offered to prescribe her Remeron, yet she is allergic. In addition, the psychiatrist at Glades prescribed her a reduced dose of Vistaril, which she had been taking prior to her arrival at the jail to manage her anxiety, and she reports that the lower dosage, which is half of what she was previously prescribed, is not effective. She and others also report sexually inappropriate behavior from this psychiatrist and abuse of power in administration of their medication, which is detailed in the following section of this complaint. Finally, the medical staff provides her with Melatonin, but at inconsistent amounts; sometimes 3 mg and other times 6 mg. She also has experience with ADD and has been diagnosed in the past, but has been told that in detention, “they don’t treat that.”

As a result, she is suffering from symptoms of PTSD and increased anxiety. She is unable to sleep, experiencing nightmares, and waking up screaming at night. She finds herself to be more erratic when interacting with other women. She is also pacing and feeling exhausted due to the lack of sleep and worsened symptoms. Due to their refusal to recognize and treat her ADD, she is having trouble concentrating, completing tasks, and even responding to questions during phone calls. She explained the side effects of being taken off her psychiatric medications, “I’m up and down with my emotions. It’s not fair to my family who is worried about my well-being. My feelings of guilt and shame are coming back. There is only so much yoga I can do to manage my anxiety and depression.”

Beyond the issues with her mental health care, she has a number of chronic medical conditions, including but not limited to type 2 diabetes, tachycardia, high blood pressure, irritable bowel syndrome (IBS), chronic anemia, chronic kidney infections, and a recent bout with COVID-19 while in detention, for which she is still experiencing symptoms. She describes her fight to get the medical attention and medications she needs at Glades as an “uphill battle.”

For example, when we spoke to this woman on August 17, 2021, she explained that due to IBS constipation, she had gone five days without passing a bowel movement and was in pain. She explains, “It’s very uncomfortable. My other medications constipate me. If I don’t have bowel movements, my blood sugar goes up...I have chronic renal disease; I can’t have all these toxins in my body...I have tried to be released under *Fraihat* in York, and ICE denied me.” She noted that there is a medicine she uses to help with this, and although it was approved by the Glades doctor, the doctor then abruptly took her off the medication. Her potassium levels are also very high, yet the doctor is pushing for her to take a medication that does not correct her potassium levels. Although this medication for her bowel movements is considered a “maintenance medication,” the doctor is requiring the medication to be reapproved every two weeks, including subjecting her to new blood tests before approval. She explained that outside of detention blood work to check for any negative side effects of this medication would only be conducted every six months or once a year. She believes there is no medical reason for these frequent blood tests and that the medical staff is simply being unreasonable, saying, “It’s frustrating. In here you are treated like you are stupid. It’s very demeaning.”

Around the second week of August 2021, she went to an appointment in the Palm Beach area with an outside provider who stated that she needs to have an ultrasound within the next two weeks. The provider stated that they could do the ultrasound that same day, however, the officers that escorted her to the appointment claimed she would need authorization and took her back to Glades. Once at Glades, a nurse told her it could take up to six weeks for the ultrasound to be scheduled-- well beyond the recommended timeline the outside provider stated. As of August 17, 2021, she had no idea if the ultrasound was in the process of being approved and scheduled.

She has also received copies of her medical records from Glades and found errors in the documentation. She has type 2 diabetes and normally has her blood sugar taken twice a day, once in the morning and once at night. However, the medical staff has simply stopped testing her blood sugar after she was taken out of quarantine and moved to pod B1. Furthermore, the doctor never informed her that she would be taken off regular blood sugar checks. After reviewing her own medical records, she found that the medical staff wrote that she refused to have her blood sugar taken and that was the reason they were no longer regularly assessing her levels. This is not true; she has never refused and was never provided nor signed a refusal form. Just days ago, she almost fainted while working in laundry due to her blood sugar levels. She had to eat two sandwiches just to get back to normal levels.

In the pill line, she has noticed abnormal practices in the dispensing of people’s medications. She takes metformin as well as Vitamin D among other medications, and one day she was watching while the nurse dispensed these from the pill bottle. She noticed that a variety of different color pills were poured out of one bottle. The nurse said, “Ooops, I don’t think that’s supposed to be in there,” and put the various pills back in the bottle. In no circumstances should a pill bottle have a mix of pills. On another occasion, she was watching the nurse who was dispensing her medications to ensure she was given the correct ones, and the nurse yelled at her, “Don’t watch me, watch TV!”

