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Morrow named in ICE inmate lawsuit

By ELI CHUNG

News Staff Reporter

MOUNT GILEAD — Morrow County Jail appears to be the new epicenter of COVID-19 outbreak in Immigration and Customs Enforcement (ICE) facilities in Ohio.

Infection of several inmates occurred after ICE allegedly transferred detainees from other infected facilities to the Morrow jail, according to a lawsuit filed last Friday in the Ohio Southern District court.

According to the lawsuit, the Morrow County Jail continued to transfer detainees to and from Franklin County Jail and the Butler County Jail after inmates tested positive at Franklin April 11 and at Butler April 13. Transferred detainees were not quarantined when they arrived at the Morrow jail, the lawsuit alleges. Several days later, the Morrow County reported its first inmate tested positive at the jail April 23.

The lawsuit was filed by the American Civil Liberties Union (ACLU) Ohio Foundation against the ICE Detroit Field Office, which oversaw the transfers, on behalf of three Morrow and Butler jail detainees with fragile health.

Since then, at least 15 inmates at the Morrow County Jail have been diagnosed with COVID-19, including seven confirmed tests and eight probable cases, according to a Tuesday press release from the Morrow County Sheriff's Office. ICE officials in Detroit confirmed Wednesday that six ICE immigrant detainees are among the confirmed cases.

Overcrowding in the limited, confined space of a detention facility makes it difficult to practice sufficient social distance. Morrow County Jail houses its inmates in one room of 80 people with one shared water fountain, one telephone, one bathroom and one

foot between each bed, according to court records. The viral infection spreads quickly in these conditions, putting both inmates and staff at risk.

In addition to insufficient social distance, the inability to maintain hygiene or receive adequate medical care is also a concern in overcrowded prisons and jails. Director of Ohio Immigrant Alliance Lynn Tramonte reported that inmates at Morrow County Jail do not have adequate access to hygiene products such as soap or basic medicine like Tylenol. Tramonte has been working with detainees at the jail since 2018.

Court records noted that although the jail reportedly cleaned the facility three times a day, the detainees contended that they were only provided with watered down soap which did not lather and no alcohol-based hand sanitizers.

ICE officials in Detroit said that Morrow detainees who tested positive “have all been quarantined and are receiving care.”

However, Tramonte reported that a detainee she spoke to Tuesday was denied Tylenol when he was running a fever of 102 degrees; the detainee was told that he would not be transferred to a hospital until his fever reached 103 degrees. He later reached a fever of 104 degrees, but was then told that he would have to have a fever of 105 degree to be hospitalized, according to Tramonte. The detainee reportedly did not receive Tylenol until his fever had reached 104 degrees.

The Morrow County Sheriff’s Office said in the press release that it receives technical assistance from the Ohio Department of Health but did not respond to the *News*’ inquiry about what treatments the sick inmates have received.

The Morrow County Health District did not respond to the *News*’ requests for comment.

ICE officials in Detroit said that the agency has incorporated CDC’s COVID-19 guidance. In an email to the *News*, officials stated “those who have come in contact with the individuals (detainees tested positive at Morrow) have been cohorted and are being monitored for symptoms.”

The agency did not provide a direct answer to questions about whether it will continue to transfer detainees to and from the Morrow County Jail.

“A transfer may be deemed necessary by the Field Office Director, or his or her designee, for several reasons... Please note that all detainee transfers and transfer determinations are based on a thorough and systemic review of the most current information available,” according to the email.

Morrow County Jail and Butler County Jail are two county jails contracted by ICE to also house civil immigrant detainees in Ohio. The others are Bedford Heights City Jail, Seneca County Jail and Geauga County Safety Center, according to ICE.

Morrow County itself has less than one percent foreignborn residents, according to the most recent US Census data. Most of the immigrant detainees have been transferred to Morrow County Jail from outside of the county.

As of Wednesday, there were 80 inmates listed on the Morrow County Jail’s roster, out of which 47 were immigrant detainees on civil detention with no active criminal charges. The rest of the inmates were US citizens held mostly on probation or bond violation charges, in addition to seven US inmates with violent charges such as rape and assault.

The high percentage of immigrant detainees is unusual at the Morrow County Jail, according to Tramonte.

Tramonte said the jail typically has only around 20 percent of immigrant detainees, but since the COVID-19 state of emergency, the jail has been reducing the number of criminal inmates held on low-level offenses. In contrast, the incarceration of immigrant detainees has not slowed. As of this week, nearly 60 percent of Morrow County Jail’s inmate population are civil immigrant detainees.

The Ohio Immigrant Alliance has three specific demands: The reduction of jail population by releasing as many detainees as possible, especially those with medical conditions that put them at heightened health risks against COVID-19; provide basic healthcare and hygiene products for inmates in custody; and to stop bringing in new detainees on civil immigration detention.

“There’s just no sense to keep transferring people from other counties (to the jail) after the stay-at-home order has been issued,” Tramonte said.

Tramonte noted that many immigrants detained at Morrow County Jail have family in the US and are in the process of obtaining a green card or other immigration status. Given the spread of the virus, many are fearful of becoming infected while in custody.

Along with the Friday lawsuit, ACLU Ohio filed a temporary restraining order (TRO) for the three petitioning detainees to be released from Morrow and Butler custody, on the grounds that continued detention puts these individuals with pre-existing medical conditions — including asthma and thyroid disease — at increased risk for severe illness. The court granted the TRO on Monday, releasing the detainees to 14-day self-quarantine. The detainees are ordered to remain in home detention following the quarantine.

The Ohio Immigrant Alliance is raising funds for hotel stays for detainees who require a 14-day quarantine upon release at bit.ly/QuarantineICE.

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