



Individuals in ICE Custody Do Not Have Adequate Access to COVID-19 Vaccines and Boosters

"I would like for everyone to be vaccinated because everyone is in danger from COVID-19 here in ICE detention. My wife and daughter are vaccinated, and I want my second Moderna vaccine. Officers laugh at people experiencing serious medical difficulties at Stewart, and I don't have faith that my request for a vaccine will be acted upon."

- Person detained at Stewart Detention Center (Lumpkin, GA)

INTRODUCTION

One of the carceral system's main features is the almost entire removal of bodily autonomy, which ranges from a near-total-loss of freedom of movement to health-related decisions. In the context of immigration detention, Immigration and Customs Enforcement ("ICE") controls every aspect of detained individuals' lives: from their length in detention, to the food they eat, to the privacy of using toilets and showers, to random strip searches. With full power over those in its custody and little accountability, the ICE detention apparatus facilitates abuses against detained individuals, ranging from verbal harassment to mental and physical harms that reach the level of <u>inhumane and degrading treatment</u>. While this fact-sheet shows the lack of access to COVID-19 vaccines and boosters by individuals

"I have asthma and my BMI is over 25, which makes me vulnerable to COVID. I have not received a booster shot. The detention center has not mentioned anything about the booster. I was only offered the Johnson & Johnson vaccine between **August-November of last year. There are** no postings or medical information about a booster shot at the detention center. In January 2022, someone in the facility had asked for a booster, but they said 'they were not being offered at the time.' The ICE officers and staff do not wear masks sometimes which has made us especially with pre-existing conditions worried for our health."

- Person detained at Eloy Federal Contract Facility (Eloy, AZ)

in detention, this happens within a broader system of abuse, as documented by <u>Freedom for Immigrants' nationwide monitoring</u> of detention.

The ability of detained individuals to avoid the virus is left to the whims of ICE, as the agency makes decisions regarding access to personal protective equipment, and when and how individuals in its custody will be vaccinated. Medical experts have repeatedly warned that social distancing is impossible in prison settings where people are three times more likely to die of COVID-19 due to overcrowding and poor conditions. As the Centers for Disease Control and Prevention (CDC) continues to "promote the importance"

of being up to date with vaccination to protect people against serious illness, hospitalization, and death," ICE does not provide adequate access to COVID-19 vaccines and boosters. The BA.5 subvariant is proven to be extremely transmissible and affects individuals who have received vaccines and boosters. Now that BA.5 is the dominant strain of COVID-19 in the U.S., the need for ICE to release those the agency has discretion to release is forthcoming.

"I received a vaccine before being put in detention. However, when I arrived at the facility, the officers there did not trust that I had been vaccinated so I had to receive another vaccine. In total I received two vaccines even though they didn't even ask if I wanted another one. I don't know the name of the vaccine and I don't have any papers that tell me which vaccine I have."

DATA AND STATISTICS

To examine detained individuals' access to COVID-19 vaccines and boosters, Freedom for Immigrants COLLECTED 89 RESPONSES TO A SURVEY conducted through our National Immigration Detention Hotline between April 7, 2022 through May 11, 2022.

The information gathered details the experiences of people's attempts to access COVID-19 vaccines and boosters. About one third of respondents cited one or more issues around vaccine access, including 17% of people who did not receive a booster shot. Beyond these quantitative findings, this fact-sheet contains the testimonies of some of the individuals who participated in the survey.¹



Of all respondents

30%
CITED ONE OR MORE
ISSUES AROUND
VACCINE ACCESS

Of the respondents who wanted a vaccine,

7%
OF RESPONDENTS
WERE DENIED A
VACCINE

Of the respondents who wanted a booster shot.

17%
DID NOT RECEIVE
A BOOSTER SHOT

5 survey respondents indicated that they
DID NOT GET THE VACCINE THAT
THEY WANTED

respondents
received a Johnson &
Johnson vaccine
WHEN THAT WAS
NOT THEIR CHOICE

"I received my vaccinations before being detained and I received a booster in detention but it was a struggle to get it. The staff don't care. There are no bulletins up, no information about it, no flyers anywhere, there's nothing. Nurses aren't asking people if they want a vaccine or booster, none of that. I only got the booster I wanted and because my attorney advocated for it. The nurse said I had to take Pfizer or J&J. I said I wanted Moderna, she said it wasn't available, and so I said I wanted to talk to my attorney because I knew it was available in the county. The nurse got mad and I had to sign a paper that said I refused the vaccine."

- Person detained at Stewart Detention Center (Lumpkin, GA)

Due to the lack of transparency of the immigration detention system, these findings do not reflect the full extent of the experiences that detained people share everyday with advocates and community members. While this is a snapshot into access to COVID-19 vaccinations, this report does not encompass the vastness of the public health crisis inside ICE detention facilities.



RECOMMENDATIONS

These findings reinforce the degree to which individuals in detention are harmed when placed in a system that removes bodily autonomy, leading to rampant human rights abuses. As public health experts have repeated throughout the pandemic, it is critical for ICE to use its discretion to release all detained individuals that it has discretion to release, starting with those who are considered high-risk for COVID-19.

IN THE IMMEDIATE FUTURE, AND AS COVID-19 VARIANTS BECOME MORE PREVALENT AND CONTAGIOUS, ICE MUST:



Provide comprehensive access to the vaccine and/or booster of choice to all those detained. Comprehensive access includes:

- Having options among the types of vaccines and/or booster shots;
- Providing adequate information on the ability to access the desired vaccine to all those detained;
- Clear instructions on how to request the vaccine;
- Adequate access to this information (ie. language access, posted in places where those in ICE custody will see them, etc.).



Provide individuals in detention with a vaccination card for their records;



Make public information on vaccination statistics at each facility.

- Person detained at Otay Mesa Detention Center (San Diego, CA)

[&]quot;I wanted the Moderna vaccine but I received the Johnson & Johnson vaccine. Later, when the boosters became available, I requested a Moderna booster, but they told me they only had Johnson & Johnson. I refused the vaccine. Days later, a nurse came into my unit and told me to raise my sleeve for the vaccine. I asked to see the vial of the vaccine, and they told me the contents of the vaccine were already in the syringe. I refused it because they did not verify what was actually in the syringe."