This woman worked as a nurse prior to her detention and has a master's degree in nursing. She has also lived with these chronic medical conditions for years and is very knowledgeable of what she needs to maintain her health. Yet, the medical staff at Glades wrote to her that everything she says about her medical care and her medical needs is just her opinion; until she provides them with proof of her education, they won't believe her. She says, "What I know is that doctors can't take you off your medication like that; it's part of the ten patient's rights. You have the right to know what medication you are being provided; the right to know the names of your providers...all of that is being violated here."

Psychiatrist's sexual harassment and abuse of power. The woman highlighted in the example above reports experiencing sexual harassment and abuse of power from the Glades' psychiatrist, in addition to the harmful impact of being denied medication. At the start of August, when she first met with Dr. Rosen, a white man who is the only psychiatrist at the facility, as she entered the room wearing her mask he told her, "Take off your mask, so I can see what you look like." He proceeded to say to her, "I have a thing for Chinese women. I have a Chinese wife." Note that she is not Chinese. She then proceeded to ask him once again if she can be prescribed Trazadone, which is a medication that she has found effective in the past, and he denied her request. She also asked for her Vistaril prescription to be increased as the current amount isn't working for her; he said no. When she left her appointment, he said to her, "Wear something sexy next time I see you," and is requiring her to return in two weeks, which isn't normal for routine psychiatric visits unless someone is prescribed new medications, which she was not. The sexual harassment she is subjected to by the psychiatrist is inescapable as he is the only psychiatrist at the facility.

Marlissa Joseph also reports sexual harassment and abuse of power from this psychiatrist. Ms. Joseph has been subjected to sexually explicit, uncomfortable comments by this male psychiatrist who she is forced to meet with in order to request adjustments in her psychiatric medications. For example, he has said, "Your uniform is tight; wear a tighter one next time." She reports that he has made comments to other women like, "You remind me of my wife." Although a previous facility had prescribed her 45 mg of Remeron, at Glades, she's receiving a prescription of 15 mg of Remeron. This lower dosage is not enough for her, and it's not working. She has filled out two sick call requests regarding this medication, but she has not been able to see a doctor and her request has gone unanswered.

These two women have experienced abrupt changes in their psychiatric medications after arriving at Glades, which for at least one is causing significant withdrawal symptoms. The fact that they are now forced to meet with this psychiatrist again in order to request that their medications be returned to prior dosages, leaving them vulnerable to being subjected to further sexual harassment each appointment, indicates an intentional abuse of power may be taking place. This must be investigated immediately, and this medical professional held accountable for their abuse.

Denial of initial evaluations. After experiencing intense pain in her foot, a woman filed a request to be seen in medical, but one week lapsed and she was not called. On July 15, 2021, she wrote another sick call request, however, when she wrote her jail ID number down incorrectly on the form and wanted to correct it, the officer in the unit screamed at her and would not let her

submit the request. She has also spoken to three officers directly about needing medical attention but has been ignored.

Marlissa Joseph suffered a spider bite on July 27, 2021 that caused extreme swelling and pain in her leg, and Glades did not give her any medication or treatment until August 1. When she reported the bite to medical, the first question from the medical staffer was whether she shoots drugs. Though the swelling in her leg has since decreased, Ms. Joseph began to vomit from what she believes to be a side effect of the medications she was provided for the spider bite, which she originally was told were antibiotics. Once she began vomiting, Ms. Joseph made a complaint to the medical staff and inquired about what she had been prescribed and the adverse side effects it was causing. The nurse that attended to her claimed that she was never given antibiotics but was prescribed oral acne medication, which is not what Ms. Joseph was initially told. Ultimately, Ms. Joseph decided to refuse this medication because she remained unclear what she had been prescribed and why it was causing her to vomit.

Ms. Joseph also suffers from chronic asthma. On August 18, she reported that recently she began to experience chest pains and shortness of breath which she took as a sign of her asthma flaring up. She submitted a sick call and asked the attending doctor for an asthma pump. The doctor refused to prescribe her an inhaler, claiming Ms. Joseph does not have asthma, despite Ms. Joseph reporting her asthma at her initial medical intake. Instead, the doctor prescribed Ms. Joseph steroids, noting her chest pains are related to “frequent pneumonia.” As of August 18, 2021, Ms. Joseph says she has not seen a notable decrease in her chest pains after taking the steroids for about four days. The doctor also failed to take precautionary measures and administer a COVID-19 test to Ms. Joseph, despite chest pains and shortness of breath being potential symptoms of the virus. Ms. Josephs says, “When you tell the doctor your problems, she talks to you like you are dumb.”

Furthermore, Ms. Joseph was able to receive a copy of her medical records from the Glades medical department and she found numerous discrepancies, including that the medical staff did not note on her records that in her initial medical evaluation she reported that she has chronic asthma. She complained to an officer about the errors in her medical records, but to her knowledge, nothing has been done to correct them.

