From:
ICE Detainees at Butler County Jail
705 Hanover Street
Hamilton, OH-45011

Date: September 16, 2020

To:
Anyone who will listen to us

Dear Sir/Ma'm,

As Immigration issues continue to garner political and media attention, we the Immigration and Customs Enforcement (ICE) "detainees" at Butler County Jail (BCJ) present this letter to expose the mistreatement and hardships experienced in ICE detention at this location. BCJ is a large sized county jail that holds over 1000 inmates of which approximately 10% are ICE detainees. The remainder includes inmates for the State of Ohio and Feds. The primary location of ICE detainees within the jail is in C-Pod. ICE detainees are by far the highest revenue generators for BCJ. The bed rate for an ICE detainee is approximate six times that of a state inmate. The National ICE Detainee handbook outlines the expected standards and amenities that a detainee should receive. Compared to this standard, BCJ falls well short in almost all areas, including but not limited to access to court and case related resources, quality of food, extremely limited recreation times, lack of access to fresh air /outside recreation, no worker privileges while in detention etc. The following list provides details of such issues.

1. Lack of Access to Immigration Forms and Pens:

ICE court is held via video in a small room at Butler County Jail. This room is supposed to simulate a virtual courtroom but really it is just a storeroom that has been repurposed as a "courtroom". All the detainees line up in the corridoor for hours at a time without access to water or restrooms as they await their turn for court. The Immigration Judge (IJ) and the prosecutor are usually situated in a majestic immigration courthouse in Cleveland, Ohio.

There is typically an ICE officer or a Corrections Officer (CO) who is in the makeshift tiny "video courtroom" with the detainee. During court proceedings, there are times when the judge requests the ICE officer/CO to provide the detainee with certain Immigration Forms. More often than not, these forms are NOT provided to the detainee or are incomplete with missing pages and no instructions.

There is a very frustrating KIOSK based communication system in place. ICE officers take days to reply to time sensitive queries and requests. In some cases, the ICE officer(s) have been abusive to inmates. For example, [redacted] was outright refused and belittled by ICE officer Blair after his court hearing where the judge instructed Blair to provide [redacted] with certain forms [redacted] is a refugee from Sierra Leone who has resided in the US for over 15 years. More recently, the IJ instructed ICE to make a civil surgeon appointment for [redacted] as part of his asylum proceedings. But ICE officers did not set up an appointment for him stating that his attorney or family members will have to set up the appoinment despite [redacted] telling them that he has no attorney representing him and no family member in a position to help with the appointment. Finally, after help from another detainee's family, an appointment was set up, the details of

which were sent to ICE via KIOSK so that they could arrange for transport from BCJ to the doctor's office. However, ICE again did not coopertate and did not organize transport resulting in [redacted] missing this critical appointment with completion of immigration paperwork.

2. Lack of Access to Photocopying Services and Writing Instruments:

The ability to get photocopies made of key immigration paperwork and forms is imperative to timely filings in immigration proceedings. There is currently no system in place to obtain photocopies of legal forms despite Immigration Court mandates to send originals and copies of forms to different addresses. There is a disjoint between ICE and the jail about photocopying services. Butler County Jail as a policy does NOT provide photocopy service whereas ICE is supposed to provide this service. But when "KITES" (KIOSK based requests) are sent to ICE, they reply asking detainees to ask the jail staff for such copies which sadly they do NOT provide.

In addition, Butler County Jail does NOT allow inmates to purchase or have access to pens. As a result, immigration forms which are required to be completed in ink are delayed as detainees have to request the CO on duty for his/her pen. Several COs are reluctant to give up their pens. This causes a lot of frustration and delays.

3. Lack of Access to Medical Records and Services:

Certain Immigration Forms and Filings require detainees to submit copies of medical records. However, when medical records are requested the medics at Butler County Jail, they do not provide copies of medical records even to the patients themselves. Such policies are unheard of and quite problematic.

The medical department DOES NOT provide adequate care for detainees. It is not uncommon for the nurses and medical supervisors to treat ICE detainees with disrespect and tell them that they should not expect much because they are just waiting to deported! There is no testing done for COVID-19 despite the fact that new detainees are brought in from the street and detainees with confirmed cases of COVID-19 at Morrow County Jail (another ICE detention facility) are transferred here.

The treatment of detainees with pre-existing medical conditions is also pitiful. For instance, it took them several MONTHS to continue a necessary medication for [redacted], a 81 year old stage 4 cancer detainee. During the non-treatment period, [redacted] suffered several black outs and falls and was ultimately transported to medical pod (F-pod) where his cancer remission injection was given to him 2 months late. Recently, [redacted] suffered a fall and broke his ribs. He was evaluated a day later and finally taken to a local hospital. Then he was brought back to BCJ for a few days and transported to Texas. However, no one including his family and friends have heard from him since. ICE has not informed his next of kin of his health status and they remain worried. Similarly, [redacted], who was getting the maximum dose of Humira Injection for acute Rhumetoid Arthritis while in prison has been refused treatment since his transfer to BCJ with the medics and ICE both citing that the injection is "too expensive". He has had terrible flare ups and inflamation due to which he can barely hold his food trays or walk.

