

DECLARATION OF JESSICA MYERS VOSBURGH

I, Jessica Myers Vosburgh, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. My name is Jessica Myers Vosburgh. I am the Executive and Legal Director of Adelante Alabama Worker Center, a worker and immigrant rights organization based in Birmingham, Alabama.
2. I have represented individuals detained by U.S. Immigration and Customs Enforcement (ICE) in the Etowah County Detention Center (ECDC) since 2016. I represent several individuals who are currently detained in ECDC. I visit the facility on an approximately monthly basis and I regularly communicate with clients and prospective clients there via mail and phone. I participated in a stakeholder tour of ECDC in April 2016, which involved touring the housing units, medical, kitchen, and other parts of the jail.
3. ECDC is a county jail located in Gadsden, Alabama. Etowah County has a contract with ICE to house immigration detainees within the jail.
4. For a long time, the ICE detainee population at ECDC was primarily composed of individuals transferred to Etowah from all over the country as their detention grew more prolonged. This includes individuals subject to a final order of removal, but who ICE has not yet been able to deport, and individuals who removal is stayed pursuant to a federal court order pending judicial review in their immigration case. Last year, ECDC also began serving as a short-term ICE detention facility for adult males arrested by ICE in Central and North Alabama, who spend several days or weeks at ECDC before being transferred to one of the large privately-run immigration detention facilities in Louisiana.
5. Everyone who is transferred into Etowah comes through a common booking area on the lower floor at the rear of the jail. The booking area is an open space with benches and several group cells. ICE continues to transfer detainees in and out of Etowah as recently as mid-March, after COVID-19 had already been declared a global pandemic and the first confirmed cases had already been reported in Alabama.
6. ICE detainees are housed in several dedicated units inside of the jail. The two largest ICE units, Units 9 and 10, are located on the top floors of the jail. Each unit contains dozens of cells around the perimeter and a common area in the center where detainees congregate, eat, watch television, and engage in other communal activities. The units also have a small “yard”—an enclosed recreation area where detainees exercise and play sports—and other shared facilities like showers, phones, and a “law library” with several computers. Detainees sleep in cells shared with one or more other detainees.
7. The ICE units are staffed by Etowah County sheriff’s deputies. Jail staff and contractors regularly move between ICE units and between the areas for ICE and county inmates. All individuals confined in the facility—both ICE and county—eat food prepared in the same kitchen.

8. Some of the county inmates in ECDC work within the facility, including carrying out tasks—such as delivering food trays—that bring them into direct contact with staff and detainees in the ICE units. Some ICE detainees also reportedly “volunteer” to assist facility staff with various tasks within the units.
9. Detainees do not have access to basic cleaning supplies to maintain personal hygiene, keep their living and communal spaces clean, and mitigate the spread of COVID-19 and other infectious diseases within the jail.
10. Many detainees do their own laundry using improvised materials because the facility does not provide them with clean clothes and undergarments on a frequent enough basis to maintain basic standards of personal hygiene.
11. There is a separate medical unit inside of the jail. There is no doctor on site, and detainees often have to put in multiple requests and wait days or weeks to see a nurse or other medical professional. In that event that facility medical staff conclude that surgery, a specialist visit, or other off-site medical care is required, it often takes many months before a detained person receives that care.
12. Many ECDC detainees suffering from serious and even potentially life-threatening medical complications receive severely delayed care or no adequate care at all.
13. In 2015, Teka Gulema, an ICE detainee at ECDC, grew seriously ill after an infection in his mouth went untreated. He was eventually transferred to a local hospital, where he remained in ICE custody and under 24-hour surveillance by a sheriff’s deputy, despite the fact that he was paralyzed from the neck down. After nearly a year in the hospital, Mr. Gulema slipped into a coma and died in early 2016. ICE “released” him from custody several weeks before his death.
14. In 2014, Miguel Williamson, another ECDC detainee, fell seriously ill inside the facility. He did not receive any medical attention for days, despite multiple requests and urgent calls from his girlfriend to jail personnel. When he was finally taken to the medical unit, he was sent back to his cell without treatment by a medical officer who accused him of lying about his condition. Mr. Williamson was later rushed to the hospital after he suffered multiple heart attacks and both his kidneys failed. He was put on dialysis and hospitalized for nearly a month. Doctors later determined that the near-fatal consequences were caused by a urinary tract infection that, because it went untreated, spread throughout his body.
15. Since the novel coronavirus outbreak, detainees who present symptoms consistent with COVID-19, such as fever and cough, have not been tested for the virus.
16. Prior to the outbreak, several detainees with asthma and other respiratory issues complained of their conditions being aggravated by the poor air quality inside the jail due to major renovations taking place over the course many months.

17. The insufficient quantity and quality of the food served to ECDC detainees has been another area of longstanding and grave concern. Detainees routinely report being served rotten and expired food and meager portions, further undermining their health. The poor nutrition forces those detainees who are able to do so to supplement their diet with food purchased from the commissary. Dozens of detainees have access to single microwave to heat up their purchased food at mealtimes, leading to crowded and unsanitary conditions.

Executed this 30th day of March, 2020.

s/ Jessica Vosburgh
Jessica Myers Vosburgh