The standard of care under ICE’s 2019 National Detention Standards (NDS 2019) Section 4.3 entitles these women to “access to appropriate medical, dental, and mental health care, including emergency services.” Additionally, the women’s right to medical care is protected by the Eighth Amendment of the United States’ Constitution, which protects them from “deliberate indifference,” where facility staff (1) know about a serious condition that needs to be addressed and (2) fail to respond reasonably to it. The injuries and medical conditions listed here meet the Eighth Amendment’s threshold and constitute “serious medical need” eligible for care.

Physically Abusive behavior

On July 24, 2021, Petrona Lopez requested to be moved to a different dorm because her previous dorm was freezing, and it was exacerbating her pain. The officer had approved her request. When she asked the guard to make sure she was allowed to move she was told her request was

already in the system and approved. However, the person who was previously in her new place within the dorm was moved back that evening without notice or explanation. When Ms. Lopez asked the guard what was happening, he screamed at her to move back to her dorm and slammed the door in her face.

On August 5, 2021, Petrona Lopez reported one of the guards told her to return to her bed when she was supposed to be allowed out of her cell. She was insisting that she was supposed to be let out at that time. The guard yelled at her and violently slammed the door on her. She barely had time to move before the door hit her face. She reported being terrified of the aggression escalating and being hurt by this guard. Ms. Lopez reported the guards but has seen no action taken. She has been fearful of retaliation ever since.

On August 5, 2021, Iris Martinez Napper reported to Freedom for Immigrants' abuse reporting hotline that the first day that she arrived during the transfer process the guards put her ankle shackles on too tightly, and she could not walk correctly. They refused to loosen them. She felt herself losing her balance and she asked a guard if he could provide a hand to help her stay balanced. He refused and she fell on the ground, hard. She hit her knee, shoulder, and head hard against the wall. She was in a lot of pain that day and in the days following and she continuously requested medical attention and an X-ray. They did not provide her a doctor or an X-ray. Instead, they said she was lying about the incident. Eventually, she did get the chance to see a medic, and he confirmed the injury in her leg (it was swollen and purple still). The report was made a month after the incident, at which time her shoulder and head were still in a lot of pain, making her unable to sleep.

Unsanitary, unsafe living conditions and withholding of hygiene products

Unsanitary living conditions. The women report food and water are contaminated, and water is often inaccessible. Water is yellow, and the water cooler is contaminated with hair and little black stones. In the recreation area, there is a water jug but no cups. In the dorms, there is only one jug of water, and it is always empty. As a result, the women are forced to drink from the sink. Within the bathroom, blood, feces, and urine are everywhere, which women report creates an unsanitary and embarrassing living environment. Given that COVID-19 and other illnesses can be spread through human waste, these unsanitary living conditions are medically dangerous.

Marlissa Joseph recently found a fingernail in her food. Multiple women report pest infestations, with roaches on the tables and bugs—including maggots and worms—in the food. Another woman showed the officers food on her tray that had a bug in it, but they refused to give her a different tray. On or about August 12, 2021, one woman reportedly was eating and bit into a wing of an insect that was in her food. Some women wrote complaints to the officers after finding worms in the beans they were served, however, no one responded to their complaints. Officers sometimes spray for pests when the women complain but sometimes say they will and then do not follow through.



Worms on a plate of food at Glades, August 9, 2021

“The food they give us is as if they were feeding dogs. It doesn’t have any flavor, it’s all messed up, and it smells bad. Some of the women in here have found cockroaches in their food. The women that suffer from diabetes or thyroid problems are denied dietary options because they claim it’s too expensive.” Anonymous, July 24, 2021

“The food has bad odors – you put it near your mouth and smell it and think, ‘I can’t eat this.’ ...They know people don’t eat so why don’t they feed us something else? People are always giving their trays back. They are just putting the money [from ICE] in their pocket.” Petrona Lopez, August 13, 2021

Ms. Lopez has diabetes and must be on a diabetic diet, but the “diabetic tray” is essentially the same as the regular tray. She reports that they just change out an apple sometimes; she is often provided bread and pasta. She reports that some days she simply goes without food because there is not much she can buy at the commissary that she can eat either.

Lunise Clerveaux also reports that there are roaches on the tables and bugs in the food. She also saw a spider that she recognized as poisonous, having known someone that was bitten by that species of spider and had to be hospitalized. She made several complaints about the food but did not see any change while she was detained at Glades.

