

OHIO IMMIGRANT ALLIANCE

The Morrow County Jail is 100% infected with COVID-19 after failing to follow basic medical and hygienic standards. Oscar Lopez Acosta, a father from Dayton, died after contracting COVID at the jail. The implications for the rest of the county and state are clear.

How did we get here?

Ohioans from all across the state are held in Morrow County Jail for Immigration and Customs Enforcement (ICE). The jail is required to provide medical care for immigration detainees, including access to emergency care. The contract, which was most recently approved on February 24, 2020 by the Board of Morrow County Commissioners, also states that the local Health Authority must notify ICE about emergency care sought and used within 72 hours.

Evidence obtained in an ACLU of Ohio lawsuit against ICE shows that the Morrow County Jail failed in this duty. Here are some of the findings in Judge Sarah D. Morrison's order, issued May 15.

1) No Medical Assessment or Treatment for Chronic Illnesses

Detainees with serious medical problems, including asthma, diabetes, cancer recovery, traumatic brain injury, and even gunshot wounds received no treatment in Morrow County Jail.

2) Corrections Officers Acting as Medical Staff, With Expired Thermometers

There is no doctor in the facility. Nurses are at Morrow from 6am-10pm Monday through Friday only. Judge Morrison described how the lack of medical staff overnight and on weekends leads to guards making medical decisions and an unacceptable delay in emergency care. "The time lag that is inherent in this medical relay race can jeopardize the safety of a detainee whose health rapidly declines during off-hours" (page 46).

"The evidence also shows that even when they are onsite, the nurses have little if any direct contact with the infected detainees. It is thus difficult to understand how nurses can properly monitor detainees with whom they rarely interact" (page 46).

Detainees' vital signs are usually taken by corrections officers, not trained medical personnel. The thermometers they use expired in 2016, calling into question the accuracy of their readings. Judge Morrison points out that in sampling of temperature readings ICE gave her, several were below normal including one below 95 degrees, "the clinical benchmark for hypothermia [that] requires immediate medical attention"

(page 23). None was given. None showed feverish temperatures, a situation that is factually impossible in a jail where every single inmate has COVID-19.

3) Emergency Care Discouraged by Jail Staff

“There is evidence that even when detainees report serious symptoms, or appear to be in distress, no action is taken” (page 24). Judge Morrison explained that detainee Bernardo Diaz Rodriguez begged to see a doctor for days as his condition worsened. “As he struggled to breathe, the response by the staff at Morrow was to send a corrections officer in to take his temperature and to bring him a blanket.” He was finally taken to a hospital. The Judge said that this was evidence of “paradigmatic deliberate indifference” (page 49-50).

4) Lack of Interpretation Services Become Deadly in Medical Mistake

The jail uses no interpretation for medical or other conversations besides asking detainees to translate for each other. Eduardo was transferred to the sick POD despite not showing any symptoms of COVID-19, due to a language miscommunication. He ended up contracting COVID-19 (page 24).

5) Filthy Jail Conditions Ripe for Spreading Disease

Detainees are not given disinfectant to clean. Those who are too sick to clean their areas do not have their spaces tended to, leaving the virus on surfaces that others may touch. “Shared aspects of the facility, such as the telephones, are not cleaned in-between uses” (page 25).

“Detainees’ ability to maintain personal hygiene is also questionable. The bathrooms in both dormitories are filthy. Only one showerhead in the small dormitory is functional and its water pressure is barely a trickle. There is a broken toilet leaking in the large dormitory” (page 25).

Other evidence shows that Morrow County Sheriff Hinton failed to prepare for and then properly manage the COVID pandemic, leading to the 100% positive result.

The COVID crisis is not the onset of the problems at Morrow County Jail; it has just raised the stakes for human life. In 2015, ICE found 55 violations at the jail during a compliance inspection. In 2018, the Ohio Department of Rehabilitation and Correction [found Morrow County Jail to be out of compliance](#) with numerous “essential” and “important” requirements in the [Standards for Jails in Ohio](#). These violations included failures to 1) conduct health assessments of new detainees; 2) ensure medications are dispensed by trained personnel and there is a plan in place to handle incoming medications; 3) provide the required amount of sleeping space; and 4) provide clean mattresses, linens, towels, and blankets.

In February 2020, Freedom for Immigrants [reported](#) a series of violations that reflect these deficiencies and conditions in the facility today. Last month, an ICE detainee

contracted shingles and another one suffered an assault. Both were denied adequate medical treatment.

Sheriff Hinton has:

- **Failed to provide [soap to inmates](#)** before mid-March, and [failed to keep a consistent supply](#) of soap and other cleaning products in the jail to this day.
- **Stockpiled PPE**, saving it until after the outbreak (by his [own admission](#)), and allowing the virus to infect staff and inmates. To this day, detainee masks break easily (the disposable ones) and are rarely washed (the cloth ones). Staff may not be wearing PPE consistently, according to Judge Morrison's observations.
- **Continued to allow people to be transferred into and out of his facility**, including from centers with known COVID cases ([Butler County Jail and Franklin County Corrections Center](#)), importing and exporting the virus.
- **Failed to provide sick inmates with adequate health care, including Tylenol, and clean clothes.** COVID-sick patients are [denied Tylenol](#) unless their temperatures reach 104. The laundry was ["broken" for over a week](#), a frequent occurrence.
- **Allowed overdoses to happen in the midst of the pandemic.** In April, Sheriff Hinton and his staff allowed [multiple overdoses](#) in the jail over a period of days. This is just another example of his mismanagement, and what he is trying to cover up.
- **Failed to provide proper nutrition for detainees.** After the COVID outbreak, the jail lost its hot meals provider, and has been providing only cold bagged lunches to people who are grappling with a deadly virus.

These failures led to the death of [Oscar Lopez Acosta](#), a father from Dayton, who contracted the virus at the Morrow County Jail. Released after the first cases were confirmed, Oscar told his wife Lourdes Mejia Flores: "I'm dying." Days later, he did. Lourdes described Oscar to *Mother Jones*: "He was a very responsible person. He was very caring. He was always attentive." His young daughter, just a toddler, will never know first hand how caring he was.

What do we do now?

Keeping the jail open would be dangerous for public health, staff, and detainees. **We demand that this deadly, infected jail be shut down immediately, and all of the people inside be allowed to quarantine safely at home or a hotel.**

Morrow County is one of the least-populated counties in Ohio. The size of its population cannot support its own jail; indeed, other counties in Ohio with even larger populations do not have their own jails for this reason.

To keep the Jail open, the County decided to start [holding federal immigration detainees for ICE](#), people who are accused of civil paperwork violations and are fighting their cases in immigration court. Now, this decision has put everyone's lives at risk--ICE

detainees, individuals in criminal custody, jail staff, and anyone who interacts with them. **It's time for Morrow County to cancel the contract with ICE and close the jail before someone else dies.**