

Statement attributable to an ICE spokesperson:

“The health, welfare and safety of U.S. Immigration and Customs Enforcement (ICE) detainees is one of the agency’s highest priorities. Since the onset of reports of Coronavirus Disease 2019 (COVID-19), ICE epidemiologists have been tracking the outbreak, regularly updating infection prevention and control protocols, and issuing guidance to ICE Health Service Corps (IHSC) staff for the screening and management of potential exposure among detainees. Currently, there are no detainees in ICE custody with confirmed COVID-19.

“ICE continues to incorporate CDC’s COVID-19 guidance, which is built upon the already established infectious disease monitoring and management protocols currently in use by the agency. In addition, ICE is actively working with state and local health partners to determine if any detainee requires additional testing or monitoring to combat the spread of the virus.”

Background:

ICE does not conduct enforcement operations at medical facilities, except under extraordinary circumstances. Claims to the contrary are false and create unnecessary fear within communities. Individuals should continue to seek medical care.

Currently, the CDC advises self-monitoring at home for people in the community who meet epidemiologic risk criteria, and who do not have fever or symptoms of respiratory illness. In detention settings, cohorting serves as an alternative to self-monitoring at home.

Of the 20 IHSC run detention facilities, 16 are equipped with airborne infection isolation rooms (AIIRs). IHSC plans to house detainees with epidemiologic risk for COVID-19 and who present with fever and/or symptoms or respiratory illness in AIIRs.

Comprehensive protocols are in place for the protection of staff and patients, including the appropriate use of personal protective equipment (PPE), in accordance with CDC guidance. ICE has maintained a pandemic workforce protection plan since February 2014, which was last updated in May 2017. This plan provides specific guidance for biological threats such as COVID-19, and applicable parts of the plan were instituted in January 2020 upon the discovery of the potential threat of COVID-19. The ICE Occupational Safety and Health Office has since been in contact with relevant offices within the Department of Homeland Security, and in January 2020, the DHS Workforce Safety and Health Division provided DHS components additional guidance to address assumed risks and interim workplace controls. This includes the use of N95 masks, available respirators and additional personal protective equipment.

Testing complies with CDC guidance for Coronavirus Disease 2019 (COVID-19). Guidance is updated and promulgated to field units on a real-time basis. Subjects selected for testing follow CDC's definition of a person under investigation. As of March 3, 2020, four detainees have met criteria for testing.

ICE has instituted screening guidance for new arrival detainees. This includes isolating detainees who meet CDC guidance for a person under investigation and observing them for a specified time period. Consultation with the local health department may also be required.

Asymptomatic detainees in isolation can attend all appointments. Symptomatic detainees in isolation must wear a tight-fitting surgical mask to attend essential medical appointments. ICE also notifies the medical provider about the detainee's status ahead of the appointment to coordinate care and protect staff and other patients.

Detainees who require quarantine are placed in an appropriate setting in accordance with CDC or state and local health department guidelines. Asymptomatic individuals, or those with mild illness, may be placed in a medical airborne infection isolation room specifically designed to contain biological agents, such as COVID-19. This prevents the spread of the agent to other individuals and the general public. Individuals with moderate to severe symptoms, or those for which guidelines suggest higher levels of care or surveillance, are transported to appropriate hospitals with expertise in high risk care.

ICE only has authority to detain individuals for immigration purposes. ICE cannot hold any detainee ordered released by a judge. If an ill or quarantined detainee must be released, ICE immediately notifies the CDC epidemiology component and the state and local health agencies to coordinate further monitoring or quarantine, if required.

IHSC guidance is consistent with CDC guidance. Since the onset of reports of Coronavirus Disease 2019 (COVID-19), ICE epidemiologists have been tracking the virus and regularly update the agency's guidance for screening and managing potential exposure among detainees. ICE staff attend conferences with the CDC and multiple state and local health departments on an ongoing basis to update the agency's guidance and communicate with DHS stakeholders and liaisons. The COVID-19 specific guidance builds upon already established infectious disease monitoring and management protocols currently in use by IHSC.

ICE is reviewing CDC guidance daily and will continue to update protocols to remain consistent with CDC guidance.