There is also visible mold in the bathroom ceilings and scum on the walls. Mattresses are cut up and dirty. Women have filed sick calls because of the bedbugs in the facility; however, the nurses have done nothing. There is also reportedly a rat in the facility. When a woman reported this at Glades, an officer informed her that the rat lives in the vending machine. It does not appear that the sheriff's office is taking steps to remove it.

Even the clothing at Glades is unsanitary because laundry is returned wet and moldy. One of the women we interviewed works in the laundry at Glades. Currently, there are only two detained individuals doing the laundry for the entire facility. She reports that the dryers are broken and not properly drying clothes, leaving people's uniforms and other items to be returned wet and musty. She reported the issue with the dryers to multiple staff at Glades, including the Commander and a mechanic, only to have the issue ignored.

A lot of the clothes have black stains on them, which is possible mold and may be due in part to the clothes not drying properly. Furthermore, the officers do not permit individuals to hang their clothes to dry by their beds; if the officers find clothes hanging in the cells, they will confiscate the item.

The individuals working in laundry are also forced to face unsanitary working conditions. For example, one woman found feces on some of the uniforms, and the officers have said that she must clean it off, place the feces in the garbage, and place the uniform in the washer. They are not permitted to throw that uniform away. This is unsafe and unsanitary as there may be blood in the feces or other viruses in the feces like Hepatitis A.

Multiple women report that nothing has come of filing grievances about the living conditions. For example, in response to a grievance Danielle Harris submitted, Glades staff told one woman that the facility has passed inspections, so she is lying about the conditions she experiences every day.

The 2019 Detention Standards "protects detainees... by maintaining high facility standards of cleanliness and sanitation," yet the facility at Glades is moldy, dirty, bug-infested, and unsafe. Far from being "protected," detained individuals at Glades are at risk of becoming ill because of the unsanitary living conditions.

Withholding of hygiene products. The women at Glades are at the mercy of the officers for toilet paper, tampons, and pads, and report verbally abusive behavior for requesting essential items needed for their physical well-being. One roll of toilet paper is supposed to last each woman a week. They must give the officer back the empty toilet paper roll before they can receive a new one. If they run out of toilet paper, an officer will search the person's bunk in and out before they are allowed to receive more. Many times, the women run out of toilet paper and are not provided with a new roll, despite their requests. They are forced to go without or borrow from others.

Oftentimes, the officers will promise to provide two to three rolls of toilet paper a week but will only give out one. Another woman reported that an officer swore at her bunkmate when she

requested more toilet paper after she had run out. When the officer refused to provide the woman with a new roll, she said, “How can I use the bathroom?” The officer responded, “I don’t fucking know,” and walked away. Furthermore, on August 12, 2021, a woman asked for additional sanitary pads and the officer responded by saying they didn’t have any.

Making matters worse, women report that it’s common for them to quickly get stomachaches after they eat the food that Glades provides. Women are running to the bathroom after meals, yet they don’t have enough toilet paper to clean themselves. Petrona Lopez even reported requesting additional toilet paper when she ran out of it, to which the response was, “Ask your neighbor.” She responded that her bunkmate was also out. The guard then told her to “go figure it out on your own.” This left her in the position of having to immediately shower after she passed a bowel movement because she did not have any toilet paper left, which is unsanitary, humiliating, and completely unacceptable.

“[The officer said] said, ‘It doesn’t matter if your grandma, you, or others complain. I’m going to give out toilet paper as I want.’” Petrona Lopez, August 13, 2021

Women in ICE custody at Glades are entitled to a safe, healthy living environment while they pursue their immigration case in court, yet at Glades they are subjected to toxic chemical spray, sexual misconduct, racist verbal abuse, medical neglect, unsanitary living conditions, and lack of access to sufficient hygiene products to maintain their health.

Recommendations & Conclusion:

1. ICE should terminate the Intergovernmental Services Agreement (IGSA) with Glades County

It is clear that Glades County has repeatedly demonstrated their unwillingness or inability to provide adequate care to those in their custody. We demand additional oversight measures take place immediately to prevent further harm to immigrants detained, given that prior calls for investigation and demands for intervention to ensure the safety and well-being have either been carried out ineffectively or largely dismissed. It is our understanding that nearly 30 civil rights complaints have been filed in the past two years alone by members of this coalition, including the multi-individual complaint submitted six months prior detailing many of the same egregious abuses highlighted within the body of this complaint. Members of congress have called for the closure of the facility. Yet no notable changes have been made in stopping outright abusive behavior, and the provision of critical medical care or COVID-19 safety protocols at Glades. The women bravely coming forward within this complaint mirror early concerns of life-threatening violations of their rights, while exposing additional rights violations in the form of sexual harassment and abuse of power creating conditions of confinement that are hostile and unsafe.