4. Access to Items in Property:

Upon arrest and booking in the jail, it becomes a major challenge to get items such as legal and case related documents, and other important information such as phone numbers of family members, attorneys etc. from one's property box. Often times, it becomes necessary for a detainee to be able to obtain phone numbers

from their personal cell phone which the jail confiscates and puts in their property. But again, neither the jail nor ICE have procedures for detainees to access their own property.

5. Living Conditions and Lack of Access to Adequate and Proper Recreation:

Detainees are locked in two person cells behind a metal door in small room with no outside view for an average of *over 20 hours each day*. Each cell has one heavily frosted window that is about 5 inches wide with zero outside visibility. This type of confinement goes against the guidelines of ICE detention.

There is NO true outdoor recreation at this facility. There is a "gym" area with one screen window at a height of over 20 feet. The fact that there is one window classifies this area as "outdoor recreation". At this height, the only visibility a little bit of the sky. Due to these living conditions, basic access to fresh air and sunshine are denied. Furthermore, detainees often have to wait for weeks before they get a replacement basketball or soccerball that they can play with in the gym. These issues are further problematic as immigration court proceedings are slow and bureaucratic leading to detention periods of several months. It is not atypical to find individuals that have been locked up at this facility fighting their immigration case for over a year.

6. Food and Nutrition:

Understanding the reality of detention, the food still has to be commented upon with serious criticism. The food is insufficient, distasteful, and sloppily served. For over 5 months, baloney sandwiches have been and are continued to be given to detainees every single night. The breakfast and lunch, while advertised as "hot meals" typically constitute either serverely undercooked or overcooked mixtures of grits, potatotes, pasta, mechanically separated turkey (which has a bad odor and taste) etc. The food served is among the "lowest tier" meals offered by the food contractor ARAMARK. Each meal/tray costs less than 50 cents. Though Butler County Jail and the Sheriff continue to profit heavily from the high payout of ~$300 per day per detainee received for housing ICE detainees, they are not even willing to offer a meal that meets acceptable standards.

7. Work Privileges:

Despite clear directives in the national ICE detention handbook that detainees should be allowed and are encouraged to work in detention facililities, ICE detainees are NOT allowed to work in Butler County Jail in any capacity. There are several opportunities to work at BCJ such as the kitchen, laundry, maintenance and upkeep help etc. Despite the fact that a majority of the detainees have little or low level (misdemeanor type) criminal records, they are not given the opportunity to work. Not only are jail jobs not given to ICE detainess, they also are NOT allowed to be porter workers in their own Housing Unit/POD. These "porter" jobs such as serving trays, cleaning the tables, bathrooms and floors, etc. are of a simple nature. They do not require detainees to leave the the secure area in which they are housed. But detainees are not allowed to be porters and state inmates are brought in and housed in the Immigration Pod to perform porter duties. This is a really unfair and discriminatory practice which needs to be addressed. Several ICE detainees want to work but they are denied this right as highlighted in the National Detention Handbook.

8. Demeanor and Disposition of ICE staff and Certain Corrections Officers (CO):

ICE officers take turns to come to the Immigration Pod (C-Pod) once a week to talk to detainees and process deportation paperwork. Instead of providing any useful or helpful information, they treat detainess in a sub-human manner. More often than not, the officers are rude and use unfair scare tactics. They often lie and

coerce detainees to fill out travel document forms to facilitate their deportation without explaining their rights to them.

Certain Correction Officers from Butler County Jail assigned to the ICE pod are equally problematic. Of special note is L. Browning who seems to have a vendetta against detainees and treats them very poorly. This CO turns off the hot water, does not allow porters to serve or transport food/water through the foodport as is typically allowed by all other COs, delays the already limited recreation start times by stalling, locks down detainees at the time of MedPass, does not reopen the cell doors after the medic has left, and gives unnecessary tickets for inconsequential things that no other CO would give a ticket for. These tickets at times are forwarded to the Immigration Court and affects legal outcomes negatively (e.g. bond denial) for detainees. Recently, Browning called for backup to have Mr. Bayong Brown removed from the POD. While walking down the stairs during the removal, one of the COs pushed Bayong Brown and he fell headfirst on the concrete. Mr. Bayong Brown had been begging with COs to not rush him as he was a confirmed Covid-19 patient and had excessive swelling on his feet which limited his mobility. There are several witnesses to this brutal event.

Conclusion:

Overall, it is sadly concurred that the treatment, to quote the exact words of a detainee "*is worse than that of an animal.*" It is indeed sad that in such a progressive and advanced country like the United States, such practices exist in ICE detention facilities. Most of the detainees have little luck in an unjust and prejudiced immigration court system where they are left largely without access to counsel and in most cases presumed "removable" without actual due process. On top of that, the way detainees are treated in holding facilities is absolutely pitiful and pathetic. It is ironic that they are stripped of their basic human dignity and human - core values that the United States prides itself on. We sincerely pray and hope that this letter will help our voices be heard outside of this concrete structure within which we are kept as we await our immigration fates.

Sincerely,

ICE detainees at Butler County Jail, Hamilton, Ohio.

NAME	SIGNATURE	ALIEN NUMBER (OPTIONAL)
[redacted]		

NAME	SIGNATURE	ALIEN NUMBER (OPTIONAL)
[redacted]		