We therefore urge CRCL and OIG to recommend that Immigrations and Customs Enforcement terminates the Intergovernmental Services Agreement (IGSA) with Glades County. We further urge that the guaranteed minimum payment currently paid by ICE be terminated immediately given that taxpayers are paying for the care of 300 people at any given time, yet for many months there have been significantly less than this number of people detained. Our organizations

raise concerns about gross negligence and highly questionable financial mismanagement by Glades County, given something as simple as provision of essential supplies, such as toilet paper, feminine hygiene products, and unspoiled food, is being withheld from the women. Tax-payer dollars funneled through ICE should no longer be used to prop up this abusive and failing facility.

2. Immediate Investigation of Medical Practices and Sexual Misconduct:

While Immigration and Customs Enforcement considers termination of the contract with Glades County, we urge CRCL and OIG to immediately investigate the abuses raised within the body of this current complaint to prevent life-threatening medical neglect from claiming another life at Glades. Basic COVID-19 protocols must be followed to prevent further deaths, and appropriate medical care provided to address acute medical needs. Moreover, every person detained should be provided with an individualized assessment, under a presumption of release, prioritizing those most medically vulnerable to complications from COVID-19.

We also urge CRCL, OIG, and DHS PREA to immediately investigate the voyeurism and unannounced entry taking place at Glades, as well as the psychiatrist's sexual harassment and abuse of power. ICE detention facilities must adhere to a zero-tolerance policy for all forms of sexual abuse according to the 2019 National Detention Standards.

3. Immediate Halt of All Transfers into Glades:

Since the start of July 2021, ICE has transferred over 100 people into Glades from detention centers across the country, including Essex County Jail and York County Prison that recently terminated their contracts with ICE. Instead of responding to the calls of advocates and community members to release those who remained detained at these two detention centers, ICE abruptly transferred many of these individuals away from their families, communities, and attorneys to other facilities in the South, including Glades, where they have been met with hostile, abusive treatment by the guards and medical neglect.

Glades is a dangerous, unsanitary, and abusive environment for all people, not only women. Multiple prior complaints have demonstrated the serious rights violations and imminent harm immigrants detained, in general, are subjected to in Glades. We therefore urge CRCL and OIG to recommend an immediate halt of all further transfers into Glades.

Transfers, which happen without notice to the individual's attorneys of record, their loved ones, or the individual themselves, have serious implication for an immigrant's ability to access counsel, evidence, and witnesses for their cases, and to contact and be supported by their family and community members. During transfer, people are needlessly subjected to restraints for hours, even days, often leaving them bruised and sore. During the COVID-19 pandemic, transfers pose an added and avoidable danger to the health of people in detention and our communities, as transfers occur without proper PPE, social distancing, and inconsistent quarantine and testing protocols.

The practice of transferring our community members without notice to undisclosed locations is callous and unnecessary, especially when it's within ICE's power and discretion to release them instead. Ultimately, transfers are dangerous, dehumanizing and frightening, and we urge you to recommend an end to all transfers into Glades.

4. All Individuals Detained Should Be Immediately Released to the Community

Finally, we remain extremely concerned that the conditions inside Glades are dire, with ongoing inadequate and abysmal medical care including lack of basic COVID-19 precautions. Women are exposed to toxic chemical spray with likely long-term health consequences; and are subjected to voyeurism and racist verbal abuse by male guards, unsanitary living conditions, and lack of access to sufficient hygiene products. Their grievances are ignored, and Glades has a longstanding pattern of retaliating against those who report abuses. The reports in this complaint, including sexual voyeurism and unannounced entries violating PREA safety protocols, are even more alarming given Glades County Officials consideration of turning the jail into an all-women's facility, documented in publicly available records from a recent Glades County Commissioners meeting.⁷

Given the dangerous and unsanitary conditions at the facility, we demand the immediate release of all individuals from Glades County Detention Center's custody before further harm takes place.

We look forward to your prompt attention to this issue. Should you have any questions, please contact Jessica Schneider of Americans for Immigrant Justice at jschneider@aijustice.org, Wendy King of Immigrant Action Alliance at wendy@immigrantactionalliance.org, or Sofia Casini of Freedom for Immigrants at scasini@freedomforimmigrants.org.

Sincerely,



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⁷ See Audio Recording of the May 11, 2021 Meeting of the Glades County Board of County Commissioners in which one county official stated that the Glades County Detention Center's "claim to fame is our ability to hold females," and further stating that they plan to use the detention of women as a tool to keep the detention center funded and